

# Official Journal of the European Union

# C 349



English edition

## Information and Notices

Volume 60

17 October 2017

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Sittings of 5 to 8 October 2015

*The Minutes of this session have been published in OJ C 408, 4.11.2016.*

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*The Minutes of this session have been published in OJ C 414, 10.11.2016.*

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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.

**EUROPEAN PARLIAMENT**

2015-2016 SESSION

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TEXTS ADOPTED

Tuesday, October 6, 2015

I

(Resolutions, recommendations and opinions)

RESOLUTIONS

EUROPEAN PARLIAMENT

P8\_TA(2015)0331

**Possible extension of geographical indication protection of the EU to non-agricultural products**

**European Parliament resolution of 6 October 2015 on the possible extension of geographical indication protection of the European Union to non-agricultural products (2015/2053(INI))**

(2017/C 349/01)

*The European Parliament,*

- having regard to the World Trade Organisation (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS),
- having regard to the Commission Green Paper entitled ‘Making the most out of Europe’s know-how: a possible extension of geographical indication protection of the European Union to non-agricultural products’ (COM(2014)0469),
- having regard to Regulation (EU) No 1151/2012<sup>(1)</sup> on agricultural products and foodstuffs, the ‘Quality Regulation’,
- having regard to Regulation (EU) No 1308/2013<sup>(2)</sup> on wine or vine products, the ‘Single CMO Regulation’,
- having regard to Regulation (EC) No 110/2008<sup>(3)</sup> on spirit drinks,
- having regard to Regulation (EU) No 251/2014<sup>(4)</sup> on aromatised wine products,
- having regard to the opinion of the Committee of the Regions of 12 February 2015,
- having regard to the opinion of the European Economic and Social Committee of 18 February 2015,
- having regard to the case-law of the Court of Justice of the European Union regarding geographical indications;
- having regard to the Geneva Act to the Lisbon Agreement for the Protection of Appellations of Origin of 31 October 1958, revised in Stockholm on 14 July 1967 and 28 September 1979, regarding intellectual property and guaranteeing the protection of products marketed internationally and widely reputed for the characteristics of their specific geographical area of origin,

<sup>(1)</sup> OJ L 343, 14.12.2012, p. 1.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(3)</sup> OJ L 39, 13.2.2008, p. 16.

<sup>(4)</sup> OJ L 84, 20.3.2014, p. 14.



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- having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs and the opinions of the Committee on the Internal Market and Consumer Protection, the Committee on International Trade, and the Committee on Culture and Education (A8-0259/2015),
- A. whereas agricultural products of a specific geographical origin which have certain qualities or are made according to traditional methods may be afforded EU-wide unitary geographical indication (GI) protection;
- B. whereas the WTO defines geographical indications as ‘indications which identify a good as originating in the territory of a [WTO] Member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin’;
- C. whereas high-quality traditional European products based on traditional know-how and techniques form part of the EU’s cultural heritage, and are an essential element to be preserved within the economy and society of many of Europe’s regions, in that they generate activities directly linked to local ways of life, especially in rural areas, and help increase the overall attractiveness of an area, preserve local identities and promote their distinctiveness, with benefits for tourism, culture, employment and trade;
- D. whereas such products could help develop new strategies to support entrepreneurship at local and regional level and promote the maintenance of infrastructure and the development of new, skilled employment with links to local areas, with particular reference to rural areas, depressed areas and the most marginal regions, in many of which employment is dependent on typical locally-made products, imparting a fresh impetus to vocational and craft training closely connected to the development of localities and production areas, while also conserving and promoting the unique and diverse heritage of each region;
- E. recalls that non-agricultural products are an integral part of our identity and are an important element of the Member States’ cultural heritage; emphasises that one of the main challenges faced by this sector is the gradual extinction of traditional skills and crafts, and that the GI protection of non-agricultural products could function as an incentive to preserve this cultural heritage and traditional know-how, and also to guarantee fair remuneration for producers and the originality and widest possible availability of these products;
- F. whereas the reputation of a geographical indication is an intangible common asset which if not protected may be used freely and without restriction, causing its value to fall and even leading to the loss of the product itself;
- G. whereas geographical indications can have great economic potential, and affording them proper protection can bring significant benefits, especially for SMEs and EU regions;
- H. whereas Europe’s regions can boast a wealth of non-agricultural products resting on a very high standard of traditional skills and handicrafts that have helped build their reputation and represent an integral part of the regional and local culture;
- I. whereas public authorities should protect, foster (when so requested by the private sector), and promote European traditional quality products and their geographical indications;
- J. whereas the quality, reputation and other characteristics of a product can be determined by its origin; whereas certain practices involving the misuse of names can seriously damage a product’s reputation as determined by its origin;
- K. whereas because traditional European products are of high quality, and are consequently sought after, their names are open to misuse, to the detriment of both consumers and producers;

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- L. whereas proper Europe-wide protection of the geographical indications used to designate non-agricultural products, watching over and monitoring their use and fighting fraud, could help stamp out counterfeiting, avoid unfair competition, and prevent consumers from being deceived;
- M. whereas consumers are showing a growing interest not just in product safety, but also in the origins of products, their authenticity and the methods by which they are produced;
- N. whereas consumers should be able to make informed choices when purchasing goods by being able to identify the origin and quality of the products;
- O. whereas the national laws currently protecting non-agricultural products give rise to different degrees of protection in Member States, which is not in conformity with the aims of the internal market, and is causing difficulties for their effective protection in Europe and in Member States where they are not covered by national legislation, thus pointing up the need for a single system for the protection of geographical indications throughout the EU;
- P. whereas harmonised European legislation could only benefit the EU in international trade negotiations;
- Q. whereas the lack of a unitary EU system for the protection of geographical indications relating to non-agricultural products creates an inadequate and highly fragmented situation in Europe, arising from the fact that some Member States offer no specific protection and others have different definitions, procedures and levels of protection within national and local, sectoral or transversal rules, which have distorting effects that hamper both the harmonious development of the common market and homogeneous protection and effective competition on equal terms, prevent consumers from receiving accurate, truthful and comparable information allowing them to make better-informed decisions, and constitute an obstacle to consumer protection;

### **Introduction**

1. Welcomes the Commission's initiative of consulting stakeholders in order to determine whether EU geographical indication (GI) protection could be extended to cover non-agricultural products, as well as the outcome of the consultation which was concluded in October 2014 and clearly favours an EU system of protection based on geographical indications for non-agricultural products;
2. Believes that a protection instrument should be established at European level, as part of a broader strategy for promoting high-quality EU products, based on a stronger commitment from the EU institutions to treat manufacturing and craft industries as a driving force for growth and the completion of the single market, thus enhancing the prestige of locally based manufacturing and handicraft production, supporting local economic development and employment in the areas concerned, boosting tourism, and strengthening consumer confidence;
3. Calls on the Commission to propose without delay a legislative proposal with the aim of establishing a single European system of protection of geographical indications for non-agricultural products, following the results of the stakeholder consultation already carried out, as well as further analyses, and ensuring that the effects of the new system on producers, their competitors, consumers and Member States are fully considered;
4. Emphasises that the introduction of such an instrument will need to be accompanied by information and communication campaigns to familiarise producers and consumers with the new type of GI;
5. Is strongly convinced that extending protection of geographical indications to non-agricultural products could have many and varied positive effects for citizens, consumers, producers and the whole European economic and social fabric;

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6. Considers that this system could, in particular, protect consumers more effectively, enhance their trust in labelled products, and help them make better-informed choices about buying products by increasing transparency and eliminating the confusion caused by misleading names or descriptions, particularly if the existence of such a system is efficiently communicated; believes it could also contribute to improving traceability and providing more information about quality, origin and production methods and conditions, not least on account of the growing consumer interest in such matters;

#### ***Benefits of a uniform protection at EU level***

7. Recalls that it would be highly recommended for the EU to adopt legislation on non-agricultural GIs, in order to fully exploit the positive economic effects of protecting the distinctiveness and quality of such products, provide consumers with reliable information on their place and method of production, and preserve the know-how and jobs relating to them;

8. Considers that such legislation can foster innovation in traditional production processes and the creation of new start-ups for traditional products, and also contribute to the sustainability of jobs created in poorly developed areas, in particular by providing small enterprises and micro-enterprises, which are the source of close to 80 % of typical locally-made products that could be protected under the geographical indications system, with both an opportunity to boost sales by means of more effective marketing operations and an incentive to cooperate more closely, given the collective nature of the scheme;

9. Points out that it could help to effectively combat counterfeiting, fraudulent use of names of geographical origin, and other unfair practices which mislead the final consumer and cause harm, most of all, to the micro-enterprises and SMEs which legitimately produce the vast majority of the products that could potentially receive protection and currently do not have the legal or financial means to defend their interests, with this also having an adverse impact on their exports;

10. Considers that such protection promotes and facilitates access to the common market and markets outside the EU for European craft products, which are the fruit of traditional knowledge and skills that help to conserve valuable know-how characterising entire social and local communities, and also represent a significant element in the historical, cultural, economic and social heritage of Europe;

11. Considers that uniform GI protection for non-agricultural products would stimulate technological and economic development at regional and local level by increasing the number of people employed in producing traditional products;

12. Underlines that uniform GI protection would contribute not only to the promotion of traditional products, but also to the recognition of the quality of the raw materials used in these products and the need for excellence at all stages of the production process;

13. Points out that GIs provide an assurance of product quality for consumers, as well as being a recognition of know-how and a means of protection for producers;

14. Stresses that the recognition of protection of non-agricultural GIs and traditional, high-quality know-how is both a defensive and offensive interest in the framework of the common commercial policy, and that it can be an effective tool to support micro, small and medium-sized businesses and manufacturers (SMEs), countering imitation and counterfeit products and ensuring a more socially, economically and environmentally sustainable approach to economic development inside and outside the EU, as well as fair competition and consumer protection, thus making it possible to identify more effectively product authenticity and quality; considers that recognising unitary protection of non-agricultural GIs would also contribute to building social capital in the regions of production;

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15. Considers that a uniform EU system could increase the attractiveness of the heritage-related professions;
16. Stresses that preserving traditional know-how and production can help stop the depopulation and destruction of rural areas and the flow of young people leaving these areas;
17. Highlights the importance of the cultural, educational, social and sustainable components of the non-agricultural products that will be included in this process, and stresses the need to preserve, pass on and develop the traditional know-how and skills associated with them, and to foster closer cooperation with the creative industries, not least with a view to highlighting the quality of the materials used and of the end products; calls for the use of the name or logo to be accessible to all producers from the given area who manufacture the product in the way prescribed;
18. Stresses that protection for the geographical indications of non-agricultural products will help preserve the cultural and artistic heritage constituted by Europe's local and regional traditions;
19. Acknowledges the crucial role of SMEs which invest in high-quality traditional know-how and offer local employment and apprenticeships for the training of skilled professionals who play a major part in passing on traditional production methods; recognises the importance of investing in education and training in this field, and encourages Member States to make optimal use of the available EU funding and programmes for the support of vocational training for specialists involved in the production and promotion of environment-friendly local and regional artisanal and industrial products;
20. Encourages the Member States to exchange good practices in creating and supporting initiatives aimed at stimulating the traditional artisanal sector, which could in turn increase awareness of local cultural heritage and stimulate the development of rural areas;
21. Highlights the fact that a well-known GI could help to better promote the European cultural itineraries;
22. Calls on the Commission and the Member States to promote transregional and transnational cooperation and the pooling of best practices among non-agricultural product clusters and related sectors;
23. Stresses the importance of geographical indications (GIs) in the broader spectrum of intellectual property rights, as a way of protecting the value of the local, including infrastructure and employment, improving regional development and enhancing traceability, transparency and consumer information;
24. Notes that industrial and handicraft products connected with their origins or rooted in their territory are central to the economy and society in many of Europe's regions, in that they generate non-relocatable activities directly linked to local ways of life, especially in rural areas; stresses that the adoption at European level of a system to protect industrial and handicraft products connected with their origin or rooted in their territory would allow the originality of our industrial and handicraft products to be maintained and prevent product standardisation;

#### ***Relations with third countries***

25. Considers that open-ended lists of all products, both agricultural and non-agricultural, that are protected by geographical indications should be incorporated into future EU trade agreements with non-member countries;
26. Considers that there would also be positive effects on trade relations which the EU maintains or is negotiating with third countries, thus enabling the EU to achieve equal protection for such European products also within the framework of international trade negotiations;

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27. Believes that the extension of protection for EU geographical indications to non-agricultural products would be a way to stimulate European exports and gain market share while achieving international recognition of the products in question and developing their high-quality image and reputation through trade and trade negotiations;
28. Believes that the protection of non-agricultural GIs at EU level would strengthen the Union's hand in the WTO in calling for an increase in the standard level of protection, and could positively renew the discussions on the creation of a multilateral GI register within the Doha Development Agenda, while being fully in line with the TRIPS Agreement;
29. Believes that the protection of non-agricultural GIs must be accompanied by a more effective strategy for the protection and enforcement of intellectual property rights in third countries, with a view to stepping up measures to combat counterfeit or imitation products;
30. Considers that uniform protection of geographical indications for non-agricultural products in the EU could be an advantage in negotiating trade agreements with third countries and, conversely, stresses that some of our major partners, such as India and China, have already introduced systems to protect such geographical indications;
31. Calls on the Commission to include in its upcoming communication on the EU's trade and investment strategy a coherent and well-prepared strategy for all GIs, which ensures that they are observed and recognised;
32. Takes the view that extending the scope of the geographical indication protection system to cover non-agricultural products could help make the EU's position in this area still stronger and more consistent, both in bilateral trade negotiations and in multilateral forums, the ultimate aim being to provide a high level of protection for all high-quality European products outside the EU; considers, in particular, that both agricultural and non-agricultural products protected by geographical indications should be fully taken into account in negotiations on future EU trade agreements; believes that a comprehensive EU geographical indications system would foster commercial expansion and make it easier to carry out joint promotional campaigns outside the EU;

### **General principles**

33. Stresses the importance of geographical indications (GIs) as an important tool for enhancing traceability, transparency and the provision of information to consumers and raising the profile of EU regions and localities in a more socially and environmentally sustainable approach to economic development, as well as developing the key role played by GIs in EU trade policy;
34. Is convinced that the system must be based on best practices and transparent and non-discriminatory principles, and that it can be an effective tool for countering imitation and counterfeit products and ensuring a more socially, economically and environmentally sustainable approach to economic development inside and outside the EU, as well as enhancing consumer protection;
35. Calls on the Commission to apply the lessons learned from the experience gained in the agricultural and food sectors, with the aim of creating a system which is based on best practices and non-discriminatory principles and is transparent, effective, responsive and free of unnecessary administrative burdens and deterrent costs for producers who voluntarily decide to register a product under a geographical indication scheme; is of the opinion, furthermore, that such a system should ensure strict controls and the greatest possible transparency, and should include appropriate means of dealing with fraud; calls on the Commission, in this regard, to apply a non-sectoral approach to any system of protection;
36. Considers that the new system, as happened in the past with agri-food products, should represent a guarantee which is intuitively perceptible to consumers who seek high-quality products in terms of authenticity and origin which have a strong link to the geographical area concerned and are supported by reliable and clear information; believes that the effectiveness of such a single European system of protection of geographical indications will depend on whether all necessary information reaches producers and consumers; stresses that the system must be transparent and must ensure accessible protection, as this is of key importance to consumer and producer confidence;

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37. Takes the view that, under the new EU legislative framework for procurement, a product quality and origin certification system could be of use to contracting authorities in connection with technical specifications, certification and award criteria, in particular at local and regional level;

38. Calls for such products to be made a central focus of regional development, research and innovation projects and Horizon 2020 and cohesion funding;

39. Is of the opinion that an EU-level system of GI protection for non-agricultural products which is coherent, simple and transparent and is not bureaucratically and financially burdensome, thus allowing SMEs in particular to access it, would enable the EU to achieve equal protection for such European products outside the EU in the framework of international trade negotiations, and would create a significant advantage in negotiating free trade agreements, bilaterally with the Union's trading partners and multilaterally within the WTO;

40. Is of the opinion that the creation of a single EU-level protection of non-agricultural GIs that includes common definitions, registration procedures and costs, the scope of protection and the means of enforcement, and the establishment of a trustworthy authority responsible for deciding on the granting of non-agricultural GI status, recognised at EU level, without lowering the standards of protection that already exist in 15 Member States, would be the best way to be more effective, both within the EU and in negotiations with third countries;

### **Scope**

41. Maintains that a link with the territory of production is essential in order to identify the special know-how and designate the quality, authenticity and characteristics of the product;

42. Favours a broad definition that would make it possible to recognise the link between a product and the area covered by the GI; considers that an EU-level system of protection should have an expanded scope enabling the inclusion of names which, though not geographical, are unambiguously associated with a given place;

43. Believes that the protection scheme should include non-verbal signs and symbols that are unmistakably associated with a particular region;

44. Maintains that the label/distinguishing sign/mark/logo for non-agricultural GIs should be simple and easily recognisable, should reflect the regional/local identity of the goods, and should be expressed in at least the language of the product's place of origin and that of the country into which it is imported;

45. Points out that some indications, for instance generic terms or homonyms, have to be excluded from GI protection; notes in addition that the exceptions set out in Article 6(1), (3) and (4) of Regulation (EU) No 1151/2012 on agricultural GIs could serve as an example;

### **Registration process**

46. Believes there should be a compulsory registration procedure, as this would provide greater security, especially as regards the enforcement of rights in the event of a dispute; calls on the Commission to propose the most efficient, simple, useful and accessible mechanism for registration of products, and to ensure that the system provides affordable, clear and transparent registration, modification and cancellation procedures, thus providing legal guarantees for stakeholders; calls on the Commission to carry out a thorough assessment with a view to minimising the financial and administrative work burden for stakeholders;

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47. Stresses that this system must be accompanied by the creation of a single standardised and public European register for non-agricultural products benefiting from geographical indication protection, with a view to fostering craft products and informing and protecting both consumers and producers, whilst avoiding any unnecessary administrative burden;

48. Stresses, further, that such a system should be characterised by a cross-cutting approach in order to maximise its economic and social impact, and that it should significantly enhance the existing link between products and their area of origin, and improve transparency, in order to increase the credibility and authenticity of a product, guarantee its origin, and contribute to improving its traceability; points to the need for regular checks to be carried out once geographical indication status has been granted, in order to make sure that the criteria on which that status was based are still being met;

49. Believes that registration should take place in two stages: firstly, on-the-spot checks should be made by national or regional authorities to ascertain that specific characteristics are not being interfered with; and secondly, there should be a single European registration system to ensure compliance with common criteria in all parts of the EU;

50. Proposes that the Commission examine the possibility of also transferring, in this context, the registration of agricultural GIs to the OHIM; proposes that the above system be managed at EU level by the OHIM;

51. Maintains that the system should keep costs and red tape for businesses to a minimum, while offering sufficient guarantees to consumers and helping them in making better-informed choices about buying products;

52. Considers that under a scheme of the type described above, establishing GIs should be a matter for the businesses concerned, which should, in particular, be called upon to draw up the specifications that the GIs would have to meet;

53. Believes that the criteria encompassed within product specifications should be handled in a flexible way so as to ensure that developments in production processes and future innovations are not only prevented but encouraged, provided the quality and authenticity of the final product are not affected;

54. Believes that specifications should include at least the following criteria: raw materials used, description of the production process, proof of the link with the territory, and elements of corporate social responsibility;

55. Proposes that producers and their associations and chambers of commerce should be the stakeholders authorised in the first place to apply for registration of a GI for non-agricultural products;

56. Considers that producers could be asked to pay a contribution in order to obtain a GI, provided such contributions take the form of one-off payments, are fair in relation to the costs incurred, and are enforced uniformly throughout the EU;

### ***Control measures***

57. Believes there should also be provision for the requisite resources to make the protection afforded by such an instrument effective in practice whatever the means of product distribution in cases of misuse; emphasises the need to ensure that GIs are equally well protected in the digital marketplace;

58. Stresses the relevance of quality checks, in the light of the significant differences existing between agricultural and non-agricultural products (e.g. number of producers);

59. Advocates, in addition, that an inspection, infringement and penalty scheme be set up to monitor geographical indications on products marketed in Europe;

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60. Considers that, to maximise the GI protection of non-agricultural products, the ban on incorrect use of GIs should apply, not only where there is a risk of consumers being misled or where there is any unfair competition, even in cases where a product's actual origin is clearly indicated; proposes, therefore, that the additional protection provided for in Article 23 of the TRIPS Agreement, initially applicable only to wines and spirits, be extended to cover the GIs of non-agricultural products;

61. Suggests the introduction of a procedure, open to interested parties, whereby the registration of GIs can be contested;

62. Considers that this would make it easier to establish effective oversight procedures, thus giving consumers and producers the chance to protect themselves against counterfeiting, imitation and other illegal practices;

***Coexistence with prior rights***

63. Considers that any future geographical indications must be allowed to coexist with rights already associated with the product, and should take account of current best practices at national and local level in the EU;

64. Maintains that the relationship between trademarks and GIs will need to be clearly defined so as to avert conflicts;

65. Suggests that the rules on the relationship between trademarks and GIs should apply to the GI protection of non-agricultural products;

66. Proposes that those Member States which already provide protection should be allowed the necessary time to ensure compliance, while at the same allowing transitional arrangements to be applied, providing for a coexistence of the two systems before moving towards an EU mechanism;

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

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P8\_TA(2015)0336

**The role of local authorities in developing countries in development cooperation****European Parliament resolution of 6 October 2015 on the role of local authorities in developing countries in development cooperation (2015/2004(INI))**

(2017/C 349/02)

*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 its resolution of 25 November 2014 on the EU and the global development framework after 2015 <sup>(1)</sup>,
- 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 Global Partnership for Effective Development Co-operation (GPEDC) High-Level Meeting in Mexico City, of April 2014,
- having regard to the report ‘Dialogue on localizing the Post-2015 Development Agenda’ prepared by the United Nations Development Programme (UNDP), the Global Taskforce <sup>(2)</sup> and UN Habitat, of 31 October 2014,
- having regard to the United Nations Development Group (UNDG) 2014 report ‘Delivering the Post-2015 Development Agenda: opportunities at the national and local levels’,
- having regard to the 2014 Human Development Report of the UNDP entitled ‘Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience’,
- having regard to the UN Secretary General’s Synthesis Report on the Post-2015 Agenda,
- 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 May 2013 report of the UN High-Level Panel of Eminent Persons on the Post-2015 Development Agenda,

<sup>(1)</sup> Texts adopted, P8\_TA(2014)0059.

<sup>(2)</sup> The Global Taskforce of Local and Regional Governments for the Post-2015 Development Agenda towards HABITAT III.

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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 Istanbul Programme of Action for the Least Developed Countries for the Decade 2011-2020,
- having regard to the declaration and action plan adopted at the High-Level Forum on Aid Effectiveness held in Busan, South Korea, in December 2011,
- having regard to the Universal Declaration of Human Rights and the human rights legal framework,
- 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 European Consensus on Development <sup>(1)</sup> and the EU Code of Conduct on Complementarity and Division of Labour in Development Policy <sup>(2)</sup>,
- having regard to the Commission communication of 15 May 2013 entitled 'Empowering Local Authorities in partner countries for enhanced governance and more effective development outcomes' (COM(2013)0280),
- having regard to its resolution of 22 October 2013 on local authorities and civil society: Europe's engagement in support of sustainable development <sup>(3)</sup> and to the Council conclusions of 22 July 2013 on local authorities in development,
- 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 5 February 2015, entitled 'A Global Partnership for Poverty Eradication and Sustainable Development after 2015' (COM(2015)0044),
- 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),
- 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),

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

<sup>(2)</sup> Council Conclusions 9558/07, 15.5.2007.

<sup>(3)</sup> Texts adopted, P7\_TA(2013)0432.

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- 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 Commission communication of 8 October 2008, entitled 'Local authorities: actors for development' (SEC(2008)2570),
- 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 European Charter on Development Cooperation in Support of Local Governance launched during the European Development Days, on 16 November 2008,
- 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 the opinion of the Committee of the Regions of 24 February 2015 entitled 'A decent life for all: from vision to collective action',
- having regard to the opinion of the Committee of the Regions of 9 October 2013 entitled 'Empowering local authorities in partner countries for enhanced governance and more effective development outcomes',
- having regard to the opinion of the Committee of the Regions of the 9 June 2010 entitled 'Spring package: EU action plan for achieving the Millennium Development Goals',
- having regard to the opinion of the Committee of the Regions of 22 April 2009 entitled 'Local authorities: actors for development',
- 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 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>(3)</sup>,
- having regard to its resolution of 13 June 2013 on the Millennium Development Goals — defining the post-2015 framework <sup>(4)</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 Rule 52 of its Rules of Procedure,
- having regard to the report of the Committee on Development (A8-0232/2015),

<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)0269.

<sup>(4)</sup> Texts adopted, P7\_TA(2013)0283.

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- A. whereas local authorities (LAs), being essential state and institutional actors as regards local governance, the emergence of grassroots democracy and sustainable territorial development on the basis of local-community involvement and its democratic expression, will have an essential role to play in achieving the post-2015 objectives;
- B. whereas LAs play a crucial role in the definition, organisation and achievement of development objectives;
- C. whereas LAs are a strong interface between community and national and global goals in a post-2015 agenda;
- D. whereas LAs play a crucial role in safeguarding vulnerable populations in fragile states in crisis and in middle-income countries;
- E. whereas the new global sustainable development framework offers an opportunity to secure the broad involvement of civil society organisations (CSOs), local authorities and national parliaments; whereas the empowerment of LAs and CSOs is absolutely essential to ensuring correct, transparent and accountable governance;
- F. whereas the EU has been deeply involved in supporting LAs in developing countries, aiming to contribute to poverty reduction and the achievement of the MDGs but also to mainstream democratic governance at local level;
- G. whereas representatives of sub-national governments and LAs have contributed to the sessions of the UN General Assembly's Open Working Group on Sustainable Development Goals (OWG), and the Global Taskforce has co-led UN consultations on 'localising the post-2015 development agenda' with the UNDP and UN-Habitat;
- H. whereas the UN Secretary-General's Synthesis Report on the Post-2015 Development Agenda reiterates the need for the new development agenda to be transformative, universal, people-centred, and built on the principles of human rights and the rule of law; whereas the Secretary-General calls for innovative partnerships, including LAs, to be the main actors implementing this agenda at the level closest to citizens;
- I. whereas most critical objectives and challenges of the post-2015 global development agenda will depend on local action and strong partnerships;
- J. whereas the world's population is projected to grow from around 7 billion people to 9,3 billion people by 2050, with the major part of this growth expected in developing countries, particularly in urban areas; whereas excessive urbanisation is undermining the sustainability of development in all its dimensions;
- K. whereas two and half billion new urban inhabitants will need to have access to education, health services, jobs, food, sanitation, transport, housing and electricity; whereas this poses key challenges for local and regional authorities and municipalities which are responsible for providing those services;
- L. whereas the Rio Declaration stresses that indigenous people and their communities have a vital role in environmental management and development; whereas governments should recognise and duly support their identity, culture and interests, and enable their effective participation in the achievement of sustainable development;

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- M. 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;
- N. whereas violent conflicts and humanitarian crises continue to obstruct development efforts; whereas vulnerable groups such as women, children, and the elderly are harder hit by military conflicts and crises and local authorities are key frontline actors in conflict prevention and management;
- O. 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 a reduction in people's productivity;
- P. whereas climate change and environmental degradation threaten poverty reduction and constitute a major challenge for local authorities, as they affect local communities in the first instance;
- Q. 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 can thus be an essential partner in the fight against poverty;
- R. whereas aid continues to play a unique role in poverty reduction and as a game-changer in developing countries; whereas it must be better targeted so as to meet the needs of the most vulnerable populations; whereas aid alone is not enough, and use must therefore be made of innovative financing;
- S. whereas the mobilisation of international, public and private finances will be crucial for the promotion of sustainable local development;
- T. whereas the EU and its Member States, as the largest official development assistance donors, but also key policy-setters and actors on decentralised cooperation, should thus remain the driving force during the next phase of negotiations under the UN framework, especially regarding the implementation of the Sustainable Development Goals;
- U. whereas Article 208 TFEU establishes that eradication of poverty is the primary objective of EU development policy and establishes policy coherence for development;

#### ***I. Local authorities (LAs) as actors for development and the role of the European Union***

1. Recalls that the Busan Partnership provides an expanding forum for new development actors such as local and regional actors;
2. Stresses that the new guidelines set out in the Commission's communication on LAs and on recognising their role as state stakeholders represent a major step forward for the European Union's new development agenda;
3. Highlights the need for these new guidelines to be translated into the effective implementation of European cooperation, both in terms of the 11th European Development Fund (EDF) and in terms of the Development Cooperation Instrument;
4. Stresses that strategic planning at national and local level is absolutely essential to the promotion and integration of the three main dimensions of development: the social, economic and environmental dimensions;
5. Welcomes the support given to strengthening LAs' capacities through the local authorities thematic line — particularly the support given to strengthening the coordination structures of LAs at national, regional and EU-wide levels — and the establishment of a partnership at EU level;

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6. Recognises the important role LAs have in developing countries; encourages the establishment of partnership arrangements between LAs in EU Member States and LAs in developing countries in areas such as training and human capacity to allow for greater benefits such as better environmental planning;

7. Feels that these coordination structures play an essential role in terms of providing technical and methodological support for the development of local capacities by facilitating the exchange of know-how in order to support the decentralisation process and the provision of basic services; feels that they are also a suitable forum for political dialogue and for making the voice of LAs heard at all levels of government;

8. Urges the EU to promote decentralised cooperation as a way of implementing the development framework post 2015; to this end, calls on the Commission to consider the possibility of making decentralisation a priority funding sector for its external aid financing instruments, starting with the DCI and the EDF, and to step up efforts to include LAs as full stakeholders in the implementation of the 11th EDF in partner countries, regions, and in relation to sectorial and budgetary assistance; calls on the Member States to accord an appropriate role in their development programmes to LAs and to coordinate their activities with those of the Commission and of other Member States;

## II. *Political dialogue, mobilisation of financial resources and presentation of accounts*

9. Stresses the need to ensure a fairer transfer of resources from national level to sub-regions, towns and municipalities;

10. Stresses the need, as part of the ongoing process of decentralisation, to encourage national governments to transfer part of their national budget resources to regional and local government levels; feels, to this end, that greater support should be given to strengthening the financial and budgetary capacities of LAs, including through their associations;

11. Believes it essential that some European budgetary assistance be allocated to funding local authorities;

12. Stresses the importance of establishing, as part of European cooperation, a genuine political dialogue among local authorities that would make it possible to assess current progress, difficulties and prospects for improving the effectiveness of assistance at local level;

13. Calls for the institutionalisation of this dialogue while drawing on existing coordination structures within the different cooperation frameworks;

## III. *Role of local authorities in the implementation of the MDGs: lessons learned*

14. Underlines that the MDGs revealed the crucial role of LAs in the fight against poverty and in the delivery of community services, such as water and sanitation, primary healthcare and education;

15. Welcomes the spread of decentralised development cooperation initiatives and the use of mechanisms for cooperation among cities;

16. Stresses the need to allocate additional resources to strengthening the capacities of decentralised authorities so that they can provide high-quality public services, guarantee equality of opportunity and build social cohesion;

