# Contents

**EUROPEAN PARLIAMENT**

2018-2019 SESSION

Sittings of 16 to 19 April 2018

The Minutes of this session have been published in OJ C 450, 13.12.2018.

The texts adopted of 18 April 2018 concerning the discharge for the financial year 2016 have been published in OJ L 248, 3.10.2018.

**TEXTS ADOPTED**

I Resolutions, recommendations and opinions

**RESOLUTIONS**

European Parliament

Tuesday 17 April 2018

<table>
<thead>
<tr>
<th>Resolution Code</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019/C 390/01</td>
<td>European Parliament resolution of 17 April 2018 on a European strategy for the promotion of protein crops – encouraging the production of protein and leguminous plants in the European agriculture sector (2017/2116(INI))</td>
<td>2</td>
</tr>
<tr>
<td>2019/C 390/02</td>
<td>European Parliament resolution of 17 April 2018 on the implementation of the 7th Environment Action Programme (2017/2030(INI))</td>
<td>10</td>
</tr>
<tr>
<td>2019/C 390/03</td>
<td>European Parliament resolution of 17 April 2018 on gender equality in the media sector in the EU (2017/2210(INI))</td>
<td>19</td>
</tr>
<tr>
<td>2019/C 390/04</td>
<td>European Parliament resolution of 17 April 2018 on empowering women and girls through the digital sector (2017/3016(RSP))</td>
<td>28</td>
</tr>
</tbody>
</table>
Wednesday 18 April 2018

2019/C 390/08 European Parliament resolution of 18 April 2018 on the integrity policy of the Commission, in particular the appointment of the Secretary-General of the European Commission (2018/2624(RSP)) ................................. 63

2019/C 390/09 European Parliament resolution of 18 April 2018 on progress on the UN Global Compacts for Safe, Orderly and Regular Migration and on Refugees (2018/2642(RSP)) ........................................ 69

2019/C 390/10 European Parliament resolution of 18 April 2018 on the implementation of the EU external financing instruments: mid-term review 2017 and the future post-2020 architecture (2017/2280(INI)) ................................. 76


Thursday 19 April 2018

2019/C 390/12 European Parliament resolution of 19 April 2018 on Belarus (2018/2661(RSP)) ......................................................... 100


2019/C 390/16 European Parliament resolution of 19 April 2018 on the need to establish a European Values Instrument to support civil society organisations which promote fundamental values within the European Union at local and national level (2018/2619(RSP)) ......................................................... 117

2019/C 390/17 European Parliament resolution of 19 April 2018 on the violation of human rights and the rule of law in the case of two Greek soldiers arrested and detained in Turkey (2018/2670(RSP)) ......................................................... 120

2019/C 390/18 European Parliament resolution of 19 April 2018 on the implementation of the Treaty provisions concerning national parliaments (2016/2149(INI)) ......................................................... 121


2019/C 390/20 European Parliament resolution of 19 April 2018 on vaccine hesitancy and the drop in vaccination rates in Europe (2017/2951(RSP)) ......................................................... 141
III Preparatory acts

European Parliament

Tuesday 17 April 2018

2019/C 390/23
European Parliament legislative resolution of 17 April 2018 on the draft Council decision on the conclusion of the Agreement for scientific and technological cooperation between the European Union and the Republic of Lebanon setting out the terms and conditions for the participation of the Republic of Lebanon in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) (11967/2017 – C8-0344/2017 – 2017/0199(NLE))

2019/C 390/24
European Parliament legislative resolution of 17 April 2018 on the draft Council decision on the conclusion of a Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (12476/2017– C8-0445/2017 – 2017/0223(NLE))

2019/C 390/25
European Parliament legislative resolution of 17 April 2018 on the draft Council decision on the conclusion of an Agreement in the form of an exchange of letters between the European Union and the Kingdom of Norway concerning additional trade preferences in agricultural products (13357/2017 – C8-0434/2017 – 2017/0259(NLE))

2019/C 390/26
P8_TA(2018)0096
Inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework


P8_TC1-COD(2016)0230
Binding annual greenhouse gas emission reductions to meet commitments under the Paris Agreement


Statute and funding of European political parties and European political foundations


Energy performance of buildings


Wednesday 18 April 2018


European Parliament legislative resolution of 18 April 2018 on the draft Council decision fixing the period for the ninth election of representatives to the European Parliament by direct universal suffrage (07162/2018 – C8-0128/2018 – 2018/0805(CNS)).
European Parliament legislative resolution of 18 April 2018 on the draft Council decision on the conclusion on behalf of the Union of the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part (15467/2016 – C8-0327/2017 – 2016/0367(NLE)).

European Parliament non-legislative resolution of 18 April 2018 on the draft Council decision on the conclusion on behalf of the Union of the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part (15467/2016 – C8-0327/2017 – 2016/0367(NLE) – 2017/2227(INI)).

European Parliament legislative resolution of 18 April 2018 on the draft Council decision on the conclusion, on behalf of the European Union, of the Council of Europe Convention on the Prevention of Terrorism (14494/2017 – C8-0450/2017 – 2017/0265(NLE)).

European Parliament legislative resolution of 18 April 2018 on the draft Council decision on the conclusion, on behalf of the European Union, of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (14498/2017 – C8-0451/2017 – 2017/0266(NLE)).


Landfill of waste ***I


P8_TC1-COD(2015)0274


Procedural rules in the field of environmental reporting ***I


P8_TC1-COD(2016)0394


Thursday 19 April 2018


Prevention of the use of the financial system for the purposes of money laundering or terrorist financing ***I


P8_TC1-COD(2016)0208


PREVENTION OF THE USE OF THE FINANCIAL SYSTEM FOR THE PURPOSES OF MONEY LAUNDERING OR TERRORIST FINANCING ***I


P8_TC1-COD(2016)0208

Approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles


Organic production and labelling of organic products


European Parliament resolution of 19 April 2018 on Parliament’s estimates of revenue and expenditure for the financial year 2019 (2018/2001(BUD)).
Key to symbols used

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

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

Amendments by Parliament:

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

2018-2019 SESSION

Sittings of 16 to 19 April 2018

The Minutes of this session have been published in OJ C 450, 13.12.2018.

The texts adopted of 18 April 2018 concerning the discharge for the financial year 2016 have been published in OJ L 248, 3.10.2018.

TEXTS ADOPTED
A European strategy for the promotion of protein crops

European Parliament resolution of 17 April 2018 on a European strategy for the promotion of protein crops – encouraging the production of protein and leguminous plants in the European agriculture sector (2017/2116(INI))

The European Parliament,

— having regard to its resolution of 8 March 2011 on ‘The EU protein deficit: what solution for a long-standing problem?’ (1),

— having regard to the Commission proposal of 14 September 2016 for a regulation of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (‘Omnibus regulation’) (COM(2016)0605) and the amendment thereto seeking to include a request to the Commission to publish a ‘protein plan’ by the end of 2018 (2),

— having regard to the European Soya Declaration submitted to the Agriculture Council on 12 June 2017 by Germany and Hungary and subsequently signed by 14 Member States (3),

— having regard to the European Soya Declaration submitted to the Agriculture Council on 12 June 2017 by Germany and Hungary and subsequently signed by 14 Member States (3),

— having regard to Council Decision 93/355/EEC of 8 June 1993 concerning the conclusion of a Memorandum of understanding on certain oil seeds between the European Economic Community and the United States of America within the framework of the GATT (4),

— having regard to the document adopted by the United Nations General Assembly on 25 September 2015 entitled ‘Transforming our world: the 2030 Agenda for Sustainable Development’, in particular Sustainable Development Goals (SDGs) 2, 12 and 15 included therein,

— having regard to the decision of the UN General Assembly at its 68th session to officially declare 2016 International Year of Pulses (IYP), under the auspices of the UN Food and Agriculture Organisation (FAO) (5),

— having regard to the study commissioned by Parliament’s Policy Department B at the request of the Committee on Agriculture and Rural Development, entitled ‘The Environmental Role of Protein Crops in the new Common Agricultural Policy’ (6),

— having regard to the hearing held at Parliament on improving European plant protein supplies,

— taking into consideration the Danube Soya Declaration of 19 January 2013,

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

— having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Food Safety (A8-0121/2018),

(3) General Secretariat of the Council, 10055/17, Brussels, 7 June 2017.
(6) IP/B/AGRI/EC/2012-067 (PE 495.856).
A. whereas the European Union is suffering from a major deficit in vegetable proteins due to the needs of its livestock sector, which is dependent on feed imports from third countries, a situation which has regrettably seen little improvement despite the many announcements of intentions and initiatives on this topic over more than 15 years, and despite the use of co-products from biofuel production in animal feed; whereas the EU’s current situation, marked by the importation of vegetable proteins (mainly soya) from South America, is unsustainable and demonstrates that we should be taking more energetic action, notably to enhance the sustainability of these imports;

B. whereas it is vital to reduce the Union’s massive dependency on imports of protein crops, which are mainly used for animal feed; whereas in addition to the environmental impact in soya producing regions, the current situation carries major risks especially for the EU livestock sector, as price volatility on international markets has substantially increased;

C. whereas Parliament has on a number of occasions spoken about proteins and the need for a European protein plan, but whereas its initiatives have not led to real effects likely to change Europe’s dependence on others for its supply of vegetable proteins;

D. whereas because of the outbreak of the BSE crisis a European ban was rightly imposed on the use of animal meal in feed (7), but this has had the effect of sharply increasing imports of soya from Latin America;

E. whereas, consequently, the Union devotes only 3% of its arable land to protein crops and imports more than 75% of its vegetable protein supply, mainly from Brazil, Argentina and the United States;

F. whereas livestock sectors in the Union are extremely sensitive to price volatility and distortion of competition and are dependent on imports of affordable and high quality vegetable protein, which poses a real challenge for European farms;

G. whereas European protein crops generate oleaginous by-products which can contribute to the circular economy and be valuable for human consumption, renewable energy or the production of green chemicals; whereas the co-production of proteins and by-products in Europe makes it possible to reduce imports of both GMO proteins and biofuels which contribute to deforestation;

H. whereas the issue of vegetable protein used in animal feed has too often been analysed with a focus on protein-rich matter, linked to our deficit in vegetable proteins and to the search for raw materials to supplement farm animals’ diets;

I. whereas it is necessary to adopt a more comprehensive analysis of the vegetable protein issue in Europe so as to equip ourselves with a long-term strategy and maximise the number of instruments at our disposal for boosting the effectiveness of action to reduce our dependence on imported vegetable proteins; whereas this strategy is a tool in the transition towards more sustainable agri-food and farming systems;

J. whereas proteins, like energy, are an essential component of our food and can be provided in plant or animal form;

K. whereas vegetable proteins are at the core of the challenges of food security and sovereignty (for food and feed), environmental protection, global warming and renewable energy; whereas they are essential to life and are present in all foods consumed by both humans and animals;

L. whereas the total European production of protein-rich matter rose from 24,2 to 36,3 million tonnes (+50 %) between 1994 and 2014, but at the same time consumption increased from 39,7 million tonnes to 57,1 million tonnes (+44 %); whereas the Union’s overall protein deficit (20,8 tonnes in 2014) is therefore increasing; whereas the world market in vegetable proteins, connected with the market in soya and soya meal, has grown considerably over the past 50 years, and whereas consumption of these raw materials has surged in all Member States, with soya consumption rising from 2,42 million tonnes in 1960 to almost 36 million tonnes today; whereas the EU livestock sector is heavily dependent on imports of soya beans and meal from third countries, especially from South America; whereas demand for soya within the EU uses an area of almost 15 million ha, 13 million ha of which are in South America;

M. whereas the cultivation of protein crops generates a significant added value for the environment, which is not endangered by the related use of plant protection products;

N. whereas in recent years China has become the world’s largest importer of soya and has launched its own genuine and non-transparent security of supply strategy, located outside traditional market mechanisms and based on production contracts with the world’s largest soya supplier, Brazil, and massive investment there, at the expense of the environment, in production, processing (crushing) and port transport infrastructure; whereas this internationalisation strategy on the part of the Chinese agri-food industry could impact the current soya and oilseed market supplies of the EU, which is also a major customer of Brazil, and endanger the stability of the markets of the Union;

O. whereas the majority of soya imported, in particular from the Americas, is from genetically modified crops, and whereas European consumers distrust this technology; whereas there is growing interest in local non-GMO products and increasing concern about the carbon footprint of imports; whereas within the EU many soya bean producers and processors, animal feed producers, and representatives of the food industry (meat producers, milk and egg producers and other users of soybeans), trade chains and other relevant institutions support sustainable, certified GMO-free systems of soya bean production;

P. whereas to meet the EU’s food needs, European agriculture has undergone a transformation, under the common agricultural policy (CAP); whereas it has intensified and agricultural produce and raw material markets have opened up, which has increased the EU’s dependence on imports of vegetable proteins from the Americas; whereas globalisation has brought a convergence of dietary habits and farm specialisation, giving rise to large-scale movements of inputs over long distances for the production of proteins, whether synthetic nitrogen fertilisers or protein-rich raw materials for livestock feed, with an impact on the environment and the climate;

Q. whereas the production of protein crops, particularly soya, imported for the production of animal feed is one of the key drivers of land use change and is a major driver of global deforestation in many regions outside Europe; whereas increased cultivation of European protein crops could provide an important complement to measures to promote agricultural commodity supply chains without deforestation; whereas addressing the global challenge of deforestation and forest degradation has become even more important in the light of the 2030 Sustainable Development Agenda and the Paris Agreement on climate change;

R. whereas the nitrogen needed to feed plants and manufacture vegetable proteins, with the exception of leguminous crops, is today mainly provided by synthetic nitrogenous fertilisers, which are costly and energy-intensive to produce, generate pollution of both water and air resources and have a high ecological footprint due to the large amounts of fossil fuels consumed during the production process; whereas this does not contribute to the goal of the circular economy and making more efficient use of our resources and waste streams; whereas in these circumstances, the question of proteins needs to be rethought, from production right through to consumption, in terms of productive and environmental performance, based on more satisfactory management of the nitrogen cycle, including the use and development of organic nitrogen fertilisers such as recycled nutrients from organic waste streams like animal manure;

S. whereas in order to reduce the EU’s dependency on imports of vegetable proteins, it is necessary to focus not only on protein-rich crops which address the needs of ruminants and non-ruminants, but also on all other crops (including in forage and grassland areas) which, while they have a lesser protein content, are extensively cultivated throughout the Union; whereas there are many benefits to pasture-based grazing for ruminants, including reduced farm input costs;

T. whereas there will not be any increase in vegetable protein production without improvement of the profitability of such plants and there is a need today for the implementation of a strategic, effective and ambitious vegetable protein supply plan to support the sustainable development of European agriculture; whereas such a plan requires the mobilisation of several EU policies, first and foremost the CAP;

U. whereas in recent decades the Union has used three main levers to support the objective of European protein independence, namely voluntary coupled aid for protein and oilseed crops, EU biofuels policy and the conditionality of 30% of direct support introduced by the last reform of the CAP in relation to the implementation of greening measures, including the obligation to devote 5% of arable land to ecological focus areas (EFAs) and the decision to allow nitrogen-fixing crops and catch crops;
Y. whereas the interest of farmers in nitrogen-fixing and protein-rich crops has increased significantly because they help farmers to meet requirements under the greening policy, and whereas this interest will encourage plant breeders to resume or increase their activities related to these crops;

W. whereas over the period 2000-2013 the measures introduced by the CAP did not by themselves succeed in reversing the declining trend or stagnation of protein production in Europe, but whereas since 2013 the combination of such support together with the greening measure authorising the cultivation of protein crops in EFAs has led to a sharp increase in the production of protein crops in the EU;

X. whereas the political agreement on the CAP reached by Parliament, the Council and the Commission in 2013 envisages the possibility of growing nitrogen-fixing crops on EFAs;

Y. whereas research has shown that feed manufacturers often add more protein to food than is considered necessary and whereas efficiency gains can be made by means of more precise determination of the protein content required by the target species;

Z. whereas owing to the small share of protein crop cultivation in the EU, the number of vegetable protein research programmes is falling, matched by a decline in training, innovation and the acquisition of practical experience in the EU; whereas the effectiveness of innovation should be enhanced and protein research policy stepped up, but whereas this would only succeed if backed by medium- to long-term political commitments; whereas protein research policy should also include locally adapted home grown leguminous crops;

AA. whereas supporting plant breeding activities will be important for the development of new varieties of protein crops that can contribute to higher EU protein production; whereas effective plant breeding activities require a sufficiently funded long-term research policy and a suitable regulatory environment that encourages innovation;

AB. whereas the Commission has already funded, and is in the process of funding, a number of relevant projects, including those under the heading 'SFS-44-2016 – A joint plant breeding programme to decrease the EU’s and China’s dependency on protein imports'; whereas appropriate communication, dissemination and exploitation of the results of such projects should be ensured so that future policy decisions in this field are based on evidence;

AC. whereas the cost of soya has roughly doubled in real-terms since 2007;

1. Takes the view that it is time to implement a major strategic European vegetable protein production and supply plan based on the sustainable development of all the crops grown throughout the EU; further takes the view that this change implies a substantial alteration of our production systems to meet the livelihood requirements of farmers and the requirements of the circular economy and sustainable farming production, based on principles such as agroecology and other environmentally-friendly practices, including low-input ruminant feeding strategies based on both permanent pasture and temporary grasslands on arable land;

2. Calls on the Commission to take immediate actions aimed at avoiding any reduction in the current production level of protein crops, taking into due account the environmental benefits deriving from the conventional cultivation of nitrogen-fixing crops in EFAs;

3. Observes that protein crops can be beneficial for the environment due to their potential to fix nitrogen from the atmosphere; adds that these benefits include reducing use of fossil fuel-based fertilisers, improving soil quality and fertility, and in rotation, reducing disease levels from continuous monocropping and protecting and enhancing biodiversity; emphasises, moreover, that biological nitrogen fixing by these crops can help to reduce input costs and the possible negative environmental effects associated with the over-use of fertilisers;

4. Calls for the establishment of a European platform, supported by the European Crops Market Observatory making it possible to: identify European protein cultivation areas by crop category and location, create technical references that are accessible to all farmers, determine European protein production capacities in order to facilitate marketing and catalogue all public- and private-sector research carried out into proteins;

5. Recommends focusing on all vegetable protein sources, thus on crops used both in food and feed, and on regulatory support for the development and marketing of new plant-based proteins; believes, moreover, that more research should be carried out into alternative protein sources;
6. Acknowledges that soya production in South America is a major factor in land-use change and causes multiple ecological problems such as the pesticide contamination of groundwater, soil erosion, water depletion and deforestation leading to a devastating loss of biodiversity; recognises that soya production has negative social and health consequences in producer countries, aggravated by weak land tenure rights, land grabbing, forced expulsion and other human rights abuses;

7. Recalls that the BSE crisis in the 1990s and the ban on using processed animal proteins in animal feed, as established in Regulation (EC) No 999/2001, has increased demand for plant-based protein in Europe; notes that alternative European protein feed sources, such as fishmeal, are used in the European fish farming sector;

The multiple objectives of the plan

8. Takes the view that this plan must maximise sustainable biomass production in relevant agricultural areas by developing permanent plant cover, some of which can be devoted to protein supply;

9. Considers it necessary to look in particular at the potential of leguminous crops, whether grain or forage legumes, as this family of plants presents several agricultural, economic and environmental benefits, their key advantages being that they fix nitrogen from the air by means of a symbiotic system, which reduces the need for synthetic nitrogenous fertilisers, and require very little pesticide use: emphasises that leguminous crops leave behind a good soil structure for the next crop thanks to their legacy of nitrogen, which can increase yields by between 10 and 20%; points out that rotation benefits soil quality, reduces disease levels and supports biodiversity;

10. Highlights in addition that in crop rotation systems including leguminous crops, the reproductive cycles of pests and pathogens are interrupted, thus reducing plant disease levels and the need to apply pesticides; notes that an additional benefit is that biodiversity is also increased by breaking up year-on-year monocultures;

11. Recommends supporting, in particular under the CAP, the cultivation of soya in the EU by making it profitable and competitive, as new varieties are currently opening up fresh possibilities for some regions where the crop can adapt, but notes that this should not overshadow the cultivation of other grain protein crops (lupins, faba beans, peas, chickpeas, peanuts, broad beans, etc.); believes this wide variety would make it possible to maximise protein production in all regions of Europe, depending on local climatic conditions;

12. Calls for greater attention to be paid to the management of grassland and clover crops which, given the extensive areas they occupy, make a major contribution to meeting protein needs for animal feed (only ruminants); notes that leguminous crops like clover can progress well in grassland;

13. Recommends that vegetable protein crops such as soya, alfalfa, broad beans, peas and crops such as clover, sainfoin and many other legumes be reintroduced into large-scale cultivation and forage systems;

14. Sees the need to develop local and regional protein production and processing chains by establishing groups of farmers and by creating closer links between arable crop farmers and livestock farmers (supply and exchange contracts, building of decentralised small to medium-sized ‘green protein’ bio-refining plants), to exchange knowledge on suitable legume varieties, rotations and soils; deems it useful, to that end, to assist, via the CAP, operators taking risks by entering short supply chains for protein-based food and feed; highlights the importance of direct contracts between growers and animal feed producers;

15. Encourages the promotion of the production of high quality varieties of GMO-free vegetable proteins with clear traceability and labelling (with regard to both their place of production and the methods used), in response to the increasing interest of European consumers in GMO-free products;

16. Considers it necessary to support greater self-sufficiency of farms in animal feed at both farm and regional level and for ruminants as well as for monogastric animals, including through on-farm feed production;

17. Considers it desirable to minimise harvest losses and residual streams and increase nutritional value by improving harvesting, storage and processing systems (drying, wrapping, etc.);
18. Takes the view that in order to enhance vegetable protein production it is necessary to increase the profitability of these crops and to develop practices such as crop rotation (over a minimum of three years) and under-sowing for leguminous crops, and increase the mixing of varieties and crops in the pulse (clover/rape, triticale/peas, etc.) and forage (grass, clovers, meslins, etc.) production sectors, in order to shift towards a more sustainable agri-food system, supporting a shift from input-intensive crop monocultures within and outside the EU towards a diversified agroecological system;

19. Calls for research work to begin on: suitability for use in rotations and mixed cropping; selection of new varieties and species that give flexibility to farmers to adapt to climate change; resilience to stress; crop mixing; improvement of yields; protein content and digestibility of animal feed (sprouted seeds, rapeseed, etc.); increasing resistance of plants to diseases; the germination biology of weeds as a function of weed control; feed conversion; and bio-stimulants; highlights the need for farmers to have a coherent toolbox including management practices, techniques and plant protection products to combat pests and other factors that may negatively impact crop yield and growth;

20. Calls for heavy investment in research including varietal research to improve the agronomic performance of these crops, make protein crops economically attractive, since they may suffer by comparison with the margins obtainable from other crops, deliver more crop varieties, in order to secure yields, solve the agronomic issues that are limiting protein crop cultivation and ensure that volume is sufficient, this being essential for structuring production and distribution chains; highlights that it is also necessary to develop protein crops that are more adapted to the European climate, improve their protein value and to ensure security for investments in order to foster research;

21. Recommends greater use of precision agriculture, in particular via digitalisation, in order to adjust plant inputs and animal feed rations as accurately as possible, so as to limit waste and some types of pollution, and also recommends making greater use of mechanical weed control systems;

22. Intends to promote: the acquisition of new knowledge; knowledge transfer; basic and continued training; and support for all other types of applied innovation and research into both human food and animal feed;

23. Calls for support to be given to all forms of innovation and applied research by pooling experience and knowledge and by drawing in particular on local stakeholders offering innovative solutions;

24. Calls for sustainability criteria for feed imports in order to ensure a sustainable production of protein plants in third countries which does not lead to negative environmental or social impacts;

25. Highlights the important role that dietary education can play in shaping food demands; stresses the need for the adoption of dietary guidelines at either EU or Member State level aimed at promoting a healthy diet while addressing the environmental concerns linked to food production;

26. Regards it as essential to step up technical support for farmers and advisory services with a view to promoting the sustainable production of grain and forage protein;

**Instruments of the plan**

27. Takes the view that this plan calls for the mobilisation and coordination of several EU policies: the CAP; research policy; environmental and climate action policies; energy policy; the neighbourhood policy and trade policy;

28. Considers it important for the CAP to support protein crop cultivation by means of different measures such as the voluntary coupled payment – which should not be restricted to crops and regions, in difficulty in order to give scope for more action – and the greening payment, and by means of the second pillar, particularly through agro-environmental measures on organic and other types of farming, investment quality, the Farm Advisory System (FAS), training and of course innovation via the EIP; highlights the fact that the introduction of a coupled payment has driven protein crop production in some Member States;
29. Believes that useful lessons should be learnt from the recent ban on the use of pesticides in EFAs, even though, in 2016, they accounted for 15% of Europe’s arable land (eight million hectares) and almost 40% of these areas are used for nitrogen-fixing or catch crops; takes the view that as part of the process of making use of all usable agricultural areas, provided for under the vegetable protein autonomy plan, EFAs may be used for protein production both within conventional farming – with integrated pest management, taking into account the fact that farmers growing these crops in EFAs in conventional agriculture do not always have the assurance of being able to react to pest invasions – and organic farming, given that in order to replace soya imports into the EU, the equivalent of nearly 17 million hectares would have to be under soya in the EU; considers that ecological focus areas are furthermore essential for boosting biodiversity, which is under threat, and for our food security, since, in particular by improving pollination, biodiversity can increase the yields of neighbouring crops, which may be protein crops, by some 20%.

30. Recommends an adjustment to greening arrangements in connection with maintaining permanent grassland in order to take account more effectively, in particular regions, of the specific characteristics of alfalfa, either alone or in grass mixes, on temporary grassland that is more than five years old, that time span limit meaning that the grassland concerned will be classified as permanent, as defined in law, thus restricting ploughing up after the five-year period, even though replanting would enable a large volume of feed protein to be produced with greater protein autonomy for the holdings concerned.

31. Welcomes the fact that, in the context of the omnibus revision of the common agricultural policy, Parliament obtained a revaluation of the conversion coefficient for nitrogen-fixing crops from 0.7 to 1 in compensation for the ban on the use of pesticides in EFAs.

32. Is of the opinion that a European protein strategy should take into account the recast of the Renewable Energy Directive, the dual use of proteins and the role of their by-products, wastes and residues in the circular economy, and encourage crop rotation and diversification and the utilisation of fallow land in accordance with greening measures under the CAP.

33. Considers it important that the future CAP take account of additional proposals to support the cultivation of vegetable proteins, such as proposals for three-year-minimum rotation systems on arable land to have a leguminous component; in that regard, highlights that Member States where wet weather diseases are prominent may need a longer rotational period; also considers it particularly relevant to create an ecosystem payment that is more flexible than the greening payment so as to recognise the benefits of leguminous and oilseed crops for biodiversity, including for the feeding of pollinators, provide risk-taking mechanisms for innovators and open up a proteins sub-priority in the rural development policy.

34. Stresses the need to introduce new instruments to help increase the supply of plant proteins, in particular soya, and to ensure equitable implementation across all the Member States.

35. Believes that the current research in the field of a strategy for protein crops is fragmented and lacks focus; calls for research and development efforts, particularly public research, to be stepped up into under-developed protein crops suitable for both human food and animal feed which are of little or no interest to private investors, and alternative proteins such as insect protein and algae; calls for greater cooperation between public and private research institutions; underlines the need for a regulatory framework that supports research and innovation programmes in order to achieve increased and competitive protein production.

36. Recommends increased investment in industrial and agricultural research projects that focus on boosting the quality and diversity of functional proteins for human consumption.

37. Takes the view that it is necessary to secure our autonomy in soya supplies by cooperating more closely with our neighbourhood, and to diversify the sourcing sustainability of non-EU-produced proteins, notably from the EU’s neighbours which have opted for Europe and which produce soya that could be brought into the EU via the Danube; calls for those imports to meet the same social and environmental standards as apply to intra-EU production and admits that GMO-free soya cultivation is welcomed to meet consumers’ demands.

38. Recognises that today’s agricultural practices are unthinkable without soya, that this highly important legume had, in the recent past, almost vanished from European cultivation, and that soya cultivation rose from 17 million tonnes in 1960 to 319 million tonnes in 2015.

39. Calls for adjustments to the second pillar of the CAP to provide better recognition of and remuneration for the contribution of crops that feed pollinators at critical times of the season (early flowering plants in spring) and their role in fighting pollinator decline.
40. Supports the establishment of transparent product labelling systems based on certified production standards, such as the Danube Soya and Europe Soya standards;

41. Takes the view that although the 1992 Blair House Agreement is still in force, it is de facto obsolete and should not hamper the sustainable development of protein crop growing in Europe;

42. Instructs its President to forward this resolution to the Council and the Commission.
Implementation of the 7th Environment Action Programme

European Parliament resolution of 17 April 2018 on the implementation of the 7th Environment Action Programme (2017/2030(INI))

The European Parliament,

— having regard to Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 ‘Living well, within the limits of our planet’ (1) (the ‘7th EAP’),

— having regard to Articles 191 and 192 of the Treaty on the Functioning of the European Union, relating to preserving, protecting and improving the quality of human health and the environment,

— having regard to the Paris Agreement, Decision 1/CP.21 and the 21st Conference of the Parties (COP 21) to the UNFCCC, held in Paris from 30 November to 11 December 2015,

— having regard to the UN Sustainable Development Goals (SDGs) and their interconnected and integrated nature,


— having regard to the Commission communication of 3 February 2017 entitled ‘The EU Environmental Implementation Review: Common challenges and how to combine efforts to deliver better results’ (COM(2017)0063), and the 28 accompanying country reports,

— having regard to the Commission communication of 27 May 2016 entitled ‘Delivering the benefits of EU environmental policies through a regular Environmental Implementation Review’ (COM(2016)0316),

— having regard to its resolution of 16 November 2017 on the EU Environmental Implementation Review (EIR) (2),

— having regard to its resolution of 9 July 2015 on resource efficiency: moving towards a circular economy (3),

— having regard to its resolution of 2 February 2016 on the mid-term review of the EU’s Biodiversity Strategy (4),

— having regard to its resolution of 15 November 2017 on an Action Plan for nature, people and the economy (5),

— having regard to its recommendation of 4 April 2017 to the Council and the Commission following the inquiry into emission measurements in the automotive sector (6),


— having regard to the European Implementation Assessment study of November 2017 on the ‘Mid-term review of the implementation of the 7th Environment Action Programme (2014-2020)’ carried out by the European Parliamentary Research Service, including its annexed study,

— having regard to its resolution of 20 April 2012 on the review of the 6th Environment Action Programme and the setting of priorities for the 7th Environment Action Programme – A better environment for a better life (1),

— having regard to the Commission communication of 22 November 2016 entitled ‘Next steps for a sustainable European future’ (COM(2016)0739),

— having regard to the Convention on Biological Diversity (CBD),

— having regard to the Commission communication of 20 September 2011 entitled ‘Roadmap to a Resource Efficient Europe’ (COM(2011)0571),

— having regard to the Commission communication of 29 November 2017 entitled ‘The Future of Food and Farming’ (COM(2017)0713),

— having regard to Rule 52 of its Rules of Procedure, as well as Article 1(1)(e) of, and Annex 3 to, the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,

— having regard to the report of the Committee on the Environment, Public Health and Food Safety (A8-0059/2018),

A. whereas the 7th EAP sets legally binding objectives in the fields of environment and climate change to be achieved by 2020; whereas it also sets out a long-term vision for 2050;

B. whereas the 7th EAP does not contain a mid-term review clause; whereas the report of the Committee on the Environment, Public Health and Food Safety on the implementation of the 7th EAP is an opportunity to assess this EAP’s progress and to make evidence-based recommendations for the further implementation of the current EAP and any future EAPs; whereas this report should go beyond restating well-known problems, and should focus on proposing solutions for achieving the goals laid down in the 7th EAP;

C. whereas the Commission is working on an evaluation report, the focus of which will be on the structure and strategic role played by the 7th EAP; whereas that report is intended, in particular, to check whether the agreed framework is helping to deliver the nine priority objectives in a smart manner;

D. whereas the EU has strong environmental legislation, the weak and ineffective implementation thereof is a long-standing problem; whereas these implementation gaps threaten sustainable development, have adverse trans-boundary impacts on the environment and human health and entail important socio-economic costs; whereas, moreover, the implementation gaps undermine the EU’s credibility;

E. whereas progress towards the 2020 objectives has so far been mixed: it is unlikely that objective 1 (protecting natural capital) will be met, but likely that some of the sub-objectives under objective 2 (low carbon economy and resource efficiency) will be met; it is uncertain whether objective 3 (reducing environmental pressures and risks to human health) will be met;

F. whereas the continuing failure to implement legislation and integrate specialised knowledge into policy-making in areas such as air quality, environmental noise and exposure to chemicals poses severe health threats and reduces quality and length of life for EU citizens;

G. whereas the most recent data published by the European Environment Agency confirms the general trends described above for each thematic objective but also reports a slowing of progress in some areas; whereas, in some cases, such as greenhouse gas emissions and energy efficiency, the outlook for achieving the sub-objectives remains unchanged by these new trends;

Tuesday 17 April 2018

H. whereas it is now uncertain whether the target for ammonia emissions will be met and unlikely that the land take target will be met;

I. whereas much uncertainty exists with regard to implementation owing to a lack of indicators and the limitations of existing indicators; whereas knowledge gaps continue to hinder progress on three levels: understanding of risk; formation of appropriate policy to manage and reduce risk; and monitoring of the effectiveness of policies;

J. whereas knowledge often exists but is not used in policy-making or transferred to the parties responsible for implementation; whereas this is often due to a lack of political will and competing interests which are not perceived to be consistent with the EAP or environmental policy goals in general; whereas continued economic growth is also dependent on a clean environment;

K. whereas synergy between the high-level instruments of Union policy and the EAP needs to be improved in order to achieve the objectives of the programme;

L. whereas there is inadequate funding at some levels for the proper implementation of the 7th EAP; whereas funding at EU level has sometimes failed to deliver the expected results and this has, in multiple cases, been the result of poorly administered financing rather than a lack of money;

M. whereas the scope of the 7th EAP is relevant to current needs in the field of environmental policy, although many stakeholders recommend the addition of new sub-objectives to increase the programme’s relevance in the future;

N. whereas stakeholders also express a preference for a less complex, more focused EAP;

O. whereas there is general support for an 8th EAP;

Main conclusions

1. Considers that the 7th EAP has added value and a positive influence on environmental policies at EU and Member State level, with benefits for citizens, nature and economic stakeholders;

2. Reiterates that the 7th EAP has a clear long-term vision for 2050 in order to provide a stable environment for sustainable investment and growth, within the planet’s ecological limits;

3. Welcomes the positive past trends in regard to numerous sub-objectives of the 7th EAP and the encouraging outlook for some of the 2020 objectives;

4. Stresses, however, that there is still great potential for improvement and calls on the Commission and the competent authorities in the Member States for increased political will at the highest level to implement the 7th EAP;

5. Regrets that the priority objective to protect, conserve and enhance the Union’s natural capital are unlikely to be met; notes with concern, furthermore, that the targets of the EU’s 2020 Biodiversity Strategy and the Convention on Biological Diversity will not be met without immediate, substantial and additional efforts;

6. Notes that there has been some progress in certain areas for priority objective 2, in particular for climate and energy related targets; notes, however, that more must be done on resource efficiency; reiterates the potential of the Ecodesign Directive (*) and the Eco-label Regulation (**) to improve the environmental performance and resource efficiency of products throughout their lifecycle, by addressing, inter alia, product durability, reparability, re-usability, recyclability, recycled content and product lifespan;


7. Regrets that the sub-objective of achieving good quality status of surface water bodies by 2020 will not be achieved owing to the pressure exerted by pollution, interventions in the morphology of watercourses and excessive consumption due to the large amounts of water drawn off for the generation of hydroelectric power;

8. Underlines that the objectives of the 7th EAP are minimum targets, and that considerable additional efforts are needed to achieve the aims of the Paris Agreement and the Sustainable Development Goals (SDGs);

9. Recalls that the EU and its Member States are all signatories to the Paris Agreement, and therefore committed to its objectives, and that they have submitted a Nationally Determined Contribution delivering 40% economy-wide greenhouse gas emission reductions in the Union by 2030; underlines the need to fully integrate the 2030 target and the long-term net-zero emissions goal into all Union policies and funding programmes; calls on the Commission to keep the climate and energy framework targets under review, in the context of the 2018 Facilitative Dialogue and the five-yearly global stocktakes, and to prepare a mid-century zero emissions strategy for the EU, providing a cost-efficient pathway towards reaching the net-zero emissions goal adopted in the Paris Agreement;

10. Notes that there is considerable uncertainty regarding the progress towards objectives for human health and well-being; underlines that knowledge gaps and limited indicators hinder policy development and monitoring;

11. Welcomes existing initiatives which contribute to reducing knowledge gaps, including: the ‘Driving Force – Pressure – State – Exposure – Effects – Action’ (DPSEEA) model for understanding the drivers which disrupt ecosystem services; ‘human biomonitoring’ (HBM) for estimating exposure of human populations to contaminants and the possible health effects thereof; and the ‘Information Platform for Chemical Monitoring’ (IPCheM);

12. Is concerned that specialised knowledge and scientific evidence are not always appropriately considered in policy-making or transferred to the parties responsible for implementation; highlights the examples of bioenergy, palm oil, plant protection products, endocrine disruptors, food production and consumption, GMOs, urban planning and design, air and noise pollution, and urban food waste as areas where scientific evidence of risks to human health and the environment has been sidelined in public and political debates; believes that broad scientific knowledge, as well as adherence to the precautionary principle in the absence of sufficient scientific data, should guide responsible political decision making; recalls the importance of the scientific advice of EU agencies in that context; underlines that other guiding principles in EU environmental law and policy include the polluter-pays principle, preventative action, and tackling environmental damage at source;

13. Condemns the Commission’s failure to meet deadlines set out by law for drafting harmonised hazard-based criteria for the identification of endocrine disruptors and for reviewing Regulation (EC) No 1223/2009 (¹⁰) (‘Cosmetics Regulation’) with regard to endocrine disruptors; calls on the Commission to immediately review the Cosmetics Regulation with regard to endocrine disruptors without any further delays; regrets that the failure to make sufficient progress on endocrine disruptors poses health risks to citizens and hinders the achievement of priority objective 3 of the 7th EAP;

14. Regrets the lack of progress on developing a Union strategy for a non-toxic environment, the promotion of non-toxic material cycles and reducing exposure to harmful substances including chemicals in products; highlights the fact that further efforts are needed to ensure that, by 2020, all relevant substances of very high concern, including substances with endocrine-disrupting properties, are placed on the REACH candidate list, as laid down in the 7th EAP; calls on the Commission and the Member States to ensure that the combination effects of chemicals are effectively addressed in all relevant Union legislation as soon as possible, with a special emphasis on risks to children arising from exposure to hazardous substances; welcomes the Commission strategy on plastics and calls for its swift implementation; reiterates, in this context, that the promotion of non-toxic material cycles is essential for the sound development of a functioning secondary raw materials market;

15. Underlines that the lack of integration of environmental concerns into other policy areas is one of the root causes of implementation gaps in environmental legislation and policy; considers that synergies between other high-level EU policy instruments (such as the common agricultural policy (CAP), the common fisheries policy (CFP), the structural funds and the cohesion policy) and improved coherence between high level political priorities remain fundamental to achieving the objectives of the 7th EAP; calls for the Commission and Council, in all their formations, to improve the policy coordination and integration of the objectives of the 7th EAP; underlines, furthermore, the need to integrate all outstanding aspects of the 7th EAP into high level instruments, including the European Semester;

16. Underlines that the potential for establishing new financial mechanisms for biodiversity conservation with a view to reaching the 2020 targets is limited due to the timeframe of the current multiannual financial framework (MFF); calls, in this connection, for the maximum use of resources within the current MFF, including LIFE, CAP and Structural Funds and calls on the inclusion of new financial mechanisms for biodiversity conservation in the next MFF;

17. Welcomes the improvements in the CFP and cohesion policy, which have increased coherence with the 7th EAP; regrets, however, that despite improvements to the regulatory framework the CFP continues to suffer from poor implementation; recalls the importance of healthy fish stocks;

18. Recognises that the CAP has progressively integrated environmental concerns but still presents challenges to the achievement of the EAP's objectives, particularly as regards resource-intensive production and biodiversity; recalls that the CAP has the challenging task of preventing environmental degradation caused by inappropriate agricultural practices (such as unsustainable biofuels), unsustainable agricultural intensification and land abandonment, while providing better quality and increased quantities of food and agricultural raw materials to the ever-growing world population; stresses that further initiatives and support for environmentally sustainable farming methods, including crop rotation and nitrogen fixing plants, are essential and need to be considered by the Commission and farmers as part of the solution;

19. Underlines that protecting and enhancing food security in the long term by preventing environmental damage and moving towards a sustainable food system which provides food at reasonable prices for consumers should be key priorities of a reformed CAP; highlights that these objectives can only be achieved by sustainable management of natural resources and policy intervention which ensures the protection of ecosystems;

20. Recalls that, in the context of climate change and a growing world population, the rising demand for diets rich in animal protein is exerting significant environmental pressures on agricultural land and increasingly fragile ecosystems; underlines also that diets with excessive amounts of animal fat are increasingly linked to the non-communicable disease burden;

21. Recalls the Commission's 2016 commitment to mainstream the SDGs into EU policies and initiatives; acknowledges that this commitment lacks a clear strategy and concrete proposals for institutional structures and a governance framework to ensure the mainstreaming of the SDGs into EU policies, legislative proposals, implementation and enforcement; considers it important for the EU to be fully committed, as a pioneer, to attaining the objectives of the 2030 Agenda and sustainable development; underlines, furthermore, that the 7th EAP is a key instrument for the implementation of the SDGs;

22. Notes the high quality of drinking water in the EU; expects the revision of Directive 98/83/EC (11) ('Drinking Water Directive') to provide the necessary updates to this legal framework; encourages the Commission and the Member States to further integrate the EU's water objectives into other sectoral policies under the EAP, in particular the CAP;

23. Welcomes the improvements brought by some EU-funded projects, but regrets the missed opportunities to deliver better results as highlighted by the European Court of Auditors (ECA); underlines that the post-2020 MFF must be oriented towards sustainable development and mainstreaming of environmental policy in all funding mechanisms and budgetary lines; emphasises the need to increase green investment, innovation and sustainable growth using new financing tools, both public and private, and different approaches to current investment policy such as the phasing out of environmentally harmful subsidies in order to achieve the long-term vision of the 7th EAP; considers that clearly defined sustainability criteria and performance-based objectives should apply to all EU structural and investment funds; calls for a more efficient and targeted use of the current MFF and the funds under the cohesion and regional development policies, and for the aforementioned problems referred to by the ECA to be urgently addressed; calls for the Commission and the Member States to support the continuation of and a possible increase in the earmarking of EU budget resources for environment- and climate change-related action;

24. Regrets the persistent shortcomings in the treatment of urban waste water in various regions of Europe; underlines the potential of wastewater treatment and reuse to alleviate water stress situations, reduce direct water withdrawals, produce biogas and guarantee better management of water resources particularly through irrigation for agriculture; looks forward to the legislative proposal on the reuse of waste water, which will be presented by the Commission in early 2018;

25. Notes that the biggest environmental threats to health are most evident in urban areas but also affect peripheral areas and suburban agglomerations, and that by 2020, 80% of the population is expected to be living in urban and suburban areas; highlights the fact that emissions of atmospheric pollutants, combined with inadequate planning and infrastructure, have dramatic economic, social, public health and environmental consequences; notes that air pollution already causes more than 400 000 premature deaths in the EU (12) and that health-related external costs range from EUR 330 billion to EUR 940 billion;

26. Notes that at least 10 000 premature deaths in the EU are caused by noise-related illnesses and that in 2012 approximately a quarter of the population of the EU was exposed to levels of noise in excess of the limit values; calls on the Member States to prioritise the monitoring of noise levels in line with Directive 2002/49/EC (13), so as to ensure that the applicable limit values for indoor and outdoor environments are respected;

27. Acknowledges the progress on reducing certain atmospheric pollutants, particularly in urban areas, but regrets the persistent problems with air quality, to which emissions from road transport and agriculture are a significant contributory factor; acknowledges the ‘mobility package’ presented by the Commission in November 2017 and the European Strategy for Low Emission Mobility presented in 2016, which could pave the way for low-emission mobility within the Union;

28. Welcomes the progress made on the circular economy package legislation; urges all parties to strive to reach an agreement with ambitious targets;

Recommendations

29. Calls on the Member States to assess their progress towards the objectives of the 7th EAP and to reorient their actions where necessary; urges the Member States to make the results publicly available;

30. Calls on the Commission to ensure that any new legislative proposals fully implement the objectives and measures of the 7th EAP;

31. Calls on the Commission to ensure the active inclusion of civil society organisations in the assessment of the implementation of EU environmental legislation;

32. Requests that the relevant EU institutions and agencies prioritise research and close knowledge gaps in the following areas: environmental thresholds (tipping points), the circular economy paradigm, the combined effects of chemicals, nanomaterials, hazard identification methods, the impacts of microplastics, the interaction between systemic risks and other health determinants, soil and land use and invasive alien species;

33. Welcomes the Environmental Implementation Review (EIR) as a positive mechanism to improve implementation of EU environmental legislation and policy, which can contribute to the monitoring of the implementation of the 7th EAP, as already stressed in its resolution of 16 November 2017 on the EU Environmental Review; considers that the EIR should fully involve all the relevant stakeholders, including civil society, and should cover the full scope of the EAP’s thematic priority objectives;

34. Calls for the Union and the Member States quickly and definitively to abandon environmentally harmful subsidies;

35. Calls on the Commission and the Member States to increase and coordinate efforts to promote the development and validation of alternative methods to animal testing so that they contribute to the achievement of priority objective No 5 of the 7th EAP;

36. Urges the Commission and the Member States to do more to improve the cognitive and scientific bases of the EU's environmental policies, increasing the accessibility of data for citizens and fostering public involvement in scientific research;

37. Calls for the EU institutions, as well as national and regional governments where appropriate, to make full use of available specialist knowledge about risks to the environment and human health when making and monitoring policies;

38. Calls for an improved pesticide authorisation system in the EU, based on peer reviewed scientific studies and full transparency on the degree of human and environmental exposure and health risks; calls for improved standards for the monitoring of pesticides and targets for reducing their use; takes note of the Commission communication of 12 December 2017 on the European Citizens' Initiative ‘Ban glyphosate and protect people and the environment from toxic pesticides’ (C(2017)8414);

39. Calls for sufficient material and human resources to be provided so that EU agencies can conduct their missions and provide the best scientific data, analysis and evidence;

40. Calls on the Commission to ensure that long-term actions with a view to reaching the objective of a non-toxic environment are identified by 2020;

41. Asks the relevant EU agencies and the Commission to increase the quantity and quality of indicators used to monitor progress; calls on the Commission and the Member States to cooperate in the production and collection of new data to create new indicators and improve existing ones;

42. Calls for the issue of implementation to feature as a recurring item in trio-Presidency priorities and programmes, that it be discussed at the Environment Council at least once a year, perhaps through a dedicated Implementation Council, and that this be complemented by another forum in which Parliament and the Committee of the Regions would also be involved; calls for joint Council meetings to address the implementation of cross-sectoral, horizontal issues and common challenges, as well as emerging issues with possible cross-border impacts;

43. Calls for the full implementation of the EU Biodiversity Strategy to be stepped up without delay;

44. Calls for infrastructure projects, particularly those related to TEN-T, to fully consider environmental impacts at regional and project level; notes that coherence between different environmental policies is also relevant; stresses the importance of taking the environment and biodiversity into account in infrastructure projects for renewable hydroelectric and marine power generation;

45. Urges the Member States to make greater efforts to preserve the use and integrity of fresh water reserves, given the uncertainty surrounding the possibility of achieving the sub-objective set out in this regard in the 7th EAP; calls on the Member States to remedy as a matter of priority the poor state of surface waters as the objectives in this area are unlikely to be met by 2020; calls on the competent authorities in the Member States to tackle the pressures on water bodies, by eliminating the causes of water pollution at source, establishing areas where it is forbidden to draw off water for hydroelectric purposes and ensuring the maintenance of ecological flows along rivers; calls on the Commission not to delay in drawing up the conformity assessment for the second cycle of river basin management plans adopted by the Member States under the Water Framework Directive;

46. Urges further reform of the CAP to align sustainable food production and environmental policy targets, including biodiversity targets, in order to safeguard food security now and in the future; underlines the need for a smart agricultural policy with strong commitment to deliver public goods and ecosystem services related to soil, water, biodiversity, air quality, climate action and the provision of landscape amenities; calls for an integrated policy with a more targeted and ambitious yet flexible approach, where the granting of support to the agricultural sector is linked to both food security and the delivery of environmental outcomes; calls on the Member States to recognise agroforestry as ecological focus area in accordance with Article 46 of Regulation (EU) No 1307/2013 (14); calls on the Commission to ensure that environmentally beneficial farming practices are afforded appropriate support in any future revision of the CAP;

47. Calls on the Member States and the Commission to increase the uptake of solutions to environmental challenges, especially where technical solutions exist but are not yet fully deployed, such as reduction of ammonia in agriculture;

48. Calls on the Commission to significantly improve the volume, use and administration of EU funds for the EAP’s objectives; calls for better monitoring, transparency and accountability; calls for the mainstreaming of climate and other environmental issues in the EU budget;

49. Calls on the Commission to develop, without delay, a comprehensive, overarching framework strategy on the implementation of the SDGs in the EU, addressing all policy areas and including a review mechanism to assess progress of implementation; requests the Commission to establish an SDG check of all new policies and legislation and to ensure full policy coherence in the implementation of SDGs;

50. Calls on the Commission to guarantee the enforcement of existing EU law and ensure Member States’ full compliance with the objectives of 7th EAP by utilising all tools at its disposal, e.g. infringement procedures;

51. Welcomes the existing special reports and performance audits of the ECA and invites the ECA to further analyse other areas relevant to the EAP which have not been included in the work programme thus far;

52. Calls on the Commission and the competent authorities in the Member States to provide appropriate guidance so that EU funds are more accessible, including for local projects, particularly as regards green infrastructure, biodiversity, and the Birds and Habitats Directives;

53. Calls on the Member States to ensure full implementation of the air quality legislation; calls on regional authorities to provide a supporting framework, particularly with regard to urban planning and local policy-making, in order to improve health outcomes in all areas, and in particular the worst-affected ones;

54. Urges the competent national and regional authorities to adopt plans comprising credible measures to put an end to the problem of exceeding the daily and annual limit values set by EU legislation on fine and ultra-fine particles in agglomerations where air quality is poor; highlights the fact that this is essential to achieve priority objectives Nos 2, 3 and 8 of the 7th EAP;

55. Proposes the following actions to improve air quality in urban areas: establishment of low-emission zones; promotion of car-sharing and ride-sharing facilities and services; phasing-out of preferential tax treatment for highly polluting vehicles; introduction of ‘mobility budgets’ for employees as an alternative to company cars; application of parking policies which reduce traffic volumes in congested areas; improvement of infrastructure to encourage cycling and increase multi-modal connections and to improve cycling safety; establishment of pedestrian zones;

56. Calls for enhanced urban planning and development at the appropriate governance levels to adapt infrastructure for electric and clean vehicles as soon as possible, e.g. by installing charging infrastructure, and to deliver environmental and health benefits such as reducing the heat island effect and increasing physical activity, e.g. by increasing green infrastructure and recovering abandoned or degraded industrial areas; recognises that these measures would improve air quality, combat diseases and premature mortality caused by pollution, and enable progress to be made towards zero-emission mobility;

57. Calls on the Commission and the Member States to ensure fair intermodal competition and a shift to sustainable transport modes;

58. Calls on the Commission to come forward, by 2019 at the latest, with an overarching Union Environmental Action Programme for the period after 2020, as required by Article 192(3) of the TFEU; highlights the importance of transparency and democratic accountability when monitoring EU policy; stresses, therefore, that the next EAP should include measurable, results-based midway milestones;
59. Calls on the next Commission to dedicate a priority area of the next legislative term to sustainable development, environmental and climate protection in general and the objectives of the 7th EAP and a forthcoming 8th EAP in particular;

60. Instructs its President to forward this resolution to the Council, the Commission, the European Court of Auditors, the European Environment Agency, and the governments and parliaments of the Member States.
Gender equality in the media sector in the EU

European Parliament resolution of 17 April 2018 on gender equality in the media sector in the EU (2017/2210(INI))

(2019/C 390/03)

The European Parliament,

— having regard to Articles 11 and 23 of the Charter of Fundamental Rights of the European Union,

— having regard to Articles 2 and 3(3), second subparagraph, of the Treaty on European Union (TEU) and Article 8 of the Treaty on the Functioning of the European Union (TFEU),


— having regard to Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (2),


— having regard to the Commission proposal on the third medium-term Community action programme on equal opportunities for women and men 1991-1995 (COM(90)0449),

— having regard to the resolution of the Council and the representatives of the Governments of the Member States, meeting within the Council of 5 October 1995 on the image of women and men portrayed in advertising and the media (3),


— having regard to the Council conclusions of 9 June 2008 on eliminating gender stereotypes in society,

— having regard to the Council conclusions of 24 June 2013 on advancing women's roles as decision-makers in the media,

— having regard to the European Pact for Gender Equality (2011-2020), adopted by the Council in March 2011,


— having regard to the Commission staff working document of 3 December 2015 on Strategic engagement for gender equality 2016-2019 (SWD(2015)0278),

— having regard to its resolution of 25 July 1997 on discrimination against women in advertising (4),

— having regard to its resolution of 3 September 2008 on how marketing and advertising affect equality between women and men (5),

(3) OJ C 296, 10.11.1995, p. 15.
Tuesday 17 April 2018

— having regard to its resolution of 12 March 2013 on eliminating gender stereotypes in the EU (6),

— having regard to its resolution of 28 April 2016 on gender equality and empowering women in the digital age (7),

— having regard to its resolution of 13 September 2016 on creating labour market conditions favourable for work-life balance (8),


— having regard to its resolution of 14 June 2017 on the need for an EU strategy to end and prevent the gender pension gap (10),

— having regard to its resolution of 4 July 2017 on working conditions and precarious employment (11),

— having regard to its resolution of 3 October 2017 on women's economic empowerment in the private and public sectors in the EU (12),

— having regard to its resolution of 26 October 2017 on combating sexual harassment and abuse in the EU (13),

— having regard to the Recommendation of the Committee of Ministers of the Council of Europe of 10 July 2013 on gender equality and media,

— having regard to Recommendation 1555 of 24 April 2002 of the Parliamentary Assembly of the Council of Europe on Image of women in the media,

— having regard to Recommendation 1799 of 26 June 2007 of the Parliamentary Assembly of the Council of Europe on The image of women in advertising,

— having regard to the Recommendation of the Committee of Ministers of the Council of Europe of 27 September 2017 to member States on gender equality in the audiovisual sector,

— having regard to the European Institute for Gender Equality (EIGE) study of 2013 entitled ‘Review of the implementation of the Beijing Platform for Action in the EU Member States: Women and the Media – Advancing gender equality in decision-making in media organisations’,

— having regard to the Beijing Declaration and Platform for Action and its annexes thereto, adopted at the Fourth World Conference on Women in September 1995,

— having regard to the Council of Europe report of 2013 entitled ‘Media and the image of women’,

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

— having regard to the report of the Committee on Women’s Rights and Gender Equality and the opinion of the Committee on Employment and Social Affairs (A8-0031/2018).

A. whereas equality between women and men is a core principle of the European Union, as enshrined in the Treaties in Article 8 of TFEU stating that, in all its activities, the Union shall aim to eliminate inequalities, and to promote equality between women and men; whereas EU policies to promote gender equality have helped to make life better for many European citizens;

(7) OJ C 66, 21.2.2018, p. 44.
B. whereas the media act as a fourth power, have the capacity to influence and, ultimately, shape public opinion; whereas the media are one of the cornerstones of democratic societies and, as such, have a duty to ensure freedom of information, diversity of opinion and media pluralism, to promote respect for human dignity and to combat all forms of discrimination and inequality by, among other things, portraying diversified social role models; whereas, therefore, media organisations have to be sensitised;

C. whereas the fourth World Conference on Women, held in Beijing in 1995, recognised the importance of the relationship between women and the media in achieving equality between women and men, and incorporated two strategic aims into the Beijing Platform for Action (BPfA):

(a) to increase the participation and access of women to expression and decision-making in and through media and new technologies of communication;

(b) to promote a balanced and non-stereotyped portrayal of women by the media;

D. whereas the portrayal of women and men in the media may convey unequal representation in various contexts, including political, economic, social, academic, religious, cultural, and sports contexts – with men appearing mainly in active social roles and women being confined to more passive roles; whereas of all the stereotypes affecting the image of women and men, the prime example is the sexualisation of the female body, which can be seen most clearly in the tabloid press and in advertising; whereas the eroticisation of violence and objectification of women in the media have a negative effect on the fight for the eradication of violence against women; whereas gender stereotypes are often combined with other stereotypes involving discrimination on any grounds;

E. whereas the media have a significant impact on cultural gender norms and on how social representations associated with both women and men are formed and evolve, and influence the audience with stereotyped body images and ideas of masculinity and femininity; for example, the representation of women in advertising and the way products target potential consumers tend to perpetuate traditional gender norms; whereas in cases where the media continue to present stereotyped representations of women and men, including those of LGBTI individuals, people very often view these depictions as legitimate, thus making it difficult or impossible to call them into question;

F. whereas in modern-day societies the advertising industry plays a major role within the media landscape, as it communicates by using images and ideas that appeal to our emotions and can hence shape our values, attitudes, and perceptions of the world; whereas, by conveying a distorted gender image, advertising may resort to sexism and replicate discriminatory practices; whereas an advertisement may be considered discriminatory or sexist if a gender is portrayed in a degrading and insulting way or as less capable, intelligent or as inferior;

G. whereas new technologies are transforming traditional media business models; whereas the audiovisual sector is a highly important industry of economic value which alone directly employs over one million people in the EU; whereas, in order to cope with the new online communication and multimedia systems, the necessary adjustments have to be made to the oversight of the arrangements at national level, as well as to self-regulation schemes without prejudice to the outcome of the negotiations on the Audiovisual Media Services Directive;

H. whereas the perspective of both women and men should be taken into account equally in order to achieve a complete and diversified picture of every facet of social reality; whereas it is important not to lose out on women’s potential and skills in communicating information, facts and opinions about the challenges faced by women in the media, while acknowledging that women cannot be treated as a homogenous group;

I. whereas the continued projection of negative and degrading images of women in media communications – electronic, print, visual and audio – must be changed; whereas gender inequalities are also created and replicated through the language and images disseminated by the media; whereas children are confronted with gender inequalities at a very young age through role models promoted by television series and programmes, discussions, games, video games and advertisements; whereas gender roles are shaped mostly during childhood and adolescence with an impact throughout life; whereas the education and training of media professionals are powerful tools for combating and eradicating stereotypes, raising awareness and promoting equality;
whereas women constituted 68% of journalism and information graduates in the EU-28 in 2015 (14), while employment data for the EU-28 over 2008-2015 show that the percentage of women employed in the media sector on average is continuously languishing at around 40%:

whereas, moreover, the share of women in decision-making in media in the EU-28 in 2015 was still below the gender balance zone (40-60%) at just 32%, while the share of women as board presidents was a mere 22% (15):

whereas gender pay and pension gaps are a persistent problem in the EU, and are evident in different economic sectors, including in the media, where the gender pay gap is 17%:

whereas women continue to face a glass ceiling in the media and might not have equal opportunities for promotion or career advancement owing to a variety of factors, including the procedures of an organisational culture which is often unfavourable to a work-life balance with a competitive environment characterised by stress, inflexible deadlines and long working hours; whereas women have less decision-making power in setting the news agenda due to their underrepresentation in senior management positions:

whereas media organisations in the Member States can establish their own equality policies, which leads to a wide spectrum of practices in the EU: from very comprehensive policy frameworks covering media content and providing for a balanced representation of men and women in decision-making bodies, to there being no such policy in place:

whereas research has shown that only 4% of news coverage is against stereotypical portrayal; whereas women account for just 24% of the people we hear or read about in the news (16); whereas around 37% of stories from both online and offline news sources are reported by women, a situation which has demonstrated no prospect of improvement in the past 10 years (17); whereas women are mostly asked to provide a popular opinion (41%) or personal experience (38%) and are seldom quoted as experts (just 17% of stories); whereas research has also shown that less than one in five experts or commentators are women (18%) (18);

whereas women are disproportionately under-represented in the news and information media and are even less visible in the domains of sport, politics, the economy and finances, notwithstanding the variety of media outlets across the Member States; whereas the women of history are almost entirely absent from related media content, such as biographical documentaries:

whereas female participation on an equal level with men in reporting content and serving as information sources is crucial not only for reasons of representation, but also for reasons of equal opportunities and the full recognition of their expertise and knowledge; whereas, within the European media landscape, there are obstacles to engaging in a responsible approach to gender equality given the financial constraints and working conditions, including job insecurity and the levels of professional experience, combined with the growing speed of information and commercial considerations:

whereas there are women in the media working at a top professional level, including renowned film makers, journalists and reporters, who, although performing equally well as men, are more exposed to gender-based violence and workplace discrimination and may not be given the same level of appreciation as their male counterparts:

(15) EIGE, Gender Equality Index 2017.
S. whereas women engaging in social media are encountering increasing levels of harassment; whereas this harassment has the potential to silence women's voice and weakens their participation in society; whereas data collected globally shows that half of the women employed in the media have experienced sexual abuse, one quarter of them have experienced acts of physical violence and three quarters have experienced intimidation, threats or abuse; whereas there is increasing concern about cyber violence against women and girls and it is estimated that one in ten women in the EU have experienced some form of cyber violence since reaching the age of 15; whereas there is a lack of data and research on cyber violence against women and girls at EU level; whereas psychological and sexual harassment are human rights violations; whereas the media and national and international regulators should lay down rules, including sanctions to be applied by media organisations, to deal with these matters;

T. whereas female investigative journalists in particular are often subjected to violence and the target of deadly attacks, as evidenced by the cases of Veronica Guerin or Daphne Caruana Galizia;

U. whereas according to a study by the European Women’s Audiovisual Network (EWA), only one in five films in the seven European countries examined is directed by a woman, and the vast majority of funding resources go into films that are not directed by women, even though approximately half of all film school graduates are women;

V. whereas media companies should adopt self-regulation systems and codes of conduct setting out procedural rules and criteria on careers and media coverage to safeguard and promote gender equality; whereas self-regulation and conduct codes of this kind should be drawn up in collaboration with the industry’s trade unions, pursuing a clear policy on gender equality;

Women’s presence in the media

1. Highlights the fact that although women in this field at graduate level constitute a substantial workforce, they are underrepresented in management and top-level positions; considers that both public and private media services have a responsibility to ensure equality between women and men and prevent any discrimination; calls on the Member States to develop policy incentives to reduce barriers to women’s access to management posts and leadership in media organisations;

2. Regrets the fact that the representation of women in public service media in the EU is low on average, in both strategic and operational high-level posts and on boards (in 2017: 33.8 % for executive posts, 37.7 % for non-executive posts and 33.3 % as board members);

3. Recalls that, with a view to monitoring the critical areas of the BPfA relating to women in media, the EIGE developed the following indicators:

— the proportion of women and men in decision-making posts in media organisations and on the boards of media organisations in the EU,

— the proportion of women and men on the boards of media organisations in the EU,

— policies to promote gender equality in media organisations;

4. Recalls that while the Audiovisual Media Services Directive states that its objectives ‘cannot be sufficiently achieved by the Member States and can be better achieved at Union level’, it contains no reference to equal representation in media organisations;

5. Notes that despite being insufficiently represented in them at present, women are still more likely to be recruited or promoted to high-level positions in public service media than in private media organisations.


