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## Information and Notices

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Sittings of 24 to 27 November 2014

*The Minutes of this session have been published in OJ C 42, 4.2.2016.*

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*Key to symbols used*

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

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

Amendments by Parliament:

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

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2014-2015 SESSION

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TEXTS ADOPTED

Tuesday 25 November 2014

I

(Resolutions, recommendations and opinions)

RESOLUTIONS

EUROPEAN PARLIAMENT

P8\_TA(2014)0058

**Seeking an opinion from the Court of Justice on the compatibility with the Treaties of the Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data**

**European Parliament resolution of 25 November 2014 on seeking an opinion from the Court of Justice on the compatibility with the Treaties of the Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data (2014/2966(RSP))**

(2016/C 289/01)

*The European Parliament,*

- having regard to Article 218 of the Treaty on the Functioning of the European Union (TFEU), in particular paragraphs 6 and 11 thereof,
- having regard to the draft Council decision on the conclusion, on behalf of the Union, of the Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data (12652/2013),
- having regard to the Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data (12657/2013),
- having regard to the Commission communication on the global approach to transfers of Passenger Name Record (PNR) data to third countries (COM(2010)0492),
- having regard to its resolutions of 5 May 2010 on the launch of negotiations for Passenger Name Record (PNR) agreements with the United States, Australia and Canada <sup>(1)</sup> and of 11 November 2010 on the global approach to transfers of Passenger Name Record (PNR) data to third countries <sup>(2)</sup>,
- having regard to the opinion of the European Data Protection Supervisor of 19 October 2010 on the Commission communication on the global approach to transfers of Passenger Name Record (PNR) data to third countries <sup>(3)</sup>,
- having regard to the opinion of the European Data Protection Supervisor of 30 September 2013 on the proposals for Council decisions on the conclusion and the signature of the Agreement between Canada and the European Union on the transfer and processing of Passenger Name Record data <sup>(4)</sup>,

<sup>(1)</sup> OJ C 81 E, 15.3.2011, p. 70.

<sup>(2)</sup> OJ C 74 E, 13.3.2012, p. 8.

<sup>(3)</sup> OJ C 357, 30.12.2010, p. 7.

<sup>(4)</sup> OJ C 51, 22.2.2014, p. 12.

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- having regard to Opinion 7/2010 of the Article 29 Data Protection Working Party, adopted on 12 November 2010, on the Commission communication on the global approach to transfers of Passenger Name Record (PNR) data to third countries,
  - having regard to Article 16 TFEU and to Articles 7, 8 and 52(1) of the Charter of Fundamental Rights of the European Union,
  - having regard to the Court of Justice judgment of 9 March 2010 in Case C-518/07, *Commission v Federal Republic of Germany*,
  - having regard to the Court of Justice judgment of 8 April 2014 in Joined Cases C-293/12 and C-594/12, in which the Data Retention Directive was declared invalid,
  - having regard to Rule 108(6) of its Rules of Procedure,
- A. whereas the European Union concluded an agreement with Canada in 2005 on the processing of Passenger Name Record (PNR) data on the basis of a set of commitments by the Canada Border Services Agency (CBSA) in relation to the application of its PNR programme; whereas with the expiry of the relevant Commission decision on 22 September 2009, the European legal basis for the transmission of PNR data to the CBSA ceased to exist;
- B. whereas the CBSA unilaterally undertook to assure the EU that the commitments would continue in force and effect until a new agreement applied; whereas this was communicated to all the Member States and their data protection authorities;
- C. whereas, following the entry into force of the Lisbon Treaty on 1 December 2009, the conclusion of new PNR agreements requires the consent of the European Parliament before they can be adopted by the Council;
- D. whereas on 2 December 2010 the Council adopted a decision, together with a negotiating directive, authorising the Commission to open negotiations on behalf of the EU for an agreement with Canada on the transfer and processing of Passenger Name Record data;
- E. whereas on 18 July 2013 the Commission proposed to the Council to take a decision on the conclusion of the agreement;
- F. whereas on 30 September 2013 the European Data Protection Supervisor issued its opinion on the agreement, questioning the necessity and proportionality of PNR schemes and of bulk transfers of PNR data to third countries, as well as the choice of legal basis;
- G. whereas on 5 December 2013 the Council decided to ask Parliament for its consent to the conclusion of the agreement;
- H. whereas the agreement was signed on 25 June 2014;
- I. whereas on 7 July 2014 the Council requested Parliament's consent to the conclusion of the agreement;
- J. whereas on 8 April 2014 the Court of Justice, in its judgment in Joined Cases C-293/12 and C-594/12, declared the Data Retention Directive to be invalid;
- K. whereas the purpose of the agreement, as stated in Article 1 thereof, is to lay down conditions in accordance with which PNR data may be transferred and used and to stipulate how data will be protected;

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1. Takes the view that there is legal uncertainty as to whether the draft agreement is compatible with the provisions of the Treaties (Article 16 TFEU) and the Charter of Fundamental Rights of the European Union (Articles 7, 8 and 52(1)) as regards the right of individuals to protection of personal data; questions, further, the choice of legal basis, i.e. Articles 82(1) (d) and 87(2)(a) TFEU (police and judicial cooperation) rather than Article 16 TFEU (data protection);
  2. Decides to seek an opinion from the Court of Justice on the compatibility of the agreement with the Treaties;
  3. Instructs its President to forward this resolution to the Council and the Commission for information and to take the necessary measures to obtain such an opinion from the Court of Justice.
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P8\_TA(2014)0059

**The EU and the global development framework after 2015****European Parliament resolution of 25 November 2014 on the EU and the global development framework after 2015 (2014/2143(INI))**

(2016/C 289/02)

*The European Parliament,*

- having regard to the United Nations Millennium Declaration of 8 September 2000,
- having regard to the report adopted in July 2014 by the UN Open Working Group for Sustainable Development Goals,
- having regard to the report adopted on 8 August 2014 by the Intergovernmental Committee of Experts on Sustainable Development Financing,
- having regard to the Ministerial Declaration of the High-Level Political Forum on Sustainable Development, of July 2014,
- having regard to the United Nations ‘Millennium Development Goals Report 2014’,
- having regard to the outcome document of the GPEDC High-Level Meeting in Mexico, of April 2014,
- having regard to the Beijing Declaration and Platform for Action, approved at the Fourth World Conference on Women in September 1995, and the subsequent outcome documents,
- having regard to the Programme for Action of the International Conference on Population and Development (ICPD), adopted in Cairo in 1994, and the subsequent + 20 review,
- having regard to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 18 December 1979,
- having regard to the UN ‘Gender Chart 2012’, which measures improvements regarding the gender equality aspects of the eight Millennium Development Goals (MDGs),
- having regard to the outcome of the United Nations Conference on Environment and Development in 1992 and to the report of its follow-up Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,
- having regard to the 2014 Human Development Report of the United Nations Development Programme (UNDP) entitled ‘Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience’,
- having regard to the May 2013 report of the UN High-Level Panel of Eminent Persons on the Post-2015 Development Agenda,
- having regard to the report of the UN Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,

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- having regard to the June 2012 report of the UN System Task Team on the Post-2015 UN Development Agenda to the UN Secretary General, entitled 'Realising the future we want for all',
- having regard to the resolution entitled 'Keeping the promise: united to achieve the Millennium Development Goals' adopted by the UN General Assembly at its High-Level Plenary Meeting on the Millennium Development Goals, at its sixty-fifth session in 2010,
- having regard to the Istanbul Programme of Action for the Least Developed Countries for the Decade 2011-2020,
- having regard to the United Nations Convention on the Rights of Persons with Disabilities,
- having regard to the FAO State of Food Insecurity report,
- having regard to the declaration and action plan adopted at the High-Level Forum on Aid Effectiveness held in Busan in December 2011,
- having regard to the UNDP report entitled 'Beyond the Midpoint: Achieving the Millennium Development Goals', which was published in January 2010,
- having regard to the Universal Declaration of Human Rights and the human rights legal framework,
- having regard to the work of the UN System Task Team on the Post-2015 UN Development Agenda, led jointly by the UN Department of Economic and Social Affairs (UN DESA) and the UNDP, with support from all UN agencies and in consultation with relevant stakeholders,
- having regard to the WHO's Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property of 24 May 2008,
- having regard to the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action,
- having regard to the 1986 Declaration on the Right to Development,
- having regard to the EU Code of Conduct on Complementarity and Division of Labour in Development Policy <sup>(1)</sup>,
- having regard to Article 7 of the Treaty on the Functioning of the European Union (TFEU), which reaffirms that the EU 'shall ensure consistency between its policies and activities, taking all of its objectives into account',
- having regard to Article 208 TFEU, which stipulates that 'the Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries',
- having regard to the Commission communication of 2 June 2014, entitled 'A decent life for all: from vision to collective action' (COM(2014)0335),
- having regard to the Commission communication of 13 May 2014, entitled 'A stronger role of the private sector in achieving inclusive and sustainable growth in developing countries' (COM(2014)0263),
- having regard to the Commission staff working document of 30 April 2014, a toolbox entitled 'A right-based approach, encompassing all human rights for EU development Cooperation' (SWD(2014)0152),
- having regard to the Commission communication of 27 February 2013, entitled 'A decent life for all: Ending poverty and giving the world a sustainable future' (COM(2013)0092),

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<sup>(1)</sup> Council Conclusions 9558/07, 15.5.2007.

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- having regard to the Commission communication of 12 September 2012, entitled ‘The roots of democracy and sustainable development: Europe’s engagement with civil society in external relations’ (COM(2012)0492),
  - having regard to the Commission’s public consultations on the preparation of an EU position, entitled ‘Towards a Post-2015 Development Framework’, which ran from 15 June to 15 September 2012,
  - having regard to the joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on the European Union Development Policy entitled ‘The European Consensus’<sup>(1)</sup>,
  - having regard to the Commission communication of 12 April 2005 entitled ‘Policy Coherence for Development’ (COM(2005)0134), and the conclusions of the 3166th Foreign Affairs Council meeting of 14 May 2012, entitled ‘Increasing the Impact of EU Development Policy: an Agenda for Change’,
  - having regard to Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020<sup>(2)</sup>,
  - having regard to its recommendation to the Council of 2 April 2014 on the 69th session of the United Nations General Assembly<sup>(3)</sup>,
  - having regard to its position of 2 April 2014 on the proposal for a decision of the European Parliament and of the Council on the European Year of Development (2015)<sup>(4)</sup>,
  - having regard to its resolution of 13 June 2013 on the Millennium Development Goals — defining the post-2015 framework<sup>(5)</sup>,
  - having regard to the Foreign Affairs Council conclusions of 19 May 2014 on a rights-based approach to development cooperation, encompassing all human rights,
  - having regard to the Foreign Affairs Council conclusions of 12 December 2013 on financing poverty eradication and sustainable development beyond 2015,
  - having regard to the Joint ACP-EU Declaration on the Post-2015 Development Agenda of 20 June 2014,
  - having regard to the General Affairs Council conclusions of 25 June 2013 on the Overarching Post 2015 Agenda,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Development and the opinion of the Committee on Women’s Rights and Gender Equality (A8-0037/2014),
- A. whereas in 2000 all the relevant stakeholders came together to set the MDGs with a view to achieve concrete development and poverty eradication goals by 2015;
- B. whereas the MDGs have raised awareness of ending global poverty as an urgent challenge and a priority for global action; whereas the level of achievement of MDGs varies, with visible positive effects on reducing extreme poverty, fighting against malaria and tuberculosis, improving access to drinking water, and reducing disparities in primary school enrolments; whereas certain shortcomings of MDGs need to be fully addressed in the definition of the post-2015 framework;

<sup>(1)</sup> OJ C 46, 24.2.2006, p. 1.

<sup>(2)</sup> OJ L 77, 15.3.2014, p. 44.

<sup>(3)</sup> Texts adopted, P7\_TA(2014)0259.

<sup>(4)</sup> Texts adopted, P7\_TA(2014)0269.

<sup>(5)</sup> Texts adopted, P7\_TA(2013)0283.

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- C. whereas assessments of the progress made in attaining the current MDGs showed that, in the new framework, a strong linkage between poverty eradication, fighting inequalities and the promotion of sustainable development, as well as a single and universal set of goals with differentiated approaches, are crucial;
- D. whereas the urban population is predicted to grow from the present 3,6 billion to over 6 billion and the biggest cities are predicted to grow into megacities with over 100 million inhabitants; whereas excessive urbanisation is undermining the sustainability of development in all its dimensions;
- E. whereas the 1994 International Conference on Population and Development in Cairo called for access to reproductive and sexual health services, including family planning; recalls, in this regard, that in 2013, an estimated 289 000 women died during pregnancy and childbirth; recalls MDG 5 and the need for women to have access to an effective method of contraception and family planning in order to reduce the number of maternal deaths by almost one third;
- F. whereas poverty reduction is uneven and inequalities between and within countries, which have increased in both developed and developing countries, represent a major development challenge, especially in Low Income Countries (LICs) and Middle Income Countries (MICs); whereas 1,5 billion people are living in poverty with overlapping deprivations in health, education and living standards, notably in conflict-affected and fragile states;
- G. whereas violent conflicts and humanitarian crises continue to have a disrupting impact on development efforts; whereas women are harder hit by military conflicts and crises;
- H. whereas additional efforts are still needed to halve the percentage of people suffering from hunger, as 162 million young children are exposed to malnutrition; whereas hidden hunger can be defined as micronutrient deficiency, which can cause irreversible effects on health and socio-economic consequences linked to the reduction in people's productivity;
- I. having considered that 2014 is the International Year of Family Farming;
- J. whereas the 1986 Declaration on the Right to Development affirms that development is a fundamental human right; whereas the Declaration commits to a 'human rights based' approach, characterised by the realisation of all human rights (economic, social, cultural, civil and political); whereas the Declaration commits equally to strengthening international cooperation;
- K. whereas climate change and environmental degradation threaten poverty reduction by amplifying existing vulnerabilities, with many developing countries still dependent on agriculture and climate-sensitive natural resources, and lacking the capacities to manage climate risks; whereas there is an urgent need to reduce global greenhouse gas emissions and to achieve a more equitable and sustainable management and governance of natural resources;
- L. whereas gains made towards achieving the MDGs related to health have been greatly based on R&D investments made years earlier; whereas intellectual property rights should not hinder access to affordable medicines;
- M. whereas access to early childhood development, and to education and training of the highest attainable quality for every child, young person and adult is an essential prerequisite for breaking cycles of inter-generational poverty and inequality;

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- N. whereas little progress has been made regarding gender equality and the empowerment of women; whereas women often experience discrimination and violence;
- O. whereas globally, women and girls constitute a majority of those living in extreme poverty and whereas gender equality and women's rights are a necessary condition for the success of the post-2015 global development framework; whereas every day an estimated 800 women in the world die due to complications during pregnancy or childbirth; whereas the 1994 International Conference on Population and Development in Cairo called for universal access to sexual and reproductive health and rights which can be lifesaving;
- P. whereas women make up more than half the number of migrants;
- Q. whereas Africa exports substantially more capital to the world through illicit financial flows in comparison to what it receives in terms of international aid and remittances;
- R. whereas the new sustainable development framework offers an opportunity to secure the broad involvement of civil society organisations, local authorities and national parliaments;
- S. whereas more new and decent jobs need to be created in order to respond to demographic growth on a global scale; whereas the private sector is a major generator of jobs, both in developed and developing countries, and thus can be an essential partner in the fight against poverty when clear accountability mechanisms exist and international regulations on social protection are respected;
- T. whereas aid continues to play a unique role in poverty reduction and as game-changer in developing countries;
- U. whereas domestic resource mobilisation is an important element in the fight against poverty and inequality;
- V. whereas the EU and its Member States are the largest donors of development aid and thus should remain the driving force during the next phase of the negotiations under the UN, promoting in particular the human rights-based approach, based on equality, non-discrimination, participation and inclusion in the design and implementation of the framework;
- W. whereas the Council conclusions of December 2014 will lay down a coherent set of principles and the main lines of the negotiating strategy;
- X. whereas Article 208 of the TFEU establishes that eradication of poverty is the primary objective of EU development policy and establishes policy coherence for development;

### ***1. The Millennium Development Goals: assessment and new challenges***

1. Underlines that the global landscape has changed in recent years, including shifts in the global economic and political balance, and that although some developing and emerging economies have experienced relevant economic growth, they still face high and increasing levels of inequality; considers that a new approach is needed that embraces global governance, with a strong focus on policy coherence for development and the provision of global public goods;
2. Recalls that while having the advantage of being straightforward, the MDGs did not address underlying structural factors that lead to poverty and inequality; stresses that the global sustainable development framework after 2015 should be transformative by addressing the root causes of poverty and inequality and thus deliver on the unfinished business of the current MDGs;

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3. Stresses that the MDGs defined in 2000 had many successes in middle-income countries and developing countries, but that progress has been unequal, both within and between countries, therefore these results must be correctly analysed and lessons learnt while shaping the global development framework after 2015;

4. Recalls that, although the MDGs have made a profound difference in people's lives, key issues such as human rights violations, inequalities, including gender inequality, armed conflicts and terrorism, climate change, food insecurity, lack of property rights, lack of land rights, migration, limited access to healthcare services and education, demographic changes, resource constraints, the loss of biodiversity, corruption, tax fraud and tax avoidance, unsustainable growth, unemployment, and financial and economic crises still pose extremely complex and interrelated challenges for the next decades, prompting the need to find new development pathways that could lead to inclusive and sustainable development for all;

5. Emphasises that environmental sustainability is an overriding challenge, where failure is likely to threaten all dimensions of human development; in particular, recalls that environmental degradation represents a huge impediment to fulfilling the objective of eradication of extreme poverty and hunger; recalls, for instance, that persistent inequalities and struggles over scarce resources are among the key drivers of conflict, hunger, insecurity and violence, which in turn are key factors that hold back human development and efforts to achieve sustainable development;

6. Stresses that the new framework should respond effectively to these challenges and tackle important issues such as respect for the dignity of every human being, justice, equality, good governance, democracy, the rule of law, peace and security, climate change, disaster risk reduction and building resilience, preservation of biodiversity, inclusive and sustainable development, property rights, land rights, health and social protection, education, research and innovation, and the rights of women, children, young people and minorities;

7. Underlines the fact that the new development framework must be universal in its nature and applicable in all countries, including EU Member States, and hence needs to be relevant and fair for both developed and developing countries, while taking into account different national circumstances, capacities, policies and priorities; stresses that the new responsibilities and burdens generated need to be equally but justly shared between all countries; calls for the EU to indicate which concrete actions and commitments it can suggest to respond domestically and internationally to the principle of universality;

8. Stresses that mutual accountability and transparency at all levels should be the axis of the new development framework, and that it is important that national governments and other actors, including the private sector, are held accountable for the implementation of the framework;

9. Calls for the EU to actively lead the process towards the definition of a single, comprehensive and integrated global development framework after 2015 and welcomes the consensus that the new global development agenda needs to strengthen the means of implementation and renew the global partnership for sustainable development;

## **II. *The need for a renewed global partnership and a strong and cohesive EU position***

10. Calls for the EU to play an active role in shaping a new global partnership which will mobilise action by all countries, including emerging economies, and all relevant stakeholders, including the private sector, civil society organisations, local authorities and national parliaments;

11. Calls for the EU to adopt a strong, cohesive and unified position in the upcoming inter-governmental negotiations, taking into account the priorities stressed in this resolution;

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12. Endorses the conclusions of the UN OWG; considers, nonetheless, that the framework identified in its conclusions could eventually be clustered, while maintaining the balance between poverty eradication, fighting inequalities and the three dimensions of sustainable development, and not at the expense of the rights-based approach, nor at the expense of the more ambitious and innovative goals;

13. Stresses that the new global framework should include the appropriate institutional architecture, addressing the main goals of poverty eradication, fighting inequalities and promotion of sustainable development, with clear guidelines for supervision of its implementation, and that this architecture should also address the complexities and the inter-linkages between the different parts of the future framework;

14. Believes that policy coherence for sustainable development (PCD) is a key tool for the implementation of the post-2015 framework; to this end, calls for the EU to ensure that the necessary guidelines, impact assessments and monitoring and reporting mechanisms make PCD a reality in the framework;

15. Underlines that the universality of the global development agenda after 2015 implies more demanding commitments for the EU and its Member States; stresses that the new sustainable development goals (SDGs) under the global framework will have to be reflected in both the EU's external and internal policies;

### III. *Priority areas*

16. Recalls that poverty eradication must remain the main priority of the global development agenda after 2015, along with addressing the intertwining pillars of economic, ecological and social sustainability, and a strengthened global partnership;

#### *Poverty eradication, fighting inequalities and sustainable development*

17. Stresses that ending poverty and fighting inequalities, together with sustainable development, should be the underlying theme of the global development framework after 2015; underlines the need for the framework to be people-centred and address the lack of justice by applying a rights-based approach, with the aim of reducing inequalities, within and between countries, as one of the key priorities in the new framework;

18. Considers that inequality hampers development and poverty reduction efforts; reiterates that poverty eradication, equality and sustainable development are only possible if all vulnerable groups are taken into account and if equitable access, sustainable use of resources and good governance is promoted; calls on the EU and its Member States to support SDG 10, as proposed by the UN OWG, as a stand-alone goal in the new framework;

19. Underlines the need for a target on ending extreme poverty at the level of USD 2 a day, if the framework is to be truly transformational;

20. Underlines the fact that the future framework should address the multi-dimensional aspects of poverty and inequality, which go beyond a lack of income but which involve human beings in their dignity and in all their dimensions, including social dimensions; stresses that poverty should not be assessed in accordance with income alone, but also in relation to indicators of well-being, and not just GDP;

21. Recommends that support be given to state-building by means of increased general and/or sector-specific aid conditional on good governance criteria;

22. Underlines that in a largely globalised economy, labour's bargaining power has been reduced through liberalisation, which jeopardises in return fulfilment of the rights listed in the Universal Declaration of Human Rights and the Decent Work Agenda; accordingly, urges the EU to frame its trade policy strategy in such a way as to maintain and protect high social and environmental standards, while discouraging any forms of social and environmental dumping;



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23. Stresses that there is an important interconnection between good governance, sustainable development growth and the reduction of social inequalities; underlines the importance of fostering equal opportunities and rights, as well as social dialogue; calls for a broader definition of poverty than that based on GDP alone, encompassing broader measures of progress and well-being;

24. Highlights the crucial economic and social importance of a strong, stable middle class; stresses the need to involve the middle class more closely in the political process, thus promoting inclusive growth;

25. Calls for the promotion of ecologically sustainable development in all countries, both developed and developing, by sustainable use of renewable natural resources and by protecting the environment;

26. Stresses the need to promote sustainable development by balancing regional development, by promoting the development of smaller towns and cities and preventing the excessive growth of big cities;

*The human rights-based approach*

27. Welcomes the inclusion of the promotion of a human rights-based and people-centred approach among the Sustainable Development Goals proposed by the UN Open Working Group; expresses concern, however, at the fact that a more ambitious approach has so far not been embraced, and stresses that such an approach is essential for tackling the roots of poverty, social exclusion and inequality;

28. Stresses the universality, indivisibility and interdependence of all human rights of all people, without discrimination on any grounds, starting with the fundamental right to dignity of all human beings, with particular attention to the human rights of women and girls, including the promotion of universal access to sexual and reproductive health and rights, as well as the protection and respect of the rights of migrants and minorities, including LGBTI people and people living with HIV; underlines the importance of respecting and promoting the rights of disabled people in the new framework;

29. Calls for the EU to emphasise the importance of prioritising within the post-2015 agenda the adoption and implementation of an appropriate legal framework and the fact that national and local policies should fight corruption and impunity, ensuring access to judicial institutions that are impartial and independent and effective remedies for violations of human rights, particularly of marginalised groups, as well as the protection of human rights defenders; stresses that the post-2015 global development framework needs to ensure good governance, democracy and the rule of law;

30. Calls on the EU to redouble efforts aimed at ensuring, in the upcoming inter-governmental negotiations, that the human rights-based approach (HRBA) and the right to development become the underpinning concepts of the post-2015 global development framework, and, therefore, that the key HRBA pillars of universality and indivisibility, non-discrimination and equality, accountability and rule of law, participation and inclusion are included in the design, implementation and monitoring of the post-2015 development framework; stresses the importance of keeping SDG 16, proposed by the UN OWG, as a stand-alone goal in the new framework;

*Conflict prevention, post-conflict recovery, peace-building and promotion of lasting peace*

31. Considers that the global development framework after 2015 should duly reflect the New Deal for Engagement in Fragile States and the peace-building and state-building goals agreed in Busan; highlights that special attention is required with regard to fragile states in the new framework; welcomes the fact that the promotion of peaceful societies is one of the priorities of the EU and that it is evolving as an important element of the new framework; also considers that it is imperative to engage in structural, intensive and long-term partnerships that prioritise security sector reform and the establishment of the rule of law and democratic institutions;



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32. Stresses that the new framework needs to address the underlying drivers of conflict and fragility; calls for the European institutions to put in place more responsive procedures in post-conflict situations and adopt a strategy enabling development aid to serve security objectives as effectively as possible;

33. Strongly condemns the lack of prosecution and punishment in conflicted areas, especially when it comes to sexual violence aimed at women and girls; stresses the need to redouble the efforts towards the protection of civilians affected by armed conflicts, to improve access to psychological support, particularly for women and children, and to strengthen the link between relief, rehabilitation and development (LRRD) in the new global framework;

34. Recognises the important contribution of women to conflict prevention and peace-building efforts, and thus calls for the promotion of UN Security Council resolution 1325 to ensure participation of women in conflict resolution and democracy building;

*Climate-change mitigation, protection of the environment, and disaster-risk reduction*

35. Considers that climate change mitigation and adaptation needs to be effectively mainstreamed in the post-2015 global development framework as a cross-cutting issue in a visible and ambitious manner; supports the wide range of measures to address the effects of climate change and to ensure a better future for the new generation, including phasing out subsidies that are harmful to the environment; underlines that special attention should be given to sustainable energy since it is crucial for climate change mitigation;

36. Underlines that the mainstreaming process should not lead to the diversion of official development assistance (ODA) to climate policies that do not achieve direct poverty alleviation;

37. Considers that many poor communities are already facing the consequences of climate change while bearing the least responsibility for it; reiterates the urgent need to take action on reducing emissions, with a focus on carbon-free strategies; stresses that moving towards an energy-efficient and renewable-based economy can lead to gains in poverty eradication; believes that the EU should support universal access to renewable, reliable and affordable energy services;

38. Welcomes the fact that climate change mitigation and sustainable use of natural resources are strongly present and integrated in the outcome document of the Open Working Group, including the preservation of oceans and seas, as well as preservation of biodiversity and forests;

39. Emphasises the importance of including in the new framework humanitarian assistance, capacity-building, prevention and bottom-up participatory measures to effectively reduce disaster risk and strengthen resilience; stresses the need to strengthen international assistance, coordination and resources for emergency response, recovery and reconstruction in post-disaster situations;

40. Recognises the distinctive role of women in contributing to sustainability, and therefore calls for the integration of the gender equality perspective in environmental and climate change policies in order to ensure a reduction in gender inequalities when it comes to access and control of resources for adaptation to climate change;

*Food security, nutrition, sustainable agriculture, combating land degradation, water and sanitation*

41. Welcomes the fact that food and nutrition security has emerged as a priority area for the new global development framework and welcomes the inclusion of a stand-alone goal to end hunger, achieve food security and improved nutrition, and promote sustainable agriculture in the OWG outcome document; recognises the specific needs of women farmers related to food security that need to be taken into account while developing the new framework;

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42. Stresses the importance of addressing the linkages with improved productivity of sustainable agriculture and fisheries leading to reduced loss and waste of food, transparent management of natural resources and adaptation to climate change;

43. Points out that land tenure security for small-scale producers, which takes into account traditional land use rights, both stimulates local economies and increases food security;

44. Calls for the need to go beyond food security and considers food as a basic human right, in order to be able to set a clear 'Zero Hunger' goal and to end the scandal of hunger by 2025; underlines that efforts to eradicate hunger and to end malnutrition, as well as the phenomenon of 'hidden hunger', should especially focus on children and lactating women;

45. Stresses the importance of implementing the Rio+20 commitments on land degradation in all countries and the FAO guidelines on the Right to Food and on Land Tenure; underlines the importance of global good governance in preventing land grabbing;

46. Stresses the need to strengthen good governance in the land sector and to protect land from the ever growing risk of being grabbed by business consortiums;

47. Points to the importance of considering universal access to safe drinking water, sanitation and integrated water management; stresses the need to take action in reducing use of hazardous chemicals and preventing pollution;