17. Regrets that the MDGs did not take sufficient account of the importance of the local dimension for development; regrets that development programmes do not take sufficient account of the cultural dimension, which is vital to understanding the local context; calls for consideration to be given to the cultural dimension in local, national and international poverty reduction strategies;

18. Regrets that the current MDGs are lacking in clarity as regards tailoring global targets to national and local dynamics;

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**IV. Definition of the post-2015 development agenda: challenges and opportunities**

19. Considers that the post-2015 process should provide a clear vision for an implementation of Rio+20 outcomes that recognises the role of LAs;
20. Stresses the importance of setting reliable targets and indicators for the Sustainable Development Goals that match the contexts, needs and worries of local populations; calls on the EU to strengthen the role of LAs and to take their expertise into consideration in other SDGs;
21. Calls on the EU to continue to give particular attention to LAs 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; underlines the need to ensure their increased participation in defining development strategies;
22. Calls on the Union to ensure that LAs are better represented in international negotiations on the adoption of the post-2015 development agenda at the International Conference on Financing for Development and at the COP21 international climate conference;
23. Calls on the EU to continue to support an autonomous goal on cities and human settlements;

**V. Need for a renewed effective global partnership (with CSOs, the private sector, etc.)**

24. Calls on the EU to contribute to strengthening multi-stakeholder partnerships, localising the implementation of the post-2015 agenda;
25. Calls for a clear definition and division of responsibilities among partners;

**VI. Partnerships with the private sector**

26. Recalls that the public sector will be a key enabler and implementer of the new global development agenda and underlines that mobilisation of public revenue and reinforcement of the fiscal system based on people's taxpaying capacity and fair returns for transparent exploitation of natural resources will be vital for its effectiveness;
27. Reiterates the need to support the emergence of a middle class through the promotion of private entrepreneurship by young people and women in particular;
28. Stresses the importance of empowering local, micro, small and medium-sized enterprises in job creation and promoting sustainable and inclusive economic growth, notably through public-private policies;
29. Reiterates the need to implement effective accountability mechanisms and to define mandatory social and environmental safeguards;

**VII. Partnership with civil society**

30. Considers that the post-2015 global development agenda needs to change the role and impact of CSOs; believes that Member States should work closely with CSOs by setting up mechanisms for regular dialogue, which should be sufficiently effective to receive positive feedback from civil society;

**VIII. Supporting domestic accountability and capacity building**

31. Stresses that governments must be accountable both to domestic stakeholders and to the international community;

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32. Underlines the importance of transparency and the promotion of multi-stakeholder dialogues in strengthening the participation of local cultures, indigenous peoples, migrants and minorities;
33. Considers that strong efforts need to be made to improve the capacity of LAs to deliver public services;
34. Stresses the importance of promoting good governance at local level by promoting the principles of accountability, transparency, participation, responsiveness and the rule of law;
35. Encourages the creation of local consultation platforms as part of budgetary planning;
36. Stresses the urgent need to reform official data collection services;

#### **IX. *Indigenous peoples and development planning***

37. Stresses that indigenous people should be deeply engaged in the preparation of local and regional development and investment plans;
38. Calls on national governments and LAs to: (a) strengthen local legislation to establish recognition of traditional land tenure arrangements; (b) cooperate with traditional authorities in managing natural resources; (c) address the gender and intergenerational issues that exist among indigenous peoples; (d) protect indigenous knowledge; (e) strengthen the capacity of indigenous peoples to participate in development planning;

#### **X. *Transfer of technology***

39. Stresses that national governments and LAs should create an enabling environment for the transfer of technologies;
40. Considers that such cooperation should also include longer-term investments;

#### **XI. *Cities and human settlements***

41. Applauds the mobilisation and commitment of African cities in the preparations for the Habitat III United Nations Conference on Housing and Sustainable Urban Development; calls on the Commission to support these mobilisation processes and to factor support for the management of a sustainable urbanisation process into its partnership plans;
42. Welcomes the decision of the OWG to include a stand-alone goal regarding urban sustainable development;
43. Underlines the importance of adopting a territorial approach to address issues such as waste management and urban poverty, reducing inequalities, empowering citizens, inclusive and participatory democracy, innovative infrastructure design, service provision, land management, the contribution of cities to global environmental change and their impact on ecosystems, reducing risks of natural disasters and energy use, etc.;
44. Stresses the importance of supporting developing and least developed countries, including through financial and technical assistance;

#### **XII. *Good governance and the fight against corruption***

45. Stresses that international cooperation to tackle illicit financial flows should be stepped up to ensure a level playing field in the area of taxation of local and international companies;
46. Stresses that decentralising power is an effective means of combatting corruption, including corruption originating from multinational companies, and of contributing to modernisation of public administration and responding to people's needs through economic and social reforms;



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**XIII. *Strengthening the mobilisation of resources***

47. Stresses that creative and equitable financing mechanisms need to be explored;
  48. Stresses the paramount importance of the mobilisation of national resources at local level in the success of the post-2015 agenda, as it is a key factor in the implementation of both national and local development strategies and policies; stresses, in this context, the urgent need to consolidate LA capacities in partner countries in the area of municipal taxation and budgetary planning; welcomes the gradual introduction of local finance observatories, which deserve greater support from the European Union;
  49. Considers that it is more effective to act at local level in order to improve living conditions for communities, especially in rural areas, and that one important challenge for LAs and national authorities is to encourage progressive reintegration of the informal sector without discouraging innovation;
  50. Calls on the World Bank and the international financial institutions to update environmental and social safeguard policies;
  51. Recalls that local governments are on the frontline to deal with an increasing number of crises, but that most of the time they lack the capacity, and the means, to develop an effective response;
  52. Calls on the Commission to encourage the mobilisation of innovative sources of financing for decentralised cooperation, including loan-grant blending instruments, not yet adjusted to meeting the specific needs of LAs;
  53. Urges the European Union to hence bolster the decentralised budgets that are a prerequisite for local development;  
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  54. Instructs its President to forward this resolution to the Council and the Commission.
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Thursday, October 8, 2015

P8\_TA(2015)0342

## Central African Republic

### European Parliament resolution of 8 October 2015 on the Central African Republic (2015/2874(RSP))

(2017/C 349/03)

*The European Parliament,*

- having regard to its previous resolutions on the Central African Republic,
- having regard to its resolution of 11 February 2015 on the work of the ACP-EU Joint Parliamentary Assembly <sup>(1)</sup>,
- having regard to the ACP-EU Joint Parliamentary Assembly resolutions on the situation in the Central African Republic (CAR) of 19 June 2013, 19 March 2014 and 17 June 2015,
- having regard to the statements by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy on the situation in the Central African Republic, notably that of 13 October 2014,
- having regard to the statement by the European External Action Service (EEAS) spokesperson on the violence in the Central African Republic of 28 September 2015,
- having regard to the Council conclusions on the CAR of 9 February 2015 and 20 July 2015,
- having regard to the remarks made by Marie-Therese Keita Bocoum, the UN independent expert on the human rights situation in the CAR, of 1 October 2015,
- having regard to the call by the UN Secretary-General Ban Ki-moon and the Security Council of 28 September 2015 for an immediate end to the sudden eruption of violence in the CAR,
- having regard to UN resolution 2217 (2015) renewing MINUSCA's mandate at current authorised troop levels until 30 April 2016, adopted by the Security Council at its 7434th meeting on 28 April 2015,
- having regard to UN resolution 2196 (2015) renewing the Central African Republic (CAR) sanctions regime until 29 January 2016 and the mandate of the Panel of Experts assisting the 2127 CAR Sanctions Committee until 29 February 2016,
- having regard to the 15 May 2015 UN Evaluation Report on Enforcement and Remedial Assistance Efforts for Sexual Exploitation and Abuse by the United Nations and Related Personnel in Peacekeeping Operations,
- having regard to the report of the UN Secretary-General on the recommendations of the High-Level Independent Panel on Peace Operations, of 11 September 2015,
- having regard to the Final Report of the International Commission of Inquiry on the Central African Republic of 19 December 2014,
- having regard to the high-level international conference on the Central African Republic, entitled 'From humanitarian aid to resilience', held in Brussels on 26 May 2015,

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<sup>(1)</sup> Texts adopted, P8\_TA(2015)0035.

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- having regard to the disarmament, demobilisation, repatriation and reintegration (DDRR) agreement signed on 10 May 2015 by a large number of the armed groups during the Bangui Forum,
  - having regard to the revised Cotonou Agreement,
  - having regard to the Libreville (Gabon) Agreement of 11 January 2013 on the resolution of the politico-military crisis in the CAR, signed under the aegis of the Heads of State and Government of the Economic Community of Central African States (ECCAS), which sets out the conditions for ending the crisis in the CAR,
  - having regard to the extraordinary summits of the Heads of State and Government of the Economic Community of Central African States (ECCAS), held in N'Djamena (Chad) on 21 December 2012, 3 April 2013 and 18 April 2013, and to their decisions to establish a National Transitional Council (CNT) with legislative and constituent powers and adopt a roadmap for the transition process in the CAR,
  - having regard to the meeting of the International Contact Group of 3 May 2013 in Brazzaville (Republic of the Congo), which validated the roadmap for the transition and set up a Special Fund to assist the CAR,
  - having regard to the Cessation of Hostilities Agreement signed in July 2014,
  - having regard to the conclusions of the 7th Meeting of the International Contact Group on the Central African Republic, held in Brazzaville on 16 March 2015,
  - having regard to the communiqués issued by the African Union's Peace and Security Council on 17 September 2014 and 26 March 2015,
  - having regard to the CAR's Constitution adopted by the Transitional Council at the end of August 2015,
  - having regard to the 1998 Rome Statute of the International Criminal Court (ICC), ratified by the CAR in 2001,
  - having regard to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, signed by the CAR,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas new clashes erupted at the end of September 2015, leaving 42 people dead and prompting some 37 000 to flee their homes;
- B. whereas over 500 prisoners escaped at the end of September 2015 from the Ngaragba prison in Bangui and from Bouar, including well-known perpetrators of human rights violations and abuses; whereas this poses a serious threat to civilians and to the protection of victims and witnesses; whereas the prison escape is a setback for the preservation of law and order, and for the fight against impunity in the CAR;
- C. whereas conditions for aid agencies in Bangui have deteriorated according to the Office for the Coordination of Humanitarian Affairs; whereas several offices and residences of relief organisations have been looted and their workers' freedom of movement impeded, especially health workers in hospitals;

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- D. whereas humanitarian aid is made difficult because of the fighting and numerous roadblocks, impeding the ability of the authorities to gain access to thousands of internally displaced people and assess needs; whereas the concerns about safe access to Bangui's neighbourhoods have been echoed by Médecins sans Frontières (MSF), which said wounded people had been arriving on foot in many cases and the group's ambulances have been unable to circulate as the capital has become too dangerous;
- E. whereas the UN decided to extend the mandate of MINUSCA until 30 April 2016 with an authorised troop ceiling of 10 750 military personnel, including 480 military observers and military staff officers, and 2 080 police personnel, including 400 individual police officers and 40 corrections officers;
- F. whereas according to the UN peacekeeping mission in the country (MINUSCA), although the security situation has calmed down lately, tensions persist in Bangui, which had been the scene of attacks against civilians, violence between communities and attacks against humanitarian personnel;
- G. whereas the International Criminal Court's chief prosecutor Fatou Bensouda called for those involved in the clashes 'to immediately cease and desist the violence', adding that any war crimes committed will be punished; whereas on 24 September 2014 the second investigation into the CAR conflict was opened;
- H. whereas recent clashes threaten to unravel a fledgling peace process and could bring the country back to the dark days of late 2013 and 2014 when thousands were killed and tens of thousands had to flee their homes; whereas crime remains a major threat; whereas the situation of women in the CAR is very grave, and whereas rape is often used as a weapon of war by all the parties involved;
- I. whereas the 2013 coup and the subsequent ousting from power of the Transitional Head of State, Michel Djotodia, and of the Transitional Prime Minister, Nicolas Tiangaye, was accompanied by massive and severe human rights violations with a clear risk of genocide, including extrajudicial killings, torture, looting, large-scale acts of rape and sexual abuse, abduction of women and children and forced recruitment of child soldiers;
- J. whereas on 4 October 2015, Central Africans were to decide by referendum on the adoption of a new constitution and elect their representatives in parallel during presidential and legislative elections originally scheduled for 18 October 2015 (first round) and 22 November 2015 (second round); whereas the transition authorities have been working for a few weeks to postpone the polls, but the National Elections Agency (NSA) has still not announced a new schedule, the voter lists are not established and electoral cards have not been distributed;
- K. whereas the country is confronted with the worst humanitarian crisis since its independence in 1960, which is affecting the entire population of 4,6 million people, half of whom are children; whereas 2,7 million people are in need of assistance, including food aid, protection, and access to health care, drinking water, sanitation and housing; whereas it has been estimated that more than 100 000 children have faced sexual abuse and recruitment into armed groups in the country and whereas it is estimated that the crisis has left one million children without a school;
- L. whereas on 5 May 2015 armed groups in the CAR reached an agreement to release between 6 000 and 10 000 child soldiers;
- M. whereas the peacekeeping operation has been tarnished by allegations of sexual abuse of children and girls by UN soldiers and French peacekeepers;

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- N. whereas both the Seleka and the anti-balaka armed groups profit from the timber and diamond trade by controlling sites and 'taxing' or extorting 'protection' money from miners and traders, and whereas CAR traders have purchased diamonds worth several million dollars without adequately investigating whether they were financing armed groups;
- O. whereas respect for human rights is a fundamental value of the European Union and represents an essential element of the Cotonou Agreement, in particular Article 8 thereof;
- P. whereas justice and prosecution of grave human rights violations are among the critical tasks needed to end the abuses and rebuild the CAR;
- Q. whereas impunity continues to be a hallmark of the violence, notwithstanding the fact that the Transitional Council has adopted and the interim President signed into law the establishment of a Special Criminal Court, comprised of both national and international judges and prosecutors, that will investigate and prosecute grave human rights violations committed in the CAR since 2003;
- R. whereas in September 2014 the EU launched the first three development projects from the EU multi-donor trust fund for the CAR in the areas of health, job creation, rehabilitation of damaged infrastructure in Bangui, and the empowerment of women and their economic inclusion;
- S. whereas in March 2015 the European Council launched the EU's military advisory mission in the CAR (EUMAM RCA) aiming at supporting the Central African authorities in preparing a reform of the security sector with respect to the armed forces;
- T. whereas since May 2015 the EU has increased its assistance for the CAR with a total of EUR 72 million, including resources for humanitarian aid (with EUR 10 million of fresh funding), budget support (with an additional EUR 40 million) and a new contribution to the EU Trust Fund for the CAR (an additional EUR 22 million);
- U. whereas on 15 July 2014 the EU launched its first ever multi-donor development trust fund in support of the Central African Republic, aiming at enabling the transition from emergency response towards long-term development assistance;
1. Expresses its deep concern over the situation in the Central African Republic, which could bring the country to the edge of a civil war if the latest violence is not contained; deplores the loss of lives and expresses its sympathy to the families of the victims and to the entire population of the Central African Republic;
  2. Strongly condemns the attacks against humanitarian organisations and residences during the latest outbreak of violence; calls for the free movement of aid workers to reach civilians in need, especially the displaced population; recalls that almost half a million internally displaced people are in urgent need of food, healthcare, water, sanitation and hygiene, shelter and basic household items;
  3. Calls on the CAR authorities to focus on fighting against impunity and on the re-establishment of the rule of law, also by holding accountable before justice those responsible for violence; welcomes the creation of the Special Criminal Court to investigate and prosecute grave human rights violations committed in the country since 2003 and points out the urgent need to make it operational; stresses that international financial and technical support is essential for its functioning; calls for an international pledging meeting for donors as soon as possible; encourages the CAR authorities to adopt an efficient and transparent recruitment procedure for staffing the Court;

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4. Commends the ECCAS for its crucial role in the setting up of the transition process and the firm stance taken at the consultations in Addis Ababa on 31 January 2015 regarding any parallel initiative which might jeopardise the current efforts of the international community to restore peace, security and stability in the CAR;
5. Welcomes the efforts undertaken so far by the transitional government, but calls on the CAR transitional authorities and the international community to address the root causes of the crisis, such as the widespread poverty, economic disparities and inequalities, rising unemployment, and the lack of redistribution of wealth from the country's natural resources via the state budget; calls for a comprehensive approach focusing on security, humanitarian aid, stabilisation and economic recovery;
6. Calls on the international community to support the political process in the CAR at this critical time and to enhance common efforts to facilitate political dialogue, build trust and ensure peaceful coexistence between religious communities in the country; urges the Government of the CAR to make the reconstruction of the education system a priority, in order to facilitate long-term pacific coexistence;
7. Deplores the fact that although the UN has declared an embargo on weapons, the strengthening of militias continues; calls on all parties to abide by the disarmament agreement as signed on 10 May 2015; stresses that disarming armed groups must be an absolute priority, especially ahead of the presidential and general elections due to take place in the CAR by the end of the year;
8. Urges the African Union and the European Union to use all appropriate measures and tools to help the transitional government overcome the implosion of an already fragile state, interethnic escalation and the continued strength of competing militias, and make the transition towards a functioning, inclusive and democratic state, notably through the Instrument for Stability and Peace and the African Peace Facility and African Standby Force;
9. Welcomes the setting up of the Bangui Forum for reconciliation and peace and urges the unconditional participation of all political, military and religious leaders as well as local communities and civil society; insists that democratic elections must take place;
10. Calls on the Commission, the Member States and other international actors to do their utmost to support the organisation of the elections as foreseen in the transition road-map, in particular by contributing to the UNDP-managed electoral assistance programme, so that elections can take place before the end of this year, thus fulfilling a key element of the transition road-map;
11. Reiterates its support for the independence, unity and territorial integrity of the CAR; recalls the importance of peoples' right to self-determination without outside interference;
12. Reaffirms its support to the UN, the MINUSCA peacekeeping force and the French Sangaris military contingent ahead of the elections to take place by the end of the year; strongly condemns any attempt to deter ongoing efforts towards stability;
13. Recalls that the transitional period will come to an end on 30 December 2015; urges the national authorities, with the support of the MINUSCA and the Sangaris forces, to restore calm in the country, and more particularly in Bangui, in order to maintain the electoral calendar in the best way possible;
14. Welcomes the EU military advisory mission (EUMAM RCA), and the launching of projects aiming to reinstate the police and gendarmerie capacities for community policing and riot control, restore the joint operational command centre, reinforce the judiciary and rehabilitate the prison facilities;

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15. Strongly condemns all the violence against children and women, and urges all militias and non-state armed groups to lay down their arms, cease all forms of violence and immediately release children from their ranks; invites all the stakeholders to be committed to the protection of children's rights and to prevent any further violations and abuses against children; urges that girls and women who are victims of rape in the context of armed conflict be offered the full range of sexual and reproductive health services;
  16. Urges the CAR diamond traders to prove due diligence and the international diamond companies to address Kimberly Process failures in the diamond supply chain from the CAR; calls on the CAR authorities and foreign companies to help strengthen governance in the extractives sector by abiding by the Extractive Industries Transparency Initiative;
  17. Calls on international diamond companies to look closely at the origin of diamonds in order to avoid fuelling the conflict by purchasing illicitly extracted and traded diamonds from the CAR; urges European companies that are trading with CAR logging companies to abide by the EU Timber Regulation, and calls on the EU to robustly enforce its Timber Regulation with regard to importers of CAR timber;
  18. Invites the CAR authorities to develop a nationally-owned strategy to tackle the illicit exploitation and trafficking networks of natural resources;
  19. Urges the countries whose soldiers are responsible for sexual abuse on peacekeeping missions in the CAR to hold them accountable and put them on trial, as impunity cannot be tolerated; stresses the urgent need to reform peacekeeping structures by establishing a functioning and transparent oversight and accountability mechanism; is convinced that such grave crimes could also be reduced and prevented via training and education;
  20. Urges the CAR, its neighbouring states and other member states of the International Conference on the Great Lakes Region (ICGLR) to cooperate at regional level to investigate and combat regional criminal networks and armed groups involved in the illegal exploitation and smuggling of natural resources, including gold, diamonds and wildlife poaching and trafficking;
  21. Calls for the EU to do everything in its power to provide better-coordinated and more effective assistance to the people of the CAR; welcomes, at the same time, the scaling-up of the EU and Member States' humanitarian engagement with the CAR in light of the evolving needs; stresses that life-saving assistance should be provided to those in need within the CAR, as well as to refugees in neighbouring countries;
  22. Deplores the destruction of public archives and registers by militias; urges the EU to support the CAR's restoration of the public registry and also to prevent any electoral irregularities;
  23. Calls on the Member States, as well as other donors, to scale up their contributions to the EU Fund for the CAR, the Békou Trust Fund, whose aim is to promote the stabilisation and reconstruction of the Central African Republic taking into consideration the need to better link the reconstruction/development programmes with the humanitarian response;
  24. Calls on the EU, the AU and the international community to support the refugees from the CAR in neighbouring countries;
  25. Instructs its President to forward this resolution to the Transitional Government authorities of the CAR, the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy Federica Mogherini, the UN Security Council, the UN Secretary-General, the institutions of the African Union, ECCAS, the ACP-EU Parliamentary Assembly and the EU Member States.
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P8\_TA(2015)0343

## Situation in Thailand

### European Parliament resolution of 8 October 2015 on the situation in Thailand (2015/2875(RSP))

(2017/C 349/04)

*The European Parliament,*

- having regard to its previous resolutions on Thailand, in particular those of 20 May 2010 <sup>(1)</sup>, 6 February 2014 <sup>(2)</sup> and 21 May 2015 <sup>(3)</sup>,
  - having regard to the statement by the spokesperson for the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, of 2 April 2015 on developments in Thailand,
  - having regard to the statements issued by the EU Delegation to Thailand, in agreement with the EU Heads of Mission in Thailand, on 14 November 2014, 30 June 2015 and 24 September 2015,
  - having regard to the Council conclusions of 23 June 2014 on Thailand,
  - having regard to the answer of 15 May 2013 given by the then Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, on behalf of the Commission, on the situation of Andy Hall,
  - having regard to the press release issued on 1 April 2015 by the UN Special Rapporteur on the promotion and protection of the right to freedom of expression,
  - having regard to the Universal Periodic Review of Thailand before the UN Human Rights Council, and its recommendations, of 5 October 2011,
  - having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to the UN Declaration on Human Rights Defenders of 1998,
  - having regard to the International Covenant on Civil and Political Rights (ICCPR) of 1966, to which Thailand is a state party,
  - having regard to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984,
  - having regard to the Association of Southeast Asian Nations Human Rights Declaration,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas on 20 May 2014 the state military deposed the Government of Thailand and proceeded to impose martial law nationwide, forcing the dissolution of the caretaking Centre for Administration of Peace and Order;
- B. whereas the military forces have proceeded with the formation of the National Council for Peace and Order (NCPO), whose leader, General Prayuth Chan-ocha, will exercise all powers and unlimited authority to issue orders and institute constitutional reform;

<sup>(1)</sup> OJ C 161 E, 31.5.2011, p. 152.

<sup>(2)</sup> Texts adopted, P7\_TA(2014)0107.

<sup>(3)</sup> Texts adopted, P8\_TA(2015)0211.



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- C. whereas key constitutional bodies set up by the NCPO are controlled by military personnel, and whereas NCPO members enjoy full immunity from any wrongdoing, responsibility or liability while employed on the basis of Sections 44 and 47 of the interim constitution;
- D. whereas on 29 August 2015 the Constituent Committee completed the drafting of a new constitution, which was rejected by the National Reform Council on 6 September 2015; whereas a new constituent committee needs to redraft the constitution within 180 days, and whereas the latest rejection may prolong military rule in the country;
- E. whereas leading websites about the political and human rights situation in Thailand have been charged with threatening national security by the NCPO under Section 44 of the interim constitution, and whereas there is severe censorship of TV channels and community radio stations associated with all domestic political factions;
- F. whereas the recently adopted Public Assembly Act, which entered into force on 14 August 2015, seriously restricts freedom of assembly and imposes harsh sentences of up to 10 years in prison for offences such as causing disruption to public services;
- G. whereas army personnel have been appointed as ‘peace and order maintenance officers’ to arbitrarily detain people, carry out inquiries and execute searches without a warrant;
- H. whereas participants in peaceful demonstrations have repeatedly been charged with sedition and violating the law, and whereas 14 activists from the Neo-Democracy Movement (NDM) have been arrested;
- I. whereas the death penalty continues to be applied in Thailand, and whereas new legislation has broadened the circumstances in which it can be imposed;
- J. whereas there has been a surge in imprisonments under the *lèse-majesté* law since the coup;
- K. whereas the National Human Rights Commission (NHRC) has been denied access to tortured or ill-treated individuals held in permanent detention without charge or trial under the authority of military courts;
- L. whereas there has been a deterioration in the security of local community and land rights activists since the coup;
- M. whereas Thailand is not a signatory to the 1951 Refugee Convention or the 1967 Protocol thereto, and does not have a formal national asylum framework; whereas the Thai authorities continue to return refugees and asylum seekers to countries where they are likely to face persecution;
- N. whereas Thailand is obliged under international treaties to which it is a party to investigate and appropriately prosecute torture, custodial deaths and other alleged serious violations of human rights;
- O. whereas the criminal defamation case against workers’ rights defender Andy Hall, an EU citizen, has been dismissed, but whereas he still faces indictments in computer crime and defamation cases and two civil defamation cases, which could result in a seven-year prison sentence and a multi-million-dollar fine, after contributing to a Finwatch report alleging labour abuses by a Thai pineapple wholesaler, despite the fact that violations of workers’ rights committed by the company were confirmed by the Thai Ministry of Labour and by a company employee during previous court hearings; whereas his case will be heard on 19 October 2015;

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- P. whereas, although Thailand has ratified International Labour Organisation Convention No 29, migrant workers enjoy little protection; whereas trafficking in workers is a major problem; whereas the situation in the fisheries sector is particularly worrying;
- Q. whereas the EU has put on hold fledgling negotiations with Thailand for a bilateral free trade agreement (FTA), which commenced in 2013, and whereas it refuses to sign the Partnership and Cooperation Agreement (PCA) finalised in November 2013 until a democratic government is in place; whereas the EU is Thailand's third-largest trading partner;
1. Welcomes the EU's strong commitment to the Thai people, with whom the EU has strong and long-standing political, economic and cultural ties; stresses that the EU, as a friend and partner of Thailand, has repeatedly called for the democratic process to be restored;
  2. Is deeply concerned, however, about the deteriorating human rights situation in Thailand following the illegal coup of May 2014;
  3. Urges the Thai authorities to lift repressive restrictions on the right to liberty and the peaceful exercise of other human rights, in particular those relevant to peaceful involvement in political activities;
  4. Calls on the Thai authorities to overturn convictions and sentences, to withdraw charges and to release individuals and media operators who have been sentenced or charged for peacefully exercising their rights to freedom of expression or assembly; calls on the government to revoke immediately Section 44 of the interim constitution and related provisions that serve as a basis for the Thai authorities to repress fundamental freedoms and commit human rights violations with impunity;
  5. Calls on the Thai authorities to help prevent security threats affecting the general population, and better to address the concerns of members of the community and of land rights activists;
  6. Calls on the Thai authorities to commence as soon as possible the political transfer of powers from military to civilian authorities; takes note of the clear plan for free and fair elections and calls for the timeline to be respected;
  7. Encourages the transfer of all judicial jurisdiction over civilians from military to civilian courts, an end to arbitrary detention under martial law, and measures to restrict rather than enhance the army's powers to detain civilians;
  8. Encourages the authorities to reconsider the *lèse-majesté* law so as to prevent it penalising the peaceful exercise of political expression, and to suspend the extensive use of this law in respect of unconnected issues;
  9. Asks that the right to security, including that of human rights defenders, be respected and protected, and that all violations of the rights of human rights defenders be promptly, effectively and independently investigated;
  10. Takes note of the appointment by the Thai Government of a new Constitution Drafting Committee to draft a new constitution as soon as possible; calls for a constitution based on democratic principles such as equality, liberty, fair representation, transparency, accountability, human rights, the rule of law and public access to resources;
  11. Calls on the Thai Government to comply with its own constitutional and international obligations as regards the independence of the judiciary, the right to freedom of expression, association and peaceful assembly, and political pluralism, especially in the light of the growing severity of its 'anti-defamation' laws;

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12. Takes note of the measures taken by the Thai Government to comply with minimum standards for the elimination of trafficking and to put an end to endemic modern-day slavery in the supply chain of its fishing industry; encourages the government to implement these measures as a matter of urgency and to step up its efforts;
  13. Calls on Thailand to sign and ratify the 1951 Refugee Convention or the 1967 Protocol thereto;
  14. Urges Thailand to take concrete steps towards the abolition of the death penalty;
  15. Strongly welcomes the approval of Thailand's Gender Equality Act, which signals a more inclusive future for the country's treatment under the law of lesbian, gay, bisexual and transgender (LGBT) people;
  16. Welcomes the decision to dismiss the criminal defamation case against Andy Hall, and his subsequent release; calls for the computer crime and criminal defamation cases initiated against him at Southern Bangkok Criminal Court also to be dropped, given that his actions as a human rights defender were aimed at exposing instances of human trafficking and improving the legal situation of migrant workers in Thailand, which confirms his right to carry out research and advocacy without fear of reprisals; expresses its concern, with regard to the civil defamation cases, that his trial may not be fully impartial, as there have been reports of ownership links between the suing company and high-ranking Thai politicians; asks the EU Delegation to continue to follow his legal situation closely and to attend his trial;
  17. Welcomes the acquittal on 1 September 2015 by the Phuket Provincial Court of the journalists Chutima 'Oi' Sidasathian and Alan Morison;
  18. Urges the international community, and the EU in particular, to put all their efforts into fighting human trafficking, slave work and forced migration by advocating international collaboration on the monitoring and prevention of human rights violations relating to labour issues;
  19. Encourages the EU and the Thai Government to engage in a constructive dialogue on matters relating to human rights protection and democratisation processes in Thailand and in the region; reiterates its support for the democratisation process in Thailand;
  20. Supports the Commission and the European External Action Service (EEAS) in maintaining economic and political pressure in order to ensure Thailand's return to democratic governance; reminds the Thai Government, in this connection, that no progress should be expected on the FTA and PCA between the EU and Thailand as long as the military junta remains in power;
  21. Welcomes Thailand's new role as country coordinator for ASEAN-EU relations for 2015-2018; points to the mutual benefits that ASEAN and the EU gain from their cooperation;
  22. Asks the EEAS and the EU Delegation, as well as Member State delegations, to use all available instruments to ensure respect for human rights and the rule of law in Thailand, in particular by continuing to observe investigations and trial hearings of opposition leaders;
  23. 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 Commission, the Government and Parliament of Thailand, the parliaments and governments of the Member States, the United Nations High Commissioner for Human Rights and the governments of the Association of Southeast Asian Nations member states.
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P8\_TA(2015)0344

## **The mass displacement of children in Nigeria as a result of Boko Haram attacks**

### **European Parliament resolution of 8 October 2015 on the mass displacement of children in Nigeria as a result of Boko Haram attacks (2015/2876(RSP))**

(2017/C 349/05)

*The European Parliament,*

- having regard to its previous resolutions on Nigeria, in particular to those of 17 July 2014<sup>(1)</sup> and 30 April 2015<sup>(2)</sup>,
  - having regard to previous statements by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, including those of 8 January, 19 January, 31 March, 14 and 15 April, and 3 July 2015,
  - having regard to the statement by the President of the Security Council of the UN on 28 July 2015,
  - having regard to President Muhammadu Buhari's address to the UN General Assembly of 28 September 2015, and to the UN counter-terrorism summit,
  - having regard to the Cotonou Agreement,
  - having regard to UN Security Council Resolution 1325 on Women, Peace and Security, adopted on 31 October 2000,
  - having regard to the United Nations (UN) Convention on the Rights of the Child and the Organization of African Unity (OAU) Charter on the Rights and Welfare of the Child (1990),
  - having regard to the 2003 Child Rights Act signed into law by the Federal Government of Nigeria,
  - having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to the African Union Convention on the prevention and fight against terrorism, ratified by Nigeria on 16 May 2003, and the Additional Protocol, ratified by Nigeria on 22 December 2008,
  - having regard to the EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa,
  - having regard to the report of the United Nations High Commissioner for Human Rights on violations and abuses committed by Boko Haram and the impact on human rights in the affected countries of 29 September 2015; having regard to the statements by the UN High Commissioner for Human Rights regarding the possibility that members of Boko Haram could be accused of war crimes,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas Nigeria, the most populous and largest economy in Africa, which is ethnically diverse and marked by regional and religious cleavages and a North-South divide with severe economic and social inequalities, has since 2009 become the battlefield of the Boko Haram Islamic terrorist group with its sworn allegiance to Da'esh; whereas the terrorist group has become a growing threat to the stability of Nigeria and the West African region; whereas the Nigerian security forces have often used excessive force and committed abuses during military operations to counter the insurgency;

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<sup>(1)</sup> Texts adopted, P8\_TA(2014)0008.