(22) European Institute for Gender Equality (EIGE): Review of the implementation of the Beijing Platform for Action in the EU Member States: Women and the Media – Advancing gender equality in decision-making in media organisations (2013).
6. Calls on the Member States and media organisations to support and develop incentive measures, including quotas, for the equal representation of women and men in decision-making posts, and for the effective monitoring of such efforts to be given greater prominence in these organisations; calls on the Commission to step up its efforts to unblock the Directive on Women on Boards, which has been on hold in the Council since 2013;

7. Takes note of the long tradition of employing both freelance and permanent staff which exists in the media sector and of its continued digitisation which has led to reductions in traditional circulation and advertising revenue, which has an impact on the type of employment contracts offered in the sector; points out, furthermore, that women are over-represented in many atypical forms of work across the labour market; notes that the increasing pressures on the media sector to maintain its economic viability is likely to lead to a growing number of these forms of contracts;

8. Considers that stereotypes can lead to a negative social environment for women and can contribute to gender discrimination in the workplace; notes the importance of a positive social environment in helping workers to deal with high levels of work intensity;

9. Recalls that media organisations are at liberty to determine roles for their employees, both men and women, but urges them to do so with the utmost respect for personal dignity and professional quality; observes, in this context, worrying instances of female reporters deemed more suitable for television journalism for their perceived attractiveness to the audience, and being subsequently replaced by younger colleagues as they get older;

10. Condemns, furthermore, the widespread occurrence of sexual harassment and other types of abuse, especially in online gaming and social media, and encourages media companies to create safe environments that are responsive to any instances of harassment; calls, therefore, for different measures, including awareness-raising, internal rules on disciplinary sanctions for offenders, and psychological and/or legal support for victims of these practices, to prevent and combat bullying and sexual harassment at work as well as in online environments;

11. Strongly condemns attacks against female journalists fearlessly reporting on major political and criminal issues, and calls for the greatest possible efforts be made to ensure the protection and safety of all journalists;

12. Urges public and private media organisations to adopt internal polices such as equal opportunities and diversity policies which include anti-harassment measures, maternity or parental leave schemes, flexible working arrangements that support work-life balance allowing women and men to benefit equally from parental leave and encouraging men to take up paternity leave, ensuring the fair distribution of childcare, as well as mentorship and management training programmes, the use of teleworking and flexible working arrangements for both women and men on a voluntary basis and without prejudice to career advancement;

13. Calls on the media to respect the right of women and men to benefit from maternity, paternity, or parental leave; points out that no pregnant woman should be discriminated against on account of her condition and no woman should be refused employment because she might decide to become pregnant; encourages media organisations and regulatory authorities to disclose the gender pay gap, to establish pay transparency obligations and to implement the equal pay for equal work principle through binding measures;

14. Suggests that media organisations establish databases of women experts in a number of areas, particularly those in which women are underrepresented, with a view to utilising them, when appropriate; encourages furthermore, the collection of sex-disaggregated data on all possible media content;

15. Calls on the Commission and the Member States to increase the participation and access of women to expression and decision-making through media and new technologies of communication;

16. Considers that all media workers could benefit from the general advancement of conditions for women in the workplace; considers, however, that such improvement has not been sufficient and that inequalities remain; stresses the need for Member States and the Commission to promote and ensure the principle of equal pay in accordance with Article 157 TFEU, including by combatting the gender pay and pension gap, reducing precarious work (23), ensuring accessibility to affordable and quality childcare and better work-life balance policies, and ensuring collective bargaining rights;

(23) See European Parliament resolution of 4 July 2017 on working conditions and precarious employment.
17. Reiterates that the media must, as a matter of urgency, implement the policy of equal pay for equal work, including pay transparency obligations, while enabling women to enjoy the same promotion and training opportunities and any other additional benefits on equal terms with men;

18. Notes the positive role of women’s councils and women’s equality officers in workplaces; calls for gender equality to be promoted as a cross-cutting human resources policy within the media; considers that achieving equality for women at all levels, and particularly decision-making levels, in the media requires an employee-centred culture and a gender-sensitive senior management team; recommends that national regulatory bodies and media organisations follow the Commission Recommendation 2014/124/EU on strengthening the principle of equal pay between men and women through transparency (24), draw up guidance on fair selection procedures, establish comprehensive equality policies, covering media content and providing for women’s advancement in decision-making bodies, and set up internal procedures dealing with harassment in the workplace; calls on the Commission to continue to monitor the proper application and enforcement of Directive 2006/54/EC which reverses the burden of proof for cases of discrimination on grounds of sex;

Media content and women

19. Stresses the role of the media as an agent of social change and its influence in the shaping of public opinion and calls on the Member States to promote content on gender equality in public media; points out that until now any regulatory action on sexism and stereotypical gender portrayals in media content has been a competence of the Member States; recalls the prohibition of sex-based discrimination in media under the Audiovisual Media Services Directive; stresses, furthermore, that while regulatory action is subject to due considerations of the principle of freedom of expression, editorial freedom should not, under any circumstances, serve to encourage or legitimise degrading portrayals of women and LGBTI people; urges the Member States, in safeguarding the aforementioned freedoms, to regulate access to video games with harmful online content, and to pornography on the internet;

20. Stresses that economic arguments cannot be an excuse for the perpetuation of gender stereotyping in media content;

21. Stresses that violent and sexist media content is negatively affecting women and their participation in society; expresses concern about certain commercial audiovisual communications that are causing psychological or physical damage to children and young people; urges the relevant stakeholders and authorities to address the issue of advertising that indirectly encourages eating disorders such as anorexia, and to take other steps to protect particularly vulnerable persons, including girls and young women, against such content;

22. Urges that media content, including advertising, related to family planning, sexual and reproductive rights, maternal and child health, and education be aimed at both men and women;

23. Stresses the importance of fostering media literacy and providing all relevant stakeholders with gender-sensitive media education initiatives so as to encourage young people to develop critical thinking skills, and to help them to identify and speak out against sexist portrayals and discrimination, gender-based violence, cyber-bullying, hate speech and violence motivated by a person’s gender, gender identity, gender expression, sexual orientation or sex characteristics; underlines the need for preventive measures including encryption and parental control with a view to ensuring safer internet usage and digital and media literacy; draws attention to the fact that stereotypes in advertising and in other media products have a potential impact on children’s socialisation and, subsequently, the way they view themselves, their family members and the outside world; points out that advertising can be an effective tool in challenging stereotypes, such as gender stereotypes and stereotypes against LGBTI people; calls therefore, for a greater focus on professional training and education activities as a way to combat discrimination and promote gender and LGBTI equality;

24. Recommends that soft measures such as gender equality plans or guidelines should be given even more prominence in media organisations and advises that these protocols set the standards for the positive portrayal of women in advertising, news, reporting, production or broadcasting and cover all sensitive content areas such as the depiction of power and authority, expertise, decision-making, sexuality, violence, diversity of roles and the use of non-sexist language; encourages, furthermore, public and private media to mainstream gender equality in all their content and to adopt equality plans in order to reflect social diversity;

(24) OJ L 69, 8.3.2014, p. 112.
25. Recommends that regulations issued by authorities competent for media and communication set out the criteria guaranteeing stereotype-free portrayals of women and girls and that they include the possibility of removing or suspending offensive content; further recommends that specialist organisations such as national equality bodies and women's NGOs are involved in the monitoring of the implementation of these regulations;

26. Points out that Member States must ensure, by all appropriate means, that the media, including online and social media, as well as advertising, is free from any incitement to violence or hatred directed against any person or group of persons; underlines the need to collect gender-segregated data and to conduct research, in cooperation with the EIGE, to address cyber violence, online sexual harassment, threats, sexist remarks and hate speech against women and girls, including those who are LGBTI; stresses that special attention needs to be paid to training on how the media report on cases of gender-based violence, including violence against LGBTI people; suggests that continuous training on gender depictions in media content be made available for media professionals, including those in leadership positions; recommends that gender equality be reflected in the teaching modules in undergraduate and postgraduate journalism and communication courses;

27. Calls on the Member States and the Commission to promote self-regulation and co-regulation in the media through codes of conduct;

Examples of good practice

28. Notes with enthusiasm the various examples of good practice that can be observed in all Member States, including: media campaigns, specific legislation, awards or anti-awards for stereotypical and sexist advertising, databases of women experts, training courses for industry professionals, and media organisations' equality plans, codes of conduct and equal opportunity and diversity policies, and the minimum thresholds set for representation of the sexes in the governing bodies of media regulators;

29. Encourages the Member States to support campaigns such as the Belgian Expertalia tool, the Czech 'Sexist Piggy' awards or the Swedish #TackaNej ('No, thanks') initiative, among others; invites the Member States to hold regular information and awareness-raising campaigns about gender-based discriminatory content in the media, and to report regularly on gender equality trends in the media; calls on the Commission to earmark special funding for sub-programmes focusing on the advancement of women in the media industry and to support media associations and networks in putting in place public and sectoral awareness-raising campaigns; further calls on the Commission to establish an EU award for students in the media field for work related to gender equality;

30. Invites civil society organisations to draw up communication strategies, not just for traditional media, but also for online media, in order to widen the scope for influencing and monitoring the media agenda;

Further recommendations

31. Calls on the Member States, in conjunction with equality bodies, to fully implement the existing legislation addressing gender equality, and to encourage regulatory bodies to pay attention to the presence and advancement of women and to non-stereotypical media content; encourages the Member States to carry out regular evaluations of the above-mentioned areas and to develop, if this has not yet been done, legislation focusing on non-stereotypical media content; emphasises the role of Member States in making better use of existing resources in the media within their remit to perform their public service role while reflecting a more gender-balanced and democratic society;

32. Calls on the Commission to conduct further research into the participation of women in senior positions in the media; commends the EIGE for its work in the field and calls on it to continue to develop and monitor the relevant set of indicators, including but not limited to women's presence in decision-making, their working conditions and gender equality in media content, while extending its attention to the new social media technologies in order to develop methodologies to prevent gender-based violence and harassment in social media;

33. Calls on the Commission and the Member States to support and promote women's organisations which are active in the sphere of promoting gender equality in the media, including organisations which support women and girls who are victims of gender-based violence, intersectional discrimination or sexual harassment;
34. Calls on the Member States to implement action programmes which ensure women’s involvement in the design and implementation of effective and efficient gender-sensitive policies and programmes within media organisations;

35. Calls on the Member States to develop programmes to improve women’s skills in science, technology, engineering and mathematics (STEM) subjects that are important for careers in the media sector with a more technical focus, such as sound and audiovisual technicians; stresses the importance of vocational education and training in diversifying career choices and introducing women and men to non-traditional career opportunities to overcome horizontal and vertical exclusion;

36. Instructs its President to forward this resolution to the Council and the Commission.
Empowering women and girls through the digital sector

European Parliament resolution of 17 April 2018 on empowering women and girls through the digital sector (2017/3016(RSP))

The European Parliament,

— having regard to Articles 2 and 3(3), second subparagraph, of the Treaty on European Union (TEU) and Article 8 of the Treaty on the Functioning of the European Union (TFEU),

— having regard to Article 23 of the Charter of Fundamental Rights of the European Union,

— having regard to the Beijing Declaration and Platform for Action, adopted at the 4th World Conference on Women in 1995, and, in particular, the area of concern ‘Women and the Media’,

— having regard to the outcome document of 16 December 2015 of the high-level meeting of the UN General Assembly on the overall review of the implementation of the outcomes of the World Summit on the Information Society,

— having regard to the Commission’s Strategic engagement for gender equality 2016-2019,


— having regard to Pillar II of the Commission’s Digital Single Market Strategy, which is aimed at creating the right conditions and a level playing field and environment for digital networks and innovative services to flourish, and Pillar III, which supports an inclusive digital society, in which citizens have the right skills to seize the opportunities brought about by the internet and boost their chances of getting a job,

— having regard to the Education and Training 2020 framework,

— having regard to the Commission study ‘ICT for work: Digital skills in the workplace’ and the Commission communication of 10 June 2016 entitled ‘A New Skills Agenda for Europe: Working together to strengthen human capital, employability and competitiveness’ (COM(2016)0381),

— having regard to the in-depth analysis entitled ‘Empowering women on the Internet’, published by its Directorate-General for Internal Policies in October 2015 (1),

— having regard to the Commission report of 1 October 2013 entitled ‘Women active in the ICT sector’,

— having regard to the European Institute for Gender Equality (EIGE) study of 26 January 2017 entitled ‘Gender and Digital Agenda’,

— having regard to its resolution of 24 May 2012 with recommendations to the Commission on application of the principle of equal pay for male and female workers for equal work or work of equal value (2),

— having regard to its resolution of 12 March 2013 on eliminating gender stereotypes in the EU (3),


(2) OJ C 264 E, 13.9.2013, p. 75.

having regard to its resolution of 12 September 2013 on the Digital Agenda for Growth, Mobility and Employment: time to move up a gear (4), and, in particular, the Grand Coalition on Digital Skills and Jobs,

having regard to its resolution of 8 October 2015 on the application of Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (5),

having regard to its resolution of 28 April 2016 on gender equality and empowering women in the digital age (6),

having regard to the question to the Commission on empowering women and girls through the digital sector (O-000004/2018 – B8-0010/2018),

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

A. whereas digitalisation has revolutionised and fundamentally changed the way people access and provide information, communicate, socialise, study and work, creating new opportunities to participate in public and political discussions, education and the labour market, opening up new prospects for a self-determined life, and having enormous economic potential for the European Union and beyond; whereas digitalisation not only has an impact on markets, but also on society as a whole;

B. whereas the information society, driven by information and communication technologies (ICTs), brings with it huge opportunities for generating and distributing wealth and knowledge;

C. whereas all around the globe, women as a demographic group are less likely to be online than men; whereas 68 % of men and 62 % of women use computers and the internet on a regular basis; whereas 54 % of men, compared to 48 % of women, use the internet on mobile devices; whereas 33 % of men install software onto the devices themselves, compared to only 18 % of women; whereas 41 % of men use online radio and television, compared to 35 % of women; whereas 47 % of men use online banking, compared to 35 % of women; whereas 22 % of men sell goods on the web, compared to only 17 % of women; whereas 20 % of men buy goods online, compared to 13 % of women;

D. whereas digital models of communication have contributed to the creation of conditions conducive to the increased dissemination of hate speech and threats against women, with 18 % of women in Europe having suffered some form of cyber harassment since reaching adolescence; whereas the number of threats, including death threats, towards women has increased; whereas social awareness of digital forms of violence remains insufficient; whereas various forms of online violence have not yet been fully taken account of by the legal framework;

E. whereas only 2 % of all women in the labour market are employed in technical, professional and scientific jobs, compared to 5 % of men; whereas only 9 % of developers in Europe are women, only 19 % of senior managers in the ICT and communications sectors are female (compared with 45 % in other service sectors) and women represent just 19 % of entrepreneurs in these sectors (compared with 54 % in other service sectors);

F. whereas there is a significant gender gap in access to professional and educational opportunities in relation to information and communication technologies and to computer skills;

G. whereas sexism and gender stereotypes constitute a serious obstacle to equality between women and men, and further widen the gender gap in the digital sector, making it difficult for women to develop fully their capacities as users, innovators and creators;

H. whereas jobs, not only within the ICT sector, increasingly require some degree of e-skills and digital literacy, and this trend will likely be amplified in the future with a broader spectrum of digital skills needed for the majority of occupations and vacancies;

(4) OJ C 93, 9.3.2016, p. 120.
(6) OJ C 66, 21.2.2018, p. 44.
I. whereas improving digital skills and IT literacy presents a unique opportunity to improve work-life balance by increasing access to education and training and facilitating the inclusion in the labour market not only of women and girls, but also of people with special needs, such as persons with disabilities, and of the inhabitants of rural and remote areas far from urban centres; whereas digitalisation of the workplace may bring some challenges which need to be addressed; whereas increasing the number of women in ICT, one of the highest paying sectors, could contribute to their financial empowerment and independence, resulting in the reduction of the total gender pay gap and the enhancement of women’s financial independence; whereas only around 16 % of the almost eight million people working in ICT in Europe are women;

J. whereas digitalisation offers new opportunities for entrepreneurship for women, including small-scale digital entrepreneurship, which in many cases does not require significant initial capital, as well as enterprises pursued within the framework of the social economy, which enhance social inclusion; whereas there is a need to support female digital entrepreneurship as it is one of the fastest growing and prospering sectors in the economy, offering numerous opportunities for innovation and growth, and women constitute only 19 % of entrepreneurs in this field;

K. whereas the entry of more women into the ICT sector would boost a market in which labour shortages are foreseen, and in which the equal participation of women would lead to a gain of around EUR 9 billion in EU GDP each year; whereas women remain heavily underrepresented in ICT degree programmes, where they constitute only around 20 % of graduates in the field, with only 3 % of all female graduates holding a degree in ICT; whereas women face numerous difficulties in integrating into and staying in the ICT sector; whereas the male-dominated working environment, with only 30 % of the workforce being female, contributes to the trend of many women leaving the ICT sector within a few years of completing their university degrees; whereas women’s participation in the digital labour market decreases with age; whereas women under 30 with a degree in ICT make up 20 % of the ICT sector, compared to 15,4 % of women aged between 31 and 45 and 9 % of women over 45;

L. whereas the study entitled ‘Women active in the ICT sector’ estimates that there will be 900 000 unfilled positions in the ICT sector in Europe by 2020; whereas the ICT sector is growing rapidly, creating around 120 000 new jobs every year;

M. whereas the ICT sector is characterised by a particularly high degree of vertical and horizontal segregation, as well as a gap between women’s educational qualifications and their positions in the ICT sector; whereas less than 20 % of ICT entrepreneurs are women; whereas the majority (54 %) of women in ICT jobs occupy lower paid and lower skill-level positions, and only a small minority of them (8 %) occupy high-skill software engineering positions; whereas women are also underrepresented in decision-making within this sector, with only 19,2 % of employees in the ICT sector managed by women, compared with 45,2 % of employees elsewhere;

N. whereas women aged 55 and over are at particular risk of unemployment and labour market inactivity, with the average EU employment rate for women aged between 55 and 64 being only 49 % in 2016, compared with 62 % for men; whereas a low level of IT literacy and e-skills further amplifies this risk; whereas improving and investing in the digital competences of women aged 55 and over would boost their employment opportunities and offer a degree of protection against exclusion from the labour market;

O. whereas according to 2014 Eurostat data, more women (42,3 %) than men (33,6 %) go on to higher education, yet women are present in greater numbers in the humanities than in scientific fields; whereas only 9,6 % of women students in tertiary education study ICT-related degrees, compared to 30,6 % of men; whereas women remain largely underrepresented in initiatives such as the EU Code Week, ICT for Better Education, the Startup Europe Leaders Club and the Grand Coalition for Digital Jobs, which are aimed at further fostering e-education and e-skills;

P. whereas low participation on the part of women and girls in ICT-related education, and later in employment, is the result of a complex interplay of gender stereotyping that starts at the early stages of life and education and continues into professional careers;

1. Calls on the Commission to exploit and better target the Digital Agenda and the Digital Single Market Strategy with a view to addressing the serious gender gap within the ICT sector and fostering the full integration of women into the sector, particularly in relation to technical and telecommunication professions, and to foster the education and training of women and girls in ICT and other science, technology, engineering and mathematics (STEM) subjects;
2. Welcomes the actions to support the integration and participation of women in the information society included in the Strategic engagement for gender equality 2016-2019; calls on the Commission to implement the actions aimed at reducing the gender pay, earnings and pension gaps, thus fighting poverty among women, and to put a premium on promoting female employment in the ICT sector, fighting gender stereotypes and fostering gender equality at all levels and in all types of education, including in relation to gendered study subject choices and careers, in line with the priorities set out in the Education and Training 2020 framework.

3. Encourages the Commission and the Member States to work in a spirit of open cooperation within the Strategic Framework for Education and Training 2020 on finding solutions and sharing best practices on early digital education, including e-skills and coding, which are inclusive for girls, as well as, at the later stages of education, on programmes aimed at increasing the share of women who decide to pursue STEM subjects and graduate with STEM degrees, as this would allow women to gain complete access to electronic services on an equal footing with men, and to profit from the employment opportunities for engineers and IT specialists that are predicted.

4. Calls for the EU and the Member States to develop, support and implement the actions promoted by the UN and its bodies, in particular in the framework of the Beijing Declaration and Platform for Action and of the World Summit on the Information Society (WSIS), including in the context of school curricula, in order to strive for women's empowerment in the digital age at European and global level.

5. Calls on the Commission and the Member States to address the gender gap in the ICT sector by stressing the business case for diversity and by creating additional and stronger incentives for both companies and women such as providing role models, mentoring programmes and career paths, in order to increase the visibility of women; encourages Member States to support and take action on, among other things, the development of online content that promotes gender equality, the promotion of access to and the use of ICT as tools to combat gender discrimination in areas such as gender violence, and the attainment of work-life balance.

6. Welcomes the EU's Action Plan 2017-2019 on tackling the gender pay gap (COM(2017)0678); highlights the need to strengthen compliance with the principle of equal pay for equal work for women and men anchored in the TEU, and calls on the Commission to implement the initiatives included in Action II of the Plan aimed at attracting more women into STEM professions, which, according to the EIGE, could lead to a closure of the gender wage gap by 2050 due to the higher productivity of STEM jobs.

7. Calls on the Commission and the Member States to make funds available and to improve access to existing funds in order to promote and support women entrepreneurs, particularly in the framework of the digital transformation of industry, to ensure that any company, irrespective of its size, the sector it operates in or its location in Europe, can benefit from digital innovations; stresses, in this context, that digital innovation hubs, which are key to facilitating the digital transformation, should put a specific focus on women entrepreneurs and start-ups owned by women; calls on the Commission to fully and comprehensively address the gender gap within the process of digitalisation.

8. Calls on the Commission and the Member States to support lifelong learning as well as training and schemes which help participants to adapt better or to prepare for a potential change of career path in accordance with the growing demand for e-skills in many different sectors, paying particular attention to women aged 55 and over, in particular those with caregiver responsibilities, and women who have taken a break from their career or are re-entering the workplace, in order to ensure that they are not left behind in the increasingly rapid shift towards digitalisation, and in order to safeguard them from exclusion from the labour market.

9. Underlines the effectiveness of using the internet for campaigns, forums and boosting the visibility of female role models, which accelerate gender equality; urges the Commission and the Member States to promote women's networks online, as they involve a bottom-up approach to women's empowerment.

10. Calls on the Commission to foster the creation of networks among civil society and professional media organisations in order to empower women to play an active part and to recognise their specific needs in the media sector.

11. Stresses the key role of civil society in internet governance; calls on the Commission and the Member States to engage constructively with and support digital civil society organisations.

12. Encourages all authorities and civil society players to support the introduction and implementation of e-services, e-skills and digital forms of work that can boost the work-life balance in our societies, while making sure that a double burden on women is avoided; calls on the Commission and the Member States to identify the opportunities and challenges of digitalisation, also with regard to working conditions, such as unstable forms of employment and work-related mental health problems.
13. Underlines the importance of ensuring gender mainstreaming in the education sector by promoting digital literacy and the participation of women and girls in ICT education and training through the inclusion of coding, new media and technologies in education curricula at all levels, as well as extra-curricular, informal and non-formal education, and in all types of education and training, including for teaching staff, in order to reduce and remove digital skills gaps, and to encourage girls and young women to embark on careers in the sciences and ICT; points to the importance of constant dialogue with the social partners in order to overcome the gender gap in this field:

14. Encourages the Member States to introduce age-appropriate ICT education at the early stages of school, with a particular focus on inspiring girls to develop an interest and talents in the digital field, and urges the Commission and the Member States to promote STEM education for girls from a young age, given that girls move away from STEM subjects at an earlier stage of their educational path due to the gender stereotypes surrounding these subjects, a lack of role models, and segregation in activities and toys, resulting in an underrepresentation of women in these subjects at university, which extends into the workplace:

15. Encourages the Member States and the Commission to promote, in particular by means of information and awareness-raising campaigns, the participation of women in business sectors that are stereotypically considered ‘male’, as in the case of digitalisation; stresses the need to organise awareness-raising, training and gender-mainstreaming campaigns for all the actors involved in digitalisation policy; underlines the need to support the acquisition of e-skills by women in sectors that are not ICT-intensive, but will require digital skills and competences in the near future:

16. Calls on the Commission and the Member States, as well as businesses, to promote gender equality in ICT by collecting gender-disaggregated data on the use of ICT, developing targets, indicators and benchmarks to track the progress of women's access to ICT, and to promote examples of best practice among ICT companies; calls on the EIGE to compile data on how digital services can be better employed for the benefit of women and gender equality:

17. Underlines the importance of identifying the challenges posed by the use of ICT and the internet to commit crimes, issue threats or perpetrate acts of harassment or violence against women; urges policymakers to address these issues properly, and to see to it that a framework is put in place to ensure that law enforcement agencies are able to deal with digital crimes effectively; calls on the Commission and the Member States to guarantee the protection of girls from advertising in the digital environment that could incite them to behave harmful to their health:

18. Calls for the EU institutions and the Member States to run campaigns in order to raise women’s awareness of the benefits of ICT, as well as the risks involved, and to provide them with the necessary education and knowledge on how to protect themselves online:

19. Calls for the EU institutions, agencies and bodies, as well as the Member States and their law enforcement agencies, to cooperate and take concrete steps to coordinate their actions to counter the use of ICT to commit crimes related to trafficking in human beings, cyber-harassment and cyber-stalking, given that they are often cross-border in nature and that EU-level coordination is vital in order to prosecute these crimes; invites the Member States to review their criminal law to ensure that new forms of digital violence are defined and acknowledged:

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

— having regard to Articles 3(5) and 21 of the Treaty on European Union,

— having regard to Articles 208 to 211 and 214 of the Treaty on the Functioning of the European Union,

— having regard to the Global Partnership for Effective Development Cooperation, adopted at the High-Level Forum on Aid Effectiveness in Busan in 2011 and renewed at the High-Level Meeting in Nairobi in 2016,

— having regard to the Third UN World Conference on Disaster Risk Reduction, held in Sendai (Japan) from 14 to 18 March 2015,

— having regard to the UN resolution entitled 'Transforming our World: The 2030 Agenda for Sustainable Development', adopted at the UN Sustainable Development Summit in New York on 25 September 2015, and to the 17 Sustainable Development Goals included therein,

— having regard to the World Humanitarian Summit held in Istanbul on 23 and 24 May 2016, and the ‘Grand Bargain’ agreement reached by some of the biggest donors and aid providers,

— having regard to the ACP-EU Partnership Agreement (1) signed in Cotonou on 23 June 2000, as revised on 25 June 2005 and 22 June 2010,

— having regard to Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union (2),


— having regard to the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the overseas countries and territories to which Part Four of the Treaty on the Functioning of the European Union applies (the Internal Agreement),

— having regard to Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund (5),

— having regard to Council Regulation (EU) 2015/323 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund (6),


(6) OJ L 58, 3.3.2015, p. 17.
(7) OJ L 77, 15.3.2014, p. 44.
— having regard to the European Consensus on Humanitarian Aid of 2007 (**),

— having regard to the new European Consensus on Development of 7 June 2017 (**),

— having regard to the Council conclusions of 19 June 2017 on EU engagement with civil society in external relations,

— having regard to its resolution of 22 November 2016 on increasing the effectiveness of development cooperation (**),

— having regard to its resolution of 13 September 2016 entitled ‘EU Trust Fund for Africa: the implications for development and humanitarian aid (**),

— having regard to its resolution of 7 June 2016 on the EU 2015 Report on Policy Coherence for Development (**),

— having regard to its resolution of 22 October 2013 on local authorities and civil society: Europe’s engagement in support of sustainable development (**),

— having regard to the European Court of Auditors’ Special Report No 18/2014 on EuropeAid’s evaluation and results-oriented monitoring systems,


— having regard to the External Evaluation of the 11th European Development Fund (final report of June 2017), commissioned by the Commission from a team of external contractors,

— having regard to the External Evaluation of the Development Cooperation Instrument (final report of June 2017), commissioned by the Commission from a team of external contractors,


— having regard to the ‘Coherence report – Insights from the External Evaluation of the External Financing Instruments’ (final report of July 2017), commissioned by the Commission from a team of external contractors,

— having regard to Rule 52 of its Rules of Procedure, as well as Article 1(1)(e) of and Annex 3 to the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,

— having regard to the report of the Committee on Development and the opinion of the Committee on Budgets (A8-0118/2018),

A. whereas since the adoption of the External Financing Instruments (EFIs), the international and EU policy framework has changed significantly with the adoption of landmark instruments such as the 2030 Agenda for Sustainable Development, the Paris Agreement on Climate Change, the Addis Ababa Action Agenda, the Sendai Framework for Disaster Risk Reduction 2015-2030, and the Agenda for Humanity; whereas the EU played a leading role in the negotiations of these instruments;

B. whereas the Treaty of Lisbon, the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs), together with the European Consensus on Humanitarian Aid, the new European Consensus on Development and the Busan effective development principles, determine the EU strategy on development cooperation and humanitarian aid; whereas, in addition, the Council has adopted a Global Strategy for the European Union’s Foreign and Security Policy, which deals inter alia with development cooperation;

(*******) OJ C 208, 10.6.2016, p. 25.
C. whereas according to Article 214 of the Treaty on the Functioning of the European Union (TFEU) and the European Consensus on Humanitarian Aid, humanitarian assistance must be delivered in accordance with the humanitarian principles of humanity, neutrality, independence and impartiality and guided by a needs-based approach; whereas humanitarian aid must not be a crisis management tool;

D. whereas development policy should complement EU foreign policy and migration management, while ensuring that development funding is used only for development-related objectives and purposes and not to cover expenses related to the achievement of different objectives, such as border control or anti-migration policies;

E. whereas the main objective of the Development Cooperation Instrument (DCI) is to reduce and, in the long term, eradicate poverty in developing countries that do not benefit from funding under the European Development Fund (EDF), the European Neighbourhood Instrument (ENI) or the Instrument for Pre-Accession Assistance (IPA), to provide thematic support for civil society organisations and local authorities in partner countries in the area of development-related global public goods and challenges, and to support the strategic partnership between Africa and the EU; whereas the DCI is the main geographic instrument in the area of development cooperation in the EU budget, with EUR 19.6 billion in allocations for the period 2014-2020;

F. whereas the main objective of the EDF is to reduce and, in the long term, eradicate poverty in the African, Caribbean and Pacific (ACP) region and achieve the sustainable development of overseas countries and territories (OCTs); whereas the EDF is the main EU development cooperation instrument, with EUR 30.3 billion allocated to the 11th EDF for the period 2014-2020;

G. whereas the main objective of the Humanitarian Aid Instrument (HAI) is to provide assistance, relief and protection to people affected by natural or manmade disasters and similar emergencies, placing the focus on the most vulnerable victims regardless of nationality, religion, gender, age, ethnic origin or political affiliation, and in accordance with real needs, international humanitarian principles and the European Consensus on Humanitarian Aid;

H. whereas the HAI extends beyond the core task of lifesaving operations to include relief for those affected by longer-lasting crises, short-term rehabilitation and reconstruction work, disaster preparedness and addressing the consequences of population movements;

I. whereas effective development cooperation calls for innovative approaches, giving donors the ability to respond quickly to local situations, work with local organisations and support local businesses and entrepreneurs, especially in the poorest and most fragile countries; whereas the EU's audit system must give donors the flexibility to take on a reasonable amount of risk in such projects, enhancing the EU's ability to react quickly and deliver effective aid;

J. whereas the EU is the world's leading donor of development and humanitarian aid; whereas through this assistance the EU champions efforts to reduce poverty and to promote global and EU interests and fundamental values;

K. whereas the African Union-EU Summit held in Abidjan on 29 and 30 November 2017 confirmed the will to establish a genuine, modernised, globalised and ambitious partnership, creating the political and economic conditions for real equality;

L. whereas there has been an exponential increase in the number of development cooperation agreements concluded with third countries, including China, Russia, Turkey, Brazil and India;

M. whereas reinstating and extending the so-called global gag rule and cutting funds to organisations that provide women and girls with family planning and sexual and reproductive health and rights services is of serious concern;

N. whereas third-country governments have real expectations when it comes to swift action, effectiveness and addressing the urgent need to maintain sound development cooperation partnerships; whereas there is a need to develop open and productive economies in partner countries, while taking into account new circumstances and new economic stakeholders in the international arena;

O. whereas given the lack of UK involvement beyond 2020, Brexit will entail a reduction in the EU budget of between 12 and 15%.
P. whereas the EDF and DCI evaluations confirm that using the different geographic and thematic instruments in a coherent manner is indeed possible;

Q. whereas the evaluation of the 11th EDF states that ‘there is a real threat that EDF will be pushed into responding to agendas that distance it from its primary objective of poverty alleviation, which are difficult to reconcile with the EDF’s core values and compromise what it does well’; that ‘despite consultations, government and [civil society organisation] views (with some notable exceptions such as in the Pacific region), have rarely been taken account of in programming choices’ and that ‘the EDF11 programming thus used a top-down approach to apply the concentration principle but at the cost of the Cotonou Agreement’s central principle of partnership’;

R. whereas according to the 11th EDF evaluation, by April 2017, nearly EUR 500 million from the EDF reserve had been disbursed to support the Commission’s Civil Protection and Humanitarian Aid Operations (ECHO) department, nearly EUR 500 million had been allocated in emergency support to individual countries and EUR 1.5 billion had been disbursed to the EU Emergency Trust Fund for Africa; whereas the EDF also contributes to the new European Fund for Sustainable Development;

S. whereas the DCI evaluation states that ‘the DCI remains overall relevant and fit for purpose, both when it was adopted and at the mid-point of its implementation. It is broadly in line with new policy documents (e.g. the new European Consensus on Development and the 2030 Agenda for Sustainable Development) although implementing certain priorities, could be difficult in its current format’;

T. whereas at the time of the adoption of the EFIs 2014-2020 Parliament expressed a preference for a distinct EFI dedicated to development cooperation and called for the ring-fencing of development funds should the EDF be budgetised;

U. whereas with reference to the EU Emergency Trust Fund for Africa, the EDF evaluation states that ‘compared to standard EDF projects, the shortened preparation and approval time, the indirect involvement of the EU in project implementation and the fact that these projects originate from EU priority concerns rather than as a response to [partner countries’] long-term objectives, all raise concerns over the likely effectiveness and sustainability of EU [Emergency Trust Fund for Africa] projects and over the ability of the EU to closely monitor their implementation’;

V. whereas the financial flow from the Union to countries benefiting from financial instruments for development is lower than the remittances made privately by the diaspora from those same countries living in Europe;

W. whereas despite having received billions of euros from the EDF for years and despite the Commission’s serious concerns about its financial management, the African Peace Facility was not part of the EDF evaluation; whereas the African Peace Facility has not been evaluated since 2011;

X. whereas according to their respective evaluations and the Commission mid-term review report on the EFIs, the overall effectiveness and long-term impact of the DCI and the EDF in meeting their objectives is difficult to measure owing to serious limitations in defining adequate evaluation and monitoring systems and in assessing the role played by external factors, and to the breadth of the countries and themes concerned; whereas according to the evaluators, blending only mobilises additional resources in 50% of cases;

Y. whereas Parliament has been faced with very short deadlines for the scrutiny of draft implementing measures; whereas these deadlines do not take proper account of the characteristics of parliamentary activities; whereas at times this has been compounded by the fact that Parliament was sent draft implementing measures after the deadline or before recess periods, which restricted even further its ability to adequately exercise its scrutiny powers;

Z. whereas the EU has recognised the importance of partnerships with civil society organisations (CSOs) in external relations; whereas this includes involvement of CSOs in programming and implementing EFIs;
Facts and findings of the mid-term review of implementation of the DCI, EDF and HAI

General considerations

1. Welcomes the fact that evaluations of the DCI, EDF and HAI show that these instruments' objectives were largely relevant to the policy priorities at the time of their design and that they are generally fit for purpose and aligned with the values and objectives of the SDGs; points out that the annual funding gap for attainment of the SDGs is USD 200 billion;

2. Notes that some countries where EDF and DCI geographic programmes operate have experienced progress in poverty reduction and human and economic development over the last ten years, while for others the situation remains critical;

3. Notes with satisfaction that the DCI and EDF priorities are aligned with the SDGs' values and objectives, owing to the instrumental role that the EU has played in their adoption, and that this fact has largely facilitated and simplified the mid-term review of these instruments;

4. Notes that in their first years of implementation, the DCI and the EDF have enabled the EU to respond to new crises and needs thanks to the broad nature of the instruments' objectives; notes, however, that a multiplication of crises and the emergence of new political priorities have put financial pressure on the DCI, the EDF and the HAI, have stretched these instruments to their limits and have led to the decision to set up new ad hoc mechanisms such as trust funds, which are surrounded by serious concerns, namely over transparency, democratic accountability and their disconnection from development objectives; recalls the recently adopted European Fund for Sustainable Development, which was created to provide further leverage capacity;

5. Is satisfied with the increased internal coherence within the DCI and the EDF, largely due to high-quality assessments, harmonised decision-making processes and sector concentration;

6. Notes that there are cases in which budget support is still criticised for its lack of appropriateness and efficiency, when it is actually a form of support that corresponds to a modern concept of cooperation that fits in very well with genuine development partnerships, makes partner-country ownership possible and has the advantage of being flexible and efficient; calls, therefore, for action to be taken to strengthen the political and institutional partnership that promotes the granting of budget support, while insisting on effective economic governance and respect for democratic values; points out that development cooperation policy must be implemented in a manner that takes account of the wishes of the countries and populations that need it, ensuring their participation in the decision-making process and that they assume responsibility for its transparent and efficient application;

7. Notes the fact that a large number of countries have become upper-middle income countries (UMICs), with the result that they have graduated from bilateral cooperation under the DCI or receive reduced bilateral cooperation grants under the EDF, since development aid coupled with successful national policies may lead to positive outcomes; recalls that poverty and development are multidimensional, and that maintaining GDP as the unique development indicator is insufficient; notes also that since the majority of the world's poorest people live in middle-income countries, in which inequalities persist, withdrawing aid to middle-income countries abruptly might undermine the achievement of the SDGs; insists, therefore, on the need to continue supporting these countries in this delicate phase on their path to greater development;

8. Underlines the need to ensure that development aid is used in accordance with its original purpose, with due consideration of aid and development effectiveness principles; reiterates that EU development cooperation should be aligned with partner countries' plans and needs;

9. Emphasises that under no circumstances should the EU's short-term (security or migration) domestic interests drive its development agenda, and that aid and development effectiveness principles should be fully respected and applied to all forms of development cooperation;

10. Notes that the Commission has concluded that coherence among instruments could be enhanced through streamlining; highlights that no reference is made to such a finding in any of the different evaluations;
Tuesday 17 April 2018

11. Is worried by the evaluators' findings concerning the lack of monitoring and evaluation systems, which makes it difficult to measure results; highlights, on the other hand, the numerous positive findings related to EU development policies of audits carried out by the European Court of Auditors (ECA); recalls the observations made by the ECA in its Special Report No 18/2014 on EuropeAid’s evaluation and results-oriented monitoring systems; calls on the Commission to use this occasion to further improve its results framework system in accordance with the recommendations made by the ECA;

12. Is surprised by the discrepancy between the evaluation results and the conclusions drawn by the Commission in its mid-term review; regrets that the serious problems of the instruments' lack of partnership and the risk of shifting the focus away from poverty alleviation are not addressed at all in the Commission's conclusions despite this being a key element of the evaluation;

13. Is concerned about the lack or limited nature of the data available; notes that the absence of a monitoring and evaluation system beyond the Millennium Development Goals (MDGs) and the SDGs makes it impossible to measure changes accurately, for example with regard to the instrument’s flexibility or the level of consistency with other instruments;

14. Notes, in addition, that the lack of a funding chapter that is explicitly designed to encourage political debate, with particular reference to support for political parties, is not conducive to achieving sustainable development targets;

15. Calls for reporting to be improved by automatically producing statistics and indicators;

16. Regrets that the Commission has not seized the opportunity presented by the mid-term review to adapt its policies to the requirements set out in the new European Consensus on Development on support to small-scale and sustainable agroecological farming; notes that, on the contrary, proposed measures include even more support to large-scale farming and agro-businesses;

DCI

17. Stresses that the DCI’s relevance lies primarily in its flexibility to respond to unforeseen events as regards the choice of programming and implementation methods and with regard to reallocations within and between instruments and to the use of reserve funds; highlights that flexibility in the multi-annual programming has also allowed for the adaptation of the length of the programming period to the situation on the ground, for a swift reallocation of funding in case of major changes, and for the use of special measures;

18. Welcomes the fact that evaluations have underlined the strategic relevance of the DCI’s thematic programme, in particular its ability to promote global actions on public goods;

19. Takes note of the simplification, harmonisation and broader implementation modalities introduced in Regulation (EU) No 236/2014 on common rules for the implementation of the EFIs, which has brought about more effectiveness in the DCI; stresses that Regulation (EU) No 233/2014 establishing the DCI does not provide details on a monitoring and evaluation system for measuring the instrument’s performance; is extremely concerned about the fact that the implementation procedures, some of them originating from the Financial Regulation, are still perceived as lengthy and burdensome, which discredits the EU and increases the appeal of approaches taken by certain countries which are seen as relying to a much lesser extent on formalities and conditions; recalls, in this context, that some of these procedures stem from the Financial Regulation, and not from the EFIs, while other requirements are based on the application of fundamental principles of development cooperation, such as partnership and ownership;

20. Notes that Commission working documents show that amounts paid are fairly low compared with amounts committed; emphasises that this is a major problem where 'competition' for development assistance is concerned; calls, therefore, for better communication on funding options, to ensure that the EU's partners are informed; calls for training on compiling EU files to be provided for local stakeholders, including civil servants, to ensure that they are in the best position to fulfill the criteria and therefore increase their chances of making successful project applications; notes that such training could also be geared towards improving responses to calls for projects from other international organisations;
21. Is concerned that the mid-term evaluation of the DCI points to the risk of a perceived lack of compliance with the requirement to allocate at least 20% of assistance under the DCI to basic social services such as health, and to secondary education and other social services, when these needs are essential to the development of these countries; is also concerned by the inadequate support given to national health systems, as well as the lack of data concerning results achieved in relation to education funding; reiterates the commitment made in the new European Consensus on Development to allocate at least 20% of EU official development assistance (ODA) to social inclusion and human development;

22. Is satisfied with the objectives and results of the thematic programme dedicated to CSOs and local authorities, and calls for its retention in future instruments; is gravely concerned, however, at the shrinking space awarded for CSOs and local authorities in the programming and implementation phases of the programmes, and calls for a strengthened role for these bodies, including as service providers, as well as for more tailor-made cooperation modalities and a more strategic approach; underlines that the development of these countries can only be fully achieved through cooperation with legitimate local authorities;

23. Encourages the Commission to implement policies that encourage the involvement of the African diaspora as key development stakeholders;

EDF

24. Notes that the EDF has played an important role in addressing poverty eradication and the attainment of the SDGs; notes, however, that evidence of progress is weaker at regional level and that the EDF has not consistently established solid synergies and coherence across its national, regional and intra-ACP cooperation programmes;

25. Regrets that the mid-term review did not cover the African Peace Facility, which has not been properly evaluated for years; considers that in times where more and more political emphasis is placed on the security-development nexus, evidence-based policymaking is key;

26. Welcomes the fact that the EDF has proven to be fit for purpose in a fast-changing environment thanks to a reduced planning cycle, streamlined procedures and improved budget management; notes, however, that it is still not fully adapted to a changed context and that the procedures continue to be somewhat rigid and burdensome;

27. Notes that the very different needs and nature of the groups of ACP countries and OCTs covered by the EDF raise questions over the one-size-fits-all approach that characterises the choice of procedures and modalities, and ultimately over the territorial scope of the EDF; recalls the need for a new and genuine partnership among equals, with human rights as the main focus;

28. Notes that the EDF faced pressure to tackle an increasing number of political demands, such as security and migration, which are difficult to align with the EDF’s core values and the principles of the EU’s development and cooperation policy, namely poverty eradication;

HAI

29. Is satisfied that the HAI has achieved its objective of providing aid in emergency situations on a basis of full respect of public international law, while ensuring that humanitarian aid is not instrumentalised and that the principles of humanity, impartiality, neutrality and independence are respected;

30. Notes that the number of humanitarian crises and disasters dealt with by the HAI has significantly increased in the last few years, which has led to the full use of the Emergency Aid Reserve and to the need to use additional funds, and that this situation is not likely to improve in the short to medium term given the growing number of crisis situations affecting many areas all over the world; notes that this points to the need for a substantial increase in the Emergency Aid Reserve and for a swifter and more flexible use of all available resources;
31. Considers that people and communities should remain the core targets and stakeholders of the HAI, and that a flexible, coordinated, context-specific approach that takes on board the views of local governments and authorities, as well as local communities, religious development-oriented organisations, and civil society actors, should be adopted in all circumstances; underlines that many of these organisations, including Europe-based diaspora organisations, carry out valuable work in several critical areas and can provide added value to humanitarian aid;

32. Recalls that unsafe abortion is listed by the World Health Organisation as one of the five leading causes of maternal mortality; recalls the internationally declared legal basis for the right to sexual and reproductive health and rights for victims of sexual violence and people in conflicts;

Recommendations for the remaining implementation period

33. Stresses that the DCI, the EDF and the HAI should be implemented in the light of the new international and EU policy framework, including the 2030 Agenda for Sustainable Development, the Paris Agreement on Climate Change, the Addis Ababa Action Agenda and the Agenda for Humanity;

34. Recalls that the SDGs must be achieved worldwide through the joint efforts and partnership of all international actors, including developing and developed nations and international organisations; stresses that, at EU level, this calls for internal and external policies designed and implemented in a joint, coherent and coordinated fashion, in accordance with Policy Coherence for Development (PCD) principles; considers that PCD must be a major factor in the definition and implementation of the EFIs and in the adoption of other EU policies and instruments by reason of the interconnection between internal and external EU policies; takes the view, however, that overall coherence between instruments should be further improved, in particular by improving coherence and coordination between geographic and thematic programmes and by achieving greater coordination and complementarity with other EU policies;

35. Is worried that UMICs that have graduated from the EDF and the DCI may be faced with a funding gap that places them in a situation of vulnerability; calls on the Commission to reflect on the consequences, to consider measures to prevent negative effects, and to facilitate UMICs’ access to EFIs tailored to their needs, with a view in particular to stepping up efforts to enhance good governance by combating corruption, tax fraud and impunity, ensuring respect for the rule of law and the holding of free and fair elections, ensuring equal access to justice, and addressing institutional weaknesses; acknowledges the work carried out by EUROsociAL in this area; stresses, however, the need to prioritise the allocation of grants to the least developed countries (LDCs) which are prone to instability, face significant structural impediments to sustainable development and therefore depend heavily on international public finance;

36. Takes the view that EFIs should continue to directly support both EU and local CSOs, local communities, local and regional governments and local authorities in partner countries and their partnerships with European local and regional governments, and systematically facilitate their active participation in multi-stakeholder dialogues on EU policies and on all programming processes across all instruments; considers, furthermore, that the EU should promote the role of CSOs as watchdogs both in and outside the EU and support decentralisation reforms in partner countries; welcomes, in this context, the Commission’s intention to deepen and consolidate ongoing work to build partnerships and dialogue with civil society working in development and to enhance the engagement in dialogue and involvement of networks of CSOs in EU policymaking and processes; recalls that the EU should support democratic consolidation by identifying mechanisms to support the activities of organisations in third countries, so as to contribute to the stabilisation and improvement of institutional standards for the management of public goods;

37. Confirms its determination to monitor the fulfilment of the EU commitment to provide continued support for human development in order to improve people’s lives, in line with the SDGs; recalls that, in the case of the DCI, this results in the need to allocate at least 20 % of assistance to basic social services, with a focus on health and education, and to secondary education; is concerned, therefore, that at a time when doubts persist over the achievement of the 20 % human development objective, the Commission is shifting funds away from human development towards investment;

38. Calls for the strict application of preconditions allowing for the effective use of budget support and for a more systematic monitoring of this aid modality in partner countries, so as to improve accountability, transparency, aid effectiveness, and the alignment of budget support with its objectives;
39. Warns against abusive recourse to trust funds, which threatens the specificity of EU development cooperation policy; insists that they should be used only when their added value compared with other aid modalities is guaranteed, especially in emergency situations, and that their use should always be fully in line with aid effectiveness principles and development policy’s primary objective: poverty eradication; is concerned at the fact that contributions from Member States and other donors to trust funds have been below expectations, with negative consequences for their effectiveness; recalls the need for parliamentary scrutiny of these funds; is seriously worried about the findings of the EDF evaluation on the effectiveness of the EU Emergency Trust Fund for Africa;

40. Recalls that the Commission should ensure transparency when trust funds are used, inter alia by providing Parliament with regular information updates and ensuring its proper involvement in relevant governance structures, in accordance with the applicable EU legislation; recalls, moreover, that trust funds must apply the full range of development effectiveness principles, should be consistent with long-term development priorities, principles and values, national and EU country strategies and other relevant instruments and programmes, and that a monitoring report assessing this alignment should be published biannually; reiterates that, to that end, the aim of the EU Emergency Trust Fund for Africa is to address the root causes of migration by promoting resilience, economic opportunities, equal opportunities, security and development;

41. Recalls that the budget for EU external action has constantly been mobilised and reinforced, exhausting all available margins in order to tackle the increasing number of crises; is of the view that in this context of multiple crises and uncertainty the EFIs need to have sufficient flexibility to be able to adjust swiftly to changing priorities and unforeseen events, and to deliver rapidly on the ground; recommends, to this end, a smart use of the EFI reserve or the unused funds, more flexibility in the multiannual programming, an appropriate combination of funding modalities and greater simplification at implementation level; stresses, however, that greater flexibility should not be achieved at the expense of aid effectiveness and predictability, long-term geographic and thematic priorities, or commitments to uphold reforms in partner countries;

42. Calls on the Commission to implement the HAI in a way consistent with the humanitarian principles, the commitments agreed in the Grand Bargain at the World Humanitarian Summit, and the conclusions of the ECA Special Report No 15/2016 (14); calls on the Commission, in particular, to increase transparency in the strategic programming and funding selection procedure, pay due attention to the cost-efficiency of actions, without compromising humanitarian aid objectives and the willingness to help the most vulnerable and while maintaining the capacity to sustain the humanitarian imperative by reaching the most vulnerable and operating where needs are most pressing, improve monitoring during implementation, allocate greater funding for national and local responders, cut bureaucracy through harmonised reporting requirements, and make provision on a multiannual basis in terms of strategy, programming and funding, so as to ensure greater predictability, flexibility, rapidity and continuity in humanitarian response;

43. Insists that humanitarian aid should continue to be allocated to population groups in crisis areas, and that humanitarian actors should have unfettered access to victims in conflict areas and fragile countries to enable them to carry out their activities;

44. Calls on the Commission to ensure that, in addition to immediate response to humanitarian crises, the HAI, together and in complementarity with the DCI and the EDF and in the light of the humanitarian-development nexus, builds up resilience to future shocks by promoting early warning and prevention strategies and structures, provides longer-term sustainable development benefits in line with the need to link relief, rehabilitation and development, and keeps a focus on forgotten crises with full respect for the principle of leaving no one behind;

45. Notes that complementarity between development instruments and the HAI must be improved, in particular in the context of the humanitarian-development nexus, the new strategic approach to resilience and the EU’s commitment to disaster risk reduction and preparedness, without undermining their respective objectives and mandates;

46. Recalls that development complements humanitarian aid with a view to the prevention of shocks and crises;

(14) European Court of Auditors, Special Report No 15/2016, ‘Did the Commission effectively manage the humanitarian aid provided to populations affected by conflicts in the African Great Lakes Region?’, 4 July 2016.
47. Calls for the recognition of the specificity of humanitarian aid in the EU budget, which entails the need to secure the Emergency Aid Reserve as a flexible instrument for responding to new crises with sufficient funds;

48. Takes the view that the EU delegations should be more involved in development cooperation programming choices under the different EFIs they manage; considers that this would also allow for improved complementarity and synergies, and for increased alignment with needs and partner country ownership;

49. Insists on adequate staffing at Commission and European External Action Service (EEAS) headquarters and in EU delegations, in terms of both numbers and development and humanitarian aid expertise;

50. Is unsatisfied with the very short deadline allowed for Parliament's scrutiny of draft implementing measures under the DCI; urges the Commission to modify the Rules of Procedure of the DCI and Humanitarian Aid Committees by December 2018 so that Parliament and the Council are given more time to exercise their scrutiny powers adequately;

51. Urges the Commission and the EEAS to increase and improve donor coordination through joint programming and joint implementation with other Member States and donors, aligned with partner countries' national development programmes, under the leadership of and coordinated by the EU delegations;

52. Calls for Parliament to have increased political scrutiny over the 11th EDF programming documents as a means to enhance transparency and accountability;

Recommendations for the post-2020 architecture of the DCI and the EDF, and for the future implementation of the HAI

53. Reiterates the autonomy of the EU's development and humanitarian policies, which are based on specific legal bases recognised in the Treaties and establish values and objectives that are specific, should not be subordinated to the EU's geopolitical strategy, and should always be aligned with development effectiveness principles and, in the case of humanitarian aid, the principles of humanity, impartiality, neutrality and independence;

54. Stresses the absolute necessity of maintaining separate development and humanitarian aid instruments respecting key development principles, in the light of the EDF and DCI evaluation findings concerning the lack of partnership and the threat to the central objective of poverty alleviation within the new framework of shifting policy priorities;

55. Recalls that the EDF, the DCI and the HAI are characterised by positive budget execution and are key to demonstrating international solidarity, while contributing to the credibility of the EU on the global stage; considers that, irrespective of possible structural changes or mergers with regard to these instruments, including the possible budgetisation of the EDF, the overall appropriations for the next MFF should be increased, while the ODA criteria should not be diluted, and that the future architecture of the EFIs should include a more transparent inclusion of trust funds and facilities guided by the key principles of democratic ownership and development effectiveness, as well as a possible continuation of the External Investment Plan, based on an evaluation demonstrating its development additionality and human rights, social and environmental impact;

56. Invites the Council, the Commission and the European Investment Bank to conclude an interinstitutional agreement with Parliament on transparency, accountability and parliamentary scrutiny on the basis of the policy principles set out in the new European Consensus on Development, given the shift in aid modalities from direct grants to trust funds and blended finance, including through the European Fund for Sustainable Development;

57. Stresses the positive image that the international community has of the EU as a cooperative global actor, which nonetheless risks being tainted by red tape and bureaucratic delays; is of the view that this contributes to the EU’s soft power in international relations, which calls for a strong and autonomous development policy after 2020 with differentiated development instruments;

58. Stresses that the reduction and, in the long term, eradication of poverty, together with the implementation of the SDGs and the Paris Agreement and the protection of global commons, should constitute the primary objectives of the EU’s development policy and instruments, with special attention paid to those most at risk;
59. Stresses that the post-2020 architecture of the DCI and the EDF and the implementation of the HAI must be aligned with the EU's international commitments, including the 2030 Agenda for Sustainable Development and the SDGs, the Paris Agreement, and the EU policy framework, including the new European Consensus on Development, the new Global Strategy for the EU's Foreign and Security Policy and the European Consensus on Humanitarian Aid;

60. Considers that the architecture of the new EFIs should take into account the proven good functioning of the current EFIs, ODA eligibility and the need to deliver on the SDGs;

61. Considers that the 2030 Agenda for Sustainable Development and the global dimension of many SDGs call for a new political approach, whereby all political actors, from both developing and developed countries, must endeavour to contribute to the achievement of the SDGs through consistent and coordinated internal and external policies, and considers that the new EFIs post-2020 and the new European Consensus on Development will be instrumental to this end;

62. Is convinced of the importance of promoting a human rights- and principle-based approach to development, thereby promoting democratic principles, fundamental values and human rights worldwide; calls on the Commission and the EEAS to adequately combine assistance under the EFIs and political dialogue, both bilaterally and in the framework of regional and global organisations, in order to promote these principles, values and rights;

63. Considers it vital to include horizontal and cross-sectoral environmental protection and the opportunities offered by environmental policies in all development policies; regrets the insufficient progress made in terms of mainstreaming democracy, human rights and gender equality; urges, furthermore, that the Paris Agreement commitments be fully reflected in future instruments and programmes, accompanied by adequate monitoring; considers, therefore, that the fight against climate change should play an increasingly important role in development cooperation;

64. Considers it necessary to conduct a 'lessons learned' exercise in order to identify the shortcomings in, and improve, the coordination of EU EFIs with the financing instruments of other international institutions, so as to create synergies and maximise the impact of the financing instruments in developing countries;

65. Considers it necessary to increase the current levels of EU ODA in the future architecture of the EFIs post-2020 and to develop a clear timeline, so as to enable the EU to honour its collective commitment to provide 0,7% of Gross National Income (GNI) in ODA and allocate 0,2 % of ODA/GNI to the least developed countries; welcomes, in this context, the recent Commission communication on the new MFF; reminds Member States of the need to respect their commitment to contribute 0,7% of their GNI in ODA; recalls the need to implement the Organisation for Economic Co-operation and Development's Development Assistance Committee recommendations on reaching an average grant element in total ODA of 86 %;

66. Is of the view that, without prejudice to increased flexibility and/or reserves, the post-2020 architecture of EFIs should continue to make provision for a mix of both geographic and thematic multiannual programmes, allowing for development actions on different scales; considers support to the regional cooperation and integration of partner countries to be an important factor which is necessary in order to eradicate poverty and promote long-term sustainable development;

67. Stresses that the EU's external development action must be based on an appropriately balanced combination of flexibility and predictability of development assistance, on a basis of sufficient funding; acknowledges, at the same time, that predictability of development assistance can be achieved, inter alia, through well-functioning established early warning systems, primarily in the most vulnerable and least resilient countries;

68. Is of the view that the transfer of funds between objectives and for changing priorities within an instrument should only take place on the basis of real needs of partner countries, without compromising the principles and objectives of the instrument and with adequate involvement of the monitoring authority; calls, in particular, for a clear distinction between ODA-eligible funding and other, non-ODA-eligible funding; strongly rejects any transfer of funds earmarked for DACable activities to programmes that cannot be accounted for as ODA; emphasises the need for ODA targets in EFI regulations to safeguard this;
69. Is of the view that the post-2020 architecture of EFIs should include a number of benchmarks and strict ring-fenced earmarking, as well as mainstreaming commitments to ensure sufficient funds for key priorities;

70. Considers that unforeseen needs should be covered by sizeable contingency reserves in the different EFIs, and that uncommitted or de-committed funds relating to a given year should be transferred to the contingency reserves for the following year;

71. Recalls the need to maintain a robust and independent instrument for humanitarian aid, as called for by the European Consensus on Humanitarian Aid; considers that a separate reserve specifically for humanitarian aid should be maintained to take account of the fact that, owing to increasing needs worldwide, the Emergency Aid Reserve has been activated constantly during the current MFF period; recalls that while repeatedly acknowledging the efforts of the Commission to respond to increasing challenges, Parliament has regularly highlighted the need to increase funding for humanitarian aid and has insisted on closing the widening gap between commitments and payments and on increasing the effectiveness and reactivity of humanitarian and development assistance available under the EU budget;

72. Highlights that any gain in terms of financial flexibility and simplification should not be achieved at the expense of less monitoring and scrutiny capacity on the part of the co-legislator, which would jeopardise the principles of accountability and transparency; stresses the need for transparency in the funds’ allocation criteria and in all phases of programming; is of the opinion that the new EFI architecture should be flexible and modern, allowing for the optimisation of resources and producing development results for partner countries;

73. Stresses that financial flexibility in the new EFIs should also extend to in-country flexibility to award small grants to local CSOs, businesses and entrepreneurs on a discretionary basis; considers that the Commission should review its current auditing requirements in respect of development aid in order to allow an increased risk profile for small-scale, in-country grants;

74. Highlights that development policy and humanitarian objectives should not be subjugated either to donor countries' and the EU’s security objectives or to border controls and migration flow management; considers, in this vein, that ODA should be used primarily to alleviate poverty and that actions and programmes that are solely aligned with the national security interests of donors should therefore not be funded using development finance; considers it necessary, at the same time, to support the resilience of partner countries with the aim of creating favourable conditions for sustainable development;

75. Considers that, in the future MFF, expenditure for pursuing the EU’s internal objectives under the headings of migration, asylum and internal security, on the one hand, and geared to supporting the implementation of the new European Consensus on Development, on the other, must be kept separate; takes the view that to merge these two distinct headings would be to run the risk of further instrumentalising EU aid, including by making it conditional on cooperation in the field of migration;

76. Proposes, in this context, that societal and state resilience be further strengthened through development aid, and that more financial and political means be dedicated to conflict prevention, disaster preparedness and to taking early action in the face of both conflicts and natural disasters;

77. Calls on the Commission not to base funding allocations to partner countries and cooperation modalities solely on GDP, but on a broad range of criteria taking into account inclusive human development, human rights and levels of inequality;

78. Reiterates its request for EDF budgetisation as a main tool to ensure coherence between development and other EU policies and to enhance Parliament’s budgetary scrutiny; reiterates that EDF budgetisation would bring advantages such as stronger democratic legitimacy and scrutiny of the instrument, better absorption capacity and enhanced visibility and transparency, leading to more clarity on EU spending in this field, as well as an increase in the efficiency and development effectiveness of EU development aid; recalls that parliamentary debates on development policy assist citizens in the implementation of EU spending on development aid;
79. Underlines that EDF budgetisation should be accompanied by guarantees to prevent any transfer of former EDF funds to other budget lines and that it should take into account any third-country donors; underlines, furthermore, that the African Peace Facility should remain outside the EU budget and within the framework of a dedicated instrument;

80. Stresses that budgetisation of the EDF should be accompanied by a proportional increase in the agreed EU budget ceiling, so that it leads neither to a cut in the EU’s financial commitment to the ACP countries nor to an overall decrease in EU development assistance in the post-2020 MFF;

81. Considers that the open-ended nature of the HAI has led to positive outcomes; recommends, therefore, keeping separate instruments and budgets for humanitarian and development action, while also keeping strong, strategic links between these two areas;

82. Underlines the importance of reinforcing democratic legitimacy in the post-2020 architecture and the need to rethink the decision-making procedure; stresses that in this new post-2020 architecture, the co-legislators should be empowered to exercise fully their scrutiny power at both legal and political level, throughout the design, adoption and implementation phases of the instruments and their implementing programmes; underlines that sufficient time must be allowed for this purpose;

83. Is of the view that the potential for cooperation with Member States in the design and implementation phases of development programmes, notably through joint programming and based on, and synchronised with, national development programmes, should be fully exploited;

84. Calls for a mid-term assessment and review of the post-2020 architecture of EFIs to further improve their management, look at ways to achieve greater coherence and simplification, and ensure continued relevance and alignment with the effective development principles; calls for full involvement of stakeholders in this exercise;

85. Instructs its President to forward this resolution to the Council, the Vice-President/High Representative of the Union for Foreign Affairs and Security Policy, and the Commission.
Tuesday 17 April 2018

P8_TA(2018)0104

Enhancing developing countries’ debt sustainability

European Parliament resolution of 17 April 2018 on enhancing developing countries’ debt sustainability (2016/2241(INI))

(2019/C 390/06)

The European Parliament,

— having regard to the section of the Addis Ababa Action Agenda concerning debt and debt sustainability (1),

— having regard to the UN Secretary-General’s reports of 22 July 2014, 2 August 2016 and 31 July 2017 on external debt sustainability and development,

— having regard to the UN Conference on Trade and Development (UNCTAD) principles for responsible sovereign lending and borrowing,

— having regard to the UNCTAD Roadmap towards Sustainable Sovereign Debt Workouts (April 2015),

— having regard to the G20 Operational Guidelines for Sustainable Financing,

— having regard to UN General Assembly Resolution 68/304 of 9 September 2014, entitled ‘Towards the establishment of a multilateral legal framework for sovereign debt restructuring processes’,

— having regard to UN General Assembly Resolution 69/319 of 10 September 2015 on basic principles on sovereign debt restructuring processes,

— having regard to UNCTAD Roadmap towards Sustainable Sovereign Debt Workouts (April 2015),

— having regard to UN General Assembly Resolution 69/319 of 10 September 2015 on basic principles on sovereign debt restructuring processes,

— having regard to the Guiding Principles on Foreign Debt and Human Rights drawn up by the Office of the UN High Commissioner for Human Rights,

— having regard to its resolution of 19 May 2015 on financing for development (2), in particular paragraphs 10, 26, 40, 46 and 47 thereof,