*Health and education*

48. Takes the view that the health sector is crucial to the economic and social development of societies; calls for the EU, therefore, to focus on promoting equitable, universal and sustainable health protection in the new global framework, with a special emphasis on affordable child and maternal health and care, including an ambitious target on eradicating preventable maternal, newborn and child deaths, as well as on ending the epidemics of AIDS, tuberculosis, malaria, and other communicable diseases;

49. Recognises health as a human right; highlights the importance of improving universal access to hygiene and to high-quality health care and coverage, including sexual and reproductive health services; calls on the EU to put special emphasis on preventing exclusion and discrimination of the most vulnerable groups with regard to health systems;

50. Highlights the huge importance of continuing to work on improving access to water, sanitation and hygiene as a cross-cutting issue that affects the attainment of other goals in the post-2015 agenda, including health, education and gender equality;

51. Stresses that education is the key to developing self-sustainable societies; urges that access to all levels of quality education should be reflected in the new global development framework, and that the framework should also address the issue of access to education in emergency and crisis situations; underlines the need to foster participatory citizenship through the full exercise of civic and political rights as well as building knowledge-based and innovative societies;

52. Urges the Commission to promote the priority of eliminating inequalities in access to health and education in the post-2015 framework, and to include specific measures to reach the disadvantaged individuals and groups at risk of discrimination;

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*The central role of women in the global development framework after 2015*

53. Welcomes the fact that the empowerment of women and girls and the importance of gender equality are recognised as priorities in the Open Working Group (OWG) outcome document, taking into account the central role of women in the new global development framework; calls for the EU and its Member States to support the call of the OWG for a stand-alone goal on gender equality while ensuring the integration of gender mainstreaming across all goals, and to promote inclusion of ambitious targets related to the rights of women and girls and the enhanced implementation of these targets;

54. Reiterates the importance of eliminating all forms of discrimination and violence against women and girls in the new framework; underlines the importance of eliminating all discriminatory legislation and practices; urges the EU to set the elimination of all forms of violence, such as domestic violence, trafficking, sexual exploitation and sexual harassment, and all harmful practices, including child, early or forced marriage and female genital mutilation, as one of the top priorities in the field of human rights under the new global framework;

55. Considers that the post-2015 global agenda should convey a clear message regarding the participation of women in decision making processes;

56. Emphasises the importance of ensuring equal access to employment for both women and men, and equal pay for work of equal value everywhere; recognises the need to safeguard the right of women who have children to remain in employment at the same time;

57. Underlines the importance of enhancing girls' access to all levels of education and removing gender barriers to learning;

58. Stresses the importance of ensuring universal access to health services such as family planning, including sexual and reproductive health and rights;

59. Points to the need to establish effective specific protection arrangements for migrant women and recognises the importance of the right of women to migrate and integrate themselves into a new culture;

*Inclusive and sustainable growth, employment and decent work creation*

60. Underlines that inclusive and sustainable economic growth, accompanied by decent jobs creation and resource efficiency aimed at moving towards a more sustainable consumption and production model, and climate change mitigation, is crucial to the success of the post-2015 framework; considers that defining qualitative indicators will be critical in order to monitor both the degree to which development progress is inclusive and sustainable, and the extent to which the needs of the most deprived and vulnerable groups are being addressed;

61. Emphasises that it is crucial to monitor the degree to which economic development includes the most deprived and vulnerable groups and to which wages remain in line with increases in productivity; recalls that it is the responsibility of the State to provide basic social services to its citizens, thus contributing to eradicating poverty; considers the establishment of nationally defined social protection floors and minimum wage regulation in developing countries to be essential;

62. Calls for the EU to promote an enabling environment for entrepreneurship, trade, investment and innovation, which will be conducive to the reduction of inequalities and aimed at strengthening social justice;

63. Emphasises the need for phasing out child labour in the new global development framework;

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64. Calls for a new global framework that creates a more equitable and sustainable trade scheme based on dialogue, transparency and respect that seeks greater equity in international trade; takes the view that Fair Trade is an example of a successful partnership, involving many stakeholders around the world and at different stages along a supply chain, that ensures market access for disadvantaged producers, in particular women, guarantees sustainable livelihoods, respects labour standards, phases out child labour and encourages environmentally sustainable farming and production practices;

65. Underlines the need for the new global framework to promote a universal, transparent, rules-based, open, non-discriminatory and equitable multilateral trading system under the WTO; calls on the EU to reconsider its strategy for sustainable development policies, including fair trade;

66. Calls for support to the development of green incentives, such as the creation of green jobs;

67. Underlines the importance of addressing youth unemployment in the new global framework;

#### *The private sector*

68. Stresses that the private sector can be a key driver of inclusive and sustainable growth, when taking into account key development principles such as human rights, labour rights, corporate accountability and transparency mechanisms, social dialogue and environmental commitments; calls for the EU to support the building up of regulatory systems which would reduce overburdening red tape, promote good governance, combat bribery and corruption, and promote job creation; insists upon the need to improve the corporate social responsibility of multinational enterprises, through legally binding rules; under these circumstances, deems that the private sector should be a key driver of inclusive and sustainable economic development;

69. Calls for transparent and fair rules in accessing local and international markets, giving equal opportunities to all stakeholders involved;

70. Points out that Corporate Social Responsibility (CSR) should be an important element of the new framework;

71. Calls for the EU to ensure that all aid flows for the private sector follow development effectiveness principles and ensure that the private sector in developing countries is aimed at lifting people out of poverty;

72. Welcomes the Council recommendation to place an increased focus on supporting SMEs, by creating a friendly environment for small business owners and facilitating access to finance and training;

73. Supports in particular further development of the initiative for social entrepreneurship in the field of development cooperation; calls for the creation of novel tools that support better cooperation between small and medium-sized enterprises in developed countries and developing countries;

74. Urges the EU to prioritise tax justice and domestic resource mobilisation in the post- 2015 agenda, as it should play a major role in transforming society, eradicating poverty and reducing inequalities;

#### *Civil society*

75. Recognising the need for a participatory approach in the new framework which should aim to involve actors at all levels, underlines the crucial role which civil society organisations (CSOs), including women's organisations with regard to the central role of women in global development, play as enablers of development and promoters of universality, equality, inclusiveness, accountability and transparency; stresses the importance of engaging in dialogue with organisations on the ground, and facilitating the direct participation of people and communities;

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76. Stresses the particular role of CSOs in promoting the rule of law, justice, human rights and democratic principles, especially in countries where state-building is in its early stages and state and government capacities are limited;

#### *Local authorities and national parliaments*

77. Underlines the importance of including local authorities and national parliaments in development planning, implementation and financial aid flows; stresses that this would require a truly participatory process, conducted early on in the development phase, and that, with this in mind, decentralised public aid must be recognised and reinforced;

#### **IV. Mobilising financial resources**

78. Urges Member States to meet their commitment to allocate at least 0,7 % of GNI to ODA, including at least 0,2 % to Least Developed Countries (LDC) and other highly vulnerable states; calls for the EU to take a coherent and comprehensive international approach to financing beyond 2015; reiterates the need to continue to work closely with other donors on developing further innovative financial mechanisms, such as the Financial Transaction Tax;

79. Stresses the importance of respecting the ownership principle in the context of development; stresses the need to step up the political dialogue between donors and partner countries;

80. Reminds the Commission and the Member States that ODA has to remain the backbone of the European development cooperation policy aimed at eradicating poverty;

81. Calls for the EU to evaluate the blending mechanisms in order to ensure they are transparent and accountable and have a clear sustainable development impact; calls on the Commission to publish guidelines that are based on harmonised poverty reduction strategies;

82. Reiterates its call to make combating corruption, money laundering, tax evasion and avoidance, tax havens, illicit flows of capital and harmful tax structures an overriding priority in financing development; reminds that estimates show that developing countries have lost close to USD 6 trillion in illicit financial flows over the last decade, far exceeding ODA flows for the period, and thus stresses the importance of enhancing transparency and global good governance;

83. Calls for the EU to facilitate public-private partnerships where possible and to prioritise engaging the experience, expertise and management systems of the private sector, in partnership with public resources;

84. Calls for the EU to continue to support developing countries in their efforts to increase the mobilisation of public and private domestic resources and to assist them in putting in place just, sustainable and equitable tax systems which would lead to the reduction of poverty and of aid dependency;

#### **V. Indicators and accountability**

85. Stresses that accessible and disaggregated reliable data is crucial for devising appropriate policies on the new framework and for holding governments and the international community to account;

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86. Underlines the need for strong accountability mechanisms in order to make sure both developed and developing countries fulfil their commitments and tackle effectively the poverty and sustainability challenges that the post-2015 framework will address; underlines that the framework needs to be evidence-based, and include financial targets and robust monitoring and accountability mechanisms at all levels; recalls that the monitoring mechanisms should include a review process based on openness and transparency;

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87. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Secretary-General of the United Nations, and the Chair of the Open Working Group on Sustainable Development Goals.

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P8\_TA(2014)0060

**Employment and social aspects of the EU2020 strategy****European Parliament resolution of 25 November 2014 on employment and social aspects of the Europe 2020 strategy (2014/2779(RSP))**

(2016/C 289/03)

*The European Parliament,*

- having regard to Articles 2 and 9 of the Treaty on the Functioning of the European Union,
  - having regard to the Commission communication of 19 March 2014 entitled ‘Taking stock of the Europe 2020 strategy for smart, sustainable and inclusive growth’ (COM(2014)0130),
  - having regard to the European Council conclusions of 20 and 21 March 2014,
  - having regard to its resolution of 16 June 2010 on the Europe 2020 strategy <sup>(1)</sup>,
  - having regard to the Commission report of 13 November 2013 entitled ‘A Single Market for growth and jobs: an analysis of progress made and remaining obstacles in the Member States — Contribution to the Annual Growth Survey 2014’ (COM(2013)0785),
  - having regard to its resolution of 15 November 2011 on the European Platform against poverty and social exclusion <sup>(2)</sup>,
  - having regard to its resolution of 17 July 2014 on Youth Employment <sup>(3)</sup>,
  - having regard to the questions to the Council and to the Commission on Employment and social aspects of the EU2020 strategy (O-000076/2014 — B8-0035/2014 and O-000077/2014 — B8-0036/2014),
  - having regard to the motion for a resolution by the Committee on Employment and Social Affairs,
  - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas the integrated approach of the Europe 2020 strategy underlines the principle that smart, sustainable and inclusive growth cannot be achieved without reaching all five headline targets;
- B. whereas despite the integrated nature of the Europe 2020 strategy, the social impact of fiscal consolidation measures and the need to preserve an adequate level of social investment as a factor enhancing development and growth has not been sufficiently recognised in other policy areas;
- C. whereas the EU is far from having achieved the employment and poverty reduction headline targets of the Europe 2020 strategy;
- D. whereas since the Europe 2020 strategy was put in place in 2010 unemployment levels have continued to rise in some Member States and the unemployment rate for the EU-28 has reached the alarming level of 10,1 % in 2014, with 24,6 million unemployed in the Union and with the number of working poor also on the rise; whereas even worse levels are recorded in the outermost regions, where the average unemployment rate stands at 24 % and the average youth unemployment rate at 51 % <sup>(4)</sup>;

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<sup>(1)</sup> OJ C 236 E, 12.8.2011, p. 57.

<sup>(2)</sup> OJ C 153 E, 31.5.2013, p. 57.

<sup>(3)</sup> Texts adopted, P8\_TA(2014)0010.

<sup>(4)</sup> Eurostat, EU Employment and Social Situation Quarterly Review, September 2014.

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- E. whereas the number of people at risk of poverty or social exclusion has increased by 10 million since 2008 to over 122,6 million, with one in four citizens affected; whereas differences between Member States are also growing; whereas the average at-risk-of poverty rate in the EU is 24,8 %, while the equivalent figure for children (aged up to 18) stands at 28 %, and whereas these figures have risen since the Europe 2020 strategy was put in place in 2010;
- F. whereas for people with disabilities the rate of poverty is 70 % higher than the average, partly owing to limited access to employment;
- G. whereas an additional 16 million citizens in employment are required in order to meet the 75 % employment rate target in 2020;
- H. whereas, according to the latest Commission forecasts, the EU unemployment rate is expected to decrease by only a very negligible amount, to 10,4 %, in 2015;
- I. whereas high unemployment rates in the EU are correlated with its shrinking industrial and manufacturing productive base;
- J. whereas reforms must continue in order to meet citizens' demands in the employment and social sphere;
- K. whereas divergences in employment rates are growing between Member States and across regions, leading to a polarisation of the EU between core and periphery and thus risking the creation of increased social imbalances in the long term;
- L. whereas Article 174 TFEU states that the EU is to develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion, including in regions that suffer from severe and permanent natural or demographic challenges;
- M. whereas, to tackle the crisis, certain Member States have made severe cuts in public expenditure at the same time as demand for social protection has increased in response to the rise in unemployment; whereas national budget allocations for social security cover have been further stretched as contributions have fallen in the wake of large-scale job losses or wage cuts, thus seriously jeopardising the European social model;
- N. whereas regions that suffer from severe natural or demographic challenges are often characterised by lower employment levels and greater difficulties in accessing public services such as education and healthcare;
- O. whereas youth unemployment levels remain an issue of growing concern, having reached the alarming level of 23,3 % (EU average in 2013), while more than 40 % of young people are on temporary contracts and nearly 25 % are working part-time;
- P. whereas unemployment and youth unemployment are also linked to the absence of effective measures to stimulate public investment in the fields of innovation, research and development, professional qualification and skills, which are drivers of economic growth and triggers for economies of scale;
- Q. whereas in February 2013 the Commission adopted the Social Investment Package;
- R. whereas in the framework of the Europe 2020 strategy, country-specific recommendations aimed at promoting female employment have been addressed to 13 Member States;
- S. whereas the increase in the employment rate for women is in certain Member States mainly due to the increase in part-time work; whereas in full-time equivalent terms only 53,5 % of the female workforce is employed in the EU; whereas in 2012 the part-time employment rate for women was 32,9 % as compared to 8,4 % for men;



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- T. whereas the European Social Fund supports efforts to achieve the Europe 2020 targets through actions aimed at fighting unemployment with a special focus on youth; whereas the EUR 300 billion investment package promised by Jean-Claude Juncker should be used to achieve the Europe 2020 targets; whereas particular attention should be paid to poverty reduction and the creation of quality jobs;
- U. whereas the European Council, in its conclusions of 27 June 2014, stressed that the current unemployment level in the EU is unacceptably high and therefore agreed on a Strategic Agenda with a strong focus on jobs, growth and competitiveness;
- V. whereas whilst the EU is on target to reach its early school-leaving targets, there are still large discrepancies between dropout rates in the Member States; whereas reducing school dropout rates will increase the employability of young people;
- W. whereas income inequalities have risen, with the top 20 % earning 5,1 times as much as the bottom 20 % in 2012, this being another indicator of the increasing social divergences within and between Member States; whereas such a rise in inequality risks destabilising societies in Europe and as such has to be tackled by adopting growth-inducing measures in the field of employment and access to public knowledge and through the creation of quality employment;
- X. whereas specific attention should be paid to gender mainstreaming and policies targeted at women in order to achieve the employment and poverty reduction headline targets of the Europe 2020 strategy and close the persisting gender gaps in terms of unemployment and poverty;
- Y. whereas demographic challenges and ageing populations will continue to have an impact on Member States' ability to achieve the Europe 2020 targets;
- Z. whereas the Commission points to the presence of macroeconomic imbalances and disparities between the labour market performances of Member States, particularly with regard to youth unemployment;
- AA. whereas an increase in economic growth does not, of itself, guarantee more decent jobs, a reduction in poverty or a reduction in social inequality, but requires appropriate policy choices for meeting such goals;
- AB. whereas whilst social, employment, fiscal and economic policies are closely interrelated, the Social Protection (SPC), Employment (EMCO), Economic Policy (EPC) and Economic and Financial (EFC) Committees still deal with these issues in relative isolation, thus hindering integrated policy-making;
1. Expresses regret that current policies remain focused solely on economic growth without acknowledging the need for an inclusive, rights-based and sustainable approach; stresses that the benefits of growth need to be spread throughout society for it to become sustainable;

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2. Expresses regret that the Annual Growth Surveys and Country-Specific Recommendations (CSRs) adopted so far as part of the annual European Semester cycles have not been sufficiently aligned with the Europe 2020 employment, poverty reduction and education targets; regrets that the importance of social security systems as key instruments for stabilising the economy, as well as society, and reducing poverty is not taken sufficiently into account; calls for more determined efforts to guide and coordinate EU policies, so as to help strengthen the Single Market with a view to tackling obstacles to its performance and reaping its potential to boost smart, sustainable and inclusive growth and create jobs; calls on the Commission to ensure that the future CSRs make the achievement of the Europe 2020 targets a priority;
3. Acknowledges the ongoing work on 'Beyond Growth', as exemplified by the efforts of the Italian Presidency, and considers that this should contribute to the review of the Europe 2020 strategy; recalls the position expressed in its resolution of 8 June 2011 on 'GDP and beyond — measuring progress in a changing world' <sup>(1)</sup>;
4. Calls for an obligatory principle in the Europe 2020 strategy of bench-learning in the policies of the Member States, especially concerning the European labour market; this would mean implementing efficient monitoring and recording of best-practice models and methods in Europe, focusing on reducing unemployment rates, especially among young people; this should result in benchmarking and ranking of relevant national examples, leading to concrete political consequences being derived from these findings by all Member States;
5. Calls on the Member States to apply a more ambitious and concrete approach when translating EU targets into their own targets at national level; in particular, calls for employment, poverty reduction and education targets to be broken down by age and gender in order to facilitate benchmarking;
6. Considers that the achievement of reindustrialisation targets is paramount for the competitiveness of the EU and that the relaunch of a genuine European industrial policy could foster growth and create new high-quality jobs;
7. Calls for the introduction of a system of dual education, to operate at national or regional level in flexible form, and for the creation of an efficient Employment Service with close links to the European network; calls, furthermore, for the application of genuine lifelong learning (LLL) concepts and measurements on the labour market with a view to boosting the qualification levels of older workers;
8. Recalls the importance of the social partners when it comes to labour market policies, and stresses that consultation with them should be an integral part of the process; calls, therefore, on the Council, the Commission and the Member States to increase the involvement of the social partners in order to ensure the successful implementation of the Europe 2020 strategy;
9. Calls for a platform of social partners to combine the interests of employers and employees;
10. Urges the Commission and the Member States to ensure that any increase in the employment rate is the result of adding to the number of quality jobs within the European economy;
11. Regrets the fact that the increases in employment rates have partly been the result of precarious forms of employment such as zero-hour contracts, bogus self-employment and involuntary part-time work; is concerned that such jobs do not provide workers with a decent living and adequate labour rights;
12. Stresses that job quality is important for bringing more people into employment and making it possible for them to work longer, and is therefore a crucial factor for reaching the employment target of the Europe 2020 strategy; considers, therefore, that employment indicators should focus not only on the number of people finding employment, but also on the quality of work, in order to provide a thorough picture of national labour markets;

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<sup>(1)</sup> OJ C 380 E, 11.12.2012, p. 81.

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13. Considers that all Member States should submit National Reports on their annual progress towards the achievement of the Europe 2020 strategy goals; calls on the Commission, in addition, to provide an annual Progress Report on the implementation of Europe 2020 and all headline targets;

14. Welcomes the first use of the scoreboard of key employment and social indicators in this year's cycle; calls for the inclusion of additional indicators such as child poverty levels, access to healthcare and homelessness; asks for an additional analysis of the characteristics of Member States' subpopulations living in poverty in order to make the policy efforts more concentrated; calls on the Member States and the EU to use the scoreboard as an early-warning mechanism with a view to developing suitable policies;

15. Calls for a rebalancing within the Strategy of financial and economic priorities with strong social priorities, in order to ensure that social policies are enabled; stresses that employment and social considerations should be put on a par with macroeconomic ones in the procedure of the European Semester; calls, furthermore, for the organisation of joint meetings between the EPSCO and ECOFIN Councils in order to achieve a coherent position;

16. Considers that the objective of creating quality employment and quality jobs, as well as resource efficiency, must be made more effective and visible in the Europe 2020 flagship initiatives, especially in the Resource-efficient Europe, Innovation Union, Digital Agenda and Industrial Policy initiatives, inter alia through the inclusion of quantifiable employment indicators in the relevant scoreboards;

17. Considers it important, furthermore, that in future exercises the key employment and social indicators included in the scoreboard should systematically differentiate between men and women;

18. Calls on the European Council, as a matter of urgency, to complete the reform of Economic and Monetary Union (EMU), in particular through ex-ante coordination of future major economic reform plans, social impact assessment and associated solidarity mechanisms; calls for such coordination to be supported by a comprehensive ex-ante and ex-post social and gender impact assessment;

19. Recalls that, according to Eurofound, the cost of NEETs (in lost income, lost tax revenue and increased spending on welfare transfers) in the EU rose from 153 billion in 2011 to 162 billion in 2012 and that, according to the International Labour Organisation (ILO), a total of EUR 21 billion is needed to contribute to resolving the problem of youth unemployment in the euro area; considers, therefore, that increased EU funding is needed in order to attain the Europe 2020 strategy target of 75 % employment; stresses that frontloading is not fresh money and involves the risk of funding being concentrated at the beginning when take-up is low and running out at times of high take-up, which makes the work of the project beneficiaries on the ground more difficult and unpredictable; considers, furthermore, that there is a need for comprehensive and precise guidelines from the Commission for the Member States and their Public Employment Services on the eligibility of their programmes under the Youth Employment Initiative;

20. Believes that Member States must be more responsive to labour market needs, notably by ensuring strong links between the world of education and the world of work;

21. Calls on the Commission to closely align the European Social Fund and other European Structural and Investment Funds to the policy priorities of the Europe 2020 strategy in order to reinforce their role as financial pillars of the strategy;

22. Stresses that the implementation of the Youth Guarantee needs to be monitored so as to hold Member States responsible for what they signed up for in the Youth Guarantee recommendation;

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23. Encourages Member States, in order to reach the 75 % employment targets, to improve leadership, management and entrepreneurial skills among young people in order to enable new businesses and start-ups to take advantage of new markets and thus realise their growth potential so that young people can become employers and not just employees;

24. Welcomes the adoption of the Youth Employment Initiative programmes of some Member States; stresses that the sum of EUR 6 billion is not sufficient to deal with the problem of youth unemployment in the EU; calls on the Commission, therefore, to resolve the question of funding after the 2014-2015 period;

25. Welcomes the announcement by Commission President Jean-Claude Juncker concerning a comprehensive investment programme to fight unemployment; stresses the need for increased investments (in infrastructure, research and development, green jobs, innovation and the completion of the internal digital market) that are targeted at keeping and creating jobs in keeping with the Europe 2020 strategy investments and look beyond inputs alone in order also to take account of real policy outcomes; stresses that such investment could, with a view to longer-term benefits, be targeted at high-quality formal and non-formal education infrastructures and at eliminating barriers in order to improve equality of access; encourages linking these investments to concrete employment and poverty-related goals, given that investment in areas such as high-quality public services is also important to meet the goals of an inclusive society;

26. Calls on the Commission and the Member States to take special account of the outermost regions, whose natural handicaps, including their remoteness, geographical fragmentation, fragile economies and natural constraints, lead to heightened inequalities as regards access to job opportunities, work placements and training for their populations; stresses that these regions therefore require specific enhanced mechanisms to implement investment programmes in order to meet the Europe 2020 strategy targets and unlock their potential in terms of economic and social development;

27. Calls on the Member States to focus on sectors with high growth and job creation potential such as the green sector, the white sector and ICT;

28. Recommends, in the context of a new investment programme dedicated to the fight against unemployment, focusing on combating youth unemployment, which is today one of the most serious problems in the EU; to this end, more funding should be allocated to Erasmus for Young Entrepreneurs, in order to more efficiently support youth entrepreneurship and youth mobility as an effective means of fighting youth unemployment, poverty and social exclusion;

29. Calls on the Council, the Commission and the Member States to incorporate a gender pillar into the Europe 2020 framework so as to measure progress on reducing the gender employment gap and enable the policy measures in the Annual Growth Survey to be reflected in the country-specific recommendations;

30. Reiterates its call for the implementation of the Social Investment Package, including the following: the communication on 'Social Investment for Growth and Cohesion'; the recommendation 'Investing in Children — breaking the cycle of disadvantage'; the staff working documents on 'Evidence on Demographic and Social Trends', 'Active Inclusion of People Excluded from the Labour Market', 'Social Services of General Interest', 'Long-term care in ageing societies', 'Confronting Homelessness in the European Union', 'Investing in Health' and 'Social investment through the European Social Fund';

31. Notes that the timetable and procedures of the European Semester have evolved in a way which does not grant Parliament a formal role in the cycle and therefore does not allow it sufficient time for deliberation prior to the Spring European Council;

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32. Calls on the Member States to eliminate unnecessary administrative burdens and bureaucracy for the self-employed, micro-enterprises and SMEs, and to facilitate the conditions for start-up businesses;
33. Stresses the need to shift the tax burden away from labour towards other forms of sustainable taxation in order to promote growth and job creation;
34. Calls on the Member States and the Commission to promote and improve labour mobility mechanisms, in particular the European Job Mobility Portal EURES and the Public Employment Services, in order to boost employment and youth employment;
35. Notes that the objectives of the Europe 2020 strategy are yet to be achieved, and believes that, with a view to achieving these objectives, stronger measures should be put in place to bridge the present gap; calls on the Commission, therefore, to open a public consultation procedure for the review of the European Semester in order to improve its effectiveness and legitimacy, as part of the mid-term review, given that the Semester process should assist in the delivery of the Europe 2020 strategy;
36. Expresses regrets that the European Council did not deliberate on the poverty reduction headline target in its preliminary discussion on the assessment of the Europe 2020 strategy on 20 and 21 March 2014;
37. Calls on the Commission to develop a strategy that would support Member States in tackling homelessness through integrated policies and appropriate social investments;
38. Stresses that an increase in inequality, as experienced in the EU and documented by the country reporting in the Semester, involves major democratic risks; points to the warnings by the IMF and the ILO that a further rise in inequalities in the EU could destabilise our societies; reiterates its call for more ambitious targets and more precise and objective forms of measurement with a view to reducing inequality, poverty and social exclusion, both within and between Member States, especially in light of the growing social divergences in some Member States;
39. Calls on the Member States to take urgent measures to reverse the trend of increasing rates of at-risk-of-poverty and social exclusion in order to meet the Europe 2020 headline target of lifting at least 20 million people out of the risk of poverty or social exclusion;
40. Calls on the Member States to guarantee access to the labour market and adequate social security for the most vulnerable members of society;
41. Calls on the Commission to take new concrete measures in the fields of education and innovation policies in order to strengthen the complementarity between growth and fighting inequality;
42. Calls for a sub-target for reducing child poverty to be set in the Europe 2020 mid-term review;
43. Calls, therefore, for objective indicators of 'poverty' to be used for the measurement of Member States' poverty rates so as to help identify those at risk of exclusion;
44. Recalls, however, that a poverty indicator provides no direct evidence of the experience of social exclusion, and therefore calls for improved measurement of perceived social exclusion in order to reach a better understanding of the reasons for social exclusion and of which groups are particularly affected;

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45. Recognises that Member States are responsible for achieving the Europe 2020 targets, in line with the subsidiarity principle, with the EU supporting them in their actions; considers that the process has the potential, through peer review and the sharing of best practice, to support Member States in carrying out necessary structural reforms, increasing labour market flexibility and putting in place conditions for businesses to create jobs; stresses, however, the importance of timely Member State action, since non-action would have serious consequences across the EU; calls for the involvement of national parliaments and local and regional authorities in the design and implementation of the National Reform Programmes, including through multi-level governance arrangements;
46. Regrets the fact that the Multiannual Financial Framework adopted for 2014-2020, with a budgetary allocation of EUR 960 billion, represented the first ever net reduction in the EU budget; considers that the MFF is not sufficient to help achieve the employment and social targets of the Europe 2020 strategy; considers, therefore, the mid-term review of the MFF to be of paramount importance for reshaping the strategic orientation of the EU's expenditure towards a job-rich economic recovery;
47. Recalls the role of the Committee on Employment and Social Affairs in monitoring effective spending of the European Social Fund (ESF), not least the 20 % available for social inclusion, and how Member States have made effective use of this investment resource for meeting the Europe 2020 targets;
48. Stresses the need for employment, poverty reduction and education targets to be more precisely monitored and for the more timely production of comparable statistics; calls, therefore, for real-time unemployment figures and 'at risk of poverty or social exclusion' indicators, especially at NUTS 3 level, with a view to assessing the actual situation on national labour markets;
49. Calls on the Commission to establish a specific youth employment target and/or a specific integrated guideline on youth employment on the occasion of the mid-term-review of the Europe 2020 strategy;
50. Calls for meaningful consultations with civil society, in addition to the social partners, to become a systematic element of the Europe 2020 strategy at all stages of the process; calls on the Commission to produce guidelines for such a procedure;
51. Stresses that genuine consultation with civil society stakeholders would not only boost the democratic legitimacy of the process and the chances of reforms being acceptable to citizens and successful in their implementation, but could also strengthen the evidence base for the evaluation of reforms; believes that, to this end, the Annual Convention against Poverty and Social Exclusion should be more closely aligned with the European Semester;
52. Calls on the Commission to take into account the outcome of the ongoing public consultation before publishing concrete proposals for the mid-term review of the strategy; insists equally that Parliament must be consulted on the final decisions before they are adopted;
53. Calls for a strong ambition to achieve the climate change and energy sustainability targets, as these are integral to smart, sustainable and inclusive growth;
54. Instructs its President to forward this resolution to the Commission, the Council, the national parliaments and the European Council.
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P8\_TA(2014)0063