<sup>(2)</sup> Texts adopted, P8\_TA(2015)0185.

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- B. whereas at least 1 600 civilians have been killed by Boko Haram in the last four months, raising the death toll to at least 3 500 civilians in 2015 alone;
- C. whereas since the emergence of the Boko Haram insurgency its targeted actions against schoolboys and schoolgirls in the area have deprived children of access to education, with the figure of 10,5 million children of primary school age in Nigeria not attending school being the highest in the world, according to UNESCO figures; whereas, like al-Shabaab in Somalia, AQIM, MUJAO and Ansar Dine in North Mali and the Taliban in Afghanistan and Pakistan, Boko Haram targets children and women who receive an education;
- D. whereas despite advances by Nigerian and regional armed forces, increasing attacks and suicide bombings extending beyond the border into neighbouring countries threaten stability and the livelihood of millions of people throughout the entire region; whereas children are in critical danger on account of the deteriorating humanitarian situation, with worsening food insecurity combined with poor access to education, safe drinking water and health services;
- E. whereas the UN estimates that the violence in Borno, Yobe and Adamawa states has recently resulted in the number of internally displaced people increasing dramatically to 2,1 million, 58 % of whom are children, according to IOM; whereas more than 3 million people have been affected by the insurgency as a whole, and 5,5 million are in need of humanitarian assistance in the Lake Chad Basin;
- F. whereas Nigeria has succeeded in conducting mostly peaceful presidential and gubernatorial elections despite the threats made by Boko Haram to disrupt the ballot; whereas Nigeria and its neighbouring countries created a Multinational Joint Task Force (MNJTF) on 11 June 2015 in Abuja to comply with the decisions taken in Niamey in January 2015 on fighting Boko Haram;
- G. whereas Boko Haram has abducted more than 2 000 women and girls in Nigeria since 2009, including the kidnapping of 276 schoolgirls from Chibok in the north-east of the country on 14 April 2014, an act which shocked the whole world and triggered an international campaign ('Bring back our Girls') to rescue them; whereas almost a year and half later, more than 200 of the girls captured in that incident have still not been found;
- H. whereas many more children have since gone missing, or have been abducted or recruited to serve as fighters and house workers, with girls being subjected to rape and forced marriage or forced to convert to Islam; whereas since April 2015 some 300 other girls rescued by the Nigerian security forces from terrorist strongholds and around 60 others who managed to escape their captors from another location have described their life in captivity to Human Rights Watch (HRW) as being one of daily violence and terror, plus physical and psychological abuses; whereas, according to the UNSR for Children and Armed Conflict, the armed conflict in north-eastern Nigeria this past year was one of the world's deadliest for children, with killings, the growing recruitment and use of children, countless abductions and sexual violence against girls; whereas UNICEF says that more than 23 000 children have been separated from their parents and forced from their home by the violence, running to save their lives inside Nigeria or crossing the border to Cameroon, Chad and Niger;
- I. whereas most of the children living in IDP and refugee camps have lost one or both parents (either killed or missing), as well as siblings and other relatives; whereas, although a number of international and national humanitarian organisations are operating in the camps, access to basic rights for many of these children — including nutrition, shelter (overcrowded and unsanitary), health and education — remains of abysmally low quality;
- J. whereas there are at least 208 000 children without access to education and 83 000 lack access to safe water in the sub-region (Nigeria, Cameroon, Chad and Niger), and 23 000 children in the north-east of Nigeria have been separated from their families;

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- K. whereas the number of attacks by Boko Haram has risen in Nigeria, as well as in neighbouring Cameroon, Chad and Niger; whereas Boko Haram continues to abduct children and women to carry explosive devices, using them, without their knowledge, as suicide bombers; whereas some of those who had sought refuge on the Chadian side of Lake Chad were again targeted by the same terrorists on Chadian soil;
- L. whereas in June 2015 the EU provided EUR 21 million in humanitarian aid to help displaced people in Nigeria and neighbouring countries affected by the violence of terrorist organisations;
- M. whereas UNICEF, together with governments and partners in Nigeria, Cameroon, Chad and Niger, is increasing its operations to assist thousands of children and their families in the region by providing access to safe water, education, counselling and psychological support, as well as vaccinations and treatment for severe acute malnutrition; whereas UNICEF has received only 32 % of the 50,3 million required this year for its humanitarian response across the Lake Chad region;
- N. whereas a number of the abducted women and girls who have escaped or have been rescued or freed return home pregnant and in dire need of reproductive and maternal health care, and others lack access to basic post-rape health screening, post-traumatic care, social support and rape counselling, according to HRW; whereas the Commission has stated that where pregnancy causes unbearable suffering women must have access to the full range of sexual and reproductive health services based on their medical condition, therefore asserting that international humanitarian law shall in any case prevail;
1. Strongly condemns Boko Haram crimes, including terrorist raids and suicide bombings in Chad, Cameroon and Niger; stands with the victims and conveys its condolences to all families who have lost loved ones; denounces the ongoing relentless violence in the Nigerian Borno, Yobe and Adamawa states and other cities in the country;
  2. Deplores the acts which have led to the mass displacement of innocent children and calls for immediate coordinated international action to assist the work of UN agencies and NGOs in preventing displaced children and youths from being subjected to sexual slavery, other forms of sexual violence and kidnappings and from being forced into armed conflict against civilian, government and military targets in Nigeria by the Boko Haram terrorist sect; stresses the paramount need to duly protect children's rights in Nigeria, a country in which over 40 % of the total population is aged between 0 and 14;
  3. Believes that in the cases of children formerly associated with Boko Haram or other armed groups, non-judicial measures should be considered as an alternative to prosecution and detention;
  4. Welcomes the recent announcement by the Commission of additional funds to boost urgent humanitarian aid to the region; expresses, however, serious concerns about the funding gap between commitments and actual payments for UNICEF operations in the region by the international community at large; calls on donors to meet their commitments without delay in order to address the chronic need for access to basic provisions such as drinking water, basic health care and education;
  5. Calls on the President of Nigeria and his newly appointed Federal Government to adopt strong measures to protect the civilian population, to put special emphasis on the protection of women and girls, to make women's rights and children's rights a priority when fighting extremism, to provide help for victims and to prosecute wrongdoers, and to ensure women's participation in decision-making at all levels;
  6. Calls on the Nigerian Government to launch, as promised by President Buhari, an urgent, independent and thorough investigation into crimes under international law and other serious human rights violations by all parties to the conflict;

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7. Welcomes the change in military leadership and demands that all human rights abuses and crimes committed by both terrorists and Nigerian security forces be investigated in order to address the lack of accountability observed under the former presidency; welcomes the pledge made by President Buhari to investigate evidence that Nigerian military forces have committed serious human rights violations, war crimes and acts which may constitute crimes against humanity;
  8. Urges the President of the Federal Republic to address the challenges involved in abiding by all campaign promises and the latest statements, the most important of which are defeating the terrorist threat, making respect for human rights and humanitarian law a central pillar of military operations, bringing back the Chibok girls and all other abducted women and children alive and unharmed, addressing the ever growing problem of malnutrition, and fighting corruption and impunity in order to deter future abuses and work towards justice for every victim;
  9. Urges the Nigerian authorities and the international community to work closely together and to increase efforts to reverse the continuous trend towards the further displacement of people; welcomes the determination expressed at the Niamey Regional Summit of 20 and 21 January 2015 by the 13 participating countries, and in particular the commitment of Chad, together with Cameroon and Niger, to engage in the fight against the terrorist threats of Boko Haram; calls on the Multinational Joint Task Force (MNJTF) to observe international human rights and humanitarian law conscientiously in its operations against Boko Haram; reiterates that a military approach alone will not suffice to counter the Boko Haram insurgency;
  10. Recalls that Boko Haram's origins are rooted in grievances over poor governance, pervasive corruption and stark inequalities in Nigerian society; urges the Nigerian authorities to eliminate corruption, mismanagement and inefficiencies within the public institutions and the army, and to promote fair taxation; calls for the adoption of measures to starve Boko Haram of its sources of illegal income through cooperation with neighbouring countries, in particular with regard to smuggling and trafficking;
  11. Urges the international community to help Nigeria and the neighbouring countries who host refugees (Cameroon, Chad and Niger) to provide all necessary medical and psychological assistance to those in need; appeals to the authorities in the sub-region to ensure ease of access to the full range of sexual and reproductive health services for women and girls who have been raped, in accordance with the common Article 3 of the Geneva Conventions; stresses the need to implement a universal standard for the treatment of war rape victims and to ensure the primacy of international humanitarian law in situations of armed conflict; expresses its full sympathy with women and children who have survived the blind terrorism perpetrated by Boko Haram; calls for the establishment of specialised education programmes aimed at women and children who are victims of war and society as a whole, to help them overcome the terror experienced, to give appropriate and comprehensive information, to combat stigmas and social exclusion and to help them become valued members of society;
  12. Urges the Commission to prioritise assistance for uprooted children and youths in Nigeria, Cameroon, Chad and Niger, with particular attention on protection from all forms of ferocity and gender violence and on access to education, healthcare and safe drinking water, within the framework of the Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa;
  13. Calls on the Nigerian Government to take measures to facilitate the return of displaced persons, especially children, to guarantee their safety, and to assist NGOs in their efforts to improve conditions in the camps for people displaced by the conflict by, *inter alia*, improving hygiene and sanitation in order to prevent the possible spread of disease;
  14. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government and the Parliament of the Federal Republic of Nigeria, and the representatives of the ECOWAS and the African Union.
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P8\_TA(2015)0345

## The case of Ali Mohammed al-Nimr

**European Parliament resolution of 8 October 2015 on the case of Ali Mohammed al-Nimr (2015/2883(RSP))**

(2017/C 349/06)

*The European Parliament,*

- having regard to its previous resolutions of 12 February 2015 on the case of Mr Raif Badawi, Saudi Arabia <sup>(1)</sup>, and of 11 March 2014 on Saudi Arabia, its relations with the EU and its role in the Middle East and North Africa <sup>(2)</sup>,
- having regard to the EU Guidelines on the Death Penalty, adopted in June 1998 and revised and updated in April 2013,
- having regard to the UN General Assembly resolutions, in particular that of 18 December 2014 on a moratorium on the use of the death penalty (A/RES/69/186),
- having regard to the statements of 22 September 2015 by UN human rights experts on the case of Ali Mohammed al-Nimr,
- having regard to UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
- having regard to Article 11 of the Charter of Fundamental Rights of the European Union which stipulates that everyone has the right to freedom of expression, and Article 4, which prohibits torture,
- having regard to the EU Guidelines on Human Rights Defenders, adopted in June 2004 and reviewed in December 2008,
- having regard to the UN Convention on the Rights of the Child, to which Saudi Arabia is a party,
- having regard to Article 18 of the 1948 Universal Declaration of Human Rights and Article 19 of the 1966 International Covenant on Civil and Political Rights,
- having regard to the Arab Charter on Human Rights, to which Saudi Arabia is a party, in particular Article 32(1) thereof, which guarantees the right to information and to freedom of opinion and expression, and Article 8 thereof, which prohibits physical or psychological torture and cruel, degrading, humiliating or inhuman treatment,
- having regard to the recent additional case of condemnation to beheading of a second juvenile, Dawoud al-Marhoon, who, at the age of 17, was allegedly tortured and forced to sign a confession which officials used to convict him after he was arrested during protests in Saudi Arabia's Eastern Province in May 2012,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

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<sup>(1)</sup> Texts adopted, P8\_TA(2015)0037.

<sup>(2)</sup> Texts adopted, P7\_TA(2014)0207.



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- A. whereas Ali Mohammed al-Nimr, who is 21 years old and is a nephew of a prominent dissident, was sentenced in May 2015 to capital punishment, reportedly by beheading followed by crucifixion, by Saudi Arabia's Supreme Court on criminal charges including sedition, rioting, protesting robbery and belonging to a terror cell whereas Ali al-Nimr was under the age of 18 — and thus still a juvenile — at the time he was arrested while demonstrating for democracy and equal rights in Saudi Arabia; whereas he was sentenced to death on account of the protests in the mostly Shia Eastern Province of Saudi Arabia; whereas it is alleged by reliable sources that Ali al-Nimr was tortured and forced to sign his confession; whereas he has been denied any guarantees of a safe trial and due legal process in compliance with international law;
- B. whereas imposing the death penalty on someone who was a child at the time of the offence and following allegations of torture is incompatible with Saudi Arabia's international obligations;
- C. whereas the prohibition of torture and cruel, inhuman or degrading treatment or punishment is included in all international and regional human rights instruments and constitutes a rule of customary international law, which is thus binding on all states, regardless of whether they have ratified the relevant international agreements;
- D. whereas the increase in death sentences is closely linked to the rulings of Saudi Arabia's Specialised Criminal Court in trials in response to terrorism-related offences; whereas, according to international human rights organisations, at least 175 executions were carried out in Saudi Arabia between August 2014 and June 2015;
- E. whereas this case is one of many cases in which harsh sentences have been imposed on, and harassment used against, Saudi activists persecuted for expressing their views, several of whom have been convicted under procedures which fall short of international fair trial standards, as was confirmed by the former UN High Commissioner for Human Rights in July 2014;
- F. whereas Article 19 of the Universal Declaration of Human Rights states that everyone has the right to freedom of opinion and expression, both online and offline; whereas this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;
- G. whereas Saudi-Arabia's Ambassador to the United Nations in Geneva, H.E. Faisal bin Hassan Trad, has been appointed Chair of a panel of independent experts on the UN Human Rights Council;
- H. whereas the opening of the dialogue between the Kingdom of Saudi Arabia (KSA) and the EU on human rights could be a constructive step in enhancing mutual understanding and promoting reforms in the country, including reform of the judiciary;
- I. whereas Saudi Arabia is an influential and important political and economic actor within the Middle East and North Africa region;
1. Strongly condemns the sentencing of Ali Mohammed al-Nimr to the death penalty; reiterates its condemnation of the use of the death penalty and strongly supports the introduction of a moratorium on the death penalty, as a step towards abolition;
  2. Calls on the Saudi Arabian authorities, and in particular His Majesty the King of Saudi Arabia, Salman bin Abdulaziz Al Saud, to halt the execution of Ali Mohammed al-Nimr and to grant a pardon or commute his sentence; calls on the European External Action Service and the Member states to use all their diplomatic tools and efforts to immediately stop this execution;
  3. Reminds the KSA that it is a state party to the Convention on the Rights of the Child, which strictly prohibits the use of the death penalty for crimes committed by anyone below the age of 18;

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4. Urges the Saudi authorities to abolish the Specialised Criminal Court, set up in 2008 to try terrorism cases but increasingly used to prosecute peaceful dissidents on apparently politically motivated charges and in proceedings that violate the fundamental right to a fair trial;
  5. Calls on the Government of Saudi Arabia to ensure a prompt and impartial investigation into the alleged acts of torture and to ensure that Ali Mohammed al-Nimr is given any medical attention he may require and regular access to his family and lawyers;
  6. Reminds Saudi Arabia of its commitments as a member of the UN Human Rights Council; notes that Saudi Arabia has recently been appointed to chair a panel of independent experts on the UN Human Rights Council; strongly urges the Saudi authorities to ensure that standards of respect for human rights and fundamental freedoms in their country are consistent with such an international role;
  7. Calls for an enhanced mechanism for dialogue between the EU and Saudi Arabia on human rights issues and an exchange of expertise on justice and legal matters in order to strengthen the protection of individual rights in the KSA, in line with the process of judicial reform which it has undertaken; calls on the KSA's authorities to pursue the necessary human rights reforms, in particular those related to limiting the death penalty and capital punishment;
  8. Encourages Saudi Arabia to sign and ratify the International Covenant on Civil and Political Rights (ICCPR), which entered into force in 1976, Article 6 of which states that 'every human being has the inherent right to life';
  9. Expresses its grave concern at the reported rise in the number of death sentences in the KSA in 2014 and the alarming rate at which court rulings have ordered the death penalty in 2015;
  10. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the parliaments and governments of the Member States, H.M. King Salman bin Abdulaziz Al Saud, the Government of the Kingdom of Saudi Arabia, the UN High Commissioner for Human Rights and the UN Human Rights Council.
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P8\_TA(2015)0347

**Mortgage legislation and risky financial instruments in the EU: the case of Spain****European Parliament resolution of 8 October 2015 on mortgage legislation and risky financial instruments in Spain (based on petitions received) (2015/2740(RSP))**

(2017/C 349/07)

*The European Parliament,*

- having regard to Petition 626/2011 and 15 others on mortgage legislation in Spain (179/2012, 644/2012, 783/2012, 1669/2012, 0996/2013, 1345/2013, 1249/2013, 1436/2013, 1705/2013, 1736/2013, 2120/2013, 2159/2013, 2440/2013, 2563/2013 and 2610/2013),
  - having regard to Petition 513/2012 and 21 others on risky financial instruments in Spain (548/2012, 676/2012, 677/2012, 785/2012, 788/2012, 949/2012, 1044/2012, 1247/2012, 1343/2012, 1498/2012, 1662/2012, 1761/2012, 1851/2012, 1864/2012, 169/2013, 171/2013, 2206/2013, 2215/2013, 2228/2013, 2243/2013 and 2274/2013),
  - having regard to the deliberations in its Committee on Petitions with the petitioners concerned, most recently on 16 April 2015,
  - having regard to Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 <sup>(1)</sup>,
  - having regard to Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directives 2002/92/EC and 2011/61/EU <sup>(2)</sup>,
  - having regard to Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts <sup>(3)</sup>,
  - having regard to the Commission statement — in the joint debate of 19 May 2015 on insolvency proceedings — on the review and extension of the Commission recommendation of 12 March 2014 on a new approach to business failure and insolvency, with regard to family insolvency and second chances for individuals and households,
  - having regard to its resolution of 11 June 2013 on social housing in the European Union <sup>(4)</sup>,
  - having regard to its question to the Commission on mortgage legislation and risky financial instruments in Spain (based on petitions received) (O-000088/2015 — B8-0755/2015),
  - having regard to the motion for a resolution of the Committee on Petitions,
  - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas numerous petitions received have brought to light thousands of tragic personal cases in which citizens experienced the partial or entire loss of their life savings, and whereas these petitions highlight the barriers that consumers face when seeking to obtain accurate and essential information on financial instruments;

<sup>(1)</sup> OJ L 60, 28.2.2014, p. 34.

<sup>(2)</sup> OJ L 173, 12.6.2014, p. 349.

<sup>(3)</sup> OJ L 95, 21.4.1993, p. 29.

<sup>(4)</sup> Texts adopted, P7\_TA(2013)0246.

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- B. whereas in Spain civil society organisations are continuing to protest against the hundreds of thousands of evictions, abusive terms in mortgage contracts and the lack of protection for borrowers; whereas, according to one of those organisations, the Platform of Mortgage Victims (Plataforma de Afectados por la Hipoteca — PAH), there were 19 261 evictions in Spain during the first quarter of 2015 (6 % more than in the first quarter of 2014); whereas PAH estimates that there have been more than 397 954 evictions in Spain since 2008; whereas more than 100 000 households have lost their homes;
- C. whereas the impact of the crisis has aggravated the situation for evicted families, who still have to pay out their mortgage debt and the increasing interest on it; whereas the Spanish Government introduced the possibility of ‘datio in solutum’ as an exceptional measure under Law 6/2012; recalls that, according to official data for the second quarter of 2014, ‘datio in solutum’ has been approved for only 1 467 out of 11 407 applications, or 12,86 % of the total;
- D. whereas a number of abusive clauses and practices in the Spanish mortgage sector have been identified by national and European courts (see Court of Justice judgments C-243/08 *Pannon GSM*; C-618/10, *Banco Español de Crédito*; and C-415/11, *Catalunyacaixa*), and should have been prevented by Directives 93/13/EEC, 2004/39/EC and 2005/29/EC had those directives all been fully transposed and implemented in Spain;
- E. whereas Directive 2014/17/EU on credit agreements for consumers relating to residential immovable property (the Mortgage Credit Directive) will be applicable to mortgage credit agreements coming into existence after 21 March 2016, and will require creditors to inform consumers about the main characteristics of the credit agreement;
- F. whereas, as a result of the Aziz ruling (Case C-415/11), the Spanish authorities adopted, under an accelerated procedure, Law 1/2013 of 14 May 2013 on measures to reinforce the protection of mortgage debtors, debt restructuring and social rental (*Ley 1/2013 de medidas para reforzar la protección a los deudores hipotecarios, reestructuración de la deuda y alquiler social*);
- G. whereas, as a result of the ruling in Case C-169/14, the Spanish authorities amended the national mortgage appeal system by means of a final provision in Law 9/2015 of 25 May 2015 on urgent measures in bankruptcy matters (*Ley 9/2015 de medidas urgentes en material concursal*), to bring it into line with Directive 93/13/EEC;
- H. whereas the Spanish parliament has adopted a ‘Code of good practice for a viable restructuring of debts relating to mortgages on habitual dwellings’, which has mostly been ignored by financial bodies owing to its voluntary status and has had very limited results in avoiding evictions or prompting ‘datio in solutum’, as the eligibility requirements disqualify more than 80 % of those affected;
- I. whereas in many cases consumers were not duly informed by banks about the extent of the risks associated with proposed investments, and whereas in such cases the banks also failed to perform suitability tests to determine whether clients had adequate knowledge to understand the financial risks they were exposing themselves to; whereas many of the affected citizens are elderly people who had invested their life savings in what they were told were no-risk investments;
- J. whereas over the past few years 700 000 Spanish citizens are estimated to have been the victims of financial fraud, as they were sold risky financial instruments in bad faith by their banks, without being duly informed about the extent of the risks and the real implications of not being able to access their savings;
- K. whereas the arbitration mechanism put in place by the Spanish authorities has been rejected by many of the victims of financial fraud;

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- L. whereas the Markets in Financial Instruments Directive (MiFID) (Directive 2004/39/EC) regulates the provision of investment services by investment firms and credit institutions in relation to financial instruments, including preferred shares ('preferentes'); whereas Article 19 of the MiFID formulates business obligations for those providing investment services to clients;
1. Calls on the Commission to monitor the implementation in all the Member States of the ruling in Case C-415 (*Aziz*) and of Directive 93/13/EEC on mortgage legislation, in order to guarantee full compliance by national authorities;
  2. Calls on financial entities across the Union to stop engaging in abusive behaviour towards clients in the field of mortgages, sophisticated financial products and credit cards, including the imposition of excessive interest rates and the arbitrary cancellation of service;
  3. Calls on financial entities across the Union to avoid resorting to the eviction of families living in their sole residence, and to engage instead in debt restructuring;
  4. Calls on the Spanish Government to make use of the tools at its disposal in order to find a comprehensive solution for drastically reducing the intolerable numbers of evictions;
  5. Calls on the Commission to follow closely the transposition in all the Member States of Directive 2014/17/EU on credit agreements for consumers relating to residential immovable property (the Mortgage Credit Directive);
  6. Calls on the Commission to share best practice regarding the application in certain Member States of 'datio in solutum', and to assess its impact on consumers and business;
  7. Warns the Commission of the doubts expressed by the EU Advocate-General concerning the legality of the measures adopted by the Spanish Government to resolve the infringements denounced by the Court of Justice on 14 March 2013 and prevent abusive practices in the mortgage sector;
  8. Calls on the Commission to monitor closely the effective implementation of the new measures adopted by the Spanish Government to resolve the existing problems and to prevent abusive banking and trading practices;
  9. Calls on the Commission to launch information campaigns on financial products and to enhance financial literacy through education, in order to ensure that European citizens are better informed about the risks involved when subscribing to financial products;
  10. Calls on the Commission to share best practices that enhance the protection of citizens in financial difficulty; believes that basic financial education should be considered as a complementary asset for avoiding the consequences of over-indebtedness;
  11. Calls on the European Banking Authority (EBA) and the European Central Bank (ECB) to establish a best practice campaign in order to encourage banks and their employees to provide clear, understandable and correct information; stresses that consumers need to make an informed decision based on a full understanding of the risks they may incur, and that traders and banks must not mislead consumers;
  12. Calls on the EBA and the ECB, in order to preserve the strength of the EU financial sector, to take further steps to require banks to separate potentially risky trading from their deposit-taking business where the pursuit of such activities compromises financial stability;
  13. Calls on the Commission and the ECB to evaluate the Spanish arbitration mechanism put in place for citizens who are victims of financial fraud;

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14. Calls on the Commission to monitor the correct transposition and application of EU law by Spain in relation to financial instruments, including preferred shares;
  15. Calls on the Commission to follow up on the complaints received and to carry out the necessary investigations;
  16. Asks the Commission to put forward a legislative proposal on family insolvency;
  17. Instructs its President to forward this resolution to the Spanish Government, the Council, the Commission and the European Central Bank.
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P8\_TA(2015)0348

## The death penalty

### European Parliament resolution of 8 October 2015 on the death penalty (2015/2879(RSP))

(2017/C 349/08)

*The European Parliament,*

- having regard to its previous resolutions on the abolition of the death penalty, in particular that of 7 October 2010 <sup>(1)</sup>,
  - having regard to the joint declaration of 10 October 2014 by Federica Mogherini, Vice-President of the Commission/ High Representative of the Union for Foreign Affairs and Security Policy, and Thorbjørn Jagland, Secretary General of the Council of Europe, on the European and World Day Against the Death Penalty,
  - having regard to Protocols 6 and 13 to the European Convention on Human Rights,
  - having regard to Article 2 of the Charter of Fundamental Rights of the European Union,
  - having regard to the EU Guidelines on the Death Penalty,
  - having regard to the EU export controls regime for goods that can be used for the death penalty, which is currently being updated,
  - having regard to the International Covenant on Civil and Political Rights (ICCPR) and the Second Optional Protocol thereto,
  - having regard to the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
  - having regard to the Study on the impact of the world drug problem on the enjoyment of human rights, issued by the UN High Commissioner for Human Rights in September 2015,
  - having regard to the resolutions of the UN General Assembly, in particular that of 18 December 2014 on the moratorium on the use of the death penalty (A/RES/69/186),
  - having regard to the final declaration adopted by the 5th World Congress against the Death Penalty held in Madrid on 12-15 June 2013,
  - having regard to the World Day and the European Day against the Death Penalty, held on 10 October each year,
  - having regard to Rules 128(5) and 123(4) of its Rules of Procedure,
- A. whereas abolition of the death penalty worldwide is one of the main objectives of the EU's human rights policy;
- B. whereas the focus of the World Day Against the Death Penalty on 10 October 2015 is 'raising awareness around the application of the death penalty for drug-related offences';
- C. whereas according to the UN Office of the High Commissioner for Human Rights more than 160 UN Members States, with a variety of legal systems, traditions, cultures and religious backgrounds, have either abolished the death penalty or do not practise it;

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<sup>(1)</sup> OJ C 371 E, 20.12.2011, p. 5.