— having regard to the studies released by the ‘Global Financial Integrity’ research body on the estimated scale and composition of illicit financial flows,

— having regard to the Belgian anti-vulture funds law of 12 July 2015 (‘Moniteur belge’ of 11 September 2015),

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

— having regard to the report of the Committee on Development (A8-0129/2018),

A. whereas addressing the sovereign debt problems of developing countries is an important element in international cooperation and can contribute to achieving the Sustainable Development Goals (SDGs) in developing countries;

B. whereas achievement of the SDGs in developing countries requires massive investment, the annual funding gap being currently estimated at around USD 2.5 trillion (3);

C. whereas loans are a possible source of development funding; whereas loans must be responsible and predictable; whereas their cost must be fully offset by returns on investment, and debt-related risks must be carefully evaluated and measures taken to deal with them;

(1) See pp. 27-29.
D. whereas the debt crisis affecting the developing countries in the 80s and 90s and a large-scale debt relief campaign prompted the launch by the IMF and the World Bank of the Heavily Indebted Poor Countries (HIPC) Initiative and the Multilateral Debt Relief Initiative (MDRI), helping them to move closer to achievement of the Millennium Development Goals;

E. whereas the HIPC and MDRI initiatives are not sufficient to put an end to the debt crisis;

F. whereas these initiatives, accompanied by the commodity price boom, have improved the financial situation of many developing countries, while exceptionally low interest rates since the 2008 financial crisis have also contributed to debt sustainability; whereas, however, commodity prices have fallen since 2008; whereas a new debt crisis has begun in impoverished countries, with Mozambique, Chad, Congo and The Gambia unable to pay;

G. whereas debt crises triggered by falling commodity prices and volatile capital flows represent an ongoing threat to debt sustainability, especially in developing countries; which continue to be dependent on commodity exports;

H. whereas there has been an increase in the number of developing countries classified by the IMF and the World Bank as burdened with unsustainable debt or presenting a high or medium risk, with most of the low-income countries now belonging to one or other of these categories;

I. whereas, according to the IMF, the median level of debt in sub-Saharan Africa rose sharply, from 34 % of GDP in 2013 to 48 % in 2017;

J. whereas several countries, including Ethiopia, Ghana and Zambia, have debt levels at or above 50 % of GDP, and whereas this constitutes a significant debt burden, when one considers the low tax base in most African countries;

K. whereas debt service as a percentage of government spending has considerably increased since 2013, and whereas this substantially reduces opportunities for public investment;

L. whereas the global public debt landscape has undergone profound changes in recent decades, with the emergence of private investors, together with China, which are taking centre stage;

M. whereas the composition of developing country debt has evolved in line with the growing importance of private creditors and trading conditions and increased exposure to financial market volatility, which has an impact on the sustainability of debt; whereas, while debt denominated in the national currency effectively eliminates exchange-rate risks, such an option may prove to be unfavourable or untenable where backed by insufficient domestic capital reserves;

N. whereas threats to debt sustainability include not only deteriorating terms of trade, natural and man-made disasters, adverse trends and volatility on international financial markets, but also irresponsible lending and borrowing, the mismanagement of public finances, the misuse of funds, and corruption; whereas more effective mobilisation of domestic resources offers strong prospects of improved debt sustainability;

O. whereas it is necessary to help boost the capacities of tax administrations and the transfer of knowledge in partner countries;

P. whereas, while the UNCTAD principles for responsible sovereign lending and borrowing and the G20 operational guidelines for sustainable financing are undeniably useful for the formulation of regulatory framework provisions, priority must be given to ending irresponsible practices through the introduction of transparent principles, binding and enforceable deterrents and also, where justified, penalties;

Q. whereas national debt sustainability depends not only on debt stock but also on other factors, such as explicit and implicit financial guarantees (contingent liabilities) issued by the countries concerned; whereas public-private partnerships often entail related guarantees, possibly accompanied by significant risks of future bank bailouts;

R. whereas debt sustainability analysis should not focus solely on economic considerations, such as the prospects for future economic growth of the debtor State and its ability to service its debts, but must take into consideration the impact of the debt burden on the country's capacity to respect all human rights;
S. whereas the increasing use of public-private partnerships (PPPs) in developing countries under the EU External Investment Plan and the G20 Compact with Africa could add to state indebtedness; whereas PPP investors are protected by bilateral investment treaties, notably their investor-to-state dispute settlement mechanisms, that enable investors to litigate against the host states;

T. whereas odious debts contracted by regimes parties to facilitate corrupt practices or transactions known by creditors to be illicit are resulting in a substantial burden for the people, particularly those who are most vulnerable;

U. whereas the transparency of loans made to the governments of developing countries is essential for ensuring accountability of lending; whereas a lack of transparency was a key factor in aiding the irresponsible loans made to Mozambique, which were arranged without serious checks on the ability of the country to repay them and subsequently hidden from the financial markets and the people of Mozambique;

V. whereas odious debt is defined as a debt incurred by a regime to finance actions that go against the interests of the citizens of the state, of which the creditors were aware, and whereas this is as such a personal debt of the regime which incurred it from creditors who were well aware of the borrower's intentions; whereas, however, there is a lack of consensus with regard to the concept of odious debt, owing to strong opposition on the part of certain creditors;

W. whereas the mobilisation of domestic resources is being hampered by tax evasion and harmful tax competition and by the transfer of transnational corporate profits in particular; whereas the OECD base erosion and profit shifting (BEPS) initiative is a welcome but insufficient response to this situation; whereas there is a need to set-up an intergovernmental body for tax cooperation under the auspices of the UN to enable developing countries to participate equally in the global reform of existing international tax rules, as called for by Parliament in its resolution of 6 July 2016 on tax rulings and other measures similar in nature or effect (4);

X. whereas illicit financial flows from developing and emerging countries, estimated at USD 1 trillion annually, are a constant drain on their resources, in particular those necessary for the pursuit of the SDGs; whereas they lead to external borrowing and undermine debt repayment capacity;

Y. whereas the fulfilment of Agenda 2030 and the Addis Ababa Action Agenda entails considering new SDG financing options, such as the setting-up of financial transaction taxes and a foreign currency transaction tax; whereas, according to the estimations of the Bank for International Settlement (BIS), a foreign currency transaction tax of 0,1% would easily finance the SDGs in all low-income countries (LICs) and lower middle-income countries (LMICs) (5);

Z. whereas there is a need to tackle illicit financial flows in order to eliminate them definitively by 2030, inter alia by combating tax evasion and by stepping up international cooperation through measures to facilitate the disclosure of tax data to competent authorities and tax transparency in countries both of origin and of destination;

AA. whereas existing debt service default proceedings for countries differ fundamentally from insolvency proceedings for businesses falling within national jurisdictions, since no provision is made for impartial arbitration before a court of law; whereas short-term loans, subject to terms and conditions and disbursed in tranches, are provided by the IMF, whose mission is to ensure the stability of the international financial system; whereas the Paris Club of creditor states only makes decisions on debt relief with regard to official bilateral lending by its members; whereas the London Club of private creditors only makes decisions on commercial bank loans by its members; whereas there is no permanent forum for coordinated decision making on debt restructuring by all creditors to a country in debt distress;

AB. whereas the IMF remains the principal forum for discussing issues relating to the restructuring of sovereign debt, with significant influence over the EU and its Member States;

AC. whereas vulture funds targeting distressed debtors and interfering with the debt restructuring process should not receive legal or judicial support for their pernicious activities, and whereas further action must be taken in this regard;

AD. whereas, although debt relief has provided low-income countries with new opportunities, it must be noted that it is a one-off intervention to restore debt sustainability which does not address the root causes of unsustainable debt accumulation, and whereas challenges such as corruption, weak institutions and vulnerability to external shocks must be addressed as a priority;

1. Points out that responsible and predictable credit facilities are an essential means of ensuring a dignified future for developing countries; underlines, conversely, that sustainable debt is a precondition for achieving Agenda 2030; notes, however, that debt financing should merely be a complement and second-best option to non debt-creating instruments such as tax and tariff income and ODA, since debt financing has inherent and substantial crisis risks which require that adequate institutions for the prevention and resolution of debt crises are put in place;

2. Emphasises that access to international financial markets enables developing countries to raise funds with a view to achieving development goals;

3. Notes with concern that lending to impoverished countries increased dramatically from 2008; fears a cycle of new debt crisis; stresses the need for more transparency, better regulation of lenders and tax justice and for steps to be taken to enable countries to be less dependent on commodity exports;

4. Points out that borrowing is an important way of supporting investment, which is vital in order to achieve sustainable development, including the SDGs;

5. Takes the view that credit facilities are inextricably linked to other forms of development funding, including earnings from trade, tax revenue and remittances from migrants to developing countries, as well as official development aid; recalls, in particular, that domestic resource mobilisation through taxation is the most important source of revenue for financing sustainable development; urges the EU, to this end, to step up its capacity building assistance in developing countries in order to curb illicit financial flows, support an efficient, progressive and transparent tax system in line with good governance principles and increase its assistance to combat corruption and recover stolen assets;

6. Is concerned at the substantial increase in both private and public debt in many developing countries and the harmful effect thereof on their ability to finance investment expenditure for health, education, the economy, infrastructure and combating climate change;

7. Points out that structural adjustment plans that were developed in the 1990s for over-indebted countries have seriously compromised the development of basic social services and undermined the ability of those countries to assume the essential responsibilities they have as sovereign nations to maintain security;

8. Stresses that debt relief measures must not be liable to impede the provision of basic services and impair respect for all human rights, particularly economic, social and cultural rights, and development in the recipient State;

9. Considers that responsibility for spiralling (external) debt rests primarily with the politicians governing the countries in question, but that debtors and creditors must share the responsibility for preventing and resolving unsustainable debt situations; stresses, more broadly, the co-responsibility of debtors and creditors to prevent and resolve debt crisis through more responsible lending and borrowing;

10. Points out that blending could cause a debt bubble, notably in sub-Saharan Africa and the Caribbean countries, leaving such countries with limited revenues to service their debt; calls on donors, accordingly, to give the bulk of their aid to least developed countries (LDCs) in the form of grants; reiterates that any decision to promote the use of PPPs through blending in developing countries should be based on a thorough assessment of these mechanisms, particularly in terms of development and financial additionality, transparency and accountability, and on the lessons learned from past experience; asks that the review of the European Fund for Sustainable Development (EFSD) include clear criteria on debt sustainability;
11. Highlights the importance of defining safeguard mechanisms to prevent contingent government liabilities from undermining the debt sustainability of developing countries; in particular, urges multilateral development banks to conduct ex ante fiscal risk impact assessments of PPP projects (taking into account the full fiscal risks over the lifetime of PPP projects), so as not to undermine the debt sustainability of developing countries; takes the view that the IMF and the World Bank should include all PPP costs in their Debt Sustainability Analysis;

12. Considers that the rules or instruments currently in force are either inadequate or, to varying degrees, insufficiently binding;

13. Calls for the EU and its Member States to actively combat tax havens, tax avoidance and illicit financial flows, which merely increase the debt burden of developing countries, to cooperate with developing countries in order to combat aggressive tax avoidance, and to seek ways to help developing countries withstand pressures to engage in tax competition, which would damage the mobilisation of domestic revenue for development;

14. Takes the view that, where the misuse of public funds is identified by the authorities, creditors ought to trigger warning measures, and where those are not effective, impose sanctions to suspend or even require that loans be repaid before the terms under which they were granted expire;

15. Calls on the Commission and the Member States to support developing countries in promoting the public availability of data on their sovereign debt and to support social education in this area, since detailed information on the state of public finances is rarely available to civil society in developing countries;

16. Calls for legislation to be drawn up to prevent the granting of loans to manifestly corrupt governments and to sanction any creditors that knowingly give them loans;

17. Calls on the Commission to draw up, in coordination with all major international actors and the countries concerned, a white paper with a genuine strategy designed to save developing countries from excessive debt by adopting a multilateral approach, specifying the rights, duties and responsibilities of all concerned and considering the institutional provisions best suited to ensuring an equitable and sustainable approach to the debt problem; advocates the drafting of a code of conduct on credit management for institutional, political and private stakeholders;

18. Notes that most of the sustainable development goals can be viewed in terms of human rights and, as such, are an end in themselves when it comes to combating poverty, whereas debt redemption, on the other hand, is merely a means to an end;

19. Endorses the guiding principles on foreign debt and human rights formulated by the Office of the United Nations High Commissioner for Human Rights, under which the right to achievement of the sustainable development goals should take priority over debt repayment; calls on Member States of the European Union to promote the systematic use of human rights impact assessments as part of debt sustainability assessments undertaken by the International Monetary Fund and World Bank;

20. Calls for the EU and its Member States to adhere to these principles in their bilateral lending and when acting within international financial institutions;

21. Notes that IMF-World Bank debt sustainability assessments (DSA) are usually used by lenders to guide their lending; stresses the need to address their pitfalls, most notably the monitoring of external private debt and the lack of integration of human rights;

22. Urges development stakeholders to assess the impact of debt servicing on the financing capacity of heavily indebted countries in the light of the SDGs, for which results must be achieved by 2030, taking precedence over the rights of those creditors that knowingly make loans to corrupt governments;

23. Supports UNCTAD's recommendation to set up an African Commodity Price Stabilisation Fund in order to reduce the need to resort to borrowing when commodity prices fall;

24. Calls on the Member States and other relevant creditor countries to provide more financing for SDG investments and to keep their long-standing promise to provide 0.7% of their GNI as official development assistance; calls on them to provide this financing in the form of grants rather than loans where evaluation reports indicate that achievement of the SDGs is being compromised on a long-term basis by dwindling public finances; urges creditor countries, in addition, to establish innovative and diversified new sources of finance to achieve SDGs, such as a foreign currency transaction tax and a financial transaction tax, that can contribute to each country's debt sustainability, particularly at times of financial crisis;
25. Is concerned about the OECD Development Assistance Committee (DAC) revision of ODA reporting criteria, particularly for private sector instruments, as broadened reporting criteria create incentives for the use of certain aid modalities, most notably loans and guarantees; notes that, while these discussions are ongoing, donors are currently already allowed to report certain loans and guarantees as ODA without an agreed set of rules in place; stresses the need to build in safeguards on transparency and indebtedness;

26. Stresses that transparency should be promoted in order to enhance the accountability of the actors concerned; emphasises the importance of sharing both data and processes related to sovereign debt workouts;

27. Endorses the principles set out by the United Nations Conference on Trade and Development for responsible credit policy, which highlight in particular the shared responsibility of creditors and borrowers (UNCTAD Principles on Promoting Responsible Sovereign Lending and Borrowing), as well as the need for parliamentary control, which is an essential component of public funding operations, and calls on the European Union to support the implementation of the UNCTAD Principles; believes that UNCTAD Principles on Promoting Responsible Lending and Borrowing should be turned into legally binding and enforceable instruments;

28. Deems that transparency and accountability are essential to supporting responsible sovereign lending and borrowing; calls, to this end, on the Member States to build on commitments made in the Addis Ababa Action Agenda and the G20 Operational Guidelines on Sustainable Financing to make lenders more responsible for their loans, on the basis of the existing principles of transparency and accountability that prevail in the extractive industries (EITI Extractive Industries Transparency Initiative), and to promote the public availability of data on sovereign debt, including contingent liabilities through the collation of this data in a centralised public registry; calls on the Member States to systematically publish information on their lending activities to developing countries;

29. Stresses the need to agree on international binding rules to address odious and illegitimate debts; takes the view, therefore, that debt restructuring should be supported by an independent debt audit as a way to distinguish illegitimate and odious loans from other loans; stresses that illegitimate and odious loans should be cancelled;

30. Deplores the refusal by the Member States in 2015, following the adoption of Council Common Position of 7 September 2015, to approve UN General Assembly Resolution 69/319 on basic principles on sovereign debt restructuring processes, which was nevertheless adopted by majority vote in the UN General Assembly on 10 September 2015;

31. Stresses the importance of the consistency of action taken at IMF level and in the UN context and of coordination of positions among Member States in the best possible way;

32. Stresses the need to resolve debt crisis in a fair, speedy and sustainable manner through the setting-up of an international debt workout mechanism, that builds on the UNCTAD roadmap on sovereign debt work out and the so-called Stiglitz Commission’s idea of establishing an International Debt Restructuring Court (IDRC);

33. Calls on the Member States to act on the mandate adopted in UN General Assembly Resolution 69/319 of 10 September 2015 in order to:

(a) create early warning mechanisms based on reporting of a broader deterioration in debt sustainability, which would help to identify the risks and vulnerabilities of heavily indebted countries at an early stage;

(b) allow, in coordination with the IMF, the establishment of a multilateral legal framework for the orderly and predictable restructuring of the sovereign debts of states in order to prevent them from becoming unsustainable and to achieve greater predictability for investors; calls for fair representation of developing countries in the decision-making bodies of international financial institutions;

(c) ensure that the EU supports developing countries in the fight against corruption, criminal activities, tax avoidance and money laundering;

34. Calls for the Commission and the Member States to work in international fora and together with the private sector to develop a regulatory framework that will ensure full transparency of the conditions governing loans to developing countries and ownership of these loans, such as the Transparent Lending Covenant being discussed by some financial institutions;

(*) Doc. 11705/15.
35. Regrets the pressure put on states such as Tunisia to encourage them not to conduct public audits of the origins and conditions of their debts; calls for the EU to work with other donors and international institutions such as the IMF to protect and encourage the right of states to conduct public debt audits;

36. Urges the adoption of a rule applicable in cases of impending insolvency, under which courts could deprive creditors of the right to claim debts if the loan in question was taken out by the state in breach of the law established by its national parliament;

37. Calls on the Member States to adopt, on the Commission’s initiative, a regulation based on the Belgian law on combating vulture fund debt speculation;

38. Calls on institutional and private creditors to agree to a debt moratorium in the aftermath of a natural disaster or acute humanitarian crisis, including the occasional arrival of large numbers of immigrants, in order to enable a debtor country to devote all its resources to securing a return to normality;

39. Instructs its President to forward this resolution to the Council and the Commission.
Strengthening economic, social and territorial cohesion in the EU

European Parliament resolution of 17 April 2018 on strengthening economic, social and territorial cohesion in the European Union: the 7th report of the European Commission (2017/2279(INI))

The European Parliament,

— having regard to Article 3 of the Treaty on European Union (TEU) and Articles 4, 162, 174 to 178 and 349 of the Treaty on the Functioning of the European Union (TFEU),


— having regard to Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal (5),

— having regard to the Commission’s report of 9 October 2017 entitled ‘My region, my Europe, our future: The 7th report on economic, social and territorial cohesion’ (COM(2017)0583),

— having regard to the Pact of Amsterdam establishing the Urban Agenda for the EU, agreed at the informal meeting of EU ministers responsible for urban matters held on 30 May 2016 in Amsterdam,

— having regard to the judgment of the Court of Justice of the European Union of 15 December 2015, (6),

— having regard to the European Pillar of Social Rights, proclaimed on 17 November 2017 in Göteborg by the European Parliament, the Council and the Commission,

— having regard to the Council conclusions of 25 April 2017 on ‘Making Cohesion Policy more effective, relevant and visible to our citizens’ (7),

— having regard to the Council conclusions of 15 November 2017 on ‘Synergies and simplification for Cohesion Policy post-2020’ (8),


(8) Doc. 8463/17.
(9) Doc. 14263/17.
— having regard to the Commission’s reflection paper of 26 April 2017 on ‘The social dimension of Europe’ (COM(2017)0206),

— having regard to the Commission’s reflection paper of 10 May 2017 on ‘Harnessing globalisation’ (COM(2017)0240),

— having regard to the Commission’s reflection paper of 31 May 2017 on ‘Deepening Economic and Monetary Union’ (COM(2017)0291),

— having regard to the Commission’s reflection paper of 28 June 2017 on ‘The future of EU finances’ (COM(2017)0358),

— having regard to the Commission staff working document of 10 April 2017 entitled ‘Competitiveness in low-income and low-growth regions: report on the regions whose development is lagging behind’ (SWD(2017)0132),

— having regard to the Commission working paper entitled ‘Why regional development matters for Europe’s economic future’ (9),


— having regard to the Commission communication of 24 October 2017 on ‘A stronger and renewed strategic partnership with the EU’s outermost regions’ (COM(2017)0623),

— having regard to the opinion of the Committee of the Regions of 11 May 2017 entitled ‘The future of Cohesion Policy beyond 2020: For a strong and effective European cohesion policy beyond 2020’ (10),

— having regard to the opinion of the European Economic and Social Committee of 25 May 2016 on the Commission communication ‘Investing in jobs and growth – maximising the contribution of European Structural and Investment Funds’ (11),

— having regard to its resolution of 9 September 2015 entitled ‘Investment for jobs and growth: promoting economic, social and territorial cohesion in the Union’ (12),

— having regard to its resolution of 9 September 2015 on the urban dimension of EU policies (13),

— having regard to its resolution of 10 May 2016 entitled ‘New territorial development tools in cohesion policy 2014-2020: Integrated Territorial Investment (ITI) and Community-Led Local Development (CLLD)’ (14),

— having regard to its resolution of 18 May 2017 entitled ‘The right funding mix for Europe’s regions: balancing financial instruments and grants in EU cohesion policy’ (15),

— having regard to its resolution of 13 September 2016 on Cohesion Policy and Research and Innovation Strategies for Smart Specialisation (RIS3) (16),

— having regard to its resolution of 13 September 2016 entitled ‘European Territorial Cooperation – best practices and innovative measures’ (17).

— having regard to its resolution of 16 February 2017 entitled ‘Investing in jobs and growth – maximising the contribution of European Structural and Investment Funds: an evaluation of the report under Article 16(3) of the CPR’ (18),

— having regard to its resolution of 13 June 2017 on building blocks for a post-2020 EU cohesion policy (19),

— having regard to its resolution of 13 June 2017 on increasing engagement of partners and visibility in the performance of European Structural and Investment Funds (20),

— having regard to its resolution of 6 July 2017 entitled ‘Promoting cohesion and development in the outermost regions of the EU: implementation of Article 349 TFEU’ (21),

— having regard to its resolution of 24 October 2017 on the Reflection Paper on the Future of EU Finances (22),

— having regard its resolution of 13 March 2018 on lagging regions in the EU (23),

— having regard to its resolution of 14 March 2018 entitled ‘The next MFF: Preparing the Parliament’s position on the MFF post-2020’ (24),

— having regard to the conclusions and recommendations of the High Level Group monitoring simplification for beneficiaries of ESI Funds,

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

— having regard to the report of the Committee on Regional Development and the opinions of the Committee on Budgets, the Committee on Employment and Social Affairs and the Committee on Culture and Education (A8-0138/2018),

A. whereas cohesion policy aims to promote harmonious and balanced development of the whole Union and its regions, leading to a strengthening of its economic, social and territorial cohesion, in a spirit of solidarity and with the aim of promoting sustainable growth, employment, social inclusion and reducing disparities between and within regions, as well as the backwardness of the least-favoured regions, in accordance with the Treaties;

B. whereas the 7th Cohesion Report shows that regional disparities are narrowing again, but that the picture is highly uneven, whether measured by GDP per head, employment or other indicators, and that certain disparities persist, or are shifting or growing, between and within regions and Member States, including inside the euro area;

C. whereas the 7th Cohesion Report contains worrying information about unemployment rates, including youth unemployment rates, which in many regions have not reverted to the levels seen before the crisis, and about competitiveness, poverty and social inclusion;

D. whereas 24 % of Europeans, or almost 120 million people, are poor, living at risk of poverty or being severely materially deprived and/or living in households with low work intensity; whereas the numbers of working poor are increasing and the numbers of unemployed young people continue to be high;

E. whereas unemployment and youth unemployment in the Union have been falling gradually since 2013, but are still above 2008 levels at 7.3 % and 16.1 % respectively (December 2017) (25), with considerable differences between and within Member States, and especially in some of the Member States most affected by the financial crisis; whereas regional disparities have started to narrow; whereas the differences in unemployment rates between Member States are still significant, ranging from 2.4 % in the Czech Republic and 3.6 % in Germany to 16.3 % in Spain and 20.9 % in Greece, according to the latest figures (26); whereas hidden unemployment – the phenomenon of unemployed people who are willing to work but are not actively searching for employment – stood at 18 % in 2016;

(25) http://ec.europa.eu/eurostat/documents/2995521/8631691/3-31012018-BP-EN.pdf/bdc1dbf2-6511-4dc5-ac90-dbadee96f5fb
(26) http://ec.europa.eu/eurostat/documents/2995521/8701418/3-01032018-AP-EN/37be1dc2-3905-4b39-9ef6-adcea3cc347a
The added value of cohesion policy

1. Considers it crucial that cohesion policy in the new programming period should continue to adequately cover all European regions and remain the European Union’s main public investment instrument based on long-term strategy and perspectives, with a budget commensurate with existing and new challenges, and ensuring the fulfilment of the basic goals of the policy; stresses that a concentration of cohesion policy exclusively on the least developed regions would hinder progress on the political priorities of the Union as a whole;

2. Emphasises that cohesion policy provides European added value by contributing to European public goods and priorities (such as growth, social inclusion, innovation and environmental protection), as well as to public and private investment, and that it is a fundamental tool for achieving the Treaty objective of combating disparities with a view to the upward adaptation of living standards and reducing the backwardness of the least favoured regions;

3. Reiterates its strong commitment to shared management and the principle of partnership, which should be maintained and strengthened for post-2020, as well as to multi-level governance (MLG) and subsidiarity, which contribute to the added value generated by cohesion policy; stresses that the added value of this policy stems primarily from its ability to take into account national development needs along with the needs and specificities of different regions and territories, and to bring the Union closer to its citizens;

4. Emphasises that European added value is strongly reflected in European territorial cooperation (ETC) in all its dimensions (cross-border, transnational and interregional cooperation, both internal and external), as contributing to the overall economic, social and territorial cohesion objectives, as well as to solidarity; reiterates the call for an increase in its share of the budget allocated to cohesion policy, while improving coordination between different programmes to avoid overlaps; recalls the importance of the implementation of macroregional strategies for the achievement of the cohesion policy objectives;

5. Notes that the implementation of cohesion policy in a region can generate externalities and direct and indirect spillover benefits in all of the EU, thanks inter alia to the increased trade generated, strengthening the single market; points out, however, that these benefits vary considerably from one Member State to the other, depending in particular on geographic proximity and the structure of the Member States’ economies;

6. Underlines the need to develop a ‘cost of non-cohesion policy’ methodology in order to provide additional quantifiable evidence on the European added value of cohesion policy, following the example of the work done by the European Parliament on the ‘cost of non-Europe’;
The territorial dimension

7. Notes that urban areas combine, on the one hand, major growth, investment and innovation opportunities and, on the other, various environmental, economic and social challenges, inter alia because of the concentration of people and the existence of pockets of poverty, including in relatively prosperous cities; stresses, therefore, that the risk of poverty or social exclusion remains a key challenge;

8. Emphasises that efforts to consolidate the territorial dimension of cohesion policy require greater attention to be paid to peri-urban and rural problems, with reference to expertise of the local authorities and a particular focus on medium-sized towns in each Member State;

9. Stresses the importance of supporting rural areas in all their diversity, by valuing their potential, encouraging investment in projects that support local economies as well as better transport connectivity, accessibility and very high-speed broadband, and assisting those areas in meeting the challenges they face, namely rural desertification, social inclusion, lack of job opportunities, entrepreneurship incentives and affordable housing, population loss, the destruction of city-centre communities, areas without healthcare, etc; stresses, in this respect, the importance of the second pillar of the CAP in promoting sustainable rural development;

10. Calls for greater account to be taken of certain specific territorial characteristics, such as those of the regions mentioned in Article 174(3) TFEU, such as island, mountain, rural, border, northernmost, coastal or peripheral regions, when investment priorities are set; underlines the importance of creating tailor-made strategies, programmes and actions for these different regions, or even exploring the possible launch of new specific agendas, following the example set by the Urban Agenda for the EU and the Pact of Amsterdam;

11. Recalls that the particular structural social and economic situation of the outermost regions justifies specific measures, including with regard to their conditions of access to the ESI Funds, in accordance with Article 349 TFEU; stresses the need to perpetuate all the derogations intended to compensate for their structural disadvantages, as well as to improve the specific measures for these regions by adjusting them whenever necessary; calls on the Commission and the Member States to take the judgment of the Court of Justice of the EU of 15 December 2015 as the basis for ensuring that Article 349 TFEU is properly applied as regards the conditions governing access to the Structural Funds; suggests in particular extending the specific allocation for the outermost regions to the social component, maintaining the current level of Union cofinancing in those regions, and better tailoring the thematic concentration; underlines the potential of outermost regions as, for example, privileged areas for the implementation of experimental projects;

12. Considers that the introduction of integrated strategies for sustainable urban development has been a success and should therefore be strengthened as well as replicated in other sub-regional territories, for example by establishing an integrated territorial approach alongside the thematic objectives, but without prejudice to thematic concentration; underlines the importance of community-led local development, strengthening the ability of cohesion policy to involve local actors; stresses the need to explore the possibility of introducing the preparation of national and regional operational programmes based on integrated territorial strategies and smart specialisation strategies;

The ‘middle-income regions’: fostering resilience and preventing vulnerable territories from falling behind

13. Underlines that the ‘middle-income regions’ have not grown at the same rate as either the low-income regions (which still need to catch up with the rest of the EU) and the regions with very high income, as they face the challenge referred to as the ‘middle-income trap’, because of their excessively high costs in comparison with the former and excessively weak innovation systems in comparison with the latter; notes, moreover, that these territories are characterised by struggling manufacturing industries and by their vulnerability to the shocks caused by globalisation and the resultant socio-economic changes;

14. Is convinced that a major challenge for future cohesion policy will be to provide appropriate support to the middle-income regions, in order, inter alia, to create an investment-friendly climate, and that cohesion policy must both reduce disparities and inequalities and prevent vulnerable regions from falling behind, by taking the different trends, dynamics and circumstances into account;
Tuesday 17 April 2018

15. Calls on the Commission to address the challenges faced by the middle-income regions which are characterised by a low growth rate compared to the EU average, in such a way as to promote the overall harmonious development of the Union; recalls that, in order to support these regions and offer solutions to their problems, the future cohesion policy should properly cover, support and include them in the next programming period, including through the creation and implementation of tailor-made strategies, programmes and actions; recalls, in this context, the importance of complementary indicators in addition to GDP in order to offer a more precise picture of the socio-economic conditions of these specific regions; considers that more attention should be paid to the early identification of vulnerabilities, so as to enable cohesion policy to support regions' resilience and prevent the development of new disparities in all types of regions;

16. Welcomes the Commission’s launch of a pilot project to provide tailored support geared to the specific challenges facing regions in industrial transition; calls on the Commission to draw lessons from the pilot project, and expects to see the envisaged results as soon as possible; believes that smart specialisation strategies have the potential to offer, through a holistic approach, better support to these regions in their development strategies and, more generally, promote differentiated implementation at regional level, but could also be supported through additional cooperation and exchange of knowledge and experience among the regions; welcomes actions such as the Vanguard Initiative for using smart specialisation strategy to boost growth and industrial renewal in priority areas in the EU;

17. Stresses that social and fiscal convergence help foster cohesion while improving the functioning of the single market; takes the view that divergent practices in this area may run counter to the objective of cohesion and are liable to cause further problems for territories which are lagging behind or are the most vulnerable to globalisation, and draws attention to the continuous need for less developed regions to catch up with the rest of the Union; considers that cohesion policy could contribute to the promotion of social and fiscal convergence (alongside economic and territorial convergence) by providing positive incentives; underlines in this regard the possibility of relying, for instance, on the European Pillar of Social Rights; calls on the Commission to take better account of this aspect in the European Semester so that the social dimension of cohesion policy is better integrated with economic policy, while also properly involving local and regional authorities in order to increase the efficiency of the process and reinforce ownership of it;

**Fields of action**

18. Supports a strong thematic concentration on a limited number of priorities linked to major European political objectives, while allowing managing authorities more flexibility in drawing up their territorial strategies on the basis of needs and potential, after inclusive local and regional consultation in the preparation of partnership agreements; stresses that employment (including youth unemployment), social inclusion, fighting poverty, supporting innovation, digitalisation, support for SMEs and start-ups, climate change, the circular economy and infrastructure should constitute priority areas for cohesion policy in future;

19. Welcomes the adoption of the European Pillar of Social Rights, which represents a step forward in building a social Europe; reiterates its commitment to the ESF as a strong integrated part of the ESI funds, and to the Youth Guarantee, the Youth Employment Initiative and the European Solidarity Corps, in view of their role in meeting the challenges of employment, economic growth, social inclusion, learning and vocational training;

20. Emphasises that future cohesion policy should focus more on protecting and supporting communities and territories adversely affected by globalisation (plant relocations, job losses) and also by similar intra-EU trends; calls for coordination between the Structural Funds and the European Globalisation Adjustment Fund in relevant cases to be explored, in order to cover, among other things, intra-EU relocations;

21. Notes that vulnerability to climate change varies widely from one region to another; considers that the ESI Funds should be used as effectively as possible to help the EU meet its commitments under the Paris Climate Agreement (COP21), e.g. with reference to renewable energies, energy efficiency or exchange of good practices, in particular in the housing sector, and to take into account the UN Sustainable Development Goals; insists that funding under the solidarity instruments for use in the event of natural disasters should be made available as rapidly as is possible under the circumstances, and always in a coordinated manner;

22. Calls for the ESI Funds to be used to address, in a sustainable manner, the demographic challenges (ageing, population loss, demographic pressure, inability to attract or retain adequate human capital) which are affecting European regions in a variety of specific ways; stresses in particular the need to provide adequate support to territories such as certain outermost regions;

23. Stresses that a specific post-2020 financing mechanism must be created under Article 349 TFEU to integrate migrants in the outermost regions, which have to cope with greater migratory pressure owing to their specific characteristics, and thus contribute to their sustainable development;
24. Is of the opinion that the EU funds must respect the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and should continue to foster deinstitutionalisation;

25. Stresses the potential of further investments in culture, education, heritage, youth, sport and sustainable tourism to create jobs, including in particular quality jobs for young people, as well as growth, and to improve social cohesion while also combating poverty and discrimination, which is of particular importance with respect, for example, to the outermost, rural and remote regions; supports the development of cultural and creative industries that are closely linked to innovation and creativity:

Post-2020 programming framework

26. Stresses that the 7th Cohesion Report highlights the need to take account of indicators complementary to per capita GDP, which should remain the main indicator, for the purpose of allocating funds and offering a more precise picture of socio-economic conditions, in line with the challenges and needs identified, including at sub-regional level; notes the importance of taking as a basis data which are of high quality, reliable, up-to-date, structured and available; requests, therefore, the Commission and Eurostat to provide the greatest detail and geographical disaggregation possible in statistics of relevance for cohesion policy so as to adequately reflect the needs of the regions in the process of programming; supports the use of social, environmental and demographic criteria, in particular the unemployment rate and the youth unemployment rate;

27. Advocates stepping up integrated approaches, and strongly emphasises that the ESF must remain an integral component of European regional policy, by virtue of its essential cohesion dimension;

28. Underlines that grants should remain the main cohesion policy funding instrument, but acknowledges that financial instruments can be an effective lever and that they should be promoted if they generate added value and on the basis of an appropriate ex ante assessment; stresses, however, that their use must not become an end in itself, that their effectiveness hinges on many factors (nature of the project, of the territory or of the risk) and that all regions, regardless of their level of development, must be free to determine the most appropriate method of financing; would oppose any binding targets for the use of financial instruments;

29. Calls for the conditions governing the use of financial instruments to be simplified and for the coordination of these instruments with grants to be facilitated with a view to complementarity, efficiency and territorial realities; emphasises the importance of administrative capacity and quality of governance, as well as of the complementary role played by national development banks and institutions in implementing financial instruments tailored to local needs; regards it as essential to harmonise the rules on financial instruments as much as possible, however they are managed; proposes, in addition to the already existing financial instruments for cohesion policy, promoting participatory financial instruments as well;

30. Believes that a link between cohesion policy and the guarantee of an environment conducive to investment, effectiveness and the proper use of funds is also helpful for the achievements of the cohesion policy objectives, while stressing that cohesion policy is not meant to be reduced to an instrument for serving priorities without reference to its objectives; stresses the need to apply the agreed position on the Stability and Growth Pact regarding flexibility for cyclical conditions, structural reforms and government investments; believes that the measures linking the effectiveness of the ESI Funds to sound economic governance, as outlined in Regulation (EU) No 1303/2013, should be carefully analysed, including through the involvement of all stakeholders; is of the opinion that the Commission should consider adjustments to how the cohesion policy and the European Semester are linked in order to strengthen the latter’s territorial and social dimension, and take account of other factors which contribute to the achievement of cohesion objectives, such as real convergence; calls on the Commission, in this context and in the framework of the European Semester, to look into regional and national cofinancing under the ESI Funds and its impact on national deficits;

31. Calls for the smart specialisation strategies to be intensified as a novel avenue to pursue investment in long-term growth potential in a context of rapid technological change and globalisation; acknowledges the usefulness of ex ante conditionalities, but stresses that in some cases they have been a source of complexity and delays in the development and launching of programming; takes note of the Court of Auditors’ observations on ex ante conditionalities in its Special Report 15/2017; calls on the Commission to consider reducing, where appropriate, the number of ex ante conditionalities and, in this field, to improve compliance with the principles of proportionality and subsidiarity, making maximum use of existing strategic documents which could fulfil future ex ante conditionalities; underlines that ex ante conditionalities should be closely related to the effectiveness of investments, while ensuring equal treatment for all Member States;
Tuesday 17 April 2018

32. Notes that the quality and stability of public administration, for which good education, training and locally available advisory assistance are preconditions, remains a decisive factor for regional growth and the effectiveness of the ESI Funds; emphasises the need to improve the quality of governance, and to ensure that sufficient technical assistance is available, as these have a serious impact on the sound implementation of cohesion policy, and can vary substantially in Member States, as is especially visible in, for example, lagging regions; calls on the Commission, in particular, to evaluate the future JASPERS programme in the light of the recommendations of the European Court of Auditors;

33. Supports a shift in cohesion policy towards a greater focus on results and content, moving away from an accounting-based approach towards one which focuses on performance and allows managing authorities more flexibility as to how to achieve targets, while respecting the principles of, inter alia, partnership, transparency and accountability;

34. Considers it imperative to keep up the fight against fraud, and urges zero tolerance of corruption;

A simplified cohesion policy

35. Calls on the Commission to take account of the recommendations of the High Level Group on Simplification in its future legislative proposals;

36. Stresses the need to provide a framework which guarantees legal stability through simple, clear and predictable rules, particularly as regards management and auditing, in order to ensure a proper balance between performance and simplification objectives; calls, in the next programming period, for a reduction in the volume of legislation and guidelines (with caution, so as to provide, in close cooperation with stakeholders, the necessary continuity of rules and procedures, which the interested subjects and managing authorities are familiar with); calls for the relevant documents to be translated into all the EU languages and for any retrospective application and interpretation of rules to be avoided as much as possible; calls for a unified legal framework and guidelines on cross-border projects;

37. Stresses, at the same time, the need to avoid over-regulation and to make operational programmes genuine strategic documents which are more concise and more flexible, establishing a simplified procedure for their targeted modification during programming (e.g. in case of natural disasters), in order to adequately respond to changing global realities and regional demand;

38. Calls for a genuine single set of rules to be introduced for the ESI Funds, including the further harmonisation of common rules for instruments contributing to the same thematic objective; considers it necessary to streamline procurement procedures under the Funds and to accelerate state aid procedures where compliance is required; supports consistent treatment of European funds under direct management and cohesion funds where state aid is concerned in a more coherent manner, and, more generally, harmonised rules for European instruments aimed at the same beneficiaries; stresses the importance of greater complementarity between cohesion policy and the future EU research programme, in order to cover the full cycle from basic research to commercial applications; considers that thematic concentration should be preserved in order to enable synergies between different funding sources at project level;

39. Takes note of the establishment of a task force on subsidiarity and proportionality, and looks to that working group to make practical proposals to improve compliance with the two principles in the context of cohesion policy; supports ensuring the application of these principles with a view to a genuine MLG which requires appropriate empowerment for local and regional authorities as well as other stakeholders;

40. Regrets that the Commission has not come up with a more integrated evaluation of cross-cutting policies, while synergies between different European policies have not been reported; asks for ambitious strategies, financing and actions which will increase synergies with other EU funds and attract complementary financial support; stresses the need to further optimise the synergies between the ESI Funds and other instruments, including the European Fund for Strategic Investments (EFSI), as well as with the other centrally managed programmes such as Horizon 2020, which is complementary to cohesion policy in supporting research and innovation;

41. Calls for requirements in respect of the programming, implementation and monitoring of the ESI Funds in future to be based on the principles of differentiation and proportionality, grounded in transparent and fair criteria and in accordance with the amounts allocated to programmes, the risk profile, the quality of administration and the level of financing by recipients;
42. Regards it as essential that the relationship between the Commission and the managing authorities should evolve towards a ‘contract of confidence’; recalls, in this context, the importance of having an adequate and functioning MLG framework; calls on the Commission to build on the work already done in the area of sound public finance management, introducing the principle of a new label to reward managing authorities which have demonstrated their ability to comply with the rules; calls, in relation to monitoring, for greater reliance on national and regional rules where their effectiveness has been verified and validated:

43. Calls for the single audit principle to be strengthened, for the implementation of e-cohesion to be speeded up and for the use of simplified and standardised costs to be adopted across the board, since, among other things, this has proven easier to implement and has not given rise to any errors; stresses the potential of digitalisation as regards monitoring and reporting activities; is of the opinion that the exchange of expertise should be facilitated by establishing a knowledge-sharing portal to exchange good practices;

44. Calls on the Commission to put forward ideas for improving the response of cohesion policy to unforeseen events, and reiterates, in this context, its call for the creation of a reserve of a nature such as to give the regions additional flexibility without jeopardising the long-term goals of the operational programmes;

45. Is extremely concerned at the scenarios recently presented by the Commission, concerning the cuts to the cohesion policy budget that might be made under the next MFF and which would exclude many regions from the scope of cohesion policy; wishes to see an ambitious budget commensurate with the challenges facing the regions, and calls for cohesion policy not to be made an adjustment variable; points out that the coverage of all EU regions is a ‘red line’ for the European Parliament; stresses that the theory of ‘economic development clubs’ confirms the importance of differentiated support for all European regions, including regions with a very high income, which must remain competitive with their global competitors;

46. Considers that cohesion policy can help to meet new challenges, such as security or the integration of refugees under international protection; stresses, however, that cohesion policy cannot be the solution to all crises, and opposes the use of cohesion policy funds to cover short-term financing needs outside the policy’s scope, recalling that it is aimed at the socio-economic development of the EU in the medium and long term;

47. Notes the positive results of EFSI, which, however, must invest even more transparently and purposefully; stresses that cohesion policy and EFSI are based on different concepts and objectives which in certain cases can be complementary, but that one cannot be a substitute for the other, irrespective of the level of development of the regions, especially as EFSI, unlike the Structural Funds, is predominantly loan-based; recalls the importance of making an appropriate distinction between EFSI and cohesion policy, as well as identifying clear opportunities for their combination;

48. Reiterates its commitment to long-term programming; considers that the only viable alternative to the current period of seven years is an MFF period of 5+5 years, with a mid-term review; calls on the Commission to draw up a clear proposal setting out the methods for the practical implementation of a 5+5 financial framework;

49. Calls for every effort to be made to avoid delays in programming for the new period, in order to prevent late payments and decommitments which hamper positive results of cohesion policy; stresses the importance of submitting all documents relating to the future legal framework on time in all the official languages, so as to ensure fair and timely information for all beneficiaries;

50. Calls for measures to improve communication to the European citizens, thus raising public awareness of the concrete achievements of cohesion policy; calls on the Commission to enhance the role of the managing authorities and of project promoters who employ innovative local communication methods to inform people about the results of the use of the funds in the territories; emphasises the need to improve information and communication not only downstream (the ESI Funds’ achievements), but also upstream (financing possibilities), particularly in relation to small project organisers; calls on the Commission and the Member States to establish mechanisms and broad institutionalised platforms for cooperation in order to ensure better visibility and awareness-raising:
51. Notes that some European regions are particularly exposed to the impact of Brexit; stresses that the future cohesion policy must minimise the negative impact of Brexit on other European regions, and calls for detailed consideration to be given to the possibility of continuing partnerships in the context of territorial cooperation:

52. Instructs its President to forward this resolution to the Council and the Commission.
Integrity policy of the Commission, in particular the appointment of the Secretary-General of the European Commission

European Parliament resolution of 18 April 2018 on the integrity policy of the Commission, in particular the appointment of the Secretary-General of the European Commission (2018/2624(RSP))

(2019/C 390/08)

The European Parliament,

— having regard to the statement by the Commission of 12 March 2018 on the integrity policy of the Commission, in particular the appointment of the Secretary-General of the European Commission,

— having regard to the replies given by the Commission on 25 March 2018 to the written questions asked by members of the Committee on Budgetary Control and during the hearing held by that committee on 27 March 2018,

— having regard to Article 14(1) of the Treaty on European Union,

— having regard to the Staff Regulations for European Union civil servants and in particular Articles 4, 7 and 29 thereof,

— having regard to the case-law of the Court of Justice of the European Union,

— having regard to the motion for a resolution of the Committee on Budgetary Control,

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

A. whereas it is fundamental that the European Commission, as guardian of the Treaties, acts in conformity with the letter and the spirit of the rules;

B. whereas trust in the European project and in the European Union will only be maintained if the European Union institutions act as role models in the fields of the rule of law, transparency and good administration, and are seen to have sufficient internal checks and balances to react adequately whenever these fundamental principles are threatened;

C. whereas, under the Treaties, all EU institutions are autonomous in matters related to their organisation and personnel policy, including when choosing their top civil servants on the basis of merit, experience and trust, in line with the Staff Regulations and their respective rules of procedure;

D. whereas posts published externally frequently result in the selection of internal candidates who do not meet the requirements for applying under internal rules, thereby circumventing regular career progression;

E. whereas appointments to high-level posts such as that of Secretary-General should be made independently of other appointments, thereby avoiding any suspicion of non-transparent package deals or trade-offs based on privileged information;

F. whereas the European Ombudsman is currently conducting an inquiry into the appointment procedure in question, and Parliament is confident that the Ombudsman will inform the Commission and the Parliament of her views and of any possible instances of maladministration she has discovered which would need to be followed up;

G. whereas the Commission acknowledged shortcomings in its communications relating to the appointment and recognised the need to strengthen its efforts in that field;

H. whereas the staff committees, as elected representatives of the staff of the EU institutions, have requested transparent procedures for appointments to all management positions;
1. Regrets that the procedure for the appointment of the new Secretary-General of the European Commission on 21 February 2018 was conducted in a manner which provoked widespread irritation and disapproval in public opinion, among Members of the European Parliament and within the European civil service; notes that the result of this procedure constitutes a reputational risk not only for the European Commission but for all the European Union institutions; calls on the Commission to acknowledge that this procedure and the communication about it towards the media, Parliament and the general public have negatively influenced its own reputation;

Factual elements

2. Notes that:

— on 31 January 2018, the post of Deputy Secretary-General was published with the standard deadline of ten working days for applications (i.e. 13 February 2018);

— only two candidates applied, one man and one woman, both from the cabinet of the Commission President; the new Secretary-General was one of the applicants for the post; the second candidate applied for the vacancy on 8 February 2018, went through the full-day assessment centre on 12 February 2018, withdrew her application prior to the interview with the Consultative Committee on Appointments (CCA) scheduled for 20 February 2018, and was then appointed as the Commission President’s new Head of Cabinet;

— the new Secretary-General went through the procedure provided for in Article 29 of the Staff Regulations which included:

a) a full-day assessment centre (15 February 2018);

b) an interview (16 February 2018), assessment and opinion (20 February 2018) by the CCA;

c) an interview with the Commissioner responsible for Budget and Human Resources, and the President of the European Commission (20 February 2018);

— no minutes were drafted for these interviews, nor was their length recorded;

— the College – by unanimous decision – appointed the Head of Cabinet of the Commission President as Deputy Secretary-General on 21 February 2018;

— subsequently, during the same meeting, the then Secretary-General announced his retirement having, on the morning of the same day, sent a formal letter to the President stating his intention to retire on 31 March 2018;

— the President of the European Commission and his Head of Cabinet had known since 2015 that the then Secretary-General intended to retire soon after March 2018, an intention which was reconfirmed in early 2018; the President had not, however, divulged this information in order not to undermine the authority of the then Secretary-General, but he had communicated with his Head of Cabinet;

— after the repeated failure of his efforts to persuade the then Secretary-General to extend his tenure, the President of the European Commission should, at the very minimum, have alerted the Commissioner responsible for Budget and Human Resources of the impending vacancy, so that steps to fill that vacancy could have been initiated in the normal, best-practice and timely manner;

— acting on a proposal from the President, in agreement with the Commissioner for Budget and Human Resources, and without the appointment of a new Secretary-General having been placed on the agenda of the meeting, the College decided to transfer the newly appointed Deputy Secretary-General with his post, pursuant to Article 7 of the Staff Regulations, to the position of Secretary-General of the European Commission (reassignment without publication of the post);
Career path of the new Secretary-General

3. Notes that:

— the new Secretary-General joined the European Commission as a grade AD6 official in November 2004, having passed the open AD competition COM/A/10/01; was promoted to grade AD7 in 2007, to grade AD8 in 2009, to grade AD9 in 2011 and to grade AD10 in 2013;

— as of 10 February 2010, and while still being in grade AD8 in his basic career, he was seconded as Head of Vice-President Reding’s Cabinet, where he occupied the function of Head of Cabinet at grade AD14, at Director level, in accordance with the Rules on the Composition of Cabinets in force at the time (SEC(2010)0104);

— the new Secretary-General took leave on personal grounds (CCP) from 1 April 2014 to 31 May 2014 in order to act as campaign manager for the EPP lead candidate for President of the European Commission;

— following his reintegration on 1 June 2014, he was assigned as an AD14 official as Principal Adviser to the Directorate-General for Economic and Financial Affairs;

— after having successfully completed a selection procedure, the new Secretary-General was appointed Principal Adviser to the European Bank for Reconstruction and Development with effect as of 1 July 2014; with this appointment he became a grade AD14 official in his basic career;

— from 1 July 2014 to 31 October 2014, the new Secretary-General was seconded at grade AD14 as head of the transition team of the President-elect of the European Commission;

— on 1 November 2014, he was seconded as Head of the President’s Cabinet at grade AD15 in accordance with the Rules on the Composition of Cabinets in force since 2004 (see decisions SEC(2004)0185, SEC(2010)0104 and C(2014)9002);

— on 1 January 2017, he was promoted to grade AD15 in his basic (non-secondment) career as an official in the framework of the 10th Senior Officials Promotion Exercise, a decision taken by the College of Commissioners (PV(2017)2221); hence, prior to the meeting of 21 February 2018, in his basic career he was a Commission official in grade AD15, Principal Adviser in the Directorate-General for Economic and Financial Affairs;

4. Draws attention to the extremely rapid career of the new Secretary-General who, over a period of slightly more than 13 years, has progressed from AD6 to AD15, during which time he spent eight years in different cabinets (after the first cabinet he was promoted from AD10 to AD14; after the second cabinet from AD14 to AD15);

Career paths of previous Secretaries-General

5. Stresses that, according to the Commission, the three previous Secretaries-General became Director, Director-General and Head of Cabinet before being transferred to the function of Secretary-General, whereas the new Secretary-General has not performed any management tasks within the Commission services; points out, in particular, that on 21 February 2018 he was not Deputy Secretary-General in function and has served less than 14 months in the basic AD15;

Appointment procedure

6. Notes that, according to the Commission, the new Secretary-General was transferred in the interest of the service under Article 7 of the Staff Regulations and that the position was not published because the post was not considered vacant; notes, hence, that no official could apply since the procedure was organised through a reassignment with post rather than as a transfer in the strict sense with proper publication of the vacant post;

7. Notes that the Commission used the same procedure of transfer under Article 7 of the Staff Regulations for the three previous Secretaries-General (transfer with post rather than transfer in the strict sense); underlines, nevertheless, that none of the previous Secretaries-General were successively appointed Deputy Secretary-General and Secretary-General during the same College meeting; underlines also that all three previous Secretaries-General were proposed to the College during the very same College meeting at which their respective predecessors were transferred to a different post or announced their retirement;
Wednesday 18 April 2018

8. Stresses that the appointment by transfer was initiated by the President of the European Commission in agreement with the Commissioner responsible for Budget and Human Resources and after consultation of the First Vice-President (who was consulted about the name of the candidate but definitively not on the procedure);

9. Acknowledges that it is not Commission practice to transfer Directors in grade AD15 to Director-General posts, but notes that the Commission considers that, legally, the College could have decided to transfer a principal advisor to the post of Secretary-General;

10. Questions why the Commission used different procedures for the appointments of Deputy Secretary-General and Secretary-General for the same candidate and during the same College meeting;

Findings

11. Stresses that the replies given by the Commission show that the President and his Head of Cabinet had been aware since 2015 of the intention of the former Secretary-General to retire soon after 1 March 2018, an intention which he reconfirmed in early 2018; underlines that this knowledge would have allowed for a regular appointment procedure for his successor by one of the two public procedures foreseen by the Staff Regulations: (1) appointment by the College following publication of the post and a selection procedure under Article 29 of the Staff Regulations; or (2) transfer in the interest of the service pursuant to Article 7 of the Staff Regulations, also upon publication of the post in order to allow any interested official to apply for such transfer;

12. Takes note of the Commission’s view that the publication of a post need not be considered the rule under the Staff Regulations, notably with regard to the position of Secretary-General which requires not only special experience but also a particular level of trust by the President and the College of Commissioners;

13. Underlines that, by opting for the transfer procedure under Article 7 of the Staff Regulations in the form of reassignment of the newly appointed Deputy Secretary-General with his post to the position of Secretary-General, it was not necessary to publish the post of the retiring former Secretary-General; notes that while the same procedure was used for the appointments of previous Secretaries-General, those persons had previously occupied Director-General posts with high management and budgetary responsibilities; stresses, however, that this tradition of non-publication has reached its limits insofar as it does not correspond to the modern standards of transparency by which the Commission, the European Parliament and other EU institutions should abide;

14. Notes the Commission’s widespread practice of filling positions through internal transfers in the form of reassignment with post, a practice which is also used for senior positions; whilst recognising the wide margin of discretion open to the institutions in this regard, is concerned that this may undermine the principle of equality of opportunities and the selection of the best qualified candidates; calls on all Union institutions to fill positions through such transfers only with proper notification of staff, in line with the case-law of the Court of Justice of the European Union, and to give preference to open and transparent procedures aimed at selecting the best qualified candidates;

15. Underlines that only the President, the Commissioner responsible for Budget and Human Resources, the First Vice-President and the former and new Secretaries-General knew in advance of the meeting of the College of Commissioners on 21 February 2018 that the proposal for the immediate appointment of the new Secretary-General would be made;

16. States that this procedure seems to have taken all other members of the College by surprise and avoided a discussion being held among the Commissioners, since the appointment of a new Secretary-General did not appear on the agenda of the meeting of the College of Commissioners on 21 February 2018;

17. Is deeply concerned that this way of proceeding with the appointment of the new Secretary-General could cast doubt on the preceding procedure for the appointment to Deputy Secretary-General insofar as it might not have served the purpose of filling this vacancy in the first place, but rather of allowing for the transfer of this post to the post of Secretary-General under Article 7 of the Staff Regulations without publication of the post; considers that, although such a way of proceeding might satisfy purely formal requirements, it nevertheless runs against the spirit of the Staff Regulations and prevents competition for the post by any other eligible staff;

Conclusions

18. Is disappointed that not a single Commissioner seems to have questioned this surprise appointment, asked for this appointment decision to be postponed or requested a discussion of principle on the role of a future Secretary-General in the Commission and on how that role is understood, while noting that this item was not on the agenda;
19. Recalls that Directors-General in the European institutions are in charge of hundreds of staff members and the implementation of substantial budgets as authorising officers, and also have an obligation to sign a declaration of assurance in their annual activity report at the end of each financial year; questions therefore the Commission’s claim that the Head of the President’s Cabinet could be considered as equivalent to a Director-General position in terms of management and budgetary responsibilities without having occupied such a position, as was the case of the previous Secretaries-General of the Commission; points out that the internal communication from the President to the Commission governing the composition of the private offices of the Members of the Commission and of the Spokesperson’s service of 1 November 2014 does not supersede or modify the Staff Regulations;

20. States that the two-step nomination of the Secretary-General could be viewed as a coup-like action which stretched and possibly even overstretched the limits of the law;

21. Stresses that Parliament cannot find any ‘serious and urgent situation’, as explained by the Parliament’s Legal Service, to justify the use of the procedure of reassignment under Article 7 of the Staff Regulations without publication of the post;

Required action

22. Is aware that the revocation of a favourable administrative act is generally not possible due to legal constraints, but nevertheless asks the Commission to reassess the procedure of appointment of the new Secretary-General in order to give other possible candidates within the European public administration the possibility to apply and hence allow for a wider choice among potential candidates from the same function group and grade; calls on the Commission to conduct open and transparent application procedures in the future;

23. Points out that in order to maintain an excellent and independent, loyal and motivated European civil service, the Staff Regulations need to be applied in letter and spirit; stresses that this requires notably that Articles 4, 7 and 29 of the Staff Regulations need to be fully respected so that all ‘vacant posts in an institution shall be notified to the staff of that institution, once the appointing authority decides that the vacancy is to be filled’ and that this obligation of transparency also needs to be respected for transfers under Article 7 of the Staff Regulations, apart from in very exceptional and duly motivated cases, as recognised by the Court of Justice;

24. Recalls that only through the proper publication of vacant posts is it possible to secure a wide gender-balanced choice of the most qualified candidates, allowing for informed and optimal appointment decisions; stresses that publication procedures whose sole purpose is to fulfil the formal requirement for publication must be avoided by all European institutions and bodies;

25. Recommends that the decision-making processes and procedures of the College of Commissioners need to be strengthened in order to avoid any indiscriminate waving-through of appointments or other important decisions, and that it is therefore necessary for all such items to be included in the draft agenda;

26. Calls, in this context, on all institutions and bodies of the European Union to also put an end to the practice of ‘parachuting’ people into positions which runs the risk of damaging procedures and thus the credibility of the EU; stresses that political influence must not undermine the application of the Staff Regulations; is of the opinion that all vacant posts should be published in the interest of transparency, integrity and equal opportunities; stresses that should institutions nevertheless decide to deviate from this principle they should only do so within the narrow margins set by the case-law of the Court of Justice of the European Union;

27. Proposes that officials from staff representative bodies sit on Parliament’s senior management selection panels;

28. Asks the Commission and all other EU institutions concerned to revoke any decisions by which they consider the function of Head of Cabinet of the President as equivalent to the function of Director-General and the function of Head of Cabinet of a Commissioner as equivalent to the function of Director; also asks the Commission to ensure that the next revision of the Staff Regulations under the ordinary legislative procedure provides for valuable career options, both for officials who have followed the traditional career path and for members of cabinets:
— with regard to Article 7 by clarifying the transfer procedure of reassignment with the official's post, which has only been developed by case-law;

— by integrating the relevant internal rules for members of private offices/cabinets, and

— by laying down fully transparent procedures for appointing Secretaries-General;

29. Calls on the Commission to review, before the end of 2018, its administrative procedure for the appointment of senior officials with the objective of fully ensuring that the best candidates are selected within a framework of maximum transparency and equal opportunities, thereby also setting an example for the other European institutions;

30. Acknowledges that Article 17 of the Commission’s Rules of Procedure attributes particular management responsibilities to the Secretary-General who should have wide-ranging managerial experience and the confidence of the President; sees the need to update and clarify these Rules in order to guarantee the neutrality of the role of the Secretary-General in a (party) political environment; expects to be informed of such an update by September 2018;

31. Instructs its President to forward this resolution to all the European institutions.
Progress on UN Global compacts for safe, orderly and regular migration and on refugees

European Parliament resolution of 18 April 2018 on progress on the UN Global Compacts for Safe, Orderly and Regular Migration and on Refugees (2018/2642(RSP))

The European Parliament,

— having regard to the Charter of the United Nations,

— having regard to the 1951 Convention Relating to the Status of Refugees and to the 1967 Protocol Relating to the Status of Refugees,

— having regard to the Universal Declaration of Human Rights and other UN human rights treaties and instruments,

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

— having regard to the decent work agenda of the International Labour Organisation (ILO) and in particular to ILO Convention No 189 (2011) concerning decent work for domestic workers,

— having regard to resolution A/RES/71/1 of the UN General Assembly of 19 September 2016, the ‘New York Declaration for Refugees and Migrants’ (1),

— having regard to Annex I to the New York Declaration, the Comprehensive Refugee Response Framework,

— having regard to Annex II to the New York Declaration, ‘Towards a global compact for safe, orderly and regular migration’,

— having regard to the EU Guidelines of 6 March 2017 for the Promotion and Protection of the Rights of the Child and to the Commission Communication of 12 April 2017 on the protection of children in migration (COM(2017)0211),

— having regard to resolution A/RES/71/280 of the UN General Assembly of 6 April 2017 on ‘Modalities for the intergovernmental negotiations of the global compact for safe, orderly and regular migration’ (2),


— having regard to the UNHCR document of 17 May 2017 entitled ‘Towards a global compact on refugees: a roadmap’ (4),

— having regard to the report of the UN Secretary-General, António Guterres, of 11 January 2018 entitled ‘Making migration work for all’ (5),

— having regard to the UNHCR zero draft of the global compact on refugees as at 31 January 2018 (6),

— having regard to the zero draft and the zero draft plus of the Global Compact for Safe, Orderly and Regular Migration of 5 February 2018 (7) and 5 March 2018 (8) respectively,

— having regard to the Abidjan declaration of the 5th EU-AU Summit of November 2017,

(4) http://www.unhcr.org/58e625aa7.pdf
Wednesday 18 April 2018

— having regard to resolution A/RES/70/1 of the UN General Assembly entitled ‘Transforming our world – the 2030 Agenda for Sustainable Development’ and its 17 Sustainable Development Goals, adopted on 25 September 2015 at the UN Summit in New York (9),

— having regard to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by UN General Assembly Resolution A/RES/45/158 of 18 December 1990 (10),

— having regard to the Joint General Comment of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) and the Committee on the Rights of the Child (CRC) on the human rights of children in the context of international migration,

— having regard to its resolution of 13 April 2016 on the EU in a changing global environment – a more connected, contested and complex world (11),

— having regard to its resolution of 25 October 2016 on human rights and migration in third countries (12),

— having regard to its resolution of 1 June 2017 on resilience as a strategic priority of the external action of the EU (13),

— having regard to its resolutions of 5 April 2017 on addressing refugee and migrant movements: the role of EU external action (14) and of 12 April 2016 on the situation in the Mediterranean and the need for a holistic EU approach to migration (15),

— having regard to the report adopted on 12 October 2017 by its Committee on Civil Liberties, Justice and Home Affairs on the proposal for a regulation of the European Parliament and of the Council establishing a Union Resettlement Framework and amending Regulation (EU) No 516/2014 of the European Parliament and the Council (A8-0316/2017), and to the need for the EU to resettle at a minimum 20% of the Annual Projected Global Resettlement Needs,

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

A. whereas in accordance with Article 13(2) of the Universal Declaration of Human Rights, ‘everyone has the right to leave any country, including his own, and to return to his country’; whereas in 1999 the UN Human Rights Committee, in its General Comment No 273 (Paragraph 8), clarified that this right ‘may not be made dependent on any specific purpose or on the period of time the individual chooses to stay outside the country’;

B. whereas at the UN Summit for Refugees and Migrants, hosted by the General Assembly in New York on 19 September 2016, UN member states unanimously adopted the New York Declaration for Refugees and Migrants, on the basis of which two separate, distinct and independent – albeit in substance interrelated – processes were launched, with a view to adopting a Global Compact on Refugees in 2018, and a Global Compact for Safe, Orderly and Regular Migration, which will be signed at a conference in Morocco in December 2018;

C. whereas Annex I to the New York Declaration sets out a Comprehensive Refugee Response Framework (CRRF), which is based on the principle of international responsibility-sharing and on the determination on the part of the UN member states to address the root causes of forced displacement: whereas the CRRF presents specific actions designed to ease pressure on host countries, to enhance refugee self-reliance, to expand access to third-country solutions, and to support conditions in countries of origin for return in safety and dignity;

