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## Information and Notices

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Sitting of 9 March 2015

*The Minutes of this session have been published in OJ C 132, 14.4.2016.*

2015-2016 SESSION

Sittings of 10 to 12 March 2015

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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**

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TEXTS ADOPTED

Tuesday 10 March 2015

I

(Resolutions, recommendations and opinions)

RESOLUTIONS

EUROPEAN PARLIAMENT

P8\_TA(2015)0050

**Progress on equality between women and men in the EU in 2013**

**European Parliament resolution of 10 March 2015 on progress on equality between women and men in the European Union in 2013 (2014/2217(INI))**

(2016/C 316/01)

*The European Parliament,*

- having regard to Articles 2 and 3(3), second subparagraph, of the Treaty on European Union (TEU) and Article 8 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Article 23 of the Charter of Fundamental Rights of the European Union,
- having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR),
- having regard to the United Nations Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) of 18 December 1979,
- having regard to the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949,
- having regard to the Beijing Declaration and Platform for Action of 15 September 1995 adopted by the Fourth World Conference on Women and to the outcome documents adopted at the United Nations Beijing + 5 (2000), Beijing + 10 (2005), and Beijing + 15 (2010) special sessions,
- having regard to Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters <sup>(1)</sup>,
- having regard to Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA <sup>(2)</sup>,
- having regard to the United Nations Convention on the Rights of Persons with Disabilities, and in particular Article 6 thereof on women with disabilities, of 13 December 2006,

<sup>(1)</sup> OJ L 181, 29.6.2013, p. 4.

<sup>(2)</sup> OJ L 315, 14.11.2012, p. 57.

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- having regard to Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order <sup>(1)</sup>,
- having regard to Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA <sup>(2)</sup>,
- having regard to the proposal for a Directive of the European Parliament and of the Council on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures (women on boards directive (COM(2012)0614)),
- having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),
- having regard to the European Pact for Gender Equality (2011-2020) of 7 March 2011 <sup>(3)</sup>,
- 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 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 entitled 'EUROPE 2020: A strategy for smart, sustainable and inclusive growth' (COM(2010)2020),
- having regard to the Commission staff working document of 16 September 2013 entitled 'Mid-term review of the Strategy for equality between women and men (2010-2015)' (SWD(2013)0339),
- having regard to the Commission staff working document of 8 May 2013 entitled 'Report on Progress on equality between women and men in 2012' (SWD(2013)0171),
- having regard to the Commission communication of 25 November 2013 entitled 'Towards the elimination of female genital mutilation' (COM(2013)0833),
- having regard to the 2012 report by the European Institute for Gender Equality (EIGE) entitled 'Review of the Implementation of the Beijing Platform for Action in the EU Member States: Violence against Women — Victim Support',
- having regard to the Council conclusions of 5-6 June 2014 on preventing and combating all forms of violence against women and girls, including female genital mutilation,
- having regard to its resolution of 6 February 2014 on the elimination of female genital mutilation <sup>(4)</sup>,

<sup>(1)</sup> OJ L 338, 21.12.2011, p. 2.

<sup>(2)</sup> OJ L 101, 15.4.2011, p. 1.

<sup>(3)</sup> Council conclusions of 7 March 2011.

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

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- having regard to the EU directives from 1975 onwards on aspects of equal treatment for women and men (Directive 2010/41/EU<sup>(1)</sup>, Directive 2010/18/EU<sup>(2)</sup>, Directive 2006/54/EC<sup>(3)</sup>, Directive 2004/113/EC<sup>(4)</sup>, Directive 92/85/EEC<sup>(5)</sup>, Directive 86/613/EEC<sup>(6)</sup>, and Directive 79/7/EEC<sup>(7)</sup>),
- 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>(8)</sup>,
- having regard to its resolution of 12 March 2013 on the impact of the economic crisis on gender equality and women's rights<sup>(9)</sup>,
- having regard to its resolution of 11 June 2013 on educational and occupational mobility of women in the EU<sup>(10)</sup>,
- having regard to its resolution of 12 March 2013 on eliminating gender stereotypes in the EU<sup>(11)</sup>,
- having regard to its resolution of 6 February 2013 on the 57th session on UN CSW: Elimination and prevention of all forms of violence against women and girls<sup>(12)</sup>,
- having regard to its resolution of 11 September 2012 on women's working conditions in the service sector<sup>(13)</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>(14)</sup>,
- having regard to its resolutions of 10 February 2010 on equality between women and men in the European Union — 2009<sup>(15)</sup>, 8 March 2011 on equality between women and men in the European Union — 2010<sup>(16)</sup>, and 13 March 2012 on equality between women and men in the European Union — 2011<sup>(17)</sup>,
- having regard to its resolution of 6 July 2011 on women and business leadership<sup>(18)</sup>,
- having regard to its resolution of 5 April 2011 on priorities and outline of a new EU policy framework to fight violence against women<sup>(19)</sup>,
- having regard to its resolution of 8 March 2011 on the face of female poverty in the European Union<sup>(20)</sup>,
- having regard to its resolution of 17 June 2010 on gender aspects of the economic downturn and financial crisis<sup>(21)</sup>,
- having regard to its resolution of 3 February 2009 on non-discrimination based on sex and intergenerational solidarity<sup>(22)</sup>,

<sup>(1)</sup> OJ L 180, 15.7.2010, p. 1.

<sup>(2)</sup> OJ L 68, 18.3.2010, p. 13.

<sup>(3)</sup> OJ L 204, 26.7.2006, p. 23.

<sup>(4)</sup> OJ L 373, 21.12.2004, p. 37.

<sup>(5)</sup> OJ L 348, 28.11.1992, p. 1.

<sup>(6)</sup> OJ L 359, 19.12.1986, p. 56.

<sup>(7)</sup> OJ L 6, 10.1.1979, p. 24.

<sup>(8)</sup> Texts adopted, P7\_TA(2013)0375.

<sup>(9)</sup> Texts adopted, P7\_TA(2013)0073.

<sup>(10)</sup> Texts adopted, P7\_TA(2013)0247.

<sup>(11)</sup> Texts adopted, P7\_TA(2013)0074.

<sup>(12)</sup> Texts adopted, P7\_TA(2013)0045.

<sup>(13)</sup> OJ C 353 E, 3.12.2013, p. 47.

<sup>(14)</sup> OJ C 264 E, 13.9.2013, p. 75.

<sup>(15)</sup> OJ C 341 E, 16.12.2010, p. 35.

<sup>(16)</sup> OJ C 199 E, 7.7.2012, p. 65.

<sup>(17)</sup> OJ C 251 E, 31.8.2013, p. 1.

<sup>(18)</sup> OJ C 33 E, 5.2.2013, p. 134.

<sup>(19)</sup> OJ C 296 E, 2.10.2012, p. 26.

<sup>(20)</sup> OJ C 199 E, 7.7.2012, p. 77.

<sup>(21)</sup> OJ C 236 E, 12.8.2011, p. 79.

<sup>(22)</sup> OJ C 67 E, 18.3.2010, p. 31.

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- having regard to its resolution of 26 February 2014 on sexual exploitation and prostitution and its impact on gender equality <sup>(1)</sup>,
  - having regard to its resolution of 13 October 2005 on women and poverty in the European Union <sup>(2)</sup>,
  - having regard to its resolution of 25 February 2014 on combating violence against women <sup>(3)</sup>,
  - having regard to the proposal for a directive of the European Parliament and of the Council amending Council Directive 92/85/EEC on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (maternity leave directive (COM(2008)0637)),
  - having regard to the Council conclusions of 20 May 2014 on gender equality in sport,
  - having regard to Directive 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation <sup>(4)</sup>,
  - having regard to the Commission progress report of 3 June 2013 on the Barcelona objectives entitled ‘The development of childcare facilities for young children in Europe with a view to sustainable and inclusive growth’,
  - having regard to the Commission report of September 2014 entitled ‘Statistical Data on Women Entrepreneurs in Europe’,
  - having regard to the European Union Agency for Fundamental Rights (FRA) survey of March 2014 entitled ‘Violence against women: an EU-wide survey’ which, for the first time, has provided data concerning the extent, nature and consequences of various forms of violence against women, as well as victims’ responses to violent incidents and their rights awareness,
  - having regard to Article 168 of the Treaty on the Functioning of the European Union, concerning public health, and in particular to paragraph 7 thereof, which states that ‘Union action shall respect the responsibilities of the Member States for the definition of their health policy and for the organisation and delivery of health services and medical care’,
  - 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 (A8-0015/2015),
- A. whereas equality between women and men is a fundamental right which enjoys recognition under the Treaties since the 1957 Treaty of Rome and the Charter of Fundamental Rights of the European Union; whereas, despite the fact that the European Union has adopted numerous texts to ensure equal opportunities and treatment for men and women and to combat all forms of discrimination based on sex and that the Union has set itself the specific task of mainstreaming gender equality in all its activities, the progress made remains insufficient and many inequalities between men and women still persist;
- B. whereas the principle of equal treatment of women and men implies that there must be no discrimination whatsoever, be it direct or indirect, also with respect to motherhood, fatherhood and the sharing of family responsibilities;
- C. whereas it is crucial to take into account the multiple and intersecting forms of discrimination experienced by many women and girls in Europe (on the grounds of disability, a migrant background, ethnic origin, age, sexual orientation, gender identity, pregnancy, housing status, a low level of education, being victims of violence, etc.) and the fact that their conditions have worsened over recent years;
- D. whereas the Europe 2020 strategy for a smart, sustainable, and inclusive economy entails ambitious targets, including the 75 % employment rate and the reduction of the number of persons suffering, or threatened with, poverty and social exclusion by at least 20 million by 2020, which will be impossible to meet unless Member States implement innovative policies to promote gender equality in the true sense;

<sup>(1)</sup> Texts adopted, P7\_TA(2014)0162.

<sup>(2)</sup> OJ C 233 E, 28.9.2006, p. 130.

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

<sup>(4)</sup> OJ L 204, 26.7.2006, p. 23.

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- E. whereas the fiscal consolidation policies being pursued by Member States are primarily affecting the public sector, in which women are represented more strongly and of which they are the main beneficiaries, and are thus causing harm in two ways, and whereas these policies are making employment more insecure, not least because of the increase in the instance of part-time working (32 % among women compared with 8,2 % among men) and temporary contracts, and not to mention wage reductions;
- F. whereas there are more women than men living in poverty and exclusion, especially older women, whose average pension level is 39 % lower than that of men, and single mothers; whereas, for family reasons, it is more common for women rather than men to work part time or under fixed-term or temporary contracts, and whereas women's poverty is due largely to the precariousness of their jobs;
- G. whereas combating poverty is one of the Commission's five measurable targets proposed under the Europe 2020 strategy; whereas Integrated Guideline 10 of the Europe 2020 strategy (promoting social inclusion and combating poverty) could prompt the adoption of national policies to protect women, in particular, from the risk of poverty, ensuring income security for one-parent families and elderly women;
- H. whereas the falling birth rate in the EU has been exacerbated by the crisis, given that unemployment, precarious circumstances and uncertainty about the future and the economy are making couples, and younger women in particular, delay having children, thereby further reinforcing the EU-wide trend towards population ageing;
- I. whereas the existing taxation systems in certain Member States are predicated on a narrow view of the family to the extent that they are biased towards families in which only one of the two parents is working inasmuch as, in many cases, they deter women from working and fail to provide sufficient support to single-parent families, large families and families supporting dependent relatives;
- J. whereas although women account for almost 60 % of graduates in the EU, their representation in senior official and decision-making positions is disproportionately low, and the proportion of EU scientists and engineers who are female is less than 33 %, while women make up almost 80 % of the workforce in the health, education and welfare sectors;
- K. whereas there is a strong horizontal segregation or gender-specific division of labour, with almost half of women in employment being concentrated in 10 of the 130 occupations listed in the International Standard Classification of Occupations (ISCO) drawn up by the International Labour Organisation (ILO), and only 16 % of workers holding jobs in sectors with an equal proportion of men and women;
- L. whereas the role of small and medium-sized enterprises (SMEs), which account for 99 % of European companies and provide two out of three private-sector jobs, is crucial to the achievement of the Europe 2020 strategy for smart, sustainable, and inclusive growth; whereas only 31 % of entrepreneurs in the EU are women; whereas the rate of entrepreneurship among women in the EU is 10 %, as compared with 19 % among men; whereas there is a need to promote and support the increase of entrepreneurship among women;
- M. whereas approximately 42 % of those regularly involved in agriculture in the EU are women, and 3 in 10 farms in Europe are run by women; whereas promoting equal opportunities for men and women and, at the same time, involving women to a greater extent in business and society, especially in agriculture, must be matters of ongoing concern in Europe;
- N. whereas the female employment rate is 63 %; whereas the gender gap in pay stands at 16,4 %; whereas 73 % of the members serving in national parliaments are men, and whereas women make up 17,8 % of the membership of large company boards and every week spend three times as long as men on household chores (e.g. caring for children, elderly people and people with disabilities and performing household tasks);
- O. whereas 37 % of the Members of the newly elected European Parliament, 9 out of the 28 new Commissioners and 7 out of the 28 judges at the Court of Justice of the European Union are women;

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- P. whereas the female unemployment rate is underestimated given the fact that many women are not registered as unemployed, particularly those who live in rural or remote areas, along with many of those who devote themselves exclusively to household tasks and childcare; whereas this situation also creates a disparity in terms of access to public services (benefits, a pension, maternity leave, sick leave, access to social security, etc.);
- Q. whereas if the present trends continue, the target of 75 % of women in employment will not be reached until 2038 and equal pay will not become a reality before 2084; whereas equal representation in national parliaments, in the EU institutions and on European company boards could be achieved by 2034, but whereas it would take until 2054 before housework was shared equally;
- R. whereas the failure to promote policies providing for a work-life balance in general and the lack of affordable and high-quality childcare facilities and assistance services for the elderly and people requiring special care, in particular, pose a major obstacle to women's economic independence and their rise to positions of responsibility, and to the equal participation of women and men in the labour market, including as a means of preventing and reducing poverty;
- S. whereas the sharing of family and domestic responsibilities between men and women, to be brought about not least through a greater uptake of parental leave and paternity leave, is essential in order to achieve gender equality; whereas a quarter of Member States do not offer paternity leave;
- T. whereas traditional gender roles and stereotypes continue to have a strong influence on the division of roles between women and men in the home, in the workplace and in society at large, thereby limiting women's range of employment choices and their personal and professional development, thereby impeding them from realising their full potential as individuals and as economic players;
- U. whereas the media can play a role, on the one hand, in spreading stereotypes, degrading the image of women and oversexualising young girls and, on the other hand, in overcoming gender stereotypes, encouraging women's participation in decision making and promoting gender equality;
- V. whereas the Council has still not responded officially to two legislative resolutions adopted by Parliament on key aspects of gender equality, namely its resolutions of 20 October 2010 on the proposed maternity leave directive and 20 November 2013 on the proposal for a directive on gender balance among non-executive directors of companies listed on stock exchanges and related measures;
- W. whereas in its report of 6 December 2013 on the application of Directive 2006/54/EC, the Commission raised questions concerning 26 Member States on the conformity of their national legislation with the directive's new provisions <sup>(1)</sup>;
- X. whereas, according to the FRA survey of March 2014, one in three women in the EU has been physically and/or sexually assaulted, while one in five has suffered physical violence after the age of 15 and almost one in two has experienced psychological violence; whereas violence against women constitutes a breach of fundamental rights which bears potentially serious psychological consequences, affects all levels of society, regardless of age, education, income, social position and country of origin or residence, and is one of the least reported crimes; whereas violence against women is one of the main obstacles to true equality between women and men;
- Y. whereas violence against women and girls on the internet is on the rise, with the behaviour of minors on social networks proving to be exceptionally worrying in this regard;
- Z. whereas the EU Strategy towards the Eradication of Trafficking in Human Beings will end in 2016; whereas, according to the 2014 Eurostat report on trafficking in human beings, the vast majority (80 %) of registered victims of trafficking in the EU are women and girls;

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<sup>(1)</sup> Report 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 (recast) (COM(2013)0861).

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- AA. whereas six Member States have still not signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and only eight have ratified it;
- AB. whereas gathering comparable accurate data, broken down by sex, is particularly important for public policy-making at national and EU level, especially where violence against women is concerned;
- AC. whereas women have specific health issues and are less often than men the subjects in clinical trials, and these differences have important implications for women's health;
- AD. whereas girls and women, especially those aged between 15 and 24, are less involved than boys and men in physical activity, and whereas sport is a means of self-expression and fulfilment, as well as a force for citizenship and solidarity, and the regular practice of sport improves physical and mental health; whereas violence against women, stereotyping, differences in pay and barriers to women's involvement in management can all be found in sport;
- AE. whereas sexual and reproductive rights are fundamental human rights and should be taken into account in the EU's action programme in the field of health;
- AF. whereas the formulation and implementation of policies on sexual and reproductive health and rights is a competence of the Member States;
- AG. whereas the Commission's annual report on gender equality is a vital tool for gauging developments in the situation of women in Europe;

***Equality between women and men in the Europe 2020 framework***

1. Calls for the EU institutions and the Member States to mainstream the issues of gender, women's rights and equal opportunities in their policy making, budget procedures and the implementation of EU programmes and activities, by means of pro-active measures, especially in connection with stimulus packages, by carrying out gender impact analyses on a case-by-case basis;
2. Deplores the fact that the 'Strategy for equality between women and men 2010-2015' will soon fail to hit its targets, especially as regards economic independence, in part because of the withdrawal of the proposal for a maternity leave directive; stresses, at the same time, that economic differences between men and women have been gradually increasing;
3. Calls on the Council, the Commission and the Member States to integrate a gender pillar into the Europe 2020 strategy to measure progress on reducing the gender gap in employment and in order to bring about the transfer of policy measures in the Annual Growth Survey into the country-specific recommendations (CSRs);
4. Calls on the Commission and the Member States to develop a general plan for investment into social infrastructure, as it has been estimated that with a gendered investment plan, European gross domestic product (GDP) would increase gradually, by 2,4 % more by 2018 than without such an investment plan;
5. Notes that equal participation by women and men in the labour market could significantly increase the economic potential of the EU, while confirming its fair and inclusive nature; points out that, according to Organisation for Economic Cooperation and Development (OECD) projections, total convergence in participation rates would result in a 12,4 % increase in GDP per capita by 2030;



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6. Maintains that poverty among women, and older women and single mothers in particular, but also women who are victims of gender-based violence, women with disabilities, migrant women and women from minorities, needs to be tackled as a matter of urgency; calls on the Member States, therefore, to implement more effective inclusion strategies and make more efficient use of social policy resources, not least the European Social Fund and the Structural Funds;
7. Finds it regrettable that the effectiveness of social policies in reducing poverty fell by almost 50 % in 2012 compared with 2005 in homes with just one adult, a situation which includes most widows and single mothers; is also concerned that the effectiveness of the social policies implemented in certain Member States amounts to only one third of the European average; calls, therefore, on Member States to strengthen social policies which target in particular the unemployed, in order to tackle rising poverty, especially among women;
8. Calls on the Council and the Commission to address the gender dimension of poverty and social exclusion; finds it regrettable that the CSRs adopted so far as part of the annual European Semester cycles have not been sufficiently aligned with the Europe 2020 employment and social targets; calls for CSRs systemically to address the structural causes of female poverty;
9. Calls on the Commission and the Member States to allow for changes in the family unit when drawing up their taxation and compensation policies, in particular by providing support to one-parent families and older people in the form of tax credits or health care assistance;
10. Calls on the Member States and the Commission to ensure that equality between men and women and the integration of the gender perspective be taken into account in cohesion policy funds and promoted throughout the preparation and implementation thereof and in its programmes, including as regards monitoring, reporting and evaluation;
11. Considers it unfortunate that the annual report now ranks only as a working document annexed to the report on the application of the Charter of Fundamental Rights of the European Union and urges the Commission to restore the full political legitimacy of the annual report by having it officially adopted in its own right;

### ***Equality between women and men in employment and decision-making***

12. Points to the imperative need to reduce gender gaps in pay and pension also by addressing the persistent concentration of women in part-time, low-pay and precarious work and by securing care facilities of a sufficient quality for children and other dependents; deplores in the strongest possible terms the fact that more than a third of older women in the EU receive no form of pension; urges the Member States to give full effect to the rights provided for under Directive 2006/54/EC, including the principle of equal pay and pay transparency, and to revise their national laws on equal treatment with a view to the simplification and modernisation thereof; calls on the Commission to keep the transposition of gender equality directives under regular review and invites the Commission to propose a recast of Directive 2006/54/EC as soon as possible, in accordance with Article 32 thereof and on the basis of Article 157 TFEU, following the detailed recommendations set out in the annex to Parliament's resolution of 24 May 2012;
13. Deplores in the strongest possible terms the fact that women do not receive the same salary in cases where they hold the same jobs as men or jobs of equal value, and condemns, equally, both horizontal and vertical segregation; emphasises, furthermore, the fact that the vast majority of low salaries and almost all very low salaries are paid for part-time work and points out that about 80 % of the working poor are women; points out that according to the European Added Value Assessment conclusions, a decrease of one percentage point in the gender gap in pay would bring about an increase of 0,1 % in economic growth, which means that it is crucially important to close the gap that exists in the current economic downturn; calls, therefore, on the Member States, employers and trade union movements to draft and implement serviceable, specific job evaluation tools to help determine work of equal value and thus ensure equal pay between men and women;

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14. Calls on the Commission and the Member States to implement proactive policies to promote good jobs for women in order to meet the Europe 2020 targets by combating stereotypes and vertical and horizontal occupational segregation, encouraging the transition from part- to full-time work, and focusing in particular on the not-in-education-employment-or-training (NEET) category; calls on the Member States to set specific employment targets in the framework of their national reform programmes to ensure that women have the same opportunities as men to access and stay in the labour market;

15. Calls on the Commission and the Member States to implement proactive policies to encourage women to embrace careers in science and to promote, through information and awareness-raising campaigns in particular, entry by women into sectors traditionally viewed as 'male', notably the sciences and new technologies, with a view to benefiting fully from the human capital represented by European women; stresses, in particular, that information and communications technology (ICT) offers new opportunities and calls upon the Commission to ensure that gender be fully mainstreamed in the priority accorded to the digital agenda in the next five years;

16. Stresses that financial independence is a key means of securing equality and that entrepreneurship among women constitutes an underestimated and underexploited potential for growth and competitiveness in the EU; calls, therefore, on the European Institute for Gender Equality (EIGE) to collect more and better data on entrepreneurship among women; calls on the Member States, the Commission, other relevant bodies, such as chambers of commerce, and industry to encourage, promote and support entrepreneurship among women by facilitating access to credit, cutting red tape and other obstacles to start-ups by women, mainstreaming a gender perspective in the relevant policies, promoting the creation of a single multilingual electronic data and exchange platform for women social entrepreneurs, and supporting regional and Europe-wide mentoring and peer-to-peer networks;

17. Believes that helping women to return to the labour market requires a multidimensional policy (involving vocational training and lifelong learning, and the promotion of more stable employment and tailored working patterns) and draws attention to the increasing prevalence of flexible working hours; points out that demand for flexibility is greatest among part-time workers, the majority of whom are women; maintains, therefore, that collective bargaining is a right which must be protected inasmuch as it helps to combat discrimination and safeguard and enhance rights;

18. Emphasises the fact that increased flexibility in working arrangements can increase women's opportunities to participate actively in the labour market, but notes, at the same time, that this flexibility can have a negative impact on women's wages and pensions; points, therefore, to the need for specific work-life balance proposals, and encourages men and women to share occupational, family, and social responsibilities more evenly, especially in cases where assistance to dependants and childcare are concerned;

19. Asks the Member States to include strategies in rural development programmes to boost the number of jobs for women in rural areas, thereby assuring them of decent pensions, and policies which promote the presence of women on political, economic and social forums in said sector and which further the promotion of equal opportunities in rural areas in line with the multifunctionality of agriculture;

20. Emphasises the growing consensus within the EU as regards the need to promote gender equality through, inter alia, the presence of women in economic and political decision making and, which is a question of fundamental rights and democracy, given that it currently reflects a democratic deficit; welcomes, therefore, the legislated parity systems and gender quotas introduced in some Member States and calls on the Council to state its position on the directive on gender balance among non-executive directors of listed companies so as to enable the legislative process to be continued as soon as possible; calls on the Council and the Commission to take the measures necessary to encourage the Member States to enable women and men to participate on an equal footing in the various spheres of decision-making; calls also for the EU institutions to do everything in their power to guarantee gender equality in the College of Commissioners and in high-level positions in all EU institutions, agencies, institutes and bodies;

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21. Calls on the Commission and the Member States to examine whether gender clauses may be included in public procurement tender notices in order to encourage businesses to strive towards gender equality in their ranks; acknowledges that EU legislation on competition must be complied with in developing this idea;

### ***Reconciliation of professional and private life***

22. Congratulates Sweden, Belgium, France, Slovenia, Denmark and the United Kingdom on achieving the Barcelona objectives and calls on the other Member States to continue their efforts; calls on the Member States to go beyond the Barcelona objectives by adopting a more systematic and integrated approach, to be implemented jointly by national and local authorities, to education and preschool care services, in particular for very young children under the age of three; calls on the Commission to provide continuing financial support to Member States so that they can offer childcare systems — in particular by means of crèches — that parents can afford, including through the establishment of these facilities in the workplace; believes that the right balance can be struck between family plans, private life and professional ambitions only if the people concerned have genuine freedom of choice, in economic and social terms, and are supported by political and economic decisions at EU and national level without being penalised, and if the requisite infrastructure is in place; calls on the Member States to increase their child support budgets, specifically by expanding public networks of day care centres, nurseries and services which offer extracurricular activities for children; calls also on the Commission to address the lack of affordable childcare facilities in its CSRs;

23. Deplores in the strongest possible terms the fact that, despite the level of EU funding available (EUR 3,2 billion from the structural funds for the 2007-2013 period was earmarked to assist Member States in developing childcare facilities and promoting employment for women), certain Member States have made budget cuts that are affecting the availability (e.g. as a result of nursery closures) and quality (e.g. as a result of staffing shortfalls) of childcare services and rendering them more expensive;

24. Calls on the Commission and the Member States to establish paid paternity leave of at least ten working days and to promote measures, legislative and otherwise, enabling men, and fathers in particular, to exercise their right to achieve a work-life balance through, inter alia, the promotion of parental leave, to be taken by either the father or mother, but without swapping between them, until their child has reached a given age;

25. Deplores the deadlock in the Council regarding the maternity leave directive; urges the Member States to resume the negotiations thereon and reiterates its willingness to cooperate;

26. Calls on the Member States to establish affordable, flexible, high-quality and easily accessible services for the care of people who are unable to cope with everyday tasks by themselves due to fact that they do not possess the functional autonomy they need to strike a balance between their personal, family and working lives;