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- D. whereas the latest figures reveal that at least 2 466 people in 55 countries are known to have been sentenced to death in 2014 — an increase of almost 23 % on the 2013 figure; whereas at least 607 executions were carried out worldwide in 2014; whereas these figures do not include the number of people believed to have been executed in China, which continued to execute more people than the rest of the world combined, while sentencing thousands more to death; whereas death sentences and executions are continuing at an alarming rate in 2015; whereas the increase in death sentences is closely linked to court rulings in mass trials in response to terrorism-related offences in countries such as Egypt and Nigeria; whereas the possible reintroduction of the death penalty is being considered in Chad and Tunisia; whereas death sentences continue to be handed down and executed in certain states in the USA;
- E. whereas people are reported to have been sentenced to death by stoning in Pakistan, Nigeria, Afghanistan, Iran, Iraq, Sudan, Somalia and Saudi Arabia, and whereas hundreds of women have been stoned to death for adultery in recent years; whereas stoning as a method of capital punishment is considered a form of torture;
- F. whereas eight states have the death penalty in their legislation for homosexuality (Mauritania, Sudan, Iran, Saudi Arabia, Yemen, Pakistan, Afghanistan and Qatar), and whereas provinces of Nigeria and Somalia officially implement death penalty for same-sex sexual acts;
- G. whereas the death penalty is often used against the underprivileged, the mentally ill and members of national and cultural minorities;
- H. whereas 33 states apply the death penalty for drug-related offences, resulting in approximately 1 000 executions annually; whereas in 2015, executions for such crimes are known to have been carried out in China, Iran, Indonesia and Saudi Arabia; whereas in 2015 death sentences continued to be imposed for drug-related offences in China, Indonesia, Iran, Kuwait, Malaysia, Saudi Arabia, Sri Lanka, United Arab Emirates and Vietnam; whereas these offences may include different charges of drug trafficking or drug possession;
- I. whereas the last 12 months have seen a global resurgence in the use of the death penalty for drug offences, with a number of states executing people for drug-related offences at a significantly increased rate, seeking to re-introduce the death penalty for drug offences, or ending long-standing death penalty moratoriums;
- J. whereas Iran reportedly executed 394 drug offenders in the first six months of 2015, compared with 367 in the whole of 2014; whereas half of all executions carried out in Saudi Arabia this year have been for drug offences, compared with only 4 % of the overall number in 2010; whereas at least 112 drug offenders are awaiting execution on Pakistan's death row;
- K. whereas a number of citizens of EU Member States have either been executed or are awaiting execution in third countries for drug-related crimes;
- L. whereas Article 6(2) of the International Covenant on Civil and Political Rights stipulates that the death penalty may only be applied for the 'most serious crimes'; whereas the UN Human Rights Committee and the UN Special Rapporteurs on Extrajudicial, Summary or Arbitrary Executions and on Torture have stated that the death penalty should not be imposed for drug-related offences; whereas the mandatory death penalty and its use for drug-related offences are against international law and standards;
- M. whereas the International Narcotics Control Board has encouraged states that impose the death penalty to abolish it for drug-related offences;



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- N. whereas the Commission and the Member States have given at least EUR 60 million to the UN Office on Drugs and Crime (UNODC) counter-narcotics programmes focused on drug enforcement in countries which actively apply the death penalty for drug offences; whereas recent NGO reports have expressed concern at the fact that European-funded counter-narcotics programmes in retentionist states may be encouraging capital convictions and executions, and whereas these reports require assessment;
- O. whereas under the EU's Instrument contributing to Stability and Peace (IcSP) and its predecessor, the Instrument for Stability (IfS), the Commission has initiated two large-scale regional counter-narcotics measures — the cocaine and heroin route programmes, whose scope includes countries which apply the death penalty for drug offences; whereas under Article 10 of the IcSP Regulation, the Commission is obliged to use operational guidelines for human rights and humanitarian law compliance for measures against organised crime;
1. Reiterates its condemnation of the use of the death penalty and strongly supports the introduction of a moratorium on the death penalty, as a step towards abolition; emphasises once again that the abolition of the death penalty contributes to the enhancement of human dignity and that the EU's ultimate aim is universal abolition;
  2. Condemns all executions wherever they take place; continues to be deeply concerned regarding the imposition of the death penalty on minors and on persons with mental or intellectual disability, and calls for an immediate and definitive end to such practices, which violate international human rights standards; expresses its grave concern about the recent mass trials leading to a vast number of death sentences;
  3. Expresses its great concern about the practice of stoning, which is still being used in several countries, and urges the governments of the countries concerned to immediately enact legislation that bans stoning;
  4. Urges the European External Action Service (EEAS) and the Member States to continue fighting against the use of the death penalty and to strongly support the moratorium as a step towards abolition, to continue to push for abolition worldwide, to strongly urge countries still carrying out capital punishment to comply with international minimum standards, to reduce the scope and use of the death penalty, and to publish clear and accurate figures on the number of sentences and executions; urges the EEAS to remain vigilant with regard to developments in all countries, in particular Belarus as the only European country which still has the death penalty, and to use all means of influence at its disposal;
  5. Welcomes the abolition of the death penalty in certain US states and encourages the EU to continue its dialogue with the USA with a view to total abolition, in order to stand together in addressing capital punishment worldwide;
  6. Invites the Commission to give particular attention, as regards aid and political support, to countries that make progress in abolishing the death penalty or which encourage a universal moratorium on capital punishment; encourages bilateral and multi-lateral initiatives between Member States, the EU, the UN, third countries and other regional organisations on issues relating to the death penalty;
  7. Recalls that the death penalty is incompatible with values such as respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, on which the Union is founded, and that any Member State reintroducing the death penalty would therefore be in violation of the Treaties and of the EU Charter of Fundamental Rights;
  8. Is particularly concerned by the increasing use of the death penalty in the context of the fight against terrorism in a number of countries, and by the possibility of its reintroduction in others;

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9. Condemns in particular the use of the death sentence to suppress opposition, or on grounds of religious belief, homosexuality or adultery, or on other grounds which would either be considered trivial or not regarded as crimes at all; calls, therefore, on those states which criminalise homosexuality not to apply the death penalty for this;
  10. Remains fully convinced that death sentences fail to deter drug trafficking or to prevent individuals from falling victim to drug abuse; calls on retentionist countries to introduce alternatives to the death penalty for drug offences which focus notably on drug prevention and harm reduction programmes;
  11. Reiterates its recommendation to the Commission and the Member States that the abolition of the death penalty for drug-related offences should be made a precondition for financial assistance, technical assistance, capacity-building and other support for drug enforcement policy;
  12. Calls on the Commission and the Member States to reaffirm the categorical principle that European aid and assistance, including to UNODC counter-narcotics programmes, may not facilitate law enforcement operations that lead to death sentences and the execution of those arrested;
  13. Urges the Commission to strengthen the controls on export of products which can be used for the death penalty;
  14. Is deeply concerned by the lack of transparency around counter-narcotics aid and assistance provided by the Commission and the Member States to drug enforcement operations in countries which actively apply the death penalty for drug offences; requests that the Commission publish an annual account of its funding for counter-narcotics programmes in countries which maintain the death penalty for drug offences, outlining what human rights safeguards have been applied to ensure that such funding does not enable death sentences;
  15. Urges the Commission to implement without any further delay the operational guidelines laid down in Article 10 of the IcSP Regulation and to apply them strictly to the cocaine and heroin route programmes;
  16. Urges the Commission to comply with the recommendation in the EU Action Plan on Drugs (2013-2016) that a 'human rights guidance and assessment tool' should be developed and implemented to ensure that human rights are 'effectively mainstreamed into EU External Drugs Action';
  17. Urges the EEAS, the Commission and the Member States to provide guidance for a comprehensive and effective European death penalty policy with regard to dozens of European nationals facing execution in third countries, which should include strong and reinforced mechanisms in terms of identification, delivery of legal assistance and diplomatic representation;
  18. Calls on the EU and its Member States to ensure that the Special Session of the UN General Assembly on the World Drug Problem, in April 2016, addresses the use of the death penalty for drug-related offences, and condemns its application;
  19. Supports all UN agencies, intergovernmental regional bodies and NGOs in their continued efforts to encourage states to abolish the death penalty; calls on the Commission to continue funding projects in this field via the European Instrument for Democracy and Human Rights;
  20. Welcomes the recent ratifications of the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty, which have increased the number of states parties to 81; calls for all states which are not party to the Protocol to ratify it immediately;
  21. Calls on the member states of the Council of Europe which have yet to ratify Protocols 6 and 13 to the European Convention on Human Rights to do so, in order to ensure the effective abolition of the death penalty within the entire Council of Europe region;
  22. Instructs its President to forward this resolution to the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Council, the Commission, the governments and parliaments of the Member States, the UN Secretary-General, the President of the UN General Assembly and the governments of the UN member states.
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P8\_TA(2015)0349

**Lessons learned from the red mud disaster five years after the accident in Hungary****European Parliament resolution of 8 October 2015 on lessons learned from the red mud disaster, five years after the accident in Hungary (2015/2801(RSP))**

(2017/C 349/09)

*The European Parliament,*

- having regard to the principles of Union policy on the environment as laid down in Article 191 of the Treaty on the Functioning of the European Union, in particular the principles that preventive action should be taken and that the polluter should pay,
- having regard to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (Barcelona Convention) and the protocols thereto,
- having regard to Council Directive 91/689/EEC of 12 December 1991 on hazardous waste <sup>(1)</sup>,
- having regard to Commission Decision 2000/532/EC of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste <sup>(2)</sup> (European Waste List),
- having regard to Commission Decision 2014/955/EU of 18 December 2014 amending Decision 2000/532/EC on the list of waste pursuant to Directive 2008/98/EC of the European Parliament and of the Council <sup>(3)</sup>,
- having regard to the Reasoned Opinion sent by the Commission in June 2015 to Hungary requesting it to upgrade environmental standards at another red mud tailings site <sup>(4)</sup>,
- having regard to Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries and amending Directive 2004/35/EC <sup>(5)</sup> (Mining Waste Directive),
- having regard to Recommendation 2001/331/EC of the European Parliament and of the Council of 4 April 2001 providing for minimum criteria for environmental inspections in the Member States <sup>(6)</sup>,
- having regard to its resolution of 20 November 2008 on the review of Recommendation 2001/331/EC providing for minimum criteria for environmental inspections in the Member States <sup>(7)</sup>,
- having regard to Decision No 1386/2013/EU of the European Parliament and of the Council of 20 November 2013 on a General Union Environment Action Programme to 2020 'Living well, within the limits of our planet' <sup>(8)</sup> (Seventh Environment Action Programme),
- having regard to Directive 2004/35/CE of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage <sup>(9)</sup> (Environmental Liability Directive),

<sup>(1)</sup> OJ L 377, 31.12.1991, p. 20.<sup>(2)</sup> OJ L 226, 6.9.2000, p. 3.<sup>(3)</sup> OJ L 370, 30.12.2014, p. 44.<sup>(4)</sup> European Commission — Fact Sheet: June infringements package: key decisions; [http://europa.eu/rapid/press-release\\_MEMO-15-5162\\_en.htm](http://europa.eu/rapid/press-release_MEMO-15-5162_en.htm)<sup>(5)</sup> OJ L 102, 11.4.2006, p. 15.<sup>(6)</sup> OJ L 118, 27.4.2001, p. 41.<sup>(7)</sup> OJ C 16 E, 22.1.2010, p. 67.<sup>(8)</sup> OJ L 354, 28.12.2013, p. 171.<sup>(9)</sup> OJ L 143, 30.4.2004, p. 56.

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- having regard to Commission Decision 2009/335/EC of 20 April 2009 on technical guidelines for the establishment of the financial guarantee in accordance with Directive 2006/21/EC of the European Parliament and of the Council concerning the management of waste from extractive industries <sup>(1)</sup>,
  - having regard to the Commission feasibility study on the concept of an EU-wide industrial disaster risk-sharing facility <sup>(2)</sup>,
  - having regard to the report entitled 'Implementation challenges and obstacles of the Environmental Liability Directive' (final report prepared for the Commission — DG Environment, 2013),
  - having regard to the questions to the Council and to the Commission on lessons learned from the red mud disaster, five years after the accident in Hungary (O-000096/2015 — B8-0757/2015 and O-000097/2015 — B8-0758/2015),
  - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas, on 4 October 2010, the collapse of a waste reservoir in Hungary released almost one million cubic metres of highly alkaline red mud, flooded several villages, killed ten people, injured almost 150, and polluted vast areas of land, including four NATURA 2000 sites;
- B. whereas red mud in this waste reservoir was hazardous waste pursuant to Council Directive 91/689/EEC;
- C. whereas Commission Decision 2014/955/EU indicates explicitly that red mud should be classified as hazardous waste in the absence of proof to the contrary; whereas this decision has applied since 1 June 2015;
- D. whereas there is a risk that, in the past, red mud may have been wrongly classified as non-hazardous waste in other Member States as well, thus giving rise to flawed permits;
- E. whereas red mud is extractive waste pursuant to the Mining Waste Directive, which sets out safety requirements for the management of extractive waste, inter alia based on the best available techniques;
- F. whereas there are also serious problems of environmental pollution due to other mining activities (e.g. the use of cyanide in gold mining) or improperly treated hazardous waste in various Member States;
- G. whereas Recommendation 2001/331/EC is aimed at strengthening compliance and contributing to more consistent implementation and enforcement of EU environmental law;
- H. whereas, in its resolution of 20 November 2008, Parliament described the implementation of environmental law in Member States as incomplete and inconsistent, and urged the Commission to come forward with a legislative proposal on environmental inspections before the end of 2009;
- I. whereas the Seventh Environment Action Programme states that the EU will extend requirements relating to inspections and surveillance to the wider body of environment law, and further develop inspection support capacity at EU level;

<sup>(1)</sup> OJ L 101, 21.4.2009, p. 25.

<sup>(2)</sup> Study to explore the feasibility of creating a fund to cover environmental liability and losses occurring from industrial accidents. Final report. European Commission, DG ENV, 17 April 2013; <http://ec.europa.eu/environment/archives/liability/eld/eldfund/pdf/Final%20report%20ELD%20Fund%20BIO%20for%20web2.pdf>

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- J. whereas the Environmental Liability Directive (ELD) is aimed at establishing a framework of environmental liability based on the 'polluter-pays' principle, and requires Member States to encourage the development of financial security instruments and markets by the appropriate economic and financial operators; whereas Article 18(2) required the Commission to submit a report to Parliament and the Council before 30 April 2014, which has not yet been submitted;
- K. whereas the 2013 report prepared for the Commission on the implementation of the Environmental Liability Directive concluded that 'the transposition of the ELD into the national law of Member States has not resulted in a level playing field' but 'in a patchwork of liability systems for preventing and remedying environmental damage across the EU';
- L. whereas in 2010 the Commission stated in reaction to the red mud disaster that it would reconsider introducing harmonised mandatory financial security even before the ELD review due in 2014;
1. Notes that the 2010 red mud disaster was Hungary's worst industrial catastrophe, and commemorates the victims on the occasion of the fifth anniversary of that tragic event;
  2. Recognises the rapid and effective intervention of the national authorities in the crisis response phase and the major efforts made by civil society during the unprecedented disaster;
  3. Recalls that Hungary triggered the EU Civil Protection Mechanism and received a European team of experts charged with drawing up recommendations, inter alia on how to work out optimal solutions for eliminating and mitigating damages;
  4. Notes that the red mud disaster can be linked to the poor implementation of EU laws, inspection deficiencies, gaps in relevant EU legislation and the performance of the site operator;
  5. Is concerned that almost no lessons seem to have been learned in the last five years, as poor implementation of the relevant EU laws and international conventions as well as inspection deficiencies continue and almost none of the gaps in the relevant EU legislation have since been closed;
  6. Identifies the Mining Waste Directive and the European Waste List as areas of particular concern;
  7. Is concerned that similar sites exist in several Member States; calls on the Member States to ensure that the appropriate inspections are carried out;
  8. Calls on all Member States that have red mud ponds to review whether red mud has been correctly classified as hazardous and revise any permits based on wrong classifications as soon as possible; calls on the Commission to ensure that Member States take action and report to the Commission accordingly, and calls on the Commission to publish a report on the actions taken by Member States by the end of 2016;
  9. Considers it essential to put a stronger emphasis on disaster prevention, bearing in mind that similar environmental incidents have also occurred in other Member States;
  10. Calls on the Commission and the Member States to step up their efforts to ensure the full implementation and proper application of all relevant EU legislation and all relevant international conventions with regard not only to aluminium production and the environmentally sound management of red mud, but also to the environmentally sound management of hazardous waste in general;

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11. Emphasises that the best available techniques in the management of extractive waste must be strictly applied, and calls for a complete shift to the use of dry disposal technologies by the end of 2016, while ensuring that this does not lead to air or water pollution;
12. Calls on the Commission to put more emphasis on research and development in the prevention and treatment of hazardous waste;
13. Urges the Commission to produce guidelines for carrying out stress tests on existing mines with large tailings ponds;
14. Believes that effective pollution prevention requires stringent rules for environmental inspections and appropriate action to ensure their application;
15. Calls on the Member States to strengthen their national environmental inspection bodies in order to enable them to carry out transparent, regular and systematic controls of industrial sites, inter alia by ensuring independence, providing adequate resources and defining clear responsibilities, and by promoting enhanced cooperation and coordinated action;
16. Calls on the Commission and the Member States to improve surveillance, building on existing binding and non-binding instruments while avoiding unnecessary administrative burdens;
17. Reiterates its call for the Commission to come forward with a legislative proposal on environmental inspections that does not put an additional financial burden on industry;
18. Urges the Commission to extend binding criteria for Member State inspections to cover a wider body of the EU environmental acquis, and to develop environmental inspection support capacity at EU level;
19. Is concerned that significant differences between liability systems in the EU may undermine common standards and expose some Member States and regions to greater risk of environmental disasters and the financial consequences thereof;
20. Considers it regrettable that the Commission has not yet submitted its report pursuant to the Environmental Liability Directive; calls on the Commission to do so before the end of 2015;
21. Calls on the Commission to ensure, during the ongoing review of the Environmental Liability Directive, that the proposal for revision fully implements the polluter-pays principle;
22. Urges the Commission to investigate how Commission Decision 2009/335/EC has been implemented in Member States and whether ceilings for established financial security instruments are sufficient; urges the Commission to propose harmonised mandatory financial security;
23. Calls on the Commission and the Member States to ensure transparency in the financial aspects of environmental disaster remediation, including the financial compensation to victims;
24. Calls on the Commission to make a legislative proposal on access to justice in environmental matters in line with the provisions of the Seventh Environment Action Programme; calls on the Commission to do so before the end of 2016;
25. Stresses the importance of involving local authorities, citizens and civil society in the decision-making process concerning the disposal of hazardous waste, and in the planning of risk management measures;

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26. Invites the authorities responsible to regularly inform the public about the state of pollution and the possible impacts on fauna and flora, as well as on the health of local populations;
  27. Invites the Commission to further elaborate the concept of an EU-wide industrial disaster risk-sharing facility, with full respect for the polluter-pays principle, in order to cover possible costs beyond a high level of mandatory financial securities;
  28. Considers that such a specialised EU-based industrial disaster risk-sharing facility should also cover the remediation of old environmental burdens which still constitute dangers for society and for which, due to the existing legal framework, there is no one objectively responsible who could cover the costs of the remediation;
  29. Highlights the importance of cooperation and solidarity at EU level in the event of environmental and industrial disasters;
  30. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.
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P8\_TA(2015)0350

## **Renewal of the EU Plan of action on Gender equality and Women's empowerment in development**

**European Parliament resolution of 8 October 2015 on the renewal of the EU Plan of Action on Gender Equality and Women's Empowerment in Development (2015/2754(RSP))**

(2017/C 349/10)

*The European Parliament,*

- having regard to Articles 2 and 3(3) of the Treaty on European Union (TEU), establishing gender equality as one of the main principles on which the EU is founded,
- having regard to Article 208 of the Treaty on the Functioning of the European Union (TFEU), establishing the principle of policy coherence for development, which requires that the objectives of development cooperation be taken into account in policies that are likely to affect developing countries,
- having regard to the Fourth World Conference on Women, held in Beijing in September 1995, the Beijing Declaration and Platform for Action and the subsequent outcome documents of the United Nations Beijing + 5, + 10, + 15, + 20 Special Sessions on further actions and initiatives to implement the Beijing Declaration and Platform for Action, adopted on 9 June 2000, 11 March 2005 and 2 March 2010 and 9 March 2015 respectively,
- having regard to the implementation of the Programme of Action of the International Conference on Population and Development (ICPD) that took place in Cairo in 1994, where the global community recognised and affirmed that sexual and reproductive health and reproductive rights are fundamental to sustainable development,
- having regard to the EU Strategy for equality between women and men 2010-2015 (COM(2010)0491),
- having regard to the EU Plan of Action on Gender Equality and Women's Empowerment in Development (2010-2015), its 2013 Implementation Report (SWD(2013)0509), the Council conclusions of 19 May 2014 thereon and its 2014 Implementation Report (SWD 2015(0011)),
- having regard to the Council conclusions of 26 May 2015 on Gender in Development and on a New Global Partnership for Poverty Eradication and Sustainable Development,
- having regard to its resolution of 25 November 2014 on the EU and the global development framework after 2015 <sup>(1)</sup>,
- having regard to the Evaluation of EU Support to Gender Equality and Women's Empowerment in Partner Countries <sup>(2)</sup>,
- having regard to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), of 18 December 1979,

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<sup>(1)</sup> Texts adopted, P8\_TA(2014)0059.

<sup>(2)</sup> [https://ec.europa.eu/europeaid/evaluation-eu-support-gender-equality-and-womens-empowerment-partner-countries-final-report\\_en](https://ec.europa.eu/europeaid/evaluation-eu-support-gender-equality-and-womens-empowerment-partner-countries-final-report_en)



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- having regard to UN Security Council Resolutions 1325 (2000) and 1820 (2008) on women, peace and security,
  
  - having regard to the questions to the Council and to the Commission on the renewal of the EU Plan of Action on Gender Equality on Women's Empowerment in Development (O-000109/2015 — B8-0762/2015 and O-000110/2015 — B8-0763/2015),
  
  - 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 the European Union (EU) is committed to promoting gender equality and ensuring gender mainstreaming in all of its actions; whereas gender equality and women's empowerment is a precondition for achieving post-2015 sustainable development goals and is also a self-standing human rights issue that should be pursued regardless of its benefits for development and growth; whereas gender-based violence is a serious breach of human rights and should never be justified by religion, culture or tradition;
- B. whereas the 20-year review of the implementation of the Beijing Declaration and Platform for Action found that progress towards gender equality and women's empowerment (GEWE) had been slow and uneven and that no country in the world had fully closed the gender gap; whereas the review found that this lack of progress had been exacerbated by the persistent and chronic underinvestment in GEWE;
- C. whereas two of the Millennium Development Goals (MDGs) that explicitly address women's rights, namely the promotion of gender equality and the empowerment of women (MDG 3) and the improvement of maternal health (MDG 5), remain largely unachieved; whereas every day an estimated 800 women in the world die due to complications during pregnancy or childbirth; whereas about 222 million women in the developing world lack access to safe and modern methods of family planning while the proportion of development aid aimed at family planning to total global aid for health is declining;
- D. whereas the majority of the world's poor are women and female-headed households; whereas the vulnerability of marginalised women is increasing; whereas 62 million girls in the world do not attend school;
- E. whereas one in three women in the world is likely to experience physical and sexual violence at some point in her lifetime; whereas 14 million girls are forced into marriage every year; whereas the EU is committed to the right of every individual to have full control over, and to decide freely on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence;
- F. whereas the Organisation for Economic Cooperation and Development (OECD) has reported<sup>(1)</sup> that investments are 'vastly insufficient to achieve gender equality' despite the tripling of aid targeted for that purpose by its members reaching USD 28 billion in 2012; whereas gender financing is mostly concentrated in social sectors leaving economic and productive sectors underinvested, whilst OECD analysis shows that investments in gender equality yield the highest returns of all development investments;

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<sup>(1)</sup> [https://europa.eu/eyd2015/sites/default/files/users/Madara.Silina/from\\_commitment\\_to\\_action\\_financing\\_for\\_gewe\\_in\\_sdgs\\_oecd.pdf](https://europa.eu/eyd2015/sites/default/files/users/Madara.Silina/from_commitment_to_action_financing_for_gewe_in_sdgs_oecd.pdf)

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G. whereas 2,5 billion people, a majority of them women and youth, remain excluded from the formal financial sector;

### *A step change in GAP2*

1. Believes that the conclusions of the evaluation of GAP1 show the clear need for a step change in EU action on GEWE and that we need a renewed political commitment by the European External Action Service (EEAS) and the Commission to improve performance; stresses the importance of implementing the main recommendations of the evaluation in the successor to the current GAP, starting with a fully-fledged management response;

2. Welcomes the Commission's intention to initiate a transformative shift with the new GAP and therefore believes that GAP2 should take the form of a Commission communication; regrets that GAP 2 has been produced as a Joint Staff Working Document and not as a Communication; urges the Commission and EEAS to begin implementation of the new plan as soon as possible so that concrete results can be achieved as part of the broader EU commitment to GEWE in the SDGs, and to involve Parliament in consultation throughout that process;

3. Believes that GAP2 should focus on all aspects of EU external policy — development cooperation, humanitarian aid, trade, human rights and foreign affairs, migration and asylum — in line with the policy coherence for development principle, and should apply to developing, neighbourhood and enlargement countries alike;

4. Believes that GEWE should be core business for EU institutions, with clear management responsibilities both in the central administration and in the EU delegations; underlines the fact that heads of delegation, heads of unit and senior management must be accountable for reporting, monitoring and evaluating GEWE policies, and that gender mainstreaming must be incorporated into job descriptions and training given for all staff;

5. Believes that the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) should ensure that all Commissioners responsible for external action demonstrate the necessary leadership to ensure a successful implementation of GAP2; welcomes the Council conclusions of May 2015 which underline the commitment of the Member States to a transformative agenda on the rights of women and girls; highlights the need for complementarity between the actions of the Commission/EEAS and those of the Member States;

6. Regrets the fact that gender issues are not addressed in the DG DEVCO 2014 Annual Report and calls for GEWE issues to be included in the annual reports of all Commission Directorates-General (DGs) involved in external action and of the EEAS in the future; calls on all EU delegations to submit an annual GAP report and for EU delegations to present a summary of GEWE performance in their annual reports, mid-term reviews and country-level evaluations; believes that results should be integrated in results-orientated monitoring (ROM);

7. Notes that the 2017 mid-term review of the Development Cooperation Instrument (DCI) programming documents presents a good opportunity to assess the impact of DCI-financed programmes on women and girls, clearly identify the share of DCI-financed programmes that benefit women and girls, and make necessary reallocations should this prove necessary;

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8. Recalls the EU principle of policy coherence for development and stresses the importance of coherence between the EU internal and external policies and the need to ensure policy coherence between the new GAP and the next action plan on human rights and democracy; stresses that gender must be a systematic and integral part of all human rights dialogues between the EU and third countries; calls on the EEAS to establish gender dialogues in addition to human rights dialogues with third countries;

9. Reiterates that full coordination between central departments, delegations and the embassies of Member States is essential for successful implementation of GAP2, using gender country profiles and other tools; underlines, in this regard, that the review of EDF country programming provides an opportunity to ensure that full implementation of GAP2 is on track and to make adjustments as necessary;

#### ***Data collection and targets***

10. Calls for more effective implementation strategies and insists on the use of gender-sensitive quantitative and qualitative indicators and systematic and timely collection of gender disaggregated data with regard to the beneficiaries and participants across all actions as part of the monitoring and evaluation process; insists that the data should be made available to the public in order to ensure financial accountability and transparency; believes that reporting should be aligned and integrated into established monitoring and evaluation systems such as the Results Framework of the Commission's Directorate-General in charge of International Cooperation and Development (DEVCO); underlines the need to invest in national statistics and calls on all the Member States to establish gender-sensitive monitoring systems;

11. Invites EU delegations and the Member States' embassies to prioritise and invest in high-quality gender analysis as the basis for country-level strategy and programming; considers that the EU should revise national indicative plans from the point of view of the new GAP;

12. Recognises that girls and young women are particularly disadvantaged and at risk, and that specific focus is needed to ensure girls' access to education, to allow them to live lives free from violence, to remove discriminatory legislation and practices, and to empower girls and young women globally;

13. Stresses the need for clear targets and indicators, measured and disaggregated by sex, age, disability and other factors and improved tracking of budgetary allocations; underlines that targets and monitoring methodology should be aligned with the post-2015 global development framework and other relevant international frameworks;

14. Stresses that the EU must indicate and ensure sufficient financial and human resources to deliver on its commitments to GEWE; underlines the importance of mainstreaming gender in public finance through budgeting that is gender-sensitive and addresses inequalities;

#### ***Key aspects for the new GAP***

15. Believes that the GAP must address obstacles to the full implementation of the EU guidelines on violence against women and girls (VAWG) and the elimination of all forms of violence; calls for a comprehensive EU approach on VAWG with increased efforts and resources to prevent and eliminate all discriminatory practices against women as well as to combat and prosecute all forms of violence including trafficking in human beings, female genital mutilation, forced sterilisation, forced pregnancy, gendercide, domestic violence and marital rape, child, early and forced marriage and gender-based violence in conflict and post-conflict situations; calls for the development of specific EU actions to strengthen the rights of different groups of women, with special attention being given to young people, migrants, women living with HIV, and lesbian, gay, bisexual, transgender and intersex (LGBTI) persons and persons with disabilities;

16. Stresses the importance of enhancing girls' access to all levels of education and removing sex-based barriers to learning;

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17. Highlights the fact that the use of rape as a weapon of war and oppression must be eliminated, and that the EU must bring pressure to bear on third-country governments and all stakeholders implicated in regions where such gender-based violence takes place, in order to bring the practice to an end, bring perpetrators to justice and work with survivors, affected women and communities to help them heal and recover;

18. Underlines the vulnerability of women migrants, refugee and asylum seekers, and the need for specific protection for them; calls for specific measures to strengthen and fully ensure the rights of women asylum seekers; calls for bold action at European level to tackle the ongoing migration and refugee crisis, including a holistic and gender-sensitive approach to migration and asylum which is consistent across the Member States;

19. Recognises health as a human right; underlines the importance of universal access to health care and coverage, including sexual and reproductive health and rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action; calls, in this regard, for further efforts to increase women's access to health and health education, family planning, prenatal care and sexual and reproductive health, notably to address the largely unachieved MDG 5 on maternal health, including reduced infant and child mortality; points out that access contributes to the achievement of all the health-related development goals; welcomes, in this connection, the Council conclusions of May 2015 in particular;

20. Underlines the need to create an enabling environment, notably by removing social and legal barriers to women's access to productive assets, including land and natural and economic resources, promoting financial inclusion, decent work standards, gender-responsive social protection and equal pay for equal work;

21. Believes that businesses have an important role to play in advancing gender equality through actions that contribute to women's economic empowerment and women's economic rights, such as ensuring decent work for women, equal pay, access to finance and banking and opportunities to participate in leadership and decision making, and protecting them against discrimination and abuse in the workplace, and through gender-sensitive corporate social responsibility; calls in this context for increased support to be given to local SMEs, especially to female entrepreneurs, so as to enable them to gain from private-sector-led growth; highlights the positive role that micro-finance, social entrepreneurship, and alternative business models, such as mutuals and cooperatives, continue to have in the field of women's economic empowerment and inclusion;

22. Recognises the need to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work;

23. Notes that women's empowerment and food security are mutually supportive; stresses the need to empower rural women by addressing the discrimination in access to land, water, education, training, markets and financial services; calls for a substantial increase in public investment in agriculture and rural development, with a focus on smallholders, agricultural cooperatives and farmers' networks;

24. Emphasises the need for women's inclusion and representation in emerging economic fields that are important for sustainable development, including green and circular economy sectors, renewable energies, and ICT;

25. Reiterates the crucial role of formal and informal education in the empowerment of women and girls in the social, economic, cultural, and political spheres; emphasises the need for an EU strategy on education in development to include a strong gender perspective, particularly in the areas of education for sustainability, post-conflict reconciliation, lifelong education and vocational training, the field of science, technology, engineering and maths (STEM), and the role of the arts in intercultural exchange;

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26. Underlines the importance of increased female participation in shaping and implementing the post-2015 framework; calls for increasing financial support to women's rights organisations, policy and capacity-building measures aimed at involving and increasing the participation of grassroots civil society organisations, and notably women's organisations, in stakeholder consultations at all times and at local, regional, national and international levels;
27. Notes that the GAP must address the situation of LGBTI persons in third countries, and must include the promotion and protection of LGBTI rights;
28. Stresses the importance of strengthening women's legal rights and access to justice through gender-sensitive law reform; believes that targeted funding for gender equality in legal aid helps to strengthen the rule of law;
29. Calls on the EU to promote increased participation of women in peacekeeping, peacebuilding processes and EU military and civil crisis management missions; reiterates, in this context, its call on the EU to promote UN Security Council Resolutions 1325 (2000) and 1820 (2008) on women, peace and security, and calls for the incorporation of gender perspectives and women's rights in all peace and security initiatives;
30. Calls for the EU to promote the fundamental human rights of women and girls as guaranteed by the Universal Declaration of Human Rights; insists in this context on the need to ensure the protection of the right to life and dignity of all women and girls by actively combating harmful practices such as gendercide;
31. Underlines the importance of measures strengthening leadership and participation of women and women's rights organisations in the public as well as private spheres; calls for increased efforts to increase the participation of women and women's rights organisations in political life, notably through the integration of such efforts in all democracy support programmes, including Parliament's comprehensive democracy support approach (CDSA);
32. Underlines the need to involve men and boys and promote their active engagement and responsibility in addressing discriminatory social norms and combating gender stereotypes and violence against women and girls;

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33. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, the governments and parliaments of the Member States and UN WOMEN.
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Thursday, October 8, 2015

P8\_TA(2015)0351

## **Equal opportunities and equal treatment of men and women in matters of employment and occupation**

**European Parliament resolution of 8 October 2015 on the application of Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (2014/2160(INI))**

(2017/C 349/11)

*The European Parliament,*

- having regard to Articles 2 and 3 of the Treaty on European Union (TEU) and Articles 8, 10, 19 and 157 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Directive 2006/54/EC of the European Parliament and the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) <sup>(1)</sup>,
- having regard to the Commission recommendation of 7 March 2014 on strengthening the principle of equal pay between women and men through transparency,
- having regard to the Commission communication of 6 December 2013 entitled 'Report on the application of Directive 2006/54/EC of the European Parliament and the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast)' (COM(2013)0861),
- having regard to the Commission communication of 21 September 2010 entitled 'Strategy for equality between women and men 2010-2015' (COM(2010)0491),
- having regard to the Commission communication of 5 March 2010 entitled 'A Strengthened Commitment to Equality between Women and Men, A Women's Charter' (COM(2010)0078),
- having regard to the European Pact for Gender Equality (2011-2020) adopted by the Council on 7 March 2011,
- having regard to the case-law of the Court of Justice of the European Union (CJEU), based on Article 157 TFEU,
- having regard to the Gender Equality Index Report of the European Institute for Gender Equality,
- having regard to the provisions of the International Labour Organisation (ILO) Part-Time Work Convention of 1994, which requires countries to incorporate into their public procurement contracts a labour clause including the issue of equal pay,
- having regard to ILO Convention on Equal Remuneration of 1951,
- having regard to Article 11(1)(d) of the Convention on the Elimination of All Forms of Discrimination against Women, adopted in UN General Assembly Resolution 34/180 of 18 December 1979,
- having regard to the report of the European Agency for Fundamental Rights of December 2014 entitled 'Being Trans in the European Union',

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<sup>(1)</sup> OJ L 204, 26.7.2006, p. 23.