D. whereas the EU and its Member States has been requested to conduct consultations on a Programme of Action to complement the CRRF and to propose a Global Compact on Refugees in his annual report to the General Assembly in 2018;

E. whereas the EU and its Member States were engaged in the preparatory process and the discussions that led to the presentation of the zero drafts: whereas with the start of the more critical phase of the process, and as a consequence of the US’s decision to exit the negotiations, it has become even more important that the EU and its Member States take a leading role in order to secure a strong people-centred and human rights-based text;

(10) http://www.un.org/documents/ga/res/45/a45r158.htm
F. whereas migration is a complex human phenomenon; whereas while refugees are specifically defined and protected in international law as people residing outside their country of origin because of a fear of persecution, conflict, violence, or other circumstances, and who require international protection as a result, refugees and migrants alike are bearers of human rights and often face increased vulnerability, violence and abuse throughout the migration process; whereas both the Global Compact on Refugees and the Global Compact for Safe, Orderly and Regular Migration are complementary processes that will require joint actions for their implementation;

G. whereas human mobility and migration is a growing reality, with approximately 258 million international migrants worldwide; whereas the number of migrants as a proportion of the global population increased from 2.8% in 2000 to 3.4% in 2017; whereas 48% of migrants are women; whereas most migrants travel in a safe and orderly manner; whereas 85% of migration takes place between countries of the same level of development; whereas in 2017 Europe was the source of the second-largest number of international migrants (61 million) (16);

H. whereas according to UNHCR data, around 65 million people were living in forced displacement at the end of 2015, of whom 12 million were Syrians; whereas according to the World Bank, around 9 million people were displaced between 2012 and 2013, posing a serious challenge to the global humanitarian aid system; whereas 84% of the world’s refugees and 99% of its internally displaced persons are hosted by developing countries or regions, with the African continent hosting most of them, while just 10% of all refugees are hosted by European countries, excluding Turkey; whereas according to the UNHCR’s projected Global Resettlement Needs for 2018, close to 1.2 million people are estimated to require resettlement; whereas since 2000, more than 46,000 migrants and refugees have died worldwide while seeking safety and dignity abroad, including a minimum estimate of 14,500 deaths in the Central Mediterranean since 2014 (17);

I. whereas Europe has historically been a region of destination and of origin alike; whereas Europeans have also migrated abroad for reasons of economic hardship, conflict or political persecution; whereas the ongoing economic and financial crisis has led a large number of Europeans to emigrate, including to emerging economies from the Global South;

J. whereas many migrant children experience violence, abuse and exploitation; whereas over 100 countries are known to detain children for migration-related reasons (18); whereas refugee children are five times more likely to be out of school than other children and less than one quarter of refugee adolescents are enrolled in secondary school;

K. whereas migrant workers are often exposed to discrimination, exploitation and rights violations; whereas 23% of the 24.9 million people in forced labour worldwide are international migrants;

L. whereas experience has shown that migrants make positive contributions to the countries they live in, as well as to their home countries; whereas migrants contribute to the countries they live in by paying taxes and injecting around 85% of their earnings into the economies of those countries; whereas in 2017 an estimated USD 596 billion was transferred in remittances globally, with USD 450 billion going to developing countries – up to three times the total of official development aid;

1. Strongly supports the objectives of the New York Declaration for Refugees and Migrants and the corresponding process for developing a global governance regime, for enhancing coordination on international migration, human mobility, large movements of refugees and protracted refugee situations, and for putting in place durable solutions and approaches to clearly outlining the importance of protecting the rights of refugees and migrants;

2. Calls on the EU Member States to unite behind a single EU position and to actively defend and advance the negotiations on the important issue of the UN Global Compacts for Safe, Orderly and Regular Migration and on Refugees;

(17) https://missingmigrants.iom.int/latest-global-figures
3. Is convinced that in a highly interdependent world, the challenges related to human mobility can best be addressed effectively by the international community as a whole; welcomes, therefore, the opening of intergovernmental negotiations on the Global Compact for Safe, Orderly and Regular Migration and the start of the formal consultations on the Global Compact on Refugees on the basis of the zero drafts, to be completed by July 2018;

4. Calls for the European Union, namely its High Representative for Foreign Affairs and Security Policy and the Commission, to utilise all its diplomatic weight and to mobilise the EU delegations, not only in New York and Geneva, but also in other key countries, notably developing countries, whose effective participation in the process is of critical importance as countries of origin and transit but also destination, and should be facilitated by the EU, in order to ensure the success of the process;

5. Stresses that core international human rights treaties recognise the rights of all human beings, including migrants and refugees, regardless of their legal status, and obligate states to uphold them, including the fundamental principle of non-refoulement; calls for particular attention to be paid to people in vulnerable situations and in need of special medical or psychological support, including as a result of physical bias-motivated, sexual or gender-based violence, or torture; advocates the incorporation of concrete measures in the Global Compacts in this respect; recalls, furthermore, that vulnerabilities arise as a result of circumstances in countries of origin, transit and reception or destination, as a consequence not only of the person’s identity, but also of policy choices, inequality, and structural and societal dynamics;

6. Recalls that the Sustainable Development Goals (SDGs), contained in the 2030 Agenda, recognise that planned and well-managed migration policies can help achieve sustainable development and inclusive growth, as well as reduce inequality within and between states; urges that due attention be paid to the migration-related aspects of the SDGs and the Global Compacts; calls for the EU and the Member States to fulfil their commitment to achieving the SDGs relating to children, implementing the EU Guidelines of 6 March 2017 for the Promotion and Protection of the Rights of the Child;

7. Calls on the UN member states to make a standalone commitment to promoting gender equality and the empowerment of women and girls as a central element of the Global Compact, in line with SDG 5; recalls, furthermore, that migration can be an accelerator for women’s empowerment and equality, given that 48% of migrants are women and two-thirds of them are in work;

8. Calls on the UN member states to make a standalone commitment to ensuring the protection of children in migration; emphasises that all children, irrespective of their migration or refugee status, are first and foremost children, who are entitled to all the rights enshrined in the UN Convention on the Rights of the Child, and that their best interests must be the primary consideration of all decisions and actions concerning them; considers the Global Compacts as an opportunity to strengthen benchmarks for the protection of children affected by migration and forced displacement; welcomes the inclusion in the zero draft of clear commitments on specific, pressing issues, such as the call to put an end to child detention, improving action concerning missing migrants, strongly supporting family reunification and other regular pathways, preventing childhood statelessness, and including refugee and asylum-seeking children in national child protection, education and health systems; calls for the EU and its Member States to strongly advocate these proposals in order to ensure they remain in the final text for adoption in December;

9. Emphasises that focus should be retained on addressing the diverse drivers of irregular migration and forced displacement (conflict, persecution, ethnic cleansing, generalised violence or other factors such as extreme poverty, climate change or natural disasters);

10. Deplores the continued and widespread phenomenon of statelessness, which poses acute human rights challenges; calls for the EU and its Member States to ensure that this issue is adequately addressed in the current negotiations on the Global Compacts;

11. Emphasises that the consultations and negotiations must be transparent and inclusive, and must involve all stakeholders, local and regional authorities and institutions and civil society, including migrant organisations, as much as possible, despite the intergovernmental nature of the negotiations; stresses the need to harness the role of parliaments in the final phase of the process leading to the adoption of the Compacts, and points out in particular the need to strengthen the parliamentary dimension of the EU’s position;

12. Believes that a coordination mechanism should be developed to ensure complementarity between the two Compacts and coherence on cross-cutting issues;
13. Stresses the importance of the collection and monitoring of disaggregated migration and refugee data, to be accompanied by migrant-specific indicators – which are vital for policy-making – based on realistic data and not on myths or false perceptions, while ensuring fundamental rights standards, including the right to privacy, and data protection standards, and preventing data subjects from being exposed to serious human rights violations;

14. Underlines the need to reinforce the follow-up dimension of the implementation of both Global Compacts in the near future, particularly on account of their non-binding nature, in order to avoid à la carte approaches by the different states involved; calls, in this regard, for close monitoring through the establishment of benchmarks and indicators, when appropriate; stresses the need to ensure that the architecture of the UN and its relevant agencies are provided with the resources needed for any task that states decide to delegate to them in the implementation and follow-up of the Compacts;

15. Acknowledges that managing migration requires major investments, adequate resources and flexible and transparent instruments, and that well-designed, flexible and streamlined instruments to address migration challenges will be necessary in the coming years; calls for EU funding instruments to play a greater role in the implementation of the Global Compacts; calls for the next multiannual financial framework (MFF) to include financial consistency and to review long-term budgetary support for migration and asylum policies and actions deriving from the Global Compacts; considers that development budgets need to remain focused on sustainable poverty eradication;

Global Compact on Refugees

16. Welcomes the draft Compact on Refugees and its human rights- and people-centred approach; congratulates the UNHCR on its work and commitment to the most comprehensive implementation of its mandate; calls on all countries to make commitments to a more equitable sharing of responsibility for hosting and supporting refugees globally and urges the EU and its Member States to recognise and honour their own share of responsibility; calls for the adoption of a global responsibility-sharing mechanism, supporting a human rights-based approach for the proposed Compact;

17. Stresses the need to ensure robust and sustained assistance to developing countries that host large numbers of refugees, and to ensuring that refugees are offered durable solutions, including by becoming self-sustainable and being integrated into the communities in which they live; recalls that the Compact provides a unique opportunity to strengthen the linkage between humanitarian aid and development policies and to improve the effectiveness, efficiency and sustainability of protecting and finding solutions for refugees, building a comprehensive response and bringing together all stakeholders;

18. Stresses the need to include refugees as active stakeholders in shaping the Compact and other international responses to refugee situations;

19. Calls for the non-criminalisation of humanitarian assistance; calls for greater search and rescue capacities for people in distress, for greater capacities to be deployed by all states, and for the support provided by private actors and NGOs in carrying out rescue operations at sea and on land to be acknowledged;

20. Calls for the robust development and reinforcement of the resettlement solutions in the negotiated Compact, as a key element for equitable responsibility-sharing, through specific and coordinated commitments that will establish or increase the scope, size, and quality of the resettlement programmes, in order to meet the annual global resettlement needs identified by the UNHCR; calls on the EU Member States in particular to do their part and to step up their commitment to this matter;

21. Urges the right to family reunification to be fully respected and insists on the development of safe and legal avenues for refugees, in addition to resettlement, including humanitarian corridors, humanitarian international visas, regional resettlement regimes, and other complementary legal pathways (such as private sponsorship, study visas, refugee scholarship schemes and flexible visa arrangements), so that refugees can reach destinations with proper and dignified host conditions;

22. Calls on all countries to sign, ratify and comply with the 1951 Geneva Convention Relating to the Status of Refugees, and the 1967 Protocol Relating to the Status of Refugees (Geneva Convention);
23. Stresses the need to take advantage of this opportunity to fully develop a renewed and horizontal gender perspective for a collective international response to refugees which addresses the specific protection needs of women, including combating violence against women, and which enhances women's abilities and skills in the reconstruction and resilience of all societies, thereby overcoming the image of women as nothing more than victims; calls, in this context, for the full involvement of women, starting from childhood, with access to education for girls, including in emergencies and conflict areas, listening to their voices and taking into account their needs and realities through their participation in the design of policies on and solutions to the refugee crisis, in order to make them more sustainable, responsive and effective;

Global Compact for Safe, Orderly and Regular Migration

24. Insists that the Global Compact for Safe, Orderly, and Regular Migration should be people-centred and human rights-based, and should provide for long-term, sustainable and comprehensive measures, for the benefit of all parties involved, building on the principle of partnership and strengthened cooperation among countries of origin, transit and destination;

25. Considers the Compact a unique opportunity to put the nexus between development and migration on the global policy agenda; strongly believes that the SDGs provide a holistic and comprehensive framework to ground the migration-development nexus;

26. Recalls that the UN Secretary-General's report entitled 'Making migration work for all' highlights that there is a clear body of evidence showing that, despite real challenges, migration is beneficial for both migrants and host communities, in economic and social terms, and can be an engine for economic growth and innovation; strongly supports the perpetuation of a positive narrative on migration and calls for EU and international information campaigns that would draw attention to evidence and counteract racist and xenophobic tendencies in our societies;

27. Calls on UN member states to minimise remittance transfer costs and to address this issue in the current Compact negotiations;

28. Highlights that migration has been recognised as a proactive adaptation strategy, a livelihood scheme against poverty, a contributing factor to inclusive growth and sustainable development;

29. Strongly believes that it is now time to bring together all elements of the UN's architecture, including the International Organisation for Migration (IOM), to support international efforts to manage migration and consolidate cooperation; deeply regrets, therefore, the decision of the US administration to end its participation in the negotiations for a Global Compact for Safe, Orderly and Regular Migration; calls for the EU to show leadership in this process and to condemn other countries which exit the negotiations or succeed in watering down the content of the final Compact; calls for the EU to live up to its responsibility as a global actor and to work to ensure the successful completion of the negotiations; insists on the need for EU Member States to demonstrate unity and to speak with one voice in support of an international human rights-based regime for managing migration;

30. Considers that opening more legal pathways for migration, including on the basis of realistic analyses of labour market needs, would discourage irregular migration and lead to fewer deaths, less abuse of irregular migrants by smugglers and less exploitation of irregular migrants by unscrupulous employers;

31. Calls on all countries to take appropriate measures to prevent the abuse of human rights and the exploitation of migrants on their own territories, including by employers; calls on UN member states, to this end, to sign, ratify and comply with the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families adopted by General Assembly Resolution 45/158 on 18 December 1990; stresses that the Compact should abide by and be in line with international labour standards, in particular the fundamental principles and rights at work and the relevant ILO and UN Conventions on the protection of migrant workers and their families;

32. Underlines the importance of ensuring adequate support for voluntary return and for the reintegration of people returning to their homeland; stresses that children should be returned only when it is in their best interests, and in a safe, assisted and voluntary manner, using child-specific country of origin information reports and offering long-term support for their reintegration;

33. Invites the UN member states to consider adopting detailed national or subnational action plans, promoting a whole-of-government approach for the implementation of the Compact recommendations in order to address the different dimensions of migration, including development, human rights, security, social aspects, age, and gender, and considering policy implications on health, education, child protection, housing, social inclusion, justice, employment, and social protection;
34. Endorses the call of the New York Declaration for systematic follow-up and reviews of the commitments of Member States on migration; declares its readiness to be associated with this process at EU level and supports the inclusion of migrants and other stakeholders;

35. Calls on the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy to keep Parliament fully informed at all stages of the process leading to the adoption of the Global Compacts;

36. 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 Office of the UN High Commissioner for Refugees, the International Organisation for Migration and the United Nations.
 Implementation of the EU external financing instruments: mid-term review 2017 and the future post-2020 architecture

European Parliament resolution of 18 April 2018 on the implementation of the EU external financing instruments: mid-term review 2017 and the future post-2020 architecture (2017/2280(INI))

(2019/C 390/10)

The European Parliament,


— having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union’s instruments for financing external action (8),

— having regard to Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (9),


(1) OJ L 77, 15.3.2014, p. 27.
(2) OJ L 77, 15.3.2014, p. 11.
(7) OJ L 77, 15.3.2014, p. 44.


having regard to various reports of the European Court of Auditors on EU external financing, in particular Special Report No 18/2014 on EuropeAid’s evaluation and results-oriented monitoring systems,


having regard to external evaluations of the External Financing Instruments (17),

having regard to ongoing European Parliament procedures on the future post-2020 multiannual financial framework (MFF),

having regard to the European Parliamentary Research Service (EPRS) European Implementation Assessment entitled ‘The EU external financing instruments and the post-2020 architecture’,


(15) OJ C 69, 16.2.2016, p. 3.
— having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy to the European Parliament and the Council of 7 June 2017 entitled ‘A Strategic Approach to Resilience in the EU’s external action’ (JOIN(2017)0021),

— having regard to its resolution of 13 December 2017 on the Annual Report on the implementation of the Common Foreign and Security Policy (18),

— having regard to its resolution of 14 February 2017 on the revision of the European Consensus on Development (19),

— having regard to its resolution of 13 April 2016 entitled ‘The EU in a changing global environment – a more connected, contested and complex world’ (20),

— having regard to its resolution of 3 April 2014 on the EU comprehensive approach and its implications for the coherence of EU external action (21),

— having regard to its resolution of 9 July 2015 on the review of the European Neighbourhood Policy (22),

— having regard to its recommendation of 15 November 2017 to the Council, the Commission and the European External Action Service (EEAS) on the Eastern Partnership, in the run-up to the November 2017 Summit (23),

— having regard to its resolution of 6 July 2017 on the 2016 Commission Report on Turkey (24),

— having regard to its resolutions of 15 February 2017 on the 2016 Commission Report on Albania (25) and on the 2016 Commission Report on Bosnia and Herzegovina (26),

— having regard to its resolution of 16 March 2017 on the 2016 Commission Report on Montenegro (27),

— having regard to its resolutions of 14 June 2017 on the 2016 Commission Report on Kosovo (28), on the 2016 Commission Report on the former Yugoslav Republic of Macedonia (29), and on the 2016 Commission Report on Serbia (30),

— having regard to the Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions of 6 February 2018 entitled ‘A credible enlargement perspective for and enhanced EU engagement with the Western Balkans’ (COM(2018)0065),

— having regard to its resolution of 22 October 2013 on local authorities and civil society: Europe’s engagement in support of sustainable development (31),

— having regard to its resolution of 25 October 2017 on the Council position on the draft general budget of the European Union for the financial year 2018 (32),

— having regard to the Global Strategy for the European Union’s Foreign and Security Policy presented in June 2016 (33).
— having regard to the Council conclusions of 19 June 2017 on EU engagement with civil society in external relations,

— having regard to the EU’s Trade for All strategy,

— having regard to the Commission staff working document of 9 November 2017 on the implementation of EU free trade agreements (SWD(2017)0364),

— having regard to the competences of its Committee on Foreign Affairs as the committee responsible for all legislation, programming and scrutiny of actions carried out under the ENI, the IPA II, the EIDHR, the PI and the IcSP, and the policies underpinning them (Annex V(I) of its Rules of Procedure),

— having regard to the declaration of the European Commission attached to the Regulations establishing the external financing instruments, in which it commits to engaging in Strategic Dialogues with Parliament on Commission programming,

— having regard to the Rules of Procedure of the ENI, IPA II, EIDHR, IcSP, PI and DCI Committees,

— having regard to Rule 52 of its Rules of Procedure, as well as Article 1(1)(e) of, and Annex 3 to, the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,

— having regard to the report of the Committee on Foreign Affairs and the opinions and position in the form of amendments of the Committee on Development, the Committee on International Trade and the Committee on Budgets (A8-0112/2018),

A. whereas the European Union remains the world’s biggest provider of external assistance;

B. whereas external financing instruments are the main mechanism for supporting the EU’s action on the global scene, and whereas the EU’s external action is of increasing importance to European citizens;

C. whereas, due to limited resources, the external financing instruments have often been stretched to their limits;

D. whereas the Commission considers in its mid-term review report that the current external instrument architecture is generally fit for purpose;

E. whereas a merger of instruments cannot be a goal in itself;

F. whereas the EU has been facing numerous challenges not only in its close neighbourhood, but also on the global scene;

G. whereas EU external action must give priority to addressing critical global challenges such as peace and sustainable development, and recognise that the promotion of human rights for all, the rule of law and democracy, with a particular focus on gender equality and social justice, as well as support for human rights defenders, are essential to achieving these goals;

H. whereas the EU’s external financial assistance is a key instrument for supporting economic reforms, as well as for supporting democratic, political and institutional consolidation in partner countries;

I. whereas no equal and robust parliamentary scrutiny of all instruments is in place;

J. whereas there is an urgent need to enhance the visibility of EU assistance vis-à-vis both the citizens of partner countries and those of the European Union, in order to better communicate the benefits of EU support; whereas investing in favour of concrete and tangible projects, the visibility of which can be more easily accessed by the general public, while developing a comprehensive, effective and systematic communication strategy within each instrument, can be of significant value in this regard;
K. whereas strategic communication is often confronted with external challenges, including misinformation campaigns against the EU and its Member States, which require further efforts; whereas promoting objective, independent and impartial information while also addressing the legal aspects of the media environment in which EU instruments and actions operate are therefore of fundamental importance;

L. whereas international trade is a core EU tool for helping countries in their social and economic development, as well as for defending and promoting human rights, fundamental values and the rule of law;

M. whereas, according to the Treaties, trade policy should contribute to the external objectives of the Union, including sustainable development;

N. whereas the combined assistance programmed under the ENI (EUR 15.4 billion), the IPA II (EUR 11.7 billion), the IcSP (EUR 2.5 billion), the EIDHR (EUR 1.3 billion) and the PI (EUR 1 billion) amounts to EUR 32 billion for the period 2014-2020;

O. whereas IPA II has been used in the management of migration;

P. whereas the EIDHR and, in particular, the IcSP are subject to the legal basis of Articles 209 and 212 TFEU, both of which refer to Article 208 TFEU, which states that ‘Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty’;

Q. whereas the Commission is responsible for the identification, formulation, implementation, monitoring and evaluation of EU assistance under these instruments; whereas the EEAS has the responsibility to ensure the continuity and coherence of EU external policies, among other things through the instruments; whereas Parliament is responsible for democratic oversight and scrutiny and as co-legislator under the codecision procedure;

R. whereas the dual nature of the office of Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy means that the holder must play a key role in the political coordination of the Union’s assistance under the instruments;

S. whereas various projects and grants under the current instruments cannot be evaluated fully, as they remain in the early stages of implementation; whereas some objectives are qualitative in nature and are related to legislation, practices and attitudes that cannot be easily measured quantitatively;

T. whereas the Commission states in its mid-term review that it is difficult to measure the overall effectiveness of the instruments in meeting their objectives, partly because of the difficulty in defining appropriate monitoring and evaluation systems at the instrument-level (p. 10); recalls that the Court of Auditors pointed to serious deficiencies in EuropeAid’s evaluation system in its Special Report No 18/2014;

U. whereas the Common Implementing Regulation (CIR) contains key provisions on development and aid effectiveness principles such as untying of aid and the use of partner countries’ own institutions, systems and procedures;

V. whereas current administrative procedures often entail excessive bureaucratic burdens for potential recipients, making it difficult for smaller civil society and social partner organisations to get involved in project design and implementation, as they often lack the know-how and administrative capacity to put forward eligible and successful proposals;

W. whereas the Regulations setting up the external financing instruments (EFIs) provide that implementing powers be granted to the Commission in accordance with Regulation (EU) No 182/2011, and whereas these Regulations also provide that the Commission will be assisted in this by the ENI, IPA II, EIDHR, IcSP, PI and DCI Committees;
X. whereas draft implementing acts must be sent to the Council and Parliament at the same time as they are sent to the ENI, IPA II, 
EIDHR, ICSP, PI and DCI committees’ members, and whereas the Rules of Procedure of these Committees provide that draft 
implementing acts must be sent to the ENI, IPA II, EIDHR, ICSP, PI and DCI committees’ members at least 20 calendar days 
before the relevant committee meeting; whereas draft implementing acts should therefore be sent to Parliament at least 20 cal-
endar days before these meetings, and whereas written procedures for the adoption of draft implementing acts are an exception 
to this rule in duly justified cases;

Y. whereas the drafting of implementing acts entails a preparatory phase internal to the Commission – including inter-service 
consultation – of significant length, which usually spans several months;

Mid-term review

1. Notes that the Commission mid-term review (MTR) found the current instruments to be generally fit for purpose;

2. Regrets that the quantity and lack of flexibility and coherence of the EU funding under Heading 4 of the current MFF have been 
indicative of the EU’s limited ambition to act as a genuine global player; notes, however, that many of the partner countries and themes 
addressed by the EU EFIs have seen positive progress, which is testament to the relevance and importance of the EFIs;

3. Is concerned, however, about some findings, including the lack of political guidance and overarching vision, inconsistent 
implementation of EU values and partnership principles, the slow or non-existent progress in objectives related to social and legal 
reform in the wider neighbourhood, the absence of robust monitoring and evaluation and limited flexibility;

4. Regrets the absence of a single clear vision document clarifying synergies between the instruments and how these feed into a 
global, overarching EU foreign policy strategy;

5. Is concerned that the EU and its instruments face significant challenges, including political trade-offs between the promotion 
of values and rights and short-term security interests, the emergence of new actors in the field of global governance and international 
financial institutions, as well as numerous violent global conflicts around the world, including volatility in the EU’s immediate neigh-
bourhood, both to the East and to the South, and an increasingly aggressive and assertive policy of Russia;

6. Notes that EU Trust Funds were created to address the root causes of migration; regrets that the contributions from the EU 
budget to the EU Trust Funds and the Facility for Refugees in Turkey have reduced the overall coherence, long-term vision and impact 
of the Union’s action; stresses once again that new priorities must be financed with new appropriations; deeply regrets that Parliament 
was not formally consulted or asked to give its approval at any stage of the decision-making process in relation to the ‘Turkey state-
ment’;

7. Reiterates the need for the instruments to be complementary and adaptable to the local context, as well as able to respond to 
new and unforeseen challenges quickly and effectively without losing sight of their original objectives;

8. Regrets that the instruments do not contain any explicit reference to the possibility of suspending assistance in cases where a 
beneficiary country (in particular where indirect management with the beneficiary country – IMBC – has been used) fails to observe 
such basic principles as democracy, the rule of law and respect for human rights;

9. Notes that EU development aid (official development assistance, ODA) has not reached the UN target of 0,7 %; calls, therefore, 
for an increase in the resources available for development aid in order to meet the Agenda 2030 commitments;
IPA II

10. Encourages efforts to make IPA II more strategically relevant in the long term and deliver concrete results through beneficiary-specific planning and a sectoral approach; believes that such an approach could help in cutting down the huge backlog of unspent funds from IPA I and II in Turkey resulting from inefficiencies of IMBC as well as weak absorption capacities;

11. Is deeply concerned about Turkey's backsliding in terms of the rule of law and democracy, in spite of the EUR 4.5 billion programmed under the IPA II for the current MFF period; recognises that the current accession perspective for Turkey feeds into widespread uncertainty over the value of IPA II in the country; notes that IPA II funds have been used to finance commitments under the 'Turkey statement';

12. Notes the varying stages of progress of several countries in the Western Balkans under the long-term assistance from the IPA II; notes that, in some cases, IPA II assistance has led to limited results in steering reforms, especially in the areas of the rule of law, public administration and the fight against corruption;

13. Notes the remaining weaknesses in the quality of indicators in country programmes and action documents;

14. Emphasises the need to be able to suspend or redirect IPA II funds in cases where a thorough analysis by the Commission finds that partner countries have systemically been failing to meet their commitments or are exhibiting severe political backsliding; regrets that such measures have in the past been hampered by a systemic and political inability to act;

15. Notes the existence of the performance framework; regrets, however, that the performance rewards are yet to be considered and awarded; calls, in this context, for increased work to be undertaken to further improve the framework, also taking into account cases of negative performance and an ensuing decrease in funding;

16. Reiterates the importance of IPA II as the main EU funding instrument for pre-accession financing of key social, economic, political and institutional reforms in priority areas in order to align countries with the EU acquis; notes that such reforms may also contribute to regional security in the long term; welcomes the increased strategic focus of IPA II, but underlines that funding under IPA II must be ambitious and forward-looking and must match the actual needs, obligations and aspirations linked to the accession process and EU membership; recalls, in this regard, that funding should be used in accordance with the specific objectives pertaining to the instrument;

17. Acknowledges that the Civil Society Facility of IPA II provides crucial support to local civil society organisations (CSOs); emphasises that commitments do not match the real needs on the ground; calls, in this context, for more complementarity of IPA II with actions of other instruments, notably the EIDHR and the IcSP; notes that this requires more coordination during both the planning and the programming phases;

18. Considers the sectoral approach valid, but regrets the lack of clear ownership of projects due to fragmented responsibilities; notes that indirect management has improved overall ownership of the programmes, but has also led to decreased efficiency through longer delays in implementation;

19. Welcomes initiatives to set up systems to better monitor and measure performance, including through Sector Monitoring Committees, internal guidelines, and the development of a new information management system (OPSYS);
ENI

20. Welcomes the support to structural reforms provided in the form of programmed assistance, and underlines the special nature of the ENI, enabling the EU to devise tailor-made policies adapted to the specific needs of the partner countries;

21. Shares the Commission’s assessment that the existence of a dedicated financing instrument for the neighbourhood has provided concrete evidence of the political importance attached by the EU to relations with its neighbours and to the deepening of political cooperation and economic integration with and within the region;

22. Recognises that current challenges and needs in the neighbourhood, as well as discrepancies between objectives, interests and financial resources, have placed serious strain on the ENI budget and human resources, and highlights the need for more flexibility;

23. Is concerned that ENI funding has been less effective among partners less committed to reforms and remains challenging but necessary in politically sensitive and conflict situations, especially with regard to the promotion of shared values of democracy and human rights; regrets that the ‘more for more’ and incentive-based approaches have not been used effectively, and that countries that are manifestly departing from their stated commitments to human rights and democratic reform have enjoyed increasing financial assistance over the most recent programming period;

24. Reiterates that the neighbourhood has been confronted with unprecedented challenges since 2014, due to the increasing number of long-standing and newly emerging challenges, such as the illegal annexation of the Crimean peninsula by Russia and the conflict in Eastern Ukraine, the Syrian crisis, the situation in Libya, radicalisation and terrorism, youth unemployment, and the challenge of migration;

25. Is concerned that these developments, as well as discrepancies between the objectives, the interests of both the EU and partner countries and the financial resources available have stretched the financial capacity of this instrument to the limit, while highlighting the need for more flexibility;

26. Underlines that EU values and principles, including democracy, the rule of law, human rights and efficient, accountable and transparent public institutions, are in the interests of neighbouring societies as much as of our own in terms of stability, security and prosperity; welcomes the support to structural reforms provided under programmed assistance; considers that the implementation of the principle of differentiation has allowed the EU to adapt its support to partner countries’ needs and ambitions;

27. Takes note of the contributions under ENI to the Madad Fund and the Emergency Trust Fund for Africa;

28. Underlines the need for greater coordination between regional and bilateral programmes and investment facilities to better support and foster private sector development; notes that shortcomings related to the lack of joint programming with Member States have slightly improved;

29. Welcomes the monitoring of ENI assistance through Results-Oriented Monitoring (ROM); regrets that no consistent monitoring and evaluation systems exist at instrument level;

30. Emphasises that the trade-related technical support and economic assistance provided by the European Neighbourhood Policy (ENP) to the Union’s close partners on its southern and eastern borders make an important contribution to democratic evolution in those regions; observes that funds under the ENI may be used for trade facilitation and as such can be complementary to existing EU funding for the Trade Facilitation Agreement, which should better guarantee medium- and long-term political stability;

IcSP

31. Recognises that the IcSP’s primary added value is its speed and flexibility when it comes to addressing conflict, and its broad range of civilian actors with whom the EU can partner up; recalls that the IcSP is the only EU instrument for civilian conflict prevention, including mediation, dialogue and reconciliation;
32. Takes note of the complications involved in collecting data and measuring the results of IcSP actions, both of which may have proven challenging due to difficulties in assessing political outcomes and the attribution of results to IcSP actions when followed up by concurrent actions under other instruments, as well as to difficulties in accessing conflict-affected areas;

33. Notes that the need for conflict prevention and to address security challenges has drastically increased in the recent period; believes that there is a need for reconciliation, mediation and dialogue initiatives in many post-war crisis countries; underlines the need for prompt action in the context of crises and conflicts; stresses the need to significantly increase the funds available for such initiatives; notes that the amendment to the IcSP in November 2017 aims to strengthen the security capabilities of third countries in order to further promote stability, security and sustainable development; notes that the IcSP functions as a measure of last resort or a forerunner of longer-term actions funded by other instruments;

34. Notes that the IcSP is in the early stages of countering cyber threats globally; urges that stronger emphasis be placed on cyber security, including through a coherent strategy applicable throughout all EU external actions; calls for an accompanying increase in the funds allocated to cyber security under the IcSP as the appropriate instrument for dealing with such threats;

35. Notes that cooperation with Common Foreign and Security Policy (CFSP) actions and Common Security and Defence Policy (CSDP) operations and missions as well as EU humanitarian aid provision has increased;

EIDHR

36. Underlines the added value of the worldwide holistic approach of the EIDHR, despite its relatively small budget, and the importance of civil society organisations in achieving its objective, as well as its unique feature of being the only instrument through which the EU can support civil society actions, irrespective of interference by the authorities of the State concerned by such actions;

37. Notes that, during the current period, the EIDHR has been used more flexibly and in a more complementary manner than in the previous period, reacting to emerging human rights and democracy crises more quickly; welcomes its complementarity with funding from other sources, such as the European Endowment for Democracy, which enhances the effectiveness of the EIDHR’s funding in urgent cases; welcomes the increased focus on human rights defenders, including through the emergency fund available at EU delegation level, and the establishment and successful operation of the EU’s Human Rights Defenders (HRDs) Mechanism ProtectDefenders.eu; highlights that the call for proposals process is long, inconvenient and over-competitive;

38. Notes, furthermore, the benefits of the ProtectDefenders.eu mechanism, implemented by civil society, which has provided critical support to a large number of HRDs; urges the continued support of such mechanisms;

39. Is concerned about the difficulties in mainstreaming human rights and democratic values through geographic programmes and about the reduced EU support to civil society organisations, leading to increased pressure on the EIDHR at a time of shrinking space for civil society worldwide;

40. Believes that the EU must show leadership and ambition by deploying an overarching policy for mainstreaming its support to democracy in all its external relations; considers, therefore, that the funding allocated for democracy support must be increased accordingly, in particular in the light of the current attacks on democracy worldwide; insists on the need to ensure that the spending on Objective 1 of the Country-Based Support Scheme (CBSS) effectively and efficiently reaches the human rights defenders who are most at risk; urges the EU delegations to deploy all necessary support in this regard;

41. Recognises that the evaluation of EIDHR actions is challenging due to the absence of strategic and operational indicators; notes that the challenges in evaluation also arise due to significant levels of support to CSOs and human rights defenders being understandably delivered confidentially in order to protect the identities and safety of beneficiaries;

42. Reiterates the added value of EU election observation missions, an area where the EU is leading globally; welcomes the fact that monitoring and follow-up missions to take account of election observation missions’ recommendations have increased in number;
Underlines that the PI is specifically intended to pursue thematic EU and mutual interests with third countries and to build alliances and foster cooperation with current and emerging strategic partners; notes that in practice, the PI is used as an instrument of last resort, deployed when it is considered to be the only instrument that can facilitate the pursuit of the EU policy agenda and tackle global challenges:

Notes that in comparison with previous instruments, the PI has been able to engage in more cooperative ways with third countries, including strategic partners, countries graduated from bilateral development aid and various international fora, but is of the opinion that increasing the provision of resources and input by policy-making services is necessary to ensure they are fully involved in designing, programming and implementing the actions, as well as enhancing the active role played by EU delegations in the formulation of actions, and enhancing information sharing with Member States:

Advocates improving the visibility of the objectives of the PI and knowledge and understanding of them, especially within the EU institutions:

Notes with regret that the evaluation has been hampered by the fact that no central repository of action documentation has been created due to the late adoption of a results indicator framework and the unfinished nature of most projects:

Recalls that the EU’s external financing instruments are a complex set of tools for the EU to support and enhance its action on the international scene, and that their complex structure is coordinated by the CIR; reiterates that the CIR needs to meet the criteria of budgetary scrutiny and democratic oversight; regrets that the high complexity and restrictive nature of the CIR have hampered the efficient use of Union resources and are preventing a timely response to new challenges and partner needs; regrets that the commonality of rules has not led to the joint programming of assistance between the instruments:

Notes that the CIR was established for the purposes of harmonisation, the simplification of implementation, greater flexibility, coherence, consistency and efficiency of the use of the Union’s resources, and of a smooth and complementary approach to the implementation of all instruments:

Considers that sufficient time is key to Parliament being able to properly and duly exercise its powers of scrutiny with regard to draft implementing acts; considers that, given the amount of time that the draft implementing acts are in preparation before reaching the ENI, IPA II, EIDHR, IcSP, PI and DCI Committees, non-compliance with the 20-day time limit for submission of documents to Parliament and the Council in the final phase of adoption of the implementing act cannot be justified; regrets, therefore, that the deadline of 20 calendar days is not always respected, and considers it right of scrutiny impaired; calls for the submission of all draft implementing measures at least 20 days in advance, and calls on the Commission to amend the Rules of Procedure of the ENI, IPA II, EIDHR, IcSP, PI and DCI Committees in order to extend this 20-day time limit for submission, thereby facilitating Parliament’s scrutiny powers:

Regrets that visibility of the EU’s External Funding Policy remains limited in a context where third actors are actively seeking to undermine EU foreign policy through disinformation:

Calls for EU and universal values and human rights to remain at the core of all EU external actions:

Urges increased synergies and coherence between all instruments under Heading 4, as well as better coordination with bilateral assistance programmes of Member States and, where possible, other donors; calls, in this regard, on the Commission and the EEAS to strengthen their cooperation and coordination, including with CSOs and local actors, and to fulfil their responsibilities under Article 21 of the Treaty on European Union (TEU):
Wednesday 18 April 2018

53. Calls for the establishment of solid, consistent and transparent monitoring and evaluation mechanisms; reiterates that such mechanisms would allow for the tracking of tangible progress on crucial reform-related goals in neighbouring countries, which is particularly important where those reforms have stalled or otherwise been delayed;

54. Calls for enhanced parliamentary control and scrutiny procedures and systems that are consistent for all instruments; recommends improving transparency through the creation of a single common transparent public database of projects and actions;

55. Stresses the need to provide additional financial resources and training support to CSOs; insists that urgent measures are required to further diminish the bureaucratic burden and procedural obstacles encountered by CSOs, especially by local CSOs; calls for specific budget lines devoted to capacity building for CSOs in order to enhance their ability to access funding; regrets that the issue of the lack of CSO participation in programming and implementing external instruments has not been raised in the Commission’s mid-term review report; calls on the Commission to mainstream a more strategic involvement of CSOs in all external instruments and programmes, as requested by both the Council and Parliament;

56. Is in favour of a more direct and active promotion of EU policies, its financial assistance and its visibility;

57. Reiterates its position that the possibility to carry over unallocated ENI and IPA II funds should be introduced, within a limit of 10% of the initial appropriations for each instrument, in order to increase the capacity to respond to unforeseen events, while maintaining the objectives set out in the relevant ENI and IPA II regulations;

IPA II

58. Supports the principles listed in Article 21 TEU, and recommends a stronger emphasis on strengthening democratic institutions, the fight against corruption and public administration reforms, strengthening the rule of law and good governance and making improvements in the consistent implementation of human and minority rights; calls for more support for reforms in the sectors relevant to the accession process, as well as for stimulation of regional cooperation in order to complement the EU’s enlargement policy;

59. Recommends enabling the transfer of funds to civil society when state authorities are unwilling to meet the EU’s stated objectives, or are unwilling to cooperate on the instrument’s objectives; calls on the Commission to moderate or suspend funding for countries that seriously breach EU fundamental values, including the basic Copenhagen criteria; calls for an easing of the administrative burden for recipients from civil society organisations applying for EU funding;

60. Demands Parliament involvement should a suspension of funds or significant changes in maximum indicative allocations be considered;

61. Insists on strong ownership on the part of the beneficiaries from programming to monitoring and auditing; calls on the Commission to provide targeted assistance to national audit authorities in terms of methodology, planning, recruitment, training and supervision;

62. Recommends greater support for national authorities responsible for donor coordination, which have a weak capacity, but show a political willingness to meet the objectives; regrets the lack of transparency regarding the absorption capacity of these funds;

63. Urges the channelling of funds into sectors with a proven track record, avoiding further chronic delays that have occurred under the IMBC, mainly in Turkey;

64. Calls for increased visibility of the IPA II in the region given the crucial importance of enlargement policy for the EU, for example through appropriate targeted communication and information campaigns in national, regional and local media outlets, or any other means as may be deemed appropriate, with minimum requirements and the monitoring thereof defined by the Commission, in close cooperation with beneficiaries; supports targeted counter-propaganda and strategic communication efforts, especially in instances where the EU’s image and interests are actively targeted and undermined;
65. Recommends making use of IPA II funds to create channels of communication for firms, particularly SMEs, in both the Member States and pre-accession countries, in order to create strong trade links between the respective areas, which would be very useful in preparing the recipient countries for accession to the single market;

66. Reiterates the usefulness of the financial performance reward for countries making progress, as prescribed by the IPA II Regulation;

67. Considers that flexibility and the use of funding to address specific crisis situations must be in line with the instrument’s key priorities and the fundamentals of the enlargement strategy and the accession process, which have to remain the main focus of IPA II;

68. Calls for better coordination and additional synergies during the planning and programming phases of IPA II with the actions of other instruments, namely the EIDHR and the IcSP, in order to ensure coherence and to enhance complementarity, both internally between its own set of objectives and programmes and vis-à-vis other EFIs;

ENI

69. Emphasises the need for an overall strategic document for ENI implementation aligning assistance with the larger political framework and for better coordination with other instruments; stresses that the priorities of ENI programming should also include socio-economic development, youth and the sustainable management of energy resources;

70. Regrets that the multiannual programming already took place for the majority of the beneficiaries in the course of 2017, prior to the finalisation of the MTR of assistance in those countries; recalls that Parliament provided its recommendations on programming during a Strategic Dialogue with the Commission in April 2017;

71. Stresses the political visibility and leverage that the ENI as a separate financing instrument grants to the EU in the neighbourhood, both in the East and the South;

72. Calls for the existing balance in the allocation of funds between the Union’s southern and eastern neighbourhoods to be maintained;

73. Underlines the interconnection between stabilisation, support for democratisation, conflict prevention and resolution, respect for human rights and the rule of law, education and socio-economic development; stresses the importance of projects that support young people in their education and employability;

74. Reiterates the importance of the ability to respond more rapidly to challenges;

75. Stresses that investment in stabilising and developing countries in the neighbourhood also addresses issues such as migration, terrorism, local conflicts and economic instability, which in the long run will be beneficial for the EU as a whole;

76. Underlines that the specificity of the challenges in the neighbourhood requires an integrated and comprehensive approach based on beneficiaries’ various needs and situations, including through synergies with other EFIs and across policies of the Union; underlines that one of the primary tasks is that of swift and effective implementation of the Association Agreements (AAs) and the Deep and Comprehensive Free Trade Areas (DCFTAs) and all related reforms, which must be backed up with adequate financial resources from the EU side;

77. Reiterates the importance of deeper joint programming with the Member States, in addition to the good progress made on joint analyses, coordination and consensus-building on donor priorities; urges improvements in donors’ coordination, especially in pairing with funds from other EU instruments, fellow donors and international financial institutions, to underpin economic transition and stability in partner countries;

78. Is concerned that the response and financial capacities of the instrument have been stretched to the limit; regrets that in-house expertise in the form of political and geopolitical risk analysis was not taken into account at the planning stage to a sufficient degree;
Wednesday 18 April 2018

79. Concludes that increasing the indicative financial allocations by means of legislative amendment may be necessary in the light of current challenges in the neighbourhood;

80. Reiterates that the objectives of funds programmed under the ENI are to be adhered to when such funds are shifted to other modalities such as Trust Funds, and that scrutiny and oversight by parliament are needed and must never be circumvented;

81. Calls for stronger involvement of civil society in the identification of needs;

82. Calls for making full use of conditionality and incentives-based mechanisms that support political and economic reforms where needed, and which are related to reforms and strategic objectives; regrets that the ENI has not been able to provide sufficient incentives to those countries which are reluctant to engage in political reforms; calls for effective monitoring of the ENI at instrument level;

83. Is concerned about the destruction and confiscation of EU-funded assistance in third countries; calls for further efforts to improve the EU’s strategic communication and visibility in neighbourhood countries;

IcSP

84. Calls for better efforts to leverage IcSP influence through regular strategic dialogues with partners and international organisations; asks, in this context, for co-financing to be ensured by other important donors with a stake in the outcomes of relevant actions;

85. Calls for an improved strategic framework and synergies between IcSP and follow-up actions from other instruments and actors;

86. Calls for increased cooperation between other international organisations, governments and EU institutions on countering emerging new threats, such as in the area of hybrid conflicts and cyber-security where the expertise of the EU Agency for Network and Information Security (ENISA) could be utilised;

87. Recommends a more strategic use of IcSP mediation capacity not only in relation to conflicts of localised impact, but also to support the peace process and dialogue in existing or emerging conflicts with global significance, and calls for better early warning systems and conflict analysis tools that would allow for better prevention and peace-building;

88. Stresses that this instrument will from now on enable the Union to fund training measures for and the supply of non-lethal equipment (such as IT systems, hospitals, etc.) to third-country armed forces in order to meet urgent, short- and medium-term needs, as part of the efforts to achieve sustainable development objectives;

EIDHR

89. Reiterates the fundamental importance of supporting and promoting democracy and human rights in third countries, including the protection of human rights defenders, irrespective of interference by authorities of third countries;

90. Notes the effectiveness and importance of the EIDHR in this regard, operating in a context of shrinking space for civil society; reaffirms the continued need for dedicated funding for human rights and democracy, without any decrease; calls, furthermore, for the consideration of increased funding for urgency assistance to HRDs, as well as the effective promotion of the availability of such funds;

91. Reiterates that the EIDHR should not have its scope limited or be used as an instrument merely to fill gaps left by other instruments, but that the targeted promotion of democracy and human rights should be a clear and strategic goal in itself.
92. Urges the Commission to find solutions to the issues of shrinking space for civil society, increased human rights violations and repression, for example by increasing the funds available for global, reactive programmes such as the EU HRDs Mechanism ProtectDefenders.eu; calls for the EU to continue funding HRDs, in particular those at risk, and civil society, as well as marginalised groups such as women, indigenous peoples, Roma, LGBTI, persons with disabilities, children and the elderly;

93. Recommends increased strategic planning in conjunction with political guidance from EU authorities and coherence with the other instruments, especially in countries experiencing a decline in human rights and democratic standards, to counter the global trend of authoritarianism;

94. Underlines the importance of focusing on internationally relevant thematic issues that may underpin, in the short-, medium- and/or long-term, the globalisation of human rights and the rule of international law and justice; calls for greater EIDHR support in a number of emerging thematic issues, notably the fight against corruption, businesses’ respect of human rights, environmental rights and rights of migrants;

95. Welcomes support to international and regional human rights and accountability mechanisms, such as the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the International Criminal Court (ICC);

96. Recommends continued efforts to abolish the death penalty worldwide;

97. Reiterates the Commission’s commitments on further supporting civil society and promoting a more conducive environment for CSOs in partner countries; insists that urgent work is required to further diminish the bureaucratic obstacles encountered by local CSOs; encourages EU delegations to actively seek out HRDs and CSOs working on sensitive issues requiring funding, to publish calls for proposals in local languages and to allow applicants to submit project proposals therein, thereby also strengthening local ownership and the long-term embeddedness of projects;

98. Calls for an increased focus on the sustainability of EIDHR-funded actions, notably in the context of Election Observation Missions (EOMs), where there is significant scope for stepping up the transfer of knowledge to local actors and improving the follow-up to recommendations; calls for EOM planning to be better coordinated with Parliament’s election observation activities;

99. Calls on the Commission to provide specific funding to projects targeting the increasing abuse of surveillance technology and online attacks by repressive governments and non-state actors;

100. Calls for the establishment of monitoring and evaluation systems that involve input from HRDs;

101. Encourages coordinated action with the IcSP in pursuit of actions preventing crimes against humanity, war crimes and genocide;

102. Welcomes the focus on the Union’s strategic interests;

103. Recommends a more strategic and consolidated use of the scarce funds available under the PI, ensuring inclusive input and the identification of actions by all Commission departments and the EEAS, in close cooperation with Member States, and underscores the importance of a well-resourced PI for the proactive defence of EU values and interests in the context of a declining trans-Atlantic consensus and the growing number of middle-income countries whose strategic importance is rapidly increasing, including in Asia and Latin America;
104. Recommends a review of the geographical allocations in the next Multiannual Indicative Programme (MIP) in order to adapt to challenges; suggests, in this context, enhanced coverage for cooperation with non-strategic third countries, such as middle-income countries which are currently not sufficiently covered;

105. Recommends better alignment with CIR objectives and cross-cutting themes;

106. Recommends that its monitoring and evaluation system, including relevant qualitative indicators, be finalised;

107. Considers that the PI could be an important tool for supporting the implementation of free trade agreements, notably by supporting the work of the Domestic Advisory Groups; underlines the need to assess the use and distribution of funds, as well as the effectiveness of the PI and the Business Avenue and EU Gateway programmes, which should complement Member States’ competences in the area of foreign trade promotion;

108. Notes that one of the objectives of the PI is public diplomacy in order to build trust and understanding in non-EU countries with regard to EU policies; stresses that civil society engagement is of the utmost importance, and welcomes the allocation of EUR 3 million to support the participation of civil society organisations in the Domestic Advisory Groups;

CIR

109. Recommends a better use of the harmonised rules through possible joint calls for proposals and improved cooperation across Commission departments and the EEAS;

110. Calls for the inclusion of gender mainstreaming among the provisions of the CIR;

111. Calls for further stepping up of the efforts to increase the visibility of EU external policy funding through a comprehensive and coherent communication strategy which includes measures to tackle disinformation; calls for the introduction of conditionality mechanisms vis-à-vis implementing partners when measures to increase EU visibility are not complied with;

112. Recalls the key importance of development and aid effectiveness principles in external action as highlighted in the CIR, and calls on the Commission to maintain these principles throughout all the measures it will take following the mid-term review report;

113. Observes that EU SMEs should be taken into account with regard to access to the external financing instruments via less complex and more friendly regulation which can facilitate more agile use of the funds and at the same time help SMEs acquire international experience; asks the Commission to assess the existing tools aimed at promoting SME internationalisation regarding their coherence with other Union SME support instruments, such as COSME, as well as regarding subsidiarity, non-duplication and complementarity in relation to Member State programmes; calls on the Commission to make timely proposals for the mid-term review of those programmes in order to improve their efficiency and effectiveness; underlines the need to improve information and awareness among SMEs about the existing instruments, in particular at national level;

The post-2020 architecture

114. Calls for funding of external relations instruments to reflect ambitious external actions, and for the budget for the EU as a global player to be increased while remaining based on values, fundamental and human rights and principles; reiterates that EU external actions also serve the common interests of EU citizens;
115. Underlines that in the event of the United Kingdom withdrawing from the European Union, the current budget ratio destined for external action should be increased or at least maintained at current levels, with the same rationale being applied to existing instruments, policies and priorities;

116. Reiterates that reform of the current instrument architecture is required in order to provide more accountability, transparency and public oversight, and would also increase efficiency, coherence and responsiveness as well as effectiveness and flexibility; considers that reform could also increase cost-effectiveness, reduce overlaps and conflicts of interest between different actors and Commission services and contribute to tackling the current challenges related to strategy, programming and implementation;

117. Recalls the essential role of Parliament as a co-legislator in the regulation establishing the next MFF; reiterates its willingness to work with the Commission, EEAS and Council to optimise the architecture of the external financing instruments; stresses, however, that the objective of any restructuring of the instruments should be increased transparency, accountability, efficiency, coherence as well as flexibility; stresses that these objectives cannot be achieved without a governance structure that allows for political control, is strategy driven, inclusive and accountable; stresses that Parliament will not accept any reform of the instruments without a solid governance structure; urges the Commission and EEAS to propose a plan for the reform of the instruments that includes such a governance structure; underlines the discrepancies between the findings of the mid-term review and the Commission's proposals to reform the current structure; underlines, furthermore, that robust democratic and transparent scrutiny by national parliaments and the European Parliament must be ensured;

118. Calls for better integration of the EU Trust Funds and facilities into the budget in order to increase the transparency and democratic scrutiny of the EFIs; recalls the agreement, as part of the latest revision of the Financial Regulation, to consult with Parliament and the Council prior to setting up a new Trust Fund for thematic actions; calls, in addition, on the Commission to provide Parliament with detailed information about any significant autonomous transfer or decommitment under Heading 4;

119. Highlights that EU delegations, together with Member States, could also help SMEs use these financial instruments with a view to creating medium-term relations between EU firms and the recipient countries' economies;

120. Stresses that no instrument can exist without the inclusion of clear and dedicated envelopes and allocations for the various goals, objectives and priorities of EU external action, including democracy, human rights, the rule of law, support to civil society, conflict resolution, fragile states, development policy and poverty eradication, economic and social development, and support to countries in various stages of EU accession and the countries of the EU neighbourhood;

121. Appreciates the EU's commitment to such issues as human rights, democracy and support to civil society, as well as various goals, objectives and the specific political and strategic value of the current instruments; underlines that reform should not undermine the policy goals of each instrument; understands the specificity in terms of objectives and implementation when it comes to the ENI, IPA II and EIDHR and considers, therefore, that these should remain independent due to strategic and political considerations;

122. Recalls that, since 2006, the EIDHR has been the concrete expression of the EU's commitment to support and promote democracy and human rights in third countries, and has allowed the EU to intervene without interference by governments in support of registered and non-registered NGOs and in areas not always covered by EU Member States;

123. Stresses the need to establish common goals, including the necessity to enhance a rights-based approach and to mainstream human rights in order to give meaning to Article 21 TEU, which requires the EU to consolidate democracy, human rights and the rule of law as a necessary objective in external relations;

124. Calls on the EEAS and the Commission to ensure clear communications to partner countries about any reforms;

125. Calls for the setting up of solid, consistent evaluation and monitoring procedures that are able to provide qualitative and quantitative evaluation analysis and to track progress in achieving set objectives by means of EU funding via different instruments;
Stresses the need for the predictability of long-term funding while also introducing set amounts to be used flexibly; reiterates that flexibility requires the possibility to transfer funds between envelopes; recalls that funds destined for external action objectives cannot be rerouted to serve other objectives, including migration management and internal security; stresses that the possibility to carry over unallocated funds within the total budget of the external action instrument should be introduced within a limit of 10% of the initial appropriations of the instrument for flexible and/or urgent actions while maintaining the policy objectives of the instrument.

Highlights that country aid allocations should not be dependent on migration deals with the EU, and there should be no diversion of finance from poor countries and regions to migrants’ countries of origin or of transit to Europe on the sole basis that these lie on the migration route;

Recalls the difficulties beneficiaries currently experience in securing funding under the instruments; calls for a simplification of procedures, the easing of administrative burdens and, where possible, the adoption of unified procedures for the various Commission and EEAS services involved and the setting up of a one-stop-shop for organisations applying for EU funding and the use of digital solutions, where possible, to streamline and reduce bureaucratic burdens, but not at the expense of budgetary oversight, traceability and control;

Underlines the need for all Commission services and the EEAS to work together, making EU external funding policy- rather than instrument-driven, in order to prevent discrepancies, incoherence, unnecessary costs, overlap and a waste of knowhow and to achieve the goals and objectives shared by EU external action as a whole;

Stresses the need for more strategic political guidance and an overarching strategy and accompanying documents, developed in conjunction with and shared by all relevant Commission services and the EEAS, managed and monitored by the governance structure that is yet to be created, setting out the goals and objectives of EU external action for the coming period and the way in which the instrument will be deployed to achieve them; calls for the use of both internal and external expertise in the setting of such goals and objectives; recommends that all programming include conflict-sensitivity and political economy analysis and risk assessment, as well as mitigation measures that could be flexibly redeployed in cases in which such risks occur;

Calls for the exploration of ways to increase coordination and coherence with external funding policies by EU Member States, including through the enhancement of joint programming;

Calls for an enhancement of the funding opportunities for NGOs by clarifying and providing more opportunities for co-financing, through providing for multiannual partnerships and ensuring the sustainability of the activities;

Calls for improved requirements for faster decision-making in order to increase the EU's capacity to respond to rapidly evolving events;

Underlines the importance of increasing the visibility and raising awareness of the EU’s external action – including through the utilisation of the EU's Strategic Communication Task Force – and its influence around the world; calls for this to be seen as a policy objective; stresses, therefore, the urgent need for country- and/or region-specific strategic communication in the EU delegations and significantly increased coordination and information sharing between EU delegations and Member States;

Emphasises that EU delegations play a key role in local programming and oversight of programming and eventual disbursement of funds, and in the identification of beneficiaries, particularly in the case of HRDs and CSOs active in sensitive areas; reiterates that EU delegations cannot be solely responsible for funding decisions due to their work and status in third countries;

Emphasises that the programming of instruments must closely involve civil society in the respective countries and be based to a greater extent on decentralised cooperation in its conception, rollout and implementation, in order to establish solid and lasting partnerships, to meet the specific needs of populations and take the social realities of the people concerned into account;
137. Recalls that in certain instances, EU political goals and objectives, such as human rights, the rule of law and development, are better served through the disbursement of several smaller grants to grass roots organisations, rather than one larger envelope to a single beneficiary;

138. Underlines the importance of the 'more-for-more' and conditionality principles; considers that stronger conditionality mechanisms should be set up under which direct budget support to state authorities, or government bodies and non-state actors can be suspended or, when possible, redirected to civil society in cases where such institutions do not adhere to, or comply with the need to meet the objectives of the dispersed funding, or violate the rule of law and human rights;

139. Requires transparency, accountability, scrutiny, development additionality, respect for aid/development effectiveness principles and strong environmental, human rights and social safeguards when using development aid to leverage private sector investment;

140. Invites the Commission to consider earmarking funds through the external financing instruments for cooperation and technical assistance with third countries, especially developing countries, to foster membership in the Wassenaar Arrangement, the Australia Group, the Missile Technology Control Regime and the Nuclear Suppliers Group, and to prevent human rights violations with regard to the ongoing recast of the Dual Use Regulation;

141. Stresses that any future structure calls for proper checks and balances, transparency, right of scrutiny of implementation, including enhanced strategic policy input and scrutiny of implementation by Parliament, as well as the use of delegated acts for the revision of thematic priorities, if contained in Annexes to legislative acts, and for the adoption of additional substantial elements such as strategic and multiannual programming documents;

142. Is convinced that the post-2020 generation of EFIs must respect the budgetary principles of sincerity and unity;

143. Takes the view that mid-term review and budgetary control processes should be sufficiently rigorous and transparent to ensure the maximum absorption of funds possible and to enable appropriate modifications to increase absorption capacity where needed;

144. Instructs its President to forward this resolution to the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the Council.
Annual reports 2015-2016 on subsidiarity and proportionality


(2019/C 390/11)

The European Parliament,

— having regard to Article 5 of the Treaty on European Union,

— having regard to Protocol No 1 on the role of National Parliaments in the European Union,

— having regard to Protocol No 2 on the application of the principles of subsidiarity and proportionality,

— having regard to the Interinstitutional Agreement of 16 December 2003 on better law-making, and to the most recent version, the Interinstitutional Agreement of 13 April 2016 on better law-making (1),

— having regard to the practical arrangements agreed on 22 July 2011 between the competent services of the European Parliament and the Council for the implementation of Article 294(4) of the Treaty on the Functioning of the European Union (TFEU) in the event of agreements at first reading,

— having regard to its resolution of 17 May 2017 on the Annual report 2014 on subsidiarity and proportionality (2) and to its resolution of 12 April 2016 on the Annual reports 2012-2013 on subsidiarity and proportionality (3),

— having regard to the Commission’s annual report 2015 on subsidiarity and proportionality (COM(2016)0469), and to the Commission’s annual report 2016 on subsidiarity and proportionality (COM(2017)0600),

— having regard to the Commission’s annual report 2015 on relations between the European Commission and national Parliaments (COM(2016)0471) and to the Commission’s annual report 2016 on relations between the European Commission and national Parliaments (COM(2017)0601),

— having regard to all previous Commission communications on the need for better regulation in order to achieve better results for the benefit of EU citizens,

— having regard to the decision of the President of the European Commission of 14 November 2017 on the establishment of a Task Force on Subsidiarity, Proportionality and ‘Doing Less More Efficiently’ (C(2017)7810),

— having regard to the bi-annual reports of COSAC on Developments in European Union Procedures and Practices Relevant to Parliamentary Scrutiny, of 19 June 2014, 14 November 2014, 6 May 2015, 4 November 2015, 18 May 2016, 18 October 2016 and 3 May 2017,

— having regard to the Cooperation Agreement signed on 5 February 2014 between the European Parliament and the Committee of the Regions,

— having regard to the Committee of the Regions’ Subsidiarity Annual Report 2015,

A. whereas 2015 and 2016 were the two first full years of the Juncker Commission, which took office in November 2014; whereas President Juncker undertook to place subsidiarity at the heart of the European democratic process and ensure full compliance with the principles of subsidiarity and proportionality throughout the legislative process;

B. whereas the new Interinstitutional Agreement of 13 April 2016 on Better Law-Making, includes an undertaking by the three institutions to respect and implement the principles of subsidiarity and proportionality;

C. whereas in 2015 the Commission received eight reasoned opinions addressing three Commission proposals; whereas the total number of submissions received that year by the Commission was 350;

D. whereas in 2016 the Commission received 65 reasoned opinions addressing 26 Commission proposals; whereas this constitutes 713% more than the eight reasoned opinions received in 2015, and is the third highest in a calendar year since the subsidiarity control mechanism was introduced by the Lisbon Treaty in 2009 (after 84 in 2012 and 70 in 2013); whereas the total number of submissions received that year by the Commission increased significantly to a total of 620;

E. whereas on 19 May 2015 the Commission adopted a package of better regulation measures with new integrated Better Regulation Guidelines, including updated guidance for assessing subsidiarity and proportionality in the context of impact assessment of new initiatives;

F. whereas, in 2015, the Commission launched the ‘Lighten the load – Have your say’ website (4), as well as the REFIT platform (for effective and efficient regulation), giving stakeholders additional opportunities to notify the Commission of any shortcomings regarding existing regulatory measures, including matters relating to subsidiarity and/or proportionality;

G. whereas in 2015 the European Parliamentary Research Service produced 13 initial appraisals, one impact assessment of substantive parliamentary amendments and six ex post impact assessments; whereas it also produced four reports on the cost of non-Europe and two European added value assessments; whereas in 2016 the European Parliamentary Research Service produced 36 initial appraisals, one impact assessment of substantive parliamentary amendments and 14 ex post European impact assessments; whereas it also produced seven reports on the cost of non-Europe and five European added value assessments;

H. whereas delegated powers in the Union’s legislative acts are conferred where flexibility and efficiency are needed and cannot be delivered by means of the ordinary legislative procedure; whereas the adoption of rules essential to the subject envisaged is reserved to the legislators;

I. whereas subsidiarity and proportionality are key considerations in the context of impact assessments and retrospective evaluations, which assess whether actions at EU level are necessary, whether their objectives can be achieved more effectively by other means and whether they are actually delivering the expected results in terms of efficiency, effectiveness, coherence, relevance and EU added value;

J. whereas in 2014, three national chambers (the Danish Folketing, the Netherlands Tweede Kamer and the UK House of Lords) issued reports with detailed proposals on how the role of national parliaments could be strengthened in the decision-making process;

1. Recalls the importance of the annual reports on subsidiarity and proportionality prepared by the Commission; observes that the Commission's annual reports 2015 and 2016 are more detailed and exhaustive than those concerning previous years;

2. Stresses the importance of the European Union only acting where it can add value in order to reduce the 'democratic deficit';

3. Underlines that subsidiarity and proportionality are fundamental principles that the EU institutions should take into consideration when exercising EU competences in order to ensure that the Union's actions add value; recalls that these principles are aimed at enhancing the functioning of the Union by ensuring that actions at Union level are necessary, that their objectives cannot be adequately achieved by the Member States acting individually, that their nature and substance do not exceed what is necessary to fulfil the objectives of the Treaties, and that they are always taken at the most appropriate level of government; draws attention to the fact that these principles can be misused to serve anti-EU ends and emphasises that the EU institutions should be vigilant in order to avoid and counteract this risk;

4. Recalls that subsidiarity is a fundamental principle of federations as well as an indeterminate legal concept, which, consequently, should be subject to political interpretation;

5. Understands that the principle of subsidiarity cannot be used to interpret the powers assigned to the Union by virtue of the Treaties restrictively;

6. Considers that any reflection on subsidiarity and the control thereof should take place in the context of the growing calls by citizens for the Union to tackle major global challenges such as, inter alia, intercontinental financial flows, security, migration and climate change;

7. Welcomes the reference to subsidiarity in the Rome Declaration of 25 March 2017; takes the view that subsidiarity should have a prominent place in reflection on the EU's future;

8. Notes the initiative announced by the President of the Commission Jean-Claude Juncker during his State of the Union Address 2017 to create a Task Force on Subsidiarity, Proportionality and 'Doing less more efficiently' headed by Commission Vice-President Frans Timmermans; recalls that Parliament considered that participation in the task force set up by the Commission would disregard Parliament’s institutional role and standing as the only directly elected Institution of the European Union, representing the citizens at Union level and exercising functions of political scrutiny over the Commission, and that, consequently, it decided to decline the invitation to participate in the task force;

9. Notes the Commission's methodology in the 2015 and 2016 Annual reports, within which statistics are used to classify reasoned opinions submitted by national parliaments on a package of proposals as one single reasoned opinion, rather than a reasoned opinion on each of the individual proposals;

10. Appreciates that the number of reasoned opinions (65) submitted by national parliaments in 2016 is the third highest in a calendar year since the introduction of the subsidiarity control mechanism in the Lisbon Treaty; notes the sharp increase (+ 713 %), with respect to the eight reasoned opinions received in 2015; acknowledges, in addition, the significant increase, from 350 to 620, in the number of opinions received by the Commission within the framework of the political dialogue; underlines that these trends emerged against the backdrop of a decrease in legislative activity, which also demonstrates that national parliaments' participation has evolved in comparison with previous years; welcomes the marked interest in EU decision-making expressed by national parliaments;

11. Welcomes the fact that more national chambers have issued reasoned opinions (26 out of 41 in 2016, compared with eight in 2015); notes the marked difference between chambers active within the framework of the political dialogue and reasoned opinions; underlines that national parliaments continue to have more interest in influencing the content of EU legislation than in identifying cases in which subsidiarity may be an issue; notes that the power of national parliaments to monitor respect for the principles of subsidiarity and proportionality also encompasses a right to ask the European legislator to act at European level if necessary;
12. Recognises the work done by the Impact Assessment Board (IAB) and its successor as of July 2015 the Regulatory Scrutiny Board (RSB); notes that the IAB and the RSB considered that 23% of the impact assessments (IAs) reviewed by them in 2015 needed improvements on either subsidiarity or proportionality, or both; observes that in 2016 the percentage of IAs considered unsatisfactory by the RSB was of 15%; welcomes the fact that these percentages have decreased compared with previous years; underlines that the Commission reviewed all of the IAs concerned taking into account the analyses from the RSB;

13. Notes that the implementation of the better law-making agenda has led the Commission to develop stronger internal instruments and procedures aimed at avoiding infringements of the principle of subsidiarity; underlines that impact assessments are a key instrument to ensure respect for the principles of subsidiarity and proportionality and to promote accountability; highlights, in particular, the role of the RSB and welcomes the fact that subsidiarity and proportionality are now part of the quality check that the Board performs; stresses, nonetheless, that the independence of the RSB could be enhanced further;

14. Welcomes the adoption by the Commission in May 2015 of a new Better Regulation package to ensure that EU legislation serves the public interest more effectively and guarantees respect for the principles of subsidiarity and proportionality in a more comprehensive manner, which in turn will contribute to a higher degree of transparency in EU decision-making; considers that the new Better Regulation framework should be a tool for the European Union to act in full compliance with the principles of subsidiarity and proportionality; stresses, notwithstanding the above, that, while it should provide for tests assessing compliance with these principles to ensure that the Union only acts where it adds value, it should not give rise to unnecessary delays in the adoption of the relevant legislation;

15. Welcomes the publication by the Commission, on 24 October 2017, of its communication entitled ‘Completing the Better Regulation Agenda: Better solutions for better results’, in which it sets out its efforts to increase the transparency, legitimacy and accountability of its work on better law-making, in particular as regards the consultation process and the possibilities for stakeholders to provide feedback on its proposals;

16. Welcomes the introduction by the Commission, in 2015, of new consultation and feedback mechanisms for new policy initiatives;

17. Underlines the importance of adequately explaining the need for legislative initiatives and their impact on all important sectors (economic, environmental, and social) with the aim of respecting the principles of subsidiarity and proportionality;

18. Supports the Commission’s commitment to ‘evaluate first’ before considering potential legislative changes; considers, in this respect, that the European Union and the authorities of the Member States should work closely together to ensure better monitoring, measurement and evaluation of the actual impact of EU regulation on citizens, the economy, social structure and environment;

19. Welcomes the signature by the European Parliament, the Council and the Commission in 2016 of a new Interinstitutional Agreement on Better Law-Making; recalls that the Commission is committed to explaining in its explanatory memoranda how its proposals are justified in the light of the principles of subsidiarity and proportionality; welcomes the fact that, through the Interinstitutional Agreement on Better Law-Making, the Commission has committed itself to making the impact assessments of its legislative and non-legislative proposals available to national parliaments; recalls that this agreement also emphasised the need for more transparency in the legislative procedure and that the information provided to national parliaments must allow them to exercise fully their prerogatives under the Treaties;

20. Invites national parliaments to clearly indicate from the outset that their submission is a reasoned opinion under Protocol No 2 to the Treaties and the legislative proposal(s) it refers to, to clearly state the reasons for which it considers that the proposal breaches the subsidiarity principle, to include a brief summary of the argumentation, and to respect the eight-week time limit from the date of transmission of the relevant draft legislative act; notes that this will facilitate a timely and adequate treatment of reasoned opinions by all the institutions involved;
21. Is of the opinion that, since the adoption of the Lisbon Treaty, the involvement of national parliaments in EU legislative procedures has developed significantly, through contacts with other national parliaments; encourages national parliaments to continue and further reinforce inter-parliamentary contacts, also on a bilateral basis, as a means of enhancing cooperation between Member States, and to do so with a democratic European vision, where the Union can add value, and in a spirit of solidarity, based on the rule of law and fundamental rights; underlines that these contacts can facilitate an exchange of best practices concerning the application of the principles of subsidiarity and proportionality.