**2014 UN Climate Change Conference — COP 20 in Lima, Peru (1-12 December 2014)****European Parliament resolution of 26 November 2014 on the 2014 UN Climate Change Conference — COP 20 in Lima, Peru (1-12 December 2014) (2014/2777(RSP))**

(2016/C 289/04)

*The European Parliament,*

- having regard to the United Nations Framework Convention on Climate Change (UNFCCC) and to the Kyoto Protocol thereto,
- having regard to the 13th session of the Conference of the Parties (COP 13) to the UNFCCC and the 3rd session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP3), held in Bali in 2007, and to the Bali Action Plan (Decision 1/COP 13),
- having regard to the 15th session of the Conference of the Parties (COP 15) to the UNFCCC and the 5th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP5), held in Copenhagen, Denmark, from 7 to 18 December 2009, and to the Copenhagen Accord,
- having regard to the 16th session of the Conference of the Parties (COP 16) to the UNFCCC and the 6th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP6), held in Cancún, Mexico, from 29 November to 10 December 2010, and to the Cancún Agreements,
- having regard to the 17th session of the Conference of the Parties (COP 17) to the UNFCCC and the 7th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP7), held in Durban, South Africa, from 28 November to 9 December 2011, and in particular to the decisions encompassing the Durban Platform for Enhanced Action,
- having regard to the 18th session of the Conference of the Parties (COP 18) to the UNFCCC and the 8th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP8), held in Doha, Qatar, from 26 November to 8 December 2012, and to the adoption of the Doha Climate Gateway,
- having regard to the 19th session of the Conference of the Parties (COP 19) to the UNFCCC and the 9th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP9), held in Warsaw, Poland, from 11 to 23 November 2013, and to the establishment of the Warsaw International Mechanism for Loss and Damage,
- having regard to the 20th session of the Conference of the Parties (COP 20) to the UNFCCC and the 10th session of the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP10), to be held in Lima, Peru, from 1 to 12 December 2014,
- having regard to the EU climate and energy package of December 2008,
- having regard to the Commission Green Paper of 27 March 2013 on 'A 2030 framework for climate and energy policies' (COM(2013)0169),



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- having regard to Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008 amending Directive 2003/87/EC so as to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community <sup>(1)</sup>,
- having regard to its resolutions of 25 November 2009 on the EU strategy for the Copenhagen Conference on Climate Change (COP 15) <sup>(2)</sup>, of 10 February 2010 on the outcome of the Copenhagen Conference on Climate Change (COP 15) <sup>(3)</sup>, of 25 November 2010 on the Climate Change Conference in Cancún (COP 16) <sup>(4)</sup>, of 16 November 2011 on the Climate Change Conference in Durban (COP 17) <sup>(5)</sup>, of 22 November 2012 on the Climate Change Conference in Doha, Qatar (COP 18) <sup>(6)</sup>, and of 23 October 2013 on the Climate Change Conference in Warsaw, Poland (COP 19) <sup>(7)</sup>,
- having regard to its resolutions of 4 February 2009 on ‘2050: The future begins today — Recommendations for the EU’s future integrated policy on climate change’ <sup>(8)</sup>, of 15 March 2012 on a Roadmap for moving to a competitive low carbon economy in 2050 <sup>(9)</sup> and of 5 February 2014 on a 2030 framework for climate and energy policies <sup>(10)</sup>,
- having regard to the Consultative Communication from the Commission of 26 March 2013 entitled ‘The 2015 International Climate Change Agreement: Shaping international climate policy beyond 2020’ (SWD(2013)0097),
- having regard to the Council conclusions of 9 March 2012 on the follow-up to COP 17/CMP7, the Council conclusions of 15 May 2012 on climate finance — fast-start finance, the Council conclusions of 18 July 2011 and 24 June 2013 on EU climate diplomacy, and the Council conclusion of 15 October 2013 on the commitment of the EU and its Member States to scaling up the mobilisation of climate finance,
- having regard to the EU strategy on adaptation to climate change of April 2013 and the accompanying Staff Working Paper,
- having regard to the United Nations Environment Programme (UNEP) Synthesis Report of November 2012 entitled ‘The Emissions Gap Report 2012’,
- having regard to the World Bank reports entitled ‘Turn Down the Heat: Why a 4 °C Warmer World Must be Avoided’, ‘Turn Down the Heat: Climate Extremes, Regional Impacts, and the Case for Resilience’ and ‘Climate-Smart Development: Adding up the Benefits of Climate Action’,
- having regard to the Global Commission on the Economy and Climate report entitled ‘Better Growth, Better Climate: The New Climate Economy Report’,
- having regard to the three Working Group reports of the 5th Assessment Report (AR5) of the Intergovernmental Panel on Climate Change (IPCC), and its Synthesis Report,
- having regard to UN Secretary-General Ban Ki-moon’s invitation to Heads of State to attend the Climate Summit in September 2014, with a view to making clear commitments to further action on climate change,

<sup>(1)</sup> OJ L 8, 13.1.2009, p. 3.

<sup>(2)</sup> OJ C 285 E, 21.10.2010, p. 1.

<sup>(3)</sup> OJ C 341 E, 16.12.2010, p. 25.

<sup>(4)</sup> OJ C 99 E, 3.4.2012, p. 77.

<sup>(5)</sup> OJ C 153 E, 31.5.2013, p. 83.

<sup>(6)</sup> Texts adopted, P7\_TA(2012)0452.

<sup>(7)</sup> Texts adopted, P7\_TA(2013)0443.

<sup>(8)</sup> OJ C 67 E, 18.3.2010, p. 44.

<sup>(9)</sup> OJ C 251 E, 31.8.2013, p. 75.

<sup>(10)</sup> Texts adopted, P7\_TA(2014)0094.



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- having regard to the World Meteorological Organisation's Greenhouse Gas Bulletin No 10 of 9 September 2014, and to the outcome of the Social PreCOP meeting on climate change held in Venezuela from 4 to 7 November 2014,
  
- having regard to Rule 123(2) of its Rules of Procedure,
  
- A. whereas climate change represents an urgent and potentially irreversible threat to human societies, biodiversity and the planet, and must thus be addressed at international level by all Parties;
  
- B. whereas climate change poses an unprecedented threat to the biosphere, to the availability and supply of food and water, in particular to poor people on most continents, and to health, livelihoods and economic development around the globe; whereas climate-change-related developments can destabilise communities and societies, be a driver of problematic migratory flows and help provoke or fuel tensions and conflicts;
  
- C. whereas in recent decades, changes in climate have caused impacts on natural and human systems on all continents and across the oceans; whereas in many regions, changing precipitation or melting snow and ice are altering hydrological systems and affecting water resources in terms of quantity and quality; whereas glaciers continue to shrink almost worldwide owing to climate change affecting runoff and water resources downstream;
  
- D. whereas climate change effects are also influencing the flora and fauna of the planet; whereas many terrestrial, freshwater and marine species have shifted their geographic ranges, seasonal activities, migration patterns, abundances and species interactions in response to ongoing climate change;
  
- E. whereas according to the scientific evidence presented in the 2014 Working Group reports of the IPCC AR5, warming of the climate system is unequivocal; climate change is occurring, and human activities have been the dominant cause of observed warming since the middle of the 20th century; the widespread and substantial climate-change impacts are already evident in natural and human systems on all continents and across the oceans; continued emissions of greenhouse gases will cause further warming and changes to the land, atmosphere and oceans in all regions of the globe; all countries, regardless of wealth, will be affected by the impacts of climate change; global greenhouse gas emissions over the period from 2000 to 2010 were the highest in human history; without significant global mitigation action to reduce greenhouse gas emissions, global average temperature is likely to be as much as 5 °C higher by the end of the century; whereas the IPCC's findings state that some risks of climate change are considerable and increase disproportionately as temperature increases by between 1 °C and 2 °C;
  
- F. whereas, according to IPCC 5th Assessment Report (AR5) findings, the global carbon budget available after 2011 if there is to be a likely chance of keeping the rise in global average temperature below 2 °C is 1 010 Gton of CO<sub>2</sub>, while the current level of annual global emissions is approximately 36 Gton of CO<sub>2</sub>, and consequently the global 2 °C-compatible carbon budget will be exhausted in 28 years if emissions remain at their current level;
  
- G. whereas the internationally adopted objective of limiting global warming to below 2 °C remains as important as ever; whereas the 5th report of the IPCC clearly states that we need to pursue 'aggressive' mitigation by 2050 to avoid exceeding a 2 °C rise in global temperatures; whereas Parliament has called for the 2015 agreement to aim at phasing out global carbon emissions by 2050, and whereas, accordingly, this requires the emission of greenhouse gases (GHG) to peak urgently and then decrease at a steady rate; whereas no such peak is on the horizon and the concentration of GHG in the atmosphere increased faster in 2013 than during any other year since 1984;

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- H. whereas the EU had decreased its emissions by 19 % by 2012 compared to 1990, within the scope of the Kyoto Protocol, while increasing its GDP by more than 45 %, and as a result, almost halved its average emission intensity between 1990 and 2012 and reduced its per capita emissions by 25 %, down to 9 tCO<sub>2e</sub> (including all gases and all emission sources, but excluding sinks); whereas this should be taken into account both in the discussions about pre-2020 climate ambition and in the preparation of ambitious targets for 2030;
- I. whereas many countries are taking steps towards greening the economy in the industry and energy sectors, for various reasons including climate protection, resource scarcity and efficiency, energy security, innovation and competitiveness; whereas, according to the International Energy Agency (IEA), global CO<sub>2</sub> emissions nevertheless rose to a record high in 2012 and, according to the IPCC, global mean surface temperatures and sea levels continue to rise;
- J. whereas according to the International Energy Outlook 2014, global energy demand is projected to increase by 56 % between 2010 and 2040 <sup>(1)</sup>, and meeting this demand would result in a significant increase of CO<sub>2</sub> emissions; whereas the major part of this incremental demand and increase in emissions will occur in emerging economies; whereas there have been fossil fuel subsidies of a value of USD 1,9 trillion worldwide according to IMF figures, with the US, China and Russia as top subsidisers accounting for around half of these subsidies <sup>(2)</sup>;
- K. whereas total anthropogenic GHG emissions continued to increase from 1970 to 2010, with larger absolute decadal increases towards the end of this period; whereas CO<sub>2</sub> emissions from fossil fuel combustion and industrial processes contributed about 78 % of the total GHG emission increase from 1970 to 2010, with a similar percentage contribution for the period 2000-2010;
- L. whereas the world's two biggest GHG emitters, China and the USA, have recently stepped up their climate policies and initiated discussions related to phasing out of fossil fuels; whereas the EU has committed to a roadmap that would lead to a reduction in greenhouse gas emissions of at least 80 % by 2050;
- M. whereas the crucial role of fossil fuel subsidy reform (FFSR) is not yet acknowledged in the United Nations Framework Convention on Climate Change (UNFCCC), in spite of the important climate benefits of the removal of these subsidies in terms of lowering the global cost of stabilising GHG concentrations and shifting economies away from carbon-intensive activities; whereas this could also bring substantial environmental and health benefits, such as reductions in local air pollution, traffic congestion, accidents and road damage, and provide further incentives for investment in energy efficiency and renewable energy, and sustainable resource management;
- N. whereas according to the World Bank <sup>(3)</sup>, fighting climate change would lead to additional GDP growth of up to USD 2,6 trillion (EUR 1,9 trillion) per year until 2030; whereas applying climate-related innovations in the energy and industry sectors, particularly in the field of energy efficiency, would be an advantage for Europe as an early mover in the growing global market for energy-related goods and services, creating jobs, stimulating economic growth, increasing energy independence and ensuring affordable energy prices for all, whilst tackling energy poverty and mitigating climate change, and progressing towards a sustainable economy;
- O. whereas the contribution that the re-use and recycling of materials can make to reducing greenhouse gases (GHG) also contributes to a competitive circular economy;

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<sup>(1)</sup> <http://www.eia.gov/forecasts/ieo/?src=Analysis-b2>

<sup>(2)</sup> <http://www.imf.org/external/pubs/ft/survey/so/2013/int032713a.htm>

<sup>(3)</sup> <http://documents.worldbank.org/curated/en/2014/06/19703432/climate-smart-development-adding-up-benefits-actions-help-build-prosperity-end-poverty-combat-climate-change-vol-1-2-main-report>

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- P. whereas the goals of climate change policies can only be reached by turning the general course of development towards ecological sustainability in both the developed and the developing countries;
- Q. whereas support to developing countries to enable their adaptation and mitigation efforts must be part of the global effort;
- R. whereas the climate finance challenge is inextricable from the wider challenges of financing sustainable global development;
- S. whereas major results in tackling the climate challenge are essential for the pursuit of a great number of objectives in the EU's environmental, development, humanitarian aid and disaster risk reduction, economic, foreign, security and human rights policies, and also for the longer-term prospects for manageable migration flows towards the EU;
- T. whereas the post-2015 development agenda focuses on sustainability to help tackle global concerns such as poverty, inequality, health, and food and water security;
- U. whereas climate change over the 21st century is projected to increase displacement of people; whereas displacement risk increases when populations lack land, primary food or housing; whereas the impacts of climate change on the critical infrastructure and territorial integrity of many states are expected to influence the national security policies and territorial integrity of small island states and states with extensive coastlines; whereas displacements due to climate change can indirectly increase the risks of violent conflicts in the form of civil war and inter-group violence;
- V. whereas throughout the 21st century, climate-change impacts are projected to slow down economic growth, make poverty reduction more difficult, further erode food security, and prolong existing poverty traps and create new ones; whereas climate-change impacts are expected to exacerbate poverty in most developing countries and create new poverty pockets in countries with increasing inequality, in both developed and developing countries;
- W. whereas the world must urgently rise to the huge and complex challenge posed by climate change by effecting a step change in mitigation and adaptation efforts, including:
- agreement, at the climate conference in Paris in December 2015 (COP 21), on an ambitious, legally binding international agreement for post-2020 climate action which is commensurate with the 2 °C objective, while respecting the right to equitable and sustainable development;
  - urgent strengthening and broadening of the measures in place to limit GHG emissions until 2020 and beyond; and
  - scaling up of developed countries' funding for mitigation, adaptation, technology development and transfer and capacity building in developing countries, in line with the creation of the Green Climate Fund and the commitment to provide new and additional such funding amounting to USD 100 billion per year by 2020, while increasing official development aid in order to reach the long-since-pledged level of 0,7 % of gross national income;

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***Urgent need to act***

1. Recognises the extraordinary scale and seriousness of the threats induced by climate change and expresses profound concern about the continued weakness of the international response to the challenge it poses; is extremely concerned that the world is severely off track with regard to limiting global warming to an increase of below 2 °C and calls on governments to take, without delay, concrete measures against climate change and towards a global agreement in Paris 2015 to deliver this target;
2. Notes that, in line with the IPCC AR5 findings, the global carbon budget available after 2011, if there is to be a likely chance of keeping the rise in global average temperature below 2 °C, is 1 010 Gton of CO<sub>2</sub>; emphasises that all countries need to contribute and that delaying action will increase costs and reduce options;
3. Notes with concern the latest scientific findings of the Tyndall Centre for Climate Change Research, which show that CO<sub>2</sub> emissions are set to reach a new 40 billion tonne (per year) record high in 2014 and that total future CO<sub>2</sub> emissions cannot exceed 1 200 billion tonnes if there is to be a likely 66 % chance of keeping average global warming under 2 °C;
4. Stresses that the 2015 agreement needs to meet the goal of reducing global emissions to a level compatible with the 2 °C carbon budget, and should aim at phasing out global carbon emissions by 2050;
5. Recalls that the UNFCCC process will consider strengthening the long-term goal in relation to temperature rises to 1,5 °C;
6. Underlines the findings of the New Climate Economy report 'Better Growth, Better Climate' that countries of all income levels have the opportunity to build lasting economic growth at the same time as reducing the immense risks of climate change;
7. Expects the new Commission to assume a proactive role in addressing the global climate crisis, including in terms of additional climate financing; calls on the Commission to make it clear that the climate challenge is one of its top strategic priorities and to organise itself in a way which reflects this, at all levels and across all sectors in domestic and external policies and actions, inter alia by investing in sustainable agriculture, in line with the recommendations of the UN Special Rapporteur on the Right to Food, and in sustainable transport;
8. Emphasises that global climate change policies are based on the 1992 UN Conference on Environment and Development (UNCED) and that they are an integral part of the global efforts to promote sustainable development all over the world; stresses that the climate change policies must be seen in this wider context and linked with the follow-up on the Rio Conference, the Millennium Development Goals and the post-2015 agenda;

***Advancing the Durban Platform***

9. Recalls the UN Secretary-General's summary of the UN climate summit highlighting that many leaders, from all regions and all levels of economic development, advocated a peak in greenhouse gas emissions before 2020, dramatically reduced emissions thereafter, and climate neutrality in the second half of the century;
10. Expects the EU and its Member States to play major constructive roles at the COP 20 in Lima in order to create the necessary conditions for a successful global binding climate agreement in Paris in 2015; underlines that the governments of the world have a collective responsibility, including towards future generations, to take adequate climate action;

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11. Recalls that all Parties agreed in Warsaw to UNFCCC decision 1/CP.19, which invites all Parties to initiate or intensify domestic preparations for their Intended Nationally Determined Contributions (INDCs), and to communicate them well in advance of the COP 21 (by the first quarter of 2015 by those Parties ready to do so) in a manner that facilitates the clarity, transparency and understanding of the INDCs and allows for their quantification; calls on the Parties to ensure that their INDCs are in line with the limited 2 °C carbon budget and that a global emission peak will be reached as soon as possible;

12. Calls on the Lima Conference to agree up-front information requirements so that INDCs are transparent, quantifiable and comparable — and differentiated according to the type of contribution; further calls on the Lima Conference to agree on an assessment phase in advance of the Paris COP to consider whether the INDCs presented are collectively sufficient in light of the ‘below 2 °C’ objective, and individually fair;

13. Emphasises that the countries that have already committed to an economy-wide emission reduction target should continue to make deeper emission cuts, and that others, in particular major emitters and those with the greatest responsibilities and capabilities, should also take on economy-wide targets that set emissions caps and reduce GHG intensity;

14. Calls for general reinvigoration of the EU’s climate policy and for rapid agreement on ambitious, binding targets for emission reduction, energy efficiency and the use of renewable energy sources, except socially and environmentally harmful biofuels, by 2030, which would help build momentum in international climate discussions and are in line with the EU’s commitment to reduce its GHG emissions to 80 %-95 % below 1990 levels by 2050;

15. Reiterates that an ambitious 2030 climate and energy framework will allow the EU to keep its first-mover position and could encourage international partners to raise their ambitions accordingly;

16. Highlights that Parliament has called on the Commission and the Member States to set a binding EU 2030 target of reducing domestic greenhouse gas emissions by at least 40 % compared with 1990 levels, a binding EU 2030 energy efficiency target of 40 %, in line with research on cost-effective energy saving potential, and a binding EU 2030 target of producing at least 30 % of total final energy consumption from renewable energy sources; urges Member States to take these targets into account in their ongoing discussions;

### ***Elements of the 2015 Agreement***

17. Emphasises that the 2015 Agreement must be ambitious from the outset when adopted in Paris, so as to keep the world on track for the ‘below 2 °C’ objective, and calls for the EU to work with its international partners to that end;

18. Is of the view that the Lima Conference should set out the main elements of the 2015 Agreement, building on the progress accomplished throughout 2014 under the Durban Platform, and reiterates that mitigation, adaptation, climate finance and means of implementation will all be essential parts of the 2015 Agreement;

19. Calls on the EU to include all parties in its work towards an ambitious and fair 2015 Agreement which is both in line with the latest science and responsive to new scientific findings and changing circumstances, so that it remains fit for purpose and sustainable for many years beyond 2020; stresses, therefore, the need for a mechanism that allows for a regular review of the mitigation commitments, which will enable Parties to adjust their pledges upwards in light of the ‘below 2 °C’ objective, without the need for the Agreement to be reopened;

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20. Underlines the need for an effective compliance regime applicable to all Parties under the 2015 Agreement; emphasises that the 2015 Agreement must promote transparency and accountability through a common rules-based regime including accounting rules and monitoring, reporting and verification arrangements; highlights that rules should be differentiated on the basis of the type of commitment Parties decide to choose, drawing on the lessons learnt from the Convention and its Kyoto Protocol;

21. Believes that effort-sharing should be based on equity principles, focusing in particular on current and accumulated past GHG emissions and on capabilities, assessed, for example, with the help of GDP per capita figures, human development and poverty indexes and data that give a picture of the level of difficulty with which emissions can be reduced or limited; notes the importance of progress on climate funding for overall progress towards a new climate agreement;

#### ***Pre-2020 ambition and the Kyoto Protocol***

22. Places particular emphasis on the urgent need for progress in closing the gigatonne gap which exists between scientific findings and the current Parties' pledges for the period up to 2020; calls for those Parties who have not yet made a commitment to do so; emphasises the important role of other policy measures, including energy efficiency, substantial energy savings, renewable energy, resource efficiency and the phase-down of HFCs, phasing out fossil fuel subsidies and strengthening the role of widespread pricing of carbon, in contributing to closing the gigatonne gap;

23. Calls on all Parties, international organisations, sub-national actors and non-governmental organisations to urgently develop, scale up and implement domestic policies and international cooperation initiatives to close the gigatonne gap, building in particular on the initiatives profiled at the UNSG Climate Summit (such as the Clean Air and Climate Coalition) and on the policy dialogues identifying high-impact opportunities for climate, development and growth conducted at technical and political levels in the UNFCCC framework;

24. Taking note of the significant surplus of Kyoto Protocol compliance units (AAUs, CERs and ERUs) to be transferred to EU and Member State accounts for the second Kyoto Protocol commitment period, calls for the EU and the Member States, pursuant to Decision 1/CMP.8 requiring Parties to revisit by 2014 their reduction commitments for the second commitment period, to cancel a number of units to align with projected real emissions and with a cost-effective domestic emission trajectory towards the EU's 2050 climate target;

25. Looks forward to the EU and several of its Member States, as well as other Parties, undergoing a multilateral assessment of progress on their reduction targets for 2020 at the Lima Conference, as part of the International Assessment and Review (IAR) process; believes that such transparency is necessary to help understand mutual efforts and build trust among all Parties;

26. Notes that the EU is on track to achieve emissions reductions well beyond the current 20 % target, and reiterates that the EU has offered to increase its emissions reduction target to 30 % by 2020 if other major emitting countries commit to comparable reduction targets;

27. Clarifies that, although the second commitment period of the Kyoto Protocol will be limited in its extent, it should be seen as a very important interim step, and therefore calls on Parties, including EU Member States, to ratify the second commitment period rapidly;

28. Underlines the contribution that re-use and recycling can make to the reduction of greenhouse gas emissions, as the use of raw materials is a significant source of GHG production; reiterates the importance of moving to a circular economy with increased recycling rates;

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29. Notes that the EU must fulfil its vital role in reducing emissions through policies that halt the development of highly greenhouse-gas-intensive unconventional fossil fuels such as tar sands;

30. Notes that many countries are already leading by example, showing that low-carbon development strategies and economic growth go hand in hand; emphasises that a strong international agreement will encourage further ambitious domestic action;

### *Climate finance*

31. Recalls the EU's commitment, and that of its Member States, to scaling up the mobilisation of climate finance, in order to contribute their share to the Copenhagen Accord commitment to capitalise the Green Climate Fund (GCF) and jointly mobilise USD 100 billion per year by 2020 from a wide variety of sources, public and private, bilateral and multilateral, including alternative sources of finance; calls on other donor countries to play their part in order to foster further mobilisation of climate finance;

32. Requests that the EU agree on a roadmap for scaling up predictable, new and additional finance, in line with existing commitments, towards its fair share of the USD 100 billion a year by 2020, and that it establish a mechanism to facilitate accountability and monitoring; welcomes recent pledges made to contribute finance to the Green Climate Fund, and urges other countries to contribute their fair share, with developed countries providing USD 15 billion of grants for the Green Climate Fund in the next three years;

33. Calls on Member States to make their financial contributions well ahead of the conferences and to better coordinate their announcements concerning climate finance with the EU, in order to facilitate communication with third parties on the overall EU contribution and to make the most positive impact possible on the negotiations; underlines the fact that financial pledges made at the Ban Ki-moon Summit were a good sign and had a positive impact on the image of the EU ahead of the Lima negotiations;

34. Recalls that innovative financial sources might be needed in order to ensure that the target of USD 100 billion per year will be reached by 2020 and beyond, and calls on nations to look into options in Lima;

35. Reiterates the call for dedicating revenues from market-based instruments to reduce global aviation and shipping emissions to post-2020 international climate finance and the Green Climate Fund; considers that the EU should make proposals for adequate and predictable international climate finance for the 2015 agreement;

36. Urges Member States to use part of the revenues raised through carbon markets for climate financing and development aid in developing countries; points out, however, that this mechanism faces major problems as the revenues have collapsed alongside the global price for carbon; in this context, considers that measures need to be taken to make the EU's Emissions Trading System (ETS) a much more efficient instrument to align it with projected real emissions and with a cost-effective domestic emission trajectory towards the EU's 2050 climate target, which can then generate substantial resources that should help to finance developing countries' mitigation and adaptation measures;

37. Calls on the EU and its Member States to clearly define the role of private finance in the context of additional leverage of funding, while recognising that this cannot replace the need for public finance, in particular for adaptation, to emphasise the need for transparent reporting and accountability of such finance and to ensure the implementation of relevant social and environmental safeguards;



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***Adaptation; loss and damage***

38. Calls on major developed economies to harness their existing advanced infrastructure to promote, enhance and develop sustainable growth and to commit to supporting developing countries in building up their own capacity to ensure future economic growth in all parts of the world is achieved at no further cost to the environment;

39. Emphasises that adaptation action is an inevitable necessity and needs to play a central role in the new agreement; underlines that acting now to reduce greenhouse gas emissions will be less expensive for global and national economies and would make adaptation actions less costly; urges all countries to take appropriate measures to plan, adapt and respond to the impacts of climate change in order to protect their people, societies, economies and environment, and to achieve sustainable climate-resilient development; notes that responding to climate-related risks involves decision making in a changing world, with continuing uncertainty about the severity and timing of climate-change impacts and with limits to the effectiveness of adaptation;

40. Recalls that developing countries, in particular Least Developed Countries and Small Island Developing States, have contributed the least to the increasing concentration of greenhouse gases in the atmosphere, but are the most vulnerable to the adverse effects of climate change and have the least capacity to adapt; calls on all countries in a position to do so to support those countries that are the most vulnerable in their efforts to adapt and respond to the impacts of climate change in order to achieve climate-resilient sustainable development and to seek agreements on strengthening national adaptation planning processes, climate financing, technology transfer and capacity building;

41. Acknowledges the focus placed at the last two COPs on the need to address loss and damage associated with climate change impacts in developing and least developed countries that are particularly vulnerable to the adverse effects of climate change; notes the need to fully implement the decisions taken in Warsaw and further address this in Lima;

42. Stresses the need to ensure predictability of climate finance for developing countries to assist them in their efforts to adapt to and mitigate climate change; in this context, underlines that countries contributing to the Green Climate Fund will need to clarify what sources of finance will be used and how they will raise this money, as this information would ensure predictability of revenues for developing countries;

43. Recognises the difficulties of separating climate and development actions and their many synergies at country level, but insists that credible and transparent assessments of how additionality is respected remain possible;