### ***Combating violence against women***

27. Calls on the Commission to encourage ratification at national level and to initiate the procedure for EU accession to the Istanbul Convention as quickly as possible; notes that the immediate accession of all Member States to the Istanbul Convention would lead to the development of an integrated policy and the promotion of international cooperation in the fight against all forms of violence against women;

28. Renews its call on the Commission to submit a proposal under Article 84 TFEU for a legislative act establishing measures to promote and support the action of Member States in the field of preventing violence against women and girls, by supporting a comprehensive and effective policy framework on gender-based violence, focusing on prevention, the prosecution of perpetrators, the protection of victims and appropriate and adequate service provision and teaching on equality, and by introducing penalties for discriminatory or violent behaviour towards women; calls, furthermore, on the Member States to work systematically on empowering women in reporting violence to authorities, and on the education and training of experts who deal with the victims;

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29. Calls on the Commission to ensure the effective and adequately resourced implementation of its communication on the elimination of female genital mutilation;
30. Asks the Council to activate the passerelle clause and to adopt a unanimous decision identifying gender violence as an area of crime listed under Article 83(1) TFEU, which already covers trafficking in human beings and the sexual exploitation of women and children;
31. Calls on the Commission to better regulate the digital market with the aim of protecting women and girls against violence on the internet;
32. Recommends that, in their national action plans to eliminate domestic violence, Member States lay down the obligation to support undocumented migrant women in exactly the same way as women staying legally, without any requirement for institutions to report such cases to the authorities;
33. Recommends that the Member States strengthen their free public health services in order to support all women subjected to violence, including refugees, through, inter alia, increasing their capacity, with specialised assistance being provided to women of different nationalities and to women with disabilities;
34. Renews its call on the Commission and the Member States to make 2016 the European year against violence against women by granting sufficient resources for awareness raising; stresses, to this end, that it is necessary to provide adequate training for the authorities and services involved, as well as for professionals, such as police officers, doctors, magistrates, lawyers, teachers and anyone who could, by virtue of their occupation, provide assistance to women who have been victims of violence;
35. Asks the Commission to put together a European protection order register, in view of the fact that the Member States' deadline for transposing Directive 2011/99/EU on the European protection order expired on 11 January 2015;
36. Recognises that, in regions affected by war, violence against women represents a clear violation of women's fundamental rights and manifests itself through the humiliating and degrading treatment of women; stresses that gender equality is essential for building peace, as it is an expression of the need to prevent and fight against phenomena such as these which affect women;
37. Calls on the EIGE, the FRA and Eurostat to keep collecting comparable data, in particular harmonised data on violence, in order to provide Member States and the Commission with the tools needed for effective policy making; calls also on the Commission and the Member States to direct their attention to the situation in Member States as regards the institutional machinery in place to promote gender equality, the objective being to prevent this from being damaged in the future by the effects of the economic crisis and the reforms that it is entailing, bearing in mind that, without such institutional machinery, the cross-cutting priority assigned to gender equality in every policy sphere, and the specific means of addressing it, will not translate into results;
38. Calls on the Commission to safeguard the Daphne programme — both in terms of its funding and visibility — in the Rights and Citizenship programme in order to ensure that associations working to stop violence against women may continue their work;
39. Calls, once again, on the Commission to set up a European monitoring centre on gender violence (along the lines of the current European Institute for Gender Equality), to be led by a European coordinator for the prevention of violence against women and girls;
40. Urges the Commission to strongly condemn media campaigns and other communications depicting victims of sexual violence as being responsible for these acts, as such assumptions go against all the basic principles of gender equality;

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***Combating gender-based stereotypes***

41. Points to the decisive role of education in combating gender stereotypes and ending gender-based discrimination; stresses that boys and men need to be included in promoting women's rights and gender equality; calls, therefore, on the Commission to take decisive policy action to fight gender stereotypes and suggest to the Member States that they raise awareness of equal rights and equal opportunities for men and women in their educational systems;
42. Asks the Council and the Commission to take steps to make sure that social media use language in a non-sexist way, ensure that women participate actively and are represented in a balanced way, and ensure that there are diverse images of both sexes, going beyond general concepts of beauty and sexist stereotypes of roles carried out in different areas of life, in particular where content aimed at children and young people is concerned;
43. Calls on the Member States and their media regulators to consider the place accorded — in both quantitative and qualitative terms — to women in the media, and in particular on television, not least so as to avert insults to the dignity of women, to avoid conveying gender stereotypes and to curb any tendency to hypersexualise little girls;
44. Asks the Member States, following the adoption of the Council conclusions on gender equality in sport, to make full use of the opportunities offered by sport to promote gender equality, notably by defining specific action plans to combat stereotypes and violence, favour equality among professional sportsmen and sportswomen, and promote sport for women;

***Societal challenges***

45. Points out that various studies show that abortion rates in countries in which abortion is legal are similar to those in countries in which it is banned, and are often even higher in the latter (World Health Organisation, 2014);
46. Notes that the formulation and implementation of policies on sexual and reproductive health and rights and on sexual education is a competence of the Member States; emphasises, nevertheless, that the EU can contribute to the promotion of best practice among Member States;
47. Maintains that women must have control over their sexual and reproductive health and rights, not least by having ready access to contraception and abortion; supports, accordingly, measures and actions to improve women's access to sexual and reproductive health services and inform them more fully about their rights and the services available; calls on the Member States and the Commission to implement measures and actions to make men aware of their responsibilities for sexual and reproductive matters;
48. Emphasises the importance of active prevention, education and information policies aimed at teenagers, young people and adults to ensure that sexual and reproductive health among the public is good, thereby preventing sexually transmitted diseases and unwanted pregnancies;
49. Calls on the Member States, when applying Regulation (EU) No 536/2014 in clinical trials of medicinal products for human use, to ensure equality in the representation of men and women in clinical trials, paying special attention to transparency as regards the gender composition of participants; calls on the Commission, when considering the proper implementation of this regulation, specifically to monitor aspects of equality between women and men;
50. Points out that the EU ratified the United Nations Convention on the Rights of Persons with Disabilities on 22 January 2011 and that, under this convention, States Parties must undertake to ensure and promote the full realisation of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability and to refrain from engaging in any act or practice that is inconsistent with the convention;

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***Equality between women and men in the EU's external relations***

51. Calls on the Commission to vigorously promote gender equality in the context of the EU's external relations with third countries, thereby strengthening its comprehensive strategic approach as regards equality; stresses, in this connection, the importance of stepping up cooperation with international and regional organisations with a view to promoting gender equality and improving awareness of women's rights;

52. Calls on the EU to put an end to policies establishing dependency between family members in the framework of family reunion, and calls for the EU and its Member States to grant migrant women autonomous residence status, especially in cases of domestic violence;

53. Calls on the Commission to ensure that gender equality and women's rights be included in all partnership agreements and in all negotiations with non-EU countries;

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54. Instructs its President to forward this resolution to the Council and the Commission, and to the governments of the Member States.

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**Annual report on EU competition policy****European Parliament resolution of 10 March 2015 on the Annual Report on EU Competition Policy (2014/2158 (INI))**

(2016/C 316/02)

*The European Parliament,*

- having regard to the Commission report of 6 May 2014 on Competition Policy 2013 (COM(2014)0249) and to the accompanying Commission staff working document (SWD(2014)0148),
- having regard to the Treaty on the Functioning of the European Union (TFEU), in particular Articles 101-109 thereof,
- having regard to Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty<sup>(1)</sup>,
- having regard to Council Regulation (EC) No 169/2009 of 26 February 2009 applying rules of competition to transport by rail, road and inland waterway<sup>(2)</sup>,
- having regard to Directive 2014/104/EU of the European Parliament and of the Council of 26 November 2014 on certain rules governing actions for damages under national law for infringements of the competition law provisions of the Member States and of the European Union<sup>(3)</sup>,
- having regard to the Commission communication of 11 June 2013 on quantifying harm in actions for damages based on breaches of Article 101 or 102 of the Treaty on the Functioning of the European Union<sup>(4)</sup>,
- having regard to the Commission staff working document of 4 February 2011 entitled 'Public consultation: Towards a Coherent European Approach to Collective Redress' (SEC(2011)0173),
- having regard to the Commission communication of 11 June 2013 entitled 'Towards a European Horizontal Framework for Collective Redress' (COM(2013)0401),
- having regard to Commission recommendation 2013/396/EU of 11 June 2013 on common principles for injunctive and compensatory collective redress mechanisms in the Member States concerning violations of rights granted under Union Law<sup>(5)</sup>,
- having regard to the study published in June 2012 by the Policy Department of the Directorate-General for Internal Policies, entitled 'Collective redress in Antitrust',
- having regard to the Commission communication of 11 June 2013 published pursuant to Article 27(4) of Council Regulation (EC) No 1/2003 in Case AT.39740 — Google<sup>(6)</sup>,
- having regard to the commitments offered to the Commission pursuant to Article 9 of Council Regulation (EC) No 1/2003 in Case COMP/39.398 — Visa MIF,

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<sup>(1)</sup> OJ L 1, 4.1.2003, p. 1.

<sup>(2)</sup> OJ L 61, 5.3.2009, p. 1.

<sup>(3)</sup> OJ L 349, 5.12.2014, p. 1.

<sup>(4)</sup> OJ C 167, 13.6.2013, p. 19.

<sup>(5)</sup> OJ L 201, 26.7.2013, p. 60.

<sup>(6)</sup> OJ C 120, 26.4.2013, p. 22.

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- having regard to Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation) <sup>(1)</sup>,
- having regard to the Commission consultation of 27 March 2013 on EU merger control — draft revision of simplified procedure and merger implementing regulation,
- having regard to the Commission communication of 13 October 2008 on the application of State aid rules to measures taken in relation to financial institutions in the context of the current global financial crisis <sup>(2)</sup> (the Banking Communication),
- having regard to the Commission communication of 5 December 2008 entitled ‘The recapitalisation of financial institutions in the current financial crisis: limitation of aid to the minimum necessary and safeguards against undue distortions of competition’ <sup>(3)</sup> (the Recapitalisation Communication),
- having regard to the Commission communication of 25 February 2009 on the treatment of impaired assets in the Community banking sector <sup>(4)</sup> (the Impaired Assets Communication),
- having regard to the Commission communication of 23 July 2009 on the return to viability and the assessment of restructuring measures in the financial sector in the current crisis under the State aid rules <sup>(5)</sup> (the Restructuring Communication),
- having regard to the Commission communication of 17 December 2008 on a temporary Community framework for State aid measures to support access to finance in the current financial and economic crisis <sup>(6)</sup> (the original Temporary Framework),
- having regard to the Commission communication of 1 December 2010 entitled ‘Temporary Union framework for State aid measures to support access to finance in the current financial and economic crisis’ <sup>(7)</sup> (the new Temporary Framework replacing the one which ended on 31 December 2010),
- having regard to the Commission communication on the application, from 1 August 2013, of State aid rules to support measures in favour of banks in the context of the financial crisis (‘Banking Communication’) <sup>(8)</sup>,
- having regard to the issues paper from the Commission for the attention of the EFC on the revision of the State aid guidelines for the restructuring of banks,
- having regard to the study of June 2011 by the Policy Department of the Directorate-General for Internal Policies, entitled ‘State aid — Crisis rules for the financial sector and the real economy’,
- having regard to the Commission communication on the application of the European Union State aid rules to compensation granted for the provision of services of general economic interest <sup>(9)</sup>,
- having regard to Commission Decision 2012/21/EU of 20 December 2011 on the application of Article 106(2) of the Treaty on the Functioning of the European Union to State aid in the form of public service compensation granted to certain undertakings entrusted with the operation of services of general economic interest <sup>(10)</sup>,
- having regard to the Commission communication entitled ‘European Union framework for State aid in the form of public service compensation (2011)’ <sup>(11)</sup>,

<sup>(1)</sup> OJ L 24, 29.1.2004, p. 1.

<sup>(2)</sup> OJ C 270, 25.10.2008, p. 8.

<sup>(3)</sup> OJ C 10, 15.1.2009, p. 2.

<sup>(4)</sup> OJ C 72, 26.3.2009, p. 1.

<sup>(5)</sup> OJ C 195, 19.8.2009, p. 9.

<sup>(6)</sup> OJ C 16, 22.1.2009, p. 1.

<sup>(7)</sup> OJ C 6, 11.1.2011, p. 5.

<sup>(8)</sup> OJ C 216, 30.7.2013, p. 1.

<sup>(9)</sup> OJ C 8, 11.1.2012, p. 4.

<sup>(10)</sup> OJ L 7, 11.1.2012, p. 3.

<sup>(11)</sup> OJ C 8, 11.1.2012, p. 15.



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- having regard to Commission Regulation (EU) No 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest <sup>(1)</sup>,
- having regard to its resolution of 15 November 2011 on reform of the EU State aid rules on Services of General Economic Interest <sup>(2)</sup>,
- having regard to the Commission communication of 9 February 2012 entitled ‘EU State Aid Modernisation (SAM)’ (COM(2012)0209),
- having regard to its resolution of 17 January 2013 on State aid modernisation <sup>(3)</sup>,
- having regard to the Commission proposal of 30 July 2012 for a Council regulation amending Council Regulation (EC) No 994/98 of 7 May 1998 on the application of Articles 92 and 93 of the Treaty establishing the European Community to certain categories of horizontal State aid and Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road (COM(2012)0730),
- having regard to the Commission proposal of 5 July 2012 for a Council regulation amending Regulation (EC) No 659/1999 laying down detailed rules for the application of Article 93 of the EC Treaty (COM(2012)0725),
- having regard to the Commission guidelines on state aid for railway undertakings <sup>(4)</sup>,
- having regard to its resolution of 12 June 2013 on regional policy as a part of wider State support schemes <sup>(5)</sup>,
- having regard to the Framework Agreement of 20 October 2010 on relations between the European Parliament and the European Commission <sup>(6)</sup> (hereinafter ‘the Framework Agreement’), in particular paragraphs 9, 12, 15 and 16 thereof,
- having regard to its resolutions of 22 February 2005 on the Commission’s 23rd Report on Competition Policy — 2003 <sup>(7)</sup>, of 4 April 2006 on the Commission Report on Competition Policy 2004 <sup>(8)</sup>, of 19 June 2007 on the Report on Competition Policy 2005 <sup>(9)</sup>, of 10 March 2009 on the Reports on competition policy 2006 and 2007 <sup>(10)</sup>, of 9 March 2010 on the Report on Competition Policy 2008 <sup>(11)</sup>, of 20 January 2011 on the Report on Competition Policy 2009 <sup>(12)</sup>, of 2 February 2012 on the Annual Report on EU Competition Policy <sup>(13)</sup>, of 12 June 2013 on the Annual Report on EU Competition Policy <sup>(14)</sup> and of 11 December 2013 on the Annual Report on EU Competition Policy <sup>(15)</sup>,
- having regard to the Commission’s Staff Working Paper of 20 June 2013 entitled ‘Towards more effective merger control’,
- having regard to the Commission’s White Paper of 9 July 2014 entitled ‘Towards more effective merger control’,
- having regard to its resolution of 5 February 2014 on EU cooperation agreements on competition policy enforcement — the way forward <sup>(16)</sup>,

<sup>(1)</sup> OJ L 114, 26.4.2012, p. 8.

<sup>(2)</sup> OJ C 153 E, 31.5.2013, p. 51.

<sup>(3)</sup> Texts adopted, P7\_TA(2013)0026.

<sup>(4)</sup> OJ C 184, 22.7.2008, p. 13.

<sup>(5)</sup> Texts adopted, P7\_TA(2013)0267.

<sup>(6)</sup> OJ L 304, 20.11.2010, p. 47.

<sup>(7)</sup> OJ C 304 E, 1.12.2005, p. 114.

<sup>(8)</sup> OJ C 293 E, 2.12.2006, p. 143.

<sup>(9)</sup> OJ C 146 E, 12.6.2008, p. 105.

<sup>(10)</sup> OJ C 87 E, 1.4.2010, p. 43.

<sup>(11)</sup> OJ C 349 E, 22.12.2010, p. 16.

<sup>(12)</sup> OJ C 136 E, 11.5.2012, p. 60.

<sup>(13)</sup> OJ C 239 E, 20.8.2013, p. 97.

<sup>(14)</sup> Texts adopted, P7\_TA(2013)0268.

<sup>(15)</sup> Texts adopted, P7\_TA(2013)0576.

<sup>(16)</sup> Texts adopted, P7\_TA(2014)0079.

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- having regard to the statement of 6 November 2014 by the Commissioner for Competition, Margrethe Vestager, on tax state aid investigations,
  - having regard to the Commission's 2014 Digital Scoreboard,
  - having regard to Rules 52 and 132(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 the Internal Market and Consumer Protection (A8-0019/2015),
- A. whereas some sectors within the single market remain divided by national borders and artificial barriers, and at the same time worrying practices such as social dumping or the misuse of structural funds raise concerns and should also be addressed within the framework of EU competition policy; whereas competition does not operate in an equally satisfactory manner in all Member States;
- B. whereas competition policy is in itself a means of safeguarding European democracy, in that it prevents the over-concentration of economic and financial power in the hands of a few, which would undermine the ability of Europe's political authorities to act independently of major industrial and banking groups;
- C. whereas competition policy based on a level playing field in all sectors is a cornerstone of the European social market economy, and an essential tool to ensure the proper functioning of a dynamic, efficient, sustainable and innovative internal market, to drive economic growth and job creation, and to be competitive on the global stage; whereas the economic and financial crisis should therefore not be a pretext to relax the enforcement of competition rules;
- D. whereas each year losses of EUR 181-320 billion — approximately 3 % of EU GDP — accrue owing to the existence of cartels;
- E. whereas the equivalent of EUR 1,6 trillion was granted in State aid to banks in the EU in the period from 2008 up to the end of 2011;
- F. whereas tax evasion, tax fraud and tax havens are costing EU taxpayers an estimated EUR 1 trillion per year in lost revenue, distorting competition in the single market between those companies which pay taxes and those which do not;
- G. whereas European citizens want a high-quality and affordable provision of public services;
- H. whereas the strict application of the principles of competition law is primarily to the benefit of the consumer, whilst lack of competition results in misallocation of resources and lower productivity;
- I. whereas in terms of energy costs the European single market performs worse than the US, with a price dispersion of 31 % compared to 22 % in the US;
- J. whereas the creation of a 'single market administration passport' would reduce distortions of competition and the fragmentation of the single market, enhancing the growth potential of the European economy;
- K. whereas the successful development of SMEs under conditions of free competition is one of the most essential preconditions for job creation, sustainable growth, innovation and investment; whereas in many Member States a severe credit crunch is affecting SMEs, which account for 98 % of firms in the EU;
- L. whereas the free movement of goods, services, persons and capital is essential for growth; whereas protectionism can limit domestic industries' long-term growth prospects;

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- M. whereas uncovered cartels' duration fluctuates between 6 to 14 years from their commencement, affecting the economy with a higher burden on customers and ultimately on consumers;
- N. whereas the EU unitary patent is a step forward for completion of the single market and all Member States should participate in it;
- O. whereas the publication of the so-called 'LuxLeaks' documents by the International Consortium of Investigative Journalists points up the need for a thorough and independent investigation of Member States' tax rulings practices and their compliance with EU state aid control rules; whereas the independence of DG Competition is of the utmost importance for achieving this as well as its other goals in a successful matter;

### **General remarks**

1. Welcomes the fact that the EU's economic dimension in the Treaties is established as an 'open market economy with free competition'; stresses that a reinforced focus on promoting competition is necessary for the achievement of the ambitious objectives for jobs, growth, investment and the global competitiveness of the European economy, as it is sustainable and effective competition that drives investment and end-user benefits and fuels the economy; highlights the essential role of competition policy enforcement in creating a level playing field that fosters innovation, productivity, job creation and investment by all players across the single market and across all business models, including SMEs, in full respect of national diversities; asks the Commission to enforce antitrust, state aid and merger control rules with a view to achieving a well-functioning internal market and social progress;
2. Takes the view that ensuring a level playing field for companies in the internal market also depends on combating social dumping and on the implementation of European social and environmental law; calls on the Commission to consider the social and labour impacts of its interventions in the field of state aid, especially in those regions with high levels of unemployment, integrating that analysis in its decisions;
3. Stresses the need to take appropriate competition and tax measures to help European industrial groups and SMEs cope with globalisation;
4. Calls on the Commission to identify possible imbalances between Member States which could distort competition, as well as their causes and economic impact;
5. Highlights the fact that competition policy plays a key role in reinforcing the holistic approach to the single market aimed at to addressing Europe's economic, social and environmental challenges; calls on the Commission effectively to respect the needs of citizens, consumers and SMEs by placing their concerns at the centre of the decision-making process so that the competition policies proposed can provide added value for European citizens;
6. Reiterates that the Commission should consider reallocation of resources from obsolete or underused budget lines to DG Competition; points out that the Commission must be provided with appropriate staff resources if it is to significantly widen and deepen its investigations into fiscal state aid such as tax rulings and tax avoidance so as to give competition policy a sufficient proactive stance; believes that the Commission must also have proficient legal resources to further identify gaps that we have been made aware of through the revelation of the targeted tax schemes practised by various Member States; recommends, in particular, the reinforcement of DG Competition's fiscal state aid unit, in light of the LuxLeaks revelations;
7. Awaits the imminent disclosure of the Commission's stocktaking exercise following a decade of Regulation (EC) No 1/2003 on the implementation of the rules on competition law, and calls on the Commission to involve Parliament in any initiatives which ensue; calls on the Commission to take appropriate action to align the regulation with the new legal situation, particularly as a result of the adoption of the Directive on Damages Actions;

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8. Reminds the Commission that the independence of national competition authorities should be monitored closely;
9. Stresses that competition policy instruments must not be misused as a means of implementing tax measures; urges the Commission to state clearly its concerns in the sphere of taxation;
10. Takes the view that the fundamentals and key guidelines of competition policy should in future be drawn up and adopted in closer cooperation with Parliament in order to strengthen the democratic legitimisation of the competition authority;
11. Welcomes the common approach taken in the process of state aid modernisation, with a view to promoting greater effectiveness in public spending against a background of limited budget margins, especially in the Member States that have been the most severely affected by the crisis;
12. Recognises that efficient implementation of competition policy requires coherent and consistent judicial interpretation;
13. Notes that the Commission is relying increasingly on commitment decisions; believes, however, that more transparency on the substance of allegations and the establishment of a higher number of legal precedents are necessary; considers that this applies in particular to cases tackling antitrust issues in new areas, such as markets for digital goods, in which companies might find it difficult to assess whether a certain behaviour constitutes a violation of competition rules;
14. Believes that in order to ensure greater transparency and mitigate some of the drawbacks of commitment decisions while retaining their main benefits, the full details of the objections addressed by the Commission to defendants should be published;

#### ***State aid and Services of General Economic Interest (SGEIs)***

15. Notes that SGEIs represent a significant share of total service provision in Member States, and maintains that their more efficient provision (compared to other services) can deliver significant gains; reaffirms the importance of the SGEI designation for universally accessible services that are of vital significance to European citizens, from healthcare to social security to housing provision, while at the same time stressing the Commission's responsibility to ensure that compensation granted to SGEIs is compatible with EU state aid rules;
16. Reiterates that EU Structural Funds may not be used in a way that directly or indirectly supports the relocation of services or production to other Member States;
17. Believes that further investigation should be made into sports clubs (particularly football clubs) which owe millions to the social security authorities without those sums being paid by them or reclaimed by government, as this may constitute de facto state aid;
18. Stresses the advisability of assessing the cumulative effects of corporate taxation and state aid;

#### ***Antitrust and cartels***

19. Calls on the Commission to carefully monitor the implementation of this directive by the Member States and ensure that its provisions are applied uniformly throughout the EU;

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20. Reiterates its concern that the use of fines as the sole sanction available may not be effective enough; calls again for the development of more sophisticated instruments to increase the effectiveness of the penalty system; reiterates its call on the Commission to consider a general review of its 2006 Fining Guidelines, and calls for those guidelines to be integrated into Regulation (EC) No 1/2003; invites the Commission to assess the possibility of complementing cartel fines with individual sanctions such as individual fines and disqualification of directors; calls on the Commission to ensure that companies which break the law do not suffer negative repercussions which go beyond proportionate redress for the offence committed;
21. Calls on the Commission to create special cross-DG task forces to monitor sectors in which structural features (such as high barriers to entry or high customer switching costs) make antitrust violations more likely;
22. Calls on the Commission to help put in place an institutional mechanism which would ensure that whenever a national authority takes an antitrust decision there would be an automatic follow-up check, in which the Commission would examine whether similar issues affect different geographic markets throughout Europe where the sanctioned companies are also active;
23. Supports the ongoing cooperation within the European Competition Network (ECN), which allows EU-wide coherence of public enforcement of competition rules, and encourages its further development;
24. Calls on the Commission to set clear procedures for timetables and deadlines in order to speed up the investigation process and avoid unjustified extensions; calls for formal rights for all implicated victims and parties in antitrust and cartel cases, with due stress on the principle of the presumption of innocence;
25. Calls on the Commission to provide a comprehensive legal and economic assessment of antitrust and cartels cases, particularly in fast-moving markets, in order to obtain a clear understanding of market structure and market trends, and to take appropriate measures to protect consumers;
26. Notes that competition policy should be focused particularly on protecting consumers, improving consumer welfare, fostering innovation and stimulating economic growth;
27. Calls, in that connection, for details to be provided of the conditions subject to which parent companies that exercise a degree of influence over their subsidiaries can be held severally liable for breaches of antitrust law by the latter even if they themselves were not directly involved;
28. Reiterates, with regard to repeat offenders, the call for a clear link to be established between the breach of the law which is being investigated and past breaches committed by the undertaking concerned;
29. Notes that the number of requests for fine reduction on account of inability to pay has increased, particularly from 'mono-product' undertakings and SMEs; emphasises the need to revise the guidelines on the setting of fines to take account of the particular circumstances of 'mono-product' undertakings and SMEs;
30. Takes the view that market dominance achieved by means of expansion, innovation and success is not in itself a competition problem; regards the abuse of a dominant market position, conversely, as a serious competition problem; calls on the Commission, therefore, to continue to safeguard the impartiality and objectivity of competition-related proceedings;
31. Calls on the Commission to address with determination all the matters brought to light in current anti-trust law investigations and to take any measures required to put an end to damaging practices and restore fair competition;

### **Merger control**

32. Agrees that effective merger control is an important instrument for competition enforcement since it contributes to the maintenance of competitive pressure on market participants;

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33. Calls on the Commission to be attentive to those cases where just after a merger is cleared, consumer prices rise or there is a relevant reduction of a product's quality;

34. Welcomes the Commission's 'merger simplification' proposal of 5 December 2013 and the proposals set out in its latest White Paper <sup>(1)</sup>, but calls for much clearer definitions to be drawn up of the concepts of market share, market power and definition;

35. Emphasises the need for a review to determine whether current merger control practice takes account of the internationalisation of markets, in particular as regards the geographical definition of markets; considers that the Commission should take account of the findings of such a review when overhauling the rules on merger control;

36. Calls on the Commission to check carefully whether there are in fact loopholes in its powers to scrutinise non-controlling minority shareholdings;

### **Sector developments**

#### *Energy and environment*

37. Stresses the importance of affordability, sustainability and security of energy supply for the European economy and its competitiveness; considers that competition policy must take this threefold objective into account when addressing the current fragmentation of the market, when ensuring correct and timely implementation of the third liberalisation package for gas and electricity, when encouraging the unbundling of wholesale from retail services in order to prevent anti-competitive practices, and when contributing to the provision of affordable energy for households and undertakings; acknowledges that the Commission's new 'Guidelines on State Aid for Environmental Protection and Energy' could restrict some Member States' attempts to promote renewable energy; stresses that the regulation of state aid for sustainable energy sources must, to the greatest extent possible, be carried out in the same spirit as in any other sector, while taking into consideration the EU's 2030 targets for climate and energy as well as national diversities;

38. Stresses the importance of avoiding monopolistic practices in order to achieve a fully fair and competitive European energy market; calls, in this regard, for the elimination of monopolistic suppliers and discriminatory practices affecting users; considers that the European gas market should evolve towards an Energy Union with fair and stable prices by improving the diversification of its energy sources and enhancing access to strategic infrastructures;

39. Calls on the Commission to undertake investigations and take the necessary steps to ensure that existing electricity interconnectors are made fully available for the power market by the transmission system operators (TSOs), in order to enhance the functioning of the internal electricity market and to support the fulfilment of the EU's 2030 targets for climate and energy at the lowest possible socio-economic cost at Union level;

40. Urges the Commission to provide for reporting of fossil fuel reserves and potential CO<sub>2</sub> emissions on the part of listed companies and those applying for listing within the single market, as well as to carry out correct and reliable environmental reporting by aggregate and to publish the levels of reserves and emissions using appropriate accounting guidelines, as this is essential for ensuring a level playing field in the sustainable investment market;

41. Calls on the Commission to examine the extent to which the concentration of critical raw materials suppliers may create an uneven playing field and be harmful to the activity of client sectors and unfavourable to a more eco-efficient economy; considers that some of these materials are of paramount importance for the deployment of eco-efficient technologies and innovations needed to achieve environmental goals;

42. Reiterates that competition policy should contribute to promoting transparency, open standards and interoperability in order to prevent technological lock-in of consumers and clients by any of the market players in the energy sector; urges the Commission to closely monitor the level of competition, since the three largest players still represent about 75 % in the electricity market and above 60 % in the gas market, despite the gradual opening of markets since the mid-1990s; calls on the Commission to ensure proper competition in the energy market in order to improve state support for innovation and access to renewable energy sources;

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<sup>(1)</sup> COM(2014)0449, 9 July 2014.