22. Welcomes the fact that Parliament increasingly and more regularly plays the role of interlocutor with and intermediary between the national parliaments with regard to the subsidiarity and proportionality mechanisms; considers that enhancing dialogue at political level with national parliaments could be a means to rationalise subsidiarity and proportionality checks by better addressing the substance of legislative proposals;

23. Draws attention to the fact that in 2016 14 chambers of 11 national parliaments submitted reasoned opinions on the proposal for a Directive amending Directive 96/71/EC of 16 December 1996 concerning the posting of workers in the framework of the provision of services (COM(2016)0128), thus reaching the threshold of one third of the votes required by Article 7(2) of Protocol No 2 to the Treaties to trigger the so-called ‘yellow card’ procedure; recalls that the arguments put forward by the national parliaments were widely debated in Parliament with the Commission; notes that the Commission engaged with national parliaments within the framework of COSAC; notes that the Commission issued a communication in which it gave extensive reasons for maintaining the proposal; considers that, in spite of the concerns raised by some national parliaments, the Commission, with the arguments set out therein, complied with its obligation to give reasons for its decision;

24. Notes that, in relation to the above-mentioned Commission proposal, seven national chambers sent opinions in the framework of the political dialogue, which mainly considered the proposal as compatible with the principle of subsidiarity; observes that the Committee of the Regions’ Subsidiarity Expert Group considered that the objective of the proposal could be better achieved at EU level;

25. Recalls that the ‘yellow card’ procedure has been triggered twice in the past (once in 2012 and once in 2013), which, together with this new ‘yellow card’ procedure, proves that the system functions and that national parliaments can easily and in a timely fashion participate in the subsidiarity debate when they wish to do so; considers, in any case, that increased awareness of the role of national parliaments and better cooperation between them could improve ex ante subsidiarity monitoring;

26. Recalls that, according to Article 7 of Protocol No 2 to the Treaties, the European institutions should take account of the reasoned opinions issued by national parliaments or by a chamber of a national parliament; notes that some national parliaments have in the past expressed disappointment at the responses given by the Commission in instances where ‘yellow cards’ have been issued; observes, however, that the Commission has put in place procedures to ensure that it provides national parliaments with substantive and political responses to their concerns in a timely manner: calls on the Commission to systematically forward its replies to reasoned opinions to the European Parliament;

27. Takes note of the changes proposed by some national parliaments to the subsidiarity control mechanism; welcomes the conclusion reached by COSAC that any improvement to the subsidiarity control mechanism should not entail Treaty change; notes that an extension of the eight-week time limit in which national parliaments can issue a reasoned opinion would require an amendment of the Treaties or the Protocols thereto; recalls the context of the letter of 1 December 2009 on the practical arrangements for applying the subsidiarity control mechanism sent by the President and Vice-President of the Commission to the Presidents of the national parliaments, in which the Commission stated that, in order to take account of national parliaments’ summer recesses, the month of August would not be taken into account when determining the deadline referred to in Protocol No 2; recalls the suggestion made by some national parliaments to the effect that the Commission should also consider the possibility of excluding the December recess of national parliaments from the calculation of the eight-week deadline;

28. Stresses that the adoption of legal acts requires the agreement of a large majority within the Council, comprising the national Ministers of all the Member States, who should be accountable to their national parliaments;

29. Notes that a number of tools enabling national parliaments and citizens to participate in every step of the legislative process, which ensure monitoring of respect for the principles of subsidiarity and proportionality, already exist; encourages, therefore, that full use of these existing tools be made, avoiding – where possible – the creation of even more complex administrative structures and lengthy procedures in times when the EU is struggling to make itself understood by its citizens, always with the aim of respecting and protecting their rights and interests; calls on the Member States to organise information campaigns and relevant seminars, to accurately inform citizens about the possibilities for them to participate in every stage of the legislative process;

30. Highlights that legislation should be comprehensive and clear to allow affected parties to understand their rights and obligations, including appropriate reporting, monitoring and evaluating requirements, while avoiding disproportionate costs, as well as being practical to implement;

31. Stresses the importance of promoting access to the impact assessments and roadmaps prepared by the Commission, of participating in public and/or stakeholder consultations organised by the Commission and/or the European Parliament, and of making suggestions through the REFIT platform 'Lighten the load: Suggestions'; notes, in this context, the smooth functioning of the website and of the effective and efficient regulation programme (REFIT), which came into effect in 2016;

32. Recalls the need to enhance existing formats for cooperation and establish options to improve the IPEX platform in order to foster awareness by national parliaments of their role in subsidiarity and proportionality checks, to assist them in dealing more efficiently with the information received under the early warning system and improve their cooperation and coordination; encourages national parliaments to give opinions on Commission proposals, all of which are available for consultation at any time on the internal database CONNECT; recalls that all of the information is available on the platform REGPEX;

33. Encourages national and regional parliaments to develop further their relations with the Committee of Regions, which has a group of 12 experts who examine legislative proposals in light of the principles of subsidiarity and proportionality;

34. Welcomes the interest shown by some national parliaments in playing a more positive and proactive role in European affairs through the use of a 'green card' procedure; observes that national parliaments have different views on the modalities of this procedure; considers that an informal mechanism based on inter-parliamentary cooperation can contribute to enhancing the political dialogue with national parliaments;

35. Notes, in relation to the above, that in 2015 20 parliamentary chambers co-signed or supported the first 'green card' initiative on food waste, and that in July 2016 nine parliamentary chambers co-signed the second 'green card' inviting the Commission to submit a legislative proposal implementing corporate social responsibility principles at European level; observes that some of the suggestions in the first 'green card' initiative were subsequently reflected in the revised Circular Economy package adopted by the Commission in December 2015; observes, therefore, that national parliaments already play a constructive role in the institutional framework and that there is no need, at this point in time, to create new institutional and administrative structures, which would make the whole process unnecessarily complicated;

36. Observes that in 2016 some regional parliaments informed the Commission directly of their opinions on certain Commission proposals; notes that the Commission has taken these views into account where appropriate; recalls that, according to Article 6 of Protocol No 2, it is up to each national parliament or each chamber of a national parliament to consult, where appropriate, regional parliaments with legislative powers;

37. Takes note of the case law of the Court of Justice of the European Union on subsidiarity and proportionality delivered in 2015 and 2016; emphasises that the Court has stated that the observance by the EU legislature of the obligation to state reasons as regards subsidiarity should be evaluated not only by reference to the wording of the contested act, but also by reference to its context and the circumstances of the individual case, and that the information provided should be sufficient and understandable by national parliaments, citizens and courts; emphasises, furthermore, that, in relation to proportionality, the Court has confirmed that the EU legislature must be allowed broad discretion in areas entailing political, economic and social choices, and in which it is called upon to undertake complex assessments;

38. Instructs its President to forward this resolution to the Council and the Commission.
Belarus

European Parliament resolution of 19 April 2018 on Belarus (2018/2661(RSP))

(2019/C 390/12)

The European Parliament,

— having regard to its previous resolutions and recommendations on Belarus,
— having regard to the parliamentary elections of 11 September 2016, the presidential elections of 11 October 2015 and the local elections of 18 February 2018 held in Belarus,
— having regard to the statement of 20 February 2018 by the spokesperson of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs (VP/HR) on the local elections in Belarus,
— having regard to the statement of 25 March 2018 by the spokesperson of the VP/HR on developments in the run up to and during Freedom Day in Belarus,
— having regard to the Council conclusions on Belarus, in particular those of 15 February 2016 lifting sanctions against 170 individuals and three Belarusian companies and setting out the framework for policy dialogue and the conditions for EU-Belarus relations to develop on a more positive agenda, notably as regards democratic reforms,
— having regard to the conclusions of the Eastern Partnership Summit of 24 November 2017, and the endorsement of the 20 Deliverables for 2020, which is designed to bring results for citizens,
— having regard to the visit of Commissioner Hahn to Belarus in January 2018 and the ongoing negotiations on the EU-Belarus Partnership Priorities,
— having regard to the decision of the Foreign Affairs Council to prolong for one year until February 2019 the remaining restrictive measures against Belarus, including an arms embargo, the ban on the export of goods for internal repression and an asset freeze and travel ban against four individuals listed in connection with the unresolved disappearance of two opposition politicians, one businessman and one journalist in 1999 and 2000,
— having regard to the Universal Declaration of Human Rights and to all human rights conventions to which Belarus is a party,
— having regard to the statement of the UN Special Rapporteur on the human rights situation in Belarus of 28 March 2018,
— having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas following the presidential elections in 2015 and the parliamentary elections in 2016, Belarus held local elections on 18 February 2018; whereas the longstanding recommendations by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the Venice Commission in the field of electoral legislation and processes remain unaddressed in Belarus; whereas, according to foreign diplomatic and Belarusian observers, the local elections that were held in February 2018 only reconfirmed such shortcomings;
B. whereas the EU lifted most of its restrictive measures against Belarusian officials and legal entities in February 2016 as a gesture of goodwill designed to encourage Belarus to improve its records on human rights, democracy and the rule of law;

C. whereas the EU has repeatedly stated that respect for fundamental freedoms, the rule of law and human rights constitutes a clear precondition for the improvement and further advancement of relations between the European Union and Belarus; whereas, however, the situation in the country continues to remain of concern, as only very limited, tentative steps for improvements can be observed in this respect;

D. whereas the long-awaited constitutional and legislative reforms that would allow for the development of a true democracy are lagging behind;

E. whereas no electoral reform has been attempted and, as demonstrated during the local elections of February 2018, a significant number of severe shortcomings and procedural irregularities remain, including a restrictive legal framework for political rights throughout all stages of election campaigns and problems with observing, voting and counting votes; whereas since 1994 no free and fair elections have been conducted in Belarus;

F. whereas international observers were not invited to observe the local elections, while the Belarusian observers, for their part, collected tangible evidence of mass nationwide efforts to inflate turnout totals and of carousel voting, with the latter being used for the first time in several years;

G. whereas intimidatory activities continue, including numerous cases of the detention of independent and opposition activists, politicians and journalists; whereas, once again, prominent members of the opposition, and pro-democracy and human rights defenders, were prevented from participating in or were arrested in the run-up to, and during, an unauthorised demonstration in Minsk on 25 March 2018 to mark the 100th anniversary of Belarus’ proclamation of independence, although most were subsequently released without charge;

H. whereas two political prisoners, Mikhail Zhamchuzhny and Dzmitry Paliyenka, remain in detention;

I. whereas the European Parliament has been supporting Belarusian civil society for years, by awarding the Sakharov Prize to the Belarusian Association of Journalists in 2004 and to Alaksandr Milinkievich in 2006, among other initiatives;

J. whereas the events of Freedom Day 2018 demonstrate once again that the Belarusian Government has no intention of abandoning its old policies of repressing, on a mass scale, citizens attempting to exercise rights provided for by the constitution and by international treaties;

K. whereas on 24 January 2018 the Ministry of Information arbitrarily blocked access to the leading independent news website Charter97.org on the territory of Belarus; whereas criminal proceedings against independent bloggers have been opened; whereas the draft amendments to the Law on the Media would, if adopted, pose a new and significant threat to freedom of expression in the country;

L. whereas on 25 October 2016 Belarus adopted its first National Human Rights Action Plan, approved by a resolution of the Belarusian Council of Ministers, which defines the principle lines of action for implementing the country’s human rights commitments;

M. whereas Belarus is the only country in Europe that still carries out capital punishment; whereas the UN Special Rapporteur on the situation of human rights in Belarus has noted that death sentences in Belarus can be considered highly disputable owing to the lack of an independent judiciary and of fair trials;

N. whereas the EU and Belarus are currently negotiating tailor-made Partnership Priorities, whose main areas of interest include economic development and modernisation, strengthening institutions and good governance, connectivity and people-to-people contacts; whereas the Belarusian Government has repeatedly stated that it is seeking the normalisation of relations with the EU, the lifting of the remaining sanctions, and visa liberalisation; whereas, however, progress in this regard is necessarily subject to Belarus showing political will and commitment towards democratic values, the rule of law and fundamental freedoms;
1. Supports the EU’s critical engagement with Belarus, as long as it is conditioned on the undertaking of concrete steps towards democratisation and on the Belarusian authorities’ complete respect for fundamental freedoms and human rights;

2. Notes with disappointment the lack of implementation, despite earlier appeals, of the recommendations made by the OSCE ODHR and the Venice Commission following the presidential elections in 2015 and the parliamentary elections in 2016, which were supposed to be implemented before the 2018 local elections; calls on the Belarusian authorities to resume without delay work on comprehensive electoral reforms, as part of the broader democratisation process and in cooperation with international partners;

3. Deplores the harassment of journalists and independent media in Belarus in the follow-up to the local elections, including the illegal removal from a polling station and brutal treatment of Belsat TV journalist Andrus Kozel, and the blocking of the news portal Charter97, among other actions;

4. Urges the Belarusian authorities to immediately and unconditionally lift the blockage imposed on the leading independent news website Charter97.org, to abandon the amendments to the Law on the Media, which, if adopted, would threaten freedom of expression, and to end the persecution of independent bloggers for practicing free expression;

5. Notes that the number of democratic opposition representatives at precinct-level voting stations was disproportionately low in relation to the number of applications submitted;

6. Expresses disappointment at the repeated refusal to register democratic opposition parties; calls for the lifting of restrictions and the easing of registration procedures for political parties in Belarus; stresses that all political parties must be allowed to conduct unrestricted political activities, especially during election campaigns; calls for the repeal of Article 193/1 of the Criminal Code of Belarus, which criminalises participation in the activities of non-registered organisations;

7. Regrets the Belarusian authorities’ disproportionate reaction to opposition activists’ efforts to organise an unauthorised rally on the Freedom Day celebrations of 25 March 2018, which led to dozens of arrests, including of opposition leaders and former presidential candidates Mikalai Statkevich and Uladzimir Niakliaev; reiterates that freedom of assembly and association is a fundamental human right; stresses that any serious backtracking in terms of democracy and respect for fundamental freedoms, including more detentions of political prisoners, should in each case bring about a clear reaction from the EU in its relations with Belarus;

8. Strongly calls for the release of Mikhail Zhamchuzhny and Dzmitry Paliyenka, two civil society activists currently detained for political reasons, and for all former political prisoners to be rehabilitated and their civil and political rights restored;

9. Reiterates its call on the Belarusian authorities to ensure, in all circumstances, respect for democratic principles, human rights and fundamental freedoms, in accordance with the Universal Declaration of Human Rights and the international and regional human rights instruments ratified by Belarus;

10. Points out that respect for fundamental freedoms is a key element of a healthy democracy; urges the Belarusian authorities to engage in a constructive and open dialogue with the democratic opposition and with civil society organisations, with a view to guaranteeing citizens’ freedoms and rights, in particular the right to association, peaceful assembly and expression, as well as to securing a framework for free and independent media;

11. Strongly reiterates its call on Belarus to join a global moratorium on the death penalty as a first step towards its permanent abolition; recalls that the death penalty constitutes inhumane and degrading treatment, has no proven deterrent effect and makes judicial errors irreversible; notes with regret that Belarusian courts have handed out new death penalties in 2018;
12. Calls on the EEAS and the Commission to continue support for civil society organisations in Belarus and abroad; stresses, in this context, the need to support all independent sources of information for Belarusian society, including media broadcasting in the Belarusian language, and from abroad;

13. Takes note of the EU-Belarus sector dialogues at technical level and the broadening of cooperation in areas such as economic reform, resource efficiency, the green economy and environmental protection; calls on the EEAS and the Commission to prioritise the safety of the Belarusian nuclear power plant in Ostrovets, and to ensure that progress in EU-Belarus relations is conditional on increased openness and cooperation, and on full compliance with international nuclear and environmental safety standards, on the part of Belarus;

14. Regrets that the current human rights dialogue is not yielding concrete results and urges the EU Special Representative for Human Rights to find ways and means to promote the full and effective protection of human rights in Belarus; calls for the release of all political prisoners;

15. Takes note of the ongoing negotiations on EU-Belarus Partnership Priorities and looks forward to their swift conclusion, which will broaden the scope of bilateral cooperation for the benefit of citizens on both sides and allow Belarus access to a wider scope of financial assistance and cooperation, conditional on it taking clear and tangible steps towards democratisation and openness, including, as a priority, comprehensive election reform; welcomes, in this context, the Commission's plan to increase the allocation of financial assistance for the period 2018-2020; insists on clearer reform commitments by the Belarusian Government and recommends the setting up of a roadmap for closer EU-Belarus relations in the form of benchmarks and a timeline for the implementation of such commitments;

16. Urges continued EU support to civil society organisations and human rights defenders, and calls on the Commission to work closely with, and follow the recommendations of, the Eastern Partnership Civil Society Forum; urges the Belarusian Government to ensure civic participation in policy-making processes at local and national level, drawing inspiration from the guidelines adopted by the Council of Europe on 27 November 2017; notes the growing interaction between Belarus and this organisation;

17. Calls, in this regard, on the EEAS and the Commission to find ways to inform and consult with Belarus civil society organisations about the ongoing EU-Belarus dialogue and negotiations;

18. Notes with satisfaction the start of the implementation of the EU-Belarus Mobility Partnership, and is looking forward to finalising the EU-Belarus Visa Facilitation and Readmission Agreements, as a clear contribution to people-to-people and business contacts;

19. Welcomes the decision by the Minsk authorities allowing, since February 2018, short visa-free stays in Belarus for foreign citizens of 80 countries;

20. Welcomes the progress made in promoting EU-Belarus youth exchanges and people-to-people contacts, including through the EU’s MOST mobility scheme, Erasmus+, Horizon 2020 and the Technical Assistance and Information Exchange instrument (TAIEX), and through Belarus’ accession to the Bologna Process; calls for the implementation of the Bologna Process in accordance with the roadmap agreed jointly by the European Higher Education Area (EHEA) and Belarus, a measure that will benefit young Belarusians and further improve exchanges, and people-to-people contacts, with the EU;

21. Calls for the renewal of the mandate of the UN Special Rapporteur on the situation of human rights in Belarus; calls on the Belarusian Government to cooperate fully with the Special Rapporteur; calls on the EU and its Member States to promote and support the extension of the UN Special Rapporteur’s mandate, and invites the EU Special Representative for Human Rights to cooperate with the UN Special Rapporteur in order to improve the situation in the country;

22. Instructs its President to forward this resolution to the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service, the Council, the OSCE Office for Democratic Institutions and Human Rights, the Council of Europe, and the governments and parliaments of the Member States, as well as to the Belarusian authorities.
Philippines

European Parliament resolution of 19 April 2018 on the Philippines (2018/2662(RSP))

(2019/C 390/13)

The European Parliament,

— having regard to its previous resolutions on the situation in the Philippines, in particular those of 15 September 2016 (1) and of 16 March 2017 (2),

— having regard to the Statement by the EEAS Spokesperson of 16 March 2018 on the Philippines and the International Criminal Court,

— having regard to the statements by the EU Delegation and the spokesperson of the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR),

— having regard to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part,

— having regard to the joint staff working document of the Commission and the VP/HR of 19 January 2018 on the EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment of the Philippines covering the period 2016-2017 (SWD(2018)0032),

— having regard to the statements by the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, regarding the accusations by the Government of the Philippines that the UN Special Rapporteur on the Rights of Indigenous Peoples and other human rights defenders were involved in terrorist activities,

— having regard to the outcome of the ASEAN-EU commemorative summit on the occasion of the 40th anniversary of the establishment of ASEAN-EU dialogue relations, and to the ASEAN-EU Plan of Action (2018-2022),

— having regard to the statement by the Chair of the European Parliament’s Subcommittee on Human Rights of 23 February 2018 that ‘keeping Senator De Lima in prison without charge is unacceptable’,

— having regard to the diplomatic relations between the Philippines and the EU (formerly the European Economic Community (EEC)) established on 12 May 1964 with the appointment of the Philippine Ambassador to the EEC,

— having regard to the status of the Philippines as a founding member of the Association of Southeast Asian Nations (ASEAN),

— having regard to the United Nations Convention on the Rights of the Child,

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

— having regard to the EU Guidelines on Human Rights,

— having regard to the Rome Statute,

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

— having regard to the International Covenant on Civil and Political Rights (ICCPR),

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

(1) Texts adopted, P8_TA(2016)0349.
A. whereas the Philippines and the EU have longstanding diplomatic, economic, cultural and political relations; whereas through ratification of the Partnership and Cooperation Agreement (PCA), the European Union and the Philippines have reaffirmed their joint commitment to the principles of good governance, democracy, the rule of law, human rights, the promotion of social and economic development, and to peace and security in the region;

B. whereas since 1 July 2016, around 12 000 people, including women and children, have, reportedly, been killed in the Philippines during an ongoing campaign against drugs, internationally proclaimed as President Duterte’s ‘war on drugs’; whereas President Duterte has vowed to continue his anti-drug campaign until the end of his presidential term in 2022; whereas the EU remains deeply concerned about the high number of killings associated with the campaign against illegal drugs in the Philippines;

C. whereas the UN Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz, a Philippine national, has been accused of terrorism and, along with 600 other individuals including indigenous leaders and human rights defenders, was put on a list of terrorist organisations by the Philippines Government in March 2018; whereas UN experts enjoy legal immunity; whereas the accusations followed Tauli-Corpuz’s condemnation of the army’s attacks on the indigenous Lumad peoples in Mindanao; whereas Tauli-Corpuz noted the use of harassment, torture and arrests against indigenous people peacefully protecting their property;

D. whereas Senator Leila De Lima, a human rights activist and the highest-profile critic of Philippine President Duterte’s anti-drugs campaign, was removed from her position as chairperson of the Senate Committee on Justice and Human Rights on 19 September 2016 and was arrested on 23 February 2017; whereas Senator De Lima led the investigations into the extrajudicial killings in Davao while President Duterte was mayor of the city; whereas there are serious concerns that the offences Senator De Lima has been charged with are almost entirely fabricated and politically motivated;

E. whereas the targeting of indigenous peoples by the Philippines authorities is a serious concern; whereas, at the end of December, the UN warned about the massive human rights violations suffered by Lumads on the Philippine island of Mindanao; whereas UN experts estimate that, since October 2017, at least 2 500 Lumads have been displaced; whereas it is feared that some of these attacks are motivated by unfounded suspicions that the Lumads are involved with terrorist groups, or by their resistance to mining activities on ancestral lands;

F. whereas the Philippines signed the Rome Statute on 28 December 2000 and ratified the Statute on 30 August 2011; whereas the Prosecutor of the International Criminal Court (ICC) has opened a preliminary examination of the situation in the Philippines, which will analyse crimes allegedly committed in the country since at least 1 July 2016 in the context of the ‘war on drugs’ campaign launched by the Government of the Philippines;

G. whereas on 19 March 2018 the ICC was officially notified by the UN that the Philippines had, on 17 March 2018, deposited a written notification of withdrawal from the Rome Statute;

H. whereas the Philippines House of Representatives approved a bill on 7 March 2017 to reinstate the death penalty; whereas the bill still requires senatorial approval before the president can sign it into law; whereas President Duterte has actively campaigned for the reinstatement of the death penalty; whereas reintroduction of the death penalty would be in clear violation of the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), to which the Philippines is party as of 2007;

I. whereas Philippines ranks 111 out of 180 countries in terms of corruption in the Corruption Ranking published annually by Transparency International;

J. whereas there is an increasingly shrinking space for civil society; whereas human rights defenders are reportedly facing an increasingly hostile environment in the Philippines; whereas President Duterte has made statements encouraging police attacks against human rights groups and advocates;

K. whereas persons who make public statements against the extrajudicial killings face the risk of being banned from entering the Philippines;
L. whereas President Duterte has made a number of derogatory and demeaning statements about women and has repeatedly justified rape and called for the shooting of women;

M. whereas human rights defenders, journalists and activists routinely face threats, harassment, intimidation and violence for seeking to expose allegations of extra-judicial killings and other human rights abuses in the Philippines; whereas the LGTBI community faces continuous harassment;

N. whereas the Philippines is a beneficiary of the European Union’s Generalised Scheme of Preferences Plus (GSP+);

O. whereas the EU-Philippines Partnership and Cooperation Agreement calls for the establishment of a meaningful human rights dialogue in the form of a Working Group on Human Rights;

1. Calls on the Government of the Philippines to put an immediate end to the extrajudicial killings in the pretext of a ‘war on drugs’; strongly condemns the high number of extrajudicial killings by the armed forces and vigilante groups related to the anti-drug campaign; expresses its condolences to the families of the victims; expresses grave concern over credible reports to the effect that the Philippine police force is falsifying evidence to justify extrajudicial killings, and that it is overwhelmingly the urban poor who are being targeted;

2. Notes the government’s recent initiatives to ensure a more unified and integrated approach to anti-drug efforts based on enforcement, justice, advocacy and rehabilitation and integration; welcomes Senate Resolution 516 filed in the Philippines on 25 September 2017 urging the authorities to ‘undertake the necessary steps to stop the spate of killings, especially of our children’; calls on the government to prioritise the fight against drug trafficking networks and big drug barons over tracking down small-scale consumers; stresses that the authorities of the Philippines must pursue their fight against illicit drugs with a focus on public health and in full compliance with due process, in line with national and international law; invites the government to adopt specific non-violent policies;

3. Invites the authorities to cooperate fully with the UN Special Procedures; calls on the authorities of the Philippines to immediately carry out impartial and meaningful investigations into these extrajudicial killings and to prosecute and bring all perpetrators to justice; calls for the EU and all its Member States to support a United Nations-led investigation into the killings in the Philippines and for those accountable to be brought to justice;

4. Reiterates its call on the authorities of the Philippines to release Senator Leila De Lima and to provide her with adequate security and sanitary conditions whilst in detention; further reiterates its call on the authorities to guarantee a fair trial and to drop all politically motivated charges against her; calls for the EU to continue to closely monitor the case against Senator De Lima;

5. Calls on the Philippine authorities to remove human rights defenders from the terrorist list, dropping all charges and allowing them to carry out their activities in peace; reminds the Philippine authorities that Ms Victoria Tauli-Corpuz benefits from immunity under the Convention on Privileges and Immunities of 1946;

6. Welcomes the initiative of the ICC to inquire into the allegations of crimes against humanity in the context of the killings during the ‘war on drugs’; calls on the Government of the Philippines to cooperate fully with the Office of the Prosecutor of the International Criminal Court in its preliminary examination of the Philippines; strongly regrets the decision of the Government of the Philippines to initiate its withdrawal from the Rome Statute; calls on the Government to reverse this decision;

7. Reiterates its deep concern about the decision of the House of Representatives to reintroduce the death penalty; calls again on the authorities of the Philippines to immediately halt ongoing proceedings to reinstate the death penalty; recalls that the EU considers capital punishment to be a cruel and inhuman punishment which fails to act as a deterrent to criminal behaviour; calls on the Government of the Philippines to refrain from lowering the minimum age for criminal responsibility;

8. Is alarmed about increasing levels of corruption under the current Philippine administration; calls on the Philippine authorities to step up efforts to tackle corruption effectively; underscores the importance of respecting fundamental principles of democracy and rule of law in this respect;

9. Condemns all threats, harassment, intimidation and violence against those seeking to expose allegations of extra-judicial killings and other human rights abuses in the Philippines, including human rights defenders, journalists and activists; urges the Government of the Philippines to ensure that human rights defenders, journalists and activists can carry out their work in an enabling environment and without fear of reprisals;
10. Urges the Philippines to stop banning the entry into the country of persons who are perceived as critics of President Duterte’s policies;

11. Urges the Philippines to observe its obligations under international law to protect the human rights of indigenous peoples, including in the context of armed conflict;

12. Condemns all forms of violence against women and recalls that such violence constitutes a serious violation of the human rights and dignity of women and girls; strongly condemns President Duterte’s demeaning and misogynist statements about women fighters; reminds the President that encouraging state forces to commit sexual violence during armed conflict is in violation of international humanitarian law; calls on the President to treat women with respect and to refrain from inciting violence against women;

13. Encourages the EU and its Member States to consider calling for the Republic of the Philippines to be removed from the United Nations Human Rights Council before its current membership term expires at the end of 2018;

14. Reminds the authorities of the Philippines of their obligations under international law, the GSP+ scheme and the PCA, notably with regard to human rights, and of the consequences of failure to comply; stresses that, while the progress in the implementation of the GSP+ conventions is largely positive, strong concerns remain around human rights violations related to the war on drugs; recalls, in this respect, its previous resolution of 16 March 2017 on the Philippines, and calls on the Commission and the External Action Service to use all available instruments, including the PCA, to persuade the Philippines to put an end to extrajudicial killings related to the anti-drug campaign and, in the absence of substantive improvements, to initiate the procedural steps which could lead to the temporary withdrawal of the GSP+ preferences; urges the EU to use all available instruments to assist the Government of the Philippines in respecting its international human rights obligations;

15. Instructs its President to forward this resolution to the President, the Government and Parliament of the Philippines, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the parliaments and governments of the Member States, the United Nations High Commissioner for Human Rights and the governments of the ASEAN Member States.
Situation in Gaza Strip

European Parliament resolution of 19 April 2018 on the situation in the Gaza Strip (2018/2663(RSP))

(2019/C 390/14)

The European Parliament,

— having regard to its previous resolutions on the Israeli-Palestinian conflict and the Middle East peace process,

— having regard to the statement by Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) Federica Mogherini of 31 March 2018, and to those by her spokesperson of 5 and 7 April and 19 February 2018,

— having regard to the statement by UN Secretary-General António Guterres of 5 April 2018, and that of his spokesperson of 30 March 2018,

— having regard to the statement by the Prosecutor of the International Criminal Court, Fatou Bensouda, of 8 April 2018,

— having regard to the relevant UN General Assembly and Security Council resolutions,

— having regard to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949,

— having regard to the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials of 1990,

— having regard to the UN report ‘Gaza Ten Years Later’ of July 2017,

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

A. whereas the Great March of Return, a six-week weekly mass protest, began on 30 March 2018 in the Gaza Strip, organised by civil society groups; whereas Hamas and other Palestinian factions called for the population to join the march; whereas the Israeli authorities reported that stones and firebombs had been thrown against their defence forces and that some protestors had attempted to damage and cross the fence into Israel;

B. whereas the Israel Defence Forces (IDF) opened fire on the protesters using live ammunition on 30 March, 6 April and 13 April 2018; whereas close to 30 Palestinians have been killed and more than 2 000 have been wounded, including many children and women;

C. whereas UN Secretary-General António Guterres, VP/HR Federica Mogherini and a number of other international actors have called for independent and transparent investigations into these violent events, with special regard to the use of live ammunition;

D. whereas the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials allow the intentional lethal use of firearms only in the circumstances provided for under Principle 9 thereof;

E. whereas Hamas is on the EU list of terrorist organisations and calls for the destruction of Israel; whereas the firing of rockets from the Gaza Strip into Israeli territory continues; whereas over the past few weeks there has been an increase in terrorist attacks against Israel with the escalation of military incidents in and around Gaza;
F. whereas, according to UN data, 1.3 million people in Gaza are in need of humanitarian assistance, 47% of households suffer from severe or moderate food insecurity, 97% of piped water is unfit for human consumption, 80% of energy needs are not met, and more than 40% of the population in the area are unemployed;

G. whereas Hamas continues to keep the population under its control and pressure in the Gaza Strip, which remains a hub of internationally recognised terrorist organisations; whereas basic freedoms, including freedom of association and expression, are heavily curtailed by the Hamas-led authorities; whereas, beyond the blockade, the intra-Palestinian divide further reduces the capacity of local institutions in Gaza to deliver basic services; whereas the recent attempted assassination of Palestinian Prime Minister Rami Hamdallah during his visit to the area has further deepened the deadlock in the process of Palestinian reconciliation;

H. whereas Avera Mengistu, who emigrated to Israel from Ethiopia, and Hisham al-Sayed, a Palestinian Bedouin from Israel, both of whom have psychosocial disabilities, are believed to be held in unlawful, incommunicado detention in the Gaza Strip; whereas the remains of Israeli soldiers Hadar Goldin and Oron Shaul continue to be held by Hamas in Gaza;

1. Calls for utmost restraint and underlines that the priority must be to avoid any further escalation of violence and loss of life;

2. Expresses its regret at the loss of lives; condemns the killings and injury of innocent Palestinian demonstrators in the Gaza Strip over the past three weeks, and urges the IDF to refrain from using lethal force against unarmed protestors; expresses its condolences to the families of the victims; reiterates the need to enable the quick delivery of medical equipment to those who need it, and to allow medical referrals to hospitals outside Gaza for humanitarian reasons;

3. Recognises Israel's security challenges and the need to protect its territory and borders while using proportionate means; condemns the terror attacks by Hamas and other militant groups against Israel from the Gaza Strip, including the firing of rockets, infiltration into Israeli territory and the building of tunnels; expresses its concern that Hamas seems to be aiming at escalating tensions; strongly condemns the persistent tactic of Hamas of using civilians for the purpose of shielding terrorist activities;

4. Stresses the right of Palestinians to peaceful protest as a legitimate exercise of their fundamental rights to freedom of expression, assembly and association; calls on those leading the protests in the Gaza Strip to avoid any incitement to violence, and to ensure that any protests, demonstrations and assemblies remain strictly non-violent and cannot be exploited for other means; calls on Israel to respect this fundamental right to peaceful protest;

5. Supports the calls for independent and transparent investigations into these violent events; takes note of the Fact-Finding Assessment Mechanism established by the Israel Defence Forces to review IDF actions and specific incidents that have taken place on the Israeli-Gaza border since 30 March 2018; recalls the importance of accountability and that the intentional use of lethal force against protesters who do not pose an imminent threat to life or serious injury violates international human rights law and in the context of occupation is a serious breach of the Fourth Geneva Convention;

6. Notes with deep concern the warning in various UN reports that the Gaza Strip may become unliveable by 2020; deplores in particular that the health sector is close to collapse, with hospitals facing severe shortages of medicine, equipment and electricity; calls for an immediate and meaningful international effort for the reconstruction and rehabilitation of Gaza, with the aim of easing the humanitarian crisis; applauds the work of the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) providing food assistance, access to education and healthcare, and other vital services to the 1.3 million Palestine refugee population in the area;

7. Calls for an immediate and unconditional end to the blockade and closure of the Gaza Strip, which has resulted in a deteriorating, unprecedented humanitarian crisis in the area;

8. Calls again for the return of the Palestinian Authority to the Gaza Strip in order that it can assume its government functions, which must be a priority; calls on all Palestinian factions to resume efforts towards reconciliation, which is crucial also for improving the situation of the people in Gaza; stresses that Palestinian reconciliation, including the long-overdue presidential and parliamentary elections, is important for reaching the two-state solution and should continue to be supported by the EU through innovative action; calls for the disarmament of all militant groups in the Gaza Strip;
9. Calls for Avera Mengistu and Hisham al-Sayed to be freed and returned to Israel; calls for the remains of Hadar Goldin and Oron Shaul to be returned and offers its condolences to their families; calls for the remains of killed Palestinians to be returned;

10. Calls again on all parties involved in the conflict to fully respect the rights of detainees and prisoners;

11. Recalls that the situation in the Gaza Strip has to be seen within the broader context of the Middle East peace process; 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;

12. Stresses that non-violent means and respect for human rights and humanitarian law, by both state and non-state actors, are the only way to achieve a sustainable solution and a just and lasting peace between Israelis and Palestinians; believes also that continuing violence, acts of terrorism and incitement to violence are fundamentally incompatible with advancing a peaceful two-state solution; notes that upholding the commitment to act effectively against violence, terrorism, hate speech and incitement is critical to rebuilding confidence and to avoiding escalation that will further undermine the prospects for peace;

13. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Common Foreign 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 Knesset, the President and the Government of Israel, the Palestinian Legislative Council, and the President of the Palestinian Authority.
Protection of investigative journalists in Europe: the case of Slovak journalist Ján Kuciak and Martina Kušnírová

European Parliament resolution of 19 April 2018 on protection of investigative journalists in Europe: the case of Slovak journalist Ján Kuciak and Martina Kušnírová (2018/2628(RSP))

(2019/C 390/15)

The European Parliament,

— having regard to Articles 2, 4, 5, 6, 9 and 10 of the Treaty on European Union (TEU),

— having regard to Article 20 of the Treaty on the Functioning of the European Union (TFEU),

— having regard to Articles 6, 7, 8, 10, 11, 12 and 47 of the Charter of Fundamental Rights of the European Union,

— having regard to the European Convention on Human Rights (ECHR) and the related case law of the European Court of Human Rights,

— having regard to the International Covenant on Civil and Political Rights (ICCPR),

— having regard to the UN Human Rights Committee's General Comment No 34 on Article 19 of the ICCPR (Freedoms of opinion and expression),

— having regard to Resolution 2141 (2017) of the Parliamentary Assembly of the Council of Europe of 24 January 2017 on attacks against journalists and media freedom in Europe,

— having regard to the declaration of the Council of Europe's Committee of Ministers of 30 April 2014 on the protection of journalism and safety of journalists and other media actors,

— having regard to the commitments of the OSCE in the fields of freedom of the media, freedom of expression and the free flow of information,

— having regard to its resolution of 24 October 2017 on legitimate measures to protect whistle-blowers acting in the public interest when disclosing the confidential information of companies and public bodies (1),

— having regard to its resolution of 25 October 2016 with recommendations to the Commission on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights (2),

— having regard to its resolution of 15 November 2017 on the rule of law in Malta (3),

— having regard to its resolution of 25 October 2016 on the fight against corruption and follow-up of the CRIM resolution (4),

(1) Texts adopted, P8_TA(2017)0402.
(2) Texts adopted, P8_TA(2016)0409.
having regard to the open letter of 6 March 2018 addressed by 17 media freedom organisations to the President of the Commis-

— having regard to the statements by the Council and the Commission of 14 March 2018 on the protection of investigative journal-

A. whereas respect for the rule of law, democracy, human rights and fundamental freedoms, and the values and principles

B. whereas Article 6(3) TEU confirms that fundamental rights, as guaranteed by the ECHR and as arising from the constitutional

C. whereas the EU operates on the basis of the presumption of mutual trust that Member States act in conformity with democ-

D. whereas free, independent and unhindered media constitute one of the cornerstones of a democratic society; whereas Member

E. whereas the rights to freedom of expression and freedom of opinion are indispensable conditions for the full realisation of the

F. whereas the EU and its Member States are committed to respect freedom and pluralism of the media, as well as the right to

G. whereas the Union has the possibility to act in order to protect the common values on which it was founded; whereas the rule

H. whereas the Slovak investigative journalist Ján Kuciak and his partner Martina Kušnírová were found murdered in their home

I. whereas the right to independent and transparent access to justice is a core component of the rule of law; whereas the perpetra-

J. whereas this is the fifth case of a journalist being murdered in an EU Member State in the past ten years (5), and the second mur-

(5) See: https://rsf.org/en/journalists-killed
K. whereas Ján Kuciak specialised in investigating large-scale tax evasion scandals, tax fraud, corruption and money laundering, and explored in his last article, published posthumously, the potential extortion of EU agricultural subsidies by the Italian mafia group Ndrangheta, which may have also involved government officials close to high-level politicians;

L. whereas the murder led to the biggest peaceful protests and street demonstrations since the Velvet Revolution of 1989, calling for justice, accountability, the rule of law, respect for media freedom and action to fight corruption; whereas the protesters and the Slovak public have shown serious distrust in the state institutions and officials, including the police; whereas trust in the state institutions has to be restored;

M. whereas, according to the Council of Europe, abuses and crimes committed against journalists have a deeply chilling effect on freedom of expression and amplify the phenomenon of self-censorship;

N. whereas the Organised Crime and Corruption Reporting Project reported that personal information of Ján Kuciak might have been leaked following several freedom of information requests filed by him with Slovak state authorities; whereas he submitted a criminal complaint to the Prosecutor’s Office after being threatened by a Slovak businessman, and subsequently stated that 44 days after the submission the case was not assigned to a police officer and was closed with no witness hearing held;

O. whereas the protection of journalists and journalistic sources, including whistle-blowers, varies between Member States and in most does not include providing effective protection against retaliation, defamation charges, threats, intimidating lawsuits or other negative consequences; whereas the inadequate protection offered by some Member States to journalists, as well as the growing hostility displayed towards them by some public figures, are substantially undermining their basic freedoms;

P. whereas the Media Pluralism Monitor’s 2016 Country Report on Slovakia identified high levels of risk regarding political independence, primarily because local media are being funded, and are often indirectly owned, by municipalities and are exposed to potential political pressure; whereas the report also mentions existing safeguards for the protection of journalistic sources such as judicial review and legal definitions;

Q. whereas according to the World Press Freedom Index 2017 by Reporters Without Borders, defamation is punishable in Slovakia by up to eight years’ imprisonment, the harshest penalty for this offence in the EU; whereas, however, Slovakia ranks 17th in this index;

R. whereas the Secretary-General of Reporters Without Borders, visiting Bratislava on 2 March 2018, deplored the ‘appalling climate for journalists’ that has been sustained and even created in certain Member States by numerous European politicians, including government leaders;

S. whereas several attacks on journalists in Slovakia have been reported since 2007 and two journalists are still missing;

T. whereas according to the World Economic Forum (2017), Slovakia ranks 117th in terms of corruption out of 137 countries surveyed; whereas prosecutions for corruption-related offences have fallen considerably; whereas the 2018 European Semester’s country report on Slovakia states that no progress has been achieved in stepping up the fight against corruption;

U. whereas Parliament organised a fact-finding mission to Slovakia from 7 to 9 March 2018, consisting of Members from the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Budgetary Control;
V. whereas serious concerns of NGO representatives were articulated in the mission report of Parliament’s delegation, primarily on possible conflicts of interest, such as those between the General Prosecutor’s Office and the organs which should control its activity and between the Minister of the Interior and the chief of police; whereas, in addition, the selection of top prosecutors was described as highly politicised and the lack of an independent body competent to review complaints against the police was criticised; whereas the adequacy of protection of media freedom and the transparency of media ownership were queried;

W. whereas, when the Slovak Supreme Audit Office conducted an exercise covering all EU fund managing and intermediate authorities, only the Slovak Agriculture Paying Agency (APA) was found problematic; whereas the Audit Office passed its findings to the Slovak General Prosecutor and National Criminal Agency;

1. Strongly condemns the murder of Slovak investigative journalist Ján Kuciak and his partner Martina Kušnírová;

2. Is appalled by the fact that this is the second fatal attack on a journalist in the EU in the past six months, after journalist Daphne Caruana Galizia was assassinated in Malta on 16 October 2017;

3. Calls on the Slovak authorities to deploy all necessary resources to ensure a full, thorough and independent investigation into the murders of Ján Kuciak and Martina Kušnírová that brings those responsible to justice; welcomes the Slovak authorities’ intention to fully collaborate with the international law enforcement authorities and the Italian Anti-Mafia Investigation Directorate (DIA) during the investigations; strongly recommends creating a joint investigation team to be co-led by Europol and allowing it full access to the case file;

4. Calls on the Slovak Prosecutor-General to look again into the criminal complaint submitted by Ján Kuciak after being threatened, and to investigate the reports that personal information was leaked after he filed several freedom of information requests with the Slovak authorities;

5. Urges the Slovak authorities to ensure the protection of investigative journalists from any form of intimidation, defamation charges, threats or physical attacks, and to take effective measures for the protection of those exercising their right to freedom of expression against attacks aimed at silencing them;

6. Acknowledges the crucial role that investigative journalists can play as watchdogs for democracy and the rule of law; condemns insulting comments by EU politicians towards journalists; notes that the highest level of protection of investigative journalists and whistle-blowers is in the vital interests of society as a whole; encourages both the Commission and the Member States to present legislative or non-legislative proposals for the protection of journalists in the EU who are regularly subject to lawsuits intended to censor their work or intimidate them, including pan-European anti-SLAPP (Strategic Lawsuit Against Public Participation) rules;

7. Calls on the Commission to safeguard, promote and apply the values enshrined in the Treaty on European Union and the Charter of Fundamental Rights, as well as in the ICCPR, and, in this context, to monitor and address challenges to media freedom and pluralism across the EU, while respecting the principle of subsidiarity; calls on the Commission to keep Parliament closely informed of actions taken;

8. Points out that whistle-blowers have proved to be a crucial resource for investigative journalism and for an independent press, and that guaranteeing the confidentiality of sources is fundamental to freedom of the press; stresses, therefore, that whistle-blowers contribute to democracy, transparency of politics and the economy, and an informed public; calls on the Slovak authorities, and all the Member States, to ensure the protection of the personal safety and livelihoods of investigative journalists and whistle-blowers; asks the Commission to propose an effective, comprehensive and horizontal EU directive on the protection of whistle-blowers, by fully endorsing the Council of Europe’s recommendations and Parliament’s resolutions of 14 February 2017 (*) and 24 October 2017;

9. Calls on the Commission to create a permanent financial support scheme including a dedicated budget, by reallocating existing resources in support of independent investigative journalism;

10. Calls on its Conference of Presidents to present a proposal on how Parliament could honour the work of Daphne Caruana Galizia and Ján Kuciak, and to consider renaming Parliament's traineeship for journalists after Ján Kuciak;

11. Notes that the Media Pluralism Report 2016 by the Centre for Media Pluralism and Media Freedom (CMPF) identifies a medium to high risk of horizontal media ownership concentration in Slovakia; considers that media pluralism in a number of Member States is threatened by the control of the media by political bodies or individuals or by certain commercial organisations; underlines that, as a general principle, governments should not abuse their position by influencing the media; recommends including more detailed information on media ownership in the annual Media Pluralism Monitor;

12. Welcomes the Investigative Journalism for the EU (IJ4EU) initiative, whose aim is to foster and strengthen cross-border collaboration among investigative journalists in the EU;

13. Is concerned about the allegations of corruption, misuse of EU funds, abuse of power and conflicts of interest in Slovakia which could cause the deterioration of democracy; calls on the Slovak supervisory and judicial authorities and on the European Anti-Fraud Office (OLAF) to investigate all alleged irregularities and frauds, including VAT carousel frauds and those relating to the European Agricultural Fund for Rural Development (EAFDR) and other structural funds;

14. Expresses deep concern at the possible involvement of organised crime in the murder and at the risk of infiltration in the sectors of politics, government at all levels, the economy and finance; stresses that this phenomenon must not be underestimated; recalls that international criminal networks are highly active and that organised crime is growing in scale and sophistication; calls on Slovakia and all the Member States to improve cooperation and coordination in order to boost the development of common, standard procedures based on the good practices of those legal systems that are the most highly developed in terms of countering organised crime;

15. Notes that the Supreme Audit Office of Slovakia has issued three critical reports on the APA; calls on the Slovak authorities to ensure a thorough investigation of the findings of the Supreme Audit Office; calls on the European Court of Auditors to conduct an investigation and to publish a Special Report on agricultural payments in Slovakia;

16. Encourages Parliament’s Special Committee on Financial Crimes, Tax Evasion and Tax Avoidance to evaluate the allegations of VAT fraud, money laundering and misuse of European funds, as well as the sufficiency of national rules on seizure of assets following criminal activity in this context, with special regard to the work of Ján Kuciak and other investigative journalists;

17. Calls on the Council to work with participating Member States in setting up the European Public Prosecutor’s Office as soon as possible, in the interests of coordinated action against fraud in the EU and other crimes affecting the Union’s financial interests;

18. Expresses concern about the findings of the report drawn up by its Committee on Civil Liberties, Justice and Home Affairs and its Committee on Budgetary Control following their fact-finding mission to Slovakia, stating that the selection of top prosecutors is believed to be highly politicised and that there have been a number of allegations of corruption against top officials which did not lead to a proper investigation; calls on the Slovak authorities to strengthen the impartiality of law enforcement and to address the key findings and recommendations of the report on Parliament’s fact-finding mission; asks the Slovak Government and Parliament to take all the necessary steps to restore the public’s trust in the state institutions, including the police;
19. Reiterates its regret that the Commission decided not to publish the EU Anti-Corruption Report in 2017, and calls on the Commission to resume its annual anti-corruption monitoring in all Member States without delay; invites the Commission to develop a system of strict indicators and easily applicable, uniform criteria to measure the level of corruption in the Member States and evaluate their anti-corruption policies, in line with Parliament’s resolution of 8 March 2016 on the Annual Report 2014 on the Protection of the EU’s Financial Interests (7):

20. Stresses that it is of vital importance to guarantee that the common European values listed in Article 2 TEU are upheld in full and that fundamental rights as laid down in the Charter of Fundamental Rights are guaranteed;

21. Strongly calls for a regular process of monitoring and dialogue involving all Member States in order to safeguard the EU’s basic values of democracy, fundamental rights and the rule of law, involving the Council, the Commission and Parliament, as proposed in its resolution of 25 October 2016 on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights (the DRF Pact);

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

A European values instrument to support civil society organisations which promote democracy, rule of law and fundamental values within the European Union

European Parliament resolution of 19 April 2018 on the need to establish a European Values Instrument to support civil society organisations which promote fundamental values within the European Union at local and national level (2018/2619(RSP))

The European Parliament,

— having regard to the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU),

— having regard to the Charter of Fundamental Rights,

— having regard to the Council conclusions on the application of the Charter of Fundamental Rights,

— having regard to its resolution of 25 October 2016 on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights (1),

— having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), to the case law of the European Court of Human Rights, and to the conventions, recommendations, resolutions and reports of the Parliamentary Assembly, the Committee of Ministers, the Human Rights Commissioner and the Venice Commission of the Council of Europe,


— having regard to the report of the European Union Agency for Fundamental Rights entitled ‘Challenges facing civil society organisations working on human rights in the EU’, published in January 2018,

— having regard to its resolution of 14 March 2018 on ‘The next MFF: Preparing Parliament’s position on the MFF post-2020’ (2),

— having regard to the opinion of the European Economic and Social Committee on ‘Financing of Civil Society Organisations by the EU’ adopted on 19 October 2017 (3),

— having regard to the motion for a resolution of the Committee on Civil Liberties, Justice and Home Affairs,

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

(3) OJ C 81, 2.3.2018, p. 9.
A. whereas the shared European fundamental values enshrined in Article 2 TEU, namely respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, and the principles of pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men, cannot be taken for granted and need to be continuously cultivated and protected, as their deterioration in any Member State can have detrimental effects for the EU as a whole;

B. whereas an active and well-developed civil society in all EU Member States constitutes the best protection against an erosion of these values;

C. whereas many civil society organisations (CSOs) continue to promote these values despite being faced with growing difficulties in securing the necessary funding to develop and perform their activities independently and effectively;

D. whereas the EU provides direct funding to CSOs operating in third countries to foster these values, but the funding possibilities for CSOs pursuing this goal within the EU are very limited, in particular as regards CSOs operating at local and national level;

1. Reiterates that CSOs are vital for upholding and promoting the values enshrined in Article 2 TEU, i.e. respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, and play a crucial role in promoting active citizenship in the EU, as well as in facilitating informed public debate as part of a pluralist democracy;

2. Stresses the need for the EU to develop new and effective ways to protect and promote these values within the Union;

3. Believes, in this regard, that the EU should provide targeted financial support to CSOs which are active at local and national level in promoting and protecting these values;

4. Calls for the EU to set up a dedicated funding instrument – which could be called the European Values Instrument – for the promotion and protection of the values enshrined in Article 2 TEU, especially democracy, the rule of law and fundamental rights, within the EU budget under the next, post-2020 multiannual financial framework (MFF), with a funding level corresponding to at least that of the European Instrument for Democracy and Human Rights, which serves similar purposes beyond the Union’s borders; recommends that this instrument’s structural priority should be to create a healthy and sustainable CSO sector at national and local level with the capacity to fulfil its role in safeguarding these values;

5. Considers that the instrument should provide CSOs which are engaged in the promotion and protection of these values within the EU with operating grants (core funding as well as grants for projects and initiatives);

6. Stresses that the instrument should be managed by the Commission and that it should ensure fast and flexible grant-making procedures; recommends in particular that the application procedure should be user-friendly and easily accessible for local and national CSOs;

7. Considers that the instrument should specifically target projects and initiatives promoting European values at local and national level, such as civic participation projects and advocacy and other watchdog activities, and that transnational projects and initiatives should play only a subsidiary role; believes that particular emphasis should be placed on building the capacity of CSOs to engage with the general public so as to increase its understanding of pluralistic and participatory democracy, the rule of law and fundamental rights;
8. Stresses that the instrument should be complementary to already existing European and national instruments and activities promoting and protecting these values, and should therefore not come at the expense of other European or national funds and activities in this area;

9. Underlines that financial accountability as laid down in the Financial Regulation must be ensured in the management of the new instrument, notably as regards compliance with legal obligations, full transparency on the use of resources, sound financial management and prudent use of resources;

10. Recommends to the Commission that it draw up an annual report on the performance of the instrument and publish a list of the organisations and activities that it has funded;

11. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the Council of Europe.
The violation of human rights and the rule of law in the case of two Greek soldiers arrested and detained in Turkey

European Parliament resolution of 19 April 2018 on the violation of human rights and the rule of law in the case of two Greek soldiers arrested and detained in Turkey (2018/2670(RSP))

The European Parliament,

— having regard to the arrest on 1 March 2018 and continued detention by the Turkish authorities of two Greek soldiers who stated that they lost their way in bad weather,

— having regard to the fact that that particular part of the border, in the forest area of Kastanies along the Evros/Meriç River, is a major crossing point for migrants, refugees and traffickers, and that the lieutenant and sergeant in question were on a regular patrol tour of the border,

— having regard to the calls from EU and NATO officials for the soldiers’ release, not least from the European Council on 22 March 2018 and during the EU-Turkey Leaders’ Meeting of 26 March 2018,

— having regard to the Greek Government’s efforts to secure the release and return of the soldiers,

— having regard to Article 5(2) of the European Convention on Human Rights, which states that ‘Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him’,

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

A. whereas on 4 March 2018 a Turkish court in Edirne ruled that the two soldiers, who are currently being held in maximum security detention and are accused of illegally entering Turkey, would continue to be detained;

B. whereas the two Greek soldiers have been held in a Turkish prison for more than one month without charges being brought against them, leaving them unaware of the crime of which they are accused;

C. whereas previous cases of similar accidental crossings of the border by either Greek or Turkish soldiers were settled in the past on the spot at the level of the local military authorities of both sides;

1. Calls on the Turkish authorities to swiftly conclude the judicial process and release the two Greek soldiers and return them to Greece;

2. Calls on the Council, the Commission, the European External Action Service and all EU Member States to show solidarity with Greece and call for the immediate release of the two Greek soldiers in any contacts or communications with Turkish leaders and authorities, in the spirit of international law and good neighbourly relations;

3. Calls on the Turkish authorities to scrupulously follow legal proceedings and fully respect, for all those concerned, the human rights enshrined in international law, including the Geneva Convention;

4. Instructs its President to forward this resolution to the Turkish and Greek Presidents, Governments and Parliaments, the European External Action Service, the Commission, the competent authorities of the Member States and NATO.
Implementation of the Treaty provisions concerning national Parliaments

European Parliament resolution of 19 April 2018 on the implementation of the Treaty provisions concerning national parliaments (2016/2149(INI))

(2019/C 390/18)

The European Parliament,

— having regard to the Treaty on European Union (TEU), in particular Article 5 on the conferral of competences and subsidiarity, Article 10(1) on representative democracy, Article 10(2) on the representation of EU citizens, Article 10(3) on the right of EU citizens to participate in the democratic life of the Union, Article 11 on participatory democracy, Article 12 on the role of national parliaments, Article 48(3) on the ordinary revision procedure, and Article 48(7) (passerelle clause) thereof,

— having regard to Protocol No 1 on the role of national parliaments in the European Union and to Protocol No 2 on the application of the principles of subsidiarity and proportionality,

— having regard to Article 15 of the Treaty on the Functioning of the European Union (TFEU) and Articles 41 and 42 of the Charter of Fundamental Rights of the European Union,

— having regard to its resolutions of 12 June 1997 on relations between the European Parliament and national parliaments (1), of 7 February 2002 on relations between the European Parliament and the national parliaments in European integration (2), of 7 May 2009 on the development of the relations between the European Parliament and national parliaments under the Treaty of Lisbon (3) and of 16 April 2014 on relations between the European Parliament and the national parliaments (4),

— having regard to its resolutions of 16 February 2017 on Improving the functioning of the European Union building on the potential of the Lisbon Treaty (5), on Budgetary capacity for the euro area (6) and on Possible evolutions of and adjustments to the current institutional set-up of the European Union (7),

— having regard to the Commission’s annual reports on relations between the European Commission and national parliaments, in particular the report for 2014 of 2 July 2015 (COM(2015)0316), and for 2015 of 15 July 2016 (COM(2016)0471), and to the Commission’s annual reports on subsidiarity and proportionality, in particular the reports for 2015 of 15 July 2016 (COM(2016)0469), and for 2016 of 30 June 2017 (COM(2017)0600),

— having regard to the annual reports of the European Parliament’s Directorate for Relations with National Parliaments, in particular the 2016 Mid-term Report on Relations between the European Parliament and national parliaments,

— having regard to its resolution of 26 October 2017 on monitoring the application of EU law 2015 (8),

— having regard to the Commission White Paper on the Future of Europe of 1 March 2017, and to the State of the Union address by the President of the Commission Jean-Claude Juncker of 13 September 2017, in which a roadmap was presented,

— having regard to the Declaration entitled ‘Greater European Integration: The Way Forward’ by the Presidents of the Camera dei Deputati of Italy, the Assemblée nationale of France, the Bundestag of Germany and the Chambre des Députés of Luxembourg, signed on 14 September 2015 and currently endorsed by 15 national parliamentary chambers in the EU,

— having regard to the conclusions adopted by the Conference of Speakers of EU Parliaments (the EU Speakers’ Conference) at its meetings since the entry into force of the Treaty of Lisbon, in particular those held in Luxembourg in 2016 and Bratislava in 2017,

(3) OJ C 212 E, 5.8.2010, p. 94.
Thursday 19 April 2018

— having regard to the contributions to and conclusions of the meetings of the Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union (COSAC) since the entry into force of the Lisbon Treaty, in particular the meetings held in Valletta and Tallinn in 2017, and to COSAC’s biannual reports,

— having regard to Article 13 of the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union (TSCG), which enshrined the organisation of inter-parliamentary conferences for the purposes of discussing budgetary policies and other issues covered by the treaty;