44. Deplores the fact that although spending on mitigation and adaptation activities is increasing, it is dwarfed by the fact that most governments, including governments of developed countries, still actively subsidise the production and consumption of fossil fuels;

45. Stresses the need to base climate actions on gender-equitable, participatory and rights-based approaches and to tackle climate impacts with a view in particular to supporting poor and marginalised people and communities;

***Land sector***

46. Stresses that in line with the IPCC's findings, land use (agricultural, forest and other land uses) is amongst the most exposed and vulnerable segments of our economies, while simultaneously having significant cost-effective potential for mitigation and enhancing resilience; notes the importance for all Parties to include a land component in their national contribution, with appropriate common metrics to monitor, report and verify quantifiable progress towards several interrelated objectives (i.e. mitigation, productivity and resilience); highlights the fact that the agreement should set out a comprehensive accounting framework for emissions and removals from land;



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47. Stresses that particular attention must be paid to ensuring food and nutrition security for vulnerable populations in the face of climate change;

#### ***International aviation and maritime transport***

48. Reiterates the importance of maritime and air transport in terms of GHG emission reductions, and the need for swift progress and ambition in reaching satisfactory and timely outcomes on the part of both the International Maritime Organisation and the International Civil Aviation Organisation, in line with the scale and urgency of the climate challenge;

#### ***Climate diplomacy***

49. Stresses, in this context, the importance of the EU as a major player, speaking with 'one voice' at the Conference in seeking progress towards an international agreement and staying united in that regard; calls on the Member States to effectively coordinate their positions with that of the EU; underlines that the EU must put pressure on Parties that are not on a trajectory compliant with the 2 °C objective; calls upon the EU delegation to stress those commitments made by other governments in signing the Kyoto Protocol;

50. Calls on Member States to engage in intensive diplomatic outreach to our partner countries to further EU negotiating positions, coordinating with the European External Action Service (EEAS) and the Commission, including through the Green Diplomacy Network;

51. Welcomes the UN SG Climate Summit held in New York on 23 September 2014 to discuss climate change for the first time since Copenhagen, which brought together over 130 heads of state and government and numerous civil society and business actors; welcomes in particular leaders' announcements of concrete actions to reduce emissions, invest in clean energy and low carbon growth, support pricing of carbon and contribute to climate finance; underlines that the follow-up on leaders' commitments made in New York will be critical for maintaining the momentum in the run-up to the Lima and Paris Conferences;

52. Considers that the EU's credibility in the context of climate negotiations depends on the ambition of its domestic action;

53. Stresses that the overarching post-2015 agenda should reinforce the international community's commitment to sustainable development and should also be supportive of international commitments and targets, including on climate change;

54. Emphasises that COP 21 is a unique opportunity to tackle climate change and to make the link with UN work on the post-2015 development agenda and with the preparations for the March 2015 conference on the Hyogo Framework for Disaster Risk Reduction; calls for more active EU climate diplomacy to link these processes, pursuing the objectives of sustainable development in a coherent and ambitious way;

#### ***Industry and competitiveness***

55. Is concerned about the global CO<sub>2</sub> emissions increase in 2013, according to International Energy Agency (IEA) data, despite falling emissions in Europe and the United States; suggests, therefore, considering differentiated responsibilities so that each country contributes to the global efforts in the field of industrial and energy policy; calls for a better use of technologies such as space satellites for accurate collection of emissions and temperature data, and for transparent cooperation and information-sharing between countries;

56. Underlines that Europe should further increase the market penetration of environmentally friendly technologies, including in the fields of ICT, renewable energies, innovative and efficient low-emission technologies, and in particular energy efficiency technologies; stresses that a stable international legal framework would encourage investments in carbon reduction, energy efficiency and renewable energy, and provide opportunities for leading EU businesses in these sectors; notes that innovative sustainable investments can create growth and jobs;

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57. Believes that an ambitious and legally binding international agreement would help to address the carbon leakage and competitiveness concerns of the relevant sectors, in particular the energy-intensive sector;

### ***Research and innovation***

58. Stresses that the development and deployment of sustainable breakthrough technologies hold the key to fighting climate change and, at the same time, to convincing the EU's partners worldwide that emissions reductions are feasible while increasing competitiveness and jobs;

59. Calls for an international commitment to increase research and development (R&D) investment in sustainable breakthrough technologies in the relevant sectors; considers it essential that the EU lead by example by channelling research expenditure into the demonstration of innovative climate-friendly and energy-efficient technologies, and that the EU develop close scientific cooperation in this field with international partners, such as the BRIC countries and the USA;

### ***Energy policy***

60. Welcomes recent signals from the US and Chinese governments regarding climate action and their willingness to play a more significant role in global efforts to address climate change; regrets the fact that some developed countries continue to increase their emissions per capita;

61. Notes that the prices of different energy sources play a major role in determining the behaviour of market actors, including industry and consumers, and notes that the inability of the current international policy framework to fully internalise external costs perpetuates unsustainable consumption patterns; further reiterates that a global carbon market with a sufficiently high trading price would be a sound basis for achieving both substantial emission abatements and a level playing field for industry; calls on the EU and its partners to find, in the immediate future, the most effective way of promoting links between the EU ETS and other trading schemes aiming for a global carbon market, ensuring greater diversity of abatement options, improved market size and liquidity, transparency and, ultimately, more efficient allocation of resources for the energy sector and industry;

62. Calls for closer coordination between the Council, the Commission and the EEAS so as to enable the EU to speak with a coordinated voice vis-à-vis international organisations such as the IEA, the International Renewable Energy Agency, the International Partnership for Energy Efficiency Cooperation and the International Atomic Energy Agency, and thus play a more active and influential role, particularly in pushing for policies fostering sustainable energy, energy efficiency and energy safety;

63. Calls on the Commission and the Member States to adopt without delay concrete measures for progressively phasing out all environmentally harmful subsidies by 2020, including subsidies on fossil fuels, guided by the Commission, using an action-based approach and monitoring via the European Semester; calls, in addition, for the internationally coordinated implementation of the Pittsburgh G-20 Summit objective of phasing out fossil fuel subsidies, which, according to the IEA, accounted for USD 544 billion worldwide in 2012, as this would significantly reduce CO<sub>2</sub> emissions and would also help to cut public deficit in many countries; welcomes the Saint Petersburg G-20 intention to set up a peer-review system on the phasing out of fossil fuel subsidies; deplores the lack of progress regarding concrete measures towards the implementation of this objective; calls for a review of the Clean Development Mechanism (CDM), with particular emphasis on preventing adverse impacts of CDM projects on human rights, food security and the environment;

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64. Considers it regrettable that energy savings potential is not adequately tackled internationally and in the EU; underlines the fact that energy savings allow for job creation, economic savings and energy security, and increase competitiveness and emission cuts, and that they are key in decoupling emissions from economic growth; calls on the EU to push for more attention and action regarding energy savings in international negotiations, be it when discussing technology transfer, development plans for developing countries or financial assistance; highlights that in order to be credible, the EU and its Member States must set and meet ambitious energy efficiency targets; stresses the importance of reducing energy wastage in the construction and transport industries and in domestic electrical systems and appliances, in order to maximise energy savings and energy efficiency;

65. Stresses the need to introduce low-energy-consumption and hydrogen-fuelled transport systems;

#### ***HFCs and the Montreal Protocol***

66. Invites the Parties to look at the voting and decision mechanisms of the successful Montreal Protocol, its different approach to responsibilities, and its enforcement and sanction mechanisms and financing, as an example which might also be used under the UNFCCC; calls for the EU to step up efforts to regulate a global HFC phase-down under the Montreal Protocol;

67. Recalls that the EU has adopted ambitious legislation to phase down HFCs by 79 % by 2030, as climate-friendly alternatives are widely available and their potential should be fully exploited; notes that phasing down the use of HFCs represents a low-hanging fruit for mitigating actions in and outside the EU, and calls on the EU to be actively engaged in facilitating global action on HFCs;

68. Welcomes the EU discussion paper submitted to the Parties to the Montreal Protocol on enabling a global HFC phase-down and, in this context, calls on the Commission and the Member States to submit a formal proposal for amendment for consideration at the 27th meeting of the Parties to the Montreal Protocol, to be held in 2015;

#### ***European Parliament delegation***

69. Believes that the EU delegation plays a vital role in the climate change negotiations, and therefore finds it unacceptable that Members of the European Parliament have been unable to attend the EU coordination meetings at previous Conferences of the Parties; expects at least the Chair of the European Parliament delegation to be allowed to attend EU coordination meetings in Lima;

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70. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the Secretariat of the UNFCCC, with the request that it be circulated to all non-EU Contracting Parties.

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P8\_TA(2014)0064

## **Pakistan: blasphemy laws**

**European Parliament resolution of 27 November 2014 on Pakistan: blasphemy laws (2014/2969(RSP))**

(2016/C 289/05)

*The European Parliament,*

- having regard to its previous resolutions on Pakistan,
- having regard to Article 18 of the 1948 Universal Declaration of Human Rights and Article 18 of the 1966 International Covenant on Civil and Political Rights,
- having regard to the 1981 UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination based on Religion or Belief,
- having regard to the reports of the UN Special Rapporteur on freedom of religion or belief,
- having regard to the report of 4 April 2013 by the UN Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul, drawn up following her mission to Pakistan from 19 to 29 May 2012,
- having regard to its resolution of 11 December 2013 on the Annual Report on Human Rights and Democracy in the World 2012 and the European Union's policy on the matter <sup>(1)</sup>, condemning the persecution of Christians and other religious minorities,
- having regard to the EU Guidelines on the promotion and protection of freedom of religion or belief <sup>(2)</sup>,
- having regard to the EU-Pakistan five-year engagement plan of March 2012, containing priorities such as good governance and dialogue on human rights, and to the closely related 2nd EU-Pakistan Strategic Dialogue of 25 March 2014,
- having regard to the Council conclusions on Pakistan of 11 March 2013 <sup>(3)</sup>, reiterating the EU's expectations regarding the promotion of and respect for human rights and condemning all violence, including against religious minorities,
- having regard to the statement of 18 October 2014 by the Spokesperson of the European External Action Service (EEAS) on the Lahore High Court decision to uphold the conviction of Ms Asia Bibi in Pakistan,
- having regard to the press release of 29 October 2014 issued by the European Union Delegation to Pakistan, on the occasion of the visit by the EU Special Representative for Human Rights to Pakistan from 26 to 29 October 2014,
- having regard to its resolution of 12 March 2014 on Pakistan's regional role and political relations with the EU <sup>(4)</sup>,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

<sup>(1)</sup> Texts adopted, P7\_TA(2013)0575.

<sup>(2)</sup> [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/EN/foraff/137585.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/137585.pdf)

<sup>(3)</sup> [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/EN/foraff/135946.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/135946.pdf)

<sup>(4)</sup> Texts adopted, P7\_TA(2014)0208.

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- A. whereas Asia Bibi, a Christian woman from Punjab, was arrested in 2009 and sentenced to death in 2010 for blasphemy under Section 295-C of the Pakistani Penal Code; whereas on 16 October 2014 the Lahore High Court dismissed Asia Bibi's appeal and upheld the verdict; whereas on 24 November 2014 the defendant filed an appeal in the Supreme Court, a procedure which may take years; whereas the President of Pakistan, by presidential pardon, can still overturn the Lahore High Court decision and grant amnesty to Asia Bibi;
- B. whereas on 7 November 2014 a Christian couple, Shama Bibi and Shahbaz Masih, were beaten by a mob accusing them of burning pages from the Koran in eastern Pakistan; whereas their bodies were incinerated in a brick kiln, with some reports indicating they were still alive when thrown into the kiln;
- C. whereas recently a number of death sentences have been handed out to Pakistani citizens on the grounds of violating the blasphemy laws, including Mr Sawan Masih, a Christian, for allegedly insulting the prophet Mohammad in a conversation, and Christian couple Shafqat Emmanuel and Shagufta Kausar for allegedly insulting the Prophet in a text message;
- D. whereas human rights activist and lawyer Rashid Rehman was murdered on 7 May 2014; whereas weeks before, Rehman had been threatened for defending a lecturer facing prosecution under Pakistan's blasphemy law;
- E. whereas in October 2014 Mohammad Asgar, a UK national of Pakistani origin, who had been imprisoned for blasphemy in Pakistan despite having been diagnosed as mentally ill in the United Kingdom, was shot and wounded by a prison guard; whereas his attacker has been arrested and charged with attempted murder by the provincial authorities, and whereas eight other prison guards have been suspended from duty;
- F. whereas on 5 November 2014 Tufail Haider, a 45-year-old Shia, was killed by an interrogating police officer who later claimed Mr Haider had made derogatory remarks against 'companions of the prophet Mohammad';
- G. whereas it has been reported that a total of 1 438 people were accused of blasphemy in Pakistan between 1987 and October 2014, including 633 Muslims, 494 Ahmedis, 187 Christians and 21 Hindus; whereas since 1990 at least 60 have been killed by mob violence in blasphemy-related cases;
- H. whereas several dozen people, including Muslims, Hindus, Christians and others, are currently in prison on blasphemy charges; whereas to date no death sentence based on blasphemy charges has been carried out, but several accused have been killed by mob violence; whereas there is tremendous pressure on the Pakistani court system from certain religious leaders to uphold and carry out the death sentences, which are usually handed down by lower courts; whereas judicial proceedings often take many years and have a devastating effect on innocent Pakistani citizens and their families and communities;
- I. whereas Pakistan's blasphemy laws make it dangerous for religious minorities to express themselves freely or engage openly in religious activities; whereas the widespread abuse of these laws is well documented; whereas instead of protecting religious communities they have laid a blanket of fear over Pakistani society; whereas any attempts to reform the laws or their application have been stifled by threats and assassinations; whereas attempts to discuss these issues in the media, online or offline, are often met with threats and harassment, including from the government;
- J. whereas Pakistan plays an important role in fostering stability in South Asia and could be expected to lead by example in strengthening the rule of law and human rights;
- K. whereas Pakistan recently ratified seven of the nine most significant international agreements on human rights, including the International Covenant on Civil and Political Rights and the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which contain a range of provisions on the administration of justice, the right to a fair trial, equality before the law and non-discrimination;

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- L. whereas Pakistan has been asked through UN human rights mechanisms to repeal the blasphemy laws or, at the very least, put immediate safeguards in place to prevent abuse of the laws to victimise citizens, often from minority religious communities;
- M. whereas the EU and Pakistan have deepened and broadened their bilateral ties, as exemplified by the five-year engagement plan, launched in February 2012, and the second EU-Pakistan Strategic Dialogue, held in March 2014; whereas the aim of the EU-Pakistan five-year engagement plan is to build a strategic relationship and forge a partnership for peace and development rooted in shared values and principles;
- N. whereas Pakistan entered the GSP+ scheme for the first time on 1 January 2014; whereas this scheme 'should provide a strong incentive to respect core human and labour rights, the environment and good governance principles';
1. Is deeply concerned and saddened by the Lahore High Court's decision of 16 October 2014 to confirm the death sentence handed down to Asia Bibi for blasphemy; calls on the Supreme Court to start its proceedings on the case swiftly and without delay and to uphold the rule of law and full respect for human rights in its ruling;
  2. Calls on the Pakistani courts also to proceed swiftly with the reviews of the death sentences against Sawan Masih, Mohammad Asgar and Shafqat Emmanuel and his wife Shagufta Kausar, and indeed those of all other citizens currently on death row for allegedly violating the blasphemy laws;
  3. Strongly condemns the murders of Shama Bibi and Shahbaz Masih and offers its condolences to their families, as well as to the families of all the innocent victims murdered as a result of the blasphemy laws in Pakistan; calls for the perpetrators of these acts to be brought to justice; takes note of the decision of the Punjab government to set up a committee to fast-track the investigation into the killings of Shama Bibi and Shahbaz Masih and to order additional police protection for Christian neighbourhoods in the province; underlines, however, the need to end the climate of impunity and for broader reforms in order to address the issue of violence against religious minorities, which remains pervasive in Pakistan;
  4. Expresses its deep concern that the controversial blasphemy laws are open to misuse that can affect people of all faiths in Pakistan; expresses its particular concern that the blasphemy laws, which were publicly opposed by the late Minister Shahbaz Bhatti, the late Governor Salman Taseer and Rashid Rehman, who were killed for their stance in favour of religious tolerance, are increasingly used to target vulnerable minority groups, including Ahmedis and Christians, in Pakistan;
  5. Calls on the Government of Pakistan to carry out a thorough review of the blasphemy laws and their current application, in particular Sections 295 B and C of the Penal Code, which prescribe mandatory life sentences (295 B and C) or even the death penalty (295 C) for alleged acts of blasphemy, with a view to repealing the laws; calls on the Government of Pakistan to abolish the death penalty, including for blasphemy or apostasy, and to put in place safeguards to prevent abuse of legal provisions on blasphemy or apostasy;
  6. Calls on the Pakistani authorities to guarantee the independence of the courts, the rule of law and due process in line with international standards on judicial proceedings, including by taking into account the recent recommendations of the UN Special Rapporteur on the independence of judges and lawyers; calls, furthermore, on the Pakistani authorities to provide sufficient protection to all those involved in blasphemy cases, including by shielding judges from outside pressure, protecting the accused and their families and communities from mob violence and providing solutions for those who are acquitted but cannot go back to their places of origin;

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7. Recalls that freedom of religion and minority rights are guaranteed by Pakistan's constitution; welcomes the measures taken in the interest of religious minorities by the Government of Pakistan since November 2008, such as establishing a 5 % quota for minorities in the federal job sector, recognising non-Muslim public holidays and declaring a National Minorities Day;
  8. Urges the Pakistani Government, however, to increase efforts towards better inter-religious understanding, to actively address religious hostility by societal actors and combat religious intolerance, acts of violence and intimidation, and to act against real or perceived impunity;
  9. Strongly condemns all acts of violence against religious communities, as well as all kinds of discrimination and intolerance on the grounds of religion and belief; stresses that the right to freedom of thought, conscience and religion is a fundamental human right; stresses, furthermore, that all Pakistanis, irrespective of their faith and religion, deserve equal respect, and promotion and protection of their human rights;
  10. Calls on the EEAS and the Commission to use any tools at their disposal, including as formulated in the EU Guidelines for the promotion and protection of freedom of religion or belief, to aid religious communities and to pressurise the Pakistani Government to do more for the protection of religious minorities; appreciates, in this regard, the recent visit of the EU Special Representative for Human Rights to Pakistan, and the discussions he held there;
  11. Underlines that the granting of the GSP+ status is conditional and, among other things, subject to the ratification and implementation of 27 international conventions, as indicated in Annex VIII to the new GSP Basic Regulation, most of them on human rights, and that the EU may decide to withdraw GSP+ preferences should a country not meet its engagements;
  12. Urges the EEAS and the Commission to strictly monitor Pakistan's compliance with its commitments under the GSP+, and to promote and defend human rights in Pakistan;
  13. Calls on the EEAS and the Commission to work with the Pakistani authorities in order to reform the way the blasphemy laws are used, including by implementing the measures suggested in paragraph 6 above;
  14. Encourages the Government of Pakistan to work with the UN bodies, including the UN Rapporteur on Freedom of Religion or Belief, to address valid concerns about human rights problems;
  15. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European Commission/High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the Secretary-General of the UN, the UN Human Rights Council, and the Government and Parliament of Pakistan.
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P8\_TA(2014)0065

## **Serbia: the case of accused war criminal Šešelj**

**European Parliament resolution of 27 November 2014 on Serbia: the case of accused war criminal Šešelj (2014/2970(RSP))**

(2016/C 289/06)

The European Parliament,

- having regard to its previous resolutions on Serbia,
  - having regard to the Stabilisation and Association Agreement between the European Communities and their Member States and the Republic of Serbia, which entered into force on 1 September 2013,
  - having regard to the Commission's 2014 progress report on Serbia of 8 October 2014 (SWD(2014)0302),
  - having regard to the Statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (ICTY),
  - having regard to Rule 65 of the Rules of Procedure and Evidence of the ICTY,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas Vojislav Šešelj, the president of the Serbian Radical Party, is indicted before the ICTY for persecutions on political, racial or religious grounds, deportation, inhumane acts (forcible transfer) (crimes against humanity), and for murder, torture, cruel treatment, wanton destruction of villages or devastation not justified by military necessity, destruction or wilful damage done to institutions dedicated to religion or education, plunder of public or private property (violations of the laws or customs of war) in Croatia, Bosnia and Herzegovina and parts of Vojvodina (Serbia), committed between 1991 and 1993;
- B. whereas the ICTY was established by the United Nations in 1993 to deal with war crimes that took place in the 1990s, laying the foundations for conflict resolution and post-conflict development in the region;
- C. whereas on 6 November 2014, after more than eleven years of detention and while his trial is still ongoing, the Trial Chamber of the Tribunal issued an order *proprio motu* for the provisional release of Šešelj on the grounds of the deterioration of his health, subject to the conditions that he: (i) does not influence witnesses and victims; and (ii) appears before the Chamber as soon as it so orders; whereas Šešelj has displayed a hostile attitude towards the ICTY since the start of the trial by repeatedly interrupting, disrupting and retracting the proceedings before the Court, and has been charged with contempt of court on three separate occasions for intimidation of witnesses;
- D. whereas following his return to Serbia Šešelj made several public speeches in Belgrade in which he emphasised that he will not voluntarily return to the Tribunal when requested to do so, thereby announcing his intention to violate one of the two conditions under which he was released;
- E. whereas in his public statements Šešelj repeatedly called for the creation of 'Greater Serbia', publicly stating claims on neighbouring countries, including EU Member State Croatia, and inciting hatred against non-Serb people; whereas in a press release he congratulated the Serbian Chetniks on the 'liberation' of Vukovar, on the 23rd anniversary of the fall of that Croatian city to Serbian paramilitary forces and the Yugoslav army in 1991 and the associated atrocities, thereby violating the requirement not to influence the victims; whereas the Serbian peace group 'Women in black' gathered in Belgrade to mourn the victims of the siege in a performance entitled 'We will never forget the crimes of Vukovar';



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1. Strongly condemns Šešelj's warmongering, incitement to hatred and encouragement of territorial claims and his attempts to derail Serbia from its European path; deplores his provocative public activities and wartime rhetoric since his provisional release, which have reopened the victims' psychological wounds from the war and the atrocities of the early 1990s; stresses that Šešelj's recent statements could have the effect of undermining the progress made in regional cooperation and reconciliation and subverting the efforts of recent years;
  2. Reminds the Serbian authorities of their obligations under the framework for cooperation with the ICTY and of Serbia's obligations as an EU candidate country; notes with concern that the absence of an adequate political reaction and legal response by the Serbian authorities regarding Šešelj's behaviour undermines the trust of the victims in the judicial process; encourages the Serbian authorities and the democratic parties to condemn any public manifestation of hate speech or wartime rhetoric and to promote the protection of minority and cultural rights; asks the Serbian authorities to investigate whether Šešelj has violated Serbian law and to strengthen and fully apply the legislation outlawing hate speech, discrimination and incitement to violence; supports all political parties, NGOs and individuals in Serbia that fight against hate speech;
  3. Calls on the ICTY and its Prosecutor's Office to take measures to re-examine the existence of requirements for provisional release under new circumstances; notes that different standards regarding the Tribunal's practice concerning provisional release would not contribute to the achievement of the ICTY's objectives; encourages the ICTY to take determined action to restore the trust in it that has been weakened by Šešelj's appalling and inadmissible public statements, including taking all necessary measures to accelerate the completion of all trials and appeals before it; recalls that bringing perpetrators of war crimes to justice is an indispensable condition for a genuine and lasting reconciliation process;
  4. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the President, Government and National Assembly of Serbia, the United Nations Security Council and the President of the ICTY.
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P8\_TA(2014)0066

## **Iraq: kidnapping and mistreatment of women**

**European Parliament resolution of 27 November 2014 on Iraq: kidnapping and mistreatment of women (2014/2971(RSP))**

(2016/C 289/07)

*The European Parliament,*

- having regard to its previous resolutions on Iraq,
  - having regard to the Foreign Affairs Council conclusions on the ISIL/Da'esh crisis in Syria and Iraq of 20 October 2014,
  - having regard to UN Human Rights Council resolution S-22/1 of 1 September 2014 on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups,
  - having regard to the UN Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, entitled 'Rule of Terror: Living under ISIS in Syria', of 14 November 2014,
  - having regard to the Partnership and Cooperation Agreement (PCA) between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part, and to its resolution of 17 January 2013 on the EU-Iraq Partnership and Cooperation Agreement <sup>(1)</sup>,
  - having regard to UN Security Council resolution 2106 (2013) of 24 June 2013 on sexual violence in armed conflict and post-conflict situations,
  - having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to the International Covenant on Civil and Political Rights of 1966, to which Iraq is a party,
  - having regard to the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), to which Iraq is a signatory, and to UN Security Council resolution 1325 (2000),
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the so-called Islamic State (IS) has committed numerous atrocities, which amount to crimes against humanity, involving mass killings, executions ordered by self-appointed IS courts, the imposition of a harsh interpretation of Shariah law, sexual violence against women and children, enslavement, rape, forced marriages, human trafficking, displacement and abduction, and which have caused a catastrophic humanitarian crisis and the displacement of large numbers of people from the areas under their control;
- B. whereas in August 2014 IS fighters pushed further into northern Iraq, overwhelming Kurdish Peshmerga forces that had moved into areas abandoned by the Iraqi army; whereas the town of Sinjar was overrun, the strategically important Mosul dam, which supplies water and electricity to large parts of Iraq, was seized and the IS fighters came within 40 kilometres of Irbil, the capital of Iraqi Kurdistan; whereas many Kurdish women are fighting in Kobani, including women who are members and leaders of PKK forces;
- C. whereas members of ethnic and religious minorities, in particular Christians and Yazidis, Turkmens, Shabaks, Kaka'e, Sabaeans and Shi'a communities, as well as many Arabs and Sunni Muslims, have been targeted by IS in Mosul and surrounding areas, including Sinjar and Tal Afar;

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<sup>(1)</sup> Texts adopted, P7\_TA(2013)0022.