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43. Asks the Commission to ensure that energy regulations and directives are transposed and applied correctly in all Member States; calls on the Commission to be particularly vigilant when prices rise above the EU average, as high prices distort competition and harm consumers;

*Information and communication technologies (ICTs) and media*

44. Believes that the Digital Single Market must be kept at the heart of the EU's efforts to achieve results in the objectives of job creation, growth and investment; recognises the role of competition policy in the pursuit of a Digital Single Market; believes that the EU's legislative framework needs to adjust rapidly to market developments; calls on the Commission to review existing competition law instruments in order to determine whether they meet the demands of the digital age; believes that the priorities set out in the report 'Priorities towards a Digital Single Market in the Baltic Sea Region' could become ambitions for the entire EU;

45. Welcomes the announcement by the Commissioner for Competition of further investigations by the Commission into Google's practices in the mobile sector and in the digital market in general; regrets that, despite four years of investigation and three sets of commitment proposals, the Commission has achieved no demonstrable results in addressing the main competition concern in its antitrust case against Google, i.e. the preferential treatment by Google of its own services in displaying results of search queries; stresses the need for the Commission to urgently resolve the Google case in order to ensure a level playing field if its Digital Agenda strategy is to remain credible; urges the Commission to act decisively on all concerns that have been identified, to take strong measures based on the non-discrimination principle against competition infringements in fast-moving and dynamic digital markets such as the online search and advertising markets, and to find a long-term solution for a balanced, fair and open internet search structure;

46. Asks the Commission to focus on mobilising competition policy tools and market expertise so that they contribute, as appropriate, to the jobs and growth agenda, including in the area of the digital single market; in this context, finds it important to keep developing an economic and a legal approach to the assessment of competition issues, and to further develop market monitoring in support of the broader activities of the Commission;

47. Underlines that, in the next-generation broadband sector, the former monopolies have a staggering market share of over 80 %; recalls that effective competition is the best driver of efficient investment and provides maximum consumer benefit in terms of choice, price and quality; calls on the Commission, therefore, to enforce properly both ex post and ex ante competition rules in order to prevent excessive market concentration and abuse of dominance, as competitive pressure is key to ensuring that consumers can benefit the most from high-quality services at affordable prices;

48. Stresses that limiting competition is unlikely to lead to more broadband investment, even in remote areas, as full coverage of basic broadband services has been achieved in Europe through a regulatory framework ensuring access to dominant operators' networks;

49. Believes that investment in next-generation broadband infrastructure is clearly core to achieving a digital economy and society, but that in order to maximise investments, telecoms policies should enable all players to make efficient investments by providing them with effective access to non-duplicable network assets and fit-for-purpose wholesale access products;

50. Calls on the Commission to base its decisions and policy proposals on a thorough and impartial analysis of correct, relevant and independent datasets; highlights, in particular, doubts about the correctness of data presented on the EU's under-performance in high-speed broadband including speeds received by end-users, infrastructure investments and the financial state of the sector in a global comparison;

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51. Recalls that net neutrality is of the utmost importance to ensure that there is no discrimination between internet services and competition is fully guaranteed;

52. Stresses that tackling the fragmentation of the digital single market, including by investigating the nature of existing barriers to key sectors of that market, guaranteeing an open internet and enshrining net neutrality in EU law, so as to ensure that all internet traffic is treated equally, without discrimination, restriction or interference, are essential to foster competition and boost growth and competitiveness and consumer trust in the digital sector; is of the opinion that open standards and interoperability contribute to fair competition; highlights the need for competition policy to be future-proof and take into account new ways of selling online;

53. Stresses that efforts to foster free and fair competition, including through the development of the digital single market, as well as other aspects of the services sector, should work in the interests of consumers and SMEs; reiterates that such efforts will enhance choice for consumers and develop an environment in which SMEs and micro-enterprises can display greater innovation and creativity; believes that swift action by regulators and enforcement authorities against misleading and unfair practices is essential in the implementation of competition policy;

#### *Sharing economy*

54. Calls for the Commission to analyse how to accommodate the rise of the sharing economy in the European legislation; believes that such an adaptation is necessary in order to have a level playing field that ensures fair competition among all actors involved;

55. Believes that companies related to the so-called sharing economy must pay taxes and comply with regulations in the same way as traditional businesses, as to do otherwise would not only constitute a distortion in competition but would also have negative fiscal consequences for the finances of Member States;

56. Stresses that effective scrutiny of the behaviour of dominant firms and quick reaction in case of abuses are particularly important since illegal practices may cause the early exit from the market of small and innovative competitors;

57. Notes that lack of regulation in the sharing economy gives some companies an unfair advantage, while at the same time decreasing incentives to investment in the sectors concerned;

#### *Public procurement*

58. Calls on the Member States to implement the new EU public procurement rules in a timely manner, including the provisions on criteria linked to the subject-matter of the contract, including social, environmental and innovative characteristics, and on e-administration, e-procurement and division into lots, in order to boost fair competition and ensure best value for money for public authorities; urges the Commission to ensure their application to the fullest possible extent in order to tackle distortions of competition caused by bid rigging, abuses of dominant position, discrimination and lack of access for SMEs; calls on the Commission to set its action within a global framework by linking the Union's competition policy within Europe to advocacy for the opening of public procurement markets outside the EU;

59. Stresses the importance of detailed and clear guidance to businesses, particularly SMEs, and public authorities from the Commission to facilitate their understanding of the recently adopted public procurement legislation and, particularly, the new flexibilities it offers;

60. Calls on the Commission to carefully monitor the centralisation of purchases in public procurement markets in order to avoid excessive concentration of purchasing power and collusion, and to preserve market access opportunities for SMEs in accordance with the Small Business Act for Europe;

61. Calls on the Commission, when conducting public procurement procedures through its Directorates-General and agencies, to award more low-value contracts and contracts above EUR 193 000, rather than almost exclusively using framework contracts, which constitute a barrier to opening the public procurement market to European SMEs as they only benefit large companies and consortia located close to the decision-making centres;



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*Financial services*

62. Calls for the fourth consecutive time for a swift end to the state aid crisis regime for the banking sector; recognises that the Commission's Banking Communication of August 2013 is not sufficient to protect European taxpayers and limit the amount of aid that banks may receive; emphasises that state aid to the banking system has neither increased credit nor restored confidence; urges the Commission to maintain a close watch on the banking sector in order to enhance competition in European banking markets, thereby maximising the benefits to Union citizens; stresses the importance of returning to the conventional application of state aid control as soon as this is viable for the banking sector;
63. Highlights the contribution of cartel enforcement to a more transparent financial services sector;
64. Considers it regrettable that no action was taken by the Commission to address the abuses committed in the restructuring of private banks, including those affecting small depositors and small owners of financial instruments such as preferred shares, which in many cases had been marketed without full compliance with EU legislation;
65. Calls on the Commission to closely monitor the financial sector in order to enhance competition and investor and consumer protection in the European banking and investment market; notes that consolidation in the banking sector has increased the market share of several financial institutions so that it now exceeds pre-crisis levels, and that the financial investment industry has grown simultaneously without any gain for the real economy in the Union; believes that to maintain a fully functioning single market there must be a level playing field for actors in the financial industry and measures must be taken to avoid decreased transparency and the development of cartel-like constructions;
66. Acknowledges the important role played by state aid control since the beginning of the crisis as a restructuring and resolution mechanism for distressed banks;
67. Believes that state aid control during the crisis should focus both on stabilising the banking system and on tackling unfair segmentation of the credit conditions and discrimination affecting SMEs in the single market;
68. Believes that the Commission should consider the possibility for state aid to banks to be linked to conditionality on credit to SMEs;
69. Believes that banking regulations should take into account the fact that small institutions have less resources for ensuring compliance, and should therefore be as simple as possible in order to avoid creating distortions in favour of big banks;
70. Urges the Commission to closely monitor those markets in the banking sector where concentration is high or growing, in particular as a result of restructuring in response to the crisis; recalls that oligopolistic markets are particularly prone to anti-competitive practices; fears that this concentration may ultimately harm consumers;
71. Urges the Commission to make sure that before receiving any state aid banks sell their stakes in other companies, thereby reducing the burden for the taxpayer;
72. Considers that special attention must be paid to the fragmentation of the electronic card payments market, including problems such as loss of service when consumers move to another Member State;
73. Welcomes the CJEU ruling of 11 September 2014 on anti-competitive credit card fees, as well as the successful actions undertaken by the Commission to ensure that standardisation processes in the payments sector do not affect market entry and innovation; reiterates Parliament's position that card payment fee caps should be introduced in order to reduce unnecessary costs for consumers; asks the Commission, in this context, to accelerate the process of mapping standardisation work for mobile payments, while ensuring that any action taken does not exclude new entrants or favour dominant players, and that the regulatory framework is technologically neutral in order to facilitate future technological developments;

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74. Believes that the externalities of developments in this sector should be carefully monitored; expresses its concern at the development of different standards among equal competitors as a consequence of the standardisation of financial regulations;

75. Notes the considerable progress that has been made since 2008 in regulating the financial sector; stresses the need to further address the problem of financial institutions which are too big to fail and as a result continue to benefit from implicit subsidies; believes that a comprehensive analysis of the competitive aspects of new EU financial regulation should be included in the upcoming ECON report on the impact assessment and stocktaking of the financial services legislation, with a view to ensuring that EU banks are competitive with international financial institutions in all circumstances;

#### *Fiscal state aid*

76. Expresses its concern over possible illegal corporate tax practices in Member States, and calls on the Commission to conclude its ongoing investigations into tax rulings as speedily as possible using all available evidence; calls for investigations into tax cuts, which may constitute a form of illegal state aid to be given priority; stresses that fairer tax competition is indispensable for the integrity of the internal market, the viability of public finances and equal competition conditions;

77. Highlights the publication of the so-called 'LuxLeaks' documents by the International Consortium of Investigative Journalists; welcomes the commitment of the Commissioner for Competition to a thorough and independent investigation of Member States' tax rulings practices and their compliance with EU competition law; notes that the avoidance of taxes by some enterprises distorts competition in the single market; encourages the Commission to vigilantly enforce EU state aid control rules;

78. Calls on the Commission President to ensure the independence of the ongoing and future investigations of Member States' tax ruling practices led by the Commissioner for Competition; insists that Parliament be kept informed of the broad progress of these investigations, with a view to ensuring that they are conducted in a transparent and independent manner; calls on the Commission to present a report on its findings as soon as possible; recalls the commitment made by the Commissioner for Competition to consider the wider implications for competition of aggressive tax avoidance practices undertaken by companies and encouraged by states and to extend the investigation should this be deemed necessary once the facts have been collected;

#### *Agri-food industry*

79. Calls on the Commission, in its upcoming review of the CAP reform, to investigate cofinancing for transferred funds, calls for a simplification of EFA measures that focus on competitiveness, and for a competition-neutral review of EFA factors for catch crops and nitrogen-fixing crops;

80. Calls on the Commission, following its recent review of the economic impact of modern retail on choice and innovation in the EU food sector, to consider the potential impact of large supermarkets dominating the market to such an extent that their collective buying power distorts competition among supply chains, in both Europe and the developing world;

#### *Pharmaceutical and health services sector*

81. Notes that this sector is fragmented owing to national regulation; welcomes the contribution of EU competition policy in tackling artificial barriers to entry;

82. Calls for special consideration to be given to innovative medicinal products and medical procedures when cases involving temporary price formation are assessed;

83. Notes that competition policy may play a role in improving access to generic pharmaceuticals;

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*Transport and postal services*

84. Calls on the Commission and the Member States to ensure a level playing field which allows free but also fair competition in all transport modes; acknowledges, however, in that connection, that proper account must also be taken of a multitude of specific national transport law provisions; stresses that transport infrastructure is essential to the survival and wellbeing of natural and legal persons, especially in sparsely populated regions and peripheral islands;

85. Calls on the Commission and the Member States to increase their efforts to guarantee fair competition and better quality of services in the railway sector, as well as in the management of port and airport networks, particularly where their management is a central government monopoly; stresses that competition does not necessarily entail privatisation of the existing services; also calls on the Commission to ensure that carriers do not abuse their dominant position in certain airports;

86. Believes that the Commission should further strengthen the links between competition policy and transport policy in order to improve the competitiveness of the European transport sector and continue to make progress towards completing the single market in transport;

87. Urges the Commission to complete the implementation of the Single European Railway Area, ensure full transparency in flows of money between infrastructure managers and railway undertakings, and verify that each Member State has a strong and independent national regulator;

88. Stresses that the single market in the rail freight sector is affected by incorrect or incomplete transposition of EU law by Member States and by bottlenecks to cross-border mobility that harm competition and growth; calls on the Commission to verify whether technical or market barriers that differ from one Member State to another, such as track gauges, energy supply and signalling systems, can be considered infringements of competition rules;

89. Invites the Commission to provide a justified overview to ascertain which air carriers benefit from advantages over other service providers through special conditions or alleged abuses of their dominant position in certain airports;

90. Expresses its concern at differing implementation and enforcement by Member States of regulations related to international road transport, e.g. the regulation of cabotage and resting times in road transport, as well as at potential social dumping practices within transport services in a broader sense, and believes that these problems must be addressed;

91. Welcomes the initiative of the Commission directed at international car rental companies aimed at ending practices preventing consumers from accessing best available prices on the basis of their country of residence; stresses that consumers should not be prevented from making use of the best available rate when purchasing goods or services within the single market;

92. Calls on the Commission to take action to reduce fragmentation in the car rental sector, as currently national regulations greatly increase the costs for trans-border movements, thus damaging the single market;

93. Stresses that efforts to encourage a competitive EU must at all times work in the interests of the public; recognises the link between an effective EU competition policy and the need for large-scale investment in vital public services, including transport services;

*Culture and sport*

94. Urges the Commission to look into the restrictive and abusive practices of international sport federations, such as denying their members the right to take part in alternative sport events that are not sanctioned by the respective federations and imposing life bans on athletes, officials and coaches on participation in competitions such as the Olympic Games and world championships in case of non-compliance;

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### ***International dimension***

95. Calls for the inclusion of a competition chapter, to include provisions covering antitrust, mergers, state-owned enterprises, subsidies and unequal market access, within the Transatlantic Trade and Investment Partnership agreement; calls for neutral media coverage of the measures contained in and problems and progress concerning such agreements;

96. Recognises and supports the need of the Commission to reinforce the role of competition policy in international economic cooperation, including through cooperation with competition agencies globally; recalls that such regulatory and enforcement-linked cooperation helps ensure a level playing field for European companies active on global markets;

97. Emphasises that international cooperation is essential to the effective application of competition law principles in the era of globalisation; calls on the Commission, therefore, to foster closer international cooperation on competition-related issues;

98. Calls on the Commission to examine the scope for concluding competition agreements with more third countries that facilitate exchanges of information between investigating authorities; emphasises that in this regard the competition agreement recently concluded with Switzerland can serve as a model for future agreements of this kind;

### ***Role of the European Parliament***

99. Highlights the provision made in the Framework Agreement for equal treatment of Parliament and the Council regarding access to meetings and the provision of information in the preparation of legislation or soft law in the field of competition policy;

100. Highlights the essential role of the European Parliament in representing the interests of European consumers in the proper enforcement of competition rules;

101. Welcomes Parliament's role as co-legislator for the Directive on Antitrust Damages Actions, and considers the proceedings on this directive to be an example for future institutional collaboration in competition matters;

102. Reiterates that in shaping competition policy the Commission must be fully accountable and must follow up Parliament's resolutions;

103. Calls on the Commissioner to commit to frequent meetings with the relevant committee(s) of Parliament, as well as with the Competition Working Group of Parliament's Committee on Economic and Monetary Affairs;

104. Considers that the EP should have codecision powers in competition policy; regrets that Articles 103 and 109 TFEU provide only for the consultation of Parliament; believes that this democratic deficit cannot be tolerated; proposes that this deficit be overcome as soon as possible through interinstitutional arrangements in the field of competition policy and corrected in the next Treaty change;

### ***Competition policy priorities of the Commission***

105. Emphasises the role of the Commissioner for Competition in promoting jobs and growth, as well as the digital single market, energy policy, financial services, industrial policy and the fight against tax evasion;

106. Urges the Commission to develop guidelines and procedures within the framework of the ECN, ensuring efficient oversight of the compliance of Member States' tax rulings with state aid rules;

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107. Welcomes the Commission's commitment to an effective enforcement of competition rules in the areas of antitrust and cartels, mergers and state aid, maintaining competition instruments aligned with market developments while also promoting an innovative competition culture, both in the EU and globally;
108. Calls on the Commission to assess its handling of recent antitrust cases and address the formalistic concerns which have been raised;
109. Calls on the Commission to draw up coordinated proposals on tax competition and to submit them to the Council;
110. Calls on the Commission to continue reporting to Parliament, on an annual basis, on developments and effects in the application of competition policy;
111. Welcomes the commitments made by the Commissioner during her hearing, in particular as regards future cooperation and strengthening of relations with Parliament;
112. Calls on the Commission to do more to promote an active competition policy as a pillar of the social market economy;
113. Takes the view that a scoreboard in the form of a casebook should be made available promptly to consumers and undertakings;
114. Notes the continuing lack of clarity in many Member States over whether funding for European Consumer Centres is regarded as illegal state aid; is concerned that funding for such centres is being jeopardised as a result; calls on the Commission to inform the Member States as soon as possible about the need to provide notification of such funding in order to guarantee the continued support operations of the European Consumer Centres;
115. Calls on the Commission and the Member States to ensure that the authorities at all political levels undertake to comply to the letter with the rules on state aid;
116. Calls for a joint body, bringing together representatives of Parliament, the Council and the Commission and academics, to be set up to analyse long-term trends in and the future development of competition policy in future-oriented sectors such as the digital economy or the energy sector;
117. Calls for an uncompromising analysis of what constitutes responsible national tax policy, in particular as regards unfair tax policies and tax arrangements and exemptions which distort competition, so that effective action can be taken against such practices in the future;

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118. Instructs its President to forward this resolution to the Council, the Commission and the national competition authorities.
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P8\_TA(2015)0052

## European Central Bank annual report for 2013

European Parliament resolution of 10 March 2015 on the European Central Bank Annual Report for 2013 (2014/2157(INI))

(2016/C 316/03)

*The European Parliament,*

- having regard to the 2013 Annual Report of the European Central Bank,
  - having regard to the Statute of the European System of Central Banks and of the European Central Bank, in particular Article 15 thereof,
  - having regard to Article 284(3) of the Treaty on the Functioning of the European Union,
  - having regard to Rules 126 and 132(1) 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 Employment and Social Affairs (A8-0011/2015),
- A. whereas, according to the Commission services' spring 2014 forecast, GDP in the euro area fell by 0,4 % in 2013 after a decline of 0,7 % in 2012, and whereas the Commission services expect a recovery, with GDP rising by 1,2 % in 2014 and by 1,7 % in 2015; whereas the Commission services' autumn 2014 forecast revised growth projections downward, with GDP expected to have risen by only 0,8 % in 2014 and by 1,1 % in 2015, with prevailing downside risks;
- B. whereas, according to the autumn forecast, unemployment in the euro area rose from 11,3 % at the end of 2012 to 11,9 % at the end of 2013, and remains at a high level in 2014;
- C. whereas there are major disparities among the unemployment rates in different Member States, with figures varying between 5 % and 26 %; whereas the even higher youth unemployment rates are as much as some 50 % in some Member States; whereas the differences in unemployment rates are causing further economic divergence among Member States;
- D. whereas the success of the announcement of the Outright Monetary Transactions (OMT) programme in lowering borrowing interest rates should not be used by Member States as an opportunity to avoid structural reforms aimed at enhancing growth potential and achieving fiscal sustainability in the medium term; whereas trends in respect of employment and poverty reduction are at risk of failing to reach the Europe 2020 national targets;
- E. whereas in 2013 the European Central Bank (ECB) lowered its key interest rates in May and again in November, reducing the rate on the main refinancing operations to 0,25 %; whereas, further to the additional monetary policy measures announced since the beginning of 2014, the main refinancing rate now stands at 0,05 % and the deposit facility rate at -0,20 %;
- F. whereas lowered real interest rates have not been translating into either increased credit for households and businesses or GDP growth and job creation;
- G. whereas the consolidated financial statement of the Eurosystem reached EUR 2,285 trillion at the end of 2013, representing a decrease of approximately 25 % over the course of 2013;

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- H. whereas non-marketable assets represented the largest component of assets put forward as collateral to the Eurosystem in the course of 2013, amounting to around 25 % of the total; whereas non-marketable securities together with asset-backed securities represent around 40 % of the total assets put forward as collateral;
- I. whereas, according to the Commission services' autumn 2014 forecast, the average inflation rate in the euro area was 1,4 % in 2013, down from 2,5 % in 2012; whereas inflation in the euro area has remained on a downward path since the beginning of 2014, with an estimated level of 0,5 % in 2014 and reaching a low of 0,3 % in September; whereas the overall Harmonised Index of Consumer Prices (HICP) inflation rate in some Member States fell to 0 % and below in September 2014 and will stay below target in 2015;
- J. whereas low energy prices, particularly for oil, have been among the main contributors to the decrease in inflation rates in the euro area;
- K. whereas the level of public and private investment in the euro area has been stagnating at levels significantly below those recorded before the start of the crisis; whereas it has been common for large companies to use the environment of cheap money to undertake self-serving buybacks instead of new investments; whereas the relative share of investment as a proportion of GDP was declining steadily even before the crisis and needed to be boosted as a matter of urgency;
- L. whereas the annual growth rate of M3 has continued to slow down, from 3,5 % in December 2012 to 1 % in December 2013;
- M. whereas credit to the private sector has moved further into negative territory, with an annual rate of change of - 2,3 % in December 2013, compared with - 0,7 % in December 2012; whereas the lack of credit affecting SMEs in some Member States is one of the main problems delaying the economic recovery; whereas there was a drop in lending to SMEs of around 35 % between 2008 and 2013; whereas it is essential to facilitate the flow of credit to SMEs, as they employ 72 % of the euro area's labour force and have higher gross job creation rates than large companies;
- N. whereas financial fragmentation is still a major problem, with SMEs facing much higher borrowing costs, in particular in euro area countries already affected by severe economic conditions, and this is creating distortions in the single market, slowing the recovery and amplifying the divergences between countries; whereas the results of the comprehensive assessment of European banks should have a positive impact on current monetary policies and on banks' willingness to increase their lending activities, particularly to the real economy;
- O. whereas the size of the Eurosystem's balance sheet declined steadily over the course of 2013, reflecting the reimbursement of long-term refinancing operation (LTRO) funds by banks;
- P. whereas the ECB Governing Council decided in July 2013 to provide forward guidance, stating that it expected the key interest rates to remain at prevailing or lower levels for an extended period of time;
- Q. whereas the effects of a possible quantitative easing in the euro area would probably be dampened by excessive credit intermediation in the banking sector;
- R. whereas Article 282 TFEU states that the primary objective of the European System of Central Banks (ESCB) is to maintain price stability; whereas Article 127 TFEU states that, without prejudice to this primary objective, the ESCB must support the general economic policies in the Union; whereas Article 123 TFEU and Article 21 of the Statute of the European System of Central Banks and of the ECB prohibit the direct purchase by the national central banks or the ECB of debt instruments issued by EU or national public authorities or bodies; whereas this was a sine qua non for several Member States to enter the economic and monetary union; whereas such purchases are allowed in secondary markets;