— having regard to the resolution of the Senátor of the Czech Republic of 30 November 2016 (26th resolution of the 11th term), to the resolution of the Senato della Repubblica of Italy of 19 October 2016 (Doc. XVIII n. 164) and to the contributions of its European Union Policies Committee of 2 May 2017 (Prot. 573), and to the contributions of the EU Affairs Committee of the Assemblée nationale of France of 31 May 2017 (reference 2017/058) and the Standing Committee on European Affairs of the Tweede Kamer der Staten-Generaal (House of Representatives) of the Netherlands of 22 December 2017 (letter A(2018)1067);

— having regard to Rule 52 of its Rules of Procedure, as well as Article 1(1)(e) of, and Annex 3 to, the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,

— having regard to the report of the Committee on Constitutional Affairs (A8-0127/2018),

A. whereas national parliaments contribute actively to the good constitutional functioning of the European Union (Article 12 TEU), thereby playing an important role in its democratic legitimacy and realising it to the fullest extent;

B. whereas the parliamentary accountability of national governments within the framework of European affairs, which depends on individual national practices, is the cornerstone of the role of national parliaments in the current European Treaty;

C. whereas, in order to improve ownership, national parliaments should scrutinise national governments, in the same way as the European Parliament scrutinises the European executive; whereas, however, the level of influence of national parliaments over national governments varies significantly at Member State level;

D. whereas national parliaments often lament their limited involvement in Union affairs and wish to be more associated with the development of the European integration process;

E. whereas a lack of transparency in the EU legislative and decision-making processes risks undermining both the prerogatives of national parliaments under the Treaties and relevant Protocols, and, in particular, their role as the watchdogs of their governments;

F. whereas the pluralism of national parliaments is remarkably beneficial to the Union, as the alignment of different political stances across the Member States can strengthen and broaden cross-sectional debates at European level;

G. whereas the underrepresentation of parliamentary minorities in European affairs should be counterbalanced while fully respecting the majorities in each national parliament, and in accordance with the principle of proportional representation;

H. whereas national parliaments play a role in any revision of the European Treaties and have recently been called upon to engage in a series of EU democratic forums;

I. whereas a European public sphere could be fostered by a series of forums on the future of Europe, to be organised by national parliaments and the European Parliament as natural representatives of the European demos; whereas such forums could be endorsed through a common European Week, in which members of national parliamentary chambers would simultaneously discuss European affairs with Commissioners and Members of the European Parliament;

J. whereas as shown by recent electoral trends, the economic, financial and social crisis has increased EU citizens’ distrust of and disillusionment with the current democratic model of representation, both at European and national levels;
K. whereas the implementation of the right for national parliaments to scrutinise compliance with the principle of subsidiarity, on the basis of the so-called early warning system (EWS), has partially improved relations between the EU institutions and national parliaments;

L. whereas national parliaments are sometimes critical of the EWS, claiming that its provisions are not easy to put into practice and lack a broad scope of application;

M. whereas progress in the implementation of the EWS has been achieved, as demonstrated by the latest figures on the total number of opinions submitted by national parliaments within the framework of the political dialogue; whereas the limited usage of the yellow card procedure and the ineffectiveness of the orange card procedure show that there is still room for improvement and that better coordination between national parliaments is possible in this respect;

N. whereas the eight-week period laid down in Article 4 of Protocol No 1 has proven to be inadequate for timely monitoring of compliance with the principle of subsidiarity;

O. whereas the EWS can be complemented by the system that currently allows national parliaments to submit constructive proposals for the Commission’s consideration and with due regard for its right of initiative;

P. whereas several national parliaments have expressed their interest in an instrument to improve political dialogue, which would afford them the opportunity to suggest constructive proposals for the Commission’s consideration and with due regard for the Commission’s right of initiative;

Q. whereas national parliaments can, at any time, issue opinions within the framework of the political dialogue, mandate their governments to demand the formulation of legislative proposals via the Council, or, in accordance with Article 225 TFEU, simply call on Parliament to present proposals to the Commission;

R. whereas the implementation of a red card procedure is not conceivable at this stage of the European integration process;

S. whereas the comprehensive range of information rights provided for in the Treaty of Lisbon could be enhanced if national parliaments were given more resources and time to cope with the documents forwarded to them by the European Institutions;

T. whereas the IPEX, a platform for continuous exchange of information among national parliaments and between national parliaments and the European institutions, should be further developed in accordance with its Digital Strategy, in which the European Parliament plays a major supporting role;

U. whereas interinstitutional cooperation has improved after the entry into force of the Treaty of Lisbon, and the so-called Barroso initiative – the political dialogue launched by the Commission in September 2006 giving national parliaments opportunities to comment, provide positive feedback or criticise the Commission’s proposals;

V. whereas national parliaments occasionally raise grievances about their relations with the European Union, claiming that they are too complex;

W. whereas national parliaments have relevant competencies in the areas of freedom, security and justice pursuant to Articles 70, 85 and 88 TFEU and should therefore play an important role in the future of the Union’s security and defence policy;

X. whereas there should be greater national and European parliamentary control of fiscal and economic policies, decisions taken, and governance matters at EU level;
Y. whereas the Court of Justice’s decision of 16 May 2017 on the mixed nature of the trade agreement between the EU and Singapore has changed the way in which national parliaments will be involved in trade agreements in the future;

Z. whereas better interaction and an improved exchange of information between MEPs and MPs and also between national parliaments’ civil servants could help to improve scrutiny of the European debate at national level and thus foster a genuinely European parliamentary and political culture;

**Scrutinising governmental activity in European affairs**

1. Considers that the implementation of the rights and obligations of national parliaments deriving from the Treaty of Lisbon has enhanced their role within the European constitutional framework, thus providing for more pluralism, democratic legitimacy and the better functioning of the Union;

2. Recognises that national governments are democratically accountable to national parliaments as acknowledged by Article 10(2) TEU, in accordance with their respective national constitutional orders; takes the view that such accountability is the keystone of the role of national parliamentary chambers in the European Union; encourages national parliaments to fully exercise their European functions in order to directly influence and scrutinise the content of European policies, in particular via the monitoring of their national governments acting as members of the European Council and the Council;

3. Calls on the Members States to ensure that national parliaments are granted enough time, the capacity, and the necessary access to information in order to fulfil their constitutional role of scrutinising and thus legitimating the activity of national governments when these governments act at European level, whether in the Council or in the European Council; recognises that this European function should take place in full compliance with the Member States’ respective constitutional traditions; believes that, in order to preserve and reinforce this role, the existing exchange of best practices and interaction between national parliaments should be strengthened and promoted;

4. Considers that transparency of the working methods and decision-making processes of the EU institutions represents a precondition to enable national parliaments to effectively fulfil their institutional role deriving from the Treaties; calls, furthermore, for national parliaments to make full use of their respective competences with the aim of exercising scrutiny over governments’ actions at European level, inter alia by adapting their internal organisation, timetables and rules of procedures to enable them to do so; further suggests an exchange of best practices between national chambers, regular debates between the respective ministers and specialised committees in national parliaments before and after Council and European Council meetings and regular meetings between members of national parliaments, Commissioners and MEPs;

5. Takes the view that care needs to be taken to avoid any kind of gold-plating of EU legislation by Member States and that national parliaments have a key role to play in this regard; recalls, at the same time, that this is without prejudice to the right of Member States to apply non-regression clauses and to lay down, for example, higher social and environmental standards at national level;

6. Recalls, while encouraging strengthened and political dialogue with national parliaments and recognising the clear need to reinforce parliamentary participation, that decisions must be taken in accordance with constitutional competences and by taking into account the clear delineation between the respective decision-making competences of the national and European bodies;

7. States that the European Parliament and national parliaments should be better involved in the European Semester and recommends that budgetary calendars at national and European level are better coordinated throughout the process in order to encourage more effective use of this instrument; recalls, moreover, that the alignment of the European Semester with the agendas of national parliaments could further contribute to the coordination of economic policies, while underlining that such alignment should not disregard the powers of self-governance and the specific rules of procedure of each parliamentary chamber;

8. Suggests the implementation of a national period for budgetary dialogue, during which national parliaments would be able to deliberate upon and contribute to the European Semester by providing their governments with a mandate in their relations with the Commission and the Council;
9. Underlines that during the last plenary meeting of the Conference of Parliamentary Committees for Union Affairs (COSAC), in Tallinn, it was recognised that the majority of national parliaments actively attend plenary sessions to debate EU matters, whether at regular intervals or on an ad hoc basis, and that more plenary debates on EU matters increase the visibility of the Union and give citizens the opportunity to learn more about the EU’s agenda and the positions of political parties on these issues;

**Creating a European public sphere**

10. Notes that the alignment of different political stances across the Member States could strengthen and expand cross-sectional debates at European level; recommends, therefore, that national parliamentary delegations acting before the European Institutions should reflect political diversity; stresses the relevance of the principle of proportional representation of members from different political parties in this regard;

11. Notes the fact that the binding will of parliamentary majorities could be expressed in the opinions issued by national parliaments, within or outside the framework of the EWS; endorses the idea, however, of national parliamentary political minorities being given the possibility to express dissenting points of view, which could then be incorporated into the annexes to such opinions; believes that these opinions should be issued in full compliance with the principle of proportionality and in accordance with the rules of procedure of each national parliamentary chamber;

12. Takes good note of the recent call for a series of democratic conventions across Europe; believes, in this regard, that the establishment of an annual European week would allow MEPs and Commissioners, notably Vice-Presidents in charge of Clusters, to stand before all national parliamentary assemblies in order to discuss and explain the European agenda alongside with MPs and representatives of civil society; suggests reviewing its own rules of procedure in order to endorse the initiative, and encourages national parliaments to do the same; further believes that meetings between national and European political groups in the framework of EU interparliamentary cooperation could bring added value in the form of an authentic European political debate;

**Backing reform of the EWS**

13. Underlines the fact that the EWS has seldom been used since the entry into force of the Treaty of Lisbon, and believes that it could be reformed within the current constitutional framework;

14. Notes that examples such as the triggering of the ‘yellow card’ procedure against the Commission proposal on the revision of the ‘Posting of Workers Directive’ in 2016 show that the EWS is operational; underlines that the limited use of the ‘yellow card’ procedure could indicate that the principle of subsidiarity is, on balance, respected within the EU; believes, therefore, that the procedural shortcomings of the EWS should not be regarded as conclusive proof of failure to respect subsidiarity; recalls, moreover, that national parliaments may intervene and examine the question of compliance with the principle of subsidiarity prior to the presentation of a legislative proposal by the Commission in the form of Green and White Papers or the annual presentation of the Commission’s Work Programme;

15. Recalls that, in relation to any new legislative initiative, the Commission is obliged to examine whether the EU has the right to take action and whether such action is justified; underlines, moreover, that prior experience has proven that drawing a line between the political dimension of the principle of subsidiarity and the legal dimension of the principle of proportionality is, on occasion, difficult and troublesome; calls on the Commission, therefore, in its responses to reasoned opinions issued within or outside the framework of the EWS, also to address proportionality, and, where appropriate, any concerns about proposed policy options, in addition to its interpretation of the principle of subsidiarity;

16. Acknowledges the request by national parliaments to extend the eight-week period during which they can issue reasoned opinions under Article 3 of Protocol No 1; underlines, however, that the current Treaty framework does not provide for such an extension; considers, therefore, that the Commission should implement a technical notification period within the EWS in order to grant additional time between the date on which draft legislative acts are technically received by national parliamentary chambers and the date on which the eight-week period begins; recalls, in this regard, that other practical arrangements for the operation of the subsidiary control mechanism were put into practice by the Commission in 2009;
Thursday 19 April 2018

17. Takes note of the request from certain national parliaments to extend the eight-week period during which they can issue a reasoned opinion, under Article 6 of Protocol No 2;

18. Suggests, in line with the political dialogue launched by the Commission in 2016, the full use of the system whereby national parliaments can submit constructive proposals to the Commission with the aim of positively influencing the European debate and the Commission’s power of initiative; suggests, in this regard, that the Commission could enjoy the discretion either to take on board such proposals or to issue a formal response underlining its reasons for not doing so; points out that such a procedure cannot consist of a right of initiative, or the right to withdraw or amend legislation, as it would otherwise subvert ‘the Union method’ and the distribution of competences between national and European level, thus violating the Treaties; recommends, meanwhile, that in the event of a future revision of the Treaties, the right of legislative initiative should be accorded to the European Parliament, as the direct representative of EU citizens;

**Implementing the right to information**

19. Reaffirms that Article 12 TEU and Protocol No 1 give national parliaments the right to receive information directly from the European institutions;

20. Stresses that national parliaments could better cope with the information sent to them either by virtue of the EWS, or under their right to information, if the IPEX platform was given the relevance of an Agora, or forum, for an informal permanent dialogue among national parliaments and between these and the European institutions; resolves, therefore, to promote the use of the platform for the enhancement of political dialogue; recommends that national parliaments use the IPEX platform in a timely fashion to ensure an early start to the national scrutiny mechanism; recommends using IPEX as a channel for the systematic sharing of information and the early flagging of subsidiarity concerns; sees the potential for developing IPEX as the main channel for communication and the transmission of relevant documents from the EU institutions to national parliaments and vice versa, and, in this context, undertakes to offer assistance to national parliamentary chambers’ administrations on how to work with the platform; encourages, in addition, the establishment of more exchanges between the officials of institutions and political groups within the administrations of the European Parliament and national parliaments;

**Envisaging better interinstitutional cooperation**

21. Takes good note of the existing cooperation between the European Parliament and national parliaments in COSAC, in the Interparliamentary Conference on Common Foreign and Security Policy (CFSP-IPC), and within the framework of Article 13 TSCG; stresses that such cooperation should be developed on the basis of the principles of consensus, information-sharing and consultation, in order for national parliaments to exercise scrutiny over their respective governments and administrations;

22. Reiterates that the current framework of relations between the Union and national parliaments could be simplified and harmonised in order to make it more efficient and effective; calls, in this context, for a review of the engagement between the Union and its national parliaments across existing platforms and forums, with the aim of strengthening these relations and adapting them to current needs; insists, however, upon a clear delineation of decision-making competences between national parliaments and the European Parliament, in which the former should exercise their European function on the basis of their national constitutions, in particular by exercising scrutiny over the members of their national governments as members of the European Council and the Council, which is the level at which they are best placed to monitor the European legislative process; rejects, therefore, the creation of joint parliamentary decision-making bodies for reasons of transparency, accountability and the capacity to act;

23. Points out that strengthening political and technical dialogue between parliamentary committees, both at national and at European level, would be a greatly productive step towards full interparliamentary cooperation; is considering the possibility of allocating additional resources to achieve this aim and the use of videoconferences where possible;

24. Acknowledges the relevance of the Interparliamentary Committee Meetings (ICM) established in Articles 9 and 10 of Protocol No 1; believes that better interinstitutional cooperation could be attained if the ICM were accorded more relevance by the Members of the European Parliament and the national parliaments, and if they were prepared for in closer cooperation;
25. Recommends that national parliaments be fully involved in the continuing development of the Common Security and Defence Policy; believes that such involvement should be promoted in close cooperation with the European Parliament and with full respect for the provisions of national constitutions regarding security and defence policies, including through joint inter-parliamentary meetings between representatives from national parliaments and Members of the European Parliament and via political dialogue between a fully fledged Committee on Security and Defence in the European Parliament and the corresponding national parliamentary committees; notes the potential this has for neutral EU Member States to exercise constructive scrutiny in this area.

26. Considers that an enhanced political and legislative dialogue between and with national parliaments would favour compliance with the objectives set out in the inter-institutional agreement on better law-making:

   o

   o   o

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

— having regard to the Treaty on the Functioning of the European Union (TFEU), in particular Articles 39, 42, 101 to 109, and 174 thereof,

— having regard to the Commission report of 31 May 2017 on Competition Policy 2016 (COM(2017)0285) and to the Commission staff working document published as a supporting document on the same date (SWD(2017)0175),

— having regard to Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (1),

— having regard to the White Paper of 9 July 2014 entitled ‘Towards more effective EU merger control’ (COM(2014)0449),

— having regard to Commission Regulation (EU) 2017/1084 of 14 June 2017 amending Regulation (EU) No 651/2014 as regards aid for port and airport infrastructure, notification thresholds for aid for culture and heritage conservation and for aid for sport and multifunctional recreational infrastructures, and regional operating aid schemes for outermost regions and amending Regulation (EU) No 702/2014 as regards the calculation of eligible costs (2),

— having regard to the proposal for a directive of the European Parliament and of the Council to empower the competition authorities of the Member States to be more effective enforcers and to ensure the proper functioning of the internal market (COM(2017)0142),

— having regard to the Commission Notice of 19 July 2016 on the notion of State aid as referred to in Article 107(1) of the Treaty on the Functioning of the European Union (3),

— having regard to its resolution of 5 February 2014 on EU cooperation agreements on competition policy enforcement – the way forward (4),

— having regard to its resolution of 4 February 2016 on the special situation of islands (5),

— having regard to its resolution of 22 November 2016 on the Green Paper on Retail Financial Services (6),

— having regard to its resolution of 14 February 2017 on the Annual Report on EU Competition Policy (7) and to its resolutions of previous years on the subject,

— having regard to its resolution of 14 November 2017 on the Action Plan on Retail Financial Services (8),

— having regard to the relevant Commission rules, guidelines, decisions, resolutions, communications and papers on the subject of competition,

— having regard to the opinion of the European Economic and Social Committee on the Report on Competition Policy 2016,

— having regard to the Interinstitutional Agreement of 13 April 2016 on Better Law-Making (9),
— having regard to Rule 52 of its Rules of Procedure,

— having regard to the report of the Committee on Economic and Monetary Affairs and the opinions of the Committee on International Trade, the Committee on the Internal Market and Consumer Protection and the Committee on Agriculture and Rural Development (A8-0049/2018),

1. Welcomes the Commission report of 31 May 2017 on Competition Policy 2016, which shows that, in a fair competitive environment, investment and innovation are key for the future of Europe;

2. Strongly supports the independence of the Commission and national competition authorities (NCAs) in their mission to shape and enforce effectively EU competition rules for the benefit of all EU citizens and undertakings operating in the EU;

3. Welcomes and further encourages the efforts of the Commission to maintain, in addition to the structured dialogue with the Commissioner for Competition, Margrethe Vestager, regular contact with the members of Parliament’s competent committee and its Working Group on Competition Policy; is convinced that the Commission’s Annual Report on Competition Policy is a key exercise in terms of democratic scrutiny, and welcomes the Commission’s feedback on all the specific requests adopted by Parliament;

4. Calls on the Commission to ensure regular information and exchanges with Parliament on the preparation and implementation of EU legislation, international agreements and other soft law concerning competition policy, as provided for by the Interinstitutional Agreement (IIA) between the Commission and Parliament; notes that this is not happening in a satisfactory manner, for example, in the consultations on the EU-Canada agreement on the exchange of information in competition proceedings; calls on the Council to ratify the EU-Canada agreement as soon as possible; intends to promote regular exchanges of views in the responsible committee with the European Competition Network (ECN) and NCAs;

5. Calls on the Commission to monitor the implementation of legislation linked to the completion of the single market, such as in the energy (including self-consumption) and transport sectors, the digital market, and retail financial services, in order to improve the enforcement of EU competition rules and achieve a consistent application thereof in the Member States;

6. Notes that state aid can be an indispensable tool to secure the necessary infrastructure and supply for both the energy and transport sectors, particularly in Europe, where a transition towards cleaner and more climate friendly energy supply and transportation systems is taking place;

7. Notes that state aid can be necessary to ensure the delivery of services of general economic interest (S GEI), including energy, transport and telecommunications; emphasises that state intervention is often the best policy tool to deliver services that are crucial for supporting isolated, remote or peripheral regions and islands in the Union;

8. Considers it important to guarantee competition which entails safeguarding the possibility of cross-border acquisitions in the intra-European market in financial services, including insurance;

9. Emphasises that the connectivity of peripheral regions and islands is essential for sustaining and developing acceptable levels of economic and social initiative by maintaining vital business connections;

10. Stresses that accessing cash from ATMs is an essential public service that must be provided without any discriminatory, anti-competitive or unfair practices and must not, therefore, incur excessive costs;

11. Welcomes the efforts made by DG Competition to continue to build a stable and balanced workforce throughout 2016; welcomes, moreover, the improvement in human resources management in DG Competition, and the fact that staff turnover fell to its lowest level since records began (from 13.9 % in 2015 to 10.8 % in 2016 (10)); asks the Commission to reallocate adequate financial and human resources to DG Competition and to ensure stable finances for modernising the directorate’s electronic and informatics tools, in order to cope with increasing workload and technological progress; calls, once again, for a strict separation between the departments that draw up guidelines and those responsible for applying them;

12. Welcomes the advances made by DG Competition in the field of equal opportunities, including 36 % female representation in middle management;

13. Emphasises, once again, that corruption in public procurement has serious market-distorting effects on European competitiveness; reiterates that public procurement is one of the government activities most vulnerable to corruption; highlights that in certain Member States, EU-funded procurement bears a greater risk of corruption than nationally funded procurement; calls on the Commission to continue its efforts to prevent the misuse of EU funds and stimulate accountability in public procurement; welcomes, moreover, the establishment of the European Public Prosecutor’s Office;

14. Takes note that EU rules do not establish target timeframes for antitrust investigations, which implies that decisions are sometimes made too late, after competitors have been obliged to exit the market;

15. Calls on the Commission to adopt indicative guidelines to shorten the duration of antitrust investigations and proceedings for abuse of a dominant market position, in order to prevent uncertainty and excessive burdens for businesses, and to shape a competitive landscape which is beneficial to consumers; cautions that more flexible timeframes should only be allowed in complex cases where investigations are to be extended with regard to other undertakings;

16. Underlines that while the speed of investigations has to be balanced with the need to adequately preserve the rights of defence and the quality of investigations, indicative timeframes may help the antitrust authorities to make more efficient use of their resources; notes that in order to improve the speed of major antitrust investigations, the Commission and stakeholders could increase the use of streamlined antitrust proceedings and improve access to the relevant files;

17. Takes note that most of the decisions concerning antitrust issues are taken at national level; calls on the Commission to monitor, therefore, while taking into account the principles of subsidiarity and proportionality, the global consistency and independence of competition policy and its enforcement within the internal market, with the support of the ECN; stresses that the independence of NCAs is highly important and therefore welcomes the Commission’s ECN+ proposal aimed at strengthening the capacity of the NCAs to ensure more effective enforcement of EU competition law;

18. Believes that the Commission should verify that, in order to be able to perform their work in complete independence, NCAs are adequately equipped in terms of financial, human and technical resources, and that the election or nomination of their directors and senior management is transparent and not politically influenced; stresses that the autonomy of NCAs, including in budgetary terms, is essential to ensure the effective enforcement of EU competition law; calls on the Member States to ensure that NCAs make public annual reports containing statistics and a reasoned synthesis of their activities, and asks that the Commission submits an annual report to Parliament regarding these key points; believes that the NCAs must have procedures in place to ensure that their staff and directors, for a reasonable period after leaving their post, refrain from occupations which may give rise to a conflict of interests in relation to a specific case with which they were involved at the NCA; stresses the importance of the ECN, which provides a platform for regular exchanges between the Commission and the NCAs in order to ensure effective and consistent application of competition rules; calls on the Commission to take into account the opinion of the NCAs;

19. Takes the view that a study on the awareness and understanding among undertakings, particularly SMEs, of EU competition law and state aid rules, could be useful in order to step up the enforcement of EU competition law and could also be helpful for guidance purposes;

20. Takes the view that interim measures can be an important tool, particularly in the digital economy, to ensure that contraventions in the course of an investigation do not severely and irreparably damage competition; calls on the Commission to examine the available options either to speed up proceedings before the competition authorities for the application of Articles 101 and 102 TFEU, or to simplify the adoption of interim measures; calls on the Commission, in this connection, to carry out a study and submit its conclusions, and where appropriate a legislative proposal, to Parliament and the Council;

21. Calls on the Commission, in connection with a possible reform of the Merger Regulation, to examine carefully whether current assessment procedures take sufficient account of circumstances on digital markets; takes the view that an adjustment of the assessment criteria for mergers in the digital economy might be necessary; further emphasises that the independence of the national competition authorities should be guaranteed not only in the application of Articles 101 and 102 TFEU, but also in the enforcement of the European merger rules; therefore stresses the need for equivalent EU-level rules in this area;
22. Welcomes the sustained efforts of the Commission to clarify the different aspects of the definition of state aid, as demonstrated by its Notice on the notion of State aid as referred to in Article 107(1) TFEU, which constitutes an important building block of the State Aid Modernisation initiative; notes in particular the Commission’s efforts to clarify the notions of ‘undertaking’ and ‘economic activity’; observes, nonetheless, that it remains difficult, especially in the field of social affairs, to draw the line between economic and non-economic activities; further points out that it is the role of the European Court of Justice to ensure the proper interpretation of the Treaty;

23. Reiterates that fair tax competition is important for the integrity of the internal market and that all market players, including digital companies, should pay their fair share of taxes where their profit is generated and compete on equal terms; welcomes the Commission’s in-depth investigations in this regard and stresses that tackling tax fraud and aggressive tax planning is necessary to ensure a level playing field across the single market and to consolidate sound public budgets; stresses that state aid rules also apply to tax exemptions and that it is essential to eliminate distortive anti-competitive practices, such as selective tax advantages; invites the Member States to ensure that the Commission has access to all the relevant information exchanged between the national tax authorities, in order to assess the compatibility of their tax rulings and arrangements with EU competition rules;

24. Expresses its concern at competition authorities’ failure to take action against the retroactive elimination of support schemes to renewable energy; underlines that this inaction has further distorted competition, since international investors have been able to obtain redress while local investors have not; calls on the Commission to investigate the distorting effects of existing capacity payments and nuclear moratorium payments in electricity markets;

25. Calls for state aid guidelines on taxation to be revised so as to cover cases of unfair competition, going beyond tax rulings and transfer pricing;

26. Underlines the need for simple and transparent tax policies and regulations;

27. Strongly welcomes the Commission’s decision against the illegal tax benefits granted to Amazon and its previous landmark decisions on illegal selective tax advantages, and stresses that the timely recovery of illegal aid is essential; notes that Luxembourg announced its intention to appeal the Amazon decision, just as Ireland did for the Apple case; calls on the Commission to continue to monitor the situation in all Member States and take decisions against any illegal state aid in all comparable cases in order to guarantee equal treatment and restore a level playing field;

28. Underlines the need to tax digital companies on the basis of their genuine activity in Member States by capturing turnover generated through digital platforms, thus preventing a competitive disadvantage for those companies conducting business by means of a permanent physical presence;

29. Considers that fair competition in the internal market can be hampered by tax planning, as new entrants and SMEs doing business only in one country are penalised as compared to multinational corporations, which can shift profits or implement other forms of aggressive tax planning through a variety of decisions and instruments only available to them; notes with concern that the resulting lower tax liabilities leave multinational corporations with a higher post-tax profit and create an uneven playing field with their competitors on the single market, which have no recourse to aggressive tax planning and keep the connection between where they generate profit and their place of taxation;

30. Asks the Commission to enter into negotiations with all states and territories that enjoy good access to the common market and lack effective state aid controls against unfair tax competition;

31. Takes note of the possibility of using public funds to bail out banks that are important in their region; calls on the Commission to explain under which conditions this is possible, particularly with regard to EU state aid and bail-in rules; believes that the current legal framework is unclear and calls on the Commission to improve it;

32. Recalls that according to the Deposit Guarantee Schemes Directive, the use of deposit guarantee schemes to prevent the failure of a credit institution should be carried out within a clearly defined framework and should in any event comply with state aid rules;

33. Calls on the Commission to re-evaluate on an annual basis whether the requirements for the application of Article 107(3)(b) TFEU in the financial sector continue to be fulfilled;
34. Believes that, following the financial crisis, concentration in the banking sector has increased and, in some cases, has been encouraged by the European and national supervision authorities; calls on the Commission to monitor this phenomenon and carry out a country-by-country study at European level to examine its effects on competition;

35. Welcomes the commitments made by Commissioner Vestager in the structured dialogue with the Committee for Economic and Monetary Affairs on 21 November 2017 to reflect on possible distortions of competition arising from the European Central Bank’s Corporate Sector Purchase Programme and to report back with a qualitative answer; emphasises, in this regard, that the notion of selectivity in state aid is an essential criterion that needs to be investigated thoroughly; further points in this regard to Article 4(3) of the Treaty on European Union, which contains the so-called principle of loyalty;

36. Calls on the Commission to closely monitor activities in the retail banking sector and financial services sector for any breaches of antitrust rules and cartel activity and to work closely with national competition authorities to enforce EU antitrust rules;

37. Considers it a priority to ensure that state aid rules are strictly and impartially adhered to when dealing with future banking crises, so that taxpayers are protected against the burden of bank rescues;

38. Supports the finding of the Commission’s sector inquiry into e-commerce that cross-border e-commerce can contribute to the further integration of the single market, and can bring competitive advantages for businesses and increase consumer choice, but that geo-blocking measures constitute a significant impediment to this; reiterates that this may be found to be contrary to Article 101 in certain circumstances; welcomes the Commission’s commitment to target enforcement of EU competition rules which were either established or became more widespread as a result of the emergence and growing significance of the digital economy; equally welcomes the Commission’s aim to broaden dialogue with national competition authorities in order to ensure a consistent application of EU competition rules with regard to e-commerce practices;

39. Invites the European Chief Negotiator for Brexit, in cooperation with Commissioner Vestager, to initiate as soon as possible a fair and transparent discussion on the future of EU-UK relations in terms of competition;

40. Believes that all ongoing investigations (11) into potential breaches of EU competition law by the UK or by companies based in the UK should not be threatened by the Brexit agenda, and that any final decision taken by the Commission after 29 March 2019 should continue to be binding;

41. Takes note of the Commission’s statement of objections and its preliminary conclusion that Google has abused its market dominance as a search engine by giving an illegal advantage to another of its products: its comparison shopping service; calls on the Commission to ensure that the company implements the remedy effectively and promptly to prevent further abuse of a dominant position; stress the need for the Commission to carry out an in-depth analysis and to monitor how the Google proposal would work in practice in order to restore the level playing field required for competition and innovation to thrive; notes that without a full-blown structural separation between the company’s general and specialised search services, an auction-based approach might not deliver equal treatment; invites the Commission and the Google CEO to attend a joint public hearing of the Committees on Economic and Monetary Affairs and on the Internal Market and Consumer Protection; is of the opinion that all companies, including in the digital sector, should closely cooperate with Parliament, including by attending public hearings;

42. Calls on the Commission to take more ambitious steps to eliminate illegitimate obstacles to online competition, in order to ensure barrier-free online shopping for EU consumers purchasing from sellers who are based in another Member State, while at the same time not creating new barriers caused by existing variations in consumer law;

(11) For example, the Commission’s in-depth investigation into a potential state aid scheme regarding UK CFC Group Financing Exemption (SA.44896).
43. Calls on the Commission to diligently conduct and conclude as soon as possible all other pending antitrust investigations, such as Android, AdSense, and investigations in the travel and local search sectors, where Google is allegedly abusing its dominance at the expense of existing and potential competitors, which have been prevented from entering and developing in this area; stresses the need for the Commission to be well prepared and equipped for the first big data case, which represents around 5.2 terabytes of data; stresses, in this connection, that big tech companies' use of personal data is unprecedented and consumers are often not aware or informed of the extent to which their data is being used, for example in profiling or targeted advertising; believes that digital companies constitute a specific challenge for the competition and fiscal authorities, notably when it comes to algorithms, artificial intelligence or the value of data; encourages the Commission to develop policy and enforcement instruments dealing with the emergence of digital economies, ensuring that it has a full complement of high-tech in-house engineers and specialists in cutting-edge technologies available to monitor and take action against anti-competitive situations concerning the digital and platform economy;

44. Highlights the importance of ongoing investigations in the pharmaceutical sector, given the build-up of evidence of market distortions in the field, including quantity restrictions, manipulated prices and barriers to the availability of generic medicines;

45. Welcomes the Commission's fact sheet of 6 October 2017 confirming its performance of unannounced inspections concerning access to bank account information by competing services; invites the Commission to remain vigilant on this issue, especially when the Regulatory Technical Standards on strong customer authentication and secure communication enters into force;

46. Welcomes the Commission's investigation on the trucks cartel and its conclusions;

47. Asks the Commission to clarify state aid rules for European and non-European airlines, with a view to establishing a level playing field between their operations targeting European and non-European markets; believes that restructuring aid could be distortive in certain scenarios; believes that the same competition rules should be applied to all air carriers when flying to or from the EU and to both national and low-cost carriers, while taking into account the situation of carriers whose operations have no significant impact on the market; notes that the Commission approved Lufthansa's acquisition of the Air Berlin subsidiary LGW, subject to compliance with certain commitments to avoid distortions in competition; calls on the Commission to monitor the situation in the medium-long term and to tackle all anti-competitive practices in the aviation industry which undermine consumer protection legislation;

48. Asks the Commission to investigate the hegemony enjoyed by low-cost airlines over different air routes in Europe and the pricing patterns for those routes; notes that such a position is often obtained through aggressive or even predatory behaviour on the market, eliminating competition and leaving consumers to shoulder the burden of higher tariffs and costs;

49. Requests that the Commission carefully assesses all airline merger deals in accordance with the EU's merger control procedure, including their impact on market competition and the potential harm that they may cause to consumers, most notably through higher prices and restrictions to direct access of destinations;

50. Urges the Commission to complete the implementation of the Single European Railway Area, to ensure full transparency in the flows of money between infrastructure managers and railway undertakings, and to verify that every Member State has a strong and independent national antitrust regulator;

51. Is concerned at the anti-competitive effects of common ownership by large institutional investors; believes that the fact that these investors hold a significant part of the shares of direct competitors in the same sector, such as airlines companies for example, creates a quasi-oligopoly and adverse effects for consumers and the economy as a whole by limiting competition; calls on the Commission to take all necessary measures to deal with the possible anti-competitive effects of common ownership; calls on the Commission, furthermore, to investigate common ownership and draw up a report, to be presented to Parliament, on the effects of common ownership on European markets, particularly on prices and innovation.
52. Welcomes the revision of Regulation (EC) No 868/2004 to safeguard fair competition, ensure reciprocity and eliminate unfair practices, including alleged state aid to airlines from certain third countries, and to address regulatory issues, including labour conditions, and environmental issues; agrees with the Commission that the best course of action would be the adoption of a new, comprehensive legal instrument to address market distortion in international transport, the encouragement of the involvement of the International Civil Aviation Organisation (ICAO) on regional airline competition, and fair competition based on air service agreements; believes that transparency in the fair competition clause is an essential element to guarantee a level playing field; is of the opinion that this regulation, or other appropriate legislative vehicles, should prevent anti-competitive behaviour in ticket distribution, such as the imposition by certain airlines of surcharges or restricted access to information for those using booking channels other than their own;

53. Reiterates that aviation makes a vital contribution to the connectivity of the EU, both between Member States themselves and with third countries, plays a crucial role in EU integration and competitiveness, and makes a vital contribution to economic growth and employment; notes that the overall connectivity of the EU relies, to a great extent, on air services performed by EU air carriers;

54. Welcomes the Commission's simplification of rules for public investment in ports and airports, culture and the outermost regions; stresses that, taking into account the connectivity needs of outermost and peripheral regions and in line with the current Commission Guidelines, all airports financed by the EU budget or the European Investment Bank should be based on a positive cost-benefit analysis and medium- to long-term operational and economic viability in order to avoid the financing of ghost airports in Europe;

55. Stresses the importance of safeguarding the transparency and neutrality of flight information, of ensuring a level playing field in the market and ultimately protecting the ability of European consumers to make informed choices; calls on the Commission, therefore, to abide by these principles when reviewing the Code of Conduct on computerised reservation systems and the Air Services Regulation;

56. Calls on the Commission to ensure fair competition in the transport sector in order to complete the single market, taking account of the public interest and environmental considerations and safeguarding the connectivity of insular and peripheral regions; call on the Commission to monitor cases of public port and airport networks being managed through a monopoly;

57. Emphasises that international cooperation is essential for the effective enforcement of the principles of competition law in an era of globalisation; supports, in this context, the permanent engagement of the Commission and NCAs in multilateral fora such as the International Competition Network, the Competition Committee of the Organisation for Economic Cooperation and Development (OECD), the World Bank and the UN Conference on Trade and Development (UNCTAD); asks the Commission to include competition sections in international trade and investment agreements; invites the Commission to continue to promote convergence of competition policy tools and practices, including though bilateral cooperation with third countries, along the lines of the 2013 second-generation cooperation agreement between the EU and Switzerland; welcomes the opening of dialogue between the Commission and China on state aid control and is carefully following China's adoption of a fair competition review system designed to ensure state measures do not adversely affect market entry and exit and the free movement of goods; reiterates its request to Commissioner Vestager to effectively ensure that the Commission informs and regularly updates Parliament's competent committee on its external activity in the area of competition policy;

58. Stresses that it is the consumer who chiefly benefits from functional competition in the European single market; believes that a strict and impartial enforcement of competition policy can make a significant contribution to key political priorities, such as a deeper and fairer internal market, a connected Digital Single Market, and an integrated and climate-friendly Energy Union; reiterates that traditional market models of competition policy may not always be suitable for the digital market, as platform-based business models or multi-sided markets;

59. Points out that a single set of rules for calculating the corporate tax base could eliminate unfair tax competition, such as the conclusion of tax agreements between certain multinationals and Member States; takes note of the ongoing negotiations on the common consolidated corporate tax base (CCCTB);
60. Notes the importance of a favourable regulatory framework for airports to attract and mobilise private investment; considers that the Commission's evaluation of the Airport Charges Directive, in conjunction with effective airline/airport consultation, should help clarify whether the existing provisions are an effective tool to promote competition and to further the interests of European consumers, or whether reform is needed;

61. Welcomes the fact that the Spanish Government is ready to open up the air agreement between Spain and Russia, allowing direct flights between Barcelona and Tokyo;

62. Invites the Commission to examine the bilateral aviation agreements between Member States and third countries in order to ensure fair competition;

63. Calls on the Commission to consider and address the potential effects of Brexit on competition in the aviation sector, and in particular where UK membership to the European Common Aviation Area (ECAA) Agreement would be affected, consequently restricting access to all EU destinations and vice versa;

64. Considers that ensuring a level playing field for companies in the internal market also depends on efforts to decisively combat social dumping;

65. Calls on the Commission to further address the long-term effects of the interrupted discussions on future legislation under the EU Aviation Strategy;

66. Welcomes the Commission's inception impact assessment and public consultation on the food supply chain; points out that Parliament has already called on the Commission and the national competition authorities to respond to the concerns raised by the combined impact, on both the upstream part of the food supply chain and distributors and consumers, of the rapid concentration of the distribution sector at national level on the one hand, and the alliances being formed among large-scale distributors at European and international level on the other; believes that this structural change raises concerns about possible strategic alignments, a fall-off in competition, and reduced scope for investment in innovation within the food supply chain, the proper functioning of producers' organisations, especially small-scale farmers, and the choice of adapted varieties to agro-ecological conditions; calls on the Commission to put in place a binding regulatory framework at EU level to combat unfair commercial practices in the food supply chain that adversely affect farmers;

67. Welcomes the Commission's in-depth investigation into the Monsanto-Bayer merger; is deeply alarmed at the fact that if the Monsanto-Bayer merger is approved, three companies (ChemChina-Syngenta, Du Pont-Dow and Bayer-Monsanto) will own and sell up to 60% of the world’s patented seeds and 64% of the world’s pesticides and herbicides; points out that such a level of concentration will undoubtedly lead to price rises, will increase farmers' technological and economic dependence on a few global integrated one-stop shop platforms, will result in limited seed diversity and the re-direction of innovation activity away from the adoption of a production model which is respectful of the environment and biodiversity and, ultimately, to less innovation, as a result of reduced competition; asks the Commission, therefore, to give careful consideration to the fact that several mergers are taking place simultaneously in the sector, when looking at the level of concentration and the competitive effects of the merger on the various markets affected;

68. Is deeply concerned about the Commission's approval of the Bayer-Monsanto merger, as in spite of the proposed divestment of Bayer’s assets, the merger exacerbates the already far-reaching concentration of the agribusiness sector and effectively impedes a transition away from chemical-dependent agriculture towards genuinely sustainable farming; calls for a revision of competition law to enable effective opposition of mergers of this kind in the future; strongly urges the Commission, therefore, to assess whether mergers in the agricultural sector could lead to 'a significant impediment of effective competition', not by means of a test with a limited scope that merely focuses on the effects of a merger on prices, output and innovation, but by evaluating the full social costs of such mergers, taking into account their broader impact on environmental protection, and international biodiversity obligations, as required by virtue of Article 11 TFEU;

69. Considers that trade subsidies and preferences, such as GSP and GSP+, which are given to non-EU states to promote human and labour rights but which have also been shown as instrumental in promoting the EU’s competitiveness on the international stage, must be adequately monitored and applied with attention given to the impact on EU industries; calls on the Commission, therefore, to suspend the grant or preference if non-EU countries abuse them;
Recalls that the Commission has been looking into Luxembourg’s tax treatment of McDonald’s since June 2014 and took the decision to initiate a formal investigation procedure in December 2015, but that no final decision has been taken so far; asks the Commission to make every effort to reach a final decision on this case soon;

Calls on the Commission to regularly assess the effectiveness of Member States’ protection of intellectual property rights, which is an essential element of health competition policies; stresses that trademark protection is essential for the purposes of identifying and distinguishing products in the marketplace; and that without trademarks and the ability to enable people to differentiate between their products, it becomes very difficult, if not impossible, for manufacturers to enter new markets; considers, moreover, that by focusing competition on price, it makes it difficult for manufacturers with small market shares to strengthen their market position; emphasises, therefore, that the removal of trademarks or limitations on their use creates a significant barrier to market entry and undermines an essential aspect of free and fair competition in the EU;

Strongly supports the Commission’s statement in the Annual Report on Competition Policy 2016 that ‘as companies go global, so must competition enforcers’; believes that global rules on competition, transparency and the highest level of coordination between competition authorities, including with respect to exchange of information during the course of competition proceedings, are preconditions for the development of global fair trade; points out that combating unfair trading practices, including through competition policy, is necessary to ensure a global level playing field which benefits workers, consumers and businesses and is one of the priorities of the EU’s commercial strategy; emphasises that the reflection paper on harnessing globalisation states that the Union must take steps to restore fair conditions of competition, and asks the Commission to propose concrete policies in this respect;

 Calls for trade defence instruments to be updated to make them stronger, faster and more effective; welcomes the new method of calculating anti-dumping duties by assessing market distortions in third countries, which must succeed in safeguarding at least the same level of effectiveness as previously imposed anti-dumping measures in full compliance with our WTO obligations; recalls the importance of monitoring its effective implementation; emphasises, furthermore, the particular importance of the anti-subsidy instrument in tackling unfair global competition, and establishing a level playing field with EU state aid rules;

Emphasises that reciprocity must be one of the key principles underpinning Union commercial policy, with a view to ensuring a level playing field for EU firms, in particular in the area of public procurement; stresses that efforts aimed at securing greater access to foreign public procurement markets must not undermine the development of EU rules in relation to social and environmental criteria; emphasises the importance for the Union of an international instrument on public procurement which establishes the needed reciprocity in cases where trade partners restrict access to their procurement markets; recalls the benefits of foreign direct investment and takes the view that the Commission proposal on the monitoring of foreign investment should make for greater reciprocity in the area of access to markets;

Calls on the Commission to take account of the needs of SMEs when conducting negotiations and trade with a view to ensuring better access to markets and making the firms in question more competitive; acknowledges, in this respect, the Commission’s effort to combat unfair competition in high-profile cases, but stresses that the enforcement of fair competition in the case of SMEs is also of the utmost importance;

Stresses that EU trade policy and trade agreements can have a role to play in the fight against corruption;

Draws attention to the importance of effective, harmonised EU customs checks in combating unfair competition;

Calls on the Commission to explain further how unfair trading practices can be addressed under current competition policy;

Welcomes, therefore, the Commission’s proposal on the European Competition Network (ECN+), including the importance of deterrent fines to competition policy; stresses, furthermore, that the refusal of the requested authority to enforce a decision imposing fines should always be duly justified, and that a system should be set up whereby potential disputes between authorities in such cases could be resolved;
80. Takes note of the e-commerce sector inquiry and its final report, which shows that in the e-commerce sector there are some business practices which negatively affect fair competition and limit consumer choice; believes that, within the context of the Digital Single Market Strategy, the inquiry should be part of a greater enforcement effort by the Commission to apply competition policy in full to online retailers;

81. Supports the Commission’s intention to target enforcement of the EU competition rules at widespread business practices that have emerged or evolved as a result of the growth of e-commerce, and stresses that the Commission must put increased effort into ensuring the consistent application of the EU competition rules in all Member States, also with regard to e-commerce-related business practices; underlines that, given the asymmetrical relationship between large online retailers and their suppliers, the Commission and national competition authorities should actively enforce the competition rules as suppliers, especially SMEs, may not always have cost-effective access to means of redress;

82. Calls for the strengthening of the freedom of choice for consumers in the Digital Single Market; considers that the enshrined right to data portability in the General Data Protection Regulation (Regulation (EU) 2016/679) is a good approach to strengthening the rights of consumers and competition;

83. Is of the view that effective competition policy can complement regulatory initiatives in the area of the Digital Single Market, and considers that where the impetus for regulatory action is primarily in response to market actions by some players, harm could be addressed through competition measures to tackle anti-competitive practices, without holding back those who seek to compete;

84. Is concerned by the increased use of contractual restrictions by manufacturers on online sales, as confirmed by the e-commerce inquiry, and calls on the Commission to further review such clauses to ensure that they do not create unjustified restrictions of competition; at the same time, asks the Commission to review the Guidelines on Vertical Restraints and Commission Regulation (EU) No 330/2010 in light of these changes;

85. Takes note of the Opinion of Advocate-General Wahl of 26 July 2017 in case C-230/16 Coty Germany GmbH v Parfümerie Akzente GmbH that a restriction on online marketplace sales contained in a distribution agreement should not be considered as a hardcore restriction under Commission Regulation (EU) No 330/2010;

86. Stresses that access to justice, which may also include the availability of collective redress, is essential for the achievement of the objectives of EU competition policy; underlines that the absence of such opportunities weakens competition, the functioning of the internal market and consumer rights;

87. Recalls that if anti-competitive practices are to be fought effectively, Member States must adopt an economic policy that is consistent with the principles of an open market economy based on fair competition, as purely protectionist measures harm the functioning of the single market; underlines that all aspects of unfair competition must be eliminated, including unregistered work and circumventing rules on the posting of workers, without prejudice to the free movement of labour as one of the fundamental freedoms of the internal market;

88. Considers the consultation carried out by the Commission on the possible improvement of EU merger control to be very important; believes that steps must be taken to ensure, in particular in the digital sphere, that mergers do not restrict competition in the internal market; calls again on the Commission, therefore, to examine carefully whether current assessment procedures take sufficient account of the circumstances of digital markets and of the internationalisation of markets; calls, furthermore, on the Commission to take into account the role of access to data and information when assessing market power, whether merging data and customer information during a merger distorts competition, and to what extent an enterprise’s access to exclusive analytical methods and patents excludes competitors; reiterates its request to the Commission to explain how it defines the minimum number of market players necessary for fair competition, and how it retains the possibility for new companies, in particular start-ups, to enter highly concentrated markets;

89. Calls on Member States to ensure the proper enforcement of EU public procurement rules in order to tackle distortions of competition, including by means of social, environmental and consumer protection criteria where appropriate, and to promote good practice in public authorities’ processes; considers that the development of electronic public procurement procedures will make it easier for SMEs to access public procurement, will increase transparency, and will ensure more effective monitoring of infringements of the competition rules; calls, furthermore, on the Commission to promote market access opportunities for SMEs through smaller contracts where compatible with key procurement objectives, and to carefully monitor the enforcement of rules as regards centralisation of purchases in public procurement markets;
90. Welcomes the adoption of rules on the portability of pre-paid services under the Single Digital Market Strategy that will improve competition in the internal market and ensure greater consumer rights;

91. Believes that criteria to join a selective distribution or franchising network should be transparent in order to ensure that such criteria do not violate competition policy and the free functioning of the single market; underlines that such criteria must be objective, qualitative and non-discriminatory, and must not go beyond what is strictly necessary; calls on the Commission to take measures to ensure this transparency;

92. Notes the increased risk of collusion between competitors due to, among other things, price monitoring software; considers that concerted practices may emerge despite contact between competitors being weaker than required under current norms, perhaps even automated, as algorithms interact with each other independent of the direction of one or more market players; asks the Commission to be vigilant about such new challenges to free competition;

93. Welcomes the Commission’s efforts to connect with its international partners and multilateral fora in the area of competition policy; believes that international cooperation is increasingly essential where companies subject to enforcement operate across multiple jurisdictions;

94. Believes that increasing the network of free trade agreements involving the European Union will benefit the enforcement of competition law globally; encourages the Commission in this regard to seek further trade agreement opportunities, and to include strong antitrust and State aid rules in any such future agreements;

95. Believes that the specific nature of the agriculture sector must be taken into account in competition policy; recalls that Article 42 TFEU gives special status to the agricultural sector as regards competition law, affirmed in the last reform of the common agricultural policy (CAP) by allowing a series of derogations and exemptions from the provisions of Article 101 TFEU; notes that the CAP aims to ensure a fair standard of living for the agricultural community in the face of constant economic and climate-related hazard; recalls that competition policy mainly defends consumers’ interests and takes insufficient account of agricultural producers’ specific interests and difficulties; stresses that competition policy must defend the interests of agricultural producers and consumers’ in the same way by ensuring that the conditions for competition and for access to the internal market are fair, in order to foster investment and innovation, for employment, viability of agricultural businesses and balanced development of rural areas in the EU, while promoting transparency for market participants;

96. Insists that the concept of ‘fair price’ should not be regarded as the lowest price possible for the consumer, but instead must be reasonable and allow fair remuneration of each party within the food supply chain;

97. Considers that the collective activities of producer organisations and their associations – including production planning and the negotiation of sales and of the terms of contracts – are necessary to achieve the CAP objectives as defined in Article 39 TFEU and should therefore be exempted from the application of Article 101 TFEU, when those joint activities are genuinely exercised, thereby contributing to improving the competitiveness of farmers; notes that the derogations under Regulation (EU) No 1308/2013 (Single CMO Regulation) have not been used to their full extent, and that the lack of clarity of these derogations, the difficulties in implementing them and the lack of uniform application by national competition authorities have not given farmers and their organisations enough legal certainty; welcomes the fact that Regulation (EU) 2017/2393(12) will simplify the rules on farmers’ organising collectively, and will clarify the role and powers of producer organisations pursuing economic activities in relation to competition law, so as to strengthen their bargaining power while safeguarding the principles set out in Article 39 TFEU;

98. Welcomes the fact, taking into account the encouraging implementation reviews\(^{(13)}\) and the way in which it is helping to strengthen the position of dairy farmers within the food supply chain, that the 2012 ‘Milk Package’ is due to be extended in time under Regulation (EU) 2017/2393; calls on the Commission, however, to carry out an impact assessment to determine whether the provisions on contractual negotiations in the milk and milk products sector should be extended in scope to cover other agricultural sectors, as farmers and producers' organisations would have more freedom to plan production, the right to collective bargaining and the negotiation of sales and of the terms of contracts that set prices and volumes clearly;

99. Calls for an automatic express exemption from Article 101 TFEU to be provided, subject to the principles of necessity and proportionality, allowing agricultural inter-branch organisations to accomplish the tasks assigned to them by the Single CMO Regulation, with a view to furthering the aims of Article 39 TFEU;

100. Proposes that the provisions of the Single CMO Regulation enabling supply regulation measures to be adopted for cheeses with a protected designation of origin or a protected geographical indication (Article 150), for PDO or PGI ham (Article 172), or for wines (Article 167) to be extended to cover quality-labelled products in order to increase the possibilities of matching supply with demand;

101. Welcomes the fact that Regulation (EU) 2017/2393 establishes a procedure whereby a grouping of farmers may seek a non-binding opinion from the Commission in order to determine whether given collective action is compatible with the general exception to competition rules under Article 209 of the Single CMO Regulation; calls, nonetheless, on the Commission, in the light of the recommendation of the Agricultural Markets Task Force, to clarify the scope of the general derogation for agriculture in order to specify the exception in such a way as to make the non-application of Article 101 TFEU – where this is provided for – enforceable and workable;

102. Points out that in periods of severe market imbalances, when the agricultural sector is at risk and all citizens are affected by the potential damage to essential food supplies, a market-oriented CAP needs to provide support to farmers and grant additional, time-limited and fully justified exemptions from competition rules; welcomes the fact that, as a result of changes made with Regulation (EU) 2017/2393, it will be easier to trigger the provisions of Article 222 of the Single CMO Regulation, which allows such temporary derogations from competition law;

103. Calls for further development of the European Food Prices Monitoring Tool to improve the detection of crises in the agri-food sector by means of better and more disaggregated data; highlights, in this regard, the need to engage farmers' organisations in the definition and collection of data;

104. Points to the Commission’s recognition that agricultural producers form the least concentrated level in the food supply chain while their input suppliers and customers are often much larger and more concentrated, resulting in an imbalanced relationship and to negative and unfair practices (UTPs) – on the part of some large distribution chains, processors and retail operators – that cannot be resolved by competition policy alone, and so coherence with other policies is necessary; calls, therefore, on the Commission to define more clearly a ‘dominant position’ and the abuse of such a position, taking into consideration the degree of concentration and negotiating strength of the input, processing and retail sectors; notes, furthermore, that Regulation (EU) 2017/2393 establishes certain provisions on the right to written contracts, and to negotiation of contractual terms for improved value-sharing along the supply chain, to help calm relations between stakeholders, combat unfair trading practices, make farmers more responsive to market signals, improve price reporting and transmission, and gear supply more readily to demand; calls, moreover, on the Commission and on the national competition authorities to ensure that commodities are properly classified and priced and that abuses and unfair trading practices affecting farmers are monitored and tackled through binding actions, and are penalised; believes that existing national schemes should be examined to determine the best practice to be applied;

105. Acknowledges that, so far, competition law has not been applied to tackle unfair trading practices in the food chain at either the European or the national level; notes that specific national rules have been implemented in this regard, but they have not proved fully effective in addressing the endemic problem of unfair trading practices and the imbalance of power in the food supply chain; calls on the Commission to publish and approve without delay the announced EU legislative proposal on unfair trading practices, provide a harmonised legal framework that better protects producers and farmers from unfair trading practices, and ensure further consolidation of the internal market;

106. Points out that Parliament has already called on the Commission and the national competition authorities to respond effectively to the anxieties being caused by the combined impact which the rapid concentration of the distribution sector at national level and the alliances being formed among large-scale distributors at European and international level is having both on the upstream part of the food supply chain and on distributors and consumers; believes that this structural change raises concerns about possible strategic alignments, a fall-off in competition, and reduced scope for investment in innovation within the food supply chain;

107. Calls on the Member States and the EU institutions to prioritise the strengthening of the post-Brexit single market by ensuring full compliance with EU competition laws and its derogations, as well as other standards, in order to ensure legal certainty and a level playing field between Member States;

108. Notes that the individual ceiling for de minimis aid in the agricultural sector was doubled in 2013 (from EUR 7,500 to EUR 15,000) in order to cope with the upsurge in climate-driven, health, and economic crises; points out that the national de minimis ceiling was at that time adjusted only marginally (from 0.75 % to 1 % of the value of national agricultural production), thus reducing the latitude for Member States to assist farms in difficulties; calls, therefore, for the national de minimis ceiling to be raised to 1,25 % of national agricultural production to alleviate the difficult economic situation of farmers; notes that coherent rules on de minimis aid should serve to improve the position for farmers without entailing the re-nationalisation of agricultural policy;

109. Stresses the importance of funds aimed at enabling access to high-speed broadband networks in order to keep up with technological advancement and boost competition, especially in rural and remote areas;

110. Stresses that opening up the EU market to very competitive trade partners and major exporters of agricultural products subject to various different standards may constitute a risk to the most sensitive farm sectors in the EU; calls on the Commission to take fully into account the effect of possible market distortions, resulting from trade agreements with third countries, on agricultural producers in Europe, given their delicate financial situation and their fundamental role in our society;

111. Instructs its President to forward this resolution to the Council, the Commission, and the national and, where applicable, regional competition authorities.
Vaccine hesitancy and drop in vaccination rates in Europe

European Parliament resolution of 19 April 2018 on vaccine hesitancy and the drop in vaccination rates in Europe (2017/2951(RSP))

(2019/C 390/20)

The European Parliament,

— having regard to Article 168 of the Treaty on the Functioning of the European Union (TFEU),

— having regard to the Council conclusions on ‘Childhood immunisation: successes and challenges of European childhood immunisation and the way forward’ (1), adopted by the health ministers of the EU Member States on 6 June 2011,

— having regard to the Council conclusions of 1 December 2014 on vaccinations as an effective tool in public health (2),

— having regard to the Commission communication of 29 June 2017 entitled ‘A European One Health Action Plan against Antimicrobial Resistance’ (COM(2017)0339)

— having regard to the World Health Organisation (WHO) Global Vaccine Action Plan (GVAP), endorsed by the 194 member states of the World Health Assembly in May 2012,

— having regard to WHO resolution 68.6, adopted by the 194 member states of the World Health Assembly on 26 May 2015,

— having regard to the WHO’s European Vaccine Action Plan 2015-2020, adopted on 18 September 2014,

— having regard to the technical report of 27 April 2017 by the European Centre for Disease Prevention and Control (ECDC) on ‘Immunisation information systems in the EU and EEA’,

— having regard to the ECDC’s technical report of 14 June 2017 on ‘Vaccine-preventable diseases and immunisation: Core competencies’,

— having regard to the political declaration of the high-level meeting of the UN General Assembly held in New York on 21 September 2016 on antimicrobial resistance,


— having regard to Council recommendation 2009/1019/EU of 22 December 2009 on seasonal influenza vaccination (3),

— having regard to the increasing numbers of intercontinental travellers,

— having regard to the questions to the Council and to the Commission on vaccine hesitancy and the drop in vaccination rates in Europe (O-000008/2018 – B8-0011/2018 and O-000009/2018 – B8-0012/2018),

— having regard to the motion for a resolution of the Committee on the Environment, Public Health and Food Safety,

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

(1) OJ C 202, 8.7.2011, p. 4.
A. whereas in December 2010 global health leaders committed to ensuring the discovery, development, and global delivery of life-saving vaccines, especially to the poorest countries, declaring the following 10 years (2011-2020) the ‘Decade of Vaccines’;

B. whereas the cost of a full vaccines package for one child, even at the lowest global prices, increased by a factor of 68 between 2001 and 2014; whereas this price increase is unjustifiable and incompatible with the Sustainable Development Goal of ensuring healthy lives and promoting wellbeing at all ages;

C. whereas within the EU and the European Economic Area (EEA), countries vary considerably in relation to recommended vaccines and the organisation of health services;

D. whereas the EU Member States have all endorsed the WHO’s European Vaccine Action Plan 2015-2020;

E. whereas encouraging high vaccination rates protects citizens from contracting vaccine-preventable diseases that are pandemic in countries with low vaccination and immunisation rates;

F. whereas, according to a global survey undertaken by the Vaccine Confidence Project, the European region has the highest negative responses in terms of perception of the importance of vaccines and their safety and effectiveness, leading to the highest degree of vaccine hesitancy in the population (4);

G. whereas the decline in vaccination uptake in Europe has led to significant measles outbreaks and related deaths in several European countries;

H. whereas, on the basis of the ‘One Health’ approach, various Member States regard the vaccination of agricultural and domestic animals as an important measure, both to prevent outbreaks of cross-border animal diseases and to limit the risk of further contagion, and have introduced it, including against infections by Coxiella burnetii and other bacterial and viral diseases which also present public health risks;

I. whereas, in the period from 2008 to 2015, 215,000 cases of vaccine-preventable diseases (VPDs), excluding influenza, were recorded in Europe (5);

1. Recognises the role vaccines could potentially play in combating antimicrobial resistance (AMR), which should continue to be explored;

2. Recognises the role vaccines could potentially play in reducing the need for antibiotics, thereby helping to limit the spread of AMR, which should continue to be explored; stresses, however, that urgently reducing the overuse and misuse of, and unintended exposure to, antibiotics must remain a top priority;

3. Notes that vaccination prevents an estimated 2.5 million deaths each year worldwide and reduces disease-specific treatment costs, including antimicrobial treatments;

4. Welcomes the fact that the introduction of large-scale protective vaccinations in Europe has significantly contributed to the eradication of or decline in many infectious diseases; is concerned, nevertheless, at the worrying phenomenon of vaccine hesitancy, as well as the lack of national recommendations to take account of the ageing population, and calls for greater transparency in the production of vaccines and for measures to reassure European citizens;

5. Points out that vaccines are rigorously tested through multiple stages of trials before being prequalified by the WHO and approved by the European Medicines Agency (EMA), and regularly reassessed; points out that researchers must declare any conflicts of interest;


6. Proposes that researchers subject to a conflict of interest be excluded from evaluation panels; calls for the confidentiality of the deliberations of the EMA's evaluation panel to be lifted; proposes that the scientific and clinical data which inform the conclusions of the panel, and whose anonymity is guaranteed in advance, be made public;

7. Recalls that the European One Health Action Plan against AMR states that immunisation through vaccination is a cost-effective public health intervention in efforts to combat antimicrobial resistance (6);

8. Welcomes the Commission's active engagement on the issue of vaccination and the inclusion of a vaccination initiative in the 2018 Commission Work Programme; welcomes the publication of the roadmap for a Council recommendation on strengthening cooperation against vaccine-preventable diseases;

9. Expresses its support for the fact that in its AMR Action Plan the Commission announces that it will provide incentives to increase the uptake of diagnostics, antimicrobial alternatives and vaccines (7);

10. Welcomes the forthcoming launch of a Joint Action co-funded by the EU's Health Programme aimed at increasing vaccination coverage;

11. Calls on the Member States and the Commission to reinforce the legal basis for immunisation coverage; points out that, according to objective 1 of the European Vaccine Action Plan 2015–2020, introducing and implementing an appropriate legislative framework is crucial to defining national priorities and to taking tangible steps towards a sustainable commitment to immunisation;

12. Strongly supports the Joint Procurement Agreement, which gives Member States and the Commission a framework to jointly procure vaccines, thereby pooling the purchasing power of Member States and thus ensuring that pandemic and other vaccines are available in sufficient quantities to guarantee access to vaccines, and that all participating Member States are treated equally;

13. Welcomes the fact that 24 Member States have signed the Joint Procurement Agreement, meaning that it covers 447.8 million of the 5082 million EU citizens; calls on those Member States which have not yet signed the agreement to do so, to ensure that all EU citizens are covered by it;

14. Recalls the importance of transparency in building and maintaining public trust in medicines;

15. Recalls the importance of the Clinical Trials Regulation (8) in stimulating and facilitating research into new vaccinations and ensuring the transparency of the results of clinical trials; calls on the Commission and the EMA to implement the Clinical Trials Regulation without further delay, in particular through setting up the European Portal and Database (EUPD), the implementation of which has been subject to significant delays of over two years; calls, furthermore, on all parties involved to ensure that the current process of relocating the EMA away from London does not cause any additional disruption or delays to the work of the agency;

16. Calls on the Member States to ensure that all healthcare workers are sufficiently vaccinated themselves; calls on the Commission to address the vaccination rates of healthcare workers in its proposal for a Council recommendation on strengthened cooperation against vaccine-preventable diseases;

17. Believes that the Commission’s initiative of a proposal for a Council recommendation on strengthened cooperation against vaccine-preventable diseases, due to be presented in the second quarter of 2018 and aimed at supporting Member States in implementing vaccination programmes, reducing vaccine hesitancy, strengthening the supply of vaccines and improving vaccination coverage overall, is a good step; calls on the Commission and the Council to take Parliament’s position into account in the drafting of the recommendations;

---

(6) See Action plan, p. 10.
(7) See Action Plan, p. 12.
Notes with concern that epidemiological data on the current vaccination situation in the Member States show important gaps in the acceptance of vaccines and that the vaccination coverage rates necessary to ensure adequate protection are insufficient; is concerned that growing and widespread vaccine hesitancy has assumed worrying proportions thanks to the range of health-related consequences it gives rise to in the Member States; calls on the Member States, given the usefulness of vaccination as a preventive tool, to ensure that vaccine coverage is extended beyond early childhood, and that all population groups can be included in a lifelong vaccination approach;

Underlines that the waning of public confidence in vaccination worldwide is a cause for concern and a major challenge for public health experts; notes that Europe is currently facing avoidable measles outbreaks in a number of countries owing to vaccine hesitancy; calls on the Commission to continue to reinforce its support for national vaccination efforts aimed at increasing coverage;

Stresses that increased transparency in the process of evaluating vaccines and their adjuvants, and the funding of independent research programmes on their possible side-effects, would contribute to restoring confidence in vaccination;

Calls on the Commission and the Member States to strengthen the infrastructure for data collection for purposes of tracking infectious disease patterns and the real-life impact of vaccines, so as to support the delivery of immunisation programmes;

Is concerned at the wide variation in the vaccines that are recommended, provided and/or mandated by different Member States; is also concerned that this variation in vaccination coverage exacerbates health inequalities between Member States and undermines efforts to reduce and eliminate preventable diseases;

Condemns the spread of unreliable, misleading and unscientific information on vaccination, aggravated by media controversies, media sensationalism and poor journalism; calls on the Member States and the Commission to take effective steps against the spread of such misinformation, to further develop awareness and information campaigns aimed at restoring confidence in vaccines, and to enhance education and dialogue, especially for parents, including the creation of a European platform aimed at increasing vaccination coverage and preventing misleading information from proving effective;

Emphasises the need to provide citizens with inclusive, factual and science-based information; calls on the Commission and the Member States to facilitate dialogue with stakeholders from civil society, grassroots movements, academia, the media and national health authorities in order to combat unreliable, misleading and unscientific information on vaccination;

Is concerned at the limited budget allocated specifically to vaccination in some Member States, as well as the high prices and wide variations in price of some life-saving vaccines, which risk further exacerbating existing health inequalities: urges the Commission and the Member States to implement, as soon as possible, the measures called for in its resolution of 2 March 2017 on EU options for improving access to medicines (**), while stressing that vaccination is one of the most cost-effective public health interventions for healthcare systems in the long term;

Is concerned that high vaccine prices disproportionately affect low- and middle-income countries, including countries that are losing the donor support they previously received through Gavi, the Vaccine Alliance; calls on the Commission and the Member States to take measures to help facilitate access to vaccines in the countries concerned;

Welcomes the encouraging progress made in the fight against human papilloma virus (HPV) diseases and cancers thanks to vaccination programmes against the HPV virus; calls on the Member States to further develop these programmes and explore ways to increase coverage rates and prevent other forms of cancer, for example by including boys in vaccination programmes;

28. Believes providing vaccination screening and services for migrants and refugees entering EU countries is critical; calls on the Commission and the Member States to map the concrete vaccination activities which are being implemented for migrants and refugees entering EU countries, and to work energetically to address the gaps identified;

29. Is concerned at vaccine shortages, and calls on the Commission and the Member States to develop solutions to increase vaccine supply and availability, including arrangements for stockpiling vaccines;

30. Calls on the Member States and the Commission to promote awareness-raising campaigns among healthcare professionals who provide vaccinations, which underline their obligation, both moral and ethical, to protect public health by providing patients (or patients’ legal guardians) with sufficient information about vaccines so that they can make an informed decision;

31. Points out that healthcare professionals are the cornerstone of public acceptance of vaccination and their recommendations are consistently cited as a primary reason for vaccination (10);

32. Calls on the Commission and the Member States to elaborate a fully comprehensive EU Action Plan raising the social problem of vaccine hesitancy, strengthening Member States’ commitments to immunisation as a priority public health measure, including priority and region-specific actions, and taking into account the varying circumstances and specific challenges faced by the Member States;

33. Calls on the Commission to facilitate a more harmonised and better aligned schedule for vaccination across the EU, to share best practices, to explore, together with Member States, options for establishing an EU platform for the monitoring of the safety and effectiveness of vaccines, to ensure even coverage across Europe, to reduce health inequalities and to help boost trust and confidence in vaccination programmes and vaccines; calls on the Commission to establish targeted vaccination initiatives, such as a 'European influenza vaccination day', which could be used each year to launch the vaccination campaign in line with the 75% coverage target laid down in the Council recommendations on seasonal influenza;

34. Calls on the Commission and the Member States to adopt concrete ‘One Health’ measures to increase vaccination rates in both humans and, where necessary, animals by means of financial and policy incentives, and thus to combat infectious diseases and also antibiotic resistance more cost-effectively, inter alia in the context of the future common agricultural policy beyond 2020;

35. Calls on the Member States to provide data on vaccination and vaccine-preventable diseases punctually to the Commission, the ECDC and the WHO;

36. Instructs its President to forward this resolution to the Council, the Commission, the World Health Organisation and the governments of the Member States.