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- D. whereas Human Rights Watch estimates that 3 133 Yazidis have been kidnapped and killed by IS, or have been missing since the IS assaults of early August; whereas this list includes 2 305 people believed to have been abducted, of whom 412 are children; whereas IS is indoctrinating captured Yazidi children;
- E. whereas in October 2014 UN researchers stated that an estimated 5 000 to 7 000 women were also being held in makeshift detention centres, from which they were being taken away and either sold into servitude or handed to jihadists as concubines; whereas the town of Tal Afar alone is thought to hold around 3 500 women and children in five detention centres;
- F. whereas IS and other jihadist extremists in Iraq and Syria have caused refugee flows to fill refugee camps in Turkey, Lebanon and Jordan, where women and girls in particular are experiencing tough humanitarian conditions and are extremely vulnerable to harassment, sexual violence, forced marriage and other abuses;
- G. whereas the transnational character of IS and associated terrorist groups is a matter of global concern;
- H. whereas the UN Refugee Agency (UNHCR) is deeply concerned about the ability of the international community to meet urgent winter needs in Iraq, in particular for the recently displaced;
- I. whereas Iraq's unity, sovereignty and territorial integrity are essential for stability and economic development in the country and the region;
1. Condemns in the strongest possible terms the systematic human rights violations and abuses and violations of international humanitarian law resulting from the acts committed by IS and associated terrorist groups, which amount to war crimes and crimes against humanity; strongly condemns in particular all violence against persons based on their religious and ethnic affiliation, and violence against women and children;
  2. Strongly condemns the numerous atrocities committed by IS, targeting specifically women, which amount to crimes against humanity, such as abductions, rape and other forms of sexual violence, enslavement, and forced marriages and conversions; stresses the need for those responsible for such violations of human rights and international humanitarian law to be held to account;
  3. Emphasises that children should be immediately reunited with their families, forced marriages and sexual abuse brought to an end, and all civilian detainees, notably women, held by IS released immediately;
  4. Calls on the Iraqi Government to ratify the Rome Statute establishing the International Criminal Court (ICC) in order to allow the ICC to prosecute the war crimes and crimes against humanity committed by IS;
  5. Calls on the Iraqi Government to promote and protect human rights by involving all components of Iraqi society in a spirit of national unity and reconciliation and upholding human rights and international humanitarian law in its efforts to confront IS; offers its support in helping the government build a fairer, more inclusive society, including one which protects and promotes the rights of women;

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6. Welcomes the efforts of the international community, notably the US, to support the Iraqi national and local authorities in their fight against IS, to stop the advance of IS and to facilitate access for humanitarian support; supports the global coalition against IS and its efforts to combat it, including by military means; urges the international community to deliver the necessary life-saving assistance for people in Iraq over the winter, including the Yazidi families who are still on Mount Sinjar defending their temples against destruction by IS;

7. Calls on all regional actors to do everything within their power to stop all activities by official or private bodies aimed at propagating and spreading extreme Islamist ideologies in words and acts; calls on the international community, especially the EU, to facilitate a regional dialogue on the problems facing the Middle East and to include all significant parties, in particular Iran and Saudi Arabia;

8. Urges the UN, in particular its Special Rapporteur on Violence against Women, Rashida Manjoo, to do its utmost to trace the victims, and to investigate and establish the facts and circumstances of abuses and violations against girls and women committed by IS and associated terrorist groups in Iraq and Syria, with a view to avoiding impunity and ensuring full accountability; supports the work of the UN Special Representative on Sexual Violence in Conflict, Zainab Hawa Bangura;

9. Calls on the international humanitarian agencies working in Iraq, including UN agencies, to increase medical and counselling services for displaced people who have fled the IS advances, paying special attention to the needs of survivors of sexual violence and children;

10. Reiterates its call on the Commission, the European External Action Service and the Member States to take specific measures to address the situation of women in Iraq and guarantee their freedom and respect for their most fundamental rights, and to adopt measures to prevent the exploitation of, and abuse and violence against, women and children; is particularly concerned at the increase in all forms of violence against Yazidi women, who are imprisoned, raped, sexually abused and sold by the members of IS; calls, in particular, on the Member States to enhance policies in such a way as to meet the needs of survivors and to establish a mechanism to enable traumatised women from Syria and Iraq, notably Yazidi women, to receive special post-traumatic counselling tailored to their needs;

11. Is convinced that immediate humanitarian assistance and protection needs to be complemented by long-term strategies in support of the socioeconomic rights and livelihood opportunities of returnee, internally displaced and refugee women, enhanced leadership and participation, with a view to empowering them to choose durable solutions that suit their needs; considers that there is a need to address the specific risks and particular needs of different groups of women who are subjected to multiple and intersecting forms of discrimination;

12. Condemns the fact that, with the advance of IS, acts of violence and murder against LGBT Iraqis have been taking place with total impunity; notes that, while LGBT Iraqis are not the only group at risk in the current crisis and conflict, they find themselves in an extremely vulnerable situation, given the limited family and community support and government protection available to them; notes that LGBT Iraqis remain marginalised and at risk in refugee communities or in certain host societies; calls on the Iraqi Government to provide protection for LGBT Iraqis;

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13. Regrets that, as a consequence of the years of dictatorship and conflict, the lives of Iraqi women have significantly deteriorated; calls for the promotion and implementation of UN Security Council resolution 1325 (2000) on women, peace and security in order to ensure the participation of women in conflict resolution and democracy building; insists that without women's participation in decision making there will be no real protection, nor any real security, for women in Iraq;

14. Calls for a concerted international effort, in close cooperation with Muslim countries, organisations and communities, to challenge the radical Salafi/Wahhabi ideology that underpins and inspires the actions of IS and associated terrorist organisations and is becoming a growing security threat for the Member States; calls on the EEAS and the Member States, in their dialogue with the Gulf countries, to raise strong concerns about the ongoing Salafi/Wahhabi indoctrination efforts in many Muslim-majority countries and Muslim communities worldwide by actors from these countries;

15. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the Government and Council of Representatives of Iraq, the Regional Government of Kurdistan, the Secretary-General of the United Nations and the United Nations Human Rights Council.

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P8\_TA(2014)0068

## **Delays in the start-up of cohesion policy for 2014-2020**

**European Parliament resolution of 27 November 2014 on delays in the start-up of cohesion policy for 2014-2020 (2014/2946(RSP))**

(2016/C 289/08)

*The European Parliament,*

- having regard to the Treaty on the Functioning of the European Union, in particular Articles 4, 162 and 174 to 178 thereof,
  - having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 <sup>(1)</sup>,
  - having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(2)</sup>,
  - having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 <sup>(3)</sup>,
  - having regard to Draft Amending Budget No 3 to the General Budget 2014 (COM(2014)0329),
  - having regard to Rules 128(5) and 123(4) of its Rules of Procedure,
- A. whereas cohesion policy represents the main EU-wide investment policy in the real economy and is an established catalyst for growth and jobs in the EU, with a budget of over EUR 350 billion until 2020; whereas it forms a major part of the EU's strategy to redress regional imbalances and inequalities, to assist diversification and adaptation to industrial change and to achieve economic, social and territorial cohesion; and whereas in some Member States it forms the principal source of public investment;
- B. whereas through thematic concentration these resources are targeted at a limited number of strategic goals with growth-enhancing potential, such as innovation and research, the digital agenda, support for small and medium-sized enterprises (SMEs), the low-carbon economy, training, education and infrastructure;
- C. whereas the Partnership Agreements and Operational Programmes are strategic tools for guiding investments in Member States and regions, in line with the overall Europe 2020 goal of smart, sustainable and inclusive growth;
- D. whereas Articles 14, 16 and 29 of Regulation (EU) No 1303/2013 lay down the timeline for the submission and adoption of Partnership Agreements and Operational Programmes, according to which Partnership Agreements should have been adopted by the end of August 2014 and Operational Programmes by the end of January 2015 at the latest;

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 320.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 884.

<sup>(3)</sup> OJ L 298, 26.10.2012, p. 1.

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- E. whereas there is a clear delay in the programming process, with only a limited number of Operational Programmes (just over 100) expected to be adopted by the end of 2014;
- F. whereas, at the request of the Member States, the Commission has prepared a non-paper on the treatment of 2014 commitments under programmes co-financed by the European Regional Development Fund, the European Social Fund and the Cohesion Fund which are not adopted by the Commission by 31 December 2014;
- G. whereas two scenarios are envisaged for the adoption of Operational Programmes, both implying further delays as regards the start of implementation, namely: (i) the carry-over procedure for those programmes considered 'ready for adoption' by 31 December 2014, and (ii) the rebudgeting of the unused 2014 allocation for the European Structural and Investment Funds — entailing a technical revision of the multiannual financial framework (MFF) — for those considered 'not ready for adoption' by the end of 2014;
- H. whereas, according to the timeline presented by the Commission, Operational Programmes could be adopted between 15 February and 31 March 2015 under the carry-over procedure, and after 1 May 2015 under the rebudgeting procedure;
- I. whereas in addition to the delay in implementation for the 2014-2020 programming period, cohesion policy also faces a backlog in payments amounting to some EUR 23 billion for the 2007-2013 programming period, further undermining its credibility, effectiveness and sustainability;
- J. whereas the President of the Commission has indicated that he intends to launch a EUR 315 billion investment package;
1. Expresses its serious concern as regards the significant delay in the implementation of cohesion policy for the 2014-2020 period, while recognising the importance of adopting high-quality Operational Programmes at the start of the programming period in order to avoid reprogramming at a later stage;
  2. Stresses that the current delays are challenging national, regional and local authorities' capacity to plan effectively and implement the European Structural and Investment Funds for the 2014-2020 period;
  3. Recalls that cohesion policy, together with the co-financing ensured by the Member States, provides for a major proportion of the growth-related public expenditure in the EU; stresses that it is therefore imperative to start the implementation of the new programmes as soon as possible in order to maximise the results of the investments, boost job creation and raise productivity growth;
  4. Urges the Commission and the Member States to show responsibility and do their utmost to speed up the adoption of a maximum number of Operational Programmes in 2014, and to ensure that as many programmes as possible are 'ready for adoption' by 31 December 2014 so that they can benefit from the carry-over procedure in accordance with Article 13 (2)(a) of the Financial Regulation and Article 4 of its Rules of Application;
  5. Demands that the Commission — while keeping a high focus on quality and the need to keep up the fight against fraud — to analyse all possible ways of streamlining its internal procedures in order to ensure that Operational Programmes resubmitted after the deadline of 24 November 2014 are also taken into consideration in order to conclude the inter-service consultation by the end of the year, being treated as ready for adoption if they fulfil the quality requirements;
  6. Is aware that the second of the aforementioned scenarios, applicable to those Operational Programmes not ready for adoption by the end of 2014, namely the rebudgeting of uncommitted amounts from 2014 in 2015 in accordance with Article 19 of the MFF, implies a revision of the MFF by 1 May 2015 which, albeit technical, must comply with the multiannual budget procedure; invites the Commission, therefore, to engage as soon as possible in discussions with Parliament and the Council in order to lay out a credible roadmap that ensures the adoption of the MFF revision as early as possible in 2015;

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7. Stresses, moreover, that in order to have the Operational Programmes adopted, a corresponding draft amending budget covering the respective commitment appropriations for 2015 also needs to be approved, and that this implies, in the best-case scenario, a delay in the effective start of the implementation of those programmes until mid-2015;
  8. Asks the Commission, in view of the above, to present to Parliament the measures it envisages taking to facilitate, as soon as possible, the implementation of the Operational Programmes, together with the timeline it envisages;
  9. Is alarmed about the status of the payments backlog under cohesion policy for the 2007-2013 Operational Programmes; stresses the importance and the urgency of reaching an agreement on the subject, on the basis of new proposals from the Commission, by the end of 2014;
  10. Calls on the Commission to explain the impact of this delay in payments on the start of implementation of the new Operational Programmes, and to put forward solutions for limiting the damage as far as possible; demands, furthermore, that the Commission, in the context of the report on the outcome of the negotiations provided for in Article 16(3) of the Common Provisions Regulation, analyse the possible impact of the belated start-up of the 2014-2020 cohesion policy on growth and jobs, and to make recommendations based on the lessons learnt;
  11. Requests that the EUR 315 billion investment package to be announced by the Commission be fully complementary with the 2014-2020 cohesion policy;
  12. Instructs its President to forward this resolution to the Commission, the Council, the Committee of the Regions, the European Economic and Social Committee and the other relevant institutions.
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P8\_TA(2014)0069

**Commission's impact assessment guidelines****European Parliament resolution of 27 November 2014 on the revision of the Commission's impact assessment guidelines and the role of the SME test (2014/2967(RSP))**

(2016/C 289/09)

*The European Parliament,*

- having regard to the recent public consultation on the revision of the Commission's impact assessment (IA) guidelines and the corresponding draft revised IA guidelines,
  - having regard to its resolution of 8 June 2011 on guaranteeing independent impact assessments <sup>(1)</sup>,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas IAs, as an early-stage tool when legislation is being developed, play a key role in the Commission's smart regulation agenda with the purpose of providing transparent, comprehensive and balanced evidence on economic, social and environmental effects, the added value of EU action, the regulatory and administrative burden to be expected and the cost and benefits of alternative courses of action for all stakeholders;
- B. whereas the existing IA guidelines provide for a central role for the Commission Secretariat-General and the Impact Assessment Board (IAB) as regards the decision on whether or not an IA is necessary for a specific initiative;
- C. whereas the IAB plays an important role as a central quality control point for IAs;
- D. whereas the Treaties contain horizontal social and environmental clauses — together with obligations to respect the principles of subsidiarity and proportionality — which must be taken into account in defining and implementing the Union's policies and activities and require an in-depth analysis of the relevant impact of any proposed legislation;
- E. whereas according to a Commission expert group, the cost for an SME to comply with a regulation can be 10 times greater than for larger companies; whereas, therefore, a proper and independent IA is of particular relevance for SMEs, which often have more difficulties than large enterprises in adapting to new legal and administrative requirements and, by reason of their size, are less capable of anticipating regulatory changes at an early stage;
- F. whereas the 'think small first' principle is the foundation of the Small Business Act for Europe of 2008; whereas it has been part of the IA guidelines since 2009, and of other Commission texts since 2005; whereas this principle is aimed at taking SMEs' interests into account at the very early stages of policymaking so as to make legislation more SME-friendly; whereas a range of tools is available to ensure the effective implementation of this principle, including the application of an 'SME test' to forthcoming legislative proposals;

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<sup>(1)</sup> OJ C 380 E, 11.12.2012, p. 31.

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- G. whereas the current IA guidelines provide for specific guidance in the form of an SME test, including for possible mitigation measures; whereas the draft revised guidelines do not include any provisions on the SME test;
- H. whereas a proper assessment of Parliament's substantive amendments to the initial Commission proposal shows considerable added value to support Parliament's position in trilogue negotiations;

### **Scope**

1. Welcomes the Commission's commitment to regularly reviewing the IA guidelines with a view to improving the IA procedures;
2. Underlines the fact that the Commission should ensure that economic, social, administrative and environmental aspects are assessed in equal depth;
3. Is concerned, however, that the draft revised guidelines are much less specific than the existing guidelines in terms of the scope for IAs and that they leave significantly more room for interpretation by the directorate-general responsible as regards the decision on whether or not an IA is required; believes that the existing practices involving the IAB in the decision-making process should be retained;
4. Believes that the Commission should maintain its existing approach of submitting an IA for all initiatives meeting at least one of the following criteria:
  - (a) legislative proposals included in the Commission's Legislative and Work Programme (CLWP);
  - (b) non-CLWP legislative proposals with clearly identifiable economic, administrative, social and environmental impacts;
  - (c) non-legislative initiatives which define future policies (e.g. white papers, action plans, expenditure programmes and negotiating guidelines for international agreements);
  - (d) delegated or implementing acts introduced by the Commission — and its agencies where relevant — which are likely to have significant identifiable economic, social, environmental and administrative-burden impacts;
5. Notes that the assessment of the impact must be rigorous, comprehensive and based on the most accurate, objective and complete information available, with an analysis which is proportionate and focuses on the proposal's aim and objective, so as to allow a well-informed political decision;
6. Is convinced that IAs are an important means of supporting decision-making in all EU institutions and an important part of the better regulation process; recognises, nevertheless, that IAs cannot be substitutes for political evaluation and decisions;
7. Highlights the importance of consulting all relevant stakeholders at an early stage in the IA process so that their input can be taken into consideration when IAs are being prepared, and before they are published;
8. Notes that the scope of an IA may not correspond to the proposals adopted where these are altered once submitted for approval by the College of Commissioners; requests that the draft revised guidelines state that the IA should be updated to ensure continuity between matters considered in it and any proposal finally adopted by the Commission;

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**Impact Assessment Board (IAB)**

9. Expresses serious concern at the fact that the role of the IAB in the IA process is not more clearly defined in the draft revised guidelines; strongly insists that the Commission reconsider this omission and set out procedures relating to the IAB more clearly in a new set of draft revised guidelines when responding to this resolution adopted by Parliament;

10. Considers that such new procedures should establish in a clear, understandable and transparent manner the process for submission, revision and ultimate approval of IAs presented to the IAB;

11. Reiterates the view that proposals should not be adopted by the Commission unless accompanied by an opinion cleared by the IAB;

12. Reminds the Commission, further, of Parliament's request that the independence of the IAB be strengthened, and in particular that members of the IAB not be subject to political control; considers that the IAB should be composed only of highly qualified people who are competent to assess the analysis presented as regards economic, social and environmental impacts;

13. Looks forward to a clarification by the new Commission as to how it intends to proceed on aspects raised in this resolution, so that it can take this approach more fully into account when preparing its position on the Commission's recent REFIT communication, without prejudice to Parliament's position in this context;

**SME test**

14. Recalls that in its 2011 review of the Small Business Act the Commission considered it regrettable that only eight Member States had integrated the SME test into their national decision-making processes; asks the Commission to work with the Member States to better disseminate the principles of the SME test in the context of national procedures, in support of SME policy;

15. Welcomes the clear commitment by the Commission in that review to further strengthening the SME test; deplores, however, the fact that, contrary to these announcements, the SME test is not even mentioned in the draft revised IA guidelines;

16. Recalls that the Commission, in the Small Business Act, made a commitment to implementing the 'think small first' principle in its policymaking, and that this includes the SME test to assess the impact of forthcoming legislation and administrative initiatives on SMEs; stresses that it is vital to make sure that this test is done properly, and considers that there is a significant margin of progress still to be completed;

17. Insists that the SME test, as laid down in Annex 8 to the guidelines, should be maintained in order to avoid SMEs being disproportionately affected or disadvantaged by Commission initiatives compared with large companies;

18. Stresses that in such cases the IA should include options covering alternative mechanisms and/or flexibilities in order to help SMEs comply with the initiative (as provided for in Annex 8.4); welcomes, in this connection, the exclusion of micro-enterprises from the scope of a legislative proposal as a policy option stated in the draft revised guidelines; believes, however, that exempting micro-enterprises by default may not always be the best approach, and that this must therefore be assessed on a case-by-case basis for each proposal in order to reflect the policy of reversing the burden of proof, i.e. that micro-enterprises should remain outside the scope of proposals unless it is demonstrated that they should be included; supports the consideration of adapted solutions and lighter regimes for SMEs in IAs where this does not inappropriately limit the effectiveness of legislation;

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### ***Application and monitoring***

19. Notes that the final form of a legislative act may differ significantly from the proposal adopted by the Commission; believes that it would be useful for a summary of the estimated benefits and costs to be prepared for adopted legislative acts, and updated to reflect changes from the analysis contained in the IA as a result of amendments made during the legislative process; considers that the monitoring and assessment of a proposal's impact would be simplified by such an exercise;

### ***Establishing a Better Regulation Advisory Body***

20. Acknowledges the work of, and the final report submitted by, the High-Level Group on Administrative Burdens, as mandated by the Commission; recalls the Commission's intention, as stated in its latest communication on REFIT (June 2014), to establish a new high-level group on better regulation, consisting of stakeholder representatives and national experts;

21. Proposes that the Commission establish this group as a high-level Better Regulation Advisory Body involving both stakeholder expertise and national experts as soon as possible; proposes a strong and independent advisory mandate for this body, which should complement the Commission's work on IAs; believes that such a body's expertise, including as regards subsidiarity and proportionality, could provide added value for the IA procedure and for other initiatives relating to better regulation; asks that Parliament and the Council be involved in the expert nomination procedure; suggests that the best practices and experience of existing better regulation bodies (such as those in Sweden, the Czech Republic, the Netherlands, the United Kingdom and Germany) be taken into account;

22. Calls on the Commission to submit new draft revised IA guidelines, taking into consideration the points stressed by this resolution and the newly introduced structure of the Commission, in particular the role of the new Vice-President in charge of Better Regulation;

### ***Impact assessments in Parliament***

23. Calls for Commission IAs to be examined systematically and as early as possible by Parliament, and in particular at committee level;

24. Recalls its resolution of 8 June 2011 on guaranteeing independent impact assessments, which called for more consistent use to be made of the parliamentary IA, an instrument that is already available; recalls that a specific budget line and dedicated services are available to cover the carrying-out of IAs; considers recourse to a parliamentary IA to be particularly necessary when substantive changes to the initial Commission proposal have been introduced;

### ***Impact assessments in the European Council***

25. Expects the Council to honour its commitment to systematically assessing the impact of its own substantive amendments;

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26. Instructs its President to forward this resolution to the Commission and the Council.

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P8\_TA(2014)0070

**25th anniversary of the UN Convention on the Rights of the Child****European Parliament resolution of 27 November 2014 on the 25th anniversary of the UN Convention on the Rights of the Child (2014/2919(RSP))**

(2016/C 289/10)

*The European Parliament,*

- having regard to the UN Convention on the Rights of the Child, adopted in New York on 20 November 1989,
- having regard to the UN Convention on the Rights of Persons with Disabilities, adopted in New York on 13 December 2006,
- having regard to Article 3 of the Treaty on European Union,
- having regard to Article 24 of the Charter of Fundamental Rights of the European Union,
- having regard to the Stockholm programme adopted in 2009 and to the associated action plan for 2010-2014,
- having regard to General Comment No 14 (2013) of the UN Committee on the Rights of the Child on the right of the child to have his or her best interests taken as a primary consideration,
- having regard to the EU Agenda for the Rights of the Child, adopted in February 2011,
- having regard to the European Consensus on Development,
- having regard to the declaration and action plan adopted at the High-Level Forum on Aid Effectiveness held in Busan from 29 November to 1 December 2011,
- having regard to the Commission communication of 5 February 2008 entitled 'A special place for children in EU external action' (COM(2008)0055),
- having regard to the EU Guidelines for the Promotion and Protection of the Rights of the Child,
- having regard to the EU Guidelines on Children and Armed Conflict,
- having regard to the UN action plan entitled 'A World Fit for Children',
- having regard to the EU Strategic Framework and Action Plan on Human Rights and Democracy,
- having regard to Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA <sup>(1)</sup>,
- having regard to Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA <sup>(2)</sup>,

<sup>(1)</sup> OJ L 101, 15.4.2011, p. 1.

<sup>(2)</sup> OJ L 335, 17.12.2011, p. 1.

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- having regard to the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016, in particular the provisions on financing the development of guidelines on child protection systems and on the exchange of best practices,
  - having regard to Commission recommendation 2013/112/EU of 20 February 2013 entitled ‘Investing in children: breaking the cycle of disadvantage’ <sup>(1)</sup>,
  - having regard to its resolution of 12 September 2013 on the situation of unaccompanied minors in the EU <sup>(2)</sup>,
  - having regard to the 1979 UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and to the Beijing Platform for Action,
  - having regard to its resolutions of 25 February 2014 with recommendations to the Commission on combating violence against women <sup>(3)</sup> and of 6 February 2014 on the Commission communication entitled ‘Towards the elimination of female genital mutilation’ <sup>(4)</sup>,
  - having regard to the Council conclusions of 5 June 2014 on preventing and combating all forms of violence against women and girls, including female genital mutilation,
  - having regard to the Council conclusions of 19 May 2014 on a rights-based approach to development cooperation, encompassing all human rights,
  - having regard to Article 7 of the Treaty on the Functioning of the European Union, which reaffirms that the EU ‘shall ensure consistency between its policies and activities, taking all of its objectives into account’,
  - having regard to the Commission communication of 2 June 2014 entitled ‘A decent life for all: from vision to collective action’ (COM(2014)0335),
  - having regard to the Commission communication of 12 April 2005 entitled ‘Policy Coherence for Development’ (COM(2005)0134), and to the conclusions of the 3166th Foreign Affairs Council meeting of 14 May 2012, entitled ‘Increasing the Impact of EU Development Policy: an Agenda for Change’,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the UN Convention on the Rights of the Child and the optional protocols thereto constitute the standard in the promotion and protection of the rights of the child, containing a comprehensive set of international legal standards for the protection and well-being of children;
- B. whereas all the EU Member States have ratified the UN Convention on the Rights of the Child and have clear legal obligations to promote, protect and fulfil the rights of every child in their jurisdictions;
- C. whereas the promotion of children’s rights is an explicit objective of EU policies, and whereas the EU Charter of Fundamental Rights requires that the best interests of the child be a primary consideration in all EU action;
- D. whereas the UN Convention on the Rights of the Child and the EU Charter of Fundamental Rights respect the child’s rights to be heard and to have their views on matters which concern them taken into consideration according to their age and maturity;

<sup>(1)</sup> OJ L 59, 2.3.2013, p. 5.

<sup>(2)</sup> Texts adopted, P7\_TA(2013)0387.

<sup>(3)</sup> Texts adopted, P7\_TA(2014)0126.

<sup>(4)</sup> Texts adopted, P7\_TA(2014)0105.

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- E. whereas the rights of the child — namely the principle of the best interests of the child, the child's right to life, survival and development, non-discrimination and respect for the child's right to express an opinion — concern all EU policies;
- F. whereas progress has been made since the adoption of the UN Convention on the Rights of the Child 25 years ago, but whereas children's rights continue to be violated in many parts of the world, including in EU Member States, as a result of violence, abuse, exploitation, poverty, social exclusion and discrimination based on religion, disability, gender, sexual identity, age, ethnicity, migration or residence status;
- G. whereas for rights to have meaning, all children and their families must have inclusive access to justice and fair, timely and effective remedies;
- H. whereas some 6,6 million children under the age of 5 died in 2012, mostly from preventable causes, and were thus deprived of their fundamental right to survive and develop; whereas 168 million children aged 5 to 17 are engaged in child labour, which compromises their right to be protected from economic exploitation and infringes their right to learn and play; whereas 11 % of girls are married before they turn 15, which jeopardises their rights to health, education and protection; whereas in sub-Saharan Africa 1 in every 10 children born still dies before their 5th birthday;
- I. whereas education — specifically free primary schooling for all children — is a fundamental right to which governments committed themselves under the 1989 UN Convention on the Rights of the Child; whereas the target for 2015 is to ensure that all boys and girls complete a full course of primary schooling; whereas despite some progress in the developing world, this goal is far from being achieved;
- J. whereas comprehensive sexuality education is an integral and important part of strengthening boys' and girls' rights to well-being and health, promoting equality and fighting stereotypes;
- K. whereas humanitarian crises continue to have a devastating impact on children, and whereas in 2014 the lives of more than 59 million children were directly affected by crises, mainly conflict-related; whereas there are an estimated 250 000 child soldiers in the world today, 40 % of whom are girls;
- L. whereas in 2012 alone almost 95 000 children and adolescents under the age of 20 were victims of homicide, almost 1 billion children aged between 2 and 14 were subjected to physical punishment, one in three adolescents aged between 13 and 15 experienced bullying and around 70 million girls aged between 15 and 19 were victims of some form of physical violence, and whereas 120 million girls worldwide have experienced forced intercourse or other forced sexual acts at some point in their lives;
- M. whereas children make up half the population in developing countries, and whereas around 100 million children live in the EU;
- N. whereas according to the latest United Nations Children's Fund (UNICEF) report card on child poverty in rich countries, 2,6 million children have sunk below the poverty line in the world's most affluent countries since 2008, bringing the total number of children in the developed world living in poverty to an estimated 76,5 million; whereas according to the same study, 7,5 million young people in the EU were classified as NEETs (not in employment, education or training) in 2013;

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- O. whereas violence against children takes many forms, including psychological, physical, sexual, emotional and verbal abuse, neglect and deprivation, and occurs in many settings, including the home, the school, the health care and justice systems, the workplace, communities and online;
- P. whereas the EU Agenda on the Rights of the Child outlines a clear framework for EU action, and whereas its implementation has resulted in significant progress in a number of key areas of action and legislation, including establishing missing children hotlines, promoting child-friendly justice, improving data collection and integrating children's rights into external action;
- Q. whereas every child is first and foremost a child whose rights should be fulfilled without discrimination, regardless of their or their parents' ethnic origin, nationality or social, migration or residence status;
- R. whereas girls and boys experience both similar and different expectations and forms of socialisation, and whereas the discrimination experienced by girls and boys differs at different ages;
- S. whereas although substantial progress has been made, in particular in the fields of trafficking, sexual exploitation and victims' rights, and for asylum-seeking and unaccompanied children, much more needs to be done to ensure that the rights of migrant children are fully respected across the EU; whereas many unaccompanied children disappear and abscond after their first arrival in the EU and are particularly vulnerable to abuse;
- T. whereas, given its international nature, child exploitation and child sexual exploitation online — including the proliferation of child sexual exploitation material on the internet and cyber predation — continues to be a major concern for law enforcement authorities, with offences ranging from sexual extortion and grooming to self-produced child abuse material and live streaming, which pose particular investigative challenges owing to technological innovations that provide easier and faster access to material for offenders, including cyber predators;
- U. whereas children are particularly affected by poverty and by cuts in social security systems and key social benefits such as family allowances, and whereas such cuts have increased in the EU since 2007; whereas in the EU, even after the social transfers, the child poverty risk rate remains very high (20,3 % in 2013);
- V. whereas the post-2015 framework for global development will represent an opportunity to invest in the rights of all children, in every place in the world — regardless of the child's gender, ethnicity, race or economic, disability or other status;
1. Considers that children's rights are at the heart of EU policies and that the 25th anniversary of the UN Convention on the Rights of the Child is an opportunity to ensure its full implementation in policy and in practice and to take additional measures to ensure respect for the rights of every child everywhere, especially the most vulnerable;
  2. Welcomes the EU's commitment under the Stockholm programme to develop an integrated EU strategy for effectively promoting and safeguarding the rights of the child in the EU's internal and external policies and to support the Member States' efforts in this area; calls on the Commission to propose an ambitious and comprehensive child rights strategy and action plan for the next five years, building on and upgrading the EU Agenda on the Rights of the Child;
  3. Welcomes the EU's commitment to further developing integrated EU child protection guidelines in order to reduce fragmentation resulting from issue-based responses dealing with specific child protection concerns, so as to ensure that all children across the EU are effectively protected against all forms of violence;