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### ***Monetary policy***

1. Welcomes the ECB's swift reaction in the face of a very challenging environment, and the fact that monetary policy has been aimed at reducing the level of stress in financial markets within the euro area, and at restoring investors' confidence in the single currency; welcomes the ECB's readiness to do whatever it takes to save the euro; notes the positive general reduction of long-term domestic yields — notably in the most indebted countries of the euro area — to unprecedented levels since the beginning of the crisis; notes that low yields have not resulted in job creation and growth, and that the lack thereof poses threats to financial stability;
2. Notes that recourse to the main refinancing operations, to medium and long-term refinancing operations with full allotment at fixed rates, to the marginal lending facility, to emergency liquidity assistance (ELA) and to the deposit facility all remained at significantly high levels throughout 2013, signalling ongoing impairment of the monetary transmission mechanism and of the euro area interbank lending market, although the situation improved significantly in comparison with previous years, as evidenced by the stabilisation of spreads, the gradual normalisation of interbank markets and the reduction of Target II imbalances;
3. Is encouraged by the stabilisation of the levels of Target II imbalances throughout 2013; emphasises that the Target II settlement system has played a crucial role in safeguarding the integrity of the euro area financial system;
4. Remains deeply concerned at the fact that economic activity continues to be sluggish, with the euro area posting negative GDP growth in 2013, for the second year in a row, with GDP growth being weak over the first three quarters of 2014, and with high unemployment rates in many euro area Member States, reaching levels that are threatening the stability of the euro area and undermining popular and political support for the European project;
5. Stresses its concern regarding the continuous fall in the inflation rate in the euro area since 2011, with inflation differentials between Member States; stresses the significant gap currently observed between the ECB's explicit target of keeping inflation rates below but close to 2 % in the medium term, and the current inflation rates, which are close to zero or even below zero in several euro area Member States; is worried that, as acknowledged by the ECB President, current deflationary trends could lead to the disanchoring of medium- to longer-term inflation expectations;
6. Acknowledges that the ongoing process of balance sheet adjustment in the financial and non-financial sectors, combined with high unemployment rates, continued to dampen economic activity in the euro area in 2013;
7. Is observing possible deflation risks attentively; recalls that an inflation rate of close to zero in the euro area hampers the effectiveness of monetary policy; understands that the ECB considers very low inflation to be the result of short-term effects, and hopes that the medium-term objective will be met without a deflationary phase; notes, however, that inflation forecasts for 2015 and 2016 were revised further downwards (by between 0,1 % and 0,2 %) by the ECB;
8. Points out that the below-target level of inflation expected for the coming years will have an impact on the debt reduction programmes of several Member States;
9. Points out that, given the perspective of further accommodative policies such as quantitative easing and having in mind the current legal challenges regarding the OMT programme, it is crucial to ensure legal clarity and certainty in order to allow these instruments to be effectively implemented, bearing in mind the opinion of Advocate General Pedro Cruz Villalón of the Court of Justice of the European Union delivered on 14 January 2015 in Case C-62/14;
10. Stresses that low borrowing costs for Member States are running hand in hand with rising public debts, close to or beyond 100 % of GDP in many cases, and warns that a new crisis could lead to a reassessment of risk by financial markets;
11. Points out that the ECB forecasts published in 2013 had not anticipated the present conjunction of flat growth with very low inflation and even deflationary signs; calls, against this background, for the current forecasts of stronger economic growth and higher inflation in 2015 and 2016 to be read with caution;



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12. Believes that poor balance sheets not only affect banks, but also have a negative knock-on effect on businesses and other private-sector actors, given that a lack of capital and finance inhibits a business's ability to remain competitive, grow and ultimately maintain and create jobs;
13. Considers it of the utmost importance to create conditions for a rebound in investment in the euro area, both public and private, taking into account that despite the ECB pursuing its actions in order to maintain favourable financing conditions, investment has not yet picked up; calls on Member States, in this context, to work on the underlying causes of the financial fragmentation such as diverging risk structures that make lending more costly in the respective countries; furthermore, asks Member States to put in place appropriate structural reforms in order to restore a favourable business environment, in particular by implementing the country-specific recommendations;
14. Encourages the ECB to consider in its balance sheet expansion policy the buying of EIB project bonds, which fund some of the more productive investments in the euro area, particularly from those projects chosen by the Commission as having European added value after a cost-benefit analysis, especially TEN-T projects in energy and transport and projects related to the digital single market;
15. Takes note that President Draghi, in his speech at the annual central bank symposium in Jackson Hole on 22 August 2014, stated that we need action on both sides of the economy, noting the following: that aggregate demand policies have to be accompanied by national structural reforms and policies; that on the demand side, monetary policy can and should play a central role, which currently means an accommodative monetary policy for an extended period of time; that there is scope for fiscal policy to play a greater role alongside monetary policy while sustainability of public debt needs to be taken into account; and that, while a revamp of public investment is needed to trigger further private investment and facilitate structural reforms, emphasis also needs to be laid on adequate fiscal policy measures;
16. Agrees with President Draghi that the existing flexibility within the Stability and Growth Pact rules could be used to better address the weak recovery and to make room for the cost of needed structural reforms;
17. Agrees with President Draghi that there is leeway to achieve a more growth-friendly composition of fiscal policies and to lower the tax burden in a budget-neutral way;
18. Agrees with President Draghi that complementary action at the EU level would also seem to be necessary to ensure both an appropriate aggregate position and a large public investment programme;
19. Notes that in addition to the lowering of its key interest rates and the increase in its refinancing operations, the ECB has adopted innovative instruments such as targeted longer-term refinancing operations (TLTROs) and new communicating strategies such as forward guidance;
20. Considers that the transmission mechanism is not functioning properly, and that the monetary policy tools used by the ECB since the beginning of the crisis, while providing welcome relief in distressed financial markets, cannot on their own be effective in terms of fighting financial fragmentation, stimulating growth or improving the situation on the labour market; encourages the ECB to ensure that its policies are better attuned to the real economy, in particular with regard to SMEs;
21. Considers that, because the monetary policy transmission mechanism is severely impaired, the benefits of decisions to reduce ECB key interest rates are limited; points out that very low interest rates lead in the long term to distortions in the business sector and might prove detrimental to private savings and pension plans;
22. Welcomes the measures announced by the ECB in June 2014 aimed at enhancing the functioning of the monetary policy transmission mechanism; notices that the TLTRO introduces, for the first time, a link between loans to the non-financial private sector granted by banks and the amount of refinancing the banks can claim; hopes that the results in the Asset Quality Review (AQR) will enhance the use of the TLTRO by European banks, hence promoting the transfer of liquidity to the real economy;

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23. Notes that the ECB has announced that it will purchase asset-backed securities (ABS) and covered bonds in order to empower the credit-easing impact of the TLTROs; stresses that such interventions on the ABS market should be significant enough to have an effect on lending rates for SMEs and reduce fragmentation, and must be conducted in a transparent manner that does not create excessive risks for the ECB's balance sheet;

24. Stresses its concern regarding the considerable fragmentation of lending conditions for SMEs across the euro area countries, as well as the existing gap between financing rates granted to SMEs and those granted to bigger companies; insists that these long-standing problems are not appropriately addressed by the recent measures announced by the ECB to boost bank lending, and that the ECB should study the underlying factors hindering SMEs' access to credit; calls on the ECB to investigate whether this gap has any correlation with concentration in the banking sector;

25. Stresses that, with the measures announced in June and September 2014, the ECB balance sheet is expected to return towards the size it had at the beginning of 2012; notes that this projected increase calls for strong vigilance by the ECB with respect to the credit risks it ultimately bears;

26. Is of the opinion that the overall amount of implicit subsidies provided so far should be gradually recovered for the benefit of taxpayers once normal economic conditions return;

27. Notes that the ECB has repeatedly stated its readiness to use additional unconventional instruments within its mandate, and to alter the size or composition of its interventions, in the event of an excessively lengthy period of low inflation; remains open to the use of additional unconventional measures, but underlines that these measures will not be sufficient without the right mix of fiscal policy, investment and structural reforms;

28. Stresses that the impact on the real economy of the unconventional monetary policy measures currently in place should not be overestimated; stresses that these measures are transitory in nature and aim at giving Member States time to consolidate their fiscal situation and implement the necessary structural reforms in order to stimulate economic growth and improvements in the labour market;

29. Notes that conducting non-standard monetary policies for an extended period of time might exacerbate the distortions on the capital market; asks the ECB to strike the right balance between the risk of exiting its accommodative monetary policy prematurely and the risks and costs resulting from the distortions that such policies might carry; asks the ECB, therefore, to calibrate non-standard policies so as to limit such distortions;

30. Recalls that monetary policy alone cannot stimulate aggregate demand unless it is complemented by adequate fiscal and structural reforms and policies at national level;

31. Stresses, as is illustrated by the experience of the years prior to the crisis, that stable inflation rates, in line with the medium-term rate objective defined by the ECB, might be associated with unsustainable private debt dynamics, underlining the importance of managing asset bubbles and the growth of credit even when price stability is guaranteed;

32. Recalls that the independence of the ECB in the conduct of its monetary policy, as enshrined in the Treaties, is indispensable to the objective of safeguarding price stability, i.e. keeping inflation close to but below 2 %; recalls that all governments and national public authorities should also refrain from asking the ECB to take actions;

33. Recalls that all members of the ECB's General Council are committed to the decisions taken, which remain confidential unless it has been decided to make them public;

34. Calls on the ECB to take a step backwards in its role inside the Troika, in order to reinforce its independence from political decisions;

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35. Recalls that Article 127 TFEU states that the ECB, without prejudice to its primary objective, shall support the general economic policies in the Union, as further stated in Article 282 TFEU; underlines in this respect the importance of the monetary dialogue;
36. Stresses that a clear separation between monetary and fiscal policy implies that the monetary authority should not provide subsidies to institutions benefiting from liquidity provision, as such subsidy provision amounts to fiscal policy;
37. Deplores the fact that the ECB has exceeded its Treaty-based mandate, as illustrated in the letters sent by the former ECB President to the Spanish, Italian and Irish governments;
38. Welcomes the step forward taken by the ECB in deciding to publish the summary minutes of its meetings, and welcomes the beginning of this practice in January 2015; welcomes the fact that this demand, made by Parliament in all its annual ECB reports, has been acted on by the ECB's Governing Council;
39. Believes that central banks worldwide should work actively to avoid any policy that would generate negative spillovers on to others; notes that some central banks call on other central banks to take on board potential negative spillovers of monetary policies long after they have unilaterally implemented their own policies;
40. Believes that the recent information that has come to light underlines the importance of a prudent use of ELA in the future; stresses that it cannot be accepted again that a Member State's banking sector indebts itself for a substantial percentage of its GDP in this way;
41. Encourages the ECB to keep improving its gender policy in its appointments in order to eliminate the current gap; welcomes the appointment of Danièle Nouy to head the supervision of the European Banking sector, particularly in view of her high merits and strong CV;
42. Believes that a greater focus on growth and public investment (such as the EUR 300 billion investment package proposed by Commission President Jean-Claude Juncker) would serve to complement the ECB's policy efforts to increase employment and growth in Europe;

### ***Financial stability***

43. Welcomes the fact that the Single Supervisory Mechanism (SSM), the first pillar of the Banking Union, became fully operational on 4 November 2014; notes that this major step in European financial integration was achieved thanks to the successful completion of the preparatory work, including the AQR; thanks the ECB for using its credibility to support the European Banking System; stresses that the supervisory and monetary policy functions of the ECB must not be mixed;
44. Notes that the AQR and the stress test conducted by the European Banking Authority (EBA) in cooperation with the SSM have revealed continuing fragilities in the European Banking System; hopes that the results have adequately taken into account all risks, in order to avoid the 'Japanification' of European banking and the evergreening of loans impossible to repay;
45. Considers that the ECB has a major responsibility in ensuring that future bank recapitalisations will be carried out through the bail-in scheme when access to markets is difficult or impossible;
46. Calls the ECB to ensure in its daily practices that there is a complete ring-fencing between monetary policy and its role as banking supervisor;
47. Emphasises that the SSM aims at ensuring confidence in the euro area banking sector, and thus financial stability; recalls that the democratic accountability of the new SSM before the European Parliament is crucial for ensuring the credibility of the new supervisory regime; stresses, therefore, the importance of the November 2013 interinstitutional agreement between Parliament and the ECB on the practical modalities of the exercise of democratic accountability over the SSM, and of its full implementation;

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48. Supports the idea that in order to make bail-in more credible and effective, the European legislation should advance towards separating the more risky investment activities from traditional banking;
49. Is of the opinion that the latest stress tests deliver a clear-cut illustration of the limits of the current interinstitutional setting, since a scenario of deflation was not contemplated in those tests even though such deflation risks are far from being anecdotal;
50. Notes that, despite relatively low profitability, euro area banks have steadily continued to strengthen their capital positions through a combination of capital increases and reductions in risk-weighted assets and also public support; acknowledges that in several cases capital increases were effected in the context of financial assistance programmes from the Member States;
51. Is concerned at the continuing dependence on central bank funding in many banks of the euro area; considers it essential to create a well-regulated Capital Market Union in order to reduce the excessive dependence of the economies of the euro zone on the banking system;
52. Points out that consolidation of good governance in banks enhances confidence in the banking sector, thereby also contributing to financial stability;
53. Points out that activity on government securities continues to be a major source of profit for banks of the euro area, even though credit to the non-financial private sector remains sluggish; considers that technical and legislative work on risks linked to sovereign debt should be accelerated; calls on the ECB to warn those banks that keep increasing their holdings of government bonds while decreasing credit to the private sector;
54. Welcomes the Commission's legislative proposal on banking structural reform; notes that similar reforms have already been introduced in several Member States; invites the ECB to collaborate with the other relevant institutions with a view to sustainable structural reform at European level that will end subsidies to trading activities of large financial institutions and will level the playing field for financial services;
55. Recalls that the Single Resolution Mechanism (SRM), the second pillar of the Banking Union, will come into force by the beginning of 2015; stresses the need to continue developing the third pillar of the Banking Union;

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56. Instructs its President to forward this resolution to the Council, the Commission and the European Central Bank.
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Wednesday 11 March 2015

P8\_TA(2015)0062

**Annual Report 2013 on the protection of the EU's financial interests — Fight against fraud****European Parliament resolution of 11 March 2015 on the Annual Report 2013 on the Protection of the EU's Financial Interests — Fight against fraud (2014/2155(INI))**

(2016/C 316/04)

*The European Parliament,*

- having regard to Article 325(5) of the Treaty on the Functioning of the European Union,
- having regard to its resolutions on previous annual reports of the Commission and of the European Anti-Fraud Office (OLAF),
- having regard to the Commission report of 17 July 2014 entitled 'Protection of the European Union's financial interests — Fight against fraud — 2013 Annual Report' (COM(2014)0474) and the accompanying staff working documents (SWD(2014)0243, SWD(2014)0244, SWD(2014)0245, SWD(2014)0246, SWD(2014)0247 and SWD(2014)0248),
- having regard to the OLAF annual report 2013,
- having regard to the Activity Report of the OLAF Supervisory Committee: February 2013 — January 2014,
- having regard to the annual report of the Court of Auditors on the implementation of the budget concerning the financial year 2013, together with the institutions' replies,
- having regard to the Commission Communication of 29 September 2014 entitled 'Protection of the EU budget to end 2013' (COM(2014)0618),
- having regard to the Commission report of 3 February 2014 entitled 'EU anti-corruption report' (COM(2014)0038),
- having regard to the Special Eurobarometer 397 Report on Corruption,
- having regard to the Commission's VAT Gap reports,
- having regard to Regulation (EU) No 250/2014 of the European Parliament and of the Council of 26 February 2014 establishing a programme to promote activities in the field of the protection of the financial interests of the European Union (Hercule III programme) and repealing Decision No 804/2004/EC <sup>(1)</sup>,
- having regard to the proposal for a Council regulation of 17 July 2013 on the establishment of the European Public Prosecutor's Office (COM(2013)0534),
- having regard to Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and replacing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 <sup>(2)</sup>,
- having regard to the Commission proposal for a directive of the European Parliament and of the Council of 11 July 2012 on the fight against fraud to the Union's financial interests by means of criminal law (COM(2012)0363),

<sup>(1)</sup> OJ L 84, 20.3.2014, p. 6.

<sup>(2)</sup> OJ L 248, 18.9.2013, p. 1.

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- 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>,
  - having regard to its resolution of 15 September 2011 on the EU's efforts to combat corruption <sup>(2)</sup>, its declaration of 18 May 2010 on the Union's efforts in combating corruption <sup>(3)</sup> and the Commission Communication of 6 June 2011 entitled 'Fighting corruption in the EU' (COM(2011)0308),
  - having regard to Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests <sup>(4)</sup>,
  - having regard to the United Nations Convention against Corruption,
  - having regard to the Council of Europe's Civil Law and Criminal Law Conventions on Corruption,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgetary Control and the opinions of the Committee on Regional Development and the Committee on Civil Liberties, Justice and Home Affairs (A8-0024/2015),
- A. whereas the EU budget, to which each Member State contributes proportionately according to common objective criteria, provides support for the implementation of the Union's policies and represents an expression of unity and an instrument to advance European integration;
- B. whereas protection of the financial interests of the EU, together with the principle of sound financial management, should guarantee that budget revenue and expenditure contribute towards the achievement of the EU's priorities and objectives and towards increasing the confidence of citizens by assuring them that their money is being used in a transparent way, in full compliance with the aims and policies of the EU and in the interests of EU citizens;
- C. whereas the diversity of legal and administrative systems in the Member States presents a challenging environment in which to overcome irregularities and combat fraud, while any incorrect use of EU funds entails not only individual but also collective losses and harms the interests of each Member State and of the Union as a whole;
- D. whereas in order to enhance the existing measures such as the Convention on the Protection of the Communities' Financial Interests (PIF Convention) for fighting fraud, corruption, money laundering and other illegal activities affecting the financial interests of the Union, the Commission has submitted two proposals for criminal law instruments, the PIF Directive and the Regulation on the establishment of the European Public Prosecutor's Office (EPPO Regulation), aimed at ensuring more effective investigation and better protection of the taxpayers' money throughout the European Area of Freedom, Security and Justice;
- E. whereas the fight against fraud, corruption and money laundering in the Union must be a priority for political action by the Community institutions, and police and judicial cooperation between Member States is therefore crucial;

**I. *Detection and reporting of non-fraudulent and fraudulent irregularities***

1. Takes note of the Commission report on the Protection of the European Union's financial interests — Fight against fraud — Annual Report 2013 (the Commission's 'annual report'); welcomes the broad range of legal and administrative measures taken by the Commission since 2011, thus shaping a new landscape for the further enhancement of the policy for protection of the financial interests of the Union; underlines that the current insufficient results in the fight against fraud are not due to a lack of regulation but to unsatisfactory implementation; requests that the Commission respond to Parliament's demands in its previous annual PIF reports in a more timely manner in the following Commission report;

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

<sup>(2)</sup> OJ C 51 E, 22.2.2013, p. 121.

<sup>(3)</sup> OJ C 161 E, 31.5.2011, p. 62.

<sup>(4)</sup> OJ L 312, 23.12.1995, p. 1.

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2. Recalls that, in the context of the economic difficulties currently being experienced in Member States and the insufficient resources in the EU budget, the protection of the financial interests of the European Union is particularly important; stresses the fact that EU funds must be properly managed and used in the most efficient way possible;
3. Notes that in 2013 a total of 15 779 irregularities were reported to the Commission, of which 14 170 were non-fraudulent and 1 609 fraudulent, involving an overall amount of about EUR 2,14 billion, of which about EUR 1,76 billion related to expenditure, representing 1,34 % of all payments, with the remaining EUR 380 million representing 1,86 % of gross traditional own resources (TORs) collected;
4. Notes that although the overall financial impact of non-fraudulent irregularities reported in 2013 decreased to about EUR 1,84 billion, or 38 % less than in 2012, the number of such irregularities registered increased by 16 % on the previous year; notes, furthermore, that the number of fraudulent irregularities reported in 2013 increased by a full 30 % compared with 2012, while the financial impact thereof, involving EUR 309 million in EU funding, decreased by 21 %;
5. Notes that, due to the availability of new information as a result of the significant changes in the way Member States and the Commission report irregularities, there has been a shift in focus in the Commission's 2013 annual report from irregularities treated in general terms to those reported as fraudulent; invites the Commission to maintain this approach in its future Annual Report on the Protection of the EU's Financial Interests — Fight against fraud; strongly urges the Commission, however, to further increase the availability of information and enhance analyses on the scope, types and impact of non-fraudulent irregularities in light of the significantly high number thereof and the related negative monetary impact, which adversely affects the financial interests of the EU;
6. Emphasises that it is incumbent on both the Commission and the Member States to do everything in their power to fight fraud, corruption and all other forms of illegal activity detrimental to the Union's financial interests, in accordance with the provisions of the Treaty on the Functioning of the European Union; points out that close cooperation and coordination between the Commission and the Member States is essential in order to ensure that the Union's financial interests are protected effectively, and hence such cooperation and coordination must, as a matter of priority, be strengthened and made as effective as possible; points out that protecting the Union's financial interests demands an equally vigilant approach to both resources and expenditure;
7. Notes that the overall trend in detecting and reporting potential fraudulent irregularities in the last five years shows a slow decrease but that the number of irregularities not reported as fraudulent has progressively increased; requests that the Commission examine in more detail the main underlying reasons for this increase and that it carry out an analysis that answers the question of whether the trend is due to a shift towards detecting irregular cases or to the way in which Member States classify cases;
8. Is convinced that the criminal law means provided for in the PIF Directive will be effective only if they succeed in providing a clear definition of PIF offences, minimum and maximum imprisonment penalties applicable in all participating Member States, and minimum rules on the statute of limitations, and if these rules are then implemented equally and efficiently by all Member States;

#### *Revenue — own resources*

9. Welcomes the fact that 98 % of TORs are collected without significant problems, with reported fraudulent irregularities representing 0,29 % of gross established TORs (with a value of EUR 61 million) and non-fraudulent irregularities representing 1,57 % of TORs (with a value of EUR 327,4 million); notes that fraud and irregularity cases detected in 2013 amounted to EUR 380 million, of which a total of EUR 234 million was recovered by the Member States; notes, in particular, the fact that this recovery rate of 62 % for TORs in 2013 represents the best result achieved to date over the past decade;
10. Is concerned that in 2013 most of the established amounts in the OWNRES database in the EU-28 are related to the 'release for free circulation' customs procedure for both fraud cases (93 %) and irregularity cases (87 %); calls on the Commission to take appropriate actions aimed at reinforcing the 'release for free circulation' customs procedure in order to make the latter less prone to occurrences of fraud and irregularity;

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11. Is concerned that in 2013 in the OWNRES database the recovery rate for fraud cases stood at only 23,74 %, a figure below the average rate of 33,5 % for the 2008-2012 period; points out that the recovery rate for irregularity cases reported for 2013 is 67,9 %; underlines, in general, the responsibility of Member State authorities and the Commission's services towards recovering sums unduly paid and calls on them to properly assume this responsibility and substantially increase the recovery rate in cases of fraud, which is in general at a markedly low level compared to the recovery rate for non-fraudulent irregularities;

12. Welcomes the signature of the UN Protocol to Eliminate Illicit Trade in Tobacco Products by the European Union in 2013; observes that 15 Member States have signed the Protocol, but that at present it has only been ratified by Austria; invites, therefore, the remaining Member States to complete their respective ratification process as soon as possible;

13. Underlines the fact that the smuggling of heavily taxed goods causes significant losses of revenue to the budgets of the EU and the Member States, and that direct losses in customs revenue as a result of cigarette smuggling alone are estimated at more than EUR 10 billion a year; draws attention, moreover, to trafficking in counterfeit goods, which inflicts damage upon both the tax authorities of the Member States and EU companies;

14. Refers to the ongoing work to improve the gross national income (GNI) data, and to the issues raised in the European Court of Auditors Special Report 11/2013, which calls for shorter, more focused verification of GNI figures and improved reporting and coordination regarding results, so that the GNI system becomes ever more reliable in its contribution to the calculation of EU revenues;

15. Notes that inclusion of the invisible economy in national accounts should contribute to ensuring more complete and reliable GNI data, and calls on the Commission and Eurostat to deepen cooperation with national statistical institutions to ensure that this element is dealt with in a coherent and comparable way in all Member States, using the most up-to-date information;

16. Underlines the fact that in many Member States the VAT gap is continuously high owing to VAT fraud and avoidance; emphasises that the Commission has the authority to control and supervise the measures taken by the Member States; calls, therefore, on the Commission to fully use its powers in order to help the Member States in their fight against VAT fraud and tax avoidance;

17. Notes, furthermore, that 133 cases of smuggled cigarettes were registered by the Member States in 2013, involving an estimated TOR of around EUR 7 million; underlines that this trend represents a sharp decrease compared with 2012, where 224 cases involving around EUR 25 million were reported; is seriously concerned by the fact that Denmark, Estonia, Spain, France, Cyprus, Luxembourg, Portugal, Slovenia, Slovakia and Sweden reported no cases of smuggled cigarettes to the Commission in 2013, and questions the efficiency of the reporting process in those Member States; insists that all Member States report smuggling and counterfeiting cases to the Commission in an accurate and timely manner so as to enable a better estimation of the TOR adversely affected;

18. Notes that the Commission will publish a study on the feasibility of a tracking and tracing system for tobacco products; underlines that this is a huge step forward in the fight against smuggling; demands that the Commission design and implement an open and competitive track and trace system, in such a way that the design and the way the system is implemented do not favour one single or only a few solution providers;

*Excise Movement Control System*

19. Recalls that:

— Parliament noted in its resolution of 3 April 2014 on the Annual Report 2012 on the Protection of the EU's Financial Interests<sup>(1)</sup> that an increased abuse of the Excise Movement Control System (EMCS) by criminal groups had been observed by enforcement agencies and that Parliament was convinced that there is a lack of physical controls of goods being transported under the EMCS;

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<sup>(1)</sup> Texts adopted, P7\_TA(2014)0338.