---

Thursday 19 April 2018

P8_TA(2018)0189

Implementation of the European Protection Order Directive


(2019/C 390/21)

The European Parliament,

— having regard to Articles 2 and 3 of the Treaty on European Union (TEU) and Articles 8, 10, 18, 19, 21, 79 and 82 of the Treaty on the Functioning of the European Union (TFEU),

— having regard to Articles 3, 6, 20, 21, 23, 24, 41, 47 of the Charter of Fundamental Rights of the European Union,

— having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR),

— having regard to the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948,

— having regard to the 1979 UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),

— having regard to the United Nations Declaration on the Elimination of Violence against Women, adopted on 20 December 1993,

— having regard to the UN Convention on the Rights of the Child, adopted in New York on 20 November 1989,


— having regard to the General Comment adopted on 26 August 2016 by the UN Committee on the Rights of Persons with Disabilities on Article 6 (‘Women and Girls with Disabilities’) of the UN Convention on the Rights of Persons with Disabilities,

— having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), and to the Council Decisions (EU) 2017/865 (1) and (EU) 2017/866 (2) of 11 May 2017 on the signing, on behalf of the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence,

— having regard to the signing of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) by all Member States,

— having regard to its resolution of 12 September 2017 on the proposal for a Council decision on the conclusion, by the European Union, of the Council of Europe Convention on preventing and combating violence against women and domestic violence (3);


— having regard to the Commission communication of 19 June 2012 entitled ‘EU Strategy towards the Eradication of Trafficking in Human Beings, 2012-2016’ (COM(2012)0286),


— having regard to Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions (10),

— having regard to Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention (11),

— having regard to Council Framework Decision 2008/977/JHA of 27 November 2008 on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters (12),

— having regard to the Resolution of the Council of 10 June 2011 on a Roadmap for strengthening the rights and protection of victims, in particular in criminal proceedings (13),

— having regard to the Stockholm Programme – An open and secure Europe serving and protecting citizens (14),

— having regard to the Rights, Equality and Citizenship Programme 2014-2020,


— having regard to the report of the European Agency for Fundamental Rights (FRA) entitled ‘Violence against women – an EU-wide survey’,

— having regard to its resolution of 26 November 2009 on the elimination of violence against women (15),

— having regard to its resolution of 10 February 2010 on equality between women and men in the European Union – 2009 (16),

— having regard to its resolution of 25 February 2014 with recommendations to the Commission on combating Violence Against Women (17),

Thursday 19 April 2018

— having regard to its resolution of 9 June 2015 on the EU Strategy for equality between women and men post 2015 (18),

— having regard to the European Parliamentary Research Service’s European Implementation Assessment (PE603.272) of Directive 2011/99/EU produced by the Ex-Post Evaluation Unit,

— having regard to Rule 52 of its Rules of Procedure, as well as Article 1(1)(e) of, and Annex 3 to, the decision of the Conference of Presidents of 12 December 2002 on the procedure for granting authorisation to draw up own-initiative reports,

— having regard to the joint deliberations of the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women’s Rights and Gender Equality under Rule 55 of the Rules of Procedure,

— having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women’s Rights and Gender Equality (A8-0065/2018),

A. whereas any forms of violence against a human being are a direct violation of their human dignity, which is the very basis of all fundamental human rights and therefore must be respected and protected; whereas violence against women is a brutal form of discrimination and a human and fundamental rights violation;

B. whereas victims of violence and abuse are at risk of being subjected to secondary and repeated victimisation, retaliation and intimidation; whereas, therefore, providing them with the necessary protection, including across borders, depends to a great extent on the awareness of victims, society at large and all practitioners who come into contact with them, including relevant actors such as shelters;

C. whereas the lack of provision of appropriate protection of a human being against gender-based violence has a detrimental effect on society as a whole;

D. whereas one of the most important security aspects of every society is the protection of the personal integrity and freedom of every individual; whereas the European Agenda on Security should include the safeguarding of personal safety and the protection of all individuals from gender-based violence as priorities;

E. whereas violence and physical, psychological and sexual abuse disproportionately affect women (19); whereas one in three women in the EU has experienced physical and/or sexual violence since the age of 15; whereas the extent and severity of violence against women are often disregarded and trivialised in some Member States and there is still a worrying widespread tendency to blame the victims; whereas only about a third of women who are physically or sexually abused by their partners contact the authorities;

F. whereas ensuring gender equality in all policy areas is a fundamental principle of the European Union and an essential element in combating gender-based violence;

G. whereas the Istanbul Convention, which has been signed but not ratified by the EU and all Member States (20), stipulates that all of its provisions, in particular measures to protect the rights of victims, shall be secured without discrimination on any ground, and explicitly calls on its signatories to recognise stalking as a criminal offence; whereas the ratification and full implementation of the Istanbul Convention will help overcome the challenges raised by the EPO by providing a coherent European legal framework to prevent and combat violence against women;

H. whereas, in order to reduce the estimated number of unreported cases of violence, Member States must put in place and reinforce early warning and protection instruments for women so that they can feel safe and able to report gender-based violence; whereas the considerably high number of unrecorded cases of gender-based violence could be linked to a lack of public resources; whereas the relevant authorities must have structures, such as shelters providing medical and forensic support, psychological counselling and legal assistance, that create a safe haven for women who are victims of gender-based violence;

(19) The FRA’s report entitled ‘Violence against women: an EU-wide survey. Main results report’ shows that one in three women (33 %) has experienced physical and/or sexual violence since the age of 15; one in five women (18 %) has experienced stalking and every second woman (55 %) has been confronted with one or more forms of sexual harassment. Given this, violence against women cannot be seen as a marginal issue that touches only on some women’s lives.
I. whereas freedom of movement in the EU entails that people frequently move around from one country to another; whereas the EPO is based on the need to safeguard victims' rights and freedoms, and particularly to respect the right of victims and potential victims to enjoy freedom of movement and to ensure their continued protection when exercising that right;

J. whereas preventing violence by investing in awareness-raising and information campaigns with effective media coverage, education and training of professionals are crucial elements in combating gender-based violence; whereas the Istanbul Convention obliges the parties to prevent gender-based violence and stereotypes through addressing the role of the media; whereas the general lack of awareness among victims benefiting from national protection measures of the existence of the EPO has a negative impact on its implementation; whereas awareness-raising campaigns and sensitisation programmes to combat the trivialisation of domestic and gender-based violence contribute to an increase in the willingness of victims to report abuse and request national and European protection orders, as well as building up their trust in the relevant authorities;

K. whereas in 2010, when the EPO was proposed by the European Council, 118 000 women residing in the EU were covered by protection measures related to gender-based violence; whereas in 2011, it was estimated that an average of 1 180 individuals would need continuous cross-border protection measures in the EU;

L. whereas NGOs often play a vital role in many Member States in supporting victims;

M. whereas EPOs are instruments of mutual recognition and cooperation, which can neither function correctly nor safeguard victims until fully implemented by all Member States;

N. whereas, particularly in cases of violence, some Member States issue protection measures on the basis of criminal proceedings, while others issue protection orders based on civil proceedings;

O. whereas a wide variety of protection orders exist across the EU Member States, and due to the different judicial systems in the Member States, the implementation of EPOs faces many difficulties and could consequently undermine the proper application of EPOs for victims and hamper the number of EPOs issued;

P. whereas the majority of Member States have no registry system to collect data on EPOs, nor is there a European central registry system to collect all relevant EU data; whereas insufficient data make it hard to assess the implementation of the EPO and to address shortcomings in legislation or implementation;

Q. whereas the EPO is applicable to victims of all types of crime, including victims of terrorism, human trafficking, gender-based violence and organised crime; whereas people in vulnerable situations who have fallen victim to crime need to be treated with particular consideration when applying for an EPO;

R. whereas there is a strong link between the functioning of the EPO and the minimum standards on the rights, support and protection of victims of crime established through Directive 2012/29/EU;

1. Calls on the Member States to clearly condemn and to commit themselves to eradicating all forms of gender-based violence and violence against women, and to ensure zero tolerance of these forms of violence;

2. Calls on the Member States and the Commission to mainstream gender in all policies, particularly those where there may be a link with raising awareness about and detecting violence against women, and protecting and safeguarding the integrity of victims;
General assessment of the implementation of the directive, and recommendations to improve the state of implementation and the functioning of the EPO

3. Acknowledges that all Member States, which are bound by the EPO Directive, have notified the Commission of its transposition into national law;

4. Is aware of the positive effect the establishment of the Area of Freedom, Security and Justice may have on the cross-border protection of victims; considers that the EPO has the potential to be an effective instrument to protect victims in a modern world characterised by high mobility and a lack of internal borders; notes with concern, however, that since the transposition of the EPO Directive only seven EPOs have been identified across the Member States, although thousands of national protection orders have been requested and issued in the Member States in recent years (21);

5. Deplores that the Commission did not submit a report to Parliament and Council on the application of the EPO Directive by 11 January 2016; calls on the Commission to meet its reporting obligations as set out in the directive and to include in its report a mapping of national protection measures, an overview of training activities, an analysis of the compliance by Member States with the right of victims to free legal aid, including information on whether any costs are borne by the victims in relation to a protection order, and a mapping of awareness-raising campaigns taking place in Member States;

6. Recalls the obligation for the executing state to recognise the EPO with the same priority as the issuing state in spite of the various complexities and legal challenges involved;

7. Is concerned that there is a significant gap between coordination and communication among the Member States when an EPO is executed; calls on the Member States to improve and jointly enhance cooperation and communication in relation to the EPO as this would set in motion much more efficient procedures and simultaneous cross-border action among the Member States;

8. Insists that the collection of statistical data needs to be improved in order to assess the extent of the problem and the results of action to reduce gender-based violence; calls on the Member States to standardise and digitalise EPO forms and procedures and to set up a National Registry System of EPOs with the aim of collecting data, as well as to improve the exchange of information with the Commission and the Member States: calls on the Member States to collect and to communicate regularly to the Commission gender-disaggregated data and data related to the number of EPOs requested, issued and enforced, as well as information on the types of crimes;

9. Calls on the Commission to set up a European Registry System to collect information on EPOs from all Member States;

10. Call for one standard form, valid in both criminal and civil cases and in all Member States, to be designed and used in applying for and recognising protection orders; asks that a digital management system also be employed to facilitate coordination, standardise data collected and speed up both management of the orders and the preparation of operational statistics at EU level;

11. Calls on the Commission and the Member States to publish the full list of competent authorities responsible for issuing and recognising EPOs and of central authorities transmitting and receiving EPOs in the Member States, and to make the list easily accessible to protected persons and victim support organisations to request EPOs or to settle related issues; calls on the Member States to strengthen their national and local institutions and competent authorities to enhance the accessibility and applicability of the EPO in a manner conducive to EPOs being issued;

12. Calls on the Commission to foster all forms of exchange of good practices and cooperation between Member States as well as between Member States and civil society in order to safeguard the appropriate functioning of EPOs;

(21) The EPRS study on the ‘European Protection Order Directive 2011/99/EU – European Implementation Assessment’ reports that ‘it has been estimated that in 2010 over 100 000 women residing in the EU were covered by protection measures related to gender-based violence’. 

13. Stresses that victims of crime who have or would consider obtaining a national protection order should be automatically and properly informed and reminded by a specific responsible authority, both orally and in writing, of the possibility of requesting an EPO during criminal proceedings; stresses that the protected person should not have to bear financial costs when he or she requests the issuing of an EPO;

14. Calls on the Member States to conduct an individual assessment, adopting a gender-sensitive approach, in relation to the provision of assistance and support measures when requesting EPOs;

15. Deplores the lack of access to justice and legal aid for victims of all types of crime in some Member States which results in poor information provided to the victim of the possibility of requesting an EPO; considers that the provision of free legal aid, administrative support and adequate information on the EPO to protected persons should be ensured by Member States as this is crucial for the use and effectiveness of the instrument, both at the stage of issuing and of enforcement; calls on Member States to increase the resources devoted to monitoring and preventing violence against women in rural areas;

16. Encourages the Member States to notify protected persons of additional social assistance resources available in the host state, such as family allowances, accommodation, etc., as these measures lie outside the scope of the EPO;

17. Stresses that as part of the protection and complementary social work, special attention should be paid to child victims and to the children of victims of criminal acts, especially when at risk of sexual assault;

18. Deplores that translation and interpretation services into a language the victim understands are not guaranteed by the Member States before, during and after the issuing of an EPO;

19. Stresses that victims should always have the right to be heard during EPO procedures; underlines that translation and interpretation services need to be available and free of charge during the entire EPO process; highlights, therefore, that all relevant documents should be translated into a language understood by the victim;

20. Deplores the shortage of special measures implemented by the Member States for victims in vulnerable situations or victims with specific needs; considers that cuts in public spending often adversely affect the resources available for these special measures; calls, therefore, on the Member States, in cooperation with the Commission and relevant organisations working in victim protection, to adopt special guidelines and measures that will facilitate the EPO for victims in vulnerable situations or victims with specific needs;

21. Highlights that, due to the increasing and dangerous trend of trafficking in human beings, the European Protection Order can be a very beneficial instrument for victims of human trafficking; calls on the Commission, therefore, to incorporate the EPO within an EU strategy to combat human trafficking;

22. Considers that, in order to fulfil its potential and to ensure equivalent protection measures in both the issuing and executing state, the issuance of the protection order must be as fast, effective, efficient and automatic as possible and involve minimum bureaucracy; calls on the Commission and the Member States to fix a clear and short timeframe of two weeks for the competent authorities of the Member States when issuing and notifying about EPOs in order to avoid increasing the uncertainty of protected persons and the pressure they are under, and, for the sake of achieving the same goal, to instruct the competent authorities to provide sufficient information to the victims during the process of taking a decision on their EPO requests, including notifying them about any incidents that appear during this procedure; urges the Member States, in this context, to allocate sufficient resources to authorities working with EPOs in order to facilitate an efficient system that takes into account the situation of the victim;
Thursday 19 April 2018

23. Calls on the Member States to take due account of the interest of the protected person and to be a safe haven for people reporting violence by fully respecting the obligation not to inform the person causing danger of the location and other details concerning the protected person – unless strictly necessary in order to meet the objectives of the protection order; stresses that whenever the situation requires that the perpetrator be informed of any details regarding the EPO, the victim must be informed of that decision;

24. Calls on the Member States to envisage special procedures to facilitate the issuance of EPOs to protect family members living with a victim who is already protected by an EPO;

25. Highlights the increasing efficiency of new technologies such as GPS monitoring systems and smartphone applications that trigger an alarm when danger is imminent as a means of improving the efficiency and adaptability of EPOs both within the issuing and the executing state; is worried that only a limited number of Member States use such new technologies;

26. Highlights the importance of monitoring EPOs in the executing state in relation to the threat to which the victim is exposed in order to determine if the protection measures adopted have been properly implemented and if they need to be revised;

27. Calls on the Commission to monitor the implementation of this directive and launch without delay infringement proceedings against all Member States that breach it;

28. Encourages, in line with the often repeated views of associations for victims of gender violence, the testing of procedures that change the traditional approach to how protection is viewed in most Member States; stresses that, rather than focusing on measures for victims, as is often the case, risk-avoidance techniques ought to include prevention, surveillance, control and monitoring of the persons inflicting harm, and that the preventive measures employed ought to include, as a priority, mandatory re-education for perpetrators;

29. Calls on the Commission and the Member States to carry out a thorough examination of possible ways of improving EPO-related legislation and its effective implementation in all EU Member States and practical support in order to guarantee the rights to international protection and to assistance and support enjoyed by victims of violence protected at national level;

30. Calls on EU agencies such as the FRA and the European Institute for Gender Equality to monitor the implementation of the directive regularly;

31. Calls on the Commission to launch a civil society monitoring and reporting call in order to improve the working of the EPO instrument in the Member States, making EU funds available to NGOs to this end;

32. Calls on the Commission to launch calls promoting research into the use of national and European protection orders and to coordinate programmes to initiate awareness-raising campaigns within the Member States to inform victims of crime of the possibility of applying for an EPO and about cross-border protection measures;

33. Calls on the Member States to step up their work with NGOs and to provide mandatory human rights-based, service-oriented, practical and intersectional training courses for all public officials working with victims on a professional basis in relation to the EPO and who are key to the correct implementation of this directive; stresses that specific and regular training and courses on the EPOs for the police, the personnel of the competent national authorities and for legal practitioners, social workers, associations and NGOs dealing with victims of violence should be established in all Member States; calls for staff working with cases of gender-based violence to receive adequate training on considering the specific needs of women who are victims of violence and to be allocated sufficient resources in order to prioritise gender-based violence;
34. Calls on the Member States, given the deeply rooted nature of misogyny and sexism in our societies and the increasing exposure of children and teenagers to violence online, to include education on gender equality and non-violence on the primary and secondary school curricula by engaging pupils in discussions and by making use of all possible teaching opportunities.

35. Highlights that new means of communication, via digital platforms for example, are being used as a new form of gender-based violence that also includes threats and harassment; calls therefore on the Member States to include these aspects when issuing and/or executing an EPO.

**General recommendations relating to gender-based violence**

36. Calls on the Commission to include the protection of all citizens, especially those in the most vulnerable situations, in the European Agenda on Security with a focus on the victims of crimes such as trafficking in human beings or gender-based violence, including victims of terrorism, who also need special attention, support and social recognition;

37. Calls on the Commission to set up campaigns to encourage women to report any forms of violence on the basis of gender, so that they may be protected and so that the accuracy of data on gender-based violence can be improved;

38. Stresses that, in line with the assessment report drawn up by Parliament’s EPRS, the first reason for the differing levels of use of national and European protection orders is that victims and many professionals are unaware of the possibilities the directive offers; calls, therefore, on the Member States to take full responsibility for their citizens and – with the involvement of relevant NGOs – to launch long-term awareness-raising and intersectional sensitising campaigns on the available protection instruments and their use, targeting a) the whole of society, b) potential victims, especially women with national protection orders in force, and c) professionals, such as law enforcement officers, officials in the judicial system and providers of legal aid and social and emergency services, who are the first to deal with victims; calls on the Commission, therefore, to provide funding to launch information programmes;

39. Acknowledges the existence of the e-justice portal run by the Commission with contributions from Member States; welcomes the Commission’s initiative to extend the existing ‘victims’ corner’ within the e-justice portal and to include all relevant information concerning victims’ rights, including country-specific guidelines on reporting cases of violence; highlights the need to design the ‘victims’ corner’ as an easy-to-use, practical tool and information source which should be available in all official EU languages; encourages the Member States to put in place a user-friendly website dedicated to victims’ rights which would also include the EPO and a digital reporting platform to facilitate the identification of gender-based violence, and which could be easily accessible via the national justice information portals, for example;

40. Urges the Member States to step up their work with NGOs protecting the victims of violence in order to design strategies featuring both proactive and reactive measures in relation to gender-based violence, the functioning of the EPO instrument and the necessary changes in legislation and support;

41. Calls on the Commission to present a legal act to support Member States in the prevention and suppression of all forms of violence against women and girls and of gender-based violence;

42. Calls on the Council to activate the passerelle clause by adopting a unanimous decision to identify violence against women and girls (and other forms of gender-based violence) as a criminal offence under Article 83(1) TFEU;

43. Calls, as a matter of urgency, for action conducive to the progressive convergence of legislation on violent behaviour resulting in protection orders: stresses that attacks which target women in particular are a serious matter and should be punished as a crime in all Member States, and protection measures in cases of gender-based violence should also be issued by the courts;
For a coherent EU legal framework protecting victims

44. Welcomes the signing, on 13 June 2017, of the EU’s accession to the Istanbul Convention, which follows a holistic, comprehensive and coordinated approach, placing the rights of the victim at the centre, and which should be fully connected with the EPO; calls on the EU to conclude a broad accession to the Convention to prevent violence against women, combat impunity and protect victims; underlines the importance of this instrument in overcoming one of the barriers to the application of EPOs, namely the lack of recognition of stalking as a criminal offence across all Member States; in line with its resolution of 12 September 2017 on EU accession to the Istanbul Convention, asks the Commission to designate an EU coordinator on Violence Against Women who would be responsible for the coordination, implementation, monitoring and evaluation of EU policies, instruments and measures to prevent and combat all forms of violence against women and girls and to act as representative of the EU on the Committee of the Parties to the Convention;

45. Calls on all Member States that have not yet done so to ratify and fully enforce the Istanbul Convention and to allocate adequate financial and human resources to preventing and combating violence against women and gender-based violence, including by empowering women and girls, protecting victims and enabling them to be awarded compensation;

46. Calls on the Member States to ensure appropriate training, procedures and guidelines for all professionals dealing with the victims of all acts of violence covered by the scope of the Istanbul Convention in order to avoid discrimination or re-victimisation during judicial, medical and police proceedings;

47. Welcomes the obligation laid down by the Istanbul Convention to set up state-wide 24/7 telephone helplines free of charge to provide advice to callers in relation to all forms of violence covered by the scope of the Convention; encourages the Member States to use this tool in relevant cases and to provide victims with information related to the EPO;

48. Underlines that the judicial and practical flaws in the implementation of this directive can be counteracted by the proper interplay and coordination between the various EU victim-protection instruments, such as the Framework Decision 2009/829/JHA on supervision measures as an alternative to provisional detention and the Framework Decision on probation measures, Regulation (EU) No 606/2013 on mutual recognition of protection measures in civil matters and Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, which has established the right to receive information and to receive interpretation services and translation of information free of charge, and which adopts an all-encompassing approach to victims with special needs, including victims of gender-based violence;

49. Calls upon the Member States to inform victims about other protection measures in case the executing state ceases to come under the scope of this directive;

50. Calls on the Commission to take action with a view to reviewing the existing instruments of legal protection for the victims of crime and establishing a coherent EU legal framework for it;

51. Calls on the Commission to assess how this directive is applied in connection with the related instrument in civil matters, namely Regulation (EU) No 606/2013, and to propose guidelines on how these two legal EU instruments seeking to protect victims by recognising protection measures adopted under national civil or criminal legal proceedings could be more efficiently applied by Member States;

52. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the EU Fundamental Rights Agency and the European Institute for Gender Equality.
The Implementation of the Bologna Process - state of play and follow-up

European Parliament resolution of 19 April 2018 on the implementation of the Bologna Process – state of play and follow-up (2018/2571(RSP))

(2019/C 390/22)

The European Parliament,

— having regard to Article 14 of the Charter of Fundamental Rights of the European Union,

— having regard to its resolution of 13 March 2012 on the contribution of the European institutions to the consolidation and progress of the Bologna Process (1),

— having regard to the Council conclusions of 25 and 26 November 2013 on the global dimension of European higher education (2),

— having regard to the Commission communication of 20 September 2011 entitled ‘Supporting growth and jobs – an agenda for the modernisation of Europe’s higher education systems’ (COM(2011)0567),

— having regard to the Council conclusions of 28 and 29 November 2011 on the modernisation of higher education (3),

— having regard to the Commission communication of 20 November 2012 entitled ‘Rethinking Education: Investing in skills for better socio-economic outcomes’ (COM(2012)0669),

— having regard to recommendation 2006/143/EC of the European Parliament and of the Council of 15 February 2006 on further European cooperation in quality assurance in higher education (4),

— having regard to the Joint Declaration signed in Bologna on 19 June 1999 by the ministers of education of 29 European countries (Bologna Declaration),

— having regard to its resolution of 28 April 2015 on follow-up on the implementation of the Bologna Process (5),

— having regard to the Commission communication of 14 November 2017 entitled ‘Strengthening European Identity through Education and Culture’ (COM(2017)0675),

— having regard to the question to the Commission on the implementation of the Bologna Process – state of play and follow-up (O-000020/2018 – B8-0014/2018),

— having regard to the motion for a resolution of the Committee on Culture and Education,

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

A. whereas the Bologna Process is an intergovernmental initiative with which countries aim to achieve with open and collaborative dialogue common goals through internationally agreed commitments, thus contributing to the construction of the European Higher Education Area (EHEA); whereas high-quality higher education is a key component in developing a broad and advanced, knowledge-based society, which ultimately contributes to building a stable, peaceful and tolerant community by ensuring equal opportunities and quality education that is accessible to all;

(4) OJ L 64, 4.3.2006, p. 60.
B. whereas the Bologna Process has promoted mobility by enhancing the internationalisation of higher education and improving the compatibility and comparability of standards of different higher education systems, while respecting the principles of academic freedom and institutional autonomy and focusing on strengthening the quality of higher education and offering equal opportunities for citizens;

C. whereas the EHEA was launched with the aim of setting up a three-cycle system (Bachelor's, Master's and Doctorate) and of making European higher education systems more comparable and more attractive worldwide;

D. whereas education is one of the main pillars of our society and whereas higher education has an important role to play in fostering personal and skills development, boosting employability and competitiveness, strengthening civic engagement, active citizenship and intercultural understanding, promoting common values, and addressing the challenges of a rapidly changing world;

E. whereas the Commission has launched a renewed EU agenda for higher education with a view to supporting higher education institutions and national authorities responsible for higher education; whereas other countries in the EHEA could be gradually involved in this process through consultations and exchanges of best practice;

F. whereas the quest for an open and inclusive EHEA based on quality and mutual trust is the basis of the Bologna Process;

G. whereas the Bologna Process and the EHEA include 48 countries, including many important neighbours and partners of the EU; whereas the Bologna Process strengthens the effectiveness of partnerships with non-EU countries in higher education and provides incentives for reform in education and other areas in the respective countries;

H. whereas, taking into account the uneven progress in implementing the Bologna Process across the EHEA and difficulties in implementing agreed structural reforms in many cases, the increased and facilitated mobility of students and joint diplomas are the two great achievements of the Bologna Process so far;

I. whereas in 2015 Belarus was admitted to the EHEA on the condition that it comply with the requirements laid down in the Belarus Roadmap for Higher Education Reform; whereas the Belarusian authorities failed to fulfil their obligations by the end of 2017 and should bring their reforms back on track;

1. Calls on participating countries to increase political engagement and foster mutual cooperation in the implementation of commonly agreed goals throughout the EHEA, developing, where necessary, appropriate legislative frameworks in order to consolidate its development, strengthen its credibility and become a point of reference for academic excellence worldwide, while strengthening opportunities for mobility with a view to ensuring that the largest possible numbers of students are involved;

2. Calls on participating countries to ensure transparent, accessible and equitable mechanisms for the allocation of mobility grants and allowances; calls for the EU and the Member States to increase their education budgets in order to guarantee that public higher education is free and accessible to all, with a view to fostering lifelong learning (LLL);

3. Invites the Commission and participating countries to facilitate the recognition of academic study periods and credits gained abroad, as well as qualifications for academic and professional purposes and prior learning, and to develop quality assurance systems; insists that the Union, Member States and universities should establish arrangements for providing financial and administrative support to students, academics and staff with disadvantaged backgrounds through appropriate funding, including to take part in mobility schemes, and to further open up access to higher education by expanding lifelong learning opportunities at academic level, to encourage complementary forms of learning such as non-formal and informal education and to build more open learning pathways by removing existing barriers between different levels of education;

4. Invites the relevant stakeholders and institutions to provide a solution to the problem of short cycles where a qualification exam for entrance to university is required for access and admission to a Bachelor's degree programme;
5. Calls on the EHEA countries to foster more inclusive mobility of students, teachers, researchers and administrative staff, as mobility contributes both to personal and professional development and to increased quality of learning, teaching, research and administration; advocates including mobility in education programmes and improving foreign language learning; calls on the Member States to provide adequate public funding and to make more efficient use of such funding to ensure that students and researchers have the necessary resources to study abroad, and that their social and economic background does not constitute a barrier;

6. Highlights that the dissemination of knowledge, research and science across the EHEA countries is a key part of the EU strategy beyond 2020 and strongly contributes to fostering European citizenship;

7. Invites the Commission to assess the implementation of the 2015 Yerevan Ministerial Conference goals regarding the quality of teaching and learning and fostering the employability of graduates throughout their working lives;

8. Stresses the importance of improving the social dimension of higher education; calls on the EHEA countries to implement the EHEA social dimension strategy effectively and to provide concrete opportunities for access to and completion of higher education for students with disabilities and from disadvantaged backgrounds;

9. Calls on the EHEA countries to ensure that consultations and critical assessments of their higher education institutions are carried out at international level, and to work towards a better coordinated approach to implement commonly agreed reforms to achieve the goals of the Bologna Process, as well as effective recognition of non-formal education and informal learning to enhance students' employability and civic engagement;

10. Underlines the need for increased access for underrepresented groups, specifically by setting defined quantitative objectives related to access and completion rates; stresses the importance of guaranteeing and promoting access for refugees and asylum seekers to all institutions in the EHEA, and recalls that the ‘attractiveness’ of higher education in Europe also lies in its capacity to cater for students without any discrimination;

11. Calls on the Commission to monitor the progress of the social dimension goals of the Bologna Process, as well as wider inclusiveness goals;

12. Calls for the Ministerial Conference that will take place this year in Paris to report on the implementation of the goal set by the last Ministerial Conference (Yerevan, May 2015) to complete the formation of the EHEA;

13. Requests that the next 2018 EHEA Ministerial Conference in Paris provide a critical assessment of the Bologna Process with a view to a) identifying remaining obstacles, and potential solutions, and ensuring proper implementation of commitments, b) supporting countries lagging behind in implementing the key commitments of the Bologna Process through improved capacity-building, and developing specific mechanisms and procedures for addressing cases of non-compliance, and c) exploring new EHEA goals beyond 2020 and enhancing dialogue among governments, higher education institutions and research institutes, thus contributing to the construction of a more integrated, high-quality, inclusive, attractive and competitive EHEA;

14. Calls on the EHEA countries to keep Belarus on the EHEA agenda; calls on the Commission to provide resources for the operations required for the implementation of the Belarus Roadmap for Higher Education Reform;

15. Calls on the Bologna Follow-Up Group Secretariat to monitor the reports that the same guidelines were implemented differently in different EHEA countries and that different backgrounds and levels of resources led to significant differences among EHEA institutions;

16. Underlines the importance of strengthening and creating opportunities for social debate on the higher education sector and the challenges faced by stakeholders; emphasises the importance of fostering participation of students, researchers, teachers and non-teaching staff in higher education governance;

17. Stresses the need to increase public funding in education and to respect the EU headline target of 3% of Union GDP in R&D by 2020;

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

— having regard to the draft Council decision (11967/2017),

— having regard to draft agreement for scientific and technological cooperation between the European Union and the Republic of Lebanon setting out the terms and conditions for the participation of the Republic of Lebanon in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) (11928/2017),

— having regard to Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States (1),

— 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 (C8-0344/2017),

— 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 (A8-0352/2017),

1. Gives its consent to conclusion of the agreement;

2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Lebanon.

EU-Mauritius Fisheries Partnership Agreement: fishing opportunities and financial contribution ***

European Parliament legislative resolution of 17 April 2018 on the draft Council decision on the conclusion of a Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (12476/2017 – C8-0445/2017 – 2017/0223(NLE))

(Consent)

(2019/C 390/24)

The European Parliament,

— having regard to the draft Council decision (12476/2017)

— having regard to the Protocol setting out the fishing opportunities and the financial contribution provided for by the Fisheries Partnership Agreement between the European Union and the Republic of Mauritius (12479/2017);

— having regard to the request for consent submitted by the Council in accordance with Article 43 and Article 218(6), second subparagraph, point (a) and Article 218(7) of the Treaty on the Functioning of the European Union (C8-0445/2017),

— 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 Fisheries and the opinion of the Committee on Budgets (A8-0053/2018),

1. Gives its consent to conclusion of the Protocol;

2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Mauritius.

———
EU-Norway Agreement concerning additional trade preferences in agricultural products

European Parliament legislative resolution of 17 April 2018 on the draft Council decision on the conclusion of an Agreement in the form of an exchange of letters between the European Union and the Kingdom of Norway concerning additional trade preferences in agricultural products (13357/2017 – C8-0434/2017 – 2017/0259(NLE))

(Consent)

(2019/C 390/25)

The European Parliament,

— having regard to the draft Council decision (13357/2017),

— having regard to the draft Agreement in the form of an exchange of letters between the European Union and the Kingdom of Norway concerning additional trade preferences in agricultural products (13471/2017),

— having regard to the request for consent submitted by the Council in accordance with Article 207(4), first subparagraph and Article 218(6), second subparagraph, point (a) (v), of the Treaty on the Functioning of the European Union (C8-0434/2017),

— 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 International Trade (A8-0126/2018),

1. Gives its consent to conclusion of the agreement;

2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of Kingdom of Norway.

________
Inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework ***I


(Ordinary legislative procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2016)0479),

— 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 (C8-0330/2016),

— 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 14 December 2016 (1),

— having regard to the opinion of the Committee of the Regions of 23 March 2017 (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 20 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 the Environment, Public Health and Food Safety and the opinions of the Committee on Development, the Committee on Industry, Research and Energy and the Committee on Agriculture and Rural Development (A8-0262/2017),

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

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.

(1) OJ C 75, 10.3.2017, p. 103.
(2) OJ C 272, 17.8.2017, p. 36.
(3) This position replaces the amendments adopted on 13 September 2017 (Texts adopted, P8_TA(2017)0339).
Tuesday 17 April 2018

**P8_TC1-COD(2016)0230**


(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Regulation (EU) 2018/841.)
Binding annual greenhouse gas emission reductions to meet commitments under the Paris Agreement


(Ordinary legislative procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2016)0482),

— 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 (C8-0331/2016),

— 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 14 December 2016 (1),

— having regard to the opinion of the Committee of the Regions of 23 March 2017 (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 17 January 2018 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, the Committee on Transport and Tourism and the Committee on Agriculture and Rural Development (A8-0208/2017),

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

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.

(1) OJ C 75, 10.3.2017, p. 103.
(2) OJ C 272, 17.8.2017, p. 36.
(3) This position replaces the amendments adopted on 14 June 2017 (Texts adopted, P8_TA(2017)0256).
Tuesday 17 April 2018

P8_TC1-COD(2016)0231


(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2018/842.)
Statute and funding of European political parties and European political foundations ***I


(Ordinary legislative procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2017)0481),

— having regard to Article 294(2) and Article 224 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0307/2017),

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

— having regard to its resolution of 15 June 2017 on the funding of political parties and political foundations at European level (1)

— after consulting the Committee of the Regions,

— 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 7 March 2018 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 Constitutional Affairs and the position in the form of amendments of the Committee on Budgetary Control (A8-0373/2017),

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.

P8_TC1-COD(2017)0219


(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Regulation (EU, Euratom) 2018/673.)

Energy performance of buildings


(P8_TA(2018)0099)

(Ordinary legislative procedure: first reading)

(2019/C 390/29)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2016)0765),

— having regard to Article 294(2) and Article 194(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0499/2016),

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

— having regard to the reasoned opinions submitted, within the framework of the Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Netherlands Senate and by the Netherlands House of Representatives, 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 26 April 2017 (1),

— having regard to the opinion of the Committee of the Regions of 13 July 2017 (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 31 January 2018 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 Industry, Research and Energy and the opinion of the Committee on the Environment, Public Health and Food Safety (A8-0314/2017).

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.

P8_TC1-COD(2016)0381


(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Directive (EU) 2018/844.)
Non-objection to a delegated act: European Union trade mark


(2019/C 390/30)

The European Parliament,

— having regard to the Commission delegated regulation (C(2018)01231) ("the amended delegated regulation"),

— having regard to the Commission’s letter of 23 March 2018 asking Parliament to declare that it will raise no objections to the delegated regulation,

— having regard to the letter from the Committee on Legal Affairs to the Chair of the Conference of Committee Chairs of 27 March 2018,

— having regard to Article 290 of the Treaty on the Functioning of the European Union,


— having regard to the recommendation for a decision of the Committee on Legal 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 17 April 2018,

A. whereas Regulation (EC) No 207/2009 was codified as Regulation (EU) 2017/1001;

B. whereas the references contained in a delegated regulation should reflect the renumbering of articles resulting from a codification of the basic act;


D. whereas the amended delegated regulation does not, therefore, involve any changes to the substance of Delegated Regulation (EU) 2017/1430;

E. whereas swift publication of the amended delegated regulation in the Official Journal would allow for an early date of application and ensure continuity in the operation of the transitional regime provided for in the final provisions of the amended delegated regulation;

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

2. Instructs its President to forward this decision to the Council and the Commission.
Fixing the period for the ninth election of representatives to the European Parliament by direct universal suffrage

European Parliament legislative resolution of 18 April 2018 on the draft Council decision fixing the period for the ninth election of representatives to the European Parliament by direct universal suffrage (07162/2018 – C8-0128/2018 – 2018/0805(CNS))

(Consultation)

(2019/C 390/31)

The European Parliament,

— having regard to the Council draft (07162/2018),

— having regard to Article 11(2), second subparagraph, of the Act concerning the election of the members of the European Parliament by direct universal suffrage (1), pursuant to which the Council consulted Parliament (C8-0128/2018),

— having regard to its resolution of 11 November 2015 on the reform of the electoral law of the European Union (2),

— having regard to its resolution of 7 February 2018 on the composition of the European Parliament (3),

— having regard to Rule 78c of its Rules of Procedure,

— having regard to the report of the Committee on Constitutional Affairs (A8-0145/2018),

1. Approves the Council draft;

2. Recalls its proposal, attached to its resolution on the reform of the electoral law of the European Union, for the European Parliament to have the power, after consulting the Council, to determine the electoral period;

3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;

4. Asks the Council to consult Parliament again if it intends to substantially amend the text approved by Parliament;

5. Instructs its President to forward its position to the Council, and, for information, to the Commission and the governments and parliaments of the Member States.


EU-Australia Framework Agreement ***

European Parliament legislative resolution of 18 April 2018 on the draft Council decision on the conclusion on behalf of the Union of the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part (15467/2016 – C8-0327/2017 – 2016/0367(NLE))

(Consent)

(2019/C 390/32)

The European Parliament,

— having regard to the draft Council decision (15467/2016),

— having regard to the draft Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part (09776/2016),

— having regard to the request for consent submitted by the Council in accordance with Article 37 of the Treaty on European Union, and Article 207, Article 212(1), Article 218(6), second subparagraph, point (a), and Article 218(8), second subparagraph of the Treaty on the Functioning of the European Union (C8-0327/2017),

— having regard to its non-legislative resolution of 18 April 2018 (1) on the draft decision,

— 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 Foreign Affairs (A8-0110/2018),

1. Gives its consent to conclusion of the agreement;

2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of Australia.

EU-Australia Framework Agreement (Resolution)

European Parliament non-legislative resolution of 18 April 2018 on the draft Council decision on the conclusion on behalf of the Union of the Framework Agreement between the European Union and its Member States, of the one part, and Australia, of the other part (15467/2016 – C8-0327/2017 – 2016/0367(NLE) – 2017/2227(INI))

(2019/C 390/33)

The European Parliament,

— having regard to the draft Council decision (15467/2016),

— having regard to the draft Framework Agreement (FA) between the European Union and its Member States, of the one part, and Australia, of the other part (09776/2016),

— having regard to the request for consent submitted by the Council in accordance with Articles 207 and 212(1), and in conjunction with Article 218(6)(a) and the second subparagraph of Article 218(8), of the Treaty on the Functioning of the European Union (C8-0327/2017),

— having regard to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), as adopted by the General Assembly on 13 September 2007,

— having regard to the EU-Australia Partnership Framework signed in October 2008, which is due to be replaced by the FA,

— having regard to the Joint Declaration on relations between the European Union and Australia adopted in Luxembourg on 26 June 1997,

— having regard to its resolution of 25 February 2016 on the opening of Free Trade Agreement (FTA) negotiations with Australia and New Zealand (1) and to its resolution of 26 October 2017 containing Parliament’s recommendation to the Council on the proposed negotiating mandate for trade negotiations with Australia (2),

— having regard to the joint statement of 15 November 2015 by the President of the Commission, Jean-Claude Juncker, the President of the European Council, Donald Tusk, and the Prime Minister of Australia, Malcolm Turnbull,

— having regard to the joint declaration of 22 April 2015 by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and the Australian Foreign Minister entitled ‘Towards a closer EU-Australia Partnership’,

— having regard to the Agreement between the European Union and Australia establishing a framework for the participation of Australia in European Union crisis management operations, signed in 2015 (3),

— having regard to the Administrative Agreement between Australia and the European Union, agreed in December 2014, establishing a programme for diplomatic exchange,

— having regard to the Mutual Recognition Agreement on Standards Certification between the European Community and Australia, signed in 1998 (4), and the EU-Australia Agreement amending that agreement in 2012 (5),

— having regard to the EU-Australia Passenger Name Record (PNR) Agreement signed on 29 September 2011 (6),

— having regard to the Agreement between Australia and the European Union on the security of classified information, signed on 13 January 2010 (7),

(3) OJ L 149, 16.6.2015, p. 3.
having regard to the Agreement on scientific and technological cooperation between the European Community and Australia, signed in 1994 (8),

— having regard to the 38th EU-Australia interparliamentary meeting (IPM), held in Strasbourg from 4 to 5 October 2017,

— having regard to the first EU-Australia Leadership Forum held in Sydney in June 2017, bringing together political and business leaders, academics, media and civil society;

— having regard to the Foreign Policy White Paper published by the Australian Government in November 2017 which describes Australia’s priorities and challenges in the external scene and underlines the primary importance of the so-called Indo-Pacific region to Australia,

— having regard to the fact that the Foreign Policy White Paper sets out the key roles played by the US and China in the Indo-Pacific region and in Australia’s foreign policy, while mentioning the importance of Australia’s relations with the European Union and its Member States,

— having regard to the 2017 Review of Climate Change Policies which the Australian Government issued in December 2017,

— having regard to the Australian Government document entitled ‘Australian climate change science: a national framework’, published in 2009,

— having regard to its legislative resolution of 18 April 2018 on the draft decision (9),

— having regard to Rule 99(2) of its Rules of Procedure,

— having regard to the report of the Committee on Foreign Affairs (A8-0119/2018),

A. whereas the EU and Australia concluded an FA on 7 August 2017; whereas the close and strong relationship between Australia and the EU and its Member States has long historical roots and is based on common values and principles, such as respect for democracy, human rights, gender equality, the rule of law, including international law, and peace and security; whereas people-to-people links are deep and long-lasting;

B. whereas the EU and Australia celebrated 55 years of cooperation and diplomatic relations in 2017; whereas this relationship has gained renewed dynamism in the last few years; whereas all Member States have diplomatic relations with Australia and 25 of them have embassies in Canberra;

C. whereas the Australian Government’s Foreign Policy White Paper states that ‘a strong European Union remains vital to Australia’s interests and will be an increasingly important partner in protecting and promoting a rules-based international order’; whereas the White Paper underlines the need to cooperate closely with the EU and its Member States ‘on challenges such as terrorism, the proliferation of weapons of mass destruction (WMD), sustainable development and human rights’;

D. whereas the EU and Australia are engaged in cooperation and dialogue with countries in Southeast Asia, including through the Association of Southeast Asian Nations (ASEAN), the ASEAN Regional Forum (ARF), the Asia-Europe Meeting (ASEM) and the East Asia Summit (EAS); whereas Australia is a founding member of the Pacific Islands Forum (PIF) and has a strategic partnership with ASEAN; whereas Australia hosted an ASEAN-Australia Special Summit from 17 to 18 March 2018;

E. whereas the EU, as a global actor, should further strengthen its presence in the large and dynamic Asia-Pacific area, where Australia is a natural partner of the EU as well as an important actor itself; whereas a stable, peaceful and rules-based Asia-Pacific region, in line with our principles and standards, is useful for the EU’s own security and interests;

F. whereas the EU and Australia are closely aligned on foreign policy issues, such as those relating to Ukraine, Russia, the Democratic People’s Republic of Korea (DPRK) and the Middle East;

G. whereas Australia has close political, security and defence links with the US, which are compatible with its growing ties with China, with which it maintains a Comprehensive Strategic Partnership;

H. whereas in 2016 the EU was Australia's second largest trading partner – its second source of imports (19.3%) and third destination for exports (10.3%) – and whereas the two sides share a wide range of economic interests: whereas in 2015 EU foreign direct investment stock in Australia amounted to EUR 117.7 billion and Australian direct investment stock in the EU was EUR 21.7 billion;

I. whereas Australia is strongly committed to free trade and has concluded bilateral FTAs with important countries in East Asia – China, Japan, South Korea, Singapore, Malaysia and Thailand – (as well as a regional agreement with ASEAN), and with New Zealand, Chile, the United States and Peru, and the PACER Plus agreement with the Pacific Islands;

J. whereas on 23 January 2018 Australia and 10 other countries bordering the Pacific Ocean announced that they had reached an agreement on a trans-Pacific trade deal, the so-called Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), which was signed in Chile on 8 March 2018; whereas Australia is currently negotiating a high number of trade agreements, including the Regional Comprehensive Economic Partnership (RCEP) launched at an ASEAN Summit in 2012;

K. whereas Australia, a country committed to international global governance, has been a non-permanent member of the UN Security Council (UNSC) on five occasions and has been an active member of the G20 since its establishment, chairing its summit in Brisbane in 2014 in very good cooperation with the EU; whereas Australia was recently elected to the UN Human Rights Council;

L. whereas Australia has deployed troops to join the Global Coalition against Daesh in Iraq and Syria; whereas in Afghanistan Australia was the largest non-NATO contributor of troops in the International Security Assistance Force (ISAF);

M. whereas Australia has contributed to numerous UN-backed peacekeeping missions across three continents as well as in Papua New Guinea and the Solomon Islands;

N. whereas in 2014 Australia contributed for the first time to an EU-led crisis management mission, EUCAP Nestor, in the Horn of Africa; whereas the Australian navy is carrying out anti-piracy and counter-terrorism operations within the Combined Maritime Forces in the Horn of Africa and in the Western Indian Ocean;

O. whereas Australian citizens inside and outside their country's borders have suffered from a number of terrorist attacks of radical Islamist origin; whereas both the EU and Australia cooperate in counter-terrorism activities, including action to counter violent extremism, efforts to stop the financing of terrorist organisations and the coordination of specific capacity-building projects;

P. whereas the Jakarta Centre for Law Enforcement Cooperation (JCLEC), an Australian-Indonesian initiative, aims to enhance the expertise of Southeast Asian law enforcement agencies in the fight against terrorism and transnational organised crime and has also received EU funding;

Q. whereas in October 2017 the Australian Government launched its international cyber engagement strategy with a view to addressing issues such as digital trade, cybercrime, international security and e-government;

R. whereas Australia has supported the Philippines in promoting security and in the fight against jihadism;

S. whereas the EU and Australia discuss migration matters at the yearly EU-Australia Senior Officials' Dialogue on Migration, Asylum and Diversity Issues; whereas the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime is co-chaired by Australia;

T. whereas Australia has a very high per capita income and an open, democratic and multicultural society; whereas one in four of its population was born overseas and around seven million permanent migrants, including many originating from Europe, have settled in Australia since 1945; whereas Australia is in a special geographical situation, occupying a vast area between the Indian Ocean and the South Pacific;

U. whereas Australia and the EU reaffirm in the FA their commitment to cooperating on climate change; whereas the 2017 Review of Climate Change Policies has reiterated Australia's commitment to fighting this threat;

V. whereas Australia faces significant environmental and economic impacts from climate change across a number of sectors, including water security, agriculture, coastal communities and infrastructure;
W. whereas Australia, a member of the OECD Development Assistance Committee (DAC), is particularly committed to supporting good governance and economic growth in Papua New Guinea, Indonesia, Timor-Leste and other Pacific islands and Asian countries, where the EU and its Member States are also key donors;

X. whereas the Australian Government is investing in programmes such as the Australian Climate Change Science Programme and the Natural Resource Management Climate Change Impacts and Adaptation Research Programme to help decision-makers understand and manage likely climate change impacts;

Y. whereas Australia has established a national framework and High Level Coordination Group to develop a plan for implementing climate change science, providing a coordinated approach to address the issue in communities across the country;

Z. whereas on 10 November 2016 Australia ratified the Paris Agreement and the Doha Amendment to the Kyoto Protocol, reinforcing its commitment to action on climate change, and has developed a range of policies to reduce domestic emissions and support global action;

AA. whereas the Australian Government's climate change plan includes reducing emissions by 5% below 2000 levels by 2020 and by 26-28% below 2005 levels by 2030, and doubling the country's renewable energy capacity by 2020;

AB. whereas the Australian Government has played a leading role in supporting Pacific national meteorological services and regional organisations to deliver climate and weather early warning systems;

1. Welcomes the conclusion of the FA, which will provide a legally binding instrument to upgrade and strengthen EU-Australia bilateral relations and to increase cooperation in areas such as foreign policy and security issues, human rights and the rule of law, global development and humanitarian aid, economic and trade matters, justice, research and innovation, education and culture, agriculture, maritime affairs and fisheries, and in the face of global challenges such as climate change, migration, public health, the fight against terrorism and the proliferation of weapons of mass destruction (WMD);

2. Stresses that the EU and Australia are strong and like-minded partners with a deep bilateral relationship that both share values and the principles of democracy, respect for human rights and the rule of law, maintain increasingly strong political and economic ties and enjoy close and active cultural, academic and people-to-people connections;

3. Highlights the special value for the EU and Australia, as partners with the same world vision, to cooperate bilaterally and multilaterally on regional and global issues; underlines the advantage of the EU and Australia acting together in the UN and in the WTO, as well as in bodies such as the G20, to preserve and strengthen a cooperative and rules-based global order in a complex and changing world facing great uncertainty;

4. Welcomes the establishment of a joint committee under the FA to promote the effective implementation of the agreement and maintain overall coherence in EU-Australia relations;

5. Supports the upcoming launch of negotiations for an EU-Australia free trade agreement, which must be conducted in a spirit of reciprocity, transparency, accountability and mutual benefit while taking into account the sensitivity of certain products, such as agricultural ones, due to the fact that Australia is a major agricultural exporter; encourages both partners to have a high degree of ambition in the area of services; underlines that in the negotiations the EU should take into account SMEs' needs and requests, and not lower environmental, social and labour standards; points to the timely launch of these negotiations, given that Australia has already concluded several FTAs with important countries in East Asia and the Pacific and is about to conclude such agreements with other relevant countries;

6. Underlines Australia's active role in the EU's higher education cooperation programmes through the EU-Australia Bilateral Education programme, and notes positively that since 2015 Australian universities have been able to enter into Erasmus+ mobility agreements; notes that this cooperation should be strengthened even further to promote mutual benefits for students and researchers and put them in a position to acquire multicultural and innovative skills;
7. Recalls that the EU and Australia are important partners in research and innovation cooperation with a view to contributing to sustainable economic development and as a means of further building a knowledge-based society;

8. Commends Australia for its support and for aligning its sanctions regime with the EU following Russia’s illegal annexation of Crimea and military interventions in eastern Ukraine;

9. Welcomes Australia’s support for targeted international sanctions against individuals and entities responsible for military aggression, terrorism and human rights abuses, including in response to Russian aggression in Ukraine and occupied Crimea;

10. Commends Australia’s Office of National Assessments for its support in the provision of international, political, strategic and economic analysis and its liaison with international partners to ensure responses to matters of common interest;

11. Recognises Australia’s critical role in the ‘Five Eyes Intelligence Community’ and its support for the security of both EU Member states and transatlantic partners, commends Australia’s operational agreement with Europol and highlights the potential for further expansion of intelligence sharing and operational cooperation with the Australian Government;

12. Recognises Australia’s role in co-sponsoring in 2014 the UNSC resolutions on condemning the downing of flight MH17 and on the elimination of Syria’s chemical weapons; commends its key contribution in the Security Council to seeking to improve the humanitarian situation in Syria, managing the security transition in Afghanistan and addressing the human rights situation in the DPRK;

13. Welcomes the strong commitment of both partners on cooperation in combating terrorism, as set out in the FA; underlines the importance of ever-closer bilateral cooperation on exchanging information on foreign fighters and their return; encourages both partners to continue to ensure effective implementation of the four pillars of the UN Counter-Terrorism Strategy; commends Australia’s role in the Global Coalition against Daesh and its significant work in the fight against international terrorism in Southeast Asia;

14. Highlights Australia’s international cyberspace initiatives and commends the fact that, according to the FA, both partners will cooperate in cybersecurity matters, including the fight against cybercrime;

15. Calls for steps to enhance counter-terrorism cooperation through joint-training exercises between Member State emergency response teams and EU agencies such as Europol and its European Counter-Terrorism Centre (ECTC) on the one hand and key elements of the Australian national security architecture such as the Australian Security Intelligence Organisation (ASIO), Australian Defence Forces (ADF) and the Australian Federal Police on the other;

16. Welcomes the engagement by the EU and Australia envisaged in the FA on intensifying their dialogue and cooperation on migration and asylum; underlines that the high level of global mobility requires a holistic and multilateral approach based on international cooperation and on shared responsibilities; welcomes the fact that both partners proactively are contributing to the ongoing negotiations on both the UN Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees;

17. Underlines the importance of regional cooperation frameworks – such as the Bali Process – with countries of origin, transit and destination in order to save lives, break smuggler networks and manage migration and refugee flows; welcomes Australia’s strong commitment vis-à-vis the UNHCR to resettling refugees and increasing in its global humanitarian funding; encourages Australia to continue to contribute to finding a positive solution to the situation of asylum-seekers and migrants retained in Papua New Guinea and Nauru;

18. Welcomes the commitment of both partners to advancing the protection and promotion of human rights, democratic principles and the rule of law, including in multilateral fora and with third partners, as envisaged in the FA; welcomes Australia’s election to the UN Human Rights Council for the period 2018-2020; highlights the launch by Australia in 2008 of the Closing the Gap strategy on addressing indigenous disadvantages, such as the gap in life expectancy and other inequalities; underlines that this strategy enjoys bipartisan support and that an annual progress report is submitted by the Prime Minister to the Australian Parliament; highlights the fact that the Australian Government is working with the states and territories and Aboriginal and Torres Strait Islander peoples, in order to refresh the Closing the Gap strategy;
19. Reiterates that the fight against climate change requires the support of the international community as a whole; welcomes Australia's ratification of the Paris Agreement and the commitment laid down in the FA to enhance cooperation and foreign policy endeavours in order to fight climate change; takes note of Australia's target of reducing emissions by 26 to 28% below 2005 levels by 2030, which was reaffirmed in the 2017 Review of Climate Change Policies; highlights the fact that this review maintains the commitment to help other countries through bilateral and multilateral initiatives; welcomes Australia's ongoing efforts on the provision of financial support through aid programmes to the Pacific region and to vulnerable developing countries in order to enable them to grow their economies in a sustainable manner and reduce emissions and to help them adapt to climate change; underlines Australia's co-chairmanship and funding of the Green Climate Fund;

20. Recalls that Australia, the EU and its Member States are important actors in development cooperation and humanitarian assistance in the Pacific region; highlights the fact that both sides focus their cooperation on areas such as economic growth, good governance and environmental resilience;

21. Recalls its concern about tensions in the South China Sea; encourages both partners to continue to promote stability and freedom of navigation in this crucial international waterway; commends Australia's position in favour of a peaceful settlement of disputes based on international law;

22. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States and the Government and Parliament of Australia.
Council of Europe Convention on the prevention of terrorism ***

European Parliament legislative resolution of 18 April 2018 on the draft Council decision on the conclusion, on behalf of the European Union, of the Council of Europe Convention on the Prevention of Terrorism (14494/2017 – C8-0450/2017 – 2017/0265(NLE))

(Consent)

(2019/C 390/34)

The European Parliament,

— having regard to the draft Council decision (14494/2017),

— having regard to the request for consent submitted by the Council in accordance with Article 83 (1) and Article 218 (6), second subparagraph, point (a) of the Treaty on the Functioning of the European Union (C8-0450/2017),

— having regard to the Council of Europe Convention on the Prevention of Terrorism (14445/2017),


— having regard to Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union (2),

— having regard to Council Framework Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (3),

— having regard to Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (4),

— 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 Civil Liberties, Justice and Home Affairs (A8-0131/2018),

1. Gives its consent to conclusion of the Convention;

2. Instructs its President to forward its position to the Council, the Commission, the governments and parliaments of the Member States and the Council of Europe.

---

Council of Europe Convention on the prevention of terrorism (Additional protocol) ***

European Parliament legislative resolution of 18 April 2018 on the draft Council decision on the conclusion, on behalf of the European Union, of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (14498/2017 – C8-0451/2017 – 2017/0266(NLE))

(Consent)

(2019/C 390/35)

The European Parliament,

— having regard to the draft Council decision (14498/2017),

— having regard to the request for consent submitted by the Council in accordance with Article 83 (1) and Article 218 (6), second subparagraph, point (a) of the Treaty on the Functioning of the European Union (C8-0451/2017),

— having regard to the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (14447/2017),


— having regard to Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union (2),

— having regard to Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combatting terrorism and cross-border crime (3),

— having regard to Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States (4),

— 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 Civil Liberties, Justice and Home Affairs (A8-0132/2018),

1. Gives its consent to the conclusion of the Additional Protocol;

2. Instructs its President to forward its position to the Council and the Commission and the governments and parliaments of the Member States and the Council of Europe.

(1) OJ L 88, 31.3.2017, p. 6
(2) OJ L 386, 29.12.2006, p. 89
Packaging and packaging waste ***I


(Ordinary legislative procedure: first reading)

(2019/C 390/36)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2015)0596),

— 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 (C8-0385/2015),

— 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 French Senate, 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 27 April 2016 (1),

— having regard to the opinion of the Committee of the Regions of 15 June 2016 (2),

— having regard to the provisional agreement approved by the committee responsible under Rule 69(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 23 February 2018 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 opinion of the Committee on Industry, Research and Energy (A8-0029/2017),

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

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.

P8_TC1-COD(2015)0276


(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Directive (EU) 2018/852.)

(2) OJ C 17, 18.1.2017, p. 46.
(3) This position replaces the amendments adopted on 14 March 2017 (Texts adopted, P8_TA(2017)0072).
End-of-life vehicles, waste batteries and accumulators and waste electrical and electronic equipment


(Ordinary legislative procedure: first reading)

(2019/C 390/37)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2015)0593),

— 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 (C8-0383/2015),

— 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 French Senate, 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 27 April 2016 (1),

— having regard to the opinion of the Committee of the Regions of 15 June 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 23 February 2018 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 opinion of the Committee on Industry, Research and Energy (A8-0013/2017),

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

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.

(2) OJ C 17, 18.1.2017, p. 46.
(3) This position replaces the amendments adopted on 14 March 2017 (Texts adopted, P8_TA(2017)0069).

(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Directive (EU) 2018/849.)
Waste ***I


(Ordinary legislative procedure: first reading)

(2019/C 390/38)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2015)0595),

— having regard to Article 294(2) and 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0382/2015),

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

— having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the French Senate and 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 27 April 2016 (¹),

— having regard to the opinion of the Committee of the Regions of 15 June 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 23 February 2018 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 opinion of the Committee on Industry, Research and Energy (A8-0034/2017),

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

2. Takes note of the Commission statements 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.

(¹) OJ C 264, 20.7.2016, p. 98.
(²) OJ C 17, 18.1.2017, p. 46.
(³) This position replaces the amendments adopted on 14 March 2017 (Texts adopted, P8_TA(2017)0070).
Wednesday 18 April 2018

P8_TC1-COD(2015)0275


(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Directive (EU) 2018/851.)
ANNEX TO THE LEGISLATIVE RESOLUTION

STATEMENTS OF THE COMMISSION

DECLARATION BY THE COMMISSION ON A POLICY FRAMEWORK FOR THE CIRCULAR ECONOMY

The Commission is committed to ensuring full implementation of the EU action plan for the Circular Economy (1). To keep track of progress towards the circular economy, the Commission has adopted a monitoring framework (2) building on the existing Resource Efficiency and Raw Materials Scoreboards. The Commission also draws attention to its ongoing work on a footprint indicator for products and organisations.