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4. Calls on the Commission to monitor and report on the implementation of its recommendation entitled 'Investing in Children: breaking the cycle of disadvantage' in the Member States and to ensure access to quality services and participation of children; calls on those Member States with above-average rates of child poverty to set national targets and prioritise investments aimed at reducing poverty and social exclusion among children and young people;
5. Calls on the EU and its Member States to make the Millennium Development Goals the top priority in their internal policies and their relations with third countries; highlights the fact that these objectives, especially poverty eradication, access to education for all and gender equality, will only be achieved through the development of public services which are accessible to all;
6. Calls on the Commission and the Member States to integrate an explicit child and youth focus in the European Semester, the Annual Growth Survey and a revised Europe 2020 strategy in order to better implement the Commission recommendation entitled 'Investing in children: breaking the cycle of disadvantage';
7. Calls on the Commission to ensure increased coordination within its different services with a view to effectively mainstreaming children's rights in all EU legislative proposals, policies and financial decisions and monitoring their full compliance with the EU *acquis* on children and with obligations under the UN Convention of the Rights of the Child; calls on the Commission to ensure that the mandate and resources of the children's rights coordinator adequately reflect the EU's commitment to systematically and effectively mainstreaming children's rights;
8. Calls on the Commission to seize the opportunity afforded by the mid-term review of the multiannual financial framework to ensure that EU funds benefit the most disadvantaged and vulnerable children;
9. Calls on the Member States and the Commission to explicitly consider children as a priority when programming and implementing regional and cohesion policies, such as the European disability strategy, the EU framework for national Roma integration strategies and the EU's equality and non-discrimination policy; reiterates the importance of protecting and promoting equal access to all rights for Roma children;
10. Insists that all children's rights policies must integrate a gender equality perspective, and calls for specific measures to strengthen the rights of girls, including to education and health;
11. Calls on the Member States to ensure that the principle of the best interests of the child is respected in all legislation, in decisions taken by government representatives at all levels and in all court decisions, and encourages the Member States to share best practices with a view to improving the correct application of the principle of the best interests of the child across the EU;
12. Calls on the Commission and the Member States to take the necessary action to ensure that all children can effectively access justice systems that are tailored to their specific needs and rights, whether as suspects, perpetrators, victims or parties to proceedings;
13. Calls on the Commission to assess the impact of detention policies and criminal justice systems on children; points out that across the EU children's rights are directly affected in the case of children living in detention facilities with their parents; underlines the fact that an estimated 800 000 children in the EU are separated from an imprisoned parent each year, which impacts on the rights of children in multiple ways;
14. Considers that children are vulnerable in their access to goods and services; calls on the business community and stakeholders to refrain from aggressive and misleading advertising to children, both online and offline, including by implementing existing codes of conduct and similar initiatives; considers that advertising aimed at children for food with high fat, salt or sugar content should be done responsibly, bearing in mind the increase in child obesity and diabetes;

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15. Considers that children's personal data online must be duly protected and that children need to be informed in an accessible and child-friendly manner about the risks and consequences of using their personal data online; stresses that online profiling of children should be prohibited; considers that all children should have the right to enjoy a healthy and safe environment and access to play;

16. Calls on the Member States to implement Directive 2011/36/EU on preventing and combating trafficking in human beings, as the majority of victims of trafficking are young girls and boys who are child victims of labour and sexual exploitation and other abuses; calls also for the Member States and the EU to strengthen police and judicial cooperation with a view to preventing and prosecuting such crimes; calls on the Member States to take measures to combat the illicit transfer of children, to work in cooperation with third countries to address the growing problem of child smuggling and trafficking, and to prosecute traffickers, with appropriate sanctions;

17. Considers that steps must be taken to combat cyber bullying, and that children, teachers, and youth and children's organisations must play an active role in raising awareness of this issue;

18. Calls for the EU and its Member States to invest in public services for children, including childcare, education and health, and particularly in extending the public network of kindergartens, nurseries and public utility services offering leisure activities for children;

19. Given that the first levels of education do not always guarantee the necessary basic standard of learning, calls on the Member States to provide free compulsory secondary education for all, this being a sine qua non for the exercise of the right to equal opportunities;

20. Calls on the Member States to adopt laws to safeguard and strengthen maternity and paternity rights in order to provide a healthy, stable environment for children in the first months of their lives;

21. Calls on the Member States to implement Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children, and child pornography, and to strengthen the legal ability, technical capabilities and financial resources of law enforcement authorities to increase cooperation, including with Europol, with a view to investigating and dismantling child sex offender networks more effectively, while prioritising the rights and safety of the children involved;

22. Calls for an effective partnership approach and information exchange between law enforcement agencies, judicial authorities, the ICT industry, internet service providers (ISPs), the banking sector and non-governmental organisations, including youth and children's organisations, with a view to ensuring the rights and protection of children online and regarding them as vulnerable persons under the law; calls on the Commission to take the initiative of asking all the Member States to take action to tackle all forms of cyber predation and cyber bullying;

23. Considers that unaccompanied children are particularly vulnerable; calls on the Commission and the Member States to implement Parliament's resolution of 12 September 2013 on the situation of unaccompanied minors in the EU; calls on the Member States to fully implement the Common European Asylum System package in order to improve the condition of unaccompanied minors in the EU; calls on the Member States to take action to end the detention of migrant children across the EU; welcomes the Court of Justice judgment in Case C-648/11 MA, BT, DA v *Secretary of State for the Home Department*, which stated that the Member State responsible for examining an asylum application made in more than one Member State by an unaccompanied minor is the State in which the minor is present after having lodged an application there; recalls that an unaccompanied minor is above all a child who is potentially in danger and that child protection, rather than immigration policies, must be the leading principle for Member States and the EU when dealing with unaccompanied minors, thus respecting the core principle of the best interests of the child;

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24. Calls on all the Member States to implement the standards set out in the UN Convention on the Rights of the Child for children deprived of parental care, and in the UN Guidelines for the Alternative Care of Children; calls on the Commission to use the EU structural funds to support the transition from institutional to community-based services; calls on the Commission, in view of the considerable number of cases alleging that public authorities in some Member States have proceeded with forced adoption without parental consent, to put forward specific measures to ensure that the adoption practices carried out in the Member States are in the best interests of child;

25. Calls on all the Member States to facilitate family reunification in a positive, humane and expeditious manner, in line with Article 10 of the UN Convention on the Rights of the Child;

26. Stresses the need for a more coordinated approach to finding missing children in the EU; calls on the Member States to increase police and judicial cooperation in cross-border cases involving missing children and to develop hotlines to search for missing children and support victims of child abuse; calls on the Member States to facilitate the smooth accession of Morocco, Singapore, the Russian Federation, Albania, Andorra, Seychelles, Gabon and Armenia to the 1980 Hague Convention on the Civil Aspects of International Child Abduction;

27. Calls on the Commission, in revising Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, to take serious note of the best interests of the child, in view of the loopholes in the implementation and enforcement of this regulation in the Member States as regards parental and custody rights;

28. Condemns any form of violence against children, physical, sexual and verbal abuse, forced marriages, child labour, prostitution, trafficking, torture, honour killing, female genital mutilation, the use of child soldiers and of children as human shields, deprivation, neglect and malnutrition; considers that tradition, culture and religion should never be used to justify violence against children; calls on the Member States to uphold their obligations and combat any form of violence against children, including by formally prohibiting and sanctioning corporal punishment against children; calls on the Member States to increase their cooperation and dialogue with third countries, to raise awareness and to advocate for children's rights to be respected everywhere in the world;

29. Condemns the use of children for military and terrorist activities or purposes; recalls the importance of providing psychological support and assistance for all children who have been exposed to violent events or are victims of war; welcomes the EU Children of Peace initiative and underlines the importance of ensuring access to education for children affected by conflicts; calls on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) to support the UN campaign 'Children, not soldiers', aimed at ending the recruitment and use of child soldiers by national security forces by 2016;

30. Calls on the VP/HR to prioritise children's rights in all EU external action so as to ensure the effective mainstreaming of children's rights, including in the context of Human Rights Dialogues, trade agreements, the accession process and the European Neighbourhood Policy, and in relations with the African, Caribbean and Pacific (ACP) Group of States, in particular countries in conflict; calls on the VP/HR to report annually to Parliament on the results achieved with regard to child-focused EU external action;

31. Calls on the Commission to integrate children's rights into development cooperation and into humanitarian aid in order to ensure adequate funding and to increase the level of protection for children affected by emergencies or man-made or natural disasters, internally displaced children and child refugees; underlines the importance of linking relief, rehabilitation and development, especially in protracted crises, and of integrating innovation and new technologies into EU policies and programmes so as to better promote children's rights in development and emergency settings;

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32. Welcomes the fact that the 2014 Nobel Peace Prize was awarded jointly to Kailash Satyarthi and Malala Yousafzai for their commitment to defending children's rights, in particular the right of all children to education; commends the public endorsement by the Sakharov Prize Network of initiatives to raise awareness of violence against children; considers these to be clear demonstrations of the important role played by civil society and international organisations in advocacy and in the promotion and protection of the rights enshrined in the UN Convention on the Rights of the Child;
  33. Underlines the important role played by the social partners and by local authorities in promoting children's rights, and calls on the Committee of the Regions and the European Economic and Social Committee to take action and draft opinions with a view to being fully engaged in the promotion of children's rights across EU policies;
  34. Calls on the EU institutions, the Member States, local authorities, the social partners and civil society to join forces and cooperate at all levels to improve the situation of children in the EU and in the rest of the world; welcomes and supports the Child Rights Manifesto co-authored by UNICEF and 14 organisations promoting children's rights, and encourages more Members of the European Parliament, as well as national parliamentarians, to sign the Manifesto and become 'child rights champions';
  35. Expresses the will to establish an intergroup within the European Parliament on children's rights and well-being, based on the Child Rights Manifesto, as a permanent body responsible for promoting children's rights across all European Parliament policies and activities in the context of both internal and external affairs; supports, therefore, the initiative of appointing 'focal points' for children's rights within each parliamentary committee to ensure the mainstreaming of children's rights in every policy and legislative text adopted;
  36. Considers it important to increase child participation in its parliamentary activities in line with the practices established by the Inter-Parliamentary Union and UNICEF; calls on the Commission, the Member States and local authorities to explore ways and means of increasing children's and adolescents' involvement in the decision-making process; encourages the use of new technologies and innovation to consult children and youth and increase child participation;
  37. Calls on the Member States to ratify without delay all the optional protocols to the UN Convention on the Rights of the Child;
  38. Calls on the Commission and the VP/HR to explore ways and means for the EU to accede unilaterally to the UN Convention on the Rights of the Child;
  39. Encourages the USA, Somalia and South Sudan to ratify the Convention on the Rights of the Child in order to achieve universal ratification;
  40. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, the Committee of the Regions, the European Social and Economic Committee, the UN Secretary-General, the Chair of the UN Committee on the Rights of the Child and the Executive Director of UNICEF.
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P8\_TA(2014)0071

**Digital single market****European Parliament resolution of 27 November 2014 on supporting consumer rights in the digital single market (2014/2973(RSP))**

(2016/C 289/11)

*The European Parliament,*

- having regard to Articles 3(3) and 6 of the Treaty on European Union,
- having regard to Articles 9, 10, 12, 14, 16, 26, 36, 114(3) and 169(1) of the Treaty on the Functioning of the European Union,
- having regard to the Charter of Fundamental Rights of the European Union, in particular to Articles 7, 8, 11, 21, 38 and 52 thereof,
- having regard to codecision procedure 2013/0309 on a proposal for a regulation laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent (COM(2013)0627),
- having regard to the Commission staff working document of 23 April 2013 entitled 'E-commerce Action Plan 2012-2015 — State of play 2013' (SWD(2013)0153),
- having regard to the Commission's Internal Market Scoreboard 26 of 18 February 2013,
- having regard to the Commission's 2014 Digital Agenda Scoreboard reports,
- having regard to the Commission communication of 11 January 2012 entitled 'A coherent framework for building trust in the digital single market for e-commerce and online services' (COM(2011)0942),
- having regard to its resolution of 11 June 2013 on a new agenda for European consumer policy <sup>(1)</sup>,
- having regard to its resolution of 4 February 2014 on the implementation of the Unfair Commercial Practices Directive 2005/29/EC <sup>(2)</sup>,
- having regard to its resolution of 10 December 2013 on unleashing the potential of cloud computing in Europe <sup>(3)</sup>,
- having regard to its resolution of 4 July 2013 on completing the digital single market <sup>(4)</sup>,
- having regard to its resolution of 11 December 2012 on completing the digital single market <sup>(5)</sup>,
- having regard to its resolution of 22 May 2012 on a strategy for strengthening the rights of vulnerable consumers <sup>(6)</sup>,

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<sup>(1)</sup> Texts adopted, P7\_TA(2013)0239.

<sup>(2)</sup> Texts adopted, P7\_TA(2014)0063.

<sup>(3)</sup> Texts adopted, P7\_TA(2013)0535.

<sup>(4)</sup> Texts adopted, P7\_TA(2013)0327.

<sup>(5)</sup> Texts adopted, P7\_TA(2012)0468.

<sup>(6)</sup> OJ C 264 E, 13.9.2013, p. 11.

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- having regard to its resolution of 20 April 2012 on ‘A competitive digital single market — eGovernment as a spearhead’<sup>(1)</sup>,
  - having regard to its resolution of 15 November 2011 on a new strategy for consumer policy<sup>(2)</sup>,
  - having regard to the 2013 study by its Policy Department A on how to build a ubiquitous EU digital society,
  - having regard to the 2013 study by its Policy Department A entitled ‘Entertainment x.0 to boost broadband deployment’,
  - having regard to its recommendation to the Council of 26 March 2009 on strengthening security and fundamental freedoms on the Internet<sup>(3)</sup>,
  - having regard to its resolution of 12 March 2014 on the US NSA surveillance programme, surveillance bodies in various Member States and their impact on EU citizens’ fundamental rights and on transatlantic cooperation in Justice and Home Affairs<sup>(4)</sup>,
  - having regard to the 2013 study by its Policy Department A on discrimination of consumers in the digital single market,
  - having regard to the Court of Justice judgment of 8 April 2014 in Joined Cases C-293/12 and C-594/12, in which the Data Retention Directive was declared invalid,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the digital single market is one of the area of progress which, though entailing challenges, offers potential for high-efficiency gains that could amount to EUR 260 billion per year, thereby contributing to Europe’s recovery from the crisis;
- B. whereas the completion of a European digital single market would create millions of jobs and potentially enable Europe to gain 4 % in GDP by 2020;
- C. whereas the app economy alone is expected to triple its revenue from 2013 to 2018, creating 3 million jobs in the same period;
- D. whereas Parliament has commissioned a study to analyse the Cost of Non-Europe in the Digital Single Market, which reinforces the importance of seeing digital solutions as an opportunity for consumers, citizens and businesses and not as a threat;
- E. whereas the Union needs to foster the mass adoption of cloud computing in Europe, as it constitutes a powerful driver for the growth of the European economy; whereas the study gives evidence of significant expected gains linked to its fast development;
- F. whereas obstacles hindering consumers’ participation in the digital single market relate to discriminatory practices such as the restriction of service providers to certain countries or territories, simple refusal to sell, automatic rerouting, and unjustified diversification of conditions of sale;
- G. whereas secure, efficient, competitive and innovative mobile payments and e payments are crucial if consumers are to enjoy the full benefits of the single market;

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<sup>(1)</sup> OJ C 258 E, 7.9.2013, p. 64.

<sup>(2)</sup> OJ C 153 E, 31.5.2013, p. 25.

<sup>(3)</sup> OJ C 117 E, 6.5.2010, p. 206.

<sup>(4)</sup> Texts adopted, P7\_TA(2014)0230.

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- H. whereas the protection of personal data and of privacy, as well as the cybersecurity and security of electronic communications and networks are a priority in the digital single market, as these are fundamental prerequisites for its functioning and the creation of citizens' and consumers' trust in it;
- I. whereas the trans-European availability of widespread, high-speed and secure fast internet access and digital services in the public interest is essential for social and economic growth, competitiveness, social inclusion and the single market;
- J. whereas research, development and innovation in the digital economy will help ensure that Europe remains competitive in the mid to longer term;
- K. whereas a rapid deployment of high-speed broadband networks is crucial for the development of European productivity and for the emergence of new and small enterprises that can be leaders in different sectors, for example healthcare, manufacturing and the service industries;
- L. whereas the private sector should play the leading role in rolling out and modernising broadband networks, supported by a competitive and investment-friendly regulatory framework;
- M. whereas the digital single market is one of the most innovative sectors of the economy and is therefore playing a major role in the competitiveness of the European economy and contributing to economic growth through the development of e-commerce, while also facilitating the administrative and financial compliance of businesses and presenting consumers with a wider choice of goods and services;
- N. whereas the digital single market not only offers economic benefits but also has a profound impact on the daily political, social and cultural life of EU consumers and citizens;
- O. whereas a competitive digital single market cannot exist without fast, higher-capacity broadband and telecommunications networks across all EU regions, including remote areas;
- P. whereas the existing and steadily widening digital divide is having a direct negative impact on the development of the digital single market, in terms of both access to the internet and e-skills;
- Q. whereas the protection of personal data and of privacy and the security of electronic communications and networks are a priority in the digital single market, as these are fundamental prerequisites for its functioning and the securing of citizens' and consumers' trust in it;
- R. whereas online markets need to be both flexible and consumer-friendly if they are to grow and expand;
- S. whereas e-commerce is an important complement to offline trade and a major driver of consumer choice, competition and technological innovation, and thus contributes to the European Union's convergence into a knowledge-driven economy;
- T. whereas unfettered competition and a level playing field for companies, which will foster investment, are vital to this sector of the economy as they will ensure its long-term sustainable development to the benefit of end-users; whereas effective competition is a good driver of efficient investment and can provide benefits for consumers in terms of choice, price and quality;



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- U. whereas in some areas of the digital single market there are vulnerabilities brought about by excessive market concentration and dominant operators;
- V. whereas the challenge of market fragmentation and lack of interoperability in the European Union is an obstacle to the rapid development of the digital single market;
- W. whereas employment created through the digital single market is, on average, highly skilled and remunerated and, as such, is an important contribution to the creation of quality and sustainable employment;
- X. whereas the Commission should guard against antitrust behaviour affecting media plurality, in terms of both content provision and ownership, as access to information is key to a thriving democracy;
1. Calls on the Member States and the Commission, through sustained efforts of implementation of existing rules and enforcement of these rules, as part of an overarching strategy, to address all existing barriers that are hindering the development of the digital single market, while making sure that measures are impact-assessed, future-proof and fit for the digital age; believes that these efforts need to be at the heart of the EU's efforts to generate economic growth and employment and strengthen its competitiveness and resilience within the global economy;
  2. Stresses that any legislative proposal related to the digital single market must comply with the EU Charter of Fundamental Rights, so that rights enshrined therein are fully protected in the digital domain;
  3. Highlights, in particular, the potential of e-commerce, which, it is estimated, could save consumers more than EUR 11,7 billion a year if they could choose from the full range of EU goods and services when shopping online;
  4. While welcoming the growth of e-commerce, notes the dominant position in some Member States of only a few actors in the direct sale of physical goods or as a market-based platform for others to sell physical goods; stresses the need at European level to monitor and prevent the abuse of such dominant positions in terms of the availability of goods to consumers and the charges required of SMEs for using such market-based platforms;
  5. Stresses the need to tackle and combat the digital divide in order to fully grasp the potential of the digital single market and to enable the inclusion of all citizens, regardless of their income, social situation, geographical location, health or age, in society in the digital era;
  6. Notes, in particular, the need to address the obstacles which remain for consumers and businesses regarding e-commerce, including online services, access to digital content, fraud prevention, website registrations, sales promotions and labelling;
  7. Calls on the Commission to ensure the swift implementation of the single market for services and to ensure the implementation and enforcement of rules such as the Consumer Rights Directive, alternative dispute resolution and online dispute resolution, while ensuring the reduction of administrative burdens;
  8. Calls for the swift adoption of the new modernised Data Protection Package in order to provide an appropriate balance between a high level of protection of personal data, user safety and control over one's personal data and a stable, predictable legislative environment in which businesses can flourish in an enhanced single market for the benefit of end-users, a level playing field fostering investment, and an environment contributing to the attractiveness of the EU as a destination for businesses; calls on the Commission and the Member States to allocate the necessary resources to fight cybercrime by means of legislative measures and law enforcement cooperation, at both national and EU level;



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9. Stresses the need to ensure a level playing field for companies operating in the digital single market in order for them to be able to compete; calls, therefore, on the Commission to properly enforce EU competition rules in order to prevent excessive market concentration and abuse of dominant position and to monitor competition with regard to bundled content and services;
10. Notes that a level playing field for companies in the digital single market must be ensured in order to guarantee a vibrant digital economy in the EU; stresses that a thorough enforcement of EU competition rules in the digital single market will be determinant for the growth of the market, consumer access and choice and competitiveness in the long term; highlights the importance of affording consumers the same protection online as they enjoy in their traditional markets;
11. Urges the Council to make swift progress and open negotiations with Parliament on the proposal for a regulation laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, as this would, concretely, put an end to roaming charges inside the EU, provide more legal certainty as regards net neutrality, and improve consumer protection inside the digital single market; believes that this regulation could constitute a crucial step towards realising a single European mobile market;
12. Considers that the Commission should act to create and ensure a legislative and legally certain environment conducive to encouraging creativity and innovation for start-ups, micro-enterprises and SMEs;
13. Asks the Commission to put forward an initiative for digital entrepreneurship, since this is critical for the creation of new jobs and innovative ideas, including measures to improve access to finance for new digital entrepreneurs (for instance through crowdsourcing) and encourage second chances for failed entrepreneurs;
14. Stresses that all internet traffic should be treated equally, without discrimination, restriction or interference, irrespective of its sender, receiver, type, content, device, service or application;
15. Notes that the online search market is of particular importance in ensuring competitive conditions within the digital single market, given the potential development of search engines into gatekeepers and the possibility they have of commercialising secondary exploitation of information obtained; calls, therefore, on the Commission to enforce EU competition rules decisively, based on input from all relevant stakeholders and taking into account the entire structure of the digital single market in order to ensure remedies that truly benefit consumers, internet users and online businesses; calls, furthermore, on the Commission to consider proposals aimed at unbundling search engines from other commercial services as one potential long-term means of achieving the aforementioned aims;
16. Furthermore calls on the Commission to act quickly to consider potential solutions tending towards a balanced, fair and open internet search structure;
17. Stresses that, when operating search engines for users, the search process and results should be unbiased in order to keep internet searches non-discriminatory, to ensure more competition and choice for users and consumers and to maintain the diversity of sources of information; notes, therefore, that indexation, evaluation, presentation and ranking by search engines must be unbiased and transparent; calls on the Commission to prevent any abuse in the marketing of interlinked services by search engine operators;
18. Welcomes the announcement of further investigations by the Commission into search engine practices and the digital market in general;

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19. Stresses the importance of ensuring an efficient and balanced framework for the protection of copyright and intellectual property rights, geared to the reality of the digital economy;
  20. Encourages swift adoption and enactment of international provisions facilitating access of disabled users to digital content and to printed works through their digitisation;
  21. Welcomes the conclusion of the Marrakesh Treaty to facilitate access for the visually impaired to books, and encourages all signatories to ratify the Treaty; believes that the Marrakesh Treaty represents a good step forward, but that much work remains to be done in order to open up access to content for people with disabilities, in addition to those affected by visual impairment; highlights the importance of further enhancing accessibility across a broad spectrum of areas, from copyright and search engines to telecommunications operators;
  22. Calls on the Commission and the Member States to further develop and implement EU and national regulatory frameworks in order to allow an integrated and secure online and mobile payments market, while ensuring the protection of consumers and customer data; underlines, in this connection, the need for clear and predictable rules, set out in legislation;
  23. Recalls that cloud computing can become a powerful instrument for the development of the digital single market, and can offer economic benefits, particularly for SMEs, by reducing IT infrastructure and other costs; highlights in this connection the fact that, if cloud services are provided only by a limited number of large providers, an increasing amount of information will be aggregated in the hands of those providers; recalls, furthermore, that cloud computing also entails risks for users, in particular as regards sensitive data; calls for proper implementation of the European strategy to guarantee competitive and secure cloud computing;
  24. Calls on the Commission to take the lead in promoting international standards and specifications for cloud computing, which enable privacy-friendly, reliable, accessible, highly interoperable, secure and energy-efficient cloud services as an integral part of a future Union industrial policy; stresses that reliability, security and protection of data are needed for consumer confidence and competitiveness;
  25. Underlines the need to ensure internet safety online, in particular for children, and to prevent child exploitation by ensuring that means are in place to detect and eradicate illegal child abuse images on the internet and by enabling means to prevent children and adolescents accessing age-restricted content;
  26. Instructs its President to forward this resolution to the Council and the Commission.
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P8\_TA(2014)0072

**Child malnutrition in developing countries****European Parliament resolution of 27 November 2014 on child undernutrition and malnutrition in developing countries (2014/2853(RSP))**

(2016/C 289/12)

*The European Parliament,*

- having regard to the Universal Declaration of Human Rights of 1948, in particular Article 25 thereof, which recognises the right to food as part of the right to an adequate standard of living,
- having regard to the International Covenant on Economic, Social and Cultural Rights, in particular Article 11 thereof, which recognises the right to ‘an adequate standard of living [...], including adequate food’ and the ‘fundamental right [...] to be free from hunger’,
- having regard to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, adopted in 2008, which makes the right to food enforceable at the international level,
- having regard to the UN Convention on the Rights of the Child, in particular Articles 24(2)(c) and 27(3) thereof,
- having regard to the Declaration on World Food Security adopted at the World Food Summit convened by the UN Food and Agriculture Organisation (FAO) in Rome in 1996,
- having regard to the Right to Food Guidelines, adopted in 2004 by the FAO, which offer guidance to states on how to implement their obligations as regards the right to food,
- having regard to the Millennium Development Goals, in particular Goals 1 (to eradicate extreme poverty and hunger by 2015) and 4 (to reduce child mortality),
- having regard to the Food Assistance Convention, adopted in 2012,
- having regard to the global and synthesis reports of the UN International Assessment of Agricultural Knowledge, Science and Technology for Development, which were published in 2009 <sup>(1)</sup>,
- having regard to the 2009 report of the UN Children’s Fund (UNICEF) on world food shortages affecting children,
- having regard to the report by the UN Special Rapporteur on the Right to Food entitled ‘Agroecology and the Right to Food’, which was presented at the 16th session of the UN Human Rights Council on 8 March 2011,
- having regard to Expo Milano 2015, the theme of which will be ‘Feeding the Planet, Energy for Life’,
- having regard to the Commission communication of 31 March 2010 entitled ‘Humanitarian Food Assistance’ (COM(2010)0126),
- having regard to the Commission communication of 31 March 2010 entitled ‘An EU policy framework to assist developing countries in addressing food security challenges’ (COM(2010)0127),

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<sup>(1)</sup> <http://www.unep.org/dewa/Assessments/Ecosystems/IAASTD/tabid/105853/Default.aspx>

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- having regard to the Commission communication of 3 October 2012 entitled ‘The EU approach to resilience: Learning from food security crises’ (COM(2012)0586),
  - having regard to the Commission communication of 12 March 2013 entitled ‘Enhancing Maternal and Child Nutrition in External Assistance: an EU Policy Framework’ (COM(2013)0141),
  - having regard to its resolution of 27 September 2011 on an EU policy framework to assist developing countries in addressing food security challenges <sup>(1)</sup>,
  - having regard to its resolution of 11 December 2013 on ‘the EU approach to resilience and disaster risk reduction in developing countries: learning from food security crises’ <sup>(2)</sup>,
  - having regard to the question to the Commission on child malnutrition in developing countries (O-000083/2014 — B8-0041/2014),
  - having regard to the motion for a resolution of the Committee on Development,
  - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas close to a billion people are still suffering from hunger, and whereas at least 225 million of the world’s children under the age of five are suffering from acute and chronic undernutrition or from stunted growth as a result of chronic child and maternal undernutrition, with an estimated 2,6 million of such children dying every year in developing countries;
- B. whereas, according to the Global Hidden Hunger Indices and Maps <sup>(3)</sup>, an estimated 2 billion people globally, or one out of three people in developing countries, are suffering from chronic deficiency of essential vitamins and minerals (micronutrients), a condition known as ‘hidden hunger’, which drastically increases their susceptibility to birth defects, infection and compromised development;
- C. whereas, according to the World Health Organisation (WHO), undernutrition is by far the biggest contributor to child mortality and causes 35 % of the disease burden in children under the age of five;
- D. whereas almost 20 million children are still suffering from severe acute malnutrition in both emergency and non-emergency contexts, and whereas only 10 % of them have access to treatment;
- E. whereas the nutrition of children aged five or younger depends a great deal on their mothers’ nutrition levels during pregnancy and breastfeeding;
- F. whereas undernutrition is also a cause of morbidity and loss of productivity, and impedes social and economic development in developing countries;
- G. whereas those who survive undernutrition often suffer lifelong physical and cognitive deficiencies that limit their ability to learn and to enter the world of work, leaving them trapped in an intergenerational cycle of disease and poverty;

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<sup>(1)</sup> OJ C 56 E, 26.2.2013, p. 75.