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- having regard to its resolution of 12 September 2013 on the application of the principle of equal pay for male and female workers for equal work or work of equal value <sup>(1)</sup>,
  - having regard to its resolution of 24 May 2012 with recommendations to the Commission on application of the principle of equal pay for male and female workers for equal work or work of equal value <sup>(2)</sup>,
  - having regard to the European Implementation Assessment of Directive 2006/54/EC produced by the Directorate-General for Parliamentary Research Services,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Women's Rights and Gender Equality and the opinion of the Committee on Employment and Social Affairs (A8-0213/2015),
- A. whereas the equal treatment of men and women is one of the fundamental principles of EU law;
- B. whereas discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation is prohibited by EU law;
- C. whereas economic independence is a prerequisite for European citizens, both women and men, to exercise control and make genuine choices in their lives;
- D. whereas Directive 2006/54/EC refers expressly to CJEU case law, which lays down that the principle of equal treatment for men and women cannot be confined to the prohibition of discrimination based on the fact that a person is of one or other sex, but that it also applies to discrimination arising from a person's gender reassignment;
- E. whereas the principle of equal pay has been enshrined in the Treaties since the very beginning in 1957; whereas the principle of equal pay for work of equal value is now recognised under Article 157 TFEU and incorporated in the recast Directive 2006/54/EC (hereinafter the 'recast Directive');
- F. whereas the 'recast Directive' was intended to make EU legislation in this area more coherent, bring it into line with CJEU case-law and to bring about the simplification and modernisation of the relevant equality laws at national level, thus contributing to the improvement of the situation of women in the labour market; whereas the proportion of women in senior management posts in companies operating in the EU was still below 18 % in 2014;
- G. whereas the 'recast Directive' introduced some novelties, such as implementation of the equal opportunities principle and the definition of the concept of indirect discrimination, and protection from discrimination arising from the gender reassignment of a person, and made explicit reference to the reconciliation of work and private and family life; whereas a key challenge for all Member States is the correct application and enforcement of the rules on equal pay, as established by Directive 2006/54/EC, and whereas the impact of these novelties in Member States remains limited; whereas, despite the significant body of legislation in force for almost 40 years, the actions taken and the resources spent, progress in this area is extremely slow and the gender pay gap still exists, standing at an average of 16,4 % across the EU, but with significant differences between Member States;

<sup>(1)</sup> Texts adopted, P7\_TA(2013)0375.

<sup>(2)</sup> OJ C 264 E, 13.9.2013, p. 75.

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- H. whereas, among other factors, wages are now more frequently negotiated on an individual basis and this contributes to the lack of information and transparency in employee wage structure, creating an environment where gender bias and discriminatory pay structures remain hidden from employees and/or their representatives and are therefore extremely difficult to prove, thus hampering the effective implementation of the equal pay for equal work principle, which is also hindered by the lack of legal certainty regarding the concept of work of equal value and by procedural obstacles;
- I. whereas greater equality between men and women benefits the economy and society in general, and narrowing the gender pay gap helps to reduce poverty levels and increase women's lifetime earnings and is vital for employment growth, competitiveness and economic revival; whereas the pay gap is even more pronounced among women with multiple disadvantages, such as women with disabilities, women belonging to minorities and unqualified women; whereas single-parent families are to be found much more frequently among the working poor, and the proportion of single parents is higher for women than for men; whereas the gender pay gap thus has a serious impact on living conditions and on the life opportunities of many European families;
- J. whereas employment rates are generally lower among women than men: whereas in 2013 the employment rate for men stood at 69,4 % in the EU-28, as compared with 58,8 % for women <sup>(1)</sup>;
- K. whereas limited progress has been made with regard to women's employment rates and the level of occupational and sectorial segregation of women and men into different types of jobs remains relatively high, with some vocational categories being mainly occupied by women and those sectors and occupations tending to be less well-paid or valued, despite the existing framework at EU and national level; whereas this situation also has an impact on the gender pay gap over the course of a lifetime; whereas vertical segregation, whereby women feature predominantly in part-time work and lower-paid occupations or are in lower-level positions in the hierarchy, also contributes to the gender pay gap; whereas horizontal and vertical segregation form obstacles to the professional development of women and result in lower levels of visibility and representation for women in the social and public spheres, and as such contribute more broadly to greater inequalities, and whereas overcoming them and having more women enter into higher positions in organisational hierarchies would provide positive role models for young women and girls;
- L. whereas employment levels are lower in rural areas and, moreover, many women are not included on the official employment market and are therefore not registered as unemployed or included in unemployment statistics, resulting in specific financial and legal problems in terms of maternity and sick leave, acquisition of pension rights and access to social security, as well as problems in the event of divorce; whereas rural areas are disadvantaged by the lack of high-quality employment opportunities;
- M. whereas empowering women and girls through education, especially in the fields of science, technology, engineering, and mathematics, as well as encouraging women to participate in vocational training and lifelong learning programmes across sectors, are important elements in promoting equal treatment and equal opportunities in employment; whereas women's skills and competences are often undervalued, as are the professions and jobs in which women predominate, without this necessarily being justified by any objective criteria;
- N. whereas Directive 2006/54/EC stipulates that Member States may, with a view to ensuring full equality in practice between men and women in working life, maintain or adopt measures providing for specific advantages in order to make it easier for the under-represented sex to pursue a vocational activity or to prevent or compensate for disadvantages in professional careers <sup>(2)</sup>;

<sup>(1)</sup> [http://ec.europa.eu/eurostat/statistics-explained/index.php/Employment\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Employment_statistics)

<sup>(2)</sup> Article 3 of Directive 2006/54/EC and Article 157(4) TFEU.



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- O. whereas motherhood and care for children, the elderly, sick or disabled family members and other dependants represent additional or sometimes full-time work that is almost exclusively carried out by women; whereas this work is rarely paid and is not adequately valued by society, even though it is of enormous social importance, contributes to social welfare and can be measured by economic indicators such as GDP; whereas this results in the widening of the income gaps that exist between women and men and detrimentally impacts women's career paths through the 'costs' of the years spent out of the labour market or of reduced hours due to part-time arrangements, and consequently also increases the pension gap between men and women; whereas the impact of these elements on lifetime earnings varies across the Member States depending on the level of support offered to parents, including childcare provision, by either legislative measures or collective agreements;
- P. whereas the pay gap between women and men widens after retirement, pension gaps being thus considerably higher than pay gaps; whereas women receive on average 39 % less in pensions than men; whereas this situation is caused by social and economic factors such as occupational and highly segregated labour markets, undervaluing of women's work, the higher proportion of women working part-time, lower hourly wages, and less years in employment; whereas this increases the risk of poverty for women in retirement; whereas more than a third of older women in the EU have no pension whatsoever;
- Q. whereas certain categories of women are at risk of multiple discrimination in employment and occupation, among them women belonging to ethnic minorities, lesbians, bisexual women, transgender women, single women, women with disabilities and older women;
- R. whereas the 'recast Directive' clearly indicates that any forms of less favourable treatment in relation to pregnancy or maternity leave constitute discrimination; whereas it also clearly provides for a guarantee of return to work after maternity leave to the same or equivalent job and for protection from dismissal for men and women when they exercise the right to parental and/or adoption leave;
- S. whereas social partners (trade unions and employers) and civil society organisations play a very important role in fostering equal treatment and promoting the concept of work based on equal pay;
- T. whereas equality bodies are present in all Member States, but their work and impact varies greatly depending on their level of independence and their competences and resources; whereas such bodies should be adequately supported and strengthened in the performance of their tasks, with regard to the promotion, monitoring and support of equal treatment in an independent and effective manner;
- U. whereas Parliament has repeatedly called on the Commission to review existing legislation in order to tackle the gender pay gap; whereas closing that gap would represent a means of increasing employment rates among women, improving the situation of many European families, and decreasing the risk of poverty for women, especially at pension age;
- V. whereas closing the gender gap would represent a means of achieving the objectives of the Europe 2020 strategy in terms of employment and reduction of poverty and ensuring the free movement of workers as a basic European freedom; whereas, according to the European Added Value Assessment <sup>(1)</sup> conclusions, a one-percentage-point decrease in the gender pay gap will increase economic growth by 0,1 %;
- W. whereas traditional gender roles and stereotypes still exert a great deal of influence over the division of labour in the home, in education, in careers, in the workplace and in society in general;

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<sup>(1)</sup> European Added Value Assessment, 'Application of the principle of equal pay for men and women for equal work of equal value', produced by Parliament in 2013.

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### ***Overall assessment***

1. Notes that, in general, Member States have brought their national laws into line with EU law <sup>(1)</sup>; points out that simply transposing correctly the provisions of the 'recast Directive' into national law has proved insufficient for achieving the full application and effective enforcement thereof, and that differences in pay for men and women persist;
2. Regrets that although the Member States were obliged to transpose only those 'substantive changes' brought about by the 'recast Directive', transposition of the Directive has been of a sufficiently clear and correct nature in only two Member States, with matters still outstanding in the remaining 26; points out, however, that these changes had not been clearly identified; underlines the fact that the Commission's efforts to monitor implementation were limited in their impact as regards ensuring a coherent approach and securing the necessary guidance in order to allow for effective implementation at national level;
3. Highlights the fact that Member States did not seize the opportunity to simplify and modernise their legislation on equal opportunities and equal treatment of women and men in matters of employment and occupation; points out that Member States are not only expected to transpose the directive but also to ensure the monitoring of the implementation of the principle of equal pay and the enforcement of all available remedies for pay discrimination;
4. Regrets that the Commission has still not adopted the legislative initiative which it had undertaken to present last year in order to promote and facilitate effective implementation of the principle of equal pay in practice; calls, therefore, on the Commission to identify the weak points of the 'recast Directive' and to prepare, as a matter of urgency, the legislative proposal that would replace it, providing in that proposal for more effective means of supervising the implementation and enforcement of the directive in Member States;
5. Points out, furthermore, that fear of losing their job has caused many women to abandon the option of reconciling work and family life by means of a shorter working day or similar formulas, making a balanced family life difficult, and that this has exacerbated the falling birth rates in some Member States; asks the Commission to assess this trend and the measures different governments have taken to counter the phenomenon, and to put forward measures to lessen the effects of the crisis on equal treatment at work and the work-life balance;

### ***Application of the equal pay provisions***

6. Highlights that while the differences between the employment rates and pay levels of men and women may have been reduced slightly in recent years, this is not the result of an improvement in the position of women, but of the fact that men's employment rates and pay levels have fallen during the economic crisis;
7. Underlines the fact that in accordance with CJEU case-law, the principle of equal pay must be observed in respect of each of the elements of remuneration granted to men and women;
8. Reiterates the need for clear harmonised definitions, for comparison at EU level, of terms such as gender pay gap, gender pension gap, remuneration, direct and indirect pay discrimination, and, especially, work treated as 'equal' and work of the same value; considers that, in line with CJEU case-law, the value of work should be assessed and compared based on objective criteria, such as educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of tasks involved; points out that due to the various types of work contracts that exist, both statutory and contractual, the current calculation of the gender pay gap can lead to a distorted understanding of the problem of equal pay; calls on the Commission to analyse these possible distortions and to propose adequate solutions, including the introduction of mandatory pay audits for companies listed on stock exchanges in the EU Member States, except for small and medium-sized companies (SMEs), and the possibility of sanctions in cases of non-compliance;

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<sup>(1)</sup> According to the Commission report on the application of the recast Directive (COM(2013)0861).

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9. Calls on the Commission and the Member States to map the application of the existing job evaluation and classification systems, which vary considerably; calls on the Commission to introduce guidelines for gender-neutral job evaluation and classification systems, including specific measures such as the proportional representation of women and men on evaluation committees, the development of gender-neutral job descriptions and of weighting grids, and the definition of clear criteria for assessing the value of work; calls on the Member States to introduce and use clear and gender-neutral job evaluation and classification systems based on the Guidelines published by the Commission, so that they can detect indirect pay discrimination related to the undervaluation of jobs typically done by women;

10. Maintains that job evaluation and classification systems should preferably be based on collective bargaining;

11. Points out that a clear and harmonised job classification system and greater wage transparency will improve access to justice; notes that several Member States have already taken specific wage transparency measures; underlines the disparity that exists between these measures, and takes note of the 2014 Commission recommendations on wage transparency, although regretting their non-binding nature; calls on the Member States to actively implement those Commission recommendations through transparency and continued positive action via legislation, as this has proven to be successful, by introducing recommended and tailor-made wage transparency measures; calls on the Commission to evaluate the real impact of these recommendations, including the requirement for companies to report regularly on average remuneration by category of employee or position and disaggregated by gender; calls on the Commission to include in its new legislative proposal the measures mentioned in the 2014 Commission recommendations on pay transparency, the gender pay gap, and equality bodies' powers; calls on the Member States to exert pressure on unequal pay practices and to promote wage transparency as requested by trade unions and gender equality bodies, among other stakeholders;

#### ***Application of the equal treatment provisions***

12. Stresses the importance of combating indirect discrimination in pension schemes, not only in occupational schemes but also in the practices of statutory pension schemes; emphasises that the CJEU has made it clear that occupational pension schemes are to be considered as pay and that the principle of equal treatment therefore applies to those schemes as well, despite the fact that the distinction between statutory and occupational pension schemes is problematic in some Member States and that the concept of occupational pension schemes is unknown in others, potentially leading to indirect discrimination in the labour market; recognises that women's access to occupational pension schemes is more restricted, owing to shorter working hours, shorter length of service and horizontal and vertical gender segregation in the labour market, and the gender pay gap, and that contribution-based schemes rarely take care-related breaks and involuntary part-time work into account; calls on the Commission to examine the impact of the shift from statutory state pensions towards occupational and private schemes on the gender pension gap; calls on the Commission to monitor closely and report on the implementation of this principle, as the transposition has proved to be unclear in some Member States;

13. Calls on the Member States to safeguard their maternity entitlements and to take measures to prevent the unfair dismissal of employees during pregnancy and when returning to work after maternity leave; calls on the Council to finally adopt a common position on the revision of the directive on the implementation of measures to promote improvements in the health and safety at work of pregnant workers, workers who have recently given birth and women who are breastfeeding (the 'Maternity Leave Directive'); calls on the Council to adopt as soon as possible a common position on the proposal for a directive on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures;

14. Notes that in the implementation of the provisions on protection against discrimination in relation to maternity leave and paternity and/or adoption leave, there are significant differences between Member States; underlines the need to address in a coherent way at national level the specific challenges that exist, including the differences of both a sectoral (public-private) and an organisational nature (the latter both between companies and between large, small and medium-sized companies), the situation as regards atypical and part-time contracts, and the practices of terminating fixed-term contracts in the protection period and inducing voluntary job resignations;

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15. Calls on the Member States and the Commission to take steps to combat all forms of multiple discrimination, to ensure application of the principle of non-discrimination and equality in the labour market and in access to employment, including discrimination against ethnic minorities and persons with disabilities and discrimination on the grounds of gender, age, religion or belief, sexual orientation and gender identity, and in particular to adopt social protection measures to ensure that women's pay and welfare entitlements, including pensions, are equal to those of men with the same or similar experience doing the same job or a job of equal value;

16. Calls on the Commission and the Member States, by creating effective monitoring systems, to take supervisory and control measures to improve the collection of data on cases of harassment and discrimination on the grounds of sex, including as regards discrimination related to pregnancy and maternity and other forms of leave; believes that in these cases provision should also be made for a penalty system, but that efforts should be made above all in terms of prevention, to make services accessible to pregnant women or new mothers which can help them balance their pregnancy or maternity with their occupation without being forced to choose between job and family, as still all too often happens; calls on the Commission to include an assessment of the implementation of Article 26 (regarding sexual harassment) in its evaluation report on the implementation of Directive 2006/54/EC;

17. Calls on the Commission to propose clear measures to combat sexual harassment at the workplace more efficiently; regrets the fact that, despite EU law protecting individuals from discrimination in employment, 30 % of trans jobseekers experienced discrimination when looking for a job and that trans women were the most likely to have felt discriminated against in the year preceding the European Union Agency for Fundamental Rights' LGBT survey; points out that this is a violation of the Charter of Fundamental Rights of the European Union; calls on the Commission to closely monitor the effectiveness of national complaint bodies and procedures in the context of the implementation of the gender equality directives with regard to gender identity, gender expression and gender reassignment; calls on the Commission to provide the Member States with expertise on ways forward to address discrimination in the area of employment on the grounds of 'sex characteristics'; calls on the Commission to support and encourage the Member States in including trans and intersex people in diversity training and to work with employers on workplace measures, e.g. promoting anonymous recruitment procedures; calls on the Member States to use European Social Fund (ESF) funding to actively tackle discrimination against trans people in line with CJEU case-law;

18. Considers it to be regrettable that many Member States have failed to introduce explicit protection from discrimination related to gender reassignment when transposing the directive, and calls on the Commission to hold Member States accountable; reiterates the importance of Member States clearly including in their national legislation the prohibition of any discrimination based on sexual orientation or gender identity; believes that the current legal protection accorded by the directive to those who intend to undergo, are undergoing, or have undergone gender reassignment should be extended to all transgender people; calls, in this connection, for the explicit inclusion in any future recast of a ban on discrimination on grounds of gender identity;

19. Points out that access to justice in this field is limited due to several causes, such as the length or costs of the procedures, the challenges faced by equality bodies in some Member States, the lack of wage transparency, the absence of free legal aid, the fear of stigmatisation or suffering reprisals should victims speak out about discrimination in the workplace; underlines the fact that the application of the burden of proof rule also poses problems in several Member States, thus making the defence of women workers difficult since they often have no access or only limited access to the relevant information and, moreover, fear losing their job; calls on the Member States and regional and local authorities to take an active role in providing assistance to victims of discrimination, either directly or through support for equality bodies, trade unions, community organisations and NGOs working in this field; points out that a relevant solution for improving access to justice in this field would be to give independent equality bodies the power to provide assistance to victims of discrimination, including free legal aid, as well as the right to represent individuals in cases of pay discrimination; suggests in this regard that confidential reporting systems be introduced in the Member States to enable women to report possible instances of inequality of treatment in the workplace;

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20. Calls on the Commission to assess, exchange and compare the existing best practices and to disseminate the results of this assessment as regards the effective measures that Member States could take to encourage employers, trade unions and organisations involved in vocational training to prevent all forms of gender-based discrimination, in particular as regards harassment and sexual harassment in the workplace, through enhancing access to employment, offering further vocational training and promoting best practices;

21. Calls on the Commission and the Member States to take measures to facilitate and improve the access of women to lifelong learning, vocational training, and mentoring networks across Europe, especially in male-dominated sectors, and to disseminate best practice;

### ***Promotion of equal treatment and social dialogue***

22. Reiterates that equality bodies should have the competences and adequate resources and personnel to monitor and report effectively and independently on the legislation which promotes equality between women and men; stresses that the independence of equality bodies needs to be ensured in all Member States, and that the precise institutional form of these bodies is the responsibility of the Member States;

23. Calls on the Commission and the Member States to encourage social partners (trade unions and employers), civil society and gender equality bodies to promote the monitoring of equality practices in the workplace, including flexible working arrangements, with the aim of facilitating the reconciliation of work and private life and further scrutiny of collective agreements, applicable pay scales and job classification schemes in order to avoid any direct or indirect discrimination against women; stresses also the importance of other instruments such as codes of conduct, research, and exchanges of experience and good practice in the area of gender equality with a view to ensuring better protection against discrimination;

24. Takes the view that data protection must not be put forward as an excuse for not publishing annual wage reports at workplace level;

25. Calls on the Member States to strengthen the obligations for large and medium-sized enterprises to ensure the systematic promotion of equal treatment and to provide the appropriate information on a regular basis to their employees, including on issues of equal pay; reiterates that the introduction of financial penalties for employers who do not respect wage equality is likely to be a relevant means to close the gender pay gap;

26. Calls on the Commission and the Member States to strengthen the institutional mechanisms for implementing equality between women and men, for instance by ensuring that, as far as the principle of equal pay is concerned, inspection and enforcement agencies have the necessary technical, human, and financial resources, and to encourage the social partners to measure the equality dimension of collective agreements;

27. Draws attention to the need to strengthen public labour inspection arrangements and to adopt methods for measuring the value of work and, for example, pinpointing occupations in which pay is low and the employees are mainly female and which thus imply a form of indirect wage discrimination;

28. Calls on the Commission and the Member States to step up significant awareness-raising measures as regards the rights of the victims of discrimination on the grounds of sex; underlines the need for cooperation by all stakeholders, including equality bodies, social partners (trade unions and employers) and NGOs, in order to address stereotypes about the work of women and men and how they impact on the value of work and low pay, including in accessing jobs, and that companies select the most qualified candidates on the basis of a comparative analysis of their qualifications by applying pre-established, clear, neutrally formulated, non-discriminatory and unambiguous criteria;

29. Points out that one of the novelties introduced by the 'recast Directive' is the reference to the reconciliation of work, private and family life; calls on the Commission, after consultation with Member States and social partners (trade unions and employers), to develop specific measures to secure stronger rights for men and women in this field; stresses that the development of public childcare facilities in accordance with the Barcelona objectives is particularly necessary in this regard;

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30. Calls on the Commission and the Member States to spread and raise public awareness relating to equal pay and the pension gap, and to direct and indirect discrimination against women at work at European, national, regional and local level; calls on the Commission to establish a European Year for combating the gender pay gap;

31. Observes with interest that many women opt for self-employment as this is the only way of working which allows them to combine their family and working lives; notes, however, that in many Member States welfare protection and benefits for the self-employed do not compare with those of employed workers;

### **Recommendations**

32. Reiterates its call on the Member States to implement and enforce recast Directive 2006/54/EC consistently, and to encourage the social partners (trade unions and employers) and NGOs to play a more active role in fostering equal treatment, including by means of action plans to address any gender pay inequalities, with concrete actions and outcome monitoring at company, sectoral, national and EU level;

33. Calls on the Commission, following its report on the application of the 'recast Directive' and this resolution, to revise the recast Directive 2006/54/EC, as has already been called for by Parliament, in particular in its resolution of 24 May 2012, which contains specific and clear recommendations;

34. Underlines the fact that gender-neutral job classification and evaluation systems, as well as wage transparency, are indispensable measures to foster equal treatment; calls on the Commission, in this connection, to include these measures in its proposal for a new directive replacing the 'recast Directive'; points out that only a harmonised approach is compatible with the free movement of workers as a basic European freedom;

35. Points to the need to find a job evaluation method free from gender bias, enabling jobs to be compared on the basis of their scale and complexity so as to determine the position of one job in relation to another within a given sector or organisation, whether the jobs in question are held by women or men;

36. Calls for balanced gender representation on company management boards;

37. Calls on the Commission to introduce in the new directive mandatory pay audits for companies listed on stock exchanges in the EU Member States, except for small and medium-sized companies (SMEs) to highlight the gender pay gap, and introduce sanctions at EU level that would exclude companies failing to meet their responsibilities with regards to gender equality from the public procurement of goods and services financed from the EU budget; calls on the Member States to do the same with companies financed with public subsidies;

38. Calls on the Member States to act in an exemplary manner themselves in regard to combating unequal pay for women in government, public institutions and public companies in general;

39. Calls on the Commission to introduce common standards and checks to ensure the independence and effectiveness of national equality bodies;

40. Calls on the Member States to take the necessary measures to ensure that victims of unequal treatment and discrimination, particularly those who are victims of multiple discrimination, are entitled to proportionate compensation in accordance with the legal provisions in force;

41. Calls on the Member States to take the steps required to reverse the burden of proof, ensuring that it will always be the employer who has to prove that such differences in treatment as might have been found to exist have not resulted in any discrimination;

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42. Stresses the need to increase efforts at national and EU level to combat the persistence of stereotypes, through awareness-raising campaigns aimed at all levels of society, greater media involvement, strategies to encourage women to choose careers and professions in which they are less well-represented, and the incorporation of gender issues into education and vocational training;

43. Underlines the fact that only the effective implementation of the equality treatment principle would lead to a real improvement of the situation of women in the labour market, and that this requires real political will and strategic cooperation between different actors at European, national, sectoral and organisational level; calls, therefore, on the Commission to draw up an active strategy, complete with points of reference, goals and time-bound targets, for reducing inequality indices in the field of employment and unemployment, as has been done successfully in other areas such as, for instance, reducing the number of road accidents in the EU;

44. Calls on the Member States to actively apply gender budgeting in order to promote the improvement of the situation of women in the labour market; calls on the Commission to promote exchanges of best practices in gender budgeting;

45. Emphasises the importance of taking positive measures that foster the involvement of women in political and economic decision-making; points out that binding quotas have proved to be one of the best ways of achieving this aim;

46. Points out that positive measures are also needed to incentivise the less well-represented sex to enter certain professions where there is clear horizontal gender segregation;

47. Calls on the Commission to look into the factors leading to pension gaps and to assess the need for specific measures to reduce this gap at EU and national level, including by means of legislative and/or non-legislative measures;

48. Invites the Member States and the Commission to take appropriate measures to reduce the gender gap in pensions, which is a direct consequence of the gender pay gap, and to assess the impact of new pension systems on various categories of women, focusing in particular on part-time contracts and atypical employment;

49. Calls on the Commission and the Member States to oppose inequality in pay between the sexes in all relevant EU policies and national programmes, in particular in those geared towards the fight against poverty;

50. Calls on the Commission to conduct a study that would compare the respective situations of working mothers, mothers who choose to stay at home, and women without children, so as to shed more light on the position of each of these groups of women on the labour market, specifically looking at levels of employment, pay and pension gaps and career development;

51. Emphasises the relevance of having reliable, comparable and available quantitative and qualitative indicators, as well as gender-based statistics, for ensuring the implementation of and follow-up to the Directive, and recalls in this regard the role of the European Institute for Gender Equality; calls on the Member States to provide Eurostat with annual high-quality gender pay gap statistics so that it is possible to assess developments throughout the EU;

52. Calls on the Commission to conduct a study into how procedures related to the official recognition of the gender reassignment of a person, or the absence of such procedures, affect transgender people's position on the labour market, particularly their access to employment, level of remuneration, career development and pensions;

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53. Points out that the country-specific recommendations in the framework of the European Semester should include targets to reduce the gender pay and pension gaps, discrimination and the risk of poverty among elderly women, and to effectively implement equal treatment principles;

54. Calls on the Commission to study carefully the employment situation of women in the third sector, the social economy and the collaborative economy, and to propose as soon as possible a strategy to promote and protect the jobs and situation of women in those sectors;

55. Calls on the Member States to step up their efforts to combat undeclared work and precarious jobs; highlights the high levels of undeclared work performed by women, which negatively impact on their income, social security coverage and protection, and have a bad effect on the EU's GDP levels; stresses the need to particularly address domestic work, which is performed mostly by women, as a special challenge, as this work falls mainly within the informal sector, is singularised and by its nature invisible, and therefore requires the development of tailored measures to tackle it efficiently; deplores, furthermore, the abuse of atypical forms of contract, including zero-hours contracts, in order to avoid having to comply with employment and social protection obligations; regrets the fact that there has been an increase in the number of women trapped in in-work poverty;

56. Stresses that the Commission should propose actions to: (a) decrease the gender pay gap; (b) increase the economic independence of women; (c) improve labour market accessibility and career progression for women; (d) fundamentally increase equality in decision-making; and (e) remove discriminatory structures and practices related to gender;

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

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P8\_TA(2015)0359

**Towards a new international climate agreement in Paris****European Parliament resolution of 14 October 2015 on Towards a new international climate agreement in Paris (2015/2112(INI))**

(2017/C 349/12)

*The European Parliament,*

- having regard to the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol thereto,
- having regard to the 15th Conference of the Parties (COP 15) to the UNFCCC and the 5th Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 5), held in Copenhagen, Denmark, from 7 to 18 December 2009, and to the Copenhagen Accord,
- having regard to the 16th Conference of the Parties (COP 16) to the UNFCCC and the 6th Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP 6), held in Cancún, Mexico, from 29 November to 10 December 2010, and to the Cancun Agreements,
- having regard to the 17th Conference of the Parties (COP 17) to the UNFCCC and the 7th Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 7) 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 Conference of the Parties (COP 18) to the UNFCCC and the 8th Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 8) 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 Conference of the Parties (COP 19) to the UNFCCC and the 9th Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 9) 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 Conference of the Parties (COP 20) to the UNFCCC and the 10th Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 10) held in Lima, Peru, from 1 to 12 December 2014, and to the Lima Call for Climate Action,
- having regard to the 21th Conference of the Parties (COP 21) to the UNFCCC and the 11th Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP 11) to be held in Paris, France, from 30 November to 11 December 2015,
- having regard to its resolutions of 25 November 2009 on the EU strategy for the Copenhagen Conference on Climate Change (COP 15) <sup>(1)</sup>, of 10 February 2010 on the outcome of the COP 15 <sup>(2)</sup>, of 25 November 2010 on the Climate Change Conference in Cancun (COP 16) <sup>(3)</sup>, of 16 November 2011 on the Climate Change Conference in Durban (COP 17) <sup>(4)</sup>, of 22 November 2012 on the Climate Change Conference in Doha, Qatar (COP 18) <sup>(5)</sup>, of 23 October 2013 on the Climate Change Conference in Warsaw, Poland (COP 19) <sup>(6)</sup> and of 26 November 2014 on the Climate Change Conference in Lima, Peru (COP 20) <sup>(7)</sup>,

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

<sup>(2)</sup> OJ C 341 E, 16.12.2010, p. 25.

<sup>(3)</sup> OJ C 99 E, 3.4.2012, p. 77.

<sup>(4)</sup> OJ C 153 E, 31.5.2013, p. 83.

<sup>(5)</sup> Texts adopted, P7\_TA(2012)0452.

<sup>(6)</sup> Texts adopted, P7\_TA(2013)0443.

<sup>(7)</sup> Texts adopted, P8\_TA(2014)0063.