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- the Commission should provide Parliament with an update on the measures taken to increase physical checks in the next Annual Report 2014 on the Protection of the Financial Interests of the Union;
- EMCS access rights need to be tightened up in order to include a comprehensive history of compliance before trading, so that it is possible to grant business actors 'empowered economic operator' status ('trusted business actors') and therefore allow only these actors to operate under the EMCS directly by themselves;
- Parliament asked the Commission to present the results of current investigations concerning the need to amend Directive 2008/118/EC;
- verification checks conducted by Member States on people and companies applying to the register need to be more robust and comprehensive;
- the Commission should explain the action taken concerning a higher degree of cooperation with tax authorities, as goods can easily be misdeclared in order to evade excise duties;
- time limits allowed for excise movements between authorised warehouses are unrealistically long, meaning that multiple movements on the same declaration and diversion are possible before the delivery date is entered into the system; reiterates, therefore, its demands that the competent authority of the Member State declared as the destination and the new destination must be immediately informed by the consignor about any changes;
- Parliament demanded that the maximum time allowed for submission of the report on the receipt of excise goods be one working day and, furthermore, that journey time be calculated and established for each delivery in accordance with the means of transport used and the distance between the places of dispatch and destination; asks the Commission to inform Parliament once these demands have been implemented;
- that the guarantees required to establish bonded warehouses are too low in comparison with the value of the excise goods and that Parliament therefore called on the Commission to establish a variable depending on the type of goods and the level of trade that actually occurs; asks the Commission to inform Parliament once these demands have been implemented;
- Parliament is concerned that Member States have implemented their own EMCS systems based on broadly defined requirements by the Commission; reiterates its call on the Commission to take the initiative to introduce a more uniform system across the EU;

#### *Expenditure*

20. Draws attention to the alarming 76 % increase in the number of irregularities reported as fraudulent regarding EU expenditure and urges the competent authorities to take all necessary measures to prevent such a negative trend in the coming years;

21. Expresses concern that in the agricultural sector the number of both irregularities in general and fraudulent activities in particular increased significantly in 2013 as compared with 2012; notes that a new significant infringement trend referring to the 'beneficiary not having the required quality' occurred in 2013, with 51 fraudulent irregularity cases reported; considers that these trends require targeted measures aimed at on the one hand eliminating practices which may potentially lead to inadvertent infringements, and on the other hand aggressively confronting corrupt and criminal behaviour;

22. Acknowledges that in the agriculture and rural development area, Member States recovered EUR 197 million from the beneficiaries during the 2013 financial year, while EUR 1 318,3 million remains to be recovered from the beneficiaries at year end, of which EUR 1 097,1 million is outstanding to the EU budget following the application of the 50/50 mechanism; is concerned, as recovery for the European Agricultural Guarantee Fund (EAGF) is below the overall average and not even half of the irregularities detected in 2009 had been recovered by the end of 2013;

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23. Points to the significant differences between Member States regarding their ability to recover sums lost as a result of irregular payments detected under the CAP and urges Member States with recovery rates below 33 % to improve significantly their results in 2015 and subsequent years;

24. Acknowledges that following the 2013 reform of the Common Agricultural Policy (CAP), Member States benefit from a higher degree of flexibility in the implementation of the policy and are notably allowed to customise it to their regional or national capabilities and priorities, and to make transfers between its different pillars; calls on the Commission and the Member States to ensure that this increase in flexibility will not be at the expense of the monitoring and evaluation systems; notes further that in the framework of the new CAP the Commission is working on a simplification agenda; calls on the Commission to align the simplification agenda fully with DG AGRI's anti-fraud strategy and to maintain a balance between simplification and the sound management of EU funds by ensuring adequate controls;

25. Is also worried that the average delay between the occurrence of an irregularity, its detection and finally its reporting to the Commission is 6,3 years in the agricultural sector and 2,75 years in other sectors; recalls that after detection of the irregularity, further procedures kick in (recovery orders, OLAF investigations, etc.); requests that the Commission determine the average, minimum and maximum lifespan of a detected irregularity under shared management for each policy sector;

26. Expects the significant increase of 475 % in irregularities reported in the fisheries sector in 2013 to represent a one-year peak, relating to the delayed implementation of programmes in the sector, and that it should not represent a negative trend which undermines the perception of the value of the EU's fisheries policy;

27. Notes with concern that in the area of cohesion policy there has been an increase of 15 % in the number of cases of irregularities reported; also notes, however, that decreases of 49 % have been noted in the amounts involved in non-fraudulent cases and 22 % in cases of fraud;

28. Notes that 321 irregularities reported as fraudulent and 4 672 irregularities reported as non-fraudulent were cohesion-policy related; acknowledges the fact that in both categories the number of reports increased by 15 % as compared to 2012 and that, as in previous years, the largest share of amounts that involved irregularities in 2013 (63 %) is still related to cohesion policy; points out, however, that in both categories the corresponding amounts decreased, a gradual improvement based on the experience of previous years can be seen and that for the first time, cohesion policy was not the area of budgetary expenditure with the highest number of irregularities reported as fraudulent;

29. Regrets, however, the lack of information available on the amounts to be recovered and the recovery rates specifically related to the cohesion policy for the financial year 2013; calls on the Commission to provide detailed information in this respect in its future annual report;

30. Notes that for the expenditures under centralised management in a five-year perspective, the recovery rate is 54,4 % for irregularities reported as fraudulent and 63,9 % for non-fraudulent irregularities; urges the Commission to further improve the recovery process and to make it more timely;

31. Calls on the Commission to assume full responsibility for the recovery of funds unduly paid from the EU budget and to establish uniform reporting principles in all Member States for the purpose of collecting the appropriate comparable and accurate data;

32. Is concerned by the fact that for the recovery orders qualified as irregularities (both reported as fraudulent and not reported as fraudulent) issued between 2009 and 2013 under centralised management, the average delay between the occurrence of an irregularity and its detection is 3,4 years: more than half of the cases (54 %) were detected within 4 years of the year when the irregularity was committed, and for the other half (46 %) the delay varied between 4 and 13 years; recalls that after detection of the irregularity, further procedures kick in (recovery orders, OLAF investigations, etc.); requests that the Commission determine the average, minimum and maximum lifespan of a detected irregularity under centralised management;

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33. Is pleased that the number of cases reported as fraudulent pertaining to the European Social Fund in 2013 was 40 % lower than in the years 2009 and 2010 and that 2013 was the third year in a row in which this positive trend was maintained;

34. Notes with satisfaction that for the programming period 2007-2013 administrative verifications, on-the-spot checks and audit operations led to the significantly higher rate of 63 % in the detection of fraudulent irregularities, compared with a rate of less than 20 % for the preceding seven-year period, although there was a slight decrease to 55 % in 2013;

35. Takes note that in 2013 the Commission closed 217 cases of interruption of payment in the cohesion policy area and that 131 were still open at year-end, involving an amount of EUR 1 977 million; also acknowledges that the Commission adopted 15 suspension decisions in 2013 and two in January 2014;

36. Acknowledges that in 2013, as part of the Pre-Accession Assistance (PAA), 33 irregularities were reported as fraudulent, involving an amount of EUR 14,4 million, and that those irregularities are mainly related to the Special Accession Programme for Agriculture and Rural Development (SAPARD); notes, in addition, that nine fraudulent irregularities involving an amount of EUR 1,2 million were reported under the Instrument for Pre-Accession (IPA); observes that between 2003 and 2013 under the PAA the recovery rates reached 37,36 % and 29,22 % respectively for irregularity cases and fraudulent cases; calls on the Commission and the IPA beneficiary countries to take action in order to ensure a higher recovery rate under the IPA;

37. Calls for proposals to reduce the number of spending programmes, in particular when they partly overlap, and to target programmes, whenever possible, at the Member States who are most in need of support, so that not all programmes necessarily benefit activities in all Member States;

38. Expresses its concern about the fact that several EIB-financed projects have been affected by corruption and fraud; considers that the EIB document, dated 8 November 2013, which defines the EIB policy on preventing and deterring corrupt practices, fraud, collusion, coercion, obstruction, money laundering and terrorism financing, denotes a lack of sufficient control in a number of cases during the implementation of EIB-financed projects; expresses its concern at the fact that in 2013 the EIB financed the Passante of Mestre project for a total of EUR 350 million and that, despite the fact that this project has been affected by corruption and fraud, which led to the arrest of several of the people involved, it is considering whether to refinance the project for an additional amount of EUR 700 million through project bonds; asks, therefore, that, in cases of proven fraud and corruption, the EIB be required to suspend and/or block any foreseen and ongoing financing for the affected project;

## **II. Problems identified and measures required**

39. Underlines its concerns as regards the persisting threats to the EU budget, which stem from both failures to comply with the rules (non-fraudulent irregularities) and purposeful wrongdoings and criminal offences (i.e. fraud); insists on enhanced cooperation between the Member States and the Commission with a view to securing relevant and adequate measures and means for avoiding and rectifying non-fraudulent irregularities and combatting fraud;

40. Stresses that the situation in which Member States fail to submit data in time or to submit accurate data is one that has been recurring for many years; reiterates its concern that there are still different approaches in different Member States to detecting and reporting fraudulent and non-fraudulent irregularities, including in such areas as cohesion policy and agriculture, and that in some cases there are non-standardised interpretations when applying the legal framework; points out that this impedes comparisons and an objective assessment being made and recommendations being issued by Parliament, the Commission and OLAF; calls on the Commission to develop common guidelines and indicators in order to narrow the gap between the different approaches of the Member States and to develop a unified and comprehensive information bank on irregularities actually instigated and on measures taken, including cases of fraud and corruption involving civil servants, thus providing authorities and citizens with trustworthy, comparable and centralised data for the implementation of effective corrective measures, and for an objective assessment of the actual, rather than perceived, gravity of infringements and of the parties responsible;

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41. Observes that the recommendations made by the Commission to Member States in 2012 whose implementation status is reported in the Commission's 2013 annual report — particularly on the anti-fraud coordination services, the common rules on fraud, the reform of public procurement, the reported fraudulent irregularities, and the systems of checks and controls and of risk assessment — were generally appropriate, and finds it regrettable that a number of concerns were not fully addressed; notes, for instance, that preparations were not launched by all Member States for the implementation of the multiannual financial framework (MFF) 2014-2020 and its provisions on fraud prevention; calls on Member States to follow up on the recommendations made by the Commission in 2012 and to ensure that those made to them in its 2011 report as well as in its 2013 report are followed in full, and that where action on recommendations cannot be taken they submit a reasoned explanation;

42. Acknowledges the fact that non-fraudulent irregularities are often caused by insufficient knowledge of the rules, complex requirements and regulations; points out that modifications to the rules pertaining to both revenue and expenditure, including those aimed at simplification, require time for adoption on the part of the authorities responsible for their proper implementation; urges the Member States and the Commission, in this connection, to better coordinate the interpretation of the legal framework and the strict application thereof, to implement targeted and timely measures to strengthen administrative capacities, both in public administrations and among stakeholders, including civil society organisations, including by means of guidance and training and by establishing schemes for retaining qualified and skilled staff; calls on the EU institutions and the Member States to conduct a mid-term assessment of whether the new regulatory architecture of cohesion policy further prevents and reduces the risk of irregularities, and to evaluate the possibility of greater regulatory simplification as regards the existing rule;

43. Considers that Member States which detect and report irregularities, including cases of fraud, on their own should be supported and encouraged to further improve their reporting and management systems; expresses concern at the Commission's inability to establish whether or not the low number of irregularities and cases of fraud detected by certain Member States and the wide gaps in the number of cases reported for different years are due to the ineffectiveness of these Member States' control systems;

44. Regrets the fact that only some Member States allocate relevant resources to counter fraud and finds it unacceptable that in cases of fraudulent irregularities certain Member States limit their actions to corrective measures only without proceeding to investigate the potential criminal offence and sanction those responsible, thus failing to adequately protect the financial interests of both the EU and individual taxpayers; notes that statistics submitted by Member States regarding criminal cases and their outcome are incomplete, making it difficult to evaluate the effectiveness of fraud investigation and prosecution procedures in the Member States; considers, therefore, that the adoption of decisions which introduce criminal law responsibility at EU level, and the introduction of the European Public Prosecutor's Office as a tool in starting and coordinating investigations into such irregularities, should represent a strong disincentive to committing illegal acts as well as to foregoing due process in pursuing and punishing corrupt or criminal behaviour which damages the financial interests of the EU;

45. Is of the opinion that effective action against corruption is possible if criminal law measures are respected and complemented by other measures such as better transparency and accountability; insists, therefore, that Member States demonstrate firm political will in effectively countering corruption at both national and EU level by adopting effective anti-corruption legislation and by proceeding with the existing proposals at EU level, and calls upon citizens to convincingly exert pressure on governments to vigorously pursue meaningful anti-corruption policies;

46. Welcomes the first EU Anti-Corruption Report of February 2014 as a valuable tool to monitor and evaluate efforts in the fight against corruption, and reaffirms the particular importance of intensifying exchanges of the current good practices highlighted in that report; also welcomes the Commission's Communication on Fighting Corruption in the EU (COM(2011)0308), which explores the necessary steps to better implement the existing anti-corruption instruments and proposes ways to integrate stronger anti-corruption considerations in a number of internal and external policy areas; notes, however, the importance of extending the scope of the Anti-Corruption Report to the cross-border and EU-level element of corruption and to the assessment of the measures taken to further improve the integrity of the EU institutions, and emphasises the need for a fully comprehensive and coherent anti-corruption strategy encompassing all EU policies, that addresses, inter alia, the concerns raised in the first EU Anti-Corruption Report; requests that the Commission report to Parliament and the Council on the implementation by the EU institutions of their internal anti-corruption policies, including its obligations under the UN Convention against Corruption;

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47. Stresses the need for structured coordination between management authorities and anti-fraud bodies, and the importance of coordination and exchange of best practices between Member States and among various administrations within the same Member State in order to homogenise, as much as possible, the approach to tackling fraud; invites the Commission to create a mechanism for the exchange of information between the national competent authorities, in order to allow a crossed comparison of the accounting records concerning the transactions among two or more Member States with a view to helping to detect any transnational fraud in the context of the new MFF 2014-2020, with regard to the macro-category of European Structural and Investments Funds (European Social Fund — ESF; European Regional Development Fund — ERDF; Cohesion Fund — CF; European Agricultural Fund for Rural Development — EAFRD; European Fund for Maritime Affairs and Fisheries — EMFF), in order to ensure a horizontal approach to protecting the financial interests of the European Union;

48. Underlines the fact that greater transparency allowing for proper scrutiny is key to detecting fraud schemes; recalls that in previous years Parliament urged the Commission to take action to ensure one-stop transparency for all beneficiaries of EU funds from all Member States by publishing on the Commission's site a list of all beneficiaries, independent of the administrator of the funds and based on standard categories of information to be provided by all Member States in at least one working language of the Union; calls on the Member States to cooperate with and provide full and reliable information to the Commission regarding the beneficiaries of the EU funds managed by Member States; regrets the fact that this measure has not been implemented and calls on the Commission to implement it as a matter of urgency; regrets the fact that this repeated request has not been taken into account by the Commission;

49. Calls on the Commission to promote adequate legislation on the protection of whistle-blowers, access to information and the transparency of lobbying, as these are necessary for ensuring the civic control of governments and EU institutions and subjecting their practices to public scrutiny, and to use EU funding to support the work of independent organisations in this area, inter alia to establish financial support for trans-border investigative journalism;

50. Encourages the Commission to further enhance its supervisory role in respect of EU budget expenditure through audit, control and inspection activities, remedial action plans and warning letters preceding the submission of payments claims; calls on the Member States and their authorities to intensify their efforts and to tap their potential to detect and correct errors prior to claiming reimbursement from the Commission by making full use of the information available to them; underlines, in this regard, the particular value of preventive actions in forestalling unlawful disbursements and thus eliminating the need for subsequent actions to recover misappropriated funds;

51. Welcomes the adoption of the public procurement directives and the directive on the awarding of concessions, and welcomes the fact that ten Member States have already introduced specific measures or sets of measures in public procurement in order to mitigate corruption and strengthen transparency and the effectiveness of management, control and audit systems; invites the Commission to proceed with the implementation of the rules on public procurement in order to provide necessary support to Member States through guidance, the sharing of best practices and training; calls on the Commission to continuously and impartially monitor the compliance of the Member States with the existing directives and start infringement procedures if necessary;

52. Notes that the level of irregularities and fraud caused by non-compliance with public procurement rules remains high; calls on the Member States to transpose rapidly into national law the recently adopted Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement<sup>(1)</sup>, Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors<sup>(2)</sup>, and Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts<sup>(3)</sup>, in order to further mitigate the risk of irregularities and fraud;

53. Welcomes the establishment of the Competence Centre for administrative capacity building in support of public administrations responsible for managing the ERDF and the Cohesion Fund and the introduction of the Public Procurement Action Plan developed by the Competence Centre in collaboration with the competent Commission services; requests, however, that the Commission report on the concrete results achieved so far as a result of the centre's activities and the implementation of the aforementioned action plan;

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<sup>(1)</sup> OJ L 94, 28.3.2014, p. 65.

<sup>(2)</sup> OJ L 94, 28.3.2014, p. 243.

<sup>(3)</sup> OJ L 94, 28.3.2014, p. 1.

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54. Urges the Commission to maintain its strict policy of interruptions and suspension of payments;

55. Welcomes the report on the implementation of the Commission Anti-Fraud Strategy (CAFS) and the guidance provided to Member States' managing authorities on the implementation of the relevant anti-fraud provisions; insists, however, that in the delegated and implementing acts pertaining to the European structural and investment funds the Commission adopt more simplified rules, facilitating effective and efficient absorption, while ensuring that the level of the fight against fraud is not undermined by these delegated and implementing acts;

56. Welcomes the establishment of anti-fraud coordination services (AFCOS) in Member States as required by Article 3 (4) of the new OLAF Regulation and the fact that Germany reconfirmed its working cooperation arrangement with OLAF; notes that AFCOS aim to facilitate effective cooperation and the exchange of information with OLAF, and insists that Member States which have not yet designated AFCOS do so without further delay; expects that AFCOS will assist in facilitating better reporting of irregularities and contribute towards a balanced interpretation of the relevant EU acts; is nevertheless concerned by the substantial discrepancies already existing between the different AFCOS established in the Member States in terms of functions, tasks and powers as well as human resources allocated; acknowledges that the AFCOS' mandate, institutional framework and tasks are not defined in detail in Regulation (EU, EURATOM) No 883/2013, but is of the opinion that AFCOS which are operationally independent with a comprehensive mandate including investigative powers represent a benchmark to be developed by all Member States;

57. Acknowledges the Commission's reporting on the results of the Hercule II Programme; takes note that in 2013 the budget of Hercule II was reduced to EUR 14 million in commitment appropriations and EUR 9,9 million in payment appropriations compared with 2012, resulting in difficulties in meeting the financial commitments made in 2013 and previous years; observes with satisfaction that Hercule II activities are the subject of increasing interest from the Member States, as demonstrated by the ever growing number of applications received following the calls for proposals; welcomes the positive results obtained in 2013, in Germany, Spain and Romania for example, thanks to the deployment of highly sophisticated and transnational compatible technical equipment purchased under the programme;

58. Welcomes the adoption of the Regulation establishing Hercule III for the financial period 2014-2020, which allows for an increased maximum co-funding percentage for technical assistance grants of 80 % of the eligible costs, and up to 90 % in exceptional and duly justified cases, instead of the maximum of 50 % under the Hercule II Decision; notes that the first call for proposals was successfully launched in 2014; is nevertheless concerned that the programme is already particularly affected by the issue of outstanding payments, leading to possible adverse effects on funded and future projects; recalls the importance of sound financial instruments such as Pericles 2020 and Hercule III in the fight against illegal activities affecting the resources of the Union;

59. Welcomes the successful outcomes of numerous joint customs operations (JCOs) involving the cooperation of OLAF and Member States with various third-country services, along with active support from DG Taxation and the Customs Union, Europol and Frontex, which have resulted in the seizure of, inter alia, 68 million smuggled cigarettes, 124 kg of cocaine and 140 000 litres of diesel fuel;

60. Notes that in 2013 OLAF issued 353 recommendations for administrative, disciplinary, financial or judicial action to be taken by the relevant EU institutions, bodies, offices, agencies or the competent national authorities, and that about EUR 402,8 million was recommended for recovery; is concerned that the rate of indictment following OLAF's judicial recommendations for the period 2006-2013 is only about 54 %; is worried, as the low rate of indictment also sheds a bad light on the quality and usability of OLAF's investigative results; calls on the Commission to urgently improve the effectiveness of OLAF; deems that a fully-fledged and proper oversight over OLAF's affairs by the Supervisory Committee (without interference in ongoing investigations) is indispensable, and therefore urges the Commission and OLAF to improve the current situation in which the Supervisory Committee is not able to fulfil its purpose; also regrets the lack of information available on conviction rates in cases involving offences against the Union's budget;

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**III. Investigations and the role of OLAF**

61. Takes note that in 2013 OLAF self-reportedly received the largest amount of information registered to date and claims to have issued an unprecedented number of recommendations; points out that the method for counting incoming information and issued recommendations has also been changed; asks the Supervisory Committee to analyse the effects of these data changes and the quality of recommendations issued by OLAF;

62. Calls on the OLAF Supervisory Committee to inform Parliament about the duration of OLAF investigations and the calculation method hereto, as this method was changed in 2012; points out that this change may artificially reduce the apparent duration of investigations; asks the Supervisory Committee to closely analyse the quality of information provided by OLAF, including reports to the institutions;

63. Notes the adoption of new working arrangements between OLAF and its supervisory committee and calls for a speedy resolution of the remaining issues between these two institutions;

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64. Instructs its President to forward this resolution to the Council, the Commission, the Court of Justice of the European Union, the European Court of Auditors, the OLAF Supervisory Committee and OLAF.

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P8\_TA(2015)0063

## 2014 Progress Report on Montenegro

**European Parliament resolution of 11 March 2015 on the 2014 Progress Report on Montenegro (2014/2947(RSP))**

(2016/C 316/05)

*The European Parliament,*

- having regard to the European Council conclusions of 19-20 June 2003 and to the annex thereto entitled 'The Thessaloniki Agenda for the Western Balkans: moving towards European integration',
  - having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part<sup>(1)</sup>, of 29 March 2010,
  - having regard to the outcome of the EU-Montenegro Accession Conference of 16 December 2014,
  - having regard to the report from the Commission to the European Parliament and the Council of 22 May 2012 on Montenegro's progress in the implementation of reforms (COM(2012)0222), and to the Council conclusions of 26 June 2012 deciding to open accession negotiations with Montenegro on 29 June 2012,
  - having regard to the Commission communication entitled 'Enlargement Strategy and Main Challenges 2014-2015' of 8 October 2014 (COM(2014)0700), accompanied by Commission Staff Working Document SWD(2014)0301 entitled 'Montenegro 2014 Progress Report', and the Indicative Strategy Paper (2014-2020) adopted on 19 August 2014,
  - having regard to the General Affairs Council conclusions of 16 December 2014 on the enlargement and stabilisation and association process,
  - having regard to the declaration and recommendations of the 9th Meeting of the EU-Montenegro Stabilisation and Association Parliamentary Committee (SAPC) of 1-2 December 2014,
  - having regard to its previous resolutions concerning Montenegro,
  - having regard to the work of Charles Tannock as the standing rapporteur on Montenegro of the Committee on Foreign Affairs,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas Montenegro is currently the only country in the region opening and provisionally closing negotiating chapters with the EU, which is a welcome development; whereas this leading role is considered to constitute increased responsibility, both in a regional context and as far as the enlargement process as a whole is concerned;
- B. whereas each candidate country is judged on its own merits, and further progress will hinge on the efficient implementation of the country's reform strategies and action plans;
- C. whereas sustainable dialogue and constructive cooperation between government and opposition are important in order to achieve progress in the accession preparations and to ensure citizens' trust in the electoral process and in state institutions; whereas all political forces should remain focused on the country's EU accession process;
- D. whereas Montenegro should further develop a solid track record as regards the rule of law, which is a fundamental prerequisite for EU accession and taking on the obligations of EU membership; whereas corruption remains a very serious concern;

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<sup>(1)</sup> OJ L 108, 29.4.2010, p. 3.



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- E. whereas civil society plays an important role in the process of reform and EU accession;
- F. whereas the issue of freedom of expression and the media remains of concern; whereas there were new cases, albeit reported to have decreased, of violence against the media during the reporting period; whereas the competent authorities need to improve the investigation and prosecution of old and new incidents and to create a positive atmosphere for the free and independent functioning of the media;
1. Welcomes the progress made in the accession negotiations, noting that so far sixteen chapters, including chapters 23, 24 and 31, have been opened and two (science and research, and education and culture) provisionally closed;
  2. Encourages the continuation of the accession negotiations on the basis of implemented reforms and concrete results, delivered in particular with regard to the rule of law, the media environment and the fight against corruption; welcomes the adoption on 16 December 2014 of a number of laws in line with the Action Plan for Chapter 23; is of the view that progress in the negotiations and the improving strategic, normative and institutional framework need to be accompanied by real progress on the ground, with focus on the implementation of relevant action plans and strategies;
  3. Welcomes the further strengthening of negotiation structures, including the establishment of the Rule of Law Council; calls on the government to reinforce intra-institutional coordination and broaden interministerial consultations;
  4. Reiterates that rule-of-law-related reforms constitute the core of the European integration process and are an essential condition for progress in overall accession talks; considers that political will remains crucial for achieving and maintaining substantial progress in the fight against corruption and organised crime, which constitutes the litmus test for the independence, efficiency and professionalism of the judicial system;
  5. Notes the importance of ensuring the inclusiveness of the reform process with the active participation of civil society, in order to achieve the necessary progress in the negotiations; urges more active parliamentary oversight in this regard;
  6. Welcomes the adoption of the 2014 action plan to strengthen parliamentary oversight and of the Parliamentary Code of Ethics in December 2014; stresses the need to reinforce the capacities of the Montenegrin Parliament and to follow up on the technical report it adopted in July 2013 on the alleged misuse of public funds for party political purposes, and that judicial follow-up remains incomplete; invites the government to consider the relevant recommendations of the Montenegrin Parliament and to improve parliamentary access to the relevant information;
  7. Is concerned that the deeply polarised domestic climate has resulted in the main opposition party boycotting certain parliamentary sessions, namely Prime Minister's Questions, and that this undermines the democratic functioning of institutions; urges, therefore, all political forces, in government and opposition alike, to focus on the country's EU accession process and to engage in sustainable dialogue and constructive cooperation, especially within the parliament; underlines that strong political will is necessary for successful implementation and institutional strength;
  8. Invites the government to effectively implement the recommendations of the OSCE/ODIHR, the Venice Commission and GRECO on electoral rules in line with European standards and best practices, including those on the right to stand as an independent candidate, on proportional public funding to promote a level playing field for all candidates and on auditing of political parties; notes that local elections were marred by allegations of electoral wrongdoing; stresses that these should be investigated and, where necessary, prosecuted by the competent authorities;
  9. Stresses the importance of a clear separation between state and party lines; welcomes the new law adopted in December 2014 on political party financing and urges all political parties to establish a track record of its effective implementation, which should aim to significantly reduce the opportunities to misuse public funds; regrets the fact that important pieces of relevant legislation were adopted without cross-party consensus;

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10. Welcomes the Commission's stronger focus on public administration reform in the accession process; welcomes the fact that progress is on track in this regard, but notes that further steps can be taken to improve the quality of legislation and local administration; shares concerns over the politicisation of public administration; calls for progress in enhancing the transparency, efficiency and accountability of central and local government administration and for their coordination to be improved, along with coordination among local self-governments, notably in the areas of investment, project planning and implementation; considers it essential to address shortcomings in the fields of recruitment, dismissal and evaluation criteria, the non-implementation of performance appraisals, and weak administrative, oversight and inspection capacities;

11. Encourages further efforts to strengthen the capacities of the Ombudsman's office concerning anti-discrimination cases;

12. Welcomes the new judicial reform strategy for 2014-2018, noting with satisfaction that the relevant action plan has generally been implemented on time and that the new Supreme State Prosecutor has been elected; welcomes new legal measures to enhance transparency in the election of state prosecutors; notes that the progress registered in the judicial reform area facilitated the opening of four additional chapters in the Intergovernmental Conference of December 2014; encourages further efforts to monitor and further decrease the backlog of cases and the length of court proceedings, and to improve the efficiency of the constitutional court;