<sup>(2)</sup> Texts adopted, P7\_TA(2013)0578.

<sup>(3)</sup> Global Hidden Hunger Indices and Maps: An Advocacy Tool for Action

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- H. whereas, owing to the effects of climate change on agricultural production and hence on nutrition, the number of undernourished children is expected to increase;
- I. whereas one important cause of hunger in developing countries is massive rural and urban poverty, exacerbated by rural migration, which is triggered by the fact that for many people small-scale farming is not a viable option;
- J. whereas 25 years after the adoption of the Convention on the Rights of the Child, some of the States Parties have not been able to create an enabling environment in which children's access to adequate food can be secured;
- K. whereas at the 1996 World Food Summit governments reaffirmed the right to food and committed themselves to halving the number of hungry and malnourished people from 840 million to 420 million by 2015; whereas, however, the number of hungry and malnourished people, especially children, has increased in recent years, primarily as a result of the food crises of 2008 and 2011;
- L. whereas various international legal instruments link the right to food to other human rights, including the rights to life, livelihood, health, property, education and water;
- M. whereas the right of all to food and good nutrition is paramount to achieving the Millennium Development Goals (MDGs); whereas nutrition is linked to most, if not all, of the MDGs, which are themselves closely interrelated;
- N. whereas international organisations confirm that there is sufficient food production to feed the whole of the world's population and that child undernutrition is linked to food insecurity and poverty of households, exclusion, inadequate care and feeding practices, unhealthy household environments and inadequate health services;
- O. whereas the right to food and good nutrition is essential in order to build resilient families and communities and enhance their ability to reduce long recovery periods after an emergency, in a context characterised by an increase in the number and scale of disasters;
- P. whereas optimal nutritional status results when children have access to affordable, diverse, nutrient-rich food, and also to appropriate maternal and childcare practices, adequate health services and a healthy environment, including safe water, sanitation and good hygiene practices;
1. Points out that the causes of child undernutrition are numerous, and that most of them are man-made and therefore avoidable, including inefficient economic structures, unequal distribution and/or unsustainable use of resources, poor governance, over-reliance on individual crops and monocultural cropping practices, discrimination against women and children, and ill-health caused by deficient health systems, together with lack of education, especially for mothers;
  2. Insists that public authorities must guarantee the three dimensions of the right to food and good nutrition: availability, meaning that it is possible either to feed oneself directly from productive land or other natural resources, or to establish well-functioning distribution, processing and market systems; accessibility, meaning that both economic and physical access to food is guaranteed; and adequacy, meaning that food must be safe and satisfy the dietary needs of every individual, taking into account age, living conditions, health, occupation, sex, culture and religion;

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3. Underlines the fact that, from a life-cycle perspective, the most crucial time to meet a child's nutritional requirements is in the first 1 000 days of life, including the period of pregnancy, as this is when the child has increased nutritional needs in order to support rapid growth and development, is more susceptible to infections and is totally dependent on others for nutrition, care and social interaction;
4. Reaffirms that addressing child and maternal undernutrition requires an integrated approach and coordinated action in a number of sectors which influence undernutrition, such as health, education, agriculture, water, energy access and sanitation, together with the responsible involvement of all stakeholders, and calls on the Commission and the Member States to adopt consistent long-term development strategies and to make efforts to reduce undernutrition, including in the context of emergency situations and humanitarian intervention;
5. Calls for the EU to increase the support provided by its development aid programmes for sustainable smallholder, peasant and medium-scale agriculture production for — primarily — local consumption, and to invest in participatory, nationally led plans, which should be implemented at a local level in cooperation with farmers and their representatives, local and regional authorities and civil society organisations;
6. Commends the improvements made over the last few years in the fight against child undernutrition, as demonstrated by the indicators of progress in achieving MDG1; considers, however, that the number of children dying or suffering from undernutrition remains unacceptably high and contributes to maintaining the vicious circle of poverty and hunger;
7. Stresses, therefore, that the fight against child undernutrition and the provision of universal access to adequate nutritious food should remain one of the most important targets of the post-2015 agenda under the goal of ending hunger, with a specific call to end all forms of malnutrition by 2030 and to achieve, by 2025, the internationally agreed targets on stunting and wasting in children under the age of five;
8. Considers that the reduction of funds for agriculture under the 10th European Development Fund (EDF) as compared with the 9th EDF was a mistake; exhorts the Council, therefore, to reflect on this and to take corrective action with a view to the 11th EDF;
9. Stresses the importance of political will in addressing undernutrition; welcomes the Road Map for Scaling-Up Nutrition (SUN) developed by the UN Standing Committee on Nutrition (UNSCN) to accelerate nutrition improvement, particularly in high-burden countries, with the participation of various stakeholders, including those UN agencies with a mandate in the area of nutrition; calls on the Commission and the Member States to implement the principles outlined in the SUN road map; urges the Commission to encourage and orchestrate participation in the SUN initiative by civil society and grassroots organisations with direct links to small farmers and their families;
10. Welcomes the Commission's commitment to investing EUR 3,5 billion between 2014 and 2020 in improving nutrition in some of the world's poorest countries, and calls on the Commission to scale up its commitments as regards nutrition-specific interventions in order to meet its objective of reducing by 7 million the number of stunted children under the age of five by 2025;
11. Stresses that women play a crucial role in child nutrition and food security by breastfeeding, by producing, buying, preparing and distributing family food, by caring for children and the sick, and by ensuring proper hygiene; points out that although 60 % of chronic hunger affects women and girls, women produce 60-80 % of the food in developing countries;

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12. Underlines the fact that women, although responsible for approximately 80 % of farming in Africa, formally own as little as 2 % of the land; further points out that recent programmes in India, Kenya, Honduras, Ghana, Nicaragua and Nepal have found that female-headed households have greater food security, better health care and a stronger focus on education than male-headed households;

13. Stresses that there is a close correlation between a woman's level of education and the nutritional status of her family; urges, therefore, that the gender barriers to education and literacy be removed in order to give women greater access to education;

14. Calls, therefore, for inclusion of the gender dimension and promotion of women's empowerment in all policies aimed at fighting child undernutrition;

15. Stresses that undernutrition among pregnant women has devastating effects on newborns, which are likely to irreversibly handicap the child's future development; calls, therefore, for particular attention to be paid to the protection of women's health and rights and for nutritional training to be an integral part of education programmes and school curricula for girls;

16. Reaffirms the importance of literacy as a powerful tool for fighting poverty and enhancing economic development; stresses, therefore, the importance of supporting girls' education, as investing in girls improves the chances for both them and their future children to lead healthier and more productive lives;

17. Stresses that child undernutrition is found mostly in developing countries, not only among rural populations but also in urban settings; takes the view, therefore, that one of the key vectors for the eradication of child hunger lies in agricultural policies and reforms aimed at enabling small-scale farmers to produce more effectively and sustainably in order to ensure sufficient food for themselves and their families;

18. Emphasises that failure to address child undernutrition in a timely manner in both development cooperation and humanitarian intervention is likely to threaten all dimensions of human development, to undermine national education programmes, to burden national health expenditure and to hamper the socioeconomic development of developing countries, causing them economic losses that have been estimated at 2-8 % of their GDP;

19. Recalls that micronutrient deficiencies, which account for approximately 7 % of the global disease burden, have grave consequences for physical and cognitive development in infants and young children; highlights the fact that in the 20 countries with the highest Hidden Hunger Index scores (18 of which are in sub-Saharan Africa and two — India and Afghanistan — in Asia), stunting, iron-deficiency anaemia and vitamin A deficiency are highly prevalent among preschool children;

20. Points out that child undernutrition originates not only from shortage of food and lack of infrastructure but also from problems of food distribution, inadequate access to food and lack of purchasing power, particularly in the face of high food prices exacerbated by speculation on commodities; notes that lack of purchasing power particularly affects the urban poor, who are unable to produce their own food; stresses, in this connection, the importance of protecting small farmers and traditional farming methods;

21. Calls on the Commission to involve the Member States that have acceded to Expo 2015 to launch a joint initiative taking as its point of departure 'Feeding the Planet, Energy for Life', with a view to securing commitments and binding targets for combating hunger and undernutrition, alongside diversified strategies in areas ranging from agriculture to cooperation;

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22. Recognises that improvements in child and maternal nutrition, and in food security in general, will require effective and coordinated action in respect of a number of policies and sectors, including: effective and sustainable rural development, land- and water-use policies; appropriate health, safe water and sanitation services; appropriate maternal and childcare practices; the protection of marine life and other ecosystems and biodiversity; deforestation and climate change mitigation; adaptation and disaster-risk reduction; sustainable production and consumption; sustainable and secure access to energy; trade; fisheries; social inclusion; and decent employment;
  23. Calls on the Commission and the Member States to mainstream nutrition, food safety and sustainable agriculture in all their development policies with a view to protecting and promoting nutrition and ensuring a holistic approach from the local to the global level; invites the Council and the Commission, as appropriate, to prioritise nutrition as a key development goal in development cooperation instruments, notably the 11th EDF and the new Development Cooperation Instrument;
  24. Stresses that, in order to be more effective, development and emergency programmes need to be closely linked so as to anticipate and prevent food crises, help reduce the damage caused and facilitate recovery;
  25. Calls on the governments of developing countries to create an enabling environment for better child nutrition through improved policies, coordination between national plans and strategies relating to nutrition and donors' programmes, governance, and accountability to their citizens; encourages greater transparency in developing countries' budgets, for example via budget tracking, so as to be able to better assess the number and quality of projects addressing malnutrition;
  26. Highlights the need for improved and coordinated data on undernutrition and micronutrient deficiency in order to better assist intervention programmes and to provide targeted and informed support to the countries concerned;
  27. Calls on the Commission and the Member States to mobilise long-term financial investments and resources for nutrition in cooperation with actors including UN agencies, the G8/G20, emerging countries, international and non-governmental organisations, academic institutions, civil society organisations and the private sector, and to identify nutrition as a priority for innovative financing;
  28. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, and the United Nations Standing Committee on Nutrition.
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## III

*(Preparatory acts)*

## EUROPEAN PARLIAMENT

P8\_TA(2014)0054

**Protocol on Matters specific to Railway Rolling Stock \*\*\***

**European Parliament legislative resolution of 25 November 2014 on the draft Council decision on the approval, on behalf of the European Union, of the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Railway Rolling Stock, adopted in Luxembourg on 23 February 2007 (15113/2013 — C8-0004/2014 — 2013/0184(NLE))**

**(Consent)**

(2016/C 289/13)

*The European Parliament,*

- having regard to the draft Council decision (15113/2013),
  - having regard to the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Railway Rolling Stock, adopted in Luxembourg on 23 February 2007 <sup>(1)</sup>,
  - having regard to the request for consent submitted by the Council in accordance with Article 81(2) and Article 218(6), second subparagraph, point (a)(v), of the Treaty on the Functioning of the European Union (C8-0004/2014),
  - having regard to Rule 99(1), first and third subparagraphs, Rule 99(2), and Rule 108(7) of its Rules of Procedure,
  - having regard to the recommendation of the Committee on Legal Affairs (A8-0030/2014),
1. Gives its consent to the approval 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.

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<sup>(1)</sup> OJ L 331, 16.12.2009, p. 5.

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P8\_TA(2014)0055

### **Hague Convention of 30 June 2005 on Choice of Court Agreements \*\*\***

**European Parliament legislative resolution of 25 November 2014 on the draft Council decision on the approval, on behalf of the European Union, of the Hague Convention of 30 June 2005 on Choice of Court Agreements (12052/2014 — C8-0222/2014 — 2014/0021(NLE))**

**(Consent)**

(2016/C 289/14)

*The European Parliament,*

- having regard to the draft Council decision (12052/2014),
  - having regard to the Hague Convention of 30 June 2005 on Choice of Court Agreements <sup>(1)</sup>,
  - having regard to the request for consent submitted by the Council in accordance with Article 81(2) and Article 218(6), second subparagraph, point (a)(v), of the Treaty on the Functioning of the European Union (C8-0222/2014),
  - having regard to Rule 99(1), first and third subparagraphs, Rule 99(2), and Rule 108(7) of its Rules of Procedure,
  - having regard to the recommendation of the Committee on Legal Affairs (A8-0034/2014),
1. Gives its consent to the approval of the Convention;
  2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and to the Permanent Bureau of the Hague Conference on Private International Law.

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<sup>(1)</sup> OJ L 133, 29.5.2009, p. 3.

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P8\_TA(2014)0056

**Mobilisation of the European Globalisation Adjustment Fund: application EGF/2014/008 FI/STX Rauma — Finland**

**European Parliament resolution of 25 November 2014 on the proposal for a decision of the European Parliament and of the Council on the mobilisation of the European Globalisation Adjustment Fund, in accordance with point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2014/008 FI/STX Rauma, from Finland) (COM(2014)0630 — C8-0214/2014 — 2014/2137(BUD))**

(2016/C 289/15)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0630 — C8-0214/2014),
  - having regard to Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 <sup>(1)</sup> (EGF Regulation),
  - having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(2)</sup>, and in particular Article 12 thereof,
  - having regard to the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management <sup>(3)</sup> (IIA of 2 December 2013), and in particular point 13 thereof,
  - having regard to the trilogue procedure provided for in point 13 of the IIA of 2 December 2013,
  - having regard to the letter of the Committee on Employment and Social Affairs,
  - having regard to the letter of the Committee on Regional Development,
  - having regard to the report of the Committee on Budgets (A8-0043/2014),
- A. whereas the Union has set up legislative and budgetary instruments to provide additional support to workers who are suffering from the consequences of major structural changes in world trade patterns and to assist their reintegration into the labour market,
- B. whereas the Union's financial assistance to workers made redundant should be dynamic and made available as quickly and efficiently as possible, in accordance with the Joint Declaration of the European Parliament, the Council and the Commission adopted during the conciliation meeting on 17 July 2008, and having due regard to the IIA of 2 December 2013 in respect of the adoption of decisions to mobilise the European Globalisation Adjustment Fund (EGF),

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 855.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 884.

<sup>(3)</sup> OJ C 373, 20.12.2013, p. 1.

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- C. whereas the adoption of the EGF Regulation reflects the agreement reached between the European Parliament and the Council to reintroduce the crisis mobilisation criterion, to increase Union financial contribution to 60 % of the total estimated cost of the proposed measures, to increase efficiency for the treatment of EGF applications in the Commission and by the Parliament and the Council by shortening the time for assessment and approval, to widen the range of eligible actions and beneficiaries by introducing self-employed persons and young people and to finance incentives for setting up own businesses,
- D. whereas the Finnish authorities submitted application EGF/2014/008 FI/STX Rauma on 27 May 2014 following the dismissal of 577 workers in STX Finland Oy, an enterprise which operated in the economic sector classified under NACE Rev. 2 division 30 ('Manufacture of other transport equipment'),
- E. whereas the application fulfils the eligibility criteria laid down in the EGF Regulation,
1. Notes that the Finnish authorities submitted the application under the intervention criterion of Article 4(1)(a) of the EGF Regulation, which requires at least 500 workers being made redundant or self-employed persons' activity ceasing, over a reference period of four months in an enterprise in a Member State, including workers made redundant or self-employed persons' activity ceasing in its suppliers and downstream producers;
  2. Notes that the Finnish authorities submitted the application for EGF financial contribution on 27 May 2014, and that its assessment was made available by the Commission on 14 October 2014; welcomes the speedy evaluation period of less than five months;
  3. Notes that the Finnish authorities argue that the global maritime industry has changed dramatically in recent years and that, in this global context, the EU market share in shipbuilding <sup>(1)</sup> has plummeted from 13 % in 2007 to 5 % in the first three quarters of 2013, while the equivalent share of China, South Korea and Japan combined increased from 77 % in 2007 to 86 % in the first three quarters of 2013; notes that, in addition to this significant expansion by Asia in the shipbuilding market, reduced orders resulting from the economic crisis pushed the European sector into global overcapacity leading to tough competition;
  4. Agrees that these factors are linked to major structural changes in world trade patterns due to globalisation and that the intervention criteria set out in Article 4(1)(a) of the EGF Regulation are met and that, therefore, Finland is entitled to a financial contribution under that Regulation;
  5. Notes that, to date, the shipbuilding sector in broad terms has been the subject of six EGF applications, with one based on trade related globalisation and the other five on the global financial and economic crisis; considers that restructuring in the sector may alleviate the difficulties and that the shipbuilding industry in the different Member States could be supported by guidelines from a European perspective;
  6. Notes that these redundancies will further aggravate the unemployment situation in Southwest Finland, as most of the dismissed workers have a poor standard of education in combination with relatively advanced age, which is likely to increase the risk of prolonged unemployment; is all the more concerned about the effects of this closure on the region as the shipyard and metal industry constitute core economic activities and have historic tradition, making the transition to new economic activities all the more difficult;
  7. Notes that in addition to the 577 redundancies within the reference period, 57 workers dismissed after the reference period of four months are also included in the number of eligible beneficiaries, which amounts in total to 634 persons; of which the number of targeted beneficiaries of the EGF measures is 565;
  8. Notes that the estimated total costs amount to EUR 2 378 000, of which EUR 113 000 is dedicated to implementation, and that the financial contribution of the EGF amounts to EUR 1 426 800, which represents 60 % of the total costs;

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<sup>(1)</sup> measured by production volume.

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9. Welcomes the fact that, in order to provide workers with speedy assistance, the Finnish authorities decided to initiate the implementation of the personalised services to the affected workers on 15 January 2014, ahead of the final decision on granting the EGF support for the proposed coordinated package and even of the application for a financial contribution from the EGF;

10. Notes that the Finnish authorities have indicated that the coordinated package of personalised services has been drawn up in consultation with the social partners concerned as well as various other stakeholders and welcomes that consultations continue in the form of a working group convened by the Ministry of Employment and the Economy specifically to address the redundancies at STX Finland;

11. Notes that the personalised services which are to be provided consist of the following three types of measures for the redundant workers covered by this application: (i) helping them transfer to a new job, (ii) helping them start their own business, and (iii) providing training or education;

12. Welcomes the establishment of Service Points amongst the proposed actions; appreciates that these points are expected to provide an even more personal and in-depth service than the public employment office;

13. Notes that a high proportion (41,42 %) of the dismissed workers are between the age of 55 and 64 years; further notes that this age group is at a higher risk of prolonged unemployment and exclusion from the labour market; considers therefore that these workers may have specific needs when it comes to providing them with personalised services;

14. Welcomes especially the measure entitled "Enterprise survey", by which a survey of jobs in the Rauma region is to be carried out together with businesses and industries in Rauma, so as to produce up-to-date information on enterprises' personnel needs and to steer the targeted workers in the right direction and provide them with the necessary training;

15. Welcomes the idea that those planning to start a business can experience what it is like to be an entrepreneur by means of a placement in an existing enterprise; notes the potential added value of starting a business after being made redundant for the persons in question and for society as a whole;

16. Notes that the purpose of the pay subsidies is to ensure that targeted workers hired by new employers do not lose out in the first period of their new employment; considers that such measure could serve as an incentive to searching and engaging in a broader spectrum of new and unfamiliar jobs for the workers;

17. Recalls that, in line with Article 7 of the EGF Regulation, the design of the coordinated package of personalised services should anticipate future labour market perspectives and required skills and should be compatible with the shift towards a resource-efficient and sustainable economy;

18. Calls for the European Social Fund (ESF) measures planned within the new ESF programming period to complement the measures proposed and to facilitate the worker's reintegration in future-oriented and sustainable economic sectors;

19. Recalls that employability depends also on the level of integration in society and therefore calls for special attention to be put on the older and less qualified workers' social accompaniment;

20. Welcomes that the principles of equality of treatment and non-discrimination will be respected in the access to the proposed actions and their implementation;

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21. Approves the decision annexed to this resolution;
22. Instructs its President to sign the decision with the President of the Council and arrange for its publication in the *Official Journal of the European Union*;
23. Instructs its President to forward this resolution, including its annex, to the Council and the Commission.

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ANNEX

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on the mobilisation of the European Globalisation Adjustment Fund, in accordance with point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2014/008 FI/STX Rauma, from Finland)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision 2014/878/EU.)*

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P8\_TA(2014)0057

**Mobilisation of the European Globalisation Adjustment Fund: application EGF/2014/005 FR/GAD — France**

**European Parliament resolution of 25 November 2014 on the proposal for a decision of the European Parliament and of the Council on the mobilisation of the European Globalisation Adjustment Fund, in accordance with point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2014/005 FR/GAD, from France) (COM(2014)0662 — C8-0226/2014 — 2014/2166 (BUD))**

(2016/C 289/16)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0662 — C8-0226/2014),
  - having regard to Regulation (EU) No 1309/2013 of the European Parliament and of the Council of 17 December 2013 on the European Globalisation Adjustment Fund (2014-2020) and repealing Regulation (EC) No 1927/2006 <sup>(1)</sup> (EGF Regulation),
  - having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(2)</sup>, and in particular Article 12 thereof,
  - having regard to the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management <sup>(3)</sup> (IIA of 2 December 2013), and in particular point 13 thereof,
  - having regard to the trilogue procedure provided for in point 13 of the IIA of 2 December 2013,
  - having regard to the letter of the Committee on Employment and Social Affairs,
  - having regard to the letter of the Committee on Regional Development,
  - having regard to the report of the Committee on Budgets (A8-0044/2014),
- A. whereas the Union has set up legislative and budgetary instruments to provide additional support to workers who are suffering from the consequences of major structural changes in world trade patterns or the global financial and economic crisis and to assist their reintegration into the labour market,
- B. whereas the Union's financial assistance to workers made redundant should be dynamic and made available as quickly and efficiently as possible, in accordance with the Joint Declaration of the European Parliament, the Council and the Commission adopted during the conciliation meeting on 17 July 2008, and having due regard to the IIA of 2 December 2013 in respect of the adoption of decisions to mobilise the European Globalisation Adjustment Fund (EGF),

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 855.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 884.

<sup>(3)</sup> OJ C 373, 20.12.2013, p. 1.

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- C. whereas the adoption of the EGF Regulation reflects the agreement reached between the Parliament and the Council to reintroduce the crisis mobilisation criterion, to increase Union financial contribution to 60 % of the total estimated cost of proposed measures, to increase efficiency for the treatment of EGF applications in the Commission and by the Parliament and the Council by shortening time for assessment and approval, to widen the range of eligible actions and beneficiaries by introducing self-employed persons and young people and to finance incentives for setting up own businesses,
- D. whereas the French authorities submitted application EGF/2014/005 FR/GAD on 6 June 2014 following the dismissal of 744 workers in GAD société anonyme simplifiée, an enterprise which operated in the economic sector classified under NACE Rev. 2 division 10 ('Manufacture of food products'),
- E. whereas the application fulfils the eligibility criteria set up by the EGF Regulation,
- F. whereas the local authorities in the Bretagne region were not involved in setting up the personalised services (Cellule de reclassement) to the affected workers, even though they are in charge of vocational training; whereas the local trade union representatives of the main sites concerned were not associated with the negotiation of the measures;
1. Notes that the French authorities submitted the application under the intervention criterion set out in Article 4(1)(a) of the EGF Regulation, which requires at least 500 workers being made redundant or self-employed persons' activity ceasing, over a reference period of four months in an enterprise in a Member State, including workers made redundant or self-employed persons' activity ceasing in its suppliers and downstream producers;
2. Agrees with the Commission that the intervention criteria set out in Article 4(1)(a) of the EGF Regulation are met and that, therefore, France is entitled to a financial contribution under that Regulation;
3. Notes that the French authorities submitted the application for EGF financial contribution on 6 June 2014, and that its assessment was made available by the Commission on 24 October 2014; welcomes the Commission's compliance with the tight deadline of 12 weeks laid down in the EGF Regulation;
4. Notes that the French authorities argue that GAD, as an abattoir and meat processing enterprise, was caught in the vice between two sets of price pressures, that of farmers struggling to cope with the increased price of feed and that of consumers struggling to cope with reduced income;
5. Agrees that reduced pig meat consumption in the wake of increased prices and lower purchasing power of consumers is linked to the global financial and economic crisis addressed in Regulation (EC) No 546/2009 <sup>(1)</sup>;
6. Takes the view that the increase of prices for pig feed, which the Union mostly imports from other continents recently plagued by droughts, could be attributed to globalisation;
7. Believes that other factors played an important role in the company's difficulties, such as unfair competition within the internal market from competitors making an abusive use of the Posting of Workers Directive <sup>(2)</sup> and the absence of a decent minimum wage in all Members States;
8. Calls on the Commission to ensure a level playing field within the internal market and the consistency of its legislation and instruments;

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<sup>(1)</sup> Regulation (EC) No 546/2009 of the European Parliament and of the Council of 18 June 2009 amending Regulation (EC) No 1927/2006 on establishing the European Globalisation Adjustment Fund (OJ L 167, 29.6.2009, p. 26).

<sup>(2)</sup> Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services (OJ L 18, 21.1.1997, p. 1).



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9. Concludes that the factors accounting for the financial difficulties of GAD are diverse, but nevertheless agrees that France is entitled to EGF financial contribution;

10. Notes that, to date, the 'Manufacture of food products' sector has been the subject of one other EGF application <sup>(1)</sup>, also based on the global financial and economic crisis;

11. Notes that these redundancies will aggravate the unemployment situation in Bretagne, as employment in this region is dependent on the agro-agricultural sector to a higher extent than the average in France (11 % in Bretagne as opposed to 5 % on average in France);

12. Notes that, in addition to the 744 redundancies within the reference period, 16 workers dismissed after the reference period of four months are also included in the number of eligible beneficiaries, which amounts in total to 760 persons, the number of targeted beneficiaries of the EGF measures also being 760;

13. Notes that the estimated total costs amount to EUR 1 530 000, out of which EUR 30 000 is dedicated to implementation, and that the financial contribution from the EGF amounts to EUR 918 000, which represents 60 % of the total costs;

14. Welcomes the fact that, in order to provide workers with speedy assistance, the French authorities decided to initiate the implementation of the personalised services to the affected workers on 3 January 2014, ahead of the final decision on granting the EGF support for the proposed coordinated package and even of the application for a financial contribution from the EGF;

15. Notes that the French authorities have indicated that the coordinated package of personalised services has been drawn up after the Central Enterprise Committee of GAD had been informed on 28 June 2013 that it was planned to cut 889 jobs in the enterprise;

16. Regrets, however, the insufficient involvement of local political authorities and trade unions; suggests, in the framework of a future review of the EGF Regulation, the inclusion of a formal consultation with the local political authorities and trade unions in the file containing the mobilisation request submitted by national authorities to the Commission; deems it necessary to better integrate the EGF to the reconversion programmes and processes of local economic fabrics;

17. Welcomes that the workers are already being supported with various measures helping them to find new jobs, and that, by 20 May 2014, 108 of them had already found contracts for more than six months and another 66 for less than six months, while three had started their own businesses and almost all of them had opted to remain within the region;

18. Regrets that the personalised services which are to be provided consist of only one action, to be implemented by a one-stop-shop (Cellule de reclassement) which is run by two contracting agencies; notes that France requests only the funding of this one-stop-shop from the EGF; expresses its concerns with regard to the low amount of funds per worker (approximately EUR 1 200); calls on the French authorities to propose a more ambitious programme including a wider range of measures, such as a reception centre and casework, external experts guidance, thematic workshops, training, training allowances and grants for business creation, in its programmed EGF application for the remaining closing sites of GAD;

19. Expects the Commission and the French authorities to strictly follow the principle according to which payments to the agencies will be made by instalment and on the basis of results achieved;

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<sup>(1)</sup> EGF/2014/001 EL/Nutriart, which relates to bakery products.

Tuesday 25 November 2014

20. Considers that the monitoring of the activity of the agencies by means of regular written reports ensures the appropriate use of the funds to provide participants a personalised career path, sufficient number of job offers and mentoring for business creation within the framework of the one-stop-shop system;
21. Recalls that the funds have to help the workers and not, in any case, support the agencies;
22. Welcomes that the contracted agencies are paid according to a scale defined on the basis of the results achieved;
23. Notes that 17,50 % of the dismissed workers are aged between 55 and 64 years; notes furthermore that this age group is at a higher risk of prolonged unemployment and exclusion from the labour market; considers, therefore, that these workers may have specific needs when it comes to providing them with personalised services;
24. Welcomes that the principles of equality of treatment and non-discrimination will be respected in the access to the proposed actions and their implementation;
25. Recalls that, in line with Article 7 of the EGF Regulation, the design of the coordinated package of personalised services should anticipate future labour market perspectives and required skills and should be compatible with the shift towards a resource-efficient and sustainable economy;
26. Notes that the French authorities did not request funding for preparatory activities, management and information and publicity;
27. Approves the decision annexed to this resolution;
28. Instructs its President to sign the decision with the President of the Council and arrange for its publication in the *Official Journal of the European Union*;
29. Instructs its President to forward this resolution, including its annex, to the Council and the Commission.