Actions undertaken under the EU action plan for the Circular Economy also contribute to fulfilling the Union’s objectives on sustainable consumption and production, in the context of Sustainable Development Goal 12. This is the case, for example, of the strategy on plastics (3) or the recently amended proposal on the legal guarantee for consumer goods (4).

As regards consistency between the Union’s regulatory frameworks, the Commission has also recently adopted a Communication setting out options to address the interface between chemical, product and waste legislation (5). In 2018, the Commission will also examine options and actions for a more coherent policy framework of the different strands of work on EU product policy in their contribution to the circular economy. The interactions between legislation and industry cooperation on the use of by-products and the preparation for re-use and recycling of waste will also be considered in the framework of these initiatives and their follow-up.

As regards eco-design, the Commission, in line with the Eco-design Working Plan for the years 2016-2019 (6), confirms its strong commitment to ensuring that eco-design makes a more significant contribution to the circular economy, for example by more systematically tackling material efficiency issues such as durability and recyclability.

DECLARATION BY THE COMMISSION ON INITIATIVES ON THE COLLABORATIVE ECONOMY

In line with the Circular Economy Action Plan (7), the Commission has launched a number of initiatives on the collaborative economy. As announced in its Communication on a European agenda for the collaborative economy (8) in June 2016, the Commission will continue to monitor the economic and regulatory developments of the collaborative economy, in order to encourage the development of new and innovative business models, while ensuring adequate consumer and social protection.

DECLARATION BY THE COMMISSION ON MICRO-PLASTICS

In the context of the recently adopted European Strategy for Plastics in the Circular Economy (9), the Commission has presented an integrated approach to address concerns about micro-plastics, including micro-bead ingredients. It focuses on preventive actions and aims at reducing the release of micro-plastics from all main sources – whether from products in which they are intentionally added (such as personal care products and paints) or originating from the production or use of other products (such as o xo-plastics, tyres, plastic pellets, and textiles).

DECLARATION BY THE COMMISSION ON REPORTING WASTE DATA IN 2020

In view of monitoring progress towards the new targets for municipal and packaging waste and in view of relevant review clauses, in particular to set targets for food waste prevention and for the recycling of waste oils, the Commission underlines the importance of the common understanding reached between the co-legislators that Member States will ensure that the reporting of data under Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste and 1999/31/EC on the landfill of waste as amended, will cover the year 2020.

---

(1) COM(2015)0614
(2) COM(2018)0029
(3) COM(2018)0028
(4) COM(2017)0637
(5) COM(2018)0032
(6) COM(2016)0773
(7) COM(2015)0614
(8) COM(2016)0356
(9) COM(2018)0028
Landfill of waste ***I


(Ordinary legislative procedure: first reading)

(2019/C 390/39)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2015)0594),

— 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 (C8-0384/2015),

— 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 French Senate, 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 27 April 2016 (1),

— having regard to the opinion of the Committee of the Regions of 15 June 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 23 February 2018 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 opinion of the Committee on Industry, Research and Energy (A8-0031/2017),

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

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.

(2) OJ C 17, 18.1.2017, p. 46.
(3) This position replaces the amendments adopted on 14 March 2017 (Texts adopted, P8_TA(2017)0071).
P8_TC1-COD(2015)0274


(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Directive (EU) 2018/850.)
Procedural rules in the field of environmental reporting


(Ordinary legislative procedure: first reading)

(2019/C 390/40)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2016)0789),

— 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 (C8-0526/2016),

— 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 22 February 2017 (1),

— after consulting the Committee of the Regions,

— 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 13 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 the Environment, Public Health and Food Safety (A8-0253/2017),

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, Decision (EU) 2018/853.)

(1) OJ C 173, 31.5.2017, p. 82.
P8_TA(2018)0177

Common system of value added tax, with regard to the obligation to respect a minimum standard rate *


(Special legislative procedure – consultation)

(2019/C 390/41)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2017)0783),

— having regard to Article 113 of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0007/2018),

— having regard to Rule 78c of its Rules of Procedure,

— having regard to the report of the Committee on Economic and Monetary Affairs (A8-0124/2018),

1. Approves the Commission proposal;

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, the Commission and the national parliaments.

________________
Prevention of the use of the financial system for the purposes of money laundering or terrorist financing ***I


(Ordinary legislative procedure: first reading)

(2019/C 390/42)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2016)0450),

— having regard to Article 294(2) and Articles 50 and 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0265/2016),

— having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,

— having regard to Articles 294(3) and 114 of the Treaty on the Functioning of the European Union,

— having regard to the opinion of the European Central Bank of 12 October 2016 (1),

— having regard to the opinion of the European Economic and Social Committee of 19 October 2016 (2),

— having regard to the provisional agreement approved by the committees responsible under Rule 69f(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 20 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 Rules 59 and 39 of its Rules of Procedure,

— having regard to the joint deliberations of the Committee on Economic and Monetary Affairs and the Committee on Civil Liberties, Justice and Home Affairs under Rule 55 of the Rules of Procedure,

— having regard to the report of the Committee on Economic and Monetary Affairs and the Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Development, the Committee on International Trade and the Committee on Legal Affairs (A8-0056/2017),

(2) OJ C 34, 2.2.2017, p. 121.
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.

----------

P8_TC1-COD(2016)0208


(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Directive (EU) 2018/843.)

----------
Approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles ***I


(Ordinary legislative procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2016)0031),

— 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 (C8-0015/2016),

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

— having regard to the opinion of the European Economic and Social Committee of 25 May 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 20 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 the Internal Market and Consumer Protection and the opinions of the Committee on the Environment, Public Health and Food Safety and the Committee on Transport and Tourism (A8-0048/2017),

1. Adopts its position at first reading hereinafter set out (2);

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) 2018/858.)

(2) This position replaces the amendments adopted on 4 April 2017 (Texts adopted, P8_TA(2017)0097).
Organic production and labelling of organic products


(Ordinary legislative procedure: first reading)

(2019/C 390/44)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2014)0180),

— having regard to Article 294(2) and Articles 42 and 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0109/2014),

— having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,

— having regard to Article 294(3) and Article 43(2) of the Treaty on the Functioning of the European Union,

— having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the Luxembourg Chamber of Deputies and 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 15 October 2014 (1),

— having regard to the opinion of the Committee of the Regions of 4 December 2014 (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 20 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 Rules 59 and 39 of its Rules of Procedure,

— having regard to the report of the Committee on Agriculture and Rural Development and the opinion the Committee on the Environment, Public Health and Food Safety (A8-0311/2015),

(1) OJ C 12, 15.1.2015, p. 75.
(2) OJ C 19, 21.1.2015, p. 84.
Thursday 19 April 2018

1. Adopts its position at first reading hereinafter set out;
2. Takes note of the Commission statements 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.

P8_TC1-COD(2014)0100


(As an agreement was reached between Parliament and Council, Parliament’s position corresponds to the final legislative act, Regulation (EU) 2018/848.)
ANNEX TO THE LEGISLATIVE RESOLUTION

Commission statement on temporary experiments for organic varieties

The Commission acknowledges the need to establish conditions under which organic varieties suitable for organic production shall be developed.

For the purpose of establishing criteria for the description of the characteristics of 'organic varieties suitable for organic production', as well as defining the conditions under which 'organic varieties suitable for organic production' may be produced with a view to marketing, the Commission will organise at the latest 6 months after the date of application of the present Regulation a temporary experiment.

This temporary experiment will establish criteria for describing the distinctness, uniformity, stability, and, where applicable, the value for cultivation and use of organic varieties suitable for organic production and address other marketing conditions such as labelling and packaging. These conditions and criteria will take into account the specific needs and aims of organic agriculture such as enhancing genetic diversity, disease resistance and adaptation to soil and climate conditions. Yearly reports will be produced to monitor the progress of the temporary experiment.


The Commission will assess the result of this experiment with a view to propose the amendment of the requirements of the horizontal legislation on the marketing of seeds and other plant reproductive materials to the characteristics of the 'organic varieties suitable for organic production'.

Commission statement on Article 55

The Commission underlines that it is contrary to the letter and to the spirit of Regulation (EU) No 182/2011 (OJ L 55, 28.2.2011, p. 13) to invoke point (b) of the second subparagraph of Article 5(4) thereof in a systematic manner. Recourse to this provision must respond to a specific need to depart from the rule of principle which is that the Commission may adopt a draft implementing act when no opinion is delivered. Given that it is an exception to the general rule established by Article 5(4), recourse to point b) of the second subparagraph thereof cannot be simply seen as a "discretionary power" of the Legislator, but must be interpreted in a restrictive manner and thus must be justified.
Guidelines for the employment policies of the Member States *


(Consultation)

(2019/C 390/45)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2017)0677),

— having regard to Article 148(2) of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C8-0424/2017),

— having regard to its position of 15 September 2016 on the proposal for a Council decision on guidelines for the employment policies of the Member States(¹),

— having regard to its position of 8 July 2015 on the proposal for a Council decision on guidelines for the employment policies of the Member States(²),

— having regard to Rule 78c of its Rules of Procedure,

— having regard to the report of the Committee on Employment and Social Affairs (A8-0140/2018),

1. Approves the Commission proposal as amended;

2. Calls on the Commission to alter its proposal accordingly, in accordance with Article 293(2) of the Treaty on the Functioning of the European Union;

3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;

4. Asks the Council to consult Parliament again if it intends to substantially amend the Commission proposal;

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

(¹) Texts adopted, P8_TA(2016)0355.
Amendment 1
Proposal for a decision
Recital 1

Text proposed by the Commission

(1) Member States and the Union are to work towards developing a coordinated strategy for employment and particularly for promoting a skilled, trained and adaptable workforce and labour markets responsive to economic change, with a view to achieving the objectives of full employment and social progress set out in Article 3 of the Treaty on European Union. Member States, taking into account national practices related to the responsibilities of management and labour, are to regard promoting employment as a matter of common concern and coordinate their action in this respect within the Council.

Amendment

(1) Member States and the Union are to develop and deliver an effective and coordinated strategy for employment and particularly for promoting inclusive labour markets responsive to economic, social, technological and environmental realities and changes, with a skilled, trained and adaptable workforce, and for safeguarding the well-being of all workers, with a view to achieving the objectives of a social market economy, full employment and social progress as set out in Article 3 of the Treaty on European Union. Member States, taking into account national practices related to the responsibilities of management and labour, are to regard promoting employment as a matter of common concern and coordinate their action in this respect within the Council.

Amendment 2
Proposal for a decision
Recital 2

Text proposed by the Commission

(2) The Union is to combat social exclusion and discrimination and promote social justice and protection, as well as equality between women and men. In defining and implementing its policies and activities, the Union is to take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against poverty and social exclusion, and a high level of education and training.

Amendment

(2) The Union is to combat all forms of poverty, social exclusion and discrimination in all areas of life and promote social justice and protection, as well as equality between women and men. That overall objective should also be pursued through Union legal acts and policies in other areas. In defining and implementing its policies and activities, the Union is to take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against poverty and social exclusion, and a high level of education and training. The Union is to promote active participation of all citizens in economic, social and cultural life.
Amendment 3
Proposal for a decision
Recital 3

Text proposed by the Commission

(3) In accordance with the Treaty on the Functioning of the European Union (TFEU), the Union has developed and implemented policy coordination instruments for fiscal, macroeconomic and structural policies. As part of these instruments, the present Guidelines for the Employment Policies of the Member States, together with the Broad Guidelines for the Economic Policies of the Member States and of the Union set out in Council Recommendation (EU) 2015/1184, form the Integrated Guidelines for Implementing the Europe 2020 strategy. They are to guide policy implementation in the Member States and in the Union, reflecting the interdependence between the Member States. The resulting set of coordinated European and national policies and reforms are to constitute an appropriate overall economic and social policy mix which should achieve positive spill-over effects.

Amendment

(3) In accordance with the Treaty on the Functioning of the European Union (TFEU), the Union has developed and implemented policy coordination instruments for fiscal, macroeconomic and structural policies which have a significant impact on the social and employment situation in the Union, with potential effects including insecurity, poverty and inequality. As part of these instruments, the present Guidelines for the Employment Policies of the Member States, together with the Broad Guidelines for the Economic Policies of the Member States and of the Union set out in Council Recommendation (EU) 2015/1184, form the Integrated Guidelines for Implementing the Europe 2020 strategy. They are to guide policy implementation in the Member States and in the Union, reflecting the interdependence between the Member States. The resulting set of coordinated European and national policies and reforms are to constitute an appropriate overall economic and social policy mix which should achieve positive spill-over effects for all Member States.

Amendment 4
Proposal for a decision
Recital 3 a (new)

Text proposed by the Commission

(3a) To ensure a more democratic decision-making process in the context of the Integrated Guidelines, which affect people and labour markets across the Union, it is important that the Council take into account the position of the European Parliament.
Amendment 5
Proposal for a decision
Recital 4

Text proposed by the Commission

(4) The Guidelines for the Employment Policies are consistent with the Stability and Growth Pact, the existing European Union legislation and various EU initiatives, including the Council recommendation on establishing a Youth Guarantee(1), the Council Recommendation on the integration of the long-term unemployed into the labour market(2), the Council Recommendation on Upskilling Pathways(3) and the proposal for a Council Recommendation on a European Framework for Quality and Effective Apprenticeships(4).

Amendment

(4) The Guidelines for the Employment Policies are consistent with the Stability and Growth Pact, the existing European Union legislation and various EU initiatives, including the European Pillar of Social Rights, the Council recommendation on establishing a Youth Guarantee(1), the Council Recommendation on the integration of the long-term unemployed into the labour market(2), the Council Recommendation on Upskilling Pathways(3) and the proposal for a Council Recommendation on a European Framework for Quality and Effective Apprenticeships(4).

(4) COM(2017)0563 final - 2017/0244 (NLE)

Amendment 6
Proposal for a decision
Recital 5

Text proposed by the Commission

(5) The European Semester combines the different instruments in an overarching framework for integrated multilateral surveillance of economic, budgetary, employment and social policies and aims to achieve the Europe 2020 targets, including those concerning employment, education and poverty reduction, as set out in Council Decision 2010/707/EU(5). Since 2015, the European Semester has been continuously reinforced and streamlined, notably to strengthen its employment and social focus and to facilitate more dialogue with the Member States, social partners and representatives of civil society.

Amendment

(5) The European Semester combines the different instruments in an overarching framework for integrated multilateral surveillance of economic, budgetary, employment and social policies and aims to achieve the Europe 2020 targets, including those concerning employment, education and poverty reduction, as set out in Council Decision 2010/707/EU(5). Since 2015, the European Semester has been continuously reinforced and streamlined, notably to strengthen its employment and social focus and to facilitate more dialogue with the Member States, social partners and representatives of civil society at the same time keeping a strong emphasis on structural reforms and competitiveness.

Amendment 7
Proposal for a decision
Recital 6

Text proposed by the Commission

(6) The European Union’s recovery from the economic crisis is supporting positive labour market trends, but important challenges and disparities in economic and social performance remain between and within Member States. The crisis underscored the close interdependence of the Member States’ economies and labour markets. Ensuring that the Union progresses to a state of smart, sustainable and inclusive growth and job creation is the key challenge faced today. This requires coordinated, ambitious and effective policy action at both Union and national levels, in accordance with the TFEU and the Union’s provisions on economic governance. Combining supply- and demand-side measures, such policy action should encompass a boost to investment, a renewed commitment to appropriately sequenced structural reforms that improve productivity, growth performance, social cohesion and economic resilience in the face of shocks and the exercise of fiscal responsibility, while taking into account their employment and social impact.

Amendment

(6) The European Union’s recovery from the economic crisis is supporting positive labour market trends, but important challenges and disparities in economic and social performance remain between and within Member States. Economic growth does not automatically result in higher employment. The crisis underscored the close interdependence of the Member States’ economies and labour markets. Ensuring that the Union progresses to a state of smart, sustainable and inclusive growth, accompanied by the creation of sustainable and quality jobs, is the key challenge faced today. This requires coordinated, ambitious and effective policy action at both Union and national levels, in accordance with the TFEU and the Union’s provisions on economic governance. Combining supply- and demand-side measures, such policy action should encompass a boost to investment, including in the circular and in the green economy and with regard to social investment, a renewed commitment to appropriately sequenced, socially and economically balanced structural reforms that improve productivity, growth performance, social cohesion and economic resilience in the face of shocks and the exercise of fiscal responsibility, while those structural reforms should have a positive employment and social impact.

Amendment 8
Proposal for a decision
Recital 7

Text proposed by the Commission

(7) Reforms to the labour market, including the national wage-setting mechanisms, should follow national practices of social dialogue and allow the necessary opportunity for a broad consideration of socioeconomic issues, including improvements in competitiveness, job creation, life-long learning and training policies as well as real incomes.

Amendment

(7) Reforms to the labour market, including the national wage-setting mechanisms, should follow national practices of social dialogue and allow the necessary opportunity for a broad consideration of socioeconomic issues, including improvements in standards of living, equality, competitiveness, productivity, sustainable and quality job creation, life-long learning and training policies as well as real incomes.
| Amendment 9 |
| Proposal for a decision |
| **Recital 8** |

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(8) Member States and the Union should also address the social legacy of the economic and financial crisis and aim to build an inclusive society in which people are empowered to anticipate and manage change, and can actively participate in society and the economy, as also outlined in the Commission recommendation on the active inclusion of people excluded from the labour market(1). Inequality should be tackled, access and opportunities for all should be ensured and poverty and social exclusion (including of children) reduced, in particular by ensuring an effective functioning of labour markets and social protection systems and by removing barriers to education/training and labour-market participation. As new economic and business models take hold in EU workplaces, employment relationships are also changing. Member States should ensure that new employment relationships maintain and strengthen Europe’s social model.</td>
<td>(8) Member States and the Union should also address the social legacy of the economic and financial crisis and aim to build an inclusive and socially just society in which people are empowered to anticipate and manage change, and can actively participate in society and the economy, as also outlined in the Commission recommendation on the active inclusion of people excluded from the labour market(1). Inequality and discrimination should be tackled, equal opportunities for all should be ensured and poverty and social exclusion (particularly of children) eradicated, in particular by ensuring an effective functioning of labour markets and adequate and effective social protection systems, by removing barriers to education, training and labour-market participation. As new economic and business models take hold in EU workplaces, employment relationships are also changing. Member States should ensure that new employment relationships maintain and strengthen Europe’s social model by ensuring that people in emerging forms of work are covered and protected by employment regulations. Member States should support the potential of people with disabilities to contribute to economic growth and social development.</td>
</tr>
</tbody>
</table>

(1) COM(2008)0639 final

| Amendment 10 |
| Proposal for a decision |
| **Recital 8 a (new)** |

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(8a) The Commission and the Member States should create spaces for reflection and dialogue with the support of specialised non-governmental organisations (NGOs) and organisations of people experiencing poverty, to ensure that the latter are able to contribute to the evaluation of policies which affect them.</td>
<td></td>
</tr>
</tbody>
</table>

(1) COM(2008)0639 final
Amendment 11

Proposal for a decision

Recital 11

Text proposed by the Commission

(11) The Integrated Guidelines should form the basis for country-specific recommendations that the Council may address to the Member States. Member States should make full use of the European Social Fund and other Union funds to foster employment, social inclusion, lifelong learning and education and to improve public administration. While the Integrated Guidelines are addressed to Member States and the Union, they should be implemented in partnership with all national, regional and local authorities, closely involving parliaments, as well as social partners and representatives of civil society.

Amendment

(11) The Integrated Guidelines and the European Pillar of Social Rights should form the basis for well-targeted country-specific recommendations that the Council addresses to the Member States. Member States should make full use of the European Social Fund and other Union funds to foster employment, social inclusion, lifelong learning and education and to improve public administration. While the Integrated Guidelines are addressed to Member States and the Union, they should be implemented in partnership with all national, regional and local authorities, closely involving parliaments, as well as social partners and representatives of civil society.

Amendment 12

Proposal for a decision

Recital 12

Text proposed by the Commission

(12) The Employment Committee and the Social Protection Committee should monitor how the relevant policies are implemented in the light of the guidelines for employment policies, in line with their respective Treaty-based mandates. These committees and other Council preparatory bodies involved in the coordination of economic and social policies should work together closely.

Amendment

(12) The Employment Committee and the Social Protection Committee should monitor how the relevant policies are implemented in the light of the guidelines for employment policies, in line with their respective Treaty-based mandates. These committees and other Council preparatory bodies involved in the coordination of economic and social policies should work together closely with the European Parliament, and in particular with its Committee on Employment and Social Affairs, to ensure democratic accountability.

Amendment 13

Proposal for a decision

Annex – guideline 5 – paragraph 1

Text proposed by the Commission

Member States should facilitate the creation of quality jobs, including by reducing the barriers that businesses face in hiring people, by promoting entrepreneurship and self-employment and, in particular, by supporting the creation and growth of micro and small enterprises. Member States should actively promote the social economy and foster social innovation.

Amendment

Member States should facilitate and invest in the creation of sustainable, accessible and quality jobs across skill levels, labour market sectors and regions, including by fully developing the potential of future oriented sectors, such as the green and the circular economies, the care sector and the digital sector. Member States should enable people to balance work and private life, ensure that work places are adapted for persons with disabilities and older workers, help businesses in hiring people and promote responsible entrepreneurship and self-employment, in particular by supporting the creation and growth of micro and small enterprises. Member States should actively promote the social economy and foster social innovation.
Amendment 14
Proposal for a decision
Annex – guideline 5 – paragraph 2

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Member States should encourage innovative forms of work, <em>which</em> create job opportunities for all in a responsible manner.</td>
<td>Member States should encourage innovative forms of work <em>that</em> create <em>quality</em> job opportunities for all in a responsible manner, <em>taking into account the development of new information and communication technologies, while ensuring full compliance with Union law, national legislation and employment practices as well as with industrial relation systems. The Member States and the Commission should promote good practices in this area.</em></td>
</tr>
</tbody>
</table>

Amendment 15
Proposal for a decision
Annex – guideline 5 – paragraph 2 a (new)

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Member States should cut red tape in order to ease any unnecessary burdens on small and medium-sized enterprises, which contribute significantly to job creation.</td>
<td><strong>Amendment</strong> Member States should endeavour gradually to reduce the tax burden on labour and shift it away from labour to other sources of taxation that are less detrimental to employment and growth, taking account of the redistributive effect of the tax system, while protecting revenue for adequate social protection and growth-enhancing expenditure, <em>including investment in public services of general interest.</em></td>
</tr>
</tbody>
</table>

Amendment 16
Proposal for a decision
Annex – guideline 5 – paragraph 3

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>The tax burden <em>should be shifted</em> away from labour to other sources of taxation that are less detrimental to employment and growth, taking account of the redistributive effect of the tax system, while protecting revenue for adequate social protection and growth-enhancing expenditure.</td>
<td><strong>Amendment</strong> Member States should endeavour gradually to reduce the tax burden on labour and shift it away from labour to other sources of taxation that are less detrimental to employment and growth, taking account of the redistributive effect of the tax system, while protecting revenue for adequate social protection and growth-enhancing expenditure, <em>including investment in public services of general interest.</em></td>
</tr>
</tbody>
</table>
Member States should, in line with national practices and respecting the autonomy of social partners, encourage transparent and predictable wage-setting mechanisms, allowing for the responsiveness of wages to productivity developments while ensuring fair wages that provide for a decent standard of living. These mechanisms should take into account differences in skills levels and divergences in economic performance across regions, sectors and companies. Respecting national practices, Member States and social partners should ensure adequate minimum wage levels, taking into account their impact on competitiveness, job creation and in-work poverty.

**Amendment 18**

**Proposal for a decision**

**Annex – guideline 6 – title**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guideline 6: Enhancing labour supply: access to employment, skills and competences</td>
<td>Guideline 6: Enhancing labour supply <em>and improving</em> access to employment, skills and competences</td>
</tr>
</tbody>
</table>
Amendment 19

Proposal for a decision

Annex – guideline 6 – paragraph 1

Text proposed by the Commission

In the context of technological, environmental and demographic change, Member States, in cooperation with social partners, should promote productivity and employability through an appropriate supply of relevant knowledge, skills and competences throughout people’s working lives, responding to current and future labour market needs. Member States should make the necessary investment in both initial and continuing education and training. They should work together with social partners, education and training providers and other stakeholders to address structural weaknesses in education and training systems, to provide quality and inclusive education, training and life-long learning. They should ensure the transfer of training entitlements during professional transitions. This should allow everyone better to anticipate and adapt to labour market needs and successfully manage transitions, thus strengthening the overall resilience of the economy to shocks.

Amendment

In the context of technological, environmental and demographic change, Member States, in cooperation with social partners and civil society, should promote sustainability, productivity and employability through an appropriate supply of relevant knowledge, skills and competences throughout people’s working lives, responding to current and anticipated future labour market opportunities including through the targeted promotion of training in the science, technology, engineering and mathematics sectors. Member States should make the necessary investment in both initial and continuing education and training and life-long learning, targeting not only formal education, but also non-formal and informal learning, and ensuring equal opportunities and access for all. They should work together with social partners, education and training providers, civil society organisations and other stakeholders to increase the quality of and address structural weaknesses in education and training systems, to provide quality and inclusive education, training and life-long learning, also taking into account the particular needs of persons with disabilities, ethnic and national minorities, immigrants and refugees. They should ensure the transfer of entitlements to training during changes in professional life through a point system and the accumulation of associated rights. This should allow everyone better to anticipate and adapt to labour market needs, avoid skills mismatches and successfully manage transitions, thus strengthening the overall resilience of the economy to shocks.
Member States should foster equal opportunities in education and raise overall education levels, particularly for the least qualified. They should ensure quality learning outcomes, reinforce basic skills, reduce the number of young people leaving school early, enhance the labour-market relevance of tertiary degrees, improve skills monitoring and forecasting, and increase adult participation in continuing education and training. Member States should strengthen work-based learning in their vocational education and training systems, including through quality and effective apprenticeships, make skills more visible and comparable and increase opportunities for recognising and validating skills and competences acquired outside formal education and training. They should upgrade and increase the supply and take-up of flexible continuing vocational training. Member States should also support low skilled adults to maintain or develop their long term employability by boosting access to and take-up of quality learning opportunities, through the establishment of Upskilling Pathways, including a skills assessment, a matching offer of education and training and the validation and recognition of the skills acquired.

In order to promote the long-term well-being and productivity of their workforce, Member States should ensure that their education and training systems, as well as addressing labour market needs, are aimed at fostering personal development, social cohesion, intercultural understanding and active citizenship.
Amendment 22
Proposal for a decision
Annex – guideline 6 – paragraph 3

Text proposed by the Commission
High unemployment and inactivity should be tackled, including through timely and tailor-made assistance based on support for job-search, training, and requalification. Comprehensive strategies that include in-depth individual assessment at the latest after 18 months of unemployment should be pursued with a view to significantly reducing and preventing structural unemployment. Youth unemployment and the high rates of young people not in education, employment or training (NEETs), should continue to be addressed through a structural improvement in the school-to-work transition, including through the full implementation of the Youth Guarantee(1).

Amendment
High unemployment, long-term unemployment and long-term inactivity should be tackled, including through timely, integrated and tailor-made assistance based on support for job-search, training, requalification and proper follow-up. To that end, a coordinated approach to social and employment services is needed, meaning close cooperation between employment services, social services, the social partners and local authorities. Comprehensive strategies that include in-depth individual assessment as early as possible should be pursued with a view to significantly reducing and preventing long-term and structural unemployment. Youth unemployment and the high rates of young people not in education, employment or training (NEETs), should continue to be addressed through a structural improvement in the school-to-work transition, including through the full implementation of the Youth Guarantee(1).


Amendment 23
Proposal for a decision
Annex – guideline 6 – paragraph 4

Text proposed by the Commission
Tax reforms to shift taxes away from labour should aim to remove barriers and disincentives to participation in the labour market, in particular for those furthest away from the labour market. Member States should support an adapted work environment for people with disabilities, including targeted financial support actions and services that enable them to participate in the labour market and in society.

Amendment
Tax reforms to shift taxes gradually away from labour should aim to remove unjustified barriers and excessive bureaucracy and provide incentives to participation in the labour market, in particular for those furthest away from the labour market, while ensuring that tax shifts do not jeopardise the sustainability of the welfare state. Member States should support an adapted work environment for people with disabilities and older workers, including targeted financial support actions and services that enable them to participate in the labour market and in society as a whole. Member States and the Commission should promote supported employment in an open and inclusive labour market.

Barriers to participation and career progression should be eliminated to ensure gender equality and increased labour market participation of women, including through equal pay for equal work. The reconciliation of work and family life should be promoted, in particular through access to long-term care and affordable quality early childhood education and care. Member States should ensure that parents and other people with caring responsibilities have access to suitable family leaves and flexible working arrangements in order to balance work and private life, and promote a balanced use of these entitlements between women and men.

Barriers to participation and career progression should be eliminated to ensure gender equality and increased labour market participation of women, including through equal pay for equal work in all sectors and professions. Member States should develop and implement policies on wage transparency and pay audits in order to close the gender pay gap. Member States are to enforce Directive 2006/54/EC of the European Parliament and of the Council\(^\text{(1a)}\) by setting effective, proportionate and dissuasive penalties on employers paying a different wage for the same job, depending on whether it is performed by a man or by a woman. The reconciliation of work, private and family life should be guaranteed for all people. Member States should ensure that parents and other people with caring responsibilities have access to suitable family and care leaves, affordable quality long-term care and early childhood education and care and flexible employee-oriented working arrangements, such as teleworking and smart working, in order to balance work and private life, and promote a balanced use of these entitlements between women and men. Member States should ensure support for carers who are forced to limit or terminate their professional activity to enable them to properly take care of someone.

Policies should aim to improve and support labour-market matching and transitions. Member States should effectively activate and enable those who can participate in the labour market. Member States should strengthen the effectiveness of active labour-market policies by increasing their targeting, outreach, coverage and better linking them with income support, based on the rights and responsibilities for the unemployed actively to seek work. Member States should aim for more effective public employment services by ensuring timely and tailor-made assistance to support jobseekers, supporting labour-market demand and implementing performance-based management.

Member States should provide the unemployed with adequate unemployment benefits of reasonable duration, in line with their contributions and national eligibility rules. Such benefits should not constitute a disincentive to a quick return to employment.

Member States should aim to improve and support labour-market matching and transitions so that workers are able to progress in their careers. Member States should effectively activate and enable those who can participate in the labour market through individual support and integrated services within a broader active inclusion approach. Member States should strengthen the effectiveness of active labour-market policies by increasing their funding, targeting, outreach, coverage and ensuring adequate income support for the unemployed while seeking work as well as taking into account the rights and responsibilities of the unemployed.

This includes working with the social partners and other relevant stakeholders, including civil society organisations, to increase the effectiveness and accountability of those policies. Member States should aim for more effective, interconnected and quality public employment services by ensuring timely and tailor-made assistance to support jobseekers, allowing the latter to seek jobs throughout the Union, supporting labour-market demand and implementing performance-based management.

Member States should provide the unemployed with adequate unemployment benefits for a duration that is sufficient to allow them the time reasonably needed to find a quality job, in line with their contributions and national eligibility rules. Such benefits should be accompanied by active labour-market policies and measures that constitute incentives for a swift return to quality jobs.
Amendment 27
Proposal for a decision
Annex – guideline 7 – paragraph 4

Text proposed by the Commission
The mobility of learners and workers should be **promoted** with the aim of enhancing **employability** skills and exploiting the full potential of the European labour market. Barriers to mobility in education and training, in occupational and personal pensions and in the recognition of qualifications should be removed. Member States should take action to ensure that administrative procedures are not a blocking or complicating factor for workers from other Member States in taking up active employment. Member States should also prevent abuses of the existing rules and address potential ‘brain drain’ from certain regions.

Amendment
The mobility of learners and workers should be **ensured as a fundamental freedom** with the aim of enhancing skills and exploiting the full potential of the European labour market. **Internal mobility should also be promoted.** Barriers to mobility in education and training, in occupational and personal pensions, in access to social protection, in the recognition of qualifications and skills as well as disproportionate linguistic requirements should be removed. **Mobile workers should be supported including by improving their access to and awareness of rights at work.** Member States should take action to ensure that administrative procedures are not a blocking or complicating factor for workers from other Member States in taking up active employment. Member States should also prevent abuses of the existing rules and address potential ‘brain drain’ from certain regions. **They should do so by increasing and supporting investment in sectors that have a real potential of generating high-quality job opportunities such as the green and the circular economies, the care sector and the digital sector.**

Amendment 28
Proposal for a decision
Annex – guideline 7 – paragraph 5

Text proposed by the Commission
In line with national practices, and in order to achieve more effective social dialogue and better socio-economic outcomes, Member States should ensure the timely and meaningful involvement of social partners in the design and implementation of economic, employment and social reforms and policies, including by providing support for increased capacity of social partners. Social partners should be encouraged to negotiate and conclude collective agreements in matters relevant to them, respecting fully their autonomy and the right to collective action.

Amendment
In line with national practices **and with the partnership principles**, and in order to achieve more effective social and civil dialogue and better socio-economic outcomes, Member States should ensure the timely, genuine and meaningful involvement of social partners and civil society organisations in the design, implementation and evaluation of economic, employment and social reforms and policies **at all stages of the process**, including by providing support for increased capacity of social partners and civil society organisations. Such involvement should go beyond the mere consultation of stakeholders. Social partners should be encouraged to negotiate and conclude collective agreements in matters relevant to them, respecting fully their autonomy and the right to collective action. **Workers with atypical employment contracts and self-employed workers should also be enabled to exercise their right to organise and to bargain collectively.** Member States should take measures to strengthen the role of the social partners.
Amendment 29
Proposal for a decision
Annex – guideline 8 – title

Text proposed by the Commission

Guideline 8: Promoting equal opportunities for all, fostering social inclusion and combatting poverty

Amendment

Guideline 8: Promoting equality and equal opportunities and non-discrimination for all, fostering social inclusion and combatting poverty

Amendment 30
Proposal for a decision
Annex – guideline 8 – paragraph 1

Text proposed by the Commission

Member States should promote inclusive labour markets, open to all, by putting in place effective measures to promote equal opportunities for under-represented groups in the labour market. They should ensure equal treatment regarding employment, social protection, education and access to goods and services, regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

Amendment

Member States, in cooperation with local and regional authorities, should put in place effective measures to fight all forms of discrimination and to promote equal opportunities for all people to participate in society. Such measures should include those promoting inclusive labour markets, open to all, including through measures that counter discrimination in access to and on the labour market, to support those who are discriminated, under-represented or in vulnerable situation. Member States should ensure equal treatment and fight all types of discrimination in employment, social protection, education and access to goods and services, regardless of gender, racial or ethnic origin, religion or belief, disability, age, sexual orientation or socio-economic background. To that end, particular measures to support people in vulnerable situations, are necessary, and need to be backed by adequate funding to prevent any potential competition for resources between the beneficiaries concerned.

Amendment 31
Proposal for a decision
Annex – guideline 8 – paragraph 2

Text proposed by the Commission

Member States should modernise social protection systems to provide effective, efficient and adequate social protection throughout all stages of an individual’s life, fostering social inclusion and upward social mobility, incentivising labour market participation and addressing inequalities, including through the design of their tax and benefit systems. The modernisation of social protection systems should lead to better accessibility, sustainability, adequacy and quality.

Amendment

Member States should improve social protection systems to provide effective, efficient and adequate social protection throughout all stages of an individual’s life, including for the self-employed, fostering social inclusion and upward social mobility, incentivising labour market participation and addressing inequalities, including through the design of their tax and benefit systems. Improvements of and innovations in social protection systems should lead to better access, availability, sustainability, adequacy and quality.
Amendment 32
Proposal for a decision
Annex – guideline 8 – paragraph 3

Text proposed by the Commission
Member States should develop and implement preventive and integrated strategies through the combination of the three strands of active inclusion: adequate income support, inclusive labour markets and access to quality services. Social protection systems should ensure the right to adequate minimum income benefits for everyone lacking sufficient resources and promote social inclusion by encouraging people to participate actively in the labour market and society.

Amendment
Member States should develop and implement preventive and integrated strategies through the combination of the three strands of active inclusion: adequate income support, inclusive labour markets and access to quality services tailored to individual needs. Social protection systems should ensure adequate minimum income benefits for everyone lacking sufficient resources and promote social inclusion by encouraging people to participate actively in the labour market and society.

Amendment 33
Proposal for a decision
Annex – guideline 8 – paragraph 3 a (new)

Text proposed by the Commission
Similarly, Member States should, with the support of the Commission, promote the active participation of NGOs specialised in the fight against poverty and of organisations of people experiencing poverty in the development of policies to combat poverty and social exclusion.

Amendment
Similarly, Member States should, with the support of the Commission, promote the active participation of NGOs specialised in the fight against poverty and of organisations of people experiencing poverty in the development of policies to combat poverty and social exclusion.
Amendment 34

Proposal for a decision

Annex – guideline 8 – paragraph 4

Text proposed by the Commission

Affordable, accessible and quality services such as childcare, out-of-school care, education, training, housing, health services and long-term care are essential for ensuring equal opportunities, including for children and young people. Particular attention should be given to fighting poverty, social exclusion, including reducing in-work poverty. Member States should ensure that everyone has access to essential services, including water, sanitation, energy, transport, financial services and digital communications. For those in need and vulnerable people, Member States should ensure access to adequate social housing assistance as well as the right to appropriate assistance and protection against forced eviction. Homelessness should be tackled specifically. The specific needs of people with disabilities should be taken into account.

Amendment

Access to and availability of affordable, accessible and quality services such as childcare, out-of-school care, education, training, housing, health services, rehabilitation and long-term care are essential for ensuring equal opportunities, including for children, young people, ethnic minorities and migrants. Children living in poverty should have access to healthcare, education and childcare that are free of charge, and to decent housing and proper nutrition. Particular attention should be given to fighting poverty and social exclusion, including reducing in-work poverty, and discrimination. Member States should ensure that everyone has access to essential services and that they are affordable, including education, healthcare, housing, clean water, sanitation, energy, transport, financial services and digital communications. For those in need or in a vulnerable situation, Member States should ensure access to adequate social housing assistance as well as the right to appropriate assistance and protection against forced eviction. Homelessness should be tackled specifically. The specific needs as well as potential of people with disabilities should be taken into account. To that end, Member States should, inter alia, review their disability assessment systems to avoid creating barriers in access to the labour market.

Amendment 35

Proposal for a decision

Annex – guideline 8 – paragraph 4 a (new)

Text proposed by the Commission

Member States should ensure that employers hiring persons with disabilities are provided with adequate support and advice. The provision of personal assistance in education and by employment services for people with disabilities should be promoted and supported.

Amendment

Member States should ensure that employers hiring persons with disabilities are provided with adequate support and advice. The provision of personal assistance in education and by employment services for people with disabilities should be promoted and supported.
Thursday 19 April 2018

Amendment 36

Proposal for a decision

Annex – guideline 8 – paragraph 5

Text proposed by the Commission

Member States should ensure the right to timely access to affordable health care and long-term care of good quality, while safeguarding sustainability over the long run.

Amendment

Member States should ensure the right to timely access to affordable and accessible health care and long-term care of good quality, while safeguarding sustainability over the long run.

Amendment 37

Proposal for a decision

Annex – guideline 8 – paragraph 6

Text proposed by the Commission

In a context of increasing longevity and demographic change, Member States should secure the sustainability and adequacy of pension systems for women and men, providing equal opportunities for workers and the self-employed, of both sexes, to acquire pension rights, including through supplementary schemes to ensure living in dignity. Pension reforms should be supported by measures that extend working lives and raise the effective retirement age, such as limiting early exit from the labour market and increasing the statutory retirement age to reflect life expectancy gains. Member States should establish a constructive dialogue with the relevant stakeholders, and allow an appropriate phasing in of the reforms.

Amendment

Member States should urgently secure the sustainability and adequacy of pension systems for women and men, providing equal opportunities for all workers and the self-employed to acquire adequate statutory pension rights to ensure living in dignity as well as aiming to ensure an adequate income for older people which is at least above poverty level. Non-discriminatory access to supplementary schemes should be provided, that can serve as a top-up of solid statutory pensions. Depending on Member States’ institutional arrangements and national law, pensions based on the first pillar alone or in combination with the second pillar should establish an adequate replacement income based on a worker’s prior wages. Member States should provide adequate pension credits to persons who have spent time outside the labour market for the purpose of providing care on an informal basis. Pension reforms, including a possible raise of the effective retirement age, should be framed within active and healthy ageing strategies and supported by measures that extend working lives for those wishing to work longer. Workers who are close to retirement should be given a choice to voluntarily reduce working hours. Member States should establish a constructive dialogue with the social partners and with civil society, and allow an appropriate phasing in of all reforms.
Estimates of revenue and expenditure for the financial year 2019 – Section I – European Parliament


(2019/C 390/46)

The European Parliament,

— having regard to Article 314 of the Treaty on the Functioning of the European Union,


— having regard to the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (3) (IIA of 2 December 2013),


— having regard to its resolution of 5 April 2017 on Parliament’s estimates of revenue and expenditure for the financial year 2018 (5);

— having regard to its resolution of 25 October 2017 on the Council position on the draft general budget of the European Union for the financial year 2018 (6),

— having regard to its resolution of 30 November 2017 on the joint text on the draft general budget of the European Union for the financial year 2018 approved by the Conciliation Committee under the budgetary procedure (7),

— having regard to the Secretary-General’s report to the Bureau on drawing up Parliament’s preliminary draft estimates for the financial year 2019,

— having regard to the preliminary draft estimates drawn up by the Bureau on 16 April 2018 pursuant to Rules 25(7) and 96(1) of Parliament’s Rules of Procedure,

— having regard to the draft estimates drawn up by the Committee on Budgets pursuant to Rule 96(2) of Parliament’s Rules of Procedure,

(4) OJ L 287, 29.10.2013, p. 15
— having regard to Rule 96 of its Rules of Procedure,

— having regard to the report of the Committee on Budgets (A8-0146/2018),

A. whereas this procedure is the fourth full budgetary procedure conducted in the new legislature and the sixth one during the 2014-2020 multiannual financial framework;

B. whereas the 2019 budget, as proposed in the Secretary-General’s report, is being prepared against the backdrop of a yearly increase, both in terms of inflation and real increase, in the ceiling for heading V, allowing more room for growth and investment as well as continuing to implement the policies of achieving savings, seeking to improve efficiency and oriented towards a performance-based budget;

C. whereas among the priority objectives that have been proposed by the Secretary-General for the 2019 budget are the following: the 2019 European Parliament election campaign, security projects, multiannual building projects, IT development, improving services for Members and encouraging a green approach to transport;

D. whereas a budget of EUR 2 016 644 000 has been proposed by the Secretary-General for Parliament’s preliminary draft estimates for 2019, representing an overall increase of 3.38 % on the 2018 budget (including EUR 37.3 million for the change of parliamentary term and EUR 34.3 million for other extraordinary expenditure) and a share of 18.79 % of heading V of the 2014-2020 MFF;

E. whereas almost two thirds of the budget is index-bound expenditure which relates mainly to remunerations, pensions, medical expenses and allowances for serving and retired Members (23 %) and staff (34 %), as well as to buildings (13 %), which is adjusted according to the Staff Regulations and Statute for Members, to sector-specific indexation, or to the inflation rate;

F. whereas Parliament already stressed in its resolution of 29 April 2015 on Parliament’s estimates of revenue and expenditure for the financial year 2016 (*) that the 2016 budget should be set on a realistic basis and should be in line with the principles of budgetary discipline and sound financial management;

G. whereas the credibility of Parliament as one arm of the budgetary authority depends to an extent on its ability to manage its own spending and on its ability to develop democracy at Union level;

H. whereas the voluntary pension fund was established in 1990 by the Bureau’s Rules governing the additional (voluntary) pension scheme (**);

**General framework**

1. Stresses that the share of Parliament’s budget in 2019 should be maintained under 20 % of heading V; notes that the level of estimates for 2019 corresponds to 18.53 %, which is lower than that achieved in 2018 (18.85 %) and the lowest part of heading V in more than 15 years;

2. Emphasises that the largest part of Parliament’s budget is fixed by statutory or contractual obligations and is subject to annual indexation;

3. Notes that, due to the 2019 European Parliament election, expenditure will be substantially higher in some areas, in particular in respect of Members who are not re-elected and their assistants, whilst savings, albeit of a lesser magnitude, will be generated in other areas as a result of the reduction in the volume of parliamentary business in an election year;


4. Endorses the agreement reached in the conciliation between the Bureau and the Committee on Budgets on 26 March 2018 and on 10 April 2018 to set the increase in the 2018 budget at 2.48 %, corresponding to the overall level of its estimates for 2019 to EUR 1,999,144,000, to decrease the level of expenditure of the preliminary draft estimates endorsed by the Bureau on 12 March 2018 by EUR 17.3 million and to reduce accordingly the appropriations proposed on the following budget lines: 1004 - ordinary travel expenses; 105 - language and computer courses for Members; 1404 - graduate traineeships, grants and exchanges of officials; 1612 - further training; 1631 - mobility; 2000 - rent; 2007 - construction of buildings and fitting-out of premises; 2022 - building maintenance, upkeep, operation and cleaning; 2024 - energy consumption; 2100 - computing and telecommunications; 2101 - computing and telecommunications — business-as-usual operations — infrastructure; 2105 - computing and telecoms — investment in projects; 212 - furniture; 214 - technical equipment and installations; 230 - stationery, office supplies and miscellaneous consumables; 238 - other administrative expenditure; 300 - expenses for staff missions and duty travel between the three places of work; 302 - reception and representation expenses; 3040 - miscellaneous expenditure on internal meetings; 3042 - meetings, congresses, conferences and delegations; 3049 - expenditure on travel agency services; 3243 - European Parliament visitor centres; 3248 - expenditure on audiovisual information; 325 - expenditure related to the information offices; 101 - contingency reserve; provides item 1400 - other staff-secretariat and political groups with EUR 50,000, item 320 - acquisition of expertise with EUR 50,000, and item 3211 - science media hub with EUR 800,000 of appropriations; welcomes that those changes have been adopted by the Bureau on 16 April 2018;

5. Underlines that the Parliament’s key functions are to co-legislate with Council and to decide on the Union budget, represent citizens and scrutinise the work of other institutions;

6. Highlights Parliament’s role in building European political awareness and promoting Union values;

7. Notes the late receipt of the preliminary draft estimates and accompanying documents only after their endorsement by the Bureau on 12 March 2018; asks to receive in future years the report of the Secretary-General to the Bureau on the preliminary draft estimates, including annexes thereto, on time;

**Transparency and accessibility**

8. Welcomes the response to the request from the Committee on Budgets expressed in various budget resolutions on additional information on medium- and long-term planning, investments, statutory obligations, operational expenditure and a methodology on the basis of the current needs rather than of coefficients; notes that lump sums are a useful and recognised tool to add flexibility and transparency;

9. Notes that, as was the case for budgets for previous years, it is proposed to set aside an amount for ‘extraordinary’ investment and expenditure, i.e. investment and expenditure that is unusual or atypical for Parliament and arises infrequently; notes that in 2019, those investments and expenditure amount to EUR 71.6 million, including EUR 37.3 million for the change of parliamentary term and EUR 34.3 million for other extraordinary expenditure; recalls that the distinction, made in the 2016 budget and included in the consecutive budgets, between ordinary and extraordinary expenditure was made solely in order to respond to the implementation of urgent measures concerning security buildings and cybersecurity following the terrorists attacks; considers that the excessive use of this distinction, i.e. the inclusion of other expenditure in extraordinary expenditure, gives an erroneous indication of the evolution of the budgetary margin and is therefore in contradiction with the principle of transparency of Parliament’s expenditure;

10. Expects the Parliament’s 2019 budget to be realistic and accurate regarding the matching of the needs and their costs, to avoid as much as possible overbudgeting;

**Brexit**

11. Observes that on 8 December 2017, Union and UK negotiators reached an agreement in principle on the financial settlement relating to the withdrawal of the United Kingdom from the Union, which includes a provision that the UK will participate in the Union’s annual budgets for 2019 and 2020 as though it was still a Member State of the Union and will contribute its share of the financing of the Union’s liabilities incurred before 31 December 2020; notes that the voluntary pension scheme for Members is included as a liability on the EU balance sheet and a contribution to the outstanding liabilities needed to cover the pension liabilities incurred before but stretching beyond 2020 will be part of the negotiations;
12. Notes that the Committee on Constitutional Affairs confirmed with the vote in plenary in February 2018 an own-initiative report on Parliament’s composition, and notably the reduction to 705 Members after the withdrawal of the United Kingdom from the Union; notes that following the informal meeting of the 27 heads of state or government on 23 February 2018, President Tusk signalled a broad support for this proposal; notes that in the event that the United Kingdom is still a Member State at the beginning of the 2019-2024 parliamentary term, the number of Members shall be 751, until the withdrawal of the United Kingdom from the Union becomes legally effective; points out, however, that the procedure requires a unanimous decision by the European Council after having obtained the consent of Parliament; underlines that Parliament’s estimates, for the moment, reflect a status-quo situation with a Parliament composed of 678 Members from 27 Member States between 30 March 2019 and the end of the 8th legislative period, and a Parliament composed of 705 Members from 27 Member States from the start of the 9th legislative period till the end of the 2019 financial year; takes note with satisfaction of the adjustments proposed by the Secretary-General which were adopted by the Bureau on 12 March 2018;

2019 European Elections

13. Welcomes the communication campaign as a helpful effort to explain the purpose of the Union and Parliament to the citizens; underlines that this campaign should aim, among other things, at explaining the role of the Union, the power of Parliament, its functions, such as the election of the President of the Commission, and its impact on the lives of citizens;

14. Recalls that, as approved in the 2018 budget procedure, the total budget of the campaign amounts to EUR 33.3 million for the two years, of which EUR 25 million for 2018 (due to the time needed to run procurement procedures and conclude the contracts) and EUR 8.33 million for 2019; notes that the strategy for the campaign based on an analysis of the lessons learnt at the last elections was approved at the Bureau in November 2017;

15. Underlines that the communication processes for the European elections are characterised by three tiers: the most visible tier is for national and European political parties and their candidates, the second tier is the leading candidate process (Spitzenkandidaten), introduced for the first time in 2014, and the third tier is the institutional campaign as in reminding what Parliament is, what it does, how it affects citizens’ lives and why engaging in the elections is important;

16. Highlights that Parliament alone lacks the resources necessary to reach out to 400 million eligible voters and must therefore make the best use of its own multiplier networks to do that; considers that communications via social media websites should play an important role as well; points out that at European level, a series of citizens and stakeholders conferences will be organised in 2018 and that at national level, the role of the Liaison Offices will be crucial; will continue to include the European Committee of the Regions and its local and regional representatives in the networking approach; considers that as in the final run-up to the elections, the European political parties and the national parties will play an essential role alongside, in particular in the framework of the “Spitzenkandidaten” process; proposes, therefore, to enable them to carry out this mission with funding specifically increased for 2019;

Security and cybersecurity

17. Notes that the 2019 budget will include further instalments of substantial investments started back in 2016 with a view to significantly improving Parliament’s security; points out that those projects cover various domains, mainly relating to buildings i.e. the security upgrade of the entrance, equipment and staff, as the iPACS Project, but also improvements in the field of cyber-security and communication security;

18. Welcomes the Memorandum of Understanding which entered into force in 2017 between the Belgian Government and the European Parliament, the Council, the Commission, the European External Action Service, and other institutions based in Brussels, on security clearance checks verifications for all external contractors’ staff wishing to access the Union institutions; reminds its call, in Parliament’s 2018 estimates of revenue and expenditure, to the Secretary-General to consider the advisability of extending the application of this Memorandum of Understanding to officials, parliamentary assistants and trainees in order to allow the necessary security verifications before their recruitment; asks, therefore, the Secretary-General to inform the Committee on Budgets of the state of progress of this file;

19. Considers that IT tools are important instruments for Members and staff to carry out their work, but are nevertheless vulnerable to cyber-attacks; welcomes therefore to slightly increase the appropriations foreseen, allowing the institution to better protect its assets and information by continuing its Cyber-security Action Plan;
Building policy

20. Reiterates its call for a transparent decision-making process in the field of buildings policy based on early information, having due regard to Article 203 of the Financial Regulation;

21. Notes the process of improving Members’ and staff working environments as decided by the Bureau in December 2017, which will continue in 2019 in order to provide flexible workspaces for Members to satisfy needs arising from changing working patterns, providing them with three offices in Brussels and two in Strasbourg after the 2019 elections; stresses nevertheless that in Strasbourg it would be more useful to provide flexible spaces for meetings; notes that costs for maintenance of Parliament’s buildings in 2019, including security and environmental requirements; questions the very high costs of certain proposed developments, namely: the removal of the Library and related offices, the refurbishment of the Members’ restaurant (ASP building) and the refurbishment of the restaurant in the Churchill building; calls on the Secretary-General to provide the Committee on Budgets with any information relating to those decisions before Parliament’s reading of the budget in autumn 2018, considering that some projects will be postponed;

22. Questions the EUR 1.58 million planned for studies on the renovation of the Spaak building knowing that EUR 14 million have already been budgeted in the 2018 budget; calls on the Secretary-General to provide the Committee on Budgets with any information relating to this decision before Parliament’s reading of the budget in autumn 2018;

23. Asks for further details on the condition of the furniture in the Brussels’ ASP building that justified its replacement, and on the procedure followed to choose the new furniture, notably on the ratio between its price and the need for replacement;

24. Takes note of the updated mission statement for the Information Offices, which are now to be known as “Liaison Offices”, in accordance with the Bureau Decision of November 2017; notes that the main function of the Liaison Offices is to inform and communicate locally on behalf of Parliament in a politically neutral manner, in order to provide information about the Union and its policies through the activities of external stakeholders on local, regional and national levels, including the members of the European Committee of the Regions;

25. Observes that the first parts of the East wing of the new KAD building will be handed over and occupied in late 2018 while the rest of the East wing offices and the conference rooms will be occupied progressively during 2019; notes that directly afterwards works will commence on the West wing;

26. Recalls the 2014 ECA analysis which estimated the costs of the geographic dispersion of Parliament to be EUR 114 million per year; furthermore, notes the finding from its resolution of 20 November 2013 on the location of the seats of the European Union’s institutions (10) that 78 % of all missions by Parliament statutory staff arise as a direct result of Parliament’s geographic dispersion; emphasises that the report also estimates the environmental impact of the geographic dispersion to be between 11 000 and 19 000 tonnes of CO₂ emissions; emphasises the potential savings to the Parliament’s budget of a single seat and therefore calls for a roadmap to a single seat;

27. Recalls Parliament’s commitment to Directive 2012/27/EU on energy efficiency (11) which stipulates that it will, “without prejudice to applicable budgetary and procurement rules, undertake to apply the same requirements to the buildings they own and occupy as those applicable to the buildings of Member States’ central government under Articles 5 and 6” of that Directive, due to the high visibility of the buildings and the leading role it should play with regard to buildings’ energy performance; underlines the urgency of compliance with this declaration, not at least for its own credibility in the currently ongoing revisions of the energy performance of buildings and the energy efficiency directives;

MEP and APA related issues

28. Welcomes the work of Parliament’s Secretariat, the secretariats of the political groups and the offices of Members aimed to empower Members in their mandates; encourages the continued development of those services which enhance Members’ ability to scrutinise the work of the Commission and Council and represent citizens;


29. Welcomes in particular the ever-increasing quality of advice and research provided to Members and committees through the European Parliamentary Research Service (EPRS) and the policy departments; takes note of the mid-term evaluation of the cooperation between those two services supplied by the Secretary-General in October 2017; requests the Secretary-General to provide further information on how the two services coordinate their work to avoid duplication and meet client needs; welcomes the new and existing specific projects in the IT application, which will be implemented in full or in part in 2019: e-Parliament project, the Electronic Records Management System (ERMS) project, the Open Digital Library Program, the new project on research and development on machine learning with translation memories and the conference and event participants' registration tool;

30. Recalls the abovementioned resolutions of 5 April 2017 on Parliament’s estimates of revenue and expenditure for the financial year 2018 and of 25 October 2017 on the Council position on the draft general budget of the European Union for the financial year 2018; reiterates the appeal for transparency regarding the General Expenditure Allowance (GEA) for Members; calls on Parliament’s Bureau to work on better guidance regarding the accountability of the expenditure authorised under this allowance, without generating additional costs or administrative burden for Parliament’s administration; notes that a comprehensive system of control of the Members’ parliamentary mandate allowance would necessitate 40 to 75 new administrative posts (12), which would go against the staff reduction scheme;

31. Recalls the principle of the independence of the mandate; underlines that it is the responsibility of elected Members to use the expenditure for parliamentary activities and that it is possible for Members who wish to do so to publish their spending record in relation to the GEA on their personal webpages; stresses the fact that the lump sum is widely used and recognised as a useful tool in Member States; stresses the fact that the current use of lump sums does not require additional staff or entail additional costs in the European Parliament’s administration and avoids generating obligatory additional costs and administrative burden for Members and their offices; reiterates that improved efficiency and transparency of the GEA does not mean to infringe upon the privacy;

32. Urges the working group of the Bureau on the GEA to complete their work to enable recommendations based on the view of Parliament expressed in October 2017 to be considered prior to the election of the 9th Legislature;

33. Reiterates its call on the Bureau to ensure that the social and pension rights of Members and Accredited Parliamentary Assistants (APAs) are respected, and that adequate financial means are made available; in this regard, reiterates its call to find a workable solution for those APAs who, having worked for two parliamentary terms without interruption in the end of the current term, will not be entitled to access to the European pension rights scheme, when they will reach the pension age, since they will be lacking some time out of ten years’ service needed as set out in the Staff Regulations, due to early elections in 2014 and the delays in the validation of the APAs new contracts because of heavy workload during the periods after the elections of 2009; recalls that Article 27(2) of the Statute for Members of the European Parliament provides that “[a]cquired rights and future entitlements shall be maintained in full”; notes, however, continuing problems with the voluntary pension scheme and asks the Bureau and the Secretary-General to explore all options in order to minimise the burden for the Parliament’s budget;

34. Considers adequate the appropriations of the budget line 422 ‘Expenditure related to parliamentary assistance;

35. Notes the revision of allowance rates for APAs incurred in respect of their duty travel between Parliament’s three places of work; recalls its request to the Bureau to take actions for a full alignment between officials, other servants and APAs as from next legislative term;

36. With a view to next parliamentary term, calls again on the Conference of Presidents to revise the Implementing provisions governing the work of delegations and missions outside the European Union; underlines that such a revision should consider the possibility for APAs, subject to certain conditions, to accompany Members on official Parliament Delegations and Missions;

37. Calls on the Bureau to amend the Bureau decision of the 19 April 2010 on rules concerning Member trainees to ensure the decent remuneration of trainees; stresses that the remuneration of trainees in the offices of Members or in political groups should, at least, cover living expenses in Brussels or in the city where the traineeships take place;

(12) Texts adopted, P8_TA(2016)0150
38. Believes that adequate funding should be made available for the implementation of the Roadmap for the adaptation of preventive and early support measures to deal with conflict and harassment between Members and APAs or other staff;

Staff-related issues

39. Reduces the establishment plan of its General Secretariat for 2019 by 59 posts (1% staff reduction target), in accordance with the agreement of 14 November 2015 reached with the Council on the general budget of the European Union for the financial year 2016, in which Parliament’s annual staff reduction measures are set to continue until 2019;

40. Believes that, in a period in which the financial and personnel resources available to the Union institutions are likely to be increasingly constrained, it is important that the institutions themselves are able to recruit and retain the most able staff to meet the complex challenges ahead in a way consistent with the principles of performance-based budgeting;

41. Considers that until the election recess, Parliament will face a unique situation resulting from the coincidence of the usual end of legislature rush with the complex package of legislative MFF proposals, the Brexit and the growing number of trilogues; considers that to enable Parliament and its Committees to perform the core-business it is vital to continue to ensure an adequate level of logistical and human resources;

42. Mandates the Secretary-General to build on the existing cooperation agreements between the Parliament, the European Committee of the Regions and the European Economic and Social Committee; for which the EPRS is a very positive example; requests to identify areas including but not limited to IT services and security, in which synergies between the back office functions could be increased using the experience of the Parliament and the two bodies and taking fully into account the governance difficulties and the differences in terms of scale to build up fair cooperation agreements; in addition, asks the Secretary-General to undertake a study on possible synergies - in back office functions and services - that could be generated with other institutions;

43. Asks for an assessment of the savings and the benefits for each party reached due to the Inter-Institutional Administrative cooperation agreement between Parliament, the European Committee of the Regions and the European Economic and Social Committee both in the areas submitted to Joint Services and in the areas submitted to cooperation and the potential savings and benefits of possible future agreements with other institutions and agencies;

44. Welcomes Parliament’s resolution on combating sexual harassment and abuse in the EU (\(^{(13)}\)); is of the opinion that the resolution is an important step to more effectively combat sexual harassment and any kind of inappropriate behaviour in the Union and its institutions, including Parliament; demands that adequate resources are allocated to implement the demands of the resolution;

Other issues

45. Notes the ongoing practice of using the year-end ‘mopping up transfer’ (ramassage) to contribute to current building projects; highlights, on the basis of the 2014, 2015, 2016 and 2017 figures, that this year-end ‘mopping up transfer’ takes place systematically on the same chapters and title and, with a few exceptions, exactly on the same lines; wonders, therefore, whether there is a programmed overvaluation of those chapters and lines in order to generate funds for the financing of budgetary policy;

46. Questions the necessity of having headsets and webcams installed in the offices in Brussels and Strasbourg for all parliamentary assistants, even though most of them have not even requested it; questions, therefore, the cost of such a decision and the reasons for taking it; calls on the Secretary-General to provide the Committee on Budgets with any information relating to that decision;

47. Notes that the restrictions on access to Parliament’s catering areas were lifted on 1 January 2017; accepts the practice that anyone working in Parliament’s buildings or accessing its premises for an interinstitutional meeting may have lunch in the canteens and restaurants of Parliament; notes, however, that access to the ASP self-service in Brussels and LOW self-service in Strasbourg has become very complicated due to the daily presence of groups of visitors; calls, therefore, for controls to be re-established rapidly at the entrance of those two self-services, not for Members and staff of other institutions, but in order to systematically reorient groups of visitors towards the restaurant areas reserved for them;

Thursday 19 April 2018

48. Notes the ongoing dialogue between Parliament and national parliaments; stresses the need to go beyond the existing European Parliamentary Week framework in order to allow for permanent synergies when it comes to relations between Parliament and the national parliaments; calls on this dialogue to be strengthened in order to develop a better understanding of the contribution of Parliament and the Union in Member States;

49. Calls for the upgrade of the European Science Media Hub, adopted in the 2018 budget, and for cooperation with television stations, social media and further partners in order to establish training purposes for young journalists, especially in relation to new scientific and technological developments and to fact-based, peer-reviewed news;

50. Welcomes Parliament’s efforts aimed at encouraging sustainable mobility;

51. Invites Parliament to adopt an eco-sustainable approach and to make the majority of any activity carried out within Parliament environmentally friendly;

52. Notes the creation of a mobility working group which should work inclusively and be clearly mandated; underlines that Parliament has to conform with all regional applicable laws at the places of work, including in the area of mobility; advocates the promotion of use of the established direct train connection between the Brussels Parliament site and the airport; invites the responsible services to re-evaluate the composition and size of its own vehicle fleet against this background; calls on the Bureau to establish without delay an incentive scheme for promoting the use of bicycles for home-work commuting; notes that such a scheme is already established in other institutions, notably the European Economic and Social Committee;

53. Calls upon the Secretary-General and the Bureau to instil a culture of performance-based budgeting across Parliament’s administration, and a lean management approach in order to enhance efficiency, reduce paperwork and diminish bureaucracy in the institution’s internal work; stresses that the experience of lean management is the continuous improvement of the work procedure thanks to the simplification and experience of the administrative staff;

54. Adopts the estimates for the financial year 2019;

55. Instructs its President to forward this resolution and the estimates to the Council and the Commission.