13. Welcomes the progress made by Montenegro with regard to the implementation of reforms aiming to ensure the independence and increased efficiency of the judiciary; remains seriously concerned about undue influence on judicial independence, particularly in the recruitment and career development of judges and prosecutors; underlines the urgent need to improve the selection criteria for appointments and promotions and to comply with the principles of legality and proportionality in disciplinary proceedings; calls for key reform measures on the recruitment, promotion and disciplinary systems for judges and prosecutors; notes that some of these concerns are to be addressed in a package of organisational laws on the judiciary;

14. Is concerned about the backlog of cases pending before the Constitutional Court, in particular those relating to the possible systematic violation of human rights, such as the initiative to examine the constitutionality of the Law on Misdemeanours;

15. Is concerned that no serious efforts have been made to tackle impunity in war crime cases; encourages the competent authorities to prosecute war crime cases in a timely manner, including at the highest level; urges the competent authorities to effectively investigate, prosecute, try and punish war crimes in line with international standards, and to ensure that court rulings are implemented and that victims have swift access to justice and fair compensation;

16. Is concerned that, despite the substantial financial resources channelled from international donors to the authorities, only limited progress has been made in combating corruption, which remains a threat to the proper functioning and stability of democratic institutions, the rule of law and economic development; calls for a more proactive role for the National Commission for the Implementation of the Strategy for the Fight Against Corruption and Organised Crime, as the key anti-corruption coordination unit; underlines the urgent need for more active participation and effective cooperation of the government, all sectors of public life and civil society in preventing corruption, and in strengthening the legislative framework and protecting whistle-blowers;

17. Urges the authorities to enhance the capacity of prosecutors, judges, the police and other law enforcement agencies, and to develop a solid track record of investigations, prosecutions and convictions at all levels, including high-level corruption cases; welcomes the adoption of anticorruption laws, particularly on lobbying, general administrative procedure, public procurement and amendments to the laws on the prevention of conflicts of interest; calls for their effective implementation to allow for more cooperation between law enforcement agencies and to enhance the system of checks for conflicts of interest and asset declaration; calls on the Commission to closely monitor the implementation of those laws; considers it important to strengthen institutions to enable them to take a more proactive approach against corruption, and to fully involve the new parliamentary committee for overseeing the work of the Agency for Anti-Corruption, which should receive sufficient resources; stresses that shortcomings with regard to the independence and accountability of the judicial system remain a matter of serious concern and hamper the fight against corruption;

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18. Calls also on the judiciary to work in a more transparent manner in the field of corruption and organised crime cases, in particular when it comes to publishing in verdicts the names of companies, individuals and civil servants involved in such crimes;

19. Notes that frequent legal changes may hinder the effectiveness of fighting organised crime; calls for the capacities of competent authorities to be enhanced, particularly as regards conducting complex investigations and dealing with difficult cases; welcomes amendments to the Criminal Code to prevent and monitor radicalisation and religious extremism; welcomes the new criminal law which criminalises 'foreign fighters', including jihadists; calls on the competent authorities to effectively implement relevant legal provisions in order to prevent and monitor any potential threat to the security of Montenegrin citizens; stresses the importance of combating all forms of extremism;

20. Welcomes the signing of the Agreement on Strategic and Operational Cooperation between Montenegro and Europol, the progress made in the negotiations on the conclusion of the agreement with Eurojust, and Montenegrin institutions' achievement of observer status in the relevant European judicial networks; encourages close operational cooperation with relevant European judicial bodies, including on the issue of trafficking in human beings;

21. Notes the recent efforts to improve consultation mechanisms with civil society organisations (CSOs) in order to achieve more transparency in policy and law-making in an inclusive process; welcomes public discussions on the revision of action plans for Chapters 23 and 24; invites the competent authorities to further develop sustainable public funding for CSOs and an appropriate institutional framework; welcomes the fact that a new council for the development of non-governmental organisations has been appointed by the government; calls on the competent authorities to adjust the legal framework and practices in order to protect civil society activists against attacks and hatred reportedly propagated in certain newspapers, and build a climate in which they can work without fear or reprisal;

22. Reiterates the importance of freedom of expression as one of the core values of the European Union; considers it essential for journalists to have full independence; is greatly concerned about the deteriorating state of media freedom and the weak professional and ethical standards among media practitioners in Montenegro; strongly deplores the fact that targeted incidents against journalists and media property continue; notes that the Government of Montenegro has set up a commission to investigate attacks against journalists; urges the competent authorities to implement the recommendations of this commission and to achieve a consistent track record of prosecutions and final convictions of perpetrators; considers it essential to have independent public service media with editorial independence and stable and sustainable financing in order to deepen democratic standards; stresses the responsibility of all those in politics and the media to nurture a climate of tolerance for different opinions; underlines that public statements in support of media freedom help create a climate conducive to respect for and protection of journalists; welcomes the agreement between media representatives to review the professional code of ethics as a first step towards improving media self-regulation; considers it necessary to adopt a clear legislative framework, which will establish rules related to media ownership and financing;

23. Is of the view that transparent handling of the totalitarian past, including the opening up of the archives of the secret services, is a step towards further democratisation, accountability and institutional strength;

24. Welcomes the fact that the anti-discrimination law has been almost fully aligned with the acquis; invites the authorities to address the remaining shortcomings concerning racial discrimination and the provisions on sanctions; calls on the authorities to provide all necessary financial and administrative resources to the Anti-Discrimination Council; while acknowledging some progress in the social inclusion and education of the Roma population, is concerned about high drop-out rates and the low proportion of Roma students among the total student population; calls for the fostering of initiatives which support the housing, health, education and employment of the Roma population, and the empowerment of Roma women and the education of female Roma students; welcomes the efforts of the competent authorities to protect LGBTI rights during the second Pride event, which was held without any incidents; is concerned, however, that attacks on LGBTI community members and activists are continuing; urges both political and civil society actors to fight widespread hostility and violence against sexual minorities, in particular by efforts to educate and inform the public in order to help change attitudes, and by providing training to the police, prosecutors and judges;

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25. Welcomes improvements in the legal framework with regard to the rights of persons with disabilities; notes that further actions are needed to comply with the EU acquis; urges the government to accelerate progress regarding the accessibility of buildings for people with disabilities, and considers it regrettable that the majority of state and local institutions, including the selected priority buildings (such as the parliament and courts), are still not accessible to people with disabilities; remains concerned about the high drop-out rate of students with disabilities from the education system after elementary school and after high school; notes the importance of ensuring sufficient transparency with regard to the fund for professional rehabilitation and employment for people with disabilities and its expenditure;

26. Stresses the need to further strengthen the implementation and follow-up of child-related laws and policies, and to provide adequate capacities; calls for the quality of education for all children to be improved and for further efforts in support of vulnerable children to be pursued; highlights the importance of expanding the reform in the area of juvenile justice also to children in administrative, civil and criminal proceedings in order to promote broader access to justice;

27. Is concerned that progress regarding women's rights, gender equality, women's representation in politics and on the labour market and the fight against domestic violence remains limited; underlines the urgent need, in this regard, to accelerate progress regarding women's rights, gender equality, women's representation in politics and on the labour market and the fight against domestic violence; calls, in this regard, for better involvement of the parliament, more structured cooperation with civil society, and the enhancing of institutional capacities, including improving cooperation between social services and law enforcement authorities; urges that the rights of victims be placed at the centre of all measures and that due diligence be exercised in preventing, investigating, punishing and providing reparation for acts of domestic violence;

28. Welcomes Montenegro's policies aimed at creating a climate of tolerance and inclusion for all national minorities; strongly encourages the Montenegrin authorities to further protect the multinational identity of the Boka Kotorska region and enhance its cultural and economic cooperation with neighbouring EU Member States;

29. Welcomes the fact that freedom of thought, conscience and religion continues to be guaranteed and enforced; notes that tensions persist between the Serbian and the Montenegrin Orthodox Churches, especially on property issues; calls for the adoption of a new law on the legal status of religious communities;

30. Encourages the government to implement sustainable economic reforms, including legal provisions on anti-competition mechanisms, to boost competitiveness and overcome structural weaknesses, to tackle the large informal sector and to improve the business environment overall; calls for the strengthening of social dialogue among the various partners; calls, furthermore, for the strengthening of capacities, including engagement in public consultations, and for economic policy formulation and coordination, also in order to reduce regional disparity; insists on the need to effectively fight tax evasion; is concerned that legal and judicial uncertainties, including licensing, tax administration procedures and contract enforcement, may entail risks for economic actors and undermine the capacity of Montenegro to attract foreign investments; underlines the urgent need to resolve commercial disputes with foreign investors that are critical to the economy of Montenegro; shares concerns about the lack of tangible improvement in the labour market situation and persistently high levels of youth and long-term unemployment, and therefore calls for active labour market measures;

31. Notes that there is still insufficient dialogue between the two sides of industry and calls for further strengthening of the rights of those who set up new trade unions; welcomes amendments to labour law to regulate the rights of employees in the event of bankruptcy; encourages the government to accelerate the work on its first employment and social reform programme with a view to identifying and addressing Montenegro's key challenges in employment policy, social inclusion and poverty reduction;

32. Commends the implementation of the Small Business Act, and the fact that Montenegro has joined the EU's Competitiveness of Enterprises and Small and Medium-Sized Enterprises Programme (COSME); calls for the public-sector support schemes for SMEs to be speeded up, as SMEs are one of the leading forces driving economic development;

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33. Continues to be seriously concerned about the delay in the resolution of the bankruptcy procedure of Montenegro's biggest industrial manufacturer, the aluminium plant KAP, which is in breach of the country's obligations under the Stabilisation and Association Agreement (SAA); urges the government and the parties involved to reach a sustainable solution for KAP, in compliance with SAA state aid rules and based on transparency and the rule of law;
34. Regrets that Montenegro has ignored the injunction of the Cypriot court regarding the KAP sale, and calls on Montenegro to fully recognise relevant decisions by the judicial authorities of EU Member States;
35. Encourages Montenegro to continue progressing in the field of environment protection and climate change by strengthening administrative capacity, developing sustainable energy policies and promoting an eco-friendly economic model that stimulates investments, in order to ensure alignment with the environmental and climate acquis; recalls the need to draft a national energy strategy which takes into account the many different renewable energy sources, and the need to respect the natural heritage and the areas under protection and international recognition; calls urgently for consultations on transboundary projects;
36. Calls for long-term planning with regard to tourism along the coastline, and for the creation of strong mechanisms to prevent the destruction of the environment and corruption in the field of spatial planning and construction;
37. Commends Montenegro's proactive participation and constructive role in regional and international cooperation, and in the process of regional reconciliation; congratulates the government on having achieved full alignment with the EU's Common Foreign and Security Policy and encourages the authorities to continue to align the country's foreign policy position with that of the EU, particularly given the current situation of the international terrorist threat; congratulates the government on being the only EU candidate in the Western Balkans, together with Albania, to fully align with the EU's positions and decisions on the situation in Ukraine; calls on the Montenegrin authorities to step up cooperation with international political and economic partners in order to strengthen the country's resilience against external pressures and attempts to destabilise the country and the region; welcomes the country's participation in EU, NATO and UN civilian and military missions;
38. Calls on all NATO members, in particular those EU Member States which belong to NATO, to actively support Montenegro's accession to the NATO alliance in order to provide greater security in the Adriatic, where all the other countries are already NATO members, and hence enhance regional security;
39. Encourages Montenegro to address the outstanding bilateral issues with its neighbours as early as possible in the accession process, in a constructive and neighbourly spirit; reiterates the need to swiftly settle the still pending border demarcation and succession issues with Croatia, Bosnia and Herzegovina, Serbia and Kosovo; encourages further cooperation with neighbouring countries by sharing experiences of the accession negotiations; welcomes Montenegro's observer status in the Energy Charter Treaty;
40. Urges that the border issue with Croatia be resolved by mutual agreement without delay and, should a mutually agreed solution prove impossible to find, calls for the dispute to be settled in the International Court of Justice in The Hague, in accordance with the rules and principles of international law;
41. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the government and parliament of Montenegro.
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## **2014 Progress Report on the former Yugoslav Republic of Macedonia**

### **European Parliament resolution of 11 March 2015 on the 2014 Progress Report on the former Yugoslav Republic of Macedonia (2014/2948(RSP))**

(2016/C 316/06)

*The European Parliament,*

- having regard to the European Council decision of 16 December 2005 to grant the status of candidate country for EU membership as well its conclusions of 17 December 2013; having regard to the conclusions of the Council of the European Union of 16 December 2014,
  - having regard to the Presidency conclusions of the Thessaloniki European Council of 19-20 June 2003 concerning the prospect of the Western Balkan countries joining the Union,
  - having regard to the eleventh meeting of the Stabilisation and Association Council between the country and the EU, held on 23 July 2014,
  - having regard to the Commission's Progress Report (SWD(2014)0303) and to its communication of 8 October 2014 entitled 'Enlargement Strategy and Main Challenges 2014-2015' (COM(2014)0700), as well as to its Indicative Strategy Paper (2014-2020) adopted on 19 August 2014,
  - having regard to UN Security Council resolutions 817 (1993) and 845 (1993),
  - having regard to the judgment of the International Court of Justice on the Application of the Interim Accord of 13 September 1995,
  - having regard to the opinion of the Venice Commission on the seven amendments to the Constitution of the country, adopted on 10-11 October 2014,
  - having regard to the findings of the OSCE/ODIHR international election observation mission carried out for the presidential and early parliamentary elections,
  - having regard to the 12th meeting of the EU-Former Yugoslav Republic of Macedonia Joint Parliamentary Committee (JPC) held on 26-27 November 2014,
  - having regard to its previous resolutions,
  - having regard to the work of Ivo Vajgl as the standing rapporteur on the country of the Committee on Foreign Affairs,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the former Yugoslav Republic of Macedonia has been an EU candidate for nine years and is the most advanced country in terms of alignment with the *acquis*;
- B. whereas the Commission has recommended to the Council, for the sixth consecutive time, the opening of negotiations; whereas the country is prepared to negotiate with the EU; whereas for the past eight years Parliament has called continuously for the opening of accession negotiations with the country, and whereas further delays in opening the negotiations might have a negative impact on the reform processes in the country and the credibility of the EU in the region;
- C. whereas the Council has been blocking progress to the next stage of the accession process owing to the unresolved name issue with Greece; whereas bilateral issues are not meant to obstruct the accession negotiations with the European Union; whereas the lack of progress in the EU integration process may increase the costs for regional stability, affect the EU's credibility and lead to a decline in the country's democratic standards;
- D. whereas this further postponement is adding to the growing frustration of Macedonian public opinion at the stalemate in the EU integration process, and risks exacerbating domestic problems and internal tensions;

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- E. whereas each (potential) candidate country will be judged on its own merits, and the speed and quality of the necessary reforms determines the timetable for accession;
- F. whereas bilateral issues should be addressed in a constructive spirit as early as possible, taking into account the principles and values of the UN and of the EU;
- G. whereas the lack of constructive and inclusive government-opposition dialogue and the post-election boycott by the opposition have plagued parliamentary work; whereas it is the shared responsibility of both government and opposition to ensure sustainable political cooperation, which is essential for the country's democratic development and the pursuit of the European agenda; whereas the elections took place under biased media coverage and in a climate of insufficient separation of state and party activities;
- H. whereas at the 12th meeting of the JPC no joint recommendation could be adopted; whereas a fully functioning JPC is instrumental in ensuring parliamentary control over the accession process;
- I. whereas the rule of law, freedom of the media, regional cooperation and good neighbourly relations are essential parts of the EU enlargement process;
- J. whereas corruption and organised crime continue to be serious problems; whereas freedom of expression and the independence of the media continue to be under threat;
1. Reiterates, for the ninth consecutive time, its call on the Council to set a date for the start of accession negotiations without further delay, so as not to lose the momentum and in order to boost acquis-related reforms and strengthen the democratisation process; reiterates its view that the name issue, which is a bilateral issue, must not represent an obstacle to the launch of accession negotiations although it should be solved before the end of the accession process; endorses the Commission's consideration that the failure of the parties to reach a compromise after almost two decades of mediated talks is having a direct and adverse impact on the European aspirations of the country and its people; invites both governments to take concrete steps towards finding a mutually acceptable solution; reiterates the importance and necessity of a constructive approach to challenges with neighbours on these bilateral issues;
2. Recalls the commitment of Member States to revert to the issue in 2015 with a view to opening accession negotiations; considers that starting EU negotiations can only positively influence efforts towards resolving bilateral disputes while also generating further much-needed reforms, particularly in respect of the rule of law, the independence of the judiciary and the fight against corruption; emphasises that continuing to delay the opening of negotiations entails an increasing and unpredictable cost for the country as well as for regional stability; stresses that further prolonging the status quo undermines the credibility and effectiveness of the EU's enlargement policy and its position in the region;
3. Reiterates its position that bilateral issues should not be resorted to in order to hinder the accession process; considers that they should not represent an obstacle to the official opening of accession negotiations, but should be addressed as early as possible in the accession process; is mindful of the lack of compliance by one of the parties with the ruling of the International Court of Justice of 5 December 2011 on the application of the Interim Accord of September 1995; invites Greece to reaffirm its commitment made in the 2003 Thessaloniki Agenda, and to create a positive environment for settling bilateral differences in the spirit of European values and principles; calls for further progress, including in high-level contacts between the governments and in bilateral relations with Bulgaria with a view to negotiating an agreement on good neighbourly relations which would address common issues; reiterates its concern over the use of historical arguments in the current debate with neighbours, and welcomes any efforts towards joint celebrations of common historical events with neighbouring EU Member States; considers that this could contribute to a better understanding of history and good neighbourly relations;
4. Calls for more active EU engagement on the name issue, and supports a proactive approach on the part of EU political leaders; invites the new Vice-President/High Representative (VP/HR) to develop new initiatives to overcome the current stalemate and to work, in cooperation with the UN Special Representative, towards a mutually acceptable solution; calls on the Council to conduct a thorough discussion on the Macedonian EU accession perspective in the first half of 2015; insists that all candidate and potential candidate countries should be treated in the integration process on their own merits; believes that the continuation of the High Level Accession Dialogue with the Commission would bring additional quality to the reform process;

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5. Calls on all NATO members, and especially all EU Member States which are NATO members, to actively support the accession of the country to NATO in order to achieve greater security and political stability in south-east Europe;
6. Encourages the establishment of cross-border cooperation in the areas of history, culture and education and the promotion of European values that support efforts towards democratic changes; in that respect, calls on neighbouring EU Member States, in the spirit of good neighbourly relations, to support the willingness to introduce democratic changes, which means supporting the opening of the negotiation process;
7. Encourages the country to establish joint expert committees with its neighbours on history and education, with the aim of contributing to an objective interpretation of history, strengthening academic cooperation, and promoting positive attitudes in young people towards their neighbours;
8. Strongly encourages the authorities and civil society to take appropriate measures for historical reconciliation in order to overcome the divide between and within different ethnic and national groups, including citizens of Bulgarian identity;
9. Takes note of the proposed package of amendments to the Constitution; is of the opinion that some proposals, including the provisions concerning the definition of marriage and the formation of international financial zones, could be further improved in line with the recommendations of the Venice Commission; recalls also the need to respect the European Convention on Human Rights as well as to take account of the EU acquis; stresses the need for careful preparation of the implementing legislation for any constitutional changes; emphasises that the process of long-lasting constitutional change requires broad political support, constructive dialogue and cooperation between all political forces; stresses the need for an all-inclusive public debate and careful consultation and the building of consensus with opposition parties, civil society and relevant stakeholders;
10. Is concerned at the polarised domestic climate; urges the government to respect the role of the parliament by providing sufficient scope and time for consultations, including on constitutional changes, in the interest of enabling full, independent parliamentary control; calls on the government and on all political parties to work towards improving relations in order to maintain political stability, to ensure sustainable constructive political cooperation, and to accelerate the European agenda; recalls that compromises are fundamental for a functioning democracy; underlines the need to improve the inclusiveness and transparency of the accession process; stresses that the post-election boycott is a problem that needs to be solved in a spirit of shared responsibility between government and opposition with regard to the correct functioning of the parliament; invites the VP/HR to engage with all parties in order to facilitate political dialogue;
11. Is seriously concerned at the worsening of relations between the government and the opposition, particularly with regard to the recent announcement of charges against the opposition leader by the Prime Minister and also to the counter-accusations of criminal wrongdoing; condemns all illegal surveillance, and calls for all allegations to be published and freely reported; calls for an independent investigation into all allegations and the surveillance carried out, on a basis of full respect for the principles of transparency, impartiality and the presumption of innocence; reiterates the importance of upholding the fundamental principle of freedom of expression; calls on all political actors to engage in constructive dialogue in order to keep the focus on the strategic priorities of the country and its citizens;
12. Regrets the absence of the opposition in the regular work of the JPC; considers it essential to ensure the proper functioning of the JPC through the proper representation of all parliamentary parties in its proceedings;
13. Is concerned that interethnic coexistence remains fragile and poses a challenge for the country; is concerned about rising interethnic tensions exposing the lack of trust between communities; strongly condemns the use of ethnocentric and divisive language, particularly during election campaigns; emphasises that the start of EU accession talks can help the country better address this challenge by strengthening interethnic cohesion around that common goal; condemns all forms of extreme nationalism and ethnocentrism which deepen division in society; calls on all political parties and civil society organisations to actively promote an inclusive and tolerant multiethnic and multireligious society and to protect the fundamental rights of all persons belonging to ethnic minorities; recalls that education plays a vital role in achieving tolerance and respect between different people; calls on the Commission to step up projects and programmes aimed at strengthening interethnic dialogue and mutual understanding;



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14. Welcomes the fact that the EU agenda remains the country's strategic priority; encourages the country to further consolidate reforms and to reverse policies and practices which could still constitute obstacles for its European future, and to secure progress in the implementation of EU-related reform priorities, including in the context of the High Level Accession Dialogue;

15. Notes that the presidential and early parliamentary elections of April 2014 were assessed by the OSCE/ODIHR as efficiently administered; shares concerns, however, over the blurred line between state and party activities, which is contrary to international obligations for democratic elections, as well as over biased media reporting and allegations of voter intimidation; welcomes the electoral reforms, but urges the authorities to investigate alleged irregularities before and during the elections; calls on the government to address all ODIHR recommendations in due time in order to improve the electoral process, including the management and accuracy of the electoral registers; also, in this regard, recalls the need to draw up electoral registers corresponding to international standards;

16. Urges the government to address the shortcomings in the implementation of IPA assistance, such as the systemic problems of the control system, insufficient intrainstitutional and interinstitutional coordination, the backlog in procurement, the low absorption rate and the low capacity of institutions; calls for the strengthening of the link between EU assistance and national reform strategies and for IPA funds to be used to lever far greater budget decentralisation in the country; calls for action to prevent further losses of assistance and to accelerate programme implementation in order to enhance the impact of EU assistance;

17. Welcomes the adoption of the new legislative framework for the civil service and public employment in February 2014, as a step towards providing for a unified, transparent and accountable public administration; is concerned that, despite legislative progress, the public administration remains fragmented, politicised and subject to political influence; strongly encourages it to enhance its professionalism and independence at all levels; encourages efforts to implement the law, with due respect for the principles of transparency, merit and equitable representation; invites the government to adopt a public financial management reform program;

18. Urges the full implementation of the Ohrid Framework Agreement (OFA); calls for the completion of the review of its implementation, to result in policy recommendations; strongly recommends considering the OFA an essential element for the rule of law, inter-community relations and continued decentralisation; strongly encourages the development of local governance and the promotion of long-term confidence-building measures at the political level, such as holding public debates to explain the benefits of the OFA; calls on the government and the competent local authorities to proceed with the implementation of the Strategy on Integrated Education and to provide increased funding for that purpose; considers it important to include civil society organisations (CSOs) in the process; recommends a more proactive approach in order to ensure the ethnic, cultural and linguistic identities of all communities;

19. Welcomes the high level of alignment with the legislative acquis and the improving efficiency and professionalism of the courts as a result of comprehensive judicial reforms; is concerned, however, about undue political influence over certain court proceedings, and emphasises that the judiciary should remain independent of all external pressures of the parliamentary and executive branches; stresses the need to ensure proper implementation of judicial standards in line with European norms and best practice; calls for the unification of jurisprudence in order to ensure a predictable judicial system and public trust; calls for improvement of the quality of justice, increased use of non-judicial remedies and alternative dispute resolution, better strategic planning, better access to justice for vulnerable members of society and more involvement of professional and civil society organisations in monitoring judicial independence;

20. Notes the positive developments in the implementation of the 2011-2015 anti-corruption programmes, and the strengthening of the personal and institutional integrity system as well as of interinstitutional and international cooperation; notes the outstanding substantial issues related to the implementation of money-laundering legislation, including cross-border issues, the conduct of national risk assessment and improving operational efficiency; reiterates that an independent and fully functional State Commission for the Prevention of Corruption should be the leading state institution tackling this issue; in order to improve the work of that Commission, calls on the competent authorities to enhance IT interconnectivity between the courts and the prosecution service and to create a central register of public officials;

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21. Calls for the more efficient implementation of anti-corruption policies and legislation, particularly in politics, public administration, public procurement and law enforcement, as well as for the enhancement of administrative capacities; urges the country to achieve a track record for convictions in combating corruption, including high-level cases; calls on independent CSOs and media to expose corruption and champion independent and impartial investigations and trials; calls on the public prosecutor's office to enable adequate and timely investigation of claims in this area;

22. Notes with satisfaction that the legal and institutional framework is in place regarding the fight against organised crime; commends the country's active regional and international cooperation, including through Eurojust and Europol; welcomes the fact that a number of successful police operations against organised groups have been carried out, in particular cutting off international routes for drug trafficking and smuggling of migrants;

23. Condemns all forms of political and/or religious extremism and sees a need for cross-border cooperation with other Western Balkan countries and EU Member States; welcomes the changes to the Criminal Code which further define both offence and penalties for persons participating in political and/or religious extremism; strongly reiterates the need for a common proactive strategy for foreign, security and defence policy, having in view the current international terrorist threat; recalls that public policy should combat all forms of extremism, and that stigmatisation of any one religious group in this context should be carefully avoided;

24. Regrets the lack of cooperation with CSOs and public stakeholders in lawmaking; points out that such cooperation should be based on the government's genuine will to consult various stakeholders in both lawmaking and policymaking; stresses the crucial role that CSOs can play in raising public awareness of the accession process and making it more transparent, accountable and inclusive; encourages the government to help develop civil society in rural areas as well; calls on the government to initiate substantial debate with universities, academics and students on higher education reform;

25. Encourages the authorities to retrieve the relevant Yugoslav secret service archives from Serbia; takes the view that transparent handling of the totalitarian past, including the opening-up of the archives of the secret services, is a step towards further democratisation, accountability and institutional strength;