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ANNEX

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**on the mobilisation of the European Globalisation Adjustment Fund, in accordance with point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2014/005 FR/GAD, from France)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision 2014/876/EU.)*

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Wednesday 26 November 2014

P8\_TA(2014)0061

**Collection of statistical information by the European Central Bank \***

**European Parliament legislative resolution of 26 November 2014 on the draft Council regulation amending Regulation (EC) No 2533/98 concerning the collection of statistical information by the European Central Bank (11200/2014 — C8-0109/2014 — 2014/0808(CNS))**

(Consultation)

(2016/C 289/17)

The European Parliament,

- having regard to the recommendation of the European Central Bank (11200/2014 –ECB/2014/13),
  - having regard to Article 129(4) of the Treaty on the Functioning of the European Union, and Articles 5.4 and 41 of the Statute of the European System of Central Banks and of the European Central Bank, pursuant to which the Council consulted Parliament (C8-0109/2014),
  - having regard to the Memorandum of Understanding on the cooperation between the Members of the European Statistical System and the Members of the European System of Central Banks of 24 April 2013,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Economic and Monetary Affairs (A8-0027/2014),
1. Approves the draft proposed in the recommendation of the European Central Bank as amended;
  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 draft proposed in the recommendation of the European Central Bank;
  4. Instructs its President to forward its position to the Council, the European Central Bank and the Commission.

**Amendment 1****Draft regulation****Article 1 — point - 1 — point 1 (new)**

Regulation (EC) No 2533/98

Article 3 — paragraph 1 — point c

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*Present text*


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*Amendment*

(c) may fully or partly exempt specific classes of reporting agents from its statistical reporting requirements.

**1. In the first paragraph of Article 3, point (c) is replaced by the following:**

**‘(c) may fully or partly exempt specific classes of reporting agents from its statistical reporting requirements. *Any exemption of specific classes of reporting agents shall be in the form of a motivated written decision. That decision shall be made public;***’

Wednesday 26 November 2014

### Amendment 2

#### Draft regulation

#### Article 1 — point - 1 — point 2 (new)

Regulation (EC) No 2533/98

Article 3 — paragraph 1 — point d (new)

*Draft of the European Central Bank*

*Amendment*

2. ***In the first paragraph of Article 3, the following point is added:***

***‘(d) shall take into account relevant provisions in Union legislation on market coverage and the scope of data collection.’***

### Amendment 3

#### Draft regulation

#### Article 1 — point - 1 — point 3 (new)

Regulation (EC) No 2533/98

Article 3 — paragraph 1a (new)

*Draft of the European Central Bank*

*Amendment*

3. ***In Article 3, the following paragraph is inserted after the first paragraph:***

***‘Economic agents may be allowed to submit information through their regular reporting channel.’***

### Amendment 4

#### Draft regulation

#### Article 1 — point - 1a — point 1 (new)

Regulation (EC) No 2533/98

Article 5 — paragraph 1

*Present text*

*Amendment*

1. The ECB may adopt regulations for the definition and imposition of its statistical reporting requirements on the actual reporting population of participating Member States.

1. ***Article 5(1) is replaced by the following:***

***‘1. The ECB may adopt regulations for the definition and imposition of its statistical reporting requirements on the actual reporting population of participating Member States. The ECB shall respect the principle of proportionality in the definition and imposition of statistical reporting requirements.’***

Wednesday 26 November 2014

**Amendment 5****Draft regulation****Article 1 — point - 1b — point 1 (new)**

Regulation (EC) No 2533/98

Article 6 — paragraph 1 — introductory part

*Present text**Amendment*

1. If a reporting agent residing in a participating Member State is suspected of an infringement, as set out in Article 7(2), of the ECB's statistical reporting requirements, the ECB and, in accordance with Article 5.2 of the Statute, the national central bank of the participating Member State concerned shall have the right to verify the accuracy and quality of the statistical information and to carry out its compulsory collection. However, should the statistical information concerned be necessary in order to demonstrate compliance with minimum reserve requirements, the verification should be carried out in accordance with Article 6 of Council Regulation (EC) No 2531/98 of 23 November 1998 concerning the application of minimum reserves by the European Central Bank (10). The right to verify statistical information or to carry out compulsory collection thereof shall comprise the right to:

**1. In Article 6(1), the introductory part is replaced by the following:**

'1. If a reporting agent residing in a participating Member State is suspected of an infringement, as set out in Article 7(2), of the ECB's statistical reporting requirements, the ECB and, in accordance with Article 5.2 of the Statute, the national central bank of the participating Member State concerned shall have the right to verify the accuracy and quality of the statistical information and to carry out its compulsory collection. However, should the statistical information concerned be necessary in order to demonstrate compliance with minimum reserve requirements, the verification should be carried out in accordance with Article 6 of Council Regulation (EC) No 2531/98 of 23 November 1998 concerning the application of minimum reserves by the European Central Bank (10). The right to verify statistical information or to carry out compulsory collection thereof shall comprise **in particular** the right to:'

**Amendment 6****Draft regulation****Article 1 — point - 1b — point 2 (new)**

Regulation (EC) No 2533/98

Article 6 — paragraph 1 — point b

*Present text**Amendment*

(b) examine the books and records of the reporting agents;

**2. In Article 6(1), point (b) is replaced by the following:**

'(b) examine the books and records of the reporting agents, **including raw data;**'

Wednesday 26 November 2014

**Amendment 7**

**Draft regulation**

**Article 1 — point - 1c — point 1 (new)**

Regulation (EC) No 2533/98

Article 7 — paragraph 2 — point b

*Present text*

*Amendment*

**1. In Article 7(2), point (b) is replaced by the following:**

(b) the statistical information is incorrect, incomplete or in a form not complying with the requirement.

‘(b) the statistical information is **falsified, manipulated**, incorrect, incomplete or in a form not complying with the requirement.’

**Amendment 8**

**Draft regulation**

**Article 1 — point - 1c — point 2 (new)**

Regulation (EC) No 2533/98

Article 7 — paragraph 3

*Present text*

*Amendment*

**2. Article 7(3) is replaced by the following:**

3. The obligation to allow the ECB and the national central banks to verify the accuracy and quality of the statistical information submitted by reporting agents to the ECB or national central bank shall be deemed to have been infringed whenever a reporting agent obstructs this activity. Such obstruction includes, but is not limited to, the removal of documents and prevention of physical access by the ECB or the national central bank which is necessary for them to carry out their verification task or compulsory collection.

‘3. The obligation to allow the ECB and the national central banks to verify the accuracy and quality of the statistical information submitted by reporting agents to the ECB or national central bank shall be deemed to have been infringed whenever a reporting agent obstructs this activity. Such obstruction includes, but is not limited to, the **falsification and/or** removal of documents and prevention of physical access by the ECB or the national central bank which is necessary for them to carry out their verification task or compulsory collection.’

Wednesday 26 November 2014

**Amendment 9****Draft regulation****Article 1 — point - 1c — point 3 (new)**

Regulation (EC) No 2533/98

Article 7 — paragraph 6

*Present text**Amendment***3. Article 7(6) is replaced by the following:**

6. In exercising the powers provided for in this Article, the ECB shall act in accordance with the principles and procedures as set out in Regulation (EC) No 2532/98.

‘6. In exercising the powers provided for in this Article, the ECB shall act in accordance with the principles and procedures as set out in Regulation (EC) No 2532/98 **and in Regulation (EU) No 1024/2013.**’

**Amendment 10****Draft regulation****Article 1 — point 2**

Regulation (EC) No 2533/98

Article 8 — paragraph 4 — point a

*Draft of the European Central Bank**Amendment*

‘(a) to the extent and at the level of detail necessary for the performance of tasks of the ESCB referred to in the Treaty or tasks in the field of prudential supervision conferred on the **members of the ESCB**; or’

‘(a) to the extent and at the level of detail necessary for the performance of tasks of the ESCB referred to in the Treaty or tasks in the field of prudential supervision conferred on the **ECB**; or’

Wednesday 26 November 2014

**Amendment 11**

**Draft regulation**

**Article 1 — point 3a (new)**

Regulation (EC) No 2533/98

Article 8 — paragraph 4b (new)

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*Draft of the European Central Bank*

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*Amendment*

**3a. The following paragraph is inserted:**

**‘4b. Within their respective spheres of competence, the authorities or bodies of the Member States and of the Union responsible for the supervision of financial institutions, markets and infrastructures or the stability of the financial system in accordance with Union or national law, to which confidential statistical information is transmitted in accordance with paragraph 4a, shall take all necessary regulatory, administrative, technical and organisational measures to ensure the physical and logical protection of confidential statistical information. The Member States shall ensure that any confidential statistical information which is transmitted to the ESM in accordance with paragraph 4a is subject to all necessary regulatory, administrative, technical and organisational measures to ensure the physical and logical protection of confidential statistical information.’**

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Wednesday 26 November 2014

P8\_TA(2014)0062

## The powers of the European Central Bank to impose sanctions \*

European Parliament legislative resolution of 26 November 2014 on the draft Council regulation amending Regulation (EC) No 2532/98 concerning the powers of the European Central Bank to impose sanctions (10896/2014 — C8-0090/2014 — 2014/0807(CNS))

(Consultation)

(2016/C 289/18)

The European Parliament,

- having regard to the recommendation of the European Central Bank (10896/2014 –ECB/2014/19),
  - having regard to Articles 129(4) and 132(3) of the Treaty on the Functioning of the European Union, and Articles 34.3 and 41 of the Statute of the European System of Central Banks and of the European Central Bank, pursuant to which the Council consulted Parliament (C8-0090/2014),
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Economic and Monetary Affairs (A8-0028/2014),
1. Approves the draft proposed in the recommendation of the European Central Bank as amended;
  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 draft proposed in the recommendation of the European Central Bank;
  4. Instructs its President to forward its position to the Council, the European Central Bank and the Commission.

### Amendment 1

#### Draft regulation

##### Recital 6

*Draft of the European Central Bank*

- (6) The ECB should publish decisions imposing administrative pecuniary penalties for breaches of directly applicable Union law and sanctions for breaches of ECB regulations or decisions, both in the supervisory and non-supervisory fields, **unless such** publication would be disproportionate, considering the degree of severity of the administrative pecuniary penalty or sanction imposed on an undertaking, **or jeopardise the stability of financial markets.**

*Amendment*

- (6) The ECB should **as a general rule** publish **without undue delay** decisions imposing administrative pecuniary penalties for breaches of directly applicable Union law and sanctions for breaches of ECB regulations or decisions, both in the supervisory and non-supervisory fields. **Where the ECB deems that immediate publication of a decision would jeopardise the stability of financial markets or** be disproportionate, considering the degree of severity of the administrative pecuniary penalty or sanction imposed on an undertaking, **it should have the discretion to delay the publication of the decision until three years after the date on which the decision was taken, or until all legal means of appeal have been exhausted. Upon request the ECB should hold confidential oral discussions behind closed doors with the Chair and Vice-Chairs of the competent committee of the European Parliament concerning such cases. The ECB should provide a justification for the delay in an annex to the published decision.**

Wednesday 26 November 2014

**Amendment 2**  
**Draft regulation**  
**Recital 6 a (new)**

*Draft of the European Central Bank*

*Amendment*

- (6a) **Article 1 of Regulation (EU) No 1024/2013 states that the ECB shall act with full regard and duty of care for the unity and integrity of the internal market based on equal treatment of credit institutions with a view to preventing regulatory arbitrage and that no action, proposal or policy of the ECB shall, directly or indirectly, discriminate against any Member State or group of Member States as a venue for the provision of banking or financial services in any currency. In this regard, the ECB should act with a view to preventing a comparative advantage that promotes unfair competition.**

**Amendment 3**  
**Draft regulation**  
**Recital 9**

*Draft of the European Central Bank*

*Amendment*

- (9) Article 25 of Regulation (EU) No 1024/2013 lays down the principle of separation, whereby the ECB carries out the tasks conferred on it by Regulation (EU) No 1024/2013 without prejudice to and separately from its tasks relating to monetary policy and any other tasks. In order to bolster this principle of separation, a Supervisory Board has been established pursuant to Article 26, which, inter alia, is responsible for preparing draft decisions for the Governing Council of the ECB in the supervisory field. In addition, the decisions taken by the Governing Council of the ECB are, under the conditions laid down in Article 24 thereof, subject to review by the Administrative Board of Review. Taking account of the principle of separation and the establishment of the Supervisory Board and the Administrative Board of Review, two distinct procedures should apply: (a) where the ECB contemplates the imposition of administrative penalties in the exercise of its supervisory tasks, decisions to this effect are taken by the Governing Council of the ECB based on a complete draft decision from the Supervisory Board and subject to review by the Administrative Board of Review; and (b) where the ECB contemplates the imposition of sanctions in the exercise of its non-supervisory tasks, decisions to this effect are taken by the Executive Board of the ECB and subject to review by the Governing Council of the ECB.

- (9) Article 25 of Regulation (EU) No 1024/2013 lays down the principle of separation, whereby the ECB carries out the tasks conferred on it by Regulation (EU) No 1024/2013 without prejudice to and separately from its tasks relating to monetary policy and any other tasks. **In order to avoid conflicts of interest, this principle is to be followed without restriction in all tasks carried out by the ECB.** In order to bolster this principle of separation, a Supervisory Board has been established pursuant to Article 26, which, inter alia, is responsible for preparing draft decisions for the Governing Council of the ECB in the supervisory field. In addition, the decisions taken by the Governing Council of the ECB are, under the conditions laid down in Article 24 thereof, subject to review by the Administrative Board of Review. Taking account of the principle of separation and the establishment of the Supervisory Board and the Administrative Board of Review, two distinct procedures should apply: (a) where the ECB contemplates the imposition of administrative penalties in the exercise of its supervisory tasks, decisions to this effect are taken by the Governing Council of the ECB based on a complete draft decision from the Supervisory Board and subject to review by the Administrative Board of Review; and (b) where the ECB contemplates the imposition of sanctions in the exercise of its non-supervisory tasks, decisions to this effect are taken by the Executive Board of the ECB and subject to review by the Governing Council of the ECB.

Wednesday 26 November 2014

**Amendment 4**  
**Draft regulation**  
**Recital 10 a (new)**

Draft of the European Central Bank

Amendment

(10a) *In light of the globalisation of banking services and the increased importance of international standards, the ECB should, in association with the competent authorities of participating Member States, establish a regular dialogue with supervisors outside the Union to foster international coordination and to agree on shared principles in the imposition and enforcement of sanctions. The dialogue should include a common understanding on the implications of diverging sanctions policies on market access and competition, and should aim to improve the international level playing field.*

**Amendment 5**  
**Draft regulation**  
**Article 1 — point 1 — point a**  
Regulation (EC) No 2532/98  
Article 1 — point 6

Draft of the European Central Bank

Amendment

'periodic penalty payments' shall mean amounts of money which, in the case of a continued infringement, an undertaking is obliged to pay either as a punishment, or with a view to forcing the persons concerned to comply with the ECB supervisory regulations and decisions. Periodic penalty payments shall be calculated for each day of continued infringement (a) following notification of the undertaking of a decision requiring the termination of such an infringement in accordance with the procedure laid down in the second subparagraph of Article 3(1); or (b) when the continued infringement falls under the scope of Article 18(7) of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the ECB concerning policies relating to the prudential supervision of credit institutions (\*) in accordance with the procedure laid down in Article 4b of this Regulation;

(\*) OJ L 287, 29.10.2013, p. 63.

(6) 'periodic penalty payments' shall mean amounts of money which, in the case of a continued infringement, an undertaking is obliged to pay either as a punishment, or with a view to forcing the persons concerned to comply with the ECB supervisory regulations and decisions. Periodic penalty payments shall be calculated for each **complete** day of continued infringement (a) following notification of the undertaking of a decision requiring the termination of such an infringement in accordance with the procedure laid down in the second subparagraph of Article 3(1); or (b) when the continued infringement falls under the scope of Article 18(7) of Council Regulation (EU) No 1024/2013 of 15 October 2013 conferring specific tasks on the ECB concerning policies relating to the prudential supervision of credit institutions (\*) in accordance with the procedure laid down in Article 4b of this Regulation;

(\*) OJ L 287, 29.10.2013, p. 63.

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**Amendment 6****Draft regulation****Article 1 — point 2**

Regulation (EC) No 2532/98

Article 1a — paragraph 3

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*Draft of the European Central Bank*

3. The ECB **may** publish any decision imposing on an undertaking administrative pecuniary penalties for breaches of directly applicable Union law and sanctions for breaches of ECB regulations or decisions, both in the supervisory and non-supervisory fields, **whether such decision has been appealed or not**. The ECB shall carry out **such** publication in accordance with relevant Union law, irrespective of any national law or regulation and, where relevant Union law is composed of Directives, of any national legislation transposing those Directives.

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*Amendment*

3. **After notification to the undertaking concerned, the ECB shall, according to a transparent procedure and rules which it shall make public, publish, as a general rule without undue delay, any decision imposing on an undertaking administrative pecuniary penalties for breaches of directly applicable Union law and sanctions for breaches of ECB regulations or decisions, both in the supervisory and non-supervisory fields, provided that all legal means of appeal against such a decision have been exhausted. Where the ECB considers that immediate publication of a decision would jeopardise the stability of financial markets or be disproportionate considering the degree of severity of the administrative pecuniary penalty or sanction imposed on an undertaking, it shall have the discretion to delay the publication of the decision until three years after the date on which the decision was taken. Upon request the ECB shall hold confidential oral discussions behind closed doors with the Chair and Vice-Chairs of the competent committee of the European Parliament concerning such cases. The ECB shall provide a justification for the delay in an annex to the published decision.** The ECB shall carry out publication **in the cases and** in accordance with **the conditions set out in** relevant Union law, irrespective of any national law or regulation and, where relevant Union law is composed of Directives, of any national legislation transposing those Directives.

**Amendment 7****Draft regulation****Article 1 — point 2**

Regulation (EC) No 2532/98

Article 1a — paragraph 3 a (new)

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*Draft of the European Central Bank*

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*Amendment*

3a. **Without prejudice to their other specific competences derived from national law, the competent national authorities shall remain competent to impose administrative penalties but shall impose such penalties on credit institutions directly supervised by the ECB only where the ECB requires them to initiate proceedings for that purpose.**

Wednesday 26 November 2014

**Amendment 15****Draft regulation****Article 1 — point 4 — point a a (new)**

Regulation (EC) No 2532/98

Article 3 — paragraph 9

*Present Text**Amendment***(aa) paragraph 9 is replaced by the following:**

9. The proceeds from sanctions imposed by the ECB shall belong to the ECB.

'9. The proceeds from sanctions imposed by the ECB shall belong to the ECB. **The proceeds from sanctions imposed by the ECB in the exercise of its supervisory tasks, including the collection of statistical information, shall belong to the Single Resolution Fund.**;

**Amendment 8****Draft regulation****Article 1 — point 4 — point b**

Regulation (EC) No 2532/98

Article 3 — paragraph 10

*Draft of the European Central Bank**Amendment*

If an infringement relates exclusively to a task entrusted to the ESCB or the ECB under the Treaty and the Statute of the ESCB, an infringement procedure may be initiated only on the basis of this Regulation, irrespective of the existence of any national law or regulation which may provide for a separate procedure. If an infringement also relates to one or more areas outside the competence of the ESCB or the ECB, the right to initiate an infringement procedure on the basis of this Regulation shall be independent of any right of a competent national authority to initiate separate procedures in relation to such areas outside the competence of the ESCB or the ECB. This provision shall be without prejudice to the application of criminal law and of national law relating to prudential supervisory competencies in participating Member States, in accordance with Council Regulation (EU) No 1024/2013.

10. If an infringement relates exclusively to a task entrusted to the ESCB or the ECB under the Treaty and the Statute of the ESCB, an infringement procedure may be initiated only on the basis of this Regulation, irrespective of the existence of any national law or regulation which may provide for a separate procedure. If an infringement also relates to one or more areas outside the competence of the ESCB or the ECB, the right to initiate an infringement procedure on the basis of this Regulation shall be independent of any right of a competent national authority to initiate separate procedures in relation to such areas outside the competence of the ESCB or the ECB. This provision shall be without prejudice to the application of criminal law and of national law relating to prudential supervisory competencies in participating Member States, in accordance with Council Regulation (EU) No 1024/2013. **Furthermore, the proceeds accruing from the sanctions referred to in Article 2 of this Regulation shall remain at the disposal of the ECB provided that it specifies a purpose for those proceeds other than financing current expenditure, and provided that it reports on their use to the European Parliament and the Court of Auditors.**

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### Amendment 9

#### Draft regulation

#### Article 1 — point 4 a (new)

Regulation (EC) No 2532/98

Article 4 — paragraph 1

Present text

Amendment

#### 4a. Article 4(1) is replaced by the following:

1. The right to take the decision to initiate an infringement procedure, as provided for in this Regulation, shall expire one year after the existence of the alleged infringement **first** became known either to the ECB or to the national central bank of the Member State in whose jurisdiction the alleged infringement occurred and, in any case, **five** years after the infringement **occurred**, or in the case of a continued infringement, **five** years after the infringement was terminated.

'1. The right to take the decision to initiate an infringement procedure, as provided for in this Regulation, shall expire one year after the existence of the alleged infringement became known either to the ECB or to the national central bank of the Member State in whose jurisdiction the alleged infringement occurred and, in any case, **three** years after the **date on which the decision to initiate an infringement procedure was taken** or, in the case of a continued infringement, **three** years after the infringement was terminated.'

### Amendment 10

#### Draft regulation

#### Article 1 — point 5

Regulation (EC) No 2532/98

Article 4c — paragraph 1

Draft of the European Central Bank

Amendment

1. By way of derogation from Article 4, the right to take a decision to impose an administrative penalty, with regard to infringements relating to relevant directly applicable acts of Union law as well as to decisions and regulations adopted by the ECB in the exercise of its supervisory tasks, shall expire five years after the infringement **occurred** or, in the case of a continued infringement, five years after the infringement ceased.

1. By way of derogation from Article 4, the right to take a decision to impose an administrative penalty, with regard to infringements relating to relevant directly applicable acts of Union law as well as to decisions and regulations adopted by the ECB in the exercise of its supervisory tasks, shall expire five years after the **date on which the decision to initiate an infringement procedure was taken** or, in the case of a continued infringement, five years after the infringement ceased.

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**Amendment 11****Draft regulation****Article 1 — point 5**

Regulation (EC) No 2532/98

Article 4c — paragraph 2

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*Draft of the European Central Bank*

2. Any action taken by the ECB for the purposes of the investigation or proceedings with respect to an infringement shall cause the time limit laid down in paragraph 1 to be interrupted. The limitation period shall be interrupted with effect from the date on which the action is notified to the supervised entity concerned. Each interruption shall cause the time limit to recommence. However, the time limit shall not exceed a period of **ten** years after the infringement **occurred** or, in the case of a continued infringement, **ten** years after the infringement ceased.

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*Amendment*

2. Any action taken by the ECB for the purposes of the investigation or proceedings with respect to an infringement shall cause the time limit laid down in paragraph 1 to be interrupted. The limitation period shall be interrupted with effect from the date on which the action is notified to the supervised entity concerned. Each interruption shall cause the time limit to recommence. However, the time limit shall not exceed a period of **seven** years after the **date on which the decision to initiate an infringement procedure was taken** or, in the case of a continued infringement, **seven** years after the infringement ceased.

**Amendment 12****Draft regulation****Article 1 — point 5**

Regulation (EC) No 2532/98

Article 4c — paragraph 4 a (new)

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*Draft of the European Central Bank*

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*Amendment*

**4a. Actions which interrupt the running of the limitation period shall include in particular the following:**

- (a) a written request for information by the ECB or by a competent national authority of a Member State;**
- (b) written authorisations to conduct inspections issued to officials by the ECB or a competent national authority of a Member State;**
- (c) the initiation of proceedings for infringement by a competent national authority of a Member State.**

Wednesday 26 November 2014

**Amendment 13**

**Draft regulation**

**Article 1 — point 5 a (new)**

Regulation (EC) No 2532/98

Article 5

Present text

Amendment

Article 5

Judicial review

*The Court of Justice of the European Communities shall have unlimited jurisdiction within the meaning of Article 172 of the Treaty over the review of final decisions whereby a sanction is imposed.*

**5a. Article 5 is replaced by the following:**

'Article 5

Judicial review

*As stated in Article 263 of the Treaty on the Functioning of the European Union, the Court of Justice of the European Union shall have unlimited jurisdiction over the review of final decisions whereby a sanction is imposed.'*

**Amendment 14**

**Draft regulation**

**Article 1 — point 5 b (new)**

Regulation (EC) No 2532/98

Article 6 a (new)

Draft of the European Central Bank

Amendment

**5b. The following Article is inserted:**

'Article 6a

*International Dialogue*

*Pursuant to Article 8 of Regulation (EU) No 1024/2013 the ECB shall establish a regular dialogue with supervisory authorities outside the Union to work towards a coherent application of sanctions and sanction mechanisms on the international level.'*



Thursday 27 November 2014

P8\_TA(2014)0067

**Non-objection to a delegated act: provisional system of instalments on contributions to cover the administrative expenditures of the Single Resolution Board during the provisional period****European Parliament decision of 27 November 2014 to raise no objections to the Commission delegated regulation of 8 October 2014 on the provisional system of instalments on contributions to cover the administrative expenditures of the Single Resolution Board during the provisional period (C(2014)7164 — 2014/2882(DEA))**

(2016/C 289/19)

*The European Parliament,*

- having regard to the Commission delegated regulation of 8 October 2014 (C(2014)7164),
  - having regard to the Commission's letter of 23 October 2014 asking Parliament to declare that it will raise no objections to the delegated regulation,
  - having regard to the letter of 4 November 2014 from the Committee on Economic and Monetary Affairs to the Chair of the Conference of Committee Chairs,
  - having regard to Article 290 of the Treaty on the Functioning of the European Union,
  - having regard to Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010<sup>(1)</sup>, and in particular points (a), (b) and (c) of Article 65(5) thereof,
  - having regard to the recommendation for a decision by the Committee on Economic and Monetary Affairs,
  - having regard to Rule 105(6) of its Rules of Procedure,
- A. whereas Article 42 of Regulation (EU) No 806/2014 (the SRM Regulation) provides for the establishment of the Single Resolution Board (the Board) as of 19 August 2014 in the form of a European Union agency;
- B. whereas Article 98 of the SRM Regulation requires the Board to be fully operational as of 1 January 2015;
- C. whereas the Board is to have an autonomous budget which is not part of the Union budget and is to be financed through contributions from the banking sector, in particular contributions for the administrative expenditures of the Board to be paid by the credit institutions, parent undertakings, investment firms and financial institutions that are covered by the SRM Regulation;
- D. whereas Article 65(5) of the SRM Regulation empowers the Commission to adopt delegated acts on contributions in order to determine the type and the calculation of contributions, and in particular the annual contributions necessary to cover the administrative expenditure of the Board before it becomes fully operational;
- E. whereas the Commission adopted on 8 October 2014, in line with the aforementioned empowerment, the Commission delegated regulation on the provisional system of instalments on contributions to cover the administrative expenditures of the Single Resolution Board during the provisional period;

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<sup>(1)</sup> OJ L 225, 30.7.2014, p. 1.

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- F. whereas this delegated regulation may enter into force at the end of the scrutiny period of Parliament and the Council only if no objection has been expressed by either Parliament or the Council or if, before the expiry of that period, both Parliament and the Council have informed the Commission that they will not object; whereas the scrutiny period has been set, pursuant to Article 93(6) of the SRM Regulation, at three months from the date of notification, i.e. until 8 January 2015, and may be extended by a further three months;
- G. whereas, in order for the Board to be functioning smoothly by 1 January 2015, the latter will need to have its funding arrangements in place as soon as possible, and in any event before 1 January 2015, thus allowing it to cover the first administrative expenditures (staff remuneration, infrastructure, administrative and operational expenses) from own resources;
- H. whereas the aforementioned delegated regulation should therefore enter into force in 2014, before the expiry of the scrutiny period referred to in recital F;
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.
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