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- 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),
- 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 4 February 2009 entitled ‘2050: The future begins today — Recommendations for the EU’s future integrated policy on climate change’ <sup>(2)</sup>, of 15 March 2012 on a roadmap for moving to a competitive low carbon economy in 2050 <sup>(3)</sup> and of 5 February 2014 on a 2030 framework for energy and climate policies <sup>(4)</sup>,
- having regard to the Commission communication of 25 February 2015, as part of the Energy Union Package, entitled ‘The Paris Protocol — A blueprint for tackling global climate change beyond 2020’ (COM(2015)0081),
- having regard to the EU Strategy on adaptation to climate change of April 2013 and its accompanying Staff Working Paper,
- having regard to the United Nations Environment Programme (UNEP) Synthesis Report of November 2014 entitled ‘The Emissions Gap Report 2014’ and the UNEP Adaptation Gap Report 2014,
- having regard to the Leaders’ Declaration adopted at the G7 Summit in Schloss Elmau, Germany, from 7 to 8 June 2015, entitled ‘Think ahead. Act together’, in which they reiterated their intention to adhere to the commitment to reduce greenhouse gas (GHG) emissions by 40 % to 70 % by 2050 compared to 2010, with it being necessary to ensure that the reduction is closer to 70 % than 40 %,
- 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 encyclical *Laudato Si’*,
- having regard to the 5th Assessment Report (AR5) of the Intergovernmental Panel on Climate Change (IPCC) and its Synthesis Report,
- having regard to the submission of 6 March 2015 by Latvia and the European Commission to the UNFCCC of the Intended Nationally Determined Contributions (INDCs) of the EU and its Member States,
- having regard to the New York Declaration on Forests at the UN Climate Summit in September 2014,
- having regard to the Commission communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on addressing the challenges of deforestation and forest degradation to tackle climate change and biodiversity loss (COM(2008)0645),

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

<sup>(2)</sup> OJ C 67 E, 18.3.2010, p. 44.

<sup>(3)</sup> OJ C 251 E, 31.8.2013, p. 75.

<sup>(4)</sup> Texts adopted, P7\_TA(2014)0094.

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- having regard to the European Council conclusions of 23 and 24 October 2014,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on Industry, Research and Energy, the Committee on Foreign Affairs, the Committee on Development and the Committee on Transport and Tourism (A8-0275/2015),
- A. whereas climate change represents an urgent and potentially irreversible global threat to human societies and the biosphere and must thus be addressed at international level by all Parties;
- B. whereas according to the scientific evidence presented in the 2014 IPCC AR5, warming of the climate system is unequivocal; climate change is occurring and human activities are 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;
- C. whereas the EU decreased its emissions by 19 % between 1990 and 2013 in the scope of the Kyoto Protocol, while growing its GDP by more than 45 %; whereas global emissions increased by more than 50 % between 1990 and 2013;
- D. whereas according to the National Oceanic and Atmospheric Administration (NOAA)'s latest results, for the first time since measurements began, the monthly global average concentration of carbon dioxide in the atmosphere surpassed 400 parts per million in March 2015;
- E. whereas the UN Environment Programme (UNEP) Adaptation Gap Report 2014 highlights the enormous costs of inaction and concludes that the cost of adapting to climate change in developing countries is likely to reach two to three times the previous estimates of USD 70-100 billion per year by 2050, leading to a significant adaptation funding gap after 2020 unless new and additional finance for adaptation is made available;
- F. whereas the climate-finance challenge is inextricable from the wider challenges of financing sustainable global development;
- G. whereas climate change can enhance competition for resources, such as food, water and grazing lands, and could become the biggest driver of population displacements, both inside and across national borders, within the not too distant future;
- H. whereas at the Doha Climate Change Conference in December 2012 the Parties adopted an amendment to the Protocol establishing a second commitment period under the Kyoto Protocol starting on 1 January 2013 and ending on 31 December 2020, with legally binding emission-reduction commitments, the inclusion of a new gas (nitrogen trifluoride), an 'ambition mechanism' providing for a simplified procedure for allowing a Party to adjust its commitment by increasing its ambition during a commitment period, and, finally, a provision which automatically adjusts a Party's target to prevent an increase in its emissions for the period 2013 to 2020 beyond its average emissions for the years 2008 to 2010;
- I. whereas the Parties to the UNFCCC decided at COP 18 (Decision 23/CP.18) to adopt a goal of gender balance in bodies established pursuant to the Convention and the Kyoto Protocol, in order to improve women's participation and ensure a more effective climate change policy that addresses the needs of women and men equally and to keep track of progress made towards the goal of gender balance in advancing gender-sensitive climate policy;

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- J. whereas the efforts to mitigate global warming should not be seen as an obstacle to striving for economic growth but should, on the contrary, be seen as a driving force in the realisation of new and sustainable economic growth and employment;
- K. whereas the EU has thus far played a leading role in the efforts to mitigate global warming and will continue to do so in the run-up to a new international climate agreement in Paris at the end of 2015; demands that this ambition be matched by other big emitters;

### ***Urgency to act at the global level***

1. Recognises the extraordinary scale and seriousness of the threats induced by climate change, and is extremely concerned that the world is far from being on track to limit global warming to below 2 °C above pre-industrial levels; calls on governments to take, without delay, binding and concrete measures against climate change and towards an ambitious and legally binding global agreement in Paris 2015 in order to meet this target;
2. Notes that, in line with the IPCC's Fifth Assessment Report 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 above pre-industrial levels, is 1010 gigatonnes of CO<sub>2</sub>; emphasises that all countries need to contribute and that delaying action will increase costs and reduce options; underlines the findings of the New Climate Economy report 'Better Growth, Better Climate' that countries at all levels of income have the opportunity to build lasting economic growth at the same time as reducing the immense risks of climate change; recommends that agreements and conventions should aim at involving EU accession countries in the EU's climate programmes;
3. Recalls that limiting the rise in global temperature to an average of 2 °C does not guarantee that significant adverse climate impacts will be avoided; calls on the Conference of the Parties to assess the possibility of limiting the rise in global temperature to an average of 1,5 °C;
4. Notes the findings of the IPCC's Fifth Assessment Report concluding that even the full cessation of carbon emissions from the industrialised countries will not ensure the achievement of the below 2 °C target without significant new commitments by developing countries;
5. Considers it essential that all countries submit their INDCs without further delay, so as to create a ripple effect and demonstrate that all countries are moving in the same direction, in accordance with their national situations; considers that the INDCs could also include adaptation measures, since these constitute a priority for a great many countries;
6. Acknowledges the fundamental importance of a stable climate system for food security, energy production, water and sanitation, infrastructure, the preservation of biodiversity and terrestrial and marine ecosystems, and peace and prosperity globally; recalls that climate change is accelerating the loss of biodiversity; welcomes therefore the encyclical *Laudato Si'*;
7. Welcomes the G7 commitment to decarbonise the global economy over the course of this century and to transform the energy sector by 2050; recalls however that decarbonisation is needed earlier in order to be in line with scientific findings and to have a likely chance of staying below 2 °C; calls on the Parties in a position to do so to deliver on implementing their national decarbonisation targets and strategies by prioritising the phasing-out of emissions from coal, which is the most polluting source of energy;
8. Points out that countries lacking the necessary capacities for drawing up their national contributions can benefit from support mechanisms such as the Global Environment Facility, the UN Development Programme and the Global Climate Change Alliance, as well as from European support;

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***An ambitious, global, legally binding agreement***

9. Emphasises that the 2015 Protocol must be legally binding and ambitious from the outset when adopted in Paris, and should aim at phasing out global carbon emissions by 2050 or shortly thereafter so as to keep the world on a cost-effective emission trajectory compatible with the below 2 °C target, and that a global GHG emissions peak will be reached as soon as possible; calls for the EU to work with its international partners to that end, showing examples of good practice; underlines that the agreement must provide a predictable framework which encourages investments and scaling by business of efficient carbon reductions and adaptation technologies;

10. Warns against aiming for global emission reduction pathways that allow for significant carbon emissions in 2050 and beyond, as this would carry great risks and require reliance on unproven, energy intensive and costly technologies to remove and store CO<sub>2</sub> from the atmosphere; depending on the level of the overshoot, the ability of such emission reduction pathways to maintain climate change below 2 °C depends on the availability and widespread deployment of biomass energy with carbon capture and storage (BECCS) and afforestation without plausible land availability, as well as the use of other unknown, yet to be developed, carbon dioxide removal (CDR) technologies;

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

12. Considers that in case of a gap between the level of ambition of the aggregate effect of the INDCs submitted before Paris and the necessary level of GHG reduction required to keep temperatures below 2 °C above pre-industrial levels, it will be necessary to draw up a work programme to start in 2016 in order to set out the additional reduction measures; calls for a comprehensive review process which will be conducted every five years, will ensure the dynamism of the implemented mechanism and will reinforce the level of ambition of reduction commitments in accordance with the most recent scientific data; calls on the Parties to support five-year commitment periods as the most appropriate choice so as to avoid locking into a low level of ambition, increase political accountability and allow for revision of targets to match scientific adequacy or any new technical progress that could enable a greater level of ambition;

13. Is concerned that the early analysis of the aggregate impact of the INDCs submitted so far has concluded that current unrevised INDCs would result in the global average temperature rising by between 2.7 °C and 3.5 °C; calls for the Parties to agree at COP21 in Paris to revise the current INDCs before 2020 in order to bring them into line with the latest scientific assessments and a safe 2 °C-compatible global carbon budget;

14. Calls for general reinvigoration of the EU's climate policy, which would help build momentum in international climate discussions and would be in line with the upper limit of the EU's commitment to reducing its GHG emissions to 80-95 % below 1990 levels by 2050; notes the binding EU 2030 GHG emission reduction target of at least 40 % relative to 1990 levels; calls on the Member States to consider complementary commitments that build on the agreed 2030 target, including action outside of the EU, in order to enable the world to achieve the below 2 °C target;

15. Recalls its resolution of 5 February 2014 which calls for three binding targets: an energy efficiency target of 40 %, a renewables target of at least 30 % and a GHG reduction target of at least 40 %, and calls again on the Council and the Commission to adopt and implement, as part of the EU's 2030 framework for climate and energy policies, a multi-faceted approach based on mutually reinforcing, coordinated and coherent targets for a reduction in GHG emissions, the expansion of renewable energy sources and energy efficiency; notes that the targets for energy efficiency and renewables as called for by Parliament would lead to significantly higher GHG reductions than 40 % by 2030;

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16. 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; considers that the transparency and accountability system should develop within the framework of a progressive convergence approach;

17. Stresses the importance of maintaining human rights at the core of climate action, and insists that the Commission and the Member States ensure that the Paris Agreement will contain the provisions needed to tackle the human rights dimension of climate change and provide support for poorer countries whose capacities are strained by climate change impacts; insists, in this context, on the full respect for the rights of local communities and indigenous peoples particularly vulnerable to the adverse effects of climate change;

18. Calls insistently on the Commission and the Member States to ensure that the Paris Agreement recognises that respect for, and protection and promotion of, human rights, encompassing gender equality, full and equal participation of women, and the active promotion of a just transition for the workforce to create decent work and quality jobs for all, are a prerequisite for effective global climate action;

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

19. Places particular emphasis on the urgent need for progress in closing the gigatonne gap which exists between the scientific analysis and the current Parties' pledges for the period up to 2020; emphasises the important role of other policy measures, to which a collective effort should be dedicated, including energy efficiency, substantial energy savings, renewable energy, resource efficiency, the phase-out of HFCs, sustainable production and consumption, the phase-out of fossil fuel subsidies, including export finance for coal plant technology, and the strengthening of the role of widespread pricing of carbon in contributing to closing the gigatonne gap;

20. Notes that the EU is now well on track to meet the 2020 targets for GHG emission reduction and renewable energy, and that significant improvements have been made as regards energy intensity thanks to more efficient buildings, products, industrial processes and vehicles, while the European economy has grown by 45 % since 1990; stresses that the 20/20/20 targets for GHG emissions, renewable energy and energy savings have played a key role in driving this progress and sustaining the employment of more than 4,2 million people in various eco-industries<sup>(1)</sup>, with continuous growth during the economic crisis;

21. Calls on the Commission and the Member States to submit the latest EU GHG emission projections for the period up to 2020 to the UNFCCC and to announce that the EU will overachieve its 2020 GHG emission reduction target by at least 2 gigatonnes;

22. 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 the Parties, including the EU Member States, to complete the ratification process as soon as possible and in any case before December 2015; notes that Parliament completed its part by giving its consent, and that the inclusion of civil society and transparency is necessary to help understand the negotiations and to build trust among all the Parties ahead of the Paris Conference;

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<sup>(1)</sup> Eurostat data on the environmental goods and services sector quoted in 'A policy framework for climate and energy in the period from 2020 to 2030' (COM(2014)0015).

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***Agenda of solutions***

23. Calls on the EU and its Member States to work with all civil society actors (institutions, private sector, NGOs and local communities) to develop reduction initiatives in key sectors (energy, technology, cities, transportation, etc.), as well as adaptation and resilience initiatives in response to adaptation issues, particularly as regards access to water, food security and risk prevention; calls on all governments and civil society actors to support and strengthen this agenda for action;

24. Highlights that an ever-broader range of non-state actors are taking action to decarbonise and become more resilient to climate change; emphasises therefore the importance of a structured and constructive dialogue between governments, the business community, cities, regions, international organisations, civil society and academic institutions in order to mobilise robust global action towards low-carbon and resilient societies; emphasises their role in creating momentum ahead of Paris and for the 'Lima-Paris Action Agenda'; indicates, in this respect, that the Lima-Paris Action Plan encourages those that are organising initiatives to speed up their work and attend the Paris Conference to report on their initial results;

25. Encourages the establishment of mechanisms that will encourage this dynamic of solutions, such as labelling of innovative civil society projects;

26. Notes that the bioeconomy has the potential to substantially contribute to re-industrialisation and the creation of new jobs in the EU and the rest of the world;

27. Highlights that efforts to create a circular economy can play a significant part in achieving the targets, by discouraging food waste and recycling raw materials;

28. Reminds the Parties and the UN itself that individual action is as important as the actions of governments and institutions; calls therefore for a request for campaign efforts and actions to raise awareness and inform the public about the small and large gestures that can contribute to combating climate change in developed and developing countries;

29. Calls also for businesses to accept and actively exercise their responsibilities and actively support the climate agreement, including in advance;

***Comprehensive effort of all sectors***

30. Welcomes the development of emissions trading systems globally, including 17 emissions trading systems that are in operation across four continents, accounting for 40 % of global GDP helping to reduce global emissions in a cost-effective manner; encourages the Commission to promote links between the EU ETS and other emissions trading systems with the aim of creating international carbon market mechanisms so as to increase climate ambition and at the same time help reduce the risk of carbon leakage by levelling the playing field; calls on the Commission, however, to establish safeguards to ensure that linking the EU ETS to other systems does not undermine EU climate targets and the scope of the EU ETS; calls for rules to be drawn up for their establishment, including rules for accounting and ensuring that international markets and links between domestic carbon markets deliver permanent mitigation contributions and do not undermine EU domestic reduction targets;

31. Stresses the need to ensure a predictable regulatory environment which directs investment towards measures to reduce GHG emissions and fosters the transition to a low-carbon economy;

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32. Calls for an agreement that covers sectors and emissions in a comprehensive manner and sets economy-wide absolute targets combined with emissions budgets, which should ensure the highest possible level of ambition; stresses that, in line with the IPCC's findings, land use (agricultural, livestock, forest and other land use) has significant cost-effective potential for mitigation and enhancing resilience, and that international cooperation therefore needs to be strengthened to optimise the carbon capture potential of forests and wetlands; highlights that the agreement should set a comprehensive accounting framework for emissions and removals from land (LULUCF); underlines in particular that mitigation and adaptation actions in the allocation of land area must strive to pursue common objectives and not harm other sustainable development objectives;

33. Notes that deforestation and forest degradation are responsible for 20 % of global GHG emissions, and emphasises the role of forests in climate change mitigation and the need to enhance the adaptive capacities and resilience of forests to climate change; calls on the EU to pursue its objective of halting global forest loss by 2030 and to at least halve tropical deforestation by 2020, compared with 2008 levels; underlines that achieving these commitments together with restoring 350 million hectares of forests, as called for in the New York Declaration on Forests, could reduce CO<sub>2</sub> emissions by 4,5-8,8 billion tons per year by 2030; emphasises that without significant new mitigation efforts focused on the tropical forest sector (REDD+) the achievement of the below 2 °C target is likely to be impossible; calls furthermore for the EU to scale up international finance for reducing deforestation in developing countries;

34. Notes the effectiveness of the existing REDD+ mitigation mechanism and encourages the Member States to include it in any climate change mitigation efforts; calls on the Member States to enter into voluntary international mitigation partnerships with developing countries particularly affected by tropical deforestation, with a view to providing financial or technical assistance to stop deforestation by means of sustainable land use policies or governance reforms; calls moreover on the Commission to propose robust measures to stop the import into the EU of goods derived from illegal deforestation; underlines the role of businesses in eliminating the demand for commodities resulting from illegal deforestation;

35. Recalls that transport is the second biggest GHG emitting sector, and insists on the need to put a range of policies in place aimed at lowering emissions from this sector; reiterates the need for the UNFCCC Parties to act to effectively regulate and cap emissions from international aviation and shipping, in line with adequacy and urgency requirements; calls for all the Parties to work through the International Civil Aviation Organisation (ICAO) and the International Maritime Organisation (IMO) to develop a global policy framework to enable an effective response, and to take measures to set adequate targets before the end of 2016 for achieving the necessary reductions in the light of the 2 °C target;

36. Invites the Commission to offer its support and expertise to the parties of the COP 21 Conference in establishing their national contributions, while raising awareness as to the role of the transport sector in adopting comprehensive strategies for reducing GHG emissions;

37. Points out that both short- and long-term transport mitigation strategies are essential if deep GHG reduction ambitions are to be achieved;

38. Highlights the importance of taking account of the specific situation of island and outermost regions, in order to ensure that environmental performance does not affect mobility and accessibility in these regions in particular;



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39. Believes that without a greater focus on reducing emissions from the transport sector, the overall climate targets will be impossible to reach, as transport is the only sector where greenhouse gas emissions have continued to grow (by 30 % over the last 25 years); stresses that this can be achieved only through binding GHG reduction targets, together with the full integration of renewables into the market, a technologically neutral approach to decarbonisation, and a more fully integrated transport and investment policy that incorporates modal shift policies together with technological advancement and transport avoidance (e.g. through sustainable logistics, smart urban planning and integrated mobility management);

40. Points out that more than half of the world's population now lives in towns and cities and that urban transport is a major contributor to GHG emissions from the transport sector; urges the Commission and the Member States, therefore, to actively raise awareness of the role of sustainable urban mobility in achieving mitigation commitments; emphasises that responsible land use and planning and sustainable transport solutions in urban areas contribute efficiently to the aim of reducing CO<sub>2</sub> emissions;

41. Stresses that a good energy mix is necessary in the transport sector and can be achieved by promoting alternative vehicles running with natural gas and biogas and all policies aimed at strengthening sustainable modes of transport, including the electrification of transport and the use of intelligent transport systems; stresses the need to focus on railways, trams, electrified buses, electric cars and e-bicycles, to incorporate the entire lifecycle perspective, and to aim at fully exploiting renewable energy sources; strongly encourages local public transport authorities and transport operators to become frontrunners in introducing low-carbon fleets and technologies;

42. Highlights the huge potential for reducing emissions through increased energy efficiency and clean energy deployment; considers that maximising the efficiency of energy use worldwide is the first step towards reducing energy-related emissions while also contributing to the challenge of alleviating energy poverty;

43. Underlines the serious negative and often irreversible consequences of inaction, recalling that climate change affects all regions around the world in different but highly damaging ways, resulting in migration flows and losses of lives, as well as economic, ecological and social losses; highlights the importance of scientific evidence as a driver of long-term policy decisions and that ambition should be based on solid scientific recommendations; stresses that a concerted global political and financial push for research, development and innovation activities in clean and renewable energy technologies and energy efficiency is crucial to meeting our climate goals and to facilitating growth;

44. Calls for the EU to step up efforts to regulate a global HFC phase-down under the Montreal Protocol; 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 for the EU to be actively engaged in facilitating global action on HFCs;

#### ***Scientific research, technological development and innovation***

45. Believes that the increased deployment of clean energy technologies where they have the greatest impact is dependent on building and maintaining a strong innovation capacity both in developed and emerging countries;

46. Underlines that stimulating innovation in technologies and business models can drive both economic growth and emission reduction; stresses that technology will not automatically advance in a low-carbon direction, but will require clear policy signals, including reducing market and regulatory barriers to new technologies and business models, and well-targeted public expenditure; encourages the Member States to increase investment in public research and development in the energy sector to help create the next wave of resource-efficient, low-carbon technologies;

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47. Recognises the importance of research and innovation in combating climate change, and calls on the Parties to spare no effort in supporting researchers and promoting the new technologies that can help attain the reduction targets which may be set, as well as climate change mitigation and adaptation measures;
48. Encourages the Commission to better take advantage of the fact that Horizon 2020 is fully open to third-country participation, especially in the fields of energy and climate change;
49. Considers that EU space policy and investment therein, including the launch of satellites, which play an important role in monitoring industrial accidents, deforestation, desertification etc., plus collaboration with partners in third countries, can play a major role in monitoring and addressing the effects of climate change worldwide;
50. Stresses that the EU should increase its efforts as regards technology transfer for Least Developed Countries (LDCs) while respecting existing intellectual property rights;
51. Requests that the roles of the Climate Technology Centre and Network (CTCN) and the Technology Executive Committee in facilitating technological development for climate change mitigation and adaptation are fully recognised and supported;
52. Welcomes the efforts made as regards cooperation between the EU and the United States' Department of Energy, particularly in terms of climate change technology research; considers that there is much potential for further research cooperation between the EU and other major economies; stresses that the results of publicly funded research should be made freely available;
53. Points out that the use of space-based assets should be considered in the implementation of measures aimed at mitigating and adapting to climate change, particularly through the monitoring and surveillance of GHG emissions; urges the Commission to actively contribute to a global monitoring system for CO<sub>2</sub> and CH<sub>4</sub>; calls on the Commission to promote efforts towards developing an EU system of measuring GHG emissions in an autonomous and non-dependent manner, using and expanding the missions of the Copernicus programme;

#### ***Climate finance: cornerstone of the Paris Agreement***

54. Considers that means of implementation — including climate finance, technology transfer and capacity building — will play an essential role in finding an agreement at the Paris Conference, and therefore urges the EU and other countries to prepare a credible 'financial package', covering both pre-2020 and post-2020 periods, in order to support greater efforts for GHG reduction, forest protection and adaptation to climate change impacts; calls for climate finance to be included in the agreement as a dynamic element that reflects the changing environmental and economic realities and supports the enhanced ambition of mitigation contribution and adaptation actions; calls therefore on all the Parties in a position to do so to contribute to climate finance;
55. Requests that the EU and its Member States agree on a roadmap for scaling up predictable, new and additional finance, in line with existing commitments, towards their fair share in the overall targeted amount of USD 100 billion a year by 2020 from a variety of public and private sources and to address the imbalance between resources flowing to mitigation and adaptation; calls for the EU to encourage all countries to deliver their fair share of climate finance; calls for a robust monitoring and accountability framework for effective follow-up to the implementation of climate-finance commitments and objectives; recalls that, as climate finance from aid budgets increases, the overall aid budget should also increase as a first step towards full additionality;
56. Calls for concrete EU and international commitments to deliver additional sources of climate finance, including setting aside some EU ETS emission allowances in the 2021-2030 period and allocating revenues from EU and international measures on aviation and shipping emissions for international climate finance and the Green Climate Fund, inter alia technological innovation projects;

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57. Calls for broad-based pricing of carbon as a globally applicable instrument for managing emissions and the allocation of emissions trading revenues to climate-related investments, as well as revenues from carbon pricing of international transport fuels; calls furthermore for partial use of farming subsidies to guarantee investments for the production and use of renewable energy in farms; highlights the importance of mobilising private sector capital and of unlocking the required investment in low-carbon technologies; calls for an ambitious commitment by governments and public and private financial institutions, including banks, pension funds and insurance firms, in favour of aligning lending and investment practices with the below 2 °C target and divesting from fossil fuels, including phasing out export credits for fossil fuel investments; calls for specific public guarantees in favour of green investments, labels and fiscal advantages for green investment funds and for issuing green bonds;

58. Considers that the financial system should incorporate climate risk into investment decisions; calls on the Commission, the Member States and all the Parties to the UNFCCC to use all means at their disposal to encourage financial institutions to redirect their investments on the scale necessary to finance a genuine transition to resilient low-carbon economies;

59. Calls for concrete steps, including a timetable, further to the pledge by the G-20 countries in 2009, for the phase-out of all fossil fuel subsidies by 2020;

60. Encourages the most progressive players to make voluntary commitments to help with the transition to a low-carbon economy, making the most of the best practice already being implemented in the sector; hopes that this mobilisation will be extended and that the commitments will be more structured in future, particularly via the recording platforms incorporated into the Climate Convention;

61. Takes note of the close links between the Financing for Development Conference, the UN Sustainable Development Goals Summit and the 21st Conference of the Parties of the UNFCCC in 2015; recognises that the impacts of climate change will seriously undermine attempts to achieve the planned post-2015 sustainable development framework, and that the overall development financing framework will need to be aligned with and able to support a low-carbon and climate-resilient world;

62. Encourages the promotion of private initiatives from the financial sector, in particular at the G-20 meeting in November 2015, but also in general at the numerous specific finance events that punctuate the preparations for the Paris Conference in 2015;

### ***Achieving climate resilience through adaptation***

63. Emphasises that adaptation action is an inevitable necessity for all countries if they are to minimise negative effects and make full use of the opportunities for climate-resilient growth and sustainable development, and that it needs to play a central role in the new agreement; calls for long-term adaptation objectives to be set accordingly; underlines that acting now to reduce GHG emissions will be less expensive to the global and national economies and would make adaptation action less costly; recognises that adaptation is necessary, particularly in countries that are highly vulnerable to these impacts, and especially to ensure that food production and economic development can proceed in a climate-resilient manner; calls for active support for the elaboration of comprehensive adaptation plans in developing countries taking into account the practices of local actors and the knowledge of indigenous peoples;

64. Recognises that the mitigation ambition achieved by Nationally Determined Contributions (NDCs) has a strong influence on the adaptation efforts needed; calls for a global goal for adaptation and adaptation finance in the Paris Agreement along with commitments to developing further approaches to effectively address loss and damage;

65. Stresses the need to strengthen coordination and climate-risk management at EU level and to create a clear EU adaptation strategy; calls for the implementation of regional adaptation strategies;

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66. Recalls that developing countries, in particular LDCs and small island developing states, have contributed least to climate change, are the most vulnerable to its adverse effects and have the least capacity to adapt; calls for adaptation support and loss and damage to be essential elements of the Paris Agreement, and for the developing countries to receive tangible assistance in their transition to sustainable, renewable and low-carbon forms of energy, guaranteeing therefore that their adaptation needs will be met in both the short and the long term; calls for serious recognition of the issue of climate refugees and the scope thereof, resulting from climate disasters caused by global warming;

67. Emphasises that this agreement should be flexible in order to take account of national circumstances, the respective needs and capacities of developing countries, and the specific features of some countries, in particular LDCs and small islands;

68. Calls on the 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 their own capacity, so as to ensure that future economic growth in all parts of the world is achieved at no further cost to the environment;

69. Stresses the importance of the role that the development community, the Organisation for Economic Cooperation and Development (OECD) and the OECD Development Assistance Committee (DAC) should play in working closely with stakeholders and relevant organisations to assess and mitigate the worst human impacts of climate change, which are expected to be challenging even below a 2 °C warming level;

70. Affirms that effectively tackling the climate issue must be a strategic priority for the EU and other actors on the international scene, and that this requires that climate action be mainstreamed in all relevant policies and that policy coherence be pursued; considers it important that the EU promote low-carbon development pathways across all relevant areas and sectors, and calls for the EU to propose sustainable production and consumption patterns, including indications of ways in which the EU plans to reduce consumption and decouple economic activity from environmental degradation;

71. Notes with concern that 166 million people were forced to leave their homes because of floods, windstorms, earthquakes or other disasters between 2008 and 2013; draws particular attention to the fact that climate-related developments in parts of Africa could contribute to an escalation in the refugee crisis in the Mediterranean; deplores the fact that the status of 'climate refugee' is not yet recognised and leaves a legal loophole affecting victims that cannot benefit from refugee status;

72. Insists that increased efforts to tackle global climate change should be undertaken jointly by developed and developing countries, in accordance with the principle of Common But Differentiated Responsibilities (CBDR);

73. Stresses that, under Article 3(5) of the Treaty on European Union (TEU), the aim of the EU in its relations with the wider world is to contribute to solidarity and to the sustainable development of the Earth, as well as to the strict observance and the development of international law; notes that, under Article 191(1) of the Treaty on the Functioning of the European Union (TFEU), EU environmental policy shall promote measures at international level to combat climate change;

### ***Scaling up climate diplomacy***

74. Stresses the need for climate diplomacy to be part of a comprehensive approach to the EU's external action and, in this context, the importance of the EU in playing an ambitious and central role at the conference, speaking with 'one voice' and playing the role of mediator in seeking progress towards an international agreement and staying united in that regard;

75. Calls on the Member States to coordinate their positions in this regard with those of the EU; underlines the fact that the EU and its Member States have an enormous foreign policy capacity and must show leadership in the area of climate diplomacy and mobilise this network in order to find common ground on the main topics to be agreed on in Paris, namely mitigation, adaptation, finance, technology development and transfer, transparency of action and support, and capacity-building;

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76. Welcomes the EU's Climate Diplomacy Action Plan, as endorsed by the EU Foreign Affairs Council on 19 January 2015; expects the Commission to assume a pro-active role in the negotiations; calls on it to make it clear that the climate challenge is the top strategic priority of this Commission and to organise itself in a way which reflects this, at all levels and across all policy areas;

77. Emphasises the leading role of the EU in climate policy and stresses the need for coordination and the establishment of a common position among the Member States; urges the Commission, the Member States and the European External Action Service (EEAS) to continue and to intensify their diplomatic efforts ahead of and during the conference, with a view to improving their understanding of their partners' positions and encouraging the other Parties to take effective measures to stay compliant with the 2 °C objective and to arrive at agreements and commitments, particularly in the case of the United States, aimed at bringing the most significant emissions in line with those of EU citizens, who have already made numerous efforts to reconcile economic development with respect for the environment and climate; calls on the EU to use its position to achieve closer cooperation on climate issues with neighbouring countries and EU accession countries;

78. Highlights that increased diplomatic efforts ahead of and during the conference are needed in particular to find common ground on the nature of differentiation in obligations of the Parties in the light of their national circumstances and on the role of loss and damage in the agreement;

79. Calls on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy to develop strategic priorities for the external climate policy enshrined in the general foreign policy objectives, and to ensure that the EU delegations focus more intensively on climate policies and on monitoring countries' efforts to mitigate or adapt to climate change, as well as on providing support in terms of capacity-building, and that they have the necessary means to carry out action on climate monitoring issues; calls for the EU to cooperate more closely on climate issues with neighbouring and candidate countries, urging the alignment of their policies with the EU's climate targets; invites the Member States and the EEAS to establish contact points focused on climate change in EU delegations and Member States' embassies;

80. Calls on the Commission and the Member States to ensure that any measure adopted by a Party to the Paris Agreement relating to the objective of stabilising greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, or relating to any of the principles or commitments contained in Articles 3 and 4 of the United Nations Framework Convention on Climate Change, will not be subject to any existing or future treaty of a Party to the extent that it allows for investor-state dispute settlement;

81. Acknowledges the importance of acting against climate change and the potential stability and security threat it poses, as well as the importance of climate diplomacy, in anticipation of the Paris Climate Conference;

### ***The European Parliament***

82. Welcomes the Commission communication and the objectives of the EU's contribution to the COP 21 Climate Conference to be held in Paris in December 2015;

83. Commits to using its international role and its membership of international parliamentary networks to consistently seek progress towards a legally binding and ambitious international climate agreement in Paris;

84. Points out that lobby activities before and during the COP 21 negotiations can have influence on the outcomes of the negotiations; stresses therefore that such activities should be transparent, clearly indicated in the UNFCCC daily agenda of the COP 21 and that the Conference should allow equitable access to all relevant stakeholders;

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85. Believes, as it will also need to give its consent to any international agreement, that it needs to be well integrated into the EU delegation; expects therefore to be allowed to attend EU coordination meetings in Paris;

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86. Instructs its President to forward this resolution to the Council and 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 Parties.