26. Is very concerned that political and financial pressures are constantly and significantly undermining media independence; deplores the continued deterioration in freedom of expression, resulting in the lowest level of press freedom in the region; regrets in this context that in the index compiled by Reporters Without Borders the country has fallen from 34th place in 2009 to 117th in 2015; notes with growing concern state control over the media, including continued dependence on the state budget, frequent resort to self-censorship, and poor professional standards and ethics; notes with concern the resort to defamation in the political and media context; while noting that some steps have been taken to restore the dialogue between government and the media community, regrets that the law on audiovisual services has been amended by a fast-track procedure without due consultation with media stakeholders;

27. Urges the government to pursue policies enhancing media pluralism and diversity of opinion, and to guarantee the independence of the public broadcaster and the media regulator; notes with concern that the public broadcaster has displayed significant bias in favour of the governing parties, both during electoral campaigns (as reported in the OSCE/ODIHR reports) and in non-campaign circumstances (as reported in the Commission's Progress Report); welcomes the fact that the government has made data on government advertising publicly available; calls on the government, however, to enhance the transparency of the criteria used in the allocation of funds; strongly recommends to the Commission that it be more active in monitoring and advising on policy developments and in encouraging dialogue among all media stakeholders;

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28. Reminds the government and the political parties of their responsibility to create a culture of inclusion and tolerance; calls for the anti-discrimination law to be aligned with the *acquis* as it does not prohibit discrimination on the grounds of sexual orientation; condemns all violence against the LGBTI community and calls for the perpetrators, including those responsible for violent incidents against the LGBTI Support Centre in Skopje, to be brought to justice; underlines the need to combat prejudices and discrimination against the Roma and to take further measures to improve their situation, particularly in the areas of housing, health, education and employment; calls on the authorities to ensure a gender perspective in all policy areas aimed at ensuring equality between men and women; reiterates its concern at the continued existence of gender stereotypes in society and at domestic violence; encourages the government to address the structural gender and pay gap in the economic, political and social fields; calls on the Commission to fulfil its own commitment to making the Employment and Social Policy Chapter a priority in the accession process, by launching an initiative in this respect in the High Level Accession Dialogue with the country;

29. Remains concerned at the high rates of child poverty and lack of capacity of the institutions responsible for implementing policies and strategic actions in this field; urges the government to step up its efforts to implement the revised national strategy on poverty and social exclusion; urges that greater attention be paid to ensuring fair and effective access to justice for all children; stresses the need for additional efforts by the government to support children with disabilities and children from the Roma community; calls for further efforts to be made to improve children's health and nutrition, with Roma children being a particular concern;

30. Welcomes the fact that the country continues to be the regional leader in terms of ease of doing business, as well as its improved performance in the World Bank global ranking, in which it has risen from 31st in 2013 to 30th in 2014; notes, however, that difficult contract enforcement and frequent legal changes without adequate consultation pose serious challenges to the business climate; underlines, at the same time, the importance of making progress as regards labour law and strengthening the social dialogue; stresses the need to further improve the business environment by supporting SMEs, reducing regional disparities, and linking R&D institutions to the business and employment sector;

31. Welcomes the fact that FDI inflows have remained stable and have allowed greater export diversification; notes that 80 % of total FDI stock originates from EU companies, with trade flows in goods and services with the EU having further increased; reiterates the importance of attracting foreign investment, and believes that the delay in the EU accession process may represent an obstacle to deeper economic integration; recognises the need to increase public revenues and create jobs in high-productivity sectors, as the overall structure of the economy remains focused on low-productivity activities; stresses that all rules covering the international financial zones should be in conformity with the *acquis* and with international requirements;

32. Welcomes the reduction in the overall unemployment rate from 29,9 % in the first quarter of 2013 to 27,9 % in the third quarter of 2014; calls on the government to renew its efforts to further reduce structural and long-term unemployment, in particular among young people (for whom the rate stands at over 50 %) and vulnerable groups including the Roma; calls for the adoption of reforms to increase labour force participation and labour mobility as well as to reduce the large informal sector which continues to hamper competition; is concerned that the level of education and training of the workforce often fails to correspond to the real needs of the economy, and that a large number of young skilled workers are consequently being forced to emigrate owing to the difficulty of finding adequate employment opportunities within the country; expresses its concern at recent legislative changes that challenge the right to strike, and calls on the authorities to revise the legislation in line with ILO standards;

33. Notes the steps taken to reduce unemployment among women, but calls on the government to do more since unemployment among women is still much higher than the EU average;

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34. Points out that significant efforts are needed, in cooperation with civil society and relevant stakeholders, in the field of the environment and in particular in the areas of air and water quality, nature protection and waste management; is concerned about air and water pollution; notes with concern the concentration of harmful particles, which is several times above the permitted limit, especially in Skopje, Tetovo, Bitola, Kičevo and Kavadarci; calls on the competent authorities to increase their cooperation with a view to implementing the relevant legislation, strengthening administrative capacities and allocating sufficient funds for investment in infrastructure such as waste water treatment plants;
35. Regrets that the 2013 energy targets have not been met, with regard in particular to energy efficiency and the use of renewables; calls, in this regard, for adoption of the relevant action plans and alignment with EU climate policy;
36. Welcomes the fact that the country has remained active and constructive in regional cooperation and has no outstanding border issues with its neighbours; welcomes its upcoming presidency of the Central European Initiative; invites the government to improve the overall level of alignment with CFSP declarations and decisions; underlines the importance of progressive alignment with the EU's foreign policy positions;
37. Welcomes the progress made on and willingness to finalise the rail link between the country and Bulgaria, which will lead to better economic and social relations;
38. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the Government and Parliament of the country.
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P8\_TA(2015)0065

**2014 Progress Report on Serbia****European Parliament resolution of 11 March 2015 on the 2014 Progress Report on Serbia (2014/2949(RSP))**

(2016/C 316/07)

*The European Parliament,*

- having regard to the Presidency conclusions of the Thessaloniki European Council of 19 and 20 June 2003 concerning the prospect of the Western Balkan countries joining the European Union,
  - having regard to Council Decision 2008/213/EC of 18 February 2008 on the principles, priorities and conditions contained in the European Partnership with Serbia and repealing Decision 2006/56/EC <sup>(1)</sup>,
  - having regard to the Commission opinion of 12 October 2011 on Serbia's application for membership of the European Union (SEC(2011)1208),
  - having regard to the Stabilisation and Association Agreement (SAA) between the European Communities and their Member States and the Republic of Serbia that entered into force on 1 September 2013,
  - having regard to UN Security Council Resolution 1244 (1999), to the Advisory Opinion of the International Court of Justice (ICJ) of 22 July 2010 on the question of the accordance with international law of the unilateral declaration of independence in respect of Kosovo, and to UN General Assembly resolution A/RES/64/298 of 9 September 2010, which acknowledged the content of the opinion and welcomed the readiness of the EU to facilitate the dialogue between Belgrade and Pristina,
  - having regard to the Declaration and Recommendations from the second EU-Serbia Stabilisation and Association Parliamentary Committee meeting of 26-27 November 2014,
  - having regard to the European Council conclusions of 28 June 2013,
  - having regard to the Commission's 2014 progress report on Serbia of 8 October 2014 (SWD(2014)0302),
  - having regard to the conclusions of the General Affairs Council of 16 December 2014,
  - having regard to its resolution of 16 January 2014 on the 2013 Progress Report on Serbia <sup>(2)</sup>,
  - having regard to its resolution of 27 November 2014 on Serbia: the case of the accused war criminal Šešelj <sup>(3)</sup>,
  - having regard to the work of David McAllister as the Foreign Affairs Committee's standing rapporteur on Serbia,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the European Council of 28 June 2013 decided to open accession negotiations with Serbia; whereas the first intergovernmental conference (IGC) took place on 21 January 2014;
- B. whereas in its 2014 Progress Report on Serbia the Commission reports on the progress made by Serbia towards European integration, assessing its efforts to comply with the Copenhagen criteria and the conditionality of the Stabilisation and Association Process;
- C. whereas Serbia, like every country aspiring to EU membership, must be judged on its own merits in terms of fulfilling, implementing and complying with the same set of criteria, and whereas the speed and quality of the necessary reforms determines the timetable for accession;
- D. whereas the EU has placed the rule of law at the core of its enlargement policy;

<sup>(1)</sup> OJ L 80, 19.3.2008, p. 46.

<sup>(2)</sup> Texts adopted, P7\_TA(2014)0039.

<sup>(3)</sup> Texts adopted, P8\_TA(2014)0065.

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- E. whereas the Commission has highlighted the need to strengthen economic governance, the rule of law and public administration capacities in all of the Western Balkan countries;
- F. whereas Serbia has taken important steps towards the normalisation of relations with Kosovo, resulting in the First Agreement on the Principles of Normalisation of Relations of 19 April 2013; whereas further steps are urgently needed in order to deal with all pending issues between the two countries;
- G. whereas good neighbourly relations constitute a key element of the successful European integration of any country, and whereas bilateral issues should be addressed in the accession process in accordance with the negotiating framework, in a constructive and neighbourly spirit, taking account of the EU's overall interests and values; whereas important steps have been taken in the historical reconciliation process between Serbia and its neighbours;
- H. whereas the implementation of the legal framework on the protection of minorities needs to be fully ensured, notably in the areas of education, use of language, and access to media and religious services in minority languages;
- I. whereas Serbia's Chairmanship-in-Office (CiO) of the OSCE in 2015 comes at a time of lasting conflict in eastern Ukraine and when the OSCE is celebrating 40 years since the adoption of the Helsinki Final Act;
1. Welcomes the formal beginning of accession talks that took place on 21 January 2014 at the first EU-Serbia IGC and the high level of preparedness and engagement in the screening process of the EU *acquis* demonstrated by the Serbian Government;
  2. Welcomes the conduct of the early parliamentary elections, which were assessed positively by the international observers; calls on the authorities to address fully the recommendations of the last and previous OSCE/ODIHR election observation missions;
  3. Underlines the progress in and the importance of improving the implementation of the EU-Serbia Stabilisation and Association Agreement (SAA); stresses that the SAA provides the general framework for Serbia and the EU to intensify their cooperation;
  4. Welcomes the commitment shown by the new Serbian Government to the European integration process, and calls on Serbia to tackle decisively and head-on the systemic and socio-economic reforms; underlines that the thorough implementation of legislation and policies remain a key indicator of a successful integration process; calls on Serbia to improve the planning, coordination and monitoring of implementation of new legislation and policies; underlines the need to improve the inclusiveness and transparency of the accession process; stresses that Serbia has to make further progress on its reform priority, the rule of law;
  5. Encourages that the opening of the negotiating chapters should take into consideration developments on the technical level, but also the political context of relations between Serbia and the EU; stresses that Chapters 23 (Judiciary and Fundamental Rights) and 24 (Justice, Freedom and Security) should be tackled early in the negotiations; insists that Chapter 35 of the EU *acquis*, concerning relations with Kosovo, should be clearly defined; underlines that the negotiating framework provides a yardstick for establishing whether progress under one chapter is significantly lagging behind the progress in negotiations overall, thus enabling the Commission to recommend the delayed opening or closure of other negotiating chapters;
  6. Notes that the recently published report by the European Court of Auditors (ECA) has found that the funding from the Instrument for Pre-accession Assistance (IPA), along with other forms of support, has helped Serbia to implement social and economic reforms and to improve its public finance management; notes, however, that the reform of the judicial sector is significantly lagging behind; calls on Serbia to align with the EU *acquis* in the area of state aid; welcomes the overall effective use of EU financial and non-financial assistance, as noted by the ECA, and encourages the authorities to build on good governance practices and address remaining weaknesses in project design, implementation and sustainability; calls on the Commission to continue its assistance to Serbia within the framework of the IPA in an effective and transparent way;

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7. Is concerned at the fact that the majority of laws are adopted under the urgency procedure, which does not always allow for sufficient consultation of stakeholders and the wider public;

8. Notes that the floods of May 2014 in Serbia have gravely affected the population and have had a negative impact on the economy; extends its condolences to the families of the victims; welcomes the fact that the EU as well as individual Member States provided immediate and substantial rescue and relief efforts on the request of Serbia, organising a donors' conference in July 2014; stresses that the Commission has invited Serbia to join the EU Civil Protection Mechanism and welcomes the fact that on 16 October 2014 Serbia expressed its interest in doing so;

9. Welcomes the First Agreement on the Principles of Normalisation of Relations reached in the high-level dialogue between the Prime Ministers of Serbia and Kosovo on 19 April 2013; welcomes Serbia's engagement in the normalisation process with Kosovo, and strongly encourages the Serbian authorities to play a constructive role in this process, as well as in the development of good neighbourly relations which can serve the interests of both Serbia and Kosovo; notes that the pace of the overall negotiations has slowed down, due, inter alia to the holding of early elections in both Serbia and Kosovo; welcomes the formation of a new government in Kosovo, which is an important step for the resumption of the high-level dialogue of 9 February 2015 that led up to the agreement on the judiciary in Mitrovica, and also welcomes, in this respect, the constructive role of the Serbian Government in encouraging the elected representatives of the Serbian minority to participate and assume their responsibilities within the new coalition government in Pristina; calls on Serbia and Kosovo to move forward with the full implementation of all the already-reached agreements, in good faith and in a timely manner, and on the EU to carry out an evaluation of the performance of the parties in fulfilling their obligations; encourages the Serbian and Kosovo authorities to further normalise their relations; calls for continuous efforts by both sides to bring ethnic Albanian and Serbian communities closer together; underlines that the negotiating framework requires progress in the process of normalising relations with Kosovo under Chapter 35 to be made in parallel with progress in negotiations overall; stresses that Chapter 35 should be opened early in the negotiations; considers that full normalisation of relations between Serbia and Kosovo would facilitate Serbia's accession to the EU;

10. Calls on the Serbian and Kosovo authorities to step up cooperation to clamp down and dismantle the criminal networks that are controlling, exploiting and smuggling irregular migrants from Kosovo to some EU Member States through Serbia;

11. Calls on Serbia to make stronger efforts in aligning its foreign and security policy to that of the EU, including policy on Russia; regrets that Serbia did not align itself, when invited, with the Council decisions introducing restrictive measures against Russia, keeping in mind, however, the traditionally strong economic, social and cultural ties that exist between the two countries; believes that Serbia can play a key role in EU-Russia relations; welcomes Serbia's active participation in international peacekeeping operations; notes that Serbia has hosted with honours some persons falling under the EU's visa ban and organises military drills with the Russian army;

12. Welcomes Serbia's Chairmanship-in-Office (CiO) of the OSCE in 2015 and its priorities; notes that Serbia as CiO of the OSCE is willing to support all means to step up efforts to resolve existing conflicts in the OSCE area in a peaceful manner; encourages Serbia to take advantage of this Chairmanship to contribute to stabilising the situation in eastern Ukraine, acting as a mediator; furthermore acknowledges Serbia's readiness to further promote regional cooperation; calls on Serbia as current OSCE Chair-in-Office to help restore the OSCE as a comprehensive platform for tackling security issues in Europe;

13. Encourages Serbia to further cooperate with the International Criminal Tribunal for the former Yugoslavia (ICTY), to strengthen domestic war crimes trials and continue to strengthen its efforts regarding regional cooperation to end impunity and bring justice to the victims of war crimes and their families; highlights the urgent need to adopt comprehensive legislation and policy for the protection of witnesses and to provide the victims and their families with the right to reparations; reiterates its support for the REKOM initiative;

14. Calls on Serbia in the spirit of reconciliation and good-neighbourly relations to consider its Law on Organisation and Competence of State Authorities in War Crimes Proceedings in cooperation with its neighbours and with the Commission;

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15. Calls on Serbia to intensify its cooperation with neighbouring countries and to strengthen its efforts in the search for missing persons, and to fully share all relevant data; urges the Serbian authorities, in this regard, to open up the archives of the Yugoslav People's Army in order to establish the truth of past tragic events and obtain information; furthermore urges the authorities to open up and facilitate transparent access to those archives that concern former republics of Yugoslavia and to the documents of the former intelligence agency (UDBA), including by providing them to the respective governments;

16. Welcomes the signing, under the auspices of the International Commission on Missing Persons (ICMP), of the Declaration on the Role of the State in Addressing the Issue of Persons Missing as a Consequence of Armed Conflict and Human Rights Abuses; highlights the need to strengthen efforts to find and identify missing persons and locate mass graves from the wars in Croatia, Bosnia and Herzegovina and Kosovo, as well as to ensure the right of victims' families to know the fate of their missing family members;

17. Appreciates the constructive approach of the Serbian Government to relations with neighbouring countries, since this has enabled substantial progress in both regional cooperation and closer relations with the EU; encourages Serbia to work even more closely with neighbouring countries and to initiate further steps for trans-border cooperation, in order to improve, inter alia, the economic development of border regions and areas populated by minorities; emphasises the importance of promoting policies of exchange and contact among young people in the framework of reconciliation; welcomes generally the compliance of Serbia with its international obligations and the fact that it has further developed bilateral relations with its neighbours; reiterates the crucial importance of reconciliation; encourages Serbia to fully implement bilateral agreements with neighbouring countries and to address its open bilateral issues with a pragmatic approach; welcomes the meeting between the Prime Ministers of Serbia and Albania on 10 November 2014 in Belgrade; encourages Serbia to actively support and constructively contribute to the progress of Bosnia and Herzegovina towards European integration; equally welcomes the fact that Serbia has continued to participate actively in regional initiatives, such as the South-East Europe Cooperation Process (SECEP);

18. Stresses the essential role of the Serbian Parliament as well as of civil society in the accession negotiations process; welcomes Parliament's adoption on 4 June 2014 of the Decision regulating the procedure of consideration of negotiating position proposals during the accession negotiations; welcomes the adoption of guidelines for the inclusion of civil society organisations in the regulation adoption process on 26 August 2014, and calls on greater involvement of civil society in the integration process; invites the government to refrain from anti-EU rhetoric and to conduct regular dialogues and public consultations with all relevant stakeholders so as to ensure full transparency of the negotiations and to provide all information for a constructive debate regarding the functioning of the EU and its membership and to facilitate their broad participation in this process;

19. Commends the work of independent regulatory bodies and their contribution to improving the legal framework and accountability of state institutions; underlines that state institutions must act in a transparent and accountable manner; supports the work of independent state authorities such as the Ombudsman, the Commissioner for Information of Public Importance, and others; calls on the state authorities to protect the independence of these offices and fully cooperate with them when they exercise their powers; considers that the authorities should provide them with all financial and administrative resources necessary for their work; stresses that their recommendations need to receive proper follow-up and their independence needs to be fully respected;

20. Condemns the ungrounded public denunciation of the Ombudsman by government ministers, stresses that the role of the Ombudsman is central to the system of checks and balances of the government and calls on the authorities to ensure that the independence and integrity of the Ombudsman are preserved; calls on the authorities to provide the Ombudsman with full political and administrative support for his work and to safeguard his right to request official documents in line with the Law on Public Information;

21. Underlines the fact that Serbia has ratified the major labour rights conventions of the ILO as well as the revised European Social Charter; draws attention to the fact that labour and trade union rights still remain limited despite constitutional guarantees, and calls on Serbia to further enhance these rights; notes that additional procedures governing trade unions and the right to strike are required in order to ensure clarity; notes that there are only a few sectorial collective agreements, while several have expired and are in need of being renewed; is concerned that the social dialogue remains weak and the consultation of social partners irregular; calls for further steps to be taken to strengthen the social dialogue and these actors' consultative role in lawmaking;



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22. Reiterates the importance of promoting, protecting and implementing human rights and fundamental freedoms at all levels of Serbian society, with no discrimination in any form and in accordance with European and international standards; notes that an action plan for the implementation of the anti-discrimination strategy was adopted on 2 October 2014, calling for respect for women, persons with disabilities, LGBT persons, and all minorities, national, ethnic or sexual, and for the securing of their rights; encourages the Serbian authorities to make further efforts to guarantee equal representation of women in political and public life; notes that administrative capacity in the field of gender equality remains weak, and urges the Serbian authorities to increase their efforts to this end; welcomes the decision by the Government of Serbia to allow the organisation of the Pride Parade, which took place in Belgrade on 28 September 2014 without major incidents, and commends the government for their support and also the police for the facilitation thereof;

23. Commends the establishment of the National Council for Child Rights, and encourages this body to make full use of its mandate in order to make sure that children's rights priorities are fully reflected in the Action Plans that the Government of Serbia is developing as part of the accession process;

24. Notes that steps were taken in the implementation of the Strategy and the Action Plan on judicial reform for the period 2013-2018; welcomes the adoption of rules for evaluation of the work of the judges and prosecutors; stresses the vital importance of an independent judiciary, and highlights the need for the reform of the judiciary to be completed so as to ensure the full independence and impartiality of judges and prosecutors; calls on the authorities not to delay the adoption of the draft law on legal aid while ensuring that the most vulnerable citizens are not excluded from accessing free legal aid services; stresses the importance of resolving the issue of cases of abuse of office, and expresses its concern at the reclassification en masse of these cases; stresses that constitutional reforms are needed to ensure the independence of the judiciary;

25. Welcomes the strong political impetus to fight corruption, and the further implementation of the recommendations of the Group of States against Corruption (GRECO); welcomes the adoption by the Serbian Parliament on 25 November 2014 of the law on whistle-blower protection; welcomes the fact that several investigations into high-level cases are being conducted and that efforts have been made to improve coordination; underlines that significant efforts are needed to enhance and fully enforce the legal framework for the fight against corruption, and to back reforms with appropriate resources; stresses that leaks to the media about ongoing investigations, in breach of the presumption of innocence, are an issue of serious concern and should be investigated, processed and eliminated in line with the law; condemns also the pressure exerted by media or political parties on independent anti-corruption bodies, and in this regard considers that the powers of and resources for the Anti-Corruption Agency should be strengthened; notes that such practices may significantly slow the progress of the accession negotiations; calls for further action to protect the independence and integrity of the judicial system and access to justice;

26. Notes that corruption and organised crime are widespread in the region and also represent an obstacle to Serbia's democratic, social and economic development; considers that a regional strategy and enhanced cooperation between all the countries in the region are essential to tackle these issues more effectively;

27. Notes with concern the lack of transparency in the financing of political parties and election campaigns, and, therefore, the high risks of corruption; stresses that the funding of political parties needs to be transparent and in accordance with the highest international standards;

28. Welcomes the adoption of the Law on Public Information and Media, the Law on Electronic Media and the Law on Public Service Broadcasting, and calls for their immediate implementation; underlines that when implementing the new media package the sustainability of public broadcasting in minority languages should also be ensured, as well as the sustainability and financial stability of the public services and of regional and local media; expresses its concern at deteriorating conditions for the full exercise of freedom of expression in Serbia, and emphasises the need for complete transparency in media ownership; expresses its concern about the pressure being put on and threats being made against journalists, which also leads to increased self-censorship, and urges the Serbian authorities to take action in order to bring the perpetrators to justice; notes with concern that political pressure undermines media independence; reiterates the importance of freedom of the media as one of the core EU values; calls on the Serbian authorities to create a media-friendly environment supporting freedom of expression and of the media;

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29. Calls on the Serbian Government to implement the Law on Rehabilitation in a full and non-discriminatory manner; also suggests that it make further amendments to the Law on Restitution in order to remove all procedural obstacles and legal impediments concerning restitution in kind;

30. Welcomes the elections to the National Minority Councils of 26 October 2014; underlines the importance of National Minority Councils in their role of implementation of rights of national minorities, and calls on Serbia to ensure that the level of acquired rights and competences is retained in the process of their legal alignment with the decision of the Constitutional Court of Serbia, as well as for their adequate and ascertainable financing; calls on Serbia to ensure consistent implementation across the country of legislation on protection of minorities, including in relation to education, use of languages, and access to the media and religious services in minority languages, and adequate representation of national minorities in public administration, local and regional bodies, as well as in the national parliament; encourages Serbia's commitment in drafting a specific action plan on the position of national minorities in the framework of the Action Plan for Chapter 23; encourages the Serbian authorities to take further measures to improve the situation of the Roma, particularly when it comes to education, housing and employment; urges the government to increase awareness of civil rights among the Roma population and also to offer equal safety protection for the Roma; stresses the importance of encouraging the Roma to take part in public life; calls on the Serbian authorities to improve the planning, coordination and monitoring of implementation of Roma inclusion policies and actions at national and local level;

31. Underlines the importance of the restitution of property confiscated from minority churches and religious communities under the communist regime; emphasises the role of the state in creating an impartial policy towards historic churches in the country, including those belonging to minorities; stresses that religious freedom cannot be guaranteed in the absence of such restitution;

32. Notes that Vojvodina's cultural diversity also contributes to Serbia's identity and that protecting and supporting its minorities and maintaining and promoting the diversity of nationalities which has functioned well for centuries there is therefore of fundamental concern; calls for multilingualism and cultural diversity to be maintained; stresses, furthermore, that the autonomy of Vojvodina should not be weakened, and reminds the Government to submit the law on the competences and financing of the Autonomous Province of Vojvodina without any further delay;

33. In connection to the importance of European Groupings for Territorial Cooperation (EGTCs) for the further development of cross-border cooperation between EU Member States and their neighbours, calls on the Serbian Government to provide the necessary legal background that would allow Serbian participation in EGTCs;

34. Welcomes the new public administration reform strategy, the creation of a dedicated Ministry of Public Administration and Local Self-Government, and the increased focus on policy planning and coordination following the establishment of the Secretariat for Public Policies, as positive steps towards a more efficient public administration; expresses its concern at the lack of transparency in recruitment of public administration employees and administrative and management capacity at the local level; urges the authorities to ensure a transparent and merit-based process of appointment and promotion of civil servants and public officials;

35. Encourages the Serbian authorities to undertake structural economic reforms so as to support growth, improve the business and investment climate throughout Serbia, and ensure balanced social and economic development across all regions, combat the high levels of unemployment and poverty, carry out fiscal consolidation, and fight corruption, which remains the major threat to the business environment; notes with concern the high youth unemployment figures, and urges the government to address the issue by providing adequate opportunities for young people and education geared to the needs of the labour market; underlines the need to ensure an accessible education system with work and training opportunities for young people and access to European study programmes such as Erasmus; welcomes the adoption of the labour law, the bankruptcy law, the privatisation law and the law on planning and construction, which represent the legislative framework for both structural reforms and the improvement of the business climate;

36. Calls for the improvement of the business environment by implementing the planned structural reforms in this area, strengthening the legal system and ensuring the even implementation of the law; insists on the urgent need to abolish administrative barriers to doing business, particularly with regard to small- and medium-sized enterprises, and points to the importance of the necessary restructuring of public companies while respecting the rights of workers and the significance of public-sector employment for Serbian citizens and their wellbeing, as well as their reliance on essential public services;

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37. Takes note of the work on amending the Criminal Code; notes, however, that legal uncertainty persists in the private sector following the adopted amendments; reiterates its concern at the provisions of the new Article 234 on abuse of responsible positions, which still leaves room for arbitrary interpretation; notes that most of the former cases concerning abuse of office appear to have been reclassified en masse without proper review under the heading of 'abuse of responsible position', and calls, therefore, for an independent and thorough review of the reclassified cases so that long-standing unjust prosecutions can be dropped immediately;

38. Congratulates Serbia on organising the China/Central and Eastern Europe summit in Belgrade; welcomes the plans for enhanced cooperation and hopes it will be in line with European standards; notes the initial agreements on projects concerning energy and infrastructure agreed at the summit, and reminds Serbia and other countries of the region that the projects should take into consideration the long-term objectives of EU policies;

39. Notes that preparations in the area of energy are moderately advanced; stresses that Serbia needs to step up its efforts to align with the *acquis* in the field of energy, particularly in the fields of meeting energy efficiency and renewable energy targets and preventing state aid for the lignite sector, and to achieve unbundling in the gas sector and the restructuring of the public gas company, as a matter of priority; calls on the Commission to support the Serbian Government in its efforts to reduce the country's dependence on energy imports by increasing the diversity of energy sources; encourages Serbia to initiate a revision of its proposed energy strategy; calls on the government to strengthen its efforts in the field of renewable energy, in particular with regard to the Renewable Energy Directive, as this is a necessary step towards achieving energy security and meeting the Europe 2020 goals for renewables;

40. Regrets that too little progress has been made in the areas of the environment and climate change, and calls on the Serbian authorities to adopt quickly a comprehensive countrywide climate policy and strategy in line with EU targets;

41. Is concerned that academic institutions, together with state authorities and public officials, have failed to deal with accusations of plagiarism in universities;

42. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Serbia.