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Wednesday, October 14, 2015

## II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES  
AND AGENCIES

## EUROPEAN PARLIAMENT

P8\_TA(2015)0356

**Request for the waiver of the immunity of Béla Kovács****European Parliament decision of 14 October 2015 on the request for waiver of the immunity of Béla Kovács  
(2014/2044(IMM))**

(2017/C 349/13)

*The European Parliament,*

- having regard to the request for waiver of the immunity of Béla Kovács in connection with an investigation to be carried out by the Central Chief Prosecution Office of Hungary, forwarded on 12 May 2014 by Dr Péter Polt, the Prosecutor-General of Hungary, and announced in plenary on 3 July 2014; having regard to the further explanations provided by Dr Polt in his letters of 16 October 2014 and 23 March 2015 and to the exchange of views held with Dr Polt at the meeting of the Committee on Legal Affairs on 14 July 2015,
- having heard Mr Kovács in accordance with Rule 9(5) of its Rules of Procedure,
- having regard to Article 9 of Protocol No 7 on the Privileges and Immunities of the European Union, and Article 6(2) of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage,
- having regard to the judgments of the Court of Justice of the European Union of 12 May 1964, 10 July 1986, 15 and 21 October 2008, 19 March 2010, 6 September 2011 and 17 January 2013 <sup>(1)</sup>,
- having regard to Article 4(2) of the Fundamental Law of Hungary, Sections 10(2) and 12(1) of Act LVII of 2004 on the Status of the Hungarian Members of the European Parliament, and Section 74(1) and (3) of Act XXXVI of 2012 on the National Assembly of Hungary,
- having regard to Rules 5(2), 6(1) and 9 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs (A8-0291/2015),

<sup>(1)</sup> Judgment of the Court of Justice of 12 May 1964, *Wagner v Fohrmann and Krier*, 101/63, ECLI:EU:C:1964:28; judgment of the Court of Justice of 10 July 1986, *Wybot v Faure and others*, 149/85, ECLI:EU:C:1986:310; judgment of the General Court of 15 October 2008, *Mote v Parliament*, T-345/05, ECLI:EU:T:2008:440; judgment of the Court of Justice of 21 October 2008, *Marra v De Gregorio and Clemente*, C-200/07 and C-201/07, ECLI:EU:C:2008:579; judgment of the General Court of 19 March 2010, *Gollnisch v Parliament*, T-42/06, ECLI:EU:T:2010:102; judgment of the Court of Justice of 6 September 2011, *Patriciello*, C-163/10, ECLI: EU: C:2011:543; judgment of the General Court of 17 January 2013, *Gollnisch v Parliament*, T-346/11 and T-347/11, ECLI:EU: T:2013:23.

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- A. whereas the Prosecutor-General of Hungary has requested the waiver of the immunity of a Member of the European Parliament, Béla Kovács, in order that investigations can be carried out, on the basis of reasonable suspicions, to determine whether a charge will lie against him with regard to the offence of espionage against the institutions of the European Union under Section 261/A of Act C of 2012 on the Hungarian Criminal Code; whereas, according to that Section, any person who conducts intelligence activities for a non-European Union country against the European Parliament, the European Commission or the Council of the European Union shall be punishable in accordance with Section 261; whereas, under paragraph (1) of Section 261, any person who conducts intelligence activities for a foreign power or foreign organisation against Hungary is guilty of a felony punishable by imprisonment for between two and eight years;
  - B. whereas, according to Article 9 of the Protocol on the Privileges and Immunities of the European Union, Members of the European Parliament must enjoy, on the territory of their own Member State, the immunities accorded to members of that Member State's parliament;
  - C. whereas, according to Article 4(2) of the Fundamental Law of Hungary, national Members of Parliament are entitled to immunity; whereas, according to Section 10(2) of Act LVII of 2004 on the Status of the Hungarian Members of the European Parliament, Members of the European Parliament are entitled to immunity equal to the immunity of Members of the Hungarian Parliament; whereas, under Section 74(1) of Act XXXVI of 2012 on the National Assembly, a criminal procedure can only be instituted or conducted and a coercive measure under criminal procedure applied against a Member with the prior consent of the National Assembly; whereas according to Section 74(3) of the same Act, the request for waiver of immunity is to be made by the Prosecutor-General in order to launch the investigation;
  - D. whereas in Case Bf.I.2782/2002, the Hungarian Supreme Court declared that parliamentary immunity is limited to the criminal procedure and does not extend to measures not regulated by the Code of Criminal Procedure aiming at the prevention, detection or demonstration of a crime;
  - E. whereas, according to Section 261/A of Act C of 2012 on the Hungarian Criminal Code, the criminal offence for which investigations can be carried out against Béla Kovács is punishable as of 1 January 2014;
  - F. whereas, accordingly, the investigation and any subsequent indictment for which the waiver of immunity is sought are limited to events having occurred after 1 January 2014;
  - G. whereas, according to the case-law of the Hungarian Supreme Court, the gathering of evidence pursuant to Act CXXXV of 1995 on National Security Services prior to that date was lawful and did not require a waiver of immunity;
  - H. whereas the criminal investigation will be carried out by the Central Chief Prosecution Office of Investigation; whereas under Article 29(1) of the Fundamental Law of Hungary, the Prosecutor-General and the Prosecution Service are independent, carry out their constitutional tasks independently from external organisations, and proceed in compliance with the presumption of innocence;
  - I. whereas the waiver of the immunity of Béla Kovács should be subject to the conditions indicated in Rule 9(6) of the Rules of Procedure;
  - J. whereas, in this case, Parliament has found no evidence of *fumus persecutionis*, that is to say, a sufficiently serious and precise suspicion that the request for waiver of immunity was made in connection with proceedings brought with the intention of causing political damage to the Member concerned;
    1. Decides to waive the immunity of Béla Kovács;
    2. Instructs its President to forward this decision and the report of its committee responsible immediately to the competent authority of Hungary and to Béla Kovács.
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## III

*(Preparatory acts)*

## EUROPEAN PARLIAMENT

P8\_TA(2015)0325

**ILO Forced Labour Convention: judicial cooperation in criminal matters \*\*\***

**European Parliament legislative resolution of 6 October 2015 on the draft Council decision authorising Member States to ratify, in the interests of the European Union, the Protocol of 2014 to the Forced Labour Convention, 1930, of the International Labour Organisation as regards Articles 1 to 4 of the Protocol with regard to matters relating to judicial cooperation in criminal matters (06731/2015 — C8-0078/2015 — 2014/0258(NLE))**

**(Consent)**

(2017/C 349/14)

*The European Parliament,*

- having regard to the draft Council decision (06731/2015),
  - having regard to the request for consent submitted by the Council in accordance with Article 82(2) and Article 218(6), second subparagraph, point (a)(v) of the Treaty on the Functioning of the European Union (C8-0078/2015),
  - 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 Civil Liberties, Justice and Home Affairs (A8-0226/2015),
1. Gives its consent to the draft Council decision;
  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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Tuesday, October 6, 2015

P8\_TA(2015)0326

## **Subjecting 4-methylamphetamine to control measures \***

**European Parliament legislative resolution of 6 October 2015 on the draft Council implementing decision on subjecting 4-methylamphetamine to control measures (10010/2015 — C8-0182/2015 — 2013/0021(NLE))**

**(Consultation)**

(2017/C 349/15)

*The European Parliament,*

- having regard to the Council draft (10010/2015),
  - having regard to Article 39(1) of the Treaty on European Union, as amended by the Treaty of Amsterdam, and Article 9 of Protocol No 36 on Transitional Provisions, pursuant to which the Council consulted Parliament (C8-0182/2015),
  - having regard to Council Decision 2005/387/JHA of 10 May 2005 on the information exchange, risk-assessment and control of new psychoactive substances <sup>(1)</sup>, and in particular Article 8(3) thereof,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A8-0265/2015),
1. Approves the Council draft;
  2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  3. Asks the Council to consult Parliament again if it intends to substantially amend the text approved by Parliament;
  4. Instructs its President to forward its position to the Council and the Commission.

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<sup>(1)</sup> OJ L 127, 20.5.2005, p. 32.

Tuesday, October 6, 2015

P8\_TA(2015)0327

**Subjecting 5-(2-aminopropyl)indole to control measures \*****European Parliament legislative resolution of 6 October 2015 on the draft Council implementing decision on subjecting 5-(2-aminopropyl)indole to control measures (10012/2015 — C8-0186/2015 — 2013/0207(NLE))****(Consultation)**

(2017/C 349/16)

*The European Parliament,*

- having regard to the Council draft (10012/2015),
  - having regard to Article 39(1) of the Treaty on European Union, as amended by the Treaty of Amsterdam, and Article 9 of Protocol No 36 on Transitional Provisions, pursuant to which the Council consulted Parliament (C8-0186/2015),
  - having regard to Council Decision 2005/387/JHA of 10 May 2005 on the information exchange, risk-assessment and control of new psychoactive substances <sup>(1)</sup>, and in particular Article 8(3) thereof,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A8-0263/2015),
1. Approves the Council draft;
  2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  3. Asks the Council to consult Parliament again if it intends to substantially amend the text approved by Parliament;
  4. Instructs its President to forward its position to the Council and the Commission.

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<sup>(1)</sup> OJ L 127, 20.5.2005, p. 32.

Tuesday, October 6, 2015

P8\_TA(2015)0328

### **Subjecting 25I-NBOMe, AH-7921, MDPV and methoxetamine to control measures \***

**European Parliament legislative resolution of 6 October 2015 on the draft Council implementing decision on subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylpyrovalerone (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures (10011/2015 — C8-0185/2015 — 2014/0183(NLE))**

**(Consultation)**

(2017/C 349/17)

*The European Parliament,*

- having regard to the Council draft (10011/2015),
  - having regard to Article 39(1) of the Treaty on European Union, as amended by the Treaty of Amsterdam, and Article 9 of Protocol No 36 on Transitional Provisions, pursuant to which the Council consulted Parliament (C8-0185/2015),
  - having regard to Council Decision 2005/387/JHA of 10 May 2005 on the information exchange, risk-assessment and control of new psychoactive substances <sup>(1)</sup>, and in particular Article 8(3) thereof,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A8-0264/2015),
1. Approves the Council draft;
  2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  3. Asks the Council to consult Parliament again if it intends to substantially amend the text approved by Parliament;
  4. Instructs its President to forward its position to the Council and the Commission.

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<sup>(1)</sup> OJ L 127, 20.5.2005, p. 32.

Tuesday, October 6, 2015

P8\_TA(2015)0329

**Subjecting 4,4'-DMAR and MT-45 to control measures \***

**European Parliament legislative resolution of 6 October 2015 on the draft Council implementing decision on subjecting 4-methyl-5-(4-methylphenyl)-4,5-dihydrooxazol-2-amine (4,4'-DMAR) and 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (MT-45) to control measures (10009/2015 — C8-0183/2015 — 2014/0340(NLE))**

**(Consultation)**

(2017/C 349/18)

*The European Parliament,*

- having regard to the Council draft (10009/2015),
  - having regard to Article 39(1) of the Treaty on European Union, as amended by the Treaty of Amsterdam, and Article 9 of Protocol No 36 on Transitional Provisions, pursuant to which the Council consulted Parliament (C8-0183/2015),
  - having regard to Council Decision 2005/387/JHA of 10 May 2005 on the information exchange, risk-assessment and control of new psychoactive substances<sup>(1)</sup>, and in particular Article 8(3) thereof,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A8-0262/2015),
1. Approves the Council draft;
  2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  3. Asks the Council to consult Parliament again if it intends to substantially amend the text approved by Parliament;
  4. Instructs its President to forward its position to the Council and the Commission.

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<sup>(1)</sup> OJ L 127, 20.5.2005, p. 32.

Tuesday, October 6, 2015

P8\_TA(2015)0330

## **Mobilisation of the EU Solidarity Fund: disasters in Bulgaria and Greece in 2015**

**European Parliament resolution of 6 October 2015 on the proposal for a decision of the European Parliament and of the Council on mobilisation of the European Union Solidarity Fund, in accordance with point 11 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 (disasters in Bulgaria and Greece in 2015) (COM(2015)0370 — C8-0198/2015 — 2015/2151(BUD))**

(2017/C 349/19)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2015)0370 — C8-0198/2015),
  - having regard to Council Regulation (EC) No 2012/2002 of 11 November 2002 establishing the European Union Solidarity Fund <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>, and in particular Article 10 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>, and in particular point 11 thereof,
  - having regard to the letter from the Committee on Regional Development,
  - having regard to the report of the Committee on Budgets (A8-0253/2015),
1. Approves the decision annexed to this resolution;
  2. 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*;
  3. 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 EU Solidarity Fund**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/1872.)*

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<sup>(1)</sup> OJ L 311, 14.11.2002, p. 3.

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

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

Tuesday, October 6, 2015

P8\_TA(2015)0332

**Common provisions on European Structural and Investment Funds: specific measures for Greece \*\*\*I**

European Parliament legislative resolution of 6 October 2015 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 1303/2013 of the European Parliament and of the Council 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 as regards specific measures for Greece (COM(2015)0365 — C8-0192/2015 — 2015/0160(COD))

(Ordinary legislative procedure: first reading)

(2017/C 349/20)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2015)0365),
  - having regard to Article 294(2) and Article 177 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0192/2015),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - after consulting the European Economic and Social Committee,
  - after consulting the Committee of the Regions,
  - having regard to the opinion of the Committee on Budgets on the proposal's financial compatibility,
  - having regard to the undertaking given by the Council representative by letter of 16 September 2015 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to the letter from the Committee on Fisheries,
  - having regard to Rules 59, 50(1) and 41 of its Rules of Procedure,
  - having regard to the report of the Committee on Regional Development and the opinion of the Committee on Employment and Social Affairs (A8-0260/2015),
- A. Whereas the proposed amending Regulation is an exceptional measure, aimed at providing immediate support to Greece by enabling it to access and use before the end of 2015 Union funding for cohesion policy still available from the 2007-2013 programming period, and therefore its adoption is urgent;
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.
-

Tuesday, October 6, 2015

**P8\_TC1-COD(2015)0160**

**Position of the European Parliament adopted at first reading on 6 October 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council amending Regulation (EU) No 1303/2013 as regards specific measures for Greece**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2015/1839.)*

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Tuesday, October 6, 2015

P8\_TA(2015)0333

**Mobilisation of the European Globalisation Adjustment Fund: application EGF/2015/002 DE/Adam Opel — Germany**

**European Parliament resolution of 6 October 2015 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/2015/002 DE/Adam Opel, from Germany) (COM(2015)0342 — C8-0249/2015 — 2015/2208(BUD))**

(2017/C 349/21)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2015)0342 — C8-0249/2015),
  - 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 (A8-0273/2015),
- 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 of 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);
- 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 the 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 the time for assessment and approval, to widen eligible actions and beneficiaries by introducing self-employed persons and young people and to finance incentives for setting up own businesses;

<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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D. whereas Germany submitted application EGF/2015/002 DE/Adam Opel for a financial contribution from the EGF following 2 881 redundancies in Adam Opel AG, operating in the NACE Rev. 2 division 29 ('Manufacture of motor vehicles, trailers and semi-trailers')<sup>(1)</sup> and 1 supplier;

E. whereas the application fulfils the eligibility criteria set down by the EGF Regulation;

1. Agrees with the Commission that the conditions set out in Article 4(1)(a) of the EGF Regulation are met and that, therefore, Germany is entitled to a financial contribution of EUR 6 958 623 under that Regulation;

2. Notes that the German authorities submitted the application for a financial contribution from the EGF on 26 February 2015, and that its assessment was finalised by the Commission on 14 July 2015 and notified to the Parliament on 1 September 2015; welcomes the speedy evaluation period of less than five months;

3. Notes that in Western Europe car sales have dropped dramatically and have reached a 20-year record low<sup>(2)</sup> and highlights that the number of cars sold in Europe is the lowest since 1997; concludes that those events are directly linked to the global financial and economic crisis addressed in Regulation (EC) No 546/2009 of the European Parliament and of the Council<sup>(3)</sup>; further underlines that manufacturers of small and medium-sized vehicles of the medium-price segment have been hit particularly hard and that Adam Opel AG, being one of the major players in the medium-price segment of small and medium-sized vehicles, has thus been hit particularly hard by the crisis, while sales of economy as well as of premium or luxury vehicles were not so affected by the crisis;

4. Notes that the number of newly registered cars in the EU and EFTA Member States saw a drop of 25 % between 2007 and 2013 (from more than 16 million newly registered cars down to 12 million, according to the European Automobile Manufacturers Association); highlights in this respect that sales of Opel/Vauxhall-branded cars in Europe dropped dramatically and fell by 39 % between 2007 and 2013;

5. Notes furthermore that Adam Opel AG was disadvantaged by the owning enterprise General Motors, which allowed Opel to sell only within Europe, thus excluding Opel from emerging markets on other continents; is of the opinion that austerity policies imposed in European countries contributed to the dramatic drop in sales by Opel/Vauxhall;

6. Notes that these redundancies will have a significant adverse impact on the local economy in Bochum; recalls that Bochum is a city in the Ruhr area, a highly urbanised industrial area in the German Federal State of North Rhine-Westphalia, which, like other traditional coal-mining and steel producing regions, has been facing tremendous structural challenges since the 1960s; highlights that the unemployment rate in the Ruhr area is already far above the German average;

7. Recalls that Bochum has already been supported by the EGF after Nokia stopped the production of cell phones, with a loss of more than 1 300 jobs; notes that Outokumpu intends to stop the production of stainless steel in Bochum at the end of 2015, which will lead to a further deindustrialisation of the city and a worsening of the local and regional labour situation;

8. Notes that, to-date, the NACE Revision 2 Division 29 sector (Manufacture of motor vehicles, trailers and semi-trailers) has been the subject of 21 EGF applications, 11 of which were based on trade related globalisation and 10 on the global financial and economic crisis; recalls in this context EGF application EGF/2010/031/General Motors Belgium, which was a consequence of Opel's closure of its production facility in Antwerp, Belgium;

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<sup>(1)</sup> Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC regulations on specific statistical domains (OJ L 393, 30.12.2006, p. 1).

<sup>(2)</sup> European Automobile Manufacturers Association (ACEA), The Automobile Industry Pocket Guide 2014-2015, p. 57f.

<sup>(3)</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).

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9. Welcomes the fact that, in order to provide workers with speedy assistance, the German authorities decided to initiate the implementation of the personalised services to the affected workers on 1 January 2015, well ahead of the decision and even the application on the granting of EGF support for the proposed coordinated package;

10. Notes that dismissed workers can benefit from a range of measures aimed at re-integrating them into the labour market; considers that the estimated number of participants in business start-up advisory service is low, at only 25 estimated beneficiaries;

11. Welcomes that the management and control of this application will be administered by the same bodies which administer the European Social Fund within the Federal Ministry for Labour and Social Affairs and which also administered the previous EGF contributions;

12. Notes that Germany is planning the following measures for the redundant workers covered by this application: vocational training measures (Qualifizierungen), career guidance (Berufsorientierung), peer groups/workshops, business start-up advisory service (Existenzgründerberatung), job search (Stellenakquise)/job fairs (Jobmessen), follow-up mentoring and advisory services (Nachbetreuung und — beratung) and training allowances (Transferkurzarbeitergeld);

13. Notes that the coordinated package of personalised services has been drawn up in consultation with the social partners through the creation of transfer companies;

14. Notes that the authorities plan to utilise the maximum allowed 35 % of total costs for the coordinated package of personalised services on allowances and incentives in the form of a training allowance (Transferkurzarbeitergeld) constituting 60 % or 67 % of the worker's previous net income, depending on the household situation of the beneficiary;

15. Emphasises that funding provided for training allowances (in the present case Transferkurzarbeitergeld) must not replace the legal obligation of the Member State or the former employer; calls on both the Commission and the Member State to provide clear and coherent information to specify to what extent Transferkurzarbeitergeld constitutes a legal obligation once the Transfergesellschaft has been set up; requests coherence in both funding practice and information to the Parliament; expects, therefore, the Commission to provide a thorough and coherent analysis and details of the elements that go beyond the legal obligations of the Member States; reiterates its position that EGF funding should be used for 'Transferkurzarbeitergeld' in order to enable the transfer company to go beyond what it could normally do for the workers, by providing more personalised and in-depth measures than would be possible without EGF support; emphasises that Parliament will continue to monitor that the EGF is not used to replace the obligations of a Member State or a company;

16. Calls on the Commission to establish a consistent approach in case of applications including the 'Transferkurzarbeitergeld' measure, by consistently defining it in each application and thoroughly checking and citing evidence that the specific measure is indeed eligible for EGF funding as laid down in Article 7 of the EGF Regulation and does not in any way substitute passive social protection measures and that the risk of double financing is excluded;

17. Notes that the social partners agreed on the creation of three transfer companies in order to carry out the measures for the dismissed workers, which is in line with the practice in Germany; welcomes that the workers dismissed in the supplier company (Johnson Controls Objekt Bochum GmbHCo. KG) will also be able to participate in the measures carried out by the transfer companies;

18. Recalls the importance of improving the employability of all workers by means of adapted training and the recognition of skills and competences gained throughout a worker's professional career; expects the training on offer in the coordinated package to be adapted not only to the needs of the dismissed workers but also to the actual business environment;

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19. Reminds 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;
20. Notes that the information provided on the coordinated package of personalised services to be funded from the EGF includes information on complementarity with actions funded by the Structural Funds; stresses that the German authorities confirm that the eligible actions do not receive assistance from other Union financial instruments; reiterates its call to the Commission to present a comparative evaluation of those data in its annual reports in order to ensure full respect for the existing regulations and that no duplication of Union-funded services can occur;
21. Appreciates the improved procedure put in place by the Commission, following the Parliament's request for the accelerated release of grants; notes the time pressure that the new timetable implies and the potential impact on the effectiveness of case instruction;
22. Approves the decision annexed to this resolution;
23. 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*;
24. 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 (application from Germany — EGF/2015/002 DE/Adam Opel)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/1871.)*

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Tuesday, October 6, 2015

P8\_TA(2015)0334

**Mobilisation of the European Globalisation Adjustment Fund: application EGF/2015/003 BE/Ford Genk — Belgium**

European Parliament resolution of 6 October 2015 on the proposal for a decision of the European Parliament and of the Council on 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/2015/003 BE/Ford Genk, from Belgium) (COM(2015)0336 — C8-0250/2015 — 2015/2209(BUD))

(2017/C 349/22)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2015)0336 — C8-0250/2015),
  - 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 (A8-0272/2015),
- 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 of 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 the 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 the time for assessment and approval, to widen eligible actions and beneficiaries by introducing self-employed persons and young people and to finance incentives for setting up own businesses;
- D. whereas Belgium submitted application EGF/2015/003 BE/Ford Genk for a financial contribution from the EGF following 5 111 redundancies of which 3 701 workers were made redundant in Ford Genk, operating in the NACE Rev. 2 division 29 ('Manufacture of motor vehicles, trailers and semi-trailers')<sup>(1)</sup> and 1 180 in 11 suppliers and downstream producers, whereas the estimate number of 4 500 redundant workers are expected to participate in the measures;
- E. whereas the application fulfils the eligibility criteria set down by the EGF Regulation;
1. Agrees with the Commission that the conditions set out in Article 4(1)(a) of the EGF Regulation are met and that, therefore, under that Regulation Belgium is entitled to a financial contribution of EUR 6 268 564 from the total costs of EUR 10 447 607;
  2. Notes that the Belgian authorities submitted the application for a financial contribution from the EGF on 24 March 2015, and that its assessment was finalised by the Commission on 14 July 2015 and notified to Parliament on 1 September 2015; welcomes the speedy evaluation period of less than five months;
  3. Notes that the production of passenger cars decreased by 14,6 % in the EU-27 between 2007 and 2012 and that in the same period China more than doubled its market share in passenger car production; concludes that those events are directly linked to major structural changes in world trade patterns due to globalisation;
  4. Recalls that a first wave of dismissals in Ford Genk in 2013 gave way to a first EGF application also based on globalisation, which is currently being implemented<sup>(2)</sup> and that this second application relates to the redundancies at the Ford Genk plant carried out in 2014 up to the final closure of the facility in December 2014;
  5. Notes that the Belgian car industry has suffered a production decline of 15,58 % as global production increased by 18,9 %;
  6. Recalls that Ford Genk has been the largest employer in the province of Limburg; notes that redundancies cause considerable damage to the Limburg economy with a total loss of more than 8 000 jobs (including indirect job losses), most of which are Union citizens between 30 and 54 years of age, a rise in the unemployment rate of between 1,8 and 2 percentage points (up to a 29,4 % increase in the region's unemployment rate from 6,8 % to 8,8 %), a reduction in GDP of between 2,6 % and 2,9 % and a potential drop in labour productivity of 10,9 %, due to the high importance of the automotive industry for labour productivity in the region;
  7. Notes that, to-date, the NACE Revision 2 Division 29 sector (Manufacture of motor vehicles, trailers and semi-trailers) has been the subject of 22 EGF applications, 12 of which were based on trade related globalisation and 10 on the global financial and economic crisis; recommends, therefore, that the Commission makes a study on the Asian and South American markets in order for the EU manufacturers to learn more about the new import licensing requirements and how to be more present and competitive on these markets;
  8. Welcomes the fact that, in order to provide workers with speedy assistance, the Belgian authorities decided to initiate the implementation of the personalised services to the affected workers on 1 January 2015, well ahead of the decision and even the application on the granting the EGF support for the proposed coordinated package;

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<sup>(1)</sup> Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC regulations on specific statistical domains (OJ L 393, 30.12.2006, p. 1).

<sup>(2)</sup> EGF/2013/012 BE/Ford Genk (COM(2014)0532).

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9. Notes that Belgium is planning three types of measures for the redundant workers covered by this application: (i) individual job search assistance, case management and general information services, (ii) training and re-training, and (iii) allowances and incentives;
10. Welcomes that dismissed workers can benefit from a large variation of proposed measures, containing a number of actions for individual job search assistance, case management and general information services; training and re-training, also provided by the former employer;
11. Notes that the coordinated package of personalised services has been drawn up in consultation with the targeted beneficiaries, their representatives, social partners, local, regional and national public employment bodies and training institutions as well as the company;
12. Recalls the importance of improving the employability of all workers by means of adapted training and the recognition of skills and competences gained throughout a worker's professional career; expects the training on offer in the coordinated package to be adapted not only to the needs of the dismissed workers but also to the actual business environment;
13. Stresses that vocational training measures should aim to improve workers' employability and should be adapted to the actual labour market demands; notes at the same time that the training and re-training measures should recognise and also build upon the specific skills and competences that the affected workers have acquired in the automotive and its supplying industry;
14. 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;
15. Notes that the information provided on the coordinated package of personalised services to be funded from the EGF includes information on complementarity with actions funded by the Structural Funds; stresses that the Belgian authorities confirm that the eligible actions do not receive assistance from other Union financial instruments; reiterates its call to the Commission to present a comparative evaluation of those data in its annual reports in order to ensure full respect for the existing regulations and that no duplication of Union-funded services can occur;
16. Welcomes that the authorities plan to utilise most of the available funds for personalised services and only 4,94 % of the total costs for the coordinated package of personalised services will be used for allowances and incentives, which remains much below the maximum allowed 35 %;
17. Appreciates the improved procedure put in place by the Commission, following the Parliament's request for the accelerated release of grants; notes the time pressure that the new timetable implies and the potential impact on the effectiveness of case instruction;
18. Approves the decision annexed to this resolution;
19. 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*;
20. 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 (application from Belgium — EGF/2015/003 BE/Ford Genk)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/1869.)*

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Tuesday, October 6, 2015

P8\_TA(2015)0335

## **Mobilisation of the European Globalisation Adjustment Fund: application EGF/2015/004 IT/Alitalia — Italy**

**European Parliament resolution of 6 October 2015 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/2015/004 IT/Alitalia, from Italy) (COM(2015)0397 — C8-0252/2015 — 2015/2212(BUD))**

(2017/C 349/23)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2015)0397 — C8-0252/2015),
  - 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 (A8-0274/2015),
- 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 of 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 set the 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 the time for assessment and approval, to widen eligible actions and beneficiaries by introducing self-employed persons and young people and to finance incentives for setting up own businesses;
- D. whereas Italy submitted application EGF/2015/004 IT/Alitalia for a financial contribution from the EGF following 1 249 redundancies in Gruppo Alitalia, operating in the NACE Rev. 2 division 51 ('Air transport')<sup>(1)</sup> in the NUTS<sup>(2)</sup> level 2 region of Lazio, and whereas an estimated 184 redundant workers are expected to participate in the measures;
- E. whereas the application fulfils the eligibility criteria set down by the EGF Regulation;
1. Agrees with the Commission that the conditions set out in Article 4(1)(a) of the EGF Regulation are met and that, therefore, Italy is entitled to a financial contribution of EUR 1 414 848 under that Regulation;
  2. Notes that the Italian authorities submitted the application for a financial contribution from the EGF on 24 March 2015, and that its assessment was finalised by the Commission on 7 August 2015 and notified to Parliament on 1 September 2015; welcomes the speedy evaluation period of less than five months;
  3. Notes that the international air transport market has undergone serious economic disruption, in particular a decline in the Union's market share and a huge increase in the number of passengers carried by Gulf and Turkish carriers that has occurred at the expense of European companies such as Alitalia;
  4. Recalls that, although employment in Lazio has been affected by the effects of the economic and financial crisis to a lesser extent than employment at national level, each additional increase in unemployment puts the CIG<sup>(3)</sup> benefit system under pressure;
  5. Notes that, to date, the NACE Revision 2 Division 51 sector (Air transport) has been the subject of one other EGF application<sup>(4)</sup> which was also based on trade related globalisation;
  6. Welcomes the focus on active job search and training measures proposed by the Italian authorities, including the re-employment scheme targeting dismissed workers over 50 years of age;
  7. Welcomes the fact that, in order to provide workers with speedy assistance, the Italian authorities decided to initiate the implementation of the personalised services to the affected workers on 1 April 2015, well ahead of the decision on the granting of EGF support for the proposed coordinated package;
  8. Notes that actions under Article 7(4) of the EGF Regulation — preparatory activities, management, information and publicity and control and reporting — represent a relatively high share of the total costs (3,99 %);

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<sup>(1)</sup> Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC regulations on specific statistical domains (OJ L 393, 30.12.2006, p. 1).

<sup>(2)</sup> Commission Regulation (EU) No 1046/2012 of 8 November 2012 implementing Regulation (EC) No 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS) as regards the transmission of the time series for the new regional breakdown (OJ L 310, 9.11.2012, p. 34).

<sup>(3)</sup> *Cassa Integrazione Guadagno* (CIG) is a benefit designed to ensure a certain level of income to workers prevented for undertaking his/her assignment. CIG is triggered in case of reduction or discontinuation of production activities due to restructuring, enterprise's reorganization, corporate crisis and bankruptcy proceedings which have serious consequences on the labour market at local level. CIG is a tool that prevents workers to be made redundant by allowing enterprises to avoid the cost of labour temporarily not needed, while waiting to resume normal production activities. However CIG is often the prelude to *mobilità*.

<sup>(4)</sup> EGF/2013/014 FR/Air France (COM(2014)0701).

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9. Regrets that, out of 1 249 eligible beneficiaries, only 184 (14,7 %) are targeted by the proposed measures which represents a very low proportion of all dismissed employees;
10. Appreciates that all 184 targeted beneficiaries are expected to benefit from the personalised services;
11. Notes that Italy is planning five types of measures for redundant workers covered by this application: (i) intake and skill assessment, (ii) active job search support, (iii) training, (iv) reimbursement of mobility costs, and (v) hiring benefits for over 50s;
12. Notes that allowances and incentives are limited to mobility costs and hiring benefits and will stay below the allowed maximum amount of 35 % of the total costs for the coordinated package of personalised services, as set out in the EGF Regulation;
13. Welcomes the hiring benefits for workers over 50 years of age; considers that the way the payment benefits are differentiated will incentivise hiring the concerned workers with better conditions;
14. Notes that the coordinated package of personalised services has been drawn up in consultation with the social partners, the accredited agencies which provide job search support and the workers;
15. Welcomes that the accredited agencies providing active job-search support to the workers are paid on the basis of the results achieved;
16. Recalls that, in line with Article 7 of the EGF Regulation, the design of the coordinated package of personalised services supported by the EGF should anticipate future labour market perspectives and required skills and should be compatible with the shift towards a resource-efficient and sustainable economy;
17. Recalls the importance of improving the employability of all workers by means of adapted training and the recognition of skills and competences gained throughout a worker's professional career; expects the training on offer in the coordinated package to be adapted not only to the needs of the dismissed workers but also to the actual business environment;
18. Notes that the information provided on the coordinated package of personalised services to be funded from the EGF includes information on complementarity with actions funded by the Structural Funds; stresses that the Italian authorities confirm that the eligible actions do not receive assistance from other Union financial instruments; reiterates its call to the Commission to present a comparative evaluation of those data in its annual reports in order to ensure full respect for existing regulations and that no duplication of Union-funded services can occur;
19. Appreciates the improved procedure put in place by the Commission, following the Parliament's request for the accelerated release of grants; notes the time pressure that the new timetable implies and the potential impact on the effectiveness of case instruction;
20. Approves the decision annexed to this resolution;
21. 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*;
22. 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 (application from Italy — EGF/2015/004 IT/Alitalia)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/1870.)*

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Wednesday, October 7, 2015

P8\_TA(2015)0337

**Protocol to the Euro-Mediterranean Agreement on the general principles for the participation of Tunisia in Union programmes \*\*\***

**European Parliament legislative resolution of 7 October 2015 on the draft Council decision on the conclusion of the Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, on a Framework Agreement between the European Union and the Republic of Tunisia on the general principles for the participation of the Republic of Tunisia in Union programmes (16160/2014 — C8-0080/2015 — 2014/0118(NLE))**

**(Consent)**

(2017/C 349/24)

*The European Parliament,*

- having regard to the draft Council decision (16160/2014),
  - having regard to the draft Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, on a Framework Agreement between the European Union and the Republic of Tunisia on the general principles for the participation of the Republic of Tunisia in Union programmes (16159/2014),
  - having regard to the request for consent submitted by the Council in accordance with Article 212 and Article 218(6), second subparagraph, point (a), and Article 218(7) of the Treaty on the Functioning of the European Union (C8-0080/2015),
  - 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 Foreign Affairs (A8-0254/2015),
1. Gives its consent to conclusion of the Protocol;
  2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the Republic of Tunisia.
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Wednesday, October 7, 2015

P8\_TA(2015)0338

## **European small claims procedure and European order for payment procedure \*\*\*I**

**European Parliament legislative resolution of 7 October 2015 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 861/2007 of the European Parliament and the Council of 11 July 2007 establishing a European Small Claims Procedure and Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure (COM(2013)0794 — C7-0414/2013 — 2013/0403(COD))**

**(Ordinary legislative procedure: first reading)**

(2017/C 349/25)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0794),
  - having regard to Article 294(2) and Article 81 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0414/2013),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 25 March 2014 <sup>(1)</sup>,
  - having regard to the undertaking given by the Council representative by letter of 29 June 2015 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs (A8-0140/2015),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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## **P8\_TC1-COD(2013)0403**

**Position of the European Parliament adopted at first reading on 7 October 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council amending Regulation (EC) No 861/2007 establishing a European Small Claims Procedure and Regulation (EC) No 1896/2006 creating a European order for payment procedure**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2015/2421.)*

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<sup>(1)</sup> OJ C 226, 16.7.2014, p. 43.

Wednesday, October 7, 2015

P8\_TA(2015)0339

**Limitation of emissions of certain pollutants into the air \*\*\*I****European Parliament legislative resolution of 7 October 2015 on the proposal for a directive of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants (COM(2013)0919 — C7-0003/2014 — 2013/0442(COD))****(Ordinary legislative procedure: first reading)**

(2017/C 349/26)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0919),
  - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0003/2014),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 10 July 2014 <sup>(1)</sup>,
  - having regard to the opinion of the Committee of the Regions of 7 October 2014 <sup>(2)</sup>,
  - having regard to the undertaking given by the Council representative by letter of 30 June 2015 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinion of the Committee on Industry, Research and Energy (A8-0160/2015),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**P8\_TC1-COD(2013)0442****Position of the European Parliament adopted at first reading on 7 October 2015 with a view to the adoption of Directive (EU) 2015/... of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants***(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive (EU) 2015/2193.)*<sup>(1)</sup> OJ C 451, 16.12.2014, p. 134.<sup>(2)</sup> OJ C 415, 20.11.2014, p. 23.

Wednesday, October 7, 2015

P8\_TA(2015)0340

### **Caseins and caseinates intended for human consumption \*\*\*I**

**European Parliament legislative resolution of 7 October 2015 on the proposal for a directive of the European Parliament and of the Council on the approximation of the laws of the Member States relating to caseins and caseinates intended for human consumption and repealing Council Directive 83/417/EEC (COM(2014)0174 — C7-0105/2014 — 2014/0096(COD))**

**(Ordinary legislative procedure: first reading)**

(2017/C 349/27)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2014)0174),
  - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0105/2014),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 4 June 2014 <sup>(1)</sup>,
  - having regard to the undertaking given by the Council representative by letter of 24 June 2015 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A8-0042/2015),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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### **P8\_TC1-COD(2014)0096**

**Position of the European Parliament adopted at first reading on 7 October 2015 with a view to the adoption of Directive (EU) 2015/... of the European Parliament and of the Council on the approximation of the laws of the Member States relating to caseins and caseinates intended for human consumption and repealing Council Directive 83/417/EEC**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive (EU) 2015/2203.)*

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<sup>(1)</sup> OJ C 424, 26.11.2014, p. 72.

Wednesday, October 7, 2015

P8\_TA(2015)0341

**Financial rules applicable to the general budget of the Union \*\*\*I****European Parliament legislative resolution of 7 October 2015 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union (COM(2014)0358 — C8-0029/2014 — 2014/0180(COD))****(Ordinary legislative procedure: first reading)**

(2017/C 349/28)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2014)0358),
  - having regard to Article 294(2) and Article 322 of the Treaty on the Functioning of the European Union and Article 106a of the Treaty establishing the European Atomic Energy Community, pursuant to which the Commission submitted the proposal to Parliament (C8-0029/2014),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Court of Auditors No 1/2015 <sup>(1)</sup>,
  - having regard to the letter of the European Data Protection Supervisor of 3 December 2014,
  - having regard to the undertaking given by the Council representative by letter of 30 June 2015 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgets and the opinions of the Committee on Foreign Affairs and the Committee on Budgetary Control (A8-0049/2015),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission, the European Court of Auditors and the national parliaments.

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**P8\_TC1-COD(2014)0180****Position of the European Parliament adopted at first reading on 7 October 2015 with a view to the adoption of Regulation (EU, Euratom) 2015/... of the European Parliament and of the Council amending Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union***(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU, Euratom) 2015/1929.)*

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<sup>(1)</sup> OJ C 52, 12.2.2015, p. 1.

Thursday, October 8, 2015

P8\_TA(2015)0346

## Payment services in the internal market \*\*\*I

**European Parliament legislative resolution of 8 October 2015 on the proposal for a directive of the European Parliament and of the Council on payment services in the internal market and amending Directives 2002/65/EC, 2013/36/EU and 2009/110/EC and repealing Directive 2007/64/EC (COM(2013)0547 — C7-0230/2013 — 2013/0264(COD))**

**(Ordinary legislative procedure: first reading)**

(2017/C 349/29)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0547),
  - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0230/2013),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Central Bank of 5 February 2014 <sup>(1)</sup>,
  - having regard to the opinion of the European Economic and Social Committee of 11 December 2013 <sup>(2)</sup>,
  - having regard to the undertaking given by the Council representative by letter of 4 June 2015 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 and 61(2) of its Rules of Procedure,
  - having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on Legal Affairs (A7-0169/2014),
  - having regard to the amendments which it adopted at its sitting of 3 April 2014 <sup>(3)</sup>,
  - having regard to the Decision of the Conference of Presidents of 18 September 2014 on unfinished business from the seventh parliamentary term,
  - having regard to the supplementary report of the Committee on Economic and Monetary Affairs (A8-0266/2015),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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## P8\_TC1-COD(2013)0264

**Position of the European Parliament adopted at first reading on 8 October 2015 with a view to the adoption of Directive (EU) 2015/... of the European Parliament and of the Council on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive (EU) 2015/2366.)*

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<sup>(1)</sup> OJ C 224, 15.7.2014, p. 1.

<sup>(2)</sup> OJ C 170, 5.6.2014, p. 78.

<sup>(3)</sup> Texts adopted of that date, P7\_TA(2014)0280.



Wednesday, October 14, 2015

P8\_TA(2015)0352

**Access for consultation of the Visa Information System (VIS) by Member States and Europol for the prevention, detection and investigation of terrorist offences and of other serious criminal offences \*****European Parliament legislative resolution of 14 October 2015 on the draft Council Implementing Decision fixing the date of effect of Decision 2008/633/JHA concerning access for consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences (10506/2015 — C8-0193/2015 — 2015/0807(CNS))****(Special legislative procedure — consultation)**

(2017/C 349/30)

*The European Parliament,*

- having regard to the Council draft (10506/2015),
  - having regard to Article 39(1) of the Treaty on European Union, as amended by the Treaty of Amsterdam, and Article 9 of Protocol No 36 on Transitional Provisions, pursuant to which the Council consulted Parliament (C8-0193/2015),
  - having regard to Council Decision 2008/633/JHA of 23 June 2008 concerning access for the consultation of the Visa Information System (VIS) by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences <sup>(1)</sup>, and in particular Article 18(2) thereof,
  - having regard to its Resolution of 9 July 2015 on the European Agenda on Security <sup>(2)</sup>,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A8-0287/2015),
1. Approves the Council draft;
  2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  3. Asks the Council to consult Parliament again if it intends to substantially amend the text approved by Parliament;
  4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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<sup>(1)</sup> OJ L 218, 13.8.2008, p. 129.

<sup>(2)</sup> Texts adopted, P8\_TA(2015)0269.

Wednesday, October 14, 2015

P8\_TA(2015)0353

**Draft amending budget No 6/2015: Own resources, Union trust funds for external action, Office of the Body of European Regulators for Electronic Communications**

**European Parliament resolution of 14 October 2015 on the Council position on Draft amending budget No 6/2015 of the European Union for the financial year 2015, Own Resources, Union Trust Funds for External Action, Office of the Body of European Regulators for Electronic Communications (11695/2015 — C8-0278/2015 — 2015/2150(BUD))**

(2017/C 349/31)

*The European Parliament,*

- having regard to Article 314 of the Treaty on the Functioning of the European Union,
- having regard to Article 106a of the Treaty establishing the European Atomic Energy Community,
- 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>(1)</sup>, and in particular Article 41 thereof,
- having regard to the general budget of the European Union for the financial year 2015, as definitively adopted on 17 December 2014 <sup>(2)</sup>,
- having regard to Amending budget No 1/2015, as definitively adopted on 28 April 2015 <sup>(3)</sup>,
- having regard to Amending budgets No 2/2015, No 3/2015, No 4/2015 and No 5/2015 as definitively adopted on 7 July 2015 <sup>(4)</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>(5)</sup>,
- having regard to Council Regulation (EU, Euratom) 2015/623 of 21 April 2015 amending Regulation (EU, Euratom) No 1311/2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(6)</sup>,
- 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>(7)</sup>,
- having regard to Council Decision 2007/436/EC, Euratom of 7 June 2007 on the system of the European Communities' own resources <sup>(8)</sup>,
- having regard to Draft amending budget No 6/2015, which the Commission adopted on 15 July 2015 (COM(2015)0351),
- having regard to the position on Draft amending budget No 6/2015 which the Council adopted on 18 September 2015 and forwarded to Parliament on the same day (11695/2015 — C8-0278/2015),

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

<sup>(2)</sup> OJ L 69, 13.3.2015, p. 1.

<sup>(3)</sup> OJ L 190, 17.7.2015, p. 1.

<sup>(4)</sup> OJ L 261, 7.10.2015.

<sup>(5)</sup> OJ L 347, 20.12.2013, p. 884.

<sup>(6)</sup> OJ L 103, 22.4.2015, p. 1.

<sup>(7)</sup> OJ C 373, 20.12.2013, p. 1.

<sup>(8)</sup> OJ L 163, 23.6.2007, p. 17.

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- having regard to Rules 88 and 91 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgets (A8-0280/2015),
- A. whereas Draft amending budget No 6/2015 concerns a revision of the forecast of Traditional Own Resources, VAT and GNI bases, the budgeting of the relevant corrections concerning the United Kingdom, as well as their financing, thereby resulting in a change in the distribution between Member States of their contribution to the Union budget;
- B. whereas Draft amending budget No 6/2015 furthermore covers the creation of two new budget items for support expenditure for trust funds managed by the Commission, in policy areas 'Development and Cooperation' and 'Enlargement', both with a token entry (p.m.);
- C. whereas Draft amending budget No 6/2015 also provides for a change to the establishment plan of the Office of the Body of European Regulators for Electronic Communications with no changes to the overall number of posts or to its budget;
1. Takes note of Draft amending budget No 6/2015, as submitted by the Commission, and of the Council's position thereon;
  2. Notes that, compared to the initial 2015 budget, national contributions to the budget based on GNI can be reduced by EUR 2,26 billion due to higher than expected revenues from Traditional Own Resources (i.e. customs duties and sugar sector levies) of EUR 1 133,5 million and the budgeting of the 2014 surplus through Amending budget No 3/2015;
  3. Considers that this technical adjustment to the revenue side of the Union budget is soundly based on the latest statistical developments and is in line with the agreed distribution between Member States;
  4. Notes that Draft amending budget No 6/2015, in all its elements, has no impact on the expenditure side of the 2015 budget and that its impact on the revenue side is a change in the distribution between Member States' contributions only;
  5. Approves the Council position on Draft amending budget No 6/2015;
  6. Instructs its President to declare that Amending budget No 6/2015 has been definitively adopted and arrange for its publication in the *Official Journal of the European Union*;
  7. Instructs its President to forward this resolution to the Council, the Commission, the Court of Auditors and the national parliaments.
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P8\_TA(2015)0354

## **Mobilisation of the Flexibility Instrument for immediate budgetary measures under the European Agenda on Migration**

**European Parliament resolution of 14 October 2015 on the proposal for a decision of the European Parliament and of the Council on the mobilisation of the Flexibility Instrument for immediate budgetary measures under the European Agenda on Migration, in accordance with point 12 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 (COM(2015)0486 — C8-0292/2015 — 2015/2253(BUD))**

(2017/C 349/32)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and to the Council (COM(2015)0486 — C8-0292/2015),
  - having regard to the general budget of the European Union for the financial year 2015 as definitively adopted on 17 December 2014 <sup>(1)</sup>,
  - having regard to Amending budget No 1/2015, as definitively adopted on 28 April 2015 <sup>(2)</sup>,
  - having regard to Amending budgets No 2/2015, No 3/2015, No 4/2015 and No 5/2015 as definitively adopted on 7 July 2015 <sup>(3)</sup>,
  - having regard to the draft amending budget No 7/2015, which the Commission adopted on 30 September 2015 (COM(2015)0485),
  - 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>(4)</sup> (MFF Regulation), and in particular Article 11 thereof,
  - having regard to Council Regulation (EU, Euratom) 2015/623 of 21 April 2015 amending Regulation (EU, Euratom) No 1311/2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(5)</sup>,
  - 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>(6)</sup>, and in particular point 12 thereof,
  - having regard to the letter from the Committee on Civil Liberties, Justice and Home Affairs,
  - having regard to the report of the Committee on Budgets (A8-0290/2015),
- A. whereas after having examined all possibilities for re-allocating commitment appropriations under heading 3, it appears necessary to mobilise the Flexibility Instrument for commitment appropriations;
- B. whereas the Commission has proposed to mobilise the Flexibility Instrument, over and above the MFF ceilings, to complement the financing in the general budget of the Union for the financial year 2015 by EUR 66,1 million in commitment appropriations to finance measures for managing the refugee and migration crisis;

<sup>(1)</sup> OJ L 69, 13.3.2015, p. 1.

<sup>(2)</sup> OJ L 190, 17.7.2015, p. 1.

<sup>(3)</sup> OJ L 261, 7.10.2015.

<sup>(4)</sup> OJ L 347, 20.12.2013, p. 884.

<sup>(5)</sup> OJ L 103, 22.4.2015, p. 1.

<sup>(6)</sup> OJ C 373, 20.12.2013, p. 1.

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1. Notes that the 2015 ceiling for heading 3 does not allow for an adequate financing of important and urgent political priorities of the Union;
2. Agrees therefore with the mobilisation of the Flexibility Instrument for an amount of EUR 66,1 million in commitment appropriations;
3. Agrees furthermore to the proposed allocation of the corresponding payment appropriations of EUR 52,9 million in 2016 and EUR 13,2 million in 2017;
4. Reiterates that the mobilisation of this instrument, as provided for in Article 11 of the MFF Regulation, shows, once more, the crucial need for the Union budget to be more flexible;
5. Reiterates its long-standing view that, without prejudice to the possibility for payment appropriations to be mobilised for specific budget lines through the Flexibility Instrument without prior mobilisations in commitments, the payments stemming from commitments previously mobilised through the Flexibility Instrument can only be counted over and above the ceilings;
6. Approves the decision annexed to this resolution;
7. 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*;
8. 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 Flexibility Instrument for immediate budgetary measures under the European Agenda on Migration**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/2248.)*

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P8\_TA(2015)0355

## **Draft amending budget No 7/2015: Managing the refugee crisis: immediate budgetary measures under the European Agenda on Migration**

**European Parliament resolution of 14 October 2015 on the Council position on Draft amending budget No 7/2015 of the European Union for the financial year 2015, Managing the refugee crisis: immediate budgetary measures under the European Agenda on Migration (12511/2015 — C8-0297/2015 — 2015/2252(BUD))**

(2017/C 349/33)

*The European Parliament,*

- having regard to Article 314 of the Treaty on the Functioning of the European Union,
- having regard to Article 106a of the Treaty establishing the European Atomic Energy Community,
- 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>(1)</sup>, and in particular Article 41 thereof,
- having regard to the general budget of the European Union for the financial year 2015, as definitively adopted on 17 December 2014 <sup>(2)</sup>,
- having regard to Amending budget No 1/2015, as definitively adopted on 28 April 2015 <sup>(3)</sup>,
- having regard to Amending budgets No 2/2015, No 3/2015, No 4/2015 and No 5/2015 as definitively adopted on 7 July 2015 <sup>(4)</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>(5)</sup>,
- having regard to Council Regulation (EU, Euratom) 2015/623 of 21 April 2015 amending Regulation (EU, Euratom) No 1311/2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(6)</sup>,
- 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>(7)</sup>,
- having regard to Council Decision 2007/436/EC, Euratom of 7 June 2007 on the system of the European Communities' own resources <sup>(8)</sup>,
- having regard to Draft amending budget No 7/2015, which the Commission adopted on 30 September 2015 (COM(2015)0485),
- having regard to the position on Draft amending budget No 7/2015 which the Council adopted on 8 October 2015 and forwarded to Parliament on the following day (12511/2015 — C8-0297/2015),

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

<sup>(2)</sup> OJ L 69, 13.3.2015, p. 1.

<sup>(3)</sup> OJ L 190, 17.7.2015, p. 1.

<sup>(4)</sup> OJ L 261, 7.10.2015.

<sup>(5)</sup> OJ L 347, 20.12.2013, p. 884.

<sup>(6)</sup> OJ L 103, 22.4.2015, p. 1.

<sup>(7)</sup> OJ C 373, 20.12.2013, p. 1.

<sup>(8)</sup> OJ L 163, 23.6.2007, p. 17.

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- having regard to the Commission communication to the European Parliament, the European Council and the Council of 23 September 2015 entitled ‘Managing the refugee crisis: immediate operational, budgetary and legal measures under the European Agenda on Migration’ (COM(2015)0490),
  - having regard to the letter from the Committee on Civil Liberties, Justice and Home Affairs,
  - having regard to Rules 88 and 91 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgets (A8-0289/2015),
- A. whereas Draft amending budget No 7/2015 aims to reinforce the Union’s resources to deal with the current refugee and migrant crisis, thereby addressing current underfunding in both headings 3 and 4;
- B. whereas Draft amending budget No 7/2015 provides a reinforcement of emergency assistance provided under the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund for a total amount of EUR 100 million in commitment appropriations while maintaining the necessary resources, and other programmes financed by AMIF;
- C. whereas Draft amending budget No 7/2015 furthermore provides for an increase in the number of posts for Frontex, European Asylum Support Office (EASO) and Europol of 120 in total as well as the related appropriations for salaries until year-end of EUR 1,3 million in commitment and payment appropriations;
- D. whereas Draft amending budget No 7/2015 also provides for additional funding for the European Neighbourhood Instrument for a total amount of EUR 300 million;
- E. whereas Draft amending budget No 7/2015 furthermore increases payment appropriations for Humanitarian Aid for an amount of EUR 55,7 million through redeployment;
- F. whereas Draft amending budget No 7/2015 is accompanied by a proposal for a decision on the mobilisation of the Flexibility Instrument for immediate budgetary measures under the European Agenda on Migration (COM(2015)0486) for an amount of EUR 66,1 million in commitment appropriations;
- G. whereas the increase in the number of refugees and migrants was not foreseeable when adopting the current Multiannual Financial Framework 2014-2020, and it cannot be considered a temporary phenomenon and therefore requires longer term solutions which need to be addressed in the upcoming annual budgetary procedures and the revision of the Multiannual Financial Framework;
1. Takes note of Draft amending budget No 7/2015, as submitted by the Commission, and of the Council’s position thereon;
  2. Welcomes the swift response from the Commission in dealing with the current refugee crisis; reiterates the readiness of the European Parliament to act in due time in accordance with its budgetary responsibilities; points out that the proposed measures have to be coupled with initiatives aimed at addressing the root causes of the migration and refugees crisis;
  3. Is convinced that the Union needs to do more to address the current migration and refugee crisis and to help stabilise countries of origin and assist countries of transit as the proposed measures will certainly not be sufficient, given the overall number of persons seeking protection in the Union; calls on the Commission to present a long-term financial plan to respond to the migration and refugee crisis, including search and rescue operations, and to propose a revision of the Multiannual Financial Framework accordingly;
  4. Welcomes the willingness of all institutions to increase the budget appropriations related to migration and asylum, given the obvious and urgent need, as well as for foreign policy instruments to help address the root causes of the migration and refugee crisis;

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5. Welcomes the commitment of Member States, made during the informal European Council of 23 September 2015, to mobilise EUR 1 billion in response to the humanitarian situation of migrants and refugees; calls on Member States to extend and increase their commitment to provide the necessary funds also in the coming years;
  6. Recalls that this issue needs primarily to be addressed in the 2016 budget and calls on the Council to match its words with the corresponding funding in Conciliation;
  7. Urges therefore the Council to agree from the outset on an adequate 2016 budget, including for headings 3 and 4, which will provide sufficient appropriations to manage the current refugee and migration crisis;
  8. Reminds the Commission and the Council of the recent agreement for a payment plan aimed at putting the Union budget back on a sustainable track; notes that the Commission did not propose any additional overall payment appropriations in the 2015 budget but reverted to the redeployment of already existing resources; stresses that this could increase the burden on payment appropriations in 2016 which may not be sufficient to meet the actual needs of financial programmes across headings;
  9. Expects therefore the Commission to come forward in its Amending Letter 2/2016 with an adequate increase in payment appropriations which corresponds to the commitments undertaken;
  10. Stresses that, should additional reinforcements be needed in the course of the current year to address the migration and refugee crisis, the Parliament will be ready to accept a further mobilisation of the flexibility provisions provided for in the Multiannual Financial Framework;
  11. Welcomes the additional 120 establishment plan posts for agencies and expects this decision to also impact the 2016 budget as well as the budgets for the following years; urges the Commission to provide updated and consolidated information about the agencies' needs before budgetary Conciliation; calls on the Commission to propose a medium-term and long-term strategy for the justice and home affairs agencies' actions: objectives, missions, coordination, development of hot spots and financial resources;
  12. Believes that EASO should get more staff than is now proposed by the Commission, as it is tasked with assuming a key role in the implementation of the Common European Asylum System, such as assisting in the processing of asylum applications and in the relocation efforts;
  13. Affirms its willingness to adopt Draft amending budget No 7/2015 as presented by the Commission as quickly as possible, given the urgency of the situation; points out that due to the urgency of the situation the Parliament had limited time in shaping its position on this amending budget;
  14. Approves the Council position on Draft amending budget No 7/2015;
  15. Instructs its President to declare that Amending budget No 7/2015 has been definitively adopted and arrange for its publication in the *Official Journal of the European Union*;
  16. Instructs its President to forward this resolution to the Council, the Commission, the Court of Auditors and the national parliaments.
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Wednesday, October 14, 2015

P8\_TA(2015)0357

**Appointment of Managing Director of EFSI****European Parliament decision of 14 October 2015 on the proposal for the appointment of the Managing Director of the European Fund for Strategic Investments (C8-0304/2015 — 2015/0901(NLE))****(Approval)**

(2017/C 349/34)

*The European Parliament,*

- having regard to the proposal of the Steering Board of the European Fund for Strategic Investments (EFSI) of 2 October 2015 for the appointment of its Managing Director (C8-0304/2015),
  - having regard to Article 7(6) of Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments <sup>(1)</sup>,
  - having regard to its Rules of Procedure,
  - having regard to the joint deliberations of the Committee on Budgets and the Committee on Economic and Monetary Affairs under Rule 55 of the Rules of Procedure,
  - having regard to the report of the Committee on Budgets and the Committee on Economic and Monetary Affairs (A8-0292/2015),
- A. whereas Article 7(6) of Regulation (EU) 2015/1017 provides that the Managing Director and Deputy Managing Director of the EFSI are to be appointed by the European Investment Bank (EIB) after approval by the European Parliament following an open and transparent selection process in line with EIB procedures, during which the European Parliament shall be kept duly informed in a timely manner at all stages;
- B. whereas, on 2 October 2015, the Steering Board of the EFSI adopted a proposal for the appointment of the Managing Director and Deputy Managing Director of the EFSI and transmitted this proposal to the European Parliament;
- C. whereas, on 13 October 2015, the Committee on Budgets and the Committee on Economic and Monetary Affairs held a hearing with Wilhelm Molterer, the proposed candidate for the function of Managing Director of the EFSI, at which he made an opening statement and then responded to questions from the members of the Committees;
1. Approves the appointment of Wilhelm Molterer for the position of Managing Director of the EFSI;
  2. Instructs its President to forward this decision to the Council, the Commission, the European Investment Bank and the governments of the Member States.

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<sup>(1)</sup> OJ L 169, 1.7.2015, p. 1.

Wednesday, October 14, 2015

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## Appointment of Deputy Managing Director of EFSI

**European Parliament decision of 14 October 2015 on the proposal for the appointment of the Deputy Managing Director of the European Fund for Strategic Investments (C8-0305/2015 — 2015/0902(NLE))**

(Approval)

(2017/C 349/35)

*The European Parliament,*

- having regard to the proposal of the Steering Board of the European Fund for Strategic Investments (EFSI) of 2 October 2015 for the appointment of its Deputy Managing Director (C8-0305/2015),
  - having regard to Article 7(6) of Regulation (EU) 2015/1017 of the European Parliament and of the Council of 25 June 2015 on the European Fund for Strategic Investments, the European Investment Advisory Hub and the European Investment Project Portal and amending Regulations (EU) No 1291/2013 and (EU) No 1316/2013 — the European Fund for Strategic Investments <sup>(1)</sup>,
  - having regard to its Rules of Procedure,
  - having regard to the joint deliberations of the Committee on Budgets and the Committee on Economic and Monetary Affairs under Rule 55 of the Rules of Procedure,
  - having regard to the report of the Committee on Budgets and the Committee on Economic and Monetary Affairs (A8-0293/2015),
- A. whereas Article 7(6) of Regulation (EU) 2015/1017 provides that the Managing Director and Deputy Managing Director of the EFSI are to be appointed by the European Investment Bank (EIB) after approval by the European Parliament following an open and transparent selection process in line with EIB procedures, during which the European Parliament shall be kept duly informed in a timely manner at all stages;
- B. whereas, on 2 October 2015, the Steering Board of the EFSI adopted a proposal for the appointment of the Managing Director and Deputy Managing Director of the EFSI and transmitted this proposal to the European Parliament;
- C. whereas, on 13 October 2015, the Committee on Budgets and the Committee on Economic and Monetary Affairs held a hearing with Iliyana Tsanova, the proposed candidate for the function of Deputy Managing Director of the EFSI, at which she made an opening statement and then responded to questions from the members of the Committees;
1. Approves the appointment of Iliyana Tsanova for the position of Deputy Managing Director of the EFSI;
  2. Instructs its President to forward this decision to the Council, the Commission, the European Investment Bank and the governments of the Member States.

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<sup>(1)</sup> OJ L 169, 1.7.2015, p. 1.



ISSN 1977-091X (electronic edition)  
ISSN 1725-2423 (paper edition)



**Publications Office of the European Union**  
2985 Luxembourg  
LUXEMBOURG

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