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Wednesday 11 March 2015

P8\_TA(2015)0066

## **The European integration process of Kosovo**

### **European Parliament resolution of 11 March 2015 on the European integration process of Kosovo (2014/2950 (RSP))**

(2016/C 316/08)

*The European Parliament,*

- having regard to the Presidency conclusions of the Thessaloniki European Council of 19 and 20 June 2003 concerning the prospect of the Western Balkan countries joining the European Union,
- having regard to the First Agreement of Principles Governing the Normalisation of Relations, signed by Prime Ministers Hashim Thaci and Ivica Dacic on 19 April 2013, and the Implementation Action Plan of 22 May 2013,
- having regard to the European Council Conclusions of 28 June 2013 adopting the Decision authorising the opening of negotiations on a Stabilisation and Association Agreement between the EU and Kosovo,
- having regard to the Council decision of 22 October 2012 authorising the Commission to open negotiations on a framework agreement with Kosovo on participation in Union programmes,
- having regard to the reports of the Secretary-General of the United Nations on the ongoing activities of the United Nations Interim Administration Mission in Kosovo and developments relating thereto, including the latest report released on 31 October 2014,
- having regard to Council Decision 2014/349/CFSP of 12 June 2014 amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo, EULEX KOSOVO,
- having regard to the conclusions of the General Affairs Council meetings of 7 December 2009, 14 December 2010 and 5 December 2011, which stressed and reaffirmed, respectively, that Kosovo, without prejudice to the Member States' position on its status, should also benefit from the prospect of eventual visa liberalisation once all the conditions had been met,
- having regard to the launch of a visa dialogue in January 2012, to the visa liberalisation roadmap of June 2012, and to the second Commission report of 24 July 2014 on progress by Kosovo in fulfilling the requirements of the visa liberalisation roadmap (COM(2014)0488),
- having regard to the third meeting of the Structured Dialogue on the Rule of Law of 16 January 2014,
- having regard to UN Security Council resolution 1244 (1999), to the International Court of Justice (ICJ) Advisory Opinion of 22 July 2010 on the accordance with international law of the unilateral declaration of independence in respect of Kosovo, and to UN General Assembly resolution 64/298 of 9 September 2010, which acknowledged the content of the ICJ opinion and welcomed the EU's readiness to facilitate dialogue between Belgrade and Pristina,
- having regard to the decision of the Committee of Ministers of the Council of Europe of 11 June 2014 to grant Kosovo membership of the Venice Commission of the Council of Europe; having regard to the appointment of two experts from Kosovo to the Venice Commission in September 2014,
- having regard to the joint statements of the EP-Kosovo interparliamentary meetings of 28-29 May 2008, 6-7 April 2009, 22-23 June 2010, 20 May 2011, 14-15 March 2012 and 30-31 October 2013,
- having regard to the Commission communication of 16 October 2013 on the Enlargement Strategy and Main Challenges 2013-2014 (COM(2013)0700),
- having regard to the conclusions of the General Affairs Council of 16 December 2014 on the Enlargement and Stabilisation and Association Process,

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- having regard to its previous resolutions,
  - having regard to the work of Ulrike Lunacek as the Foreign Affairs Committee's standing rapporteur on Kosovo,
  - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas 110 of the 193 UN member states, including 23 of the 28 EU Member States, recognise Kosovo's independence;
- B. whereas negotiations for the EU-Kosovo Stabilisation and Association Agreement (SAA) were completed in May 2014 and the SAA was initialled in July 2014;
- C. whereas each (potential) candidate country will be judged on its own merits and the speed and quality of the necessary reforms determine the timetable for accession;
- D. whereas the EU Election Observation Mission assessed the early legislative elections of 25 May and 8 June 2014 as transparent and well-organised, consolidating the progress made in the 2013 municipal elections; whereas the constituent meeting of the Kosovo Assembly was concluded only on 8 December 2014 and the government was voted in on 9 December 2014;
- E. whereas progress in the conduct of the Common Security and Defence Policy (CSDP) requires, inter alia, the willingness to scrutinise past performance and draw appropriate lessons from identified problems, including in the management of field missions; whereas EULEX is the largest mission deployed and has been in operation for more than six years;
1. Welcomes the end of the six-month political stalemate that followed the elections, with the constitution of the Assembly and the appointment of the new government; is concerned about the appointment of non-consensual persons whose background might be questioned; regrets the unnecessarily large number of ministers and deputy ministers in the new government, with the budget implications thereof, and the small number of women among the ministers; notes that an increase in the number women among the ministers could be used as a progressive incentive for society as a whole; stresses that it is of the utmost urgency for the new government to pursue the necessary reforms with commitment and determination; stresses that the performance of the leadership of Kosovo can best be measured by the concrete results delivered to Kosovo citizens and to European and international partners; encourages the elected representatives of the Serbian minority in Kosovo to participate in and assume their responsibilities within the new coalition government in Pristina;
  2. Encourages the new government to continue its European course and stresses that it has undertaken to pursue vigorously, including through legislation, a number of priority issues, including steps to strengthen and affirm the rule of law, to establish a model for the judiciary based on the principles of independence, professionalism and effectiveness, and systematically and effectively to fight corruption and organised crime at all levels; calls on the authorities to systematically and effectively fight unemployment, foster structural economic reforms and sustainable development by establishing a regulatory framework and incentives for small and medium-sized enterprises and pursue the much-needed reform of the social protection system to address persistently high poverty rates, including unacceptable levels of child poverty; underlines the fact that the implementation of reforms is key; stresses that the establishment and functioning of the Special Court, and cooperation with it, should be a priority, and will help Kosovo to resolve and overcome problems rooted in its past; stresses that legislative and policy plans need to reflect realistically the resources required, and recommends that they be implemented in a more transparent manner;
  3. Highlights the need to strengthen the oversight role of the Assembly and particularly the EU Integration Committee in the Kosovo integration process; urges the Assembly to adopt swiftly new rules of procedure that are in line with European best practice and that reflect the gender equality dimension;
  4. Stresses the need to step up actions aimed at fighting the criminal groups that are making irregular migration possible; stresses furthermore that socio-economic developments and the creation of new jobs are necessary to end the trend of irregular migration and restore citizens' hope and faith that they can build their future in their country; insists on the need to address the root causes of irregular migration, using all EU policy and assistance instruments;

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5. Welcomes the gradual strengthening of and increased coordination between civil society organisations, particularly those dealing with women and LGBTI people; also emphasises the need to find a solution to the threats and attacks against activists trying to strengthen the rights of LGBTI people; calls for the Kosovo authorities to strengthen their mechanisms for consultation of civil society, which has so far been conducted on an ad hoc basis, in particular by providing the Joint Advisory Council with all the necessary resources; considers that, with a view to ensuring that government is open and transparent, representative civil society organisations should be included in legislative consultations; calls also for the donor community, particularly the EU, to continue involving and consulting civil society in its programming;

6. Notes that there has been some progress in the legislation governing the judiciary and its organisation, particularly with regard to steps to adapt structures to the new EULEX mandate and the mixed panels; notes, however, that strong concerns remain regarding the independence, accountability, impartiality and efficiency of judges and prosecutors and the functioning of the Kosovo Judicial Council, the prison system and the overall performance of the rule of law sector; stresses that further work should be carried out to prepare for the full transfer of responsibilities from EULEX to Kosovo; calls on the political authorities to clearly demonstrate their full support for the independence of judges and prosecutors who continue to be targeted in attempts to influence ongoing investigations and judicial proceedings;

7. Expresses concern at the lack of any significant progress in fighting high-level corruption and organised crime, a significant obstacle in the way of Kosovo's democratic, social and economic development; stresses the need for a clear signal from the government that Kosovo is systematically tackling corruption at all levels and fighting organised crime; calls for further steps to prevent any possible link between organised crime and people within the public administration; is also concerned about widespread illegal ownership of firearms and calls on the Kosovar Government to implement effectively the existing programmes to collect such firearms, in particular the national strategy and action plan on the control and collection of small arms and light weapons (SALW) for the 2013-2016 period; calls on Kosovo to cooperate with the EU expert group on arms trafficking and with neighbouring countries in taking preventive action, and calls for the EU to provide every form of technical assistance required for that purpose;

8. Welcomes the participation of Kosovo in the coalition to fight terrorism, the amendments to Kosovo's criminal law aimed at cracking down on foreign fighters and the action taken by authorities to bring to justice those involved in recruiting young people to join extremist groups; notes with concern reports on growing radicalisation among young people in Kosovo, with some of them joining terrorist fighters in Syria and Iraq; asks for the EU to help address the social issues that are part of the reason why radical groups are able to recruit young people in Kosovo;

9. Notes that one of the priorities of the new government is the creation of the Armed Forces of Kosovo, which will operate in line with the Constitution and under full civilian control; understands the principle of territorial defence as an aspect of national sovereignty, but calls for the armed forces to be EU-compatible, and takes the view that more efforts should be aimed at providing the Kosovo police with more resources with a view to increasing the effectiveness of their performance with immediate effect;

10. Notes the lack of progress in the implementation of the strategic framework for public administration reform and the action plan; calls on Kosovo to complete the legislative framework for the civil service, ensuring depoliticisation of the service and including performance appraisals;

11. Calls on the authorities to adopt comprehensive anti-discrimination legislation promptly and to focus also on prevention and awareness-raising measures; welcomes the fact that the first Pride Parade took place on 17 May 2014 and the establishment of the Advisory and Coordination Group for the Rights of the LGBT Community;

12. Welcomes the progress achieved on women's rights and gender equality, such as the amended legislation to recognise survivors of conflict-related violence such as war rape; stresses that challenges still remain, particularly in the field of domestic violence and gender-based violence, property rights and representation of women in leadership positions;

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13. Calls for measures to strongly address the challenges and problems regarding domestic violence and gender-based violence; stresses the need for comprehensive data collection regarding the extent of domestic violence and gender-based violence;

14. Calls on Kosovo to adopt an effective and comprehensive legislative and institutional framework on the media, and, above all, to implement existing laws more effectively, in order to guarantee freedom of expression; remains concerned about threats and attacks on journalists and a lack of transparency in the media; reiterates the importance of media freedom and independence as one of the core EU values and a cornerstone of any democracy, which contributes to strengthening the rule of law; calls on the authorities to swiftly fill the systematic gaps in legislation ensuring media freedom, particularly with a view to transparency of media ownership and with regard to the issue of defamation, and to guarantee the independence and sustainability of public broadcasters and avoid any political interference, following a thorough and comprehensive public consultation process; encourages the Kosovo authorities to take further action to prevent and combat hate speech, threats and calls for violence;

15. Reiterates that the implementation of legislation on the protection of ethnic minorities and cultural rights remains a challenge in Kosovo, despite some progress having been made; underscores the continuing need for serious efforts with regard to the full implementation of the law which includes provisions on the rights of ethnic minorities, with a view to preventing direct and indirect discrimination; notes that the Roma, Egyptian and Ashkali communities, in particular, continue to face challenges in the socioeconomic, education and healthcare fields; looks forward to the new government's new framework for improving the situation of the Roma, Egyptians and Ashkali, particularly by establishing equal safety and health protection; emphasises the importance of making it easier for Roma, Egyptians and Ashkali to return; recommends that the rights of the Gorani in the Zhupa and Gora regions be enshrined in law and ensured in practice;

16. Calls on the authorities at national and local level to fully implement adapted legislation and thus contribute to the further development of a fully fledged multi-ethnic society, in particular regarding the issues of education and employment; recommends that practical measures be taken to increasingly involve representatives of the ethnic minorities in national and local government bodies;

17. Reminds the Kosovo authorities of their responsibility to respect, conserve and protect Serbian, as well as all other, cultural and religious monuments, which form part of the common European cultural and historical heritage; welcomes the measures taken in this regard;

18. Urges Kosovo to consult the Council of Europe's Venice Commission, of which it became a member in June, for its opinion and support in drafting new legislation;

19. Welcomes the initialling of the SAA in July 2014, which provides for enhanced political dialogue, closer trade integration and new forms of cooperation; calls on the Council to adopt as soon as possible, and no later than mid-2015, the decision to sign and conclude the SAA as this will provide a powerful incentive for the implementation and institutionalisation of reforms and new possibilities for Kosovo to strengthen relations with its neighbours and contribute to the stabilisation of the region; calls on the Council, furthermore, to adopt the decision to sign and conclude the framework agreement on Kosovo's participation in EU programmes, which will strengthen cooperation between Kosovo and the EU in a variety of sectors, and believes that these programmes should be focused on specific areas that correspond to the obligations taken up by Kosovo on its European path and should be implemented with transparency and without delay;

20. Encourages the remaining five Member States to proceed with the recognition of Kosovo; stresses that this would further facilitate the normalisation of relations between Belgrade and Pristina; calls on all EU Member States to do their utmost to facilitate economic, people-to-people contacts, and social and political relations between their citizens and those of Kosovo;

21. Commends the work of the Special Investigative Task Force (SITF) which, in its investigative findings issued in July 2014, found compelling evidence against certain former senior officials of the KLA, but not against the KLA as a whole; welcomes the fact that the request to set up a Special Court, operating within the Kosovo justice system but with a chamber in the Netherlands, has been submitted to and accepted by the Dutch Government; calls on the Kosovo Assembly to adopt the necessary legislative package at the earliest possible date; and calls on the Kosovo authorities to continue to cooperate with the SITF;

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22. Welcomes the progress made by Kosovo in establishing its own Witness Protection Unit and supporting legal and administrative frameworks, and the progress made in entering agreements for cooperation with EU Member States, but stresses that additional support is required to facilitate the relocation of future witnesses to third countries;

23. Is seriously concerned about the recent allegations of corruption within EULEX; believes that EULEX has played, and still should and could play, an important role in Kosovo, and thus welcomes the prompt reaction of VP/HR Federica Mogherini in appointing an independent expert to probe into the handling of such allegations in depth; calls for full transparency in this investigation and urges all those concerned to cooperate fully so that the investigation can be swiftly concluded; stresses the importance of ensuring that the expert can pursue a comprehensive investigation covering all aspects of the case; is concerned at the fact that sensitive documents on the corruption allegations within EULEX have gone missing; calls for a thorough and comprehensive investigation; stresses that it is of utmost importance to restore the credibility of the EU in Kosovo and abroad and to consider the lessons learned for future missions; notes that both the Ombudsperson and OLAF decided to start independent investigations on the alleged EULEX misconduct and calls on all investigators to effectively coordinate their actions and exchange information; considers, however, that a broad and deep analysis is needed, in order to assess the overall effectiveness of EULEX and the adequacy of its performance, updating the report published in October 2012 by the European Court of Auditors;

24. Calls on EULEX to perform its mandate with reinvigorated effort; stresses the vital importance of complete transparency and accountability and increased efficiency in its work, demonstrating more concrete and high-level results and communicating regularly and comprehensively about its activities and decisions; underlines EULEX's importance in reaching out to local authorities and encouraging them to meet their commitments regarding rule of law reforms, ownership and the introduction of legislative amendments for the establishment of relocated judicial proceedings; calls on the Kosovo authorities to continue to respect EULEX's mandate and to support the exercise of its executive mandate;

25. Notes the progress made by Kosovo in fulfilling the requirements of the visa liberalisation roadmap; calls on the authorities to make further efforts and to prove their commitment to implementing the recommendations, including by adopting the four outstanding pieces of legislation; urges the Commission to make the utmost effort to accelerate the visa liberalisation process for Kosovo as the last country in the region with visa obligations; expresses strong concern about the recent upsurge in the number of citizens leaving Kosovo for EU countries, including Roma, Ashkali and Albanians; calls on the Pristina authorities to take effective action against the criminal networks involved in the trafficking of human beings and, with the help of the European Union Office in Pristina, to explain clearly to the general public that there is little chance of asylum applications being accepted; stresses the need to address the underlying causes for citizens leaving Kosovo, including by investing in quality education, especially for minority and marginalised communities;

26. Calls on the Serbian and Kosovo authorities to set up cooperation arrangements in order to clamp down on and dismantle the criminal networks that are controlling, exploiting and smuggling irregular migrants from Kosovo to some EU Member States through Serbia;

27. Calls on the Kosovo authorities to adopt the new strategy and plan of action on children's rights, and stresses the importance of investing in education, health and nutrition, particularly for minority and marginalised communities; stresses the importance of the Child Protection Law, with a view to putting in place a functional child protection system; stresses the importance of strengthening the accountability of institutions at central and local level with a view to monitoring the implementation of children's rights;

28. Notes with concern the high unemployment rates, particularly among young people, and gender discrimination on the labour market; notes that progress on property rights remains slow and that this poses an obstacle to long-term economic growth; takes note of the significant decline in foreign direct investments in the third quarter of 2014; calls on the Kosovo Government to work on improving the business environment, particularly for small and medium-sized enterprises, and to create a secure environment that will attract more foreign direct investments for the benefit of everyone in Kosovo; calls on the Commission to provide assistance to young entrepreneurs as part of IPA funding, including measures to facilitate links with entrepreneurs from EU Member States;



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29. Notes with concern that the implementation of the Law on Labour remains unsatisfactory, as does that of the Law on Strikes; notes that the unemployment rate in Kosovo is around 30 % and especially affects women's participation in labour;
30. Regrets that, due to the election events in both countries, the pace of high-level negotiations between Kosovo and Serbia has slowed down; welcomes the resumption of the meetings between Belgrade and Pristina in Brussels on 9 February 2015; notes, however, that meetings have been taking place at a technical level and that some progress has been made, including on freedom of movement; regrets that most of the agreements signed by the two sides have not been fully implemented and calls on Serbia and Kosovo to proceed with the full implementation of the agreements already reached with renewed determination; stresses the importance of explaining to the population the significance and implications of these agreements; stresses that the development of good neighbourly relations can serve the interests of both countries;
31. Reiterates the importance of ensuring that Kosovo is assigned an international telephone code of its own as soon as possible, as this will help give Kosovo added international visibility;
32. Warmly welcomes the ratification of the decision by the International Olympic Committee to grant full recognition to the National Olympic Committee of Kosovo and urges other sports federations to act accordingly, thus allowing Kosovar sportswomen and sportsmen to participate in European and international sporting competitions as citizens of their country;
33. Underlines the fact that joining international and regional organisations and mechanisms should be a priority for Kosovo; calls for Kosovo's relations and representation within regional organisations, international agencies and bodies such as the Council of Europe and cultural and heritage institutions to be upgraded to full membership and for its representation in European and international media organisations also to be upgraded with a view to enabling Kosovar artists to take part in all international cultural events, including the Eurovision Song Contest; recalls in this context the importance of complying with the agreement reached on regional cooperation;
34. Calls on the Kosovo law enforcement agencies and police forces to work actively and to cooperate with their European counterparts to achieve better coordination on counterterrorism and in combating drug trafficking and trafficking in human beings, and stresses in this context the importance of Kosovo's full membership of Europol and Interpol;
35. Notes that some progress has been made regarding the North, particularly with the election of mayors through Kosovo-wide elections and the increased number of EU-funded projects in the North; stresses, however, the need to proceed with the establishment of the Association of Serbian Municipalities, which should further lessen the need for parallel structures; notes at the same time that further continuous efforts will be needed to bring the ethnic Albanian and Serbian communities closer together; calls for a joint solution to the problem of the Mitrovica bridge, which is currently hindering the free movement of people;
36. Reiterates the need for complete transparency in communicating the outcome of the Belgrade-Pristina dialogue and for parliaments and civil societies to be involved in the implementation process;
37. Calls on the Serbian authorities to provide full assistance in repatriating the bodies of Kosovar missing persons found in Serbia, and to continue excavation work in the identified areas or in areas in which there are alleged to be mass graves and in which missing persons are presumed to be buried;
38. Supports the continued prosecution of war crimes at national level, and points to the importance of prosecuting war rape;
39. Calls on the Vice-President/High Representative and the Member States to extend the mandate of the EU Special Representative for Kosovo beyond 28 February 2015;
40. Notes with concern that the explosion of 6 June 2014 at the Kosovo A plant is proof of the fragility of the system and urges again that the plant be decommissioned by 2017 at the latest; is convinced that the Kosovar Government should design a clear and viable energy policy as this will be essential to its economic development; stresses the need to promote energy efficiency and to conduct energy needs assessment studies before commissioning new power plants;

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41. Welcomes the efforts to diversify energy sources and develop renewables, in particular with regard to the launch of construction work on three new hydro-electric plants; stresses, in this regard, the importance of adopting and applying in full EU environmental standards; reminds the authorities again of the importance of consistently complying with environmental standards when elaborating the country's development strategy;
  42. Expresses concern at the large amount of radioactive residues in solid and liquid form that are still to be found in municipalities throughout Kosovo without safe protection; calls on the Commission to provide assistance and work closely with the Kosovo authorities with a view to finding a permanent solution to this problem;
  43. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service and the Government and National Assembly of Kosovo.
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P8\_TA(2015)0067

**European Semester for economic policy coordination: Annual Growth Survey 2015****European Parliament resolution of 11 March 2015 on the European Semester for economic policy coordination: Annual Growth Survey 2015 (2014/2221(INI))**

(2016/C 316/09)

*The European Parliament,*

- having regard to the Treaty on the Functioning of the European Union (TFEU), and in particular Articles 121(2) and 136 thereof,
- having regard to Regulation (EU) No 1175/2011 of the European Parliament and of the Council of 16 November 2011 amending Council Regulation (EC) No 1466/97 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies <sup>(1)</sup>,
- having regard to Council Directive 2011/85/EU of 8 November 2011 on requirements for budgetary frameworks of the Member States <sup>(2)</sup>,
- having regard to Regulation (EU) No 1174/2011 of the European Parliament and of the Council of 16 November 2011 on enforcement measures to correct excessive macroeconomic imbalances in the euro area <sup>(3)</sup>,
- having regard to Council Regulation (EU) No 1177/2011 of 8 November 2011 amending Regulation (EC) No 1467/97 on speeding up and clarifying the implementation of the excessive deficit procedure <sup>(4)</sup>,
- having regard to Regulation (EU) No 1176/2011 of the European Parliament and of the Council of 16 November 2011 on the prevention and correction of macroeconomic imbalances <sup>(5)</sup>,
- having regard to Regulation (EU) No 1173/2011 of the European Parliament and of the Council of 16 November 2011 on the effective enforcement of budgetary surveillance in the euro area <sup>(6)</sup>,
- having regard to Regulation (EU) No 473/2013 of the European Parliament and of the Council of 21 May 2013 on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area <sup>(7)</sup>,
- having regard to Regulation (EU) No 472/2013 of the European Parliament and of the Council of 21 May 2013 on the strengthening of economic and budgetary surveillance of Member States in the euro area experiencing or threatened with serious difficulties with respect to their financial stability <sup>(8)</sup>,
- having regard to the Commission communication of 2 June 2014 on country-specific recommendations 2014 (COM (2014)0400),
- having regard to its resolution of 25 February 2014 on the European Semester for economic policy coordination: Employment and Social Aspects in the Annual Growth Survey 2014 <sup>(9)</sup>,
- having regard to the Commission communication of 28 November 2014 on the Annual Growth Survey 2015 (COM (2014)0902),

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<sup>(1)</sup> OJ L 306, 23.11.2011, p. 12.

<sup>(2)</sup> OJ L 306, 23.11.2011, p. 41.

<sup>(3)</sup> OJ L 306, 23.11.2011, p. 8.

<sup>(4)</sup> OJ L 306, 23.11.2011, p. 33.

<sup>(5)</sup> OJ L 306, 23.11.2011, p. 25.

<sup>(6)</sup> OJ L 306, 23.11.2011, p. 1.

<sup>(7)</sup> OJ L 140, 27.5.2013, p. 11.

<sup>(8)</sup> OJ L 140, 27.5.2013, p. 1.

<sup>(9)</sup> Texts adopted, P7\_TA(2014)0129.

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- having regard to the Commission communication of 13 January 2015 on making the best use of the flexibility within the existing rules of the stability and growth pact (COM(2015)0012),
  - having regard to the debate with representatives of national parliaments on the implementation of the 2015 priorities of the European Semester,
  - having regard to its resolution of 5 February 2013 on improving access to finance for SMEs <sup>(1)</sup>,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Economic and Monetary Affairs and the opinions of the Committee on Budgets and the Committee on the Environment, Public Health and Food Safety (A8-0037/2015),
- A. whereas the economic recovery in the EU slowed down considerably in the course of 2014 but, according to the Commission, has a prospect of catching up in 2015 and of doing even better in 2016; whereas six years after the beginning of the financial crisis in 2008, the euro area is still facing record unemployment levels of almost 12 %; whereas weak growth has compounded disinflationary trends; whereas in the aftermath of the financial crisis, the euro area in particular stands out as an area of unsatisfactory growth while a number of countries are recovering faster; whereas, despite deflationary pressure, the Commission predicts that inflation should increase as of mid-2015 and in the course of 2016;
- B. whereas the investment level has fallen by EUR 470 billion since the peak of the crisis, and the investment gap is estimated at around EUR 230-370 billion compared to its long-term trends; whereas the response to the euro sovereign debt crisis and the revealed inefficiency of the European institutional framework has been substantial, but not sufficient to give the euro area economy a strong enough momentum to return to a rapid growth path;
1. Is of the opinion that the euro area is still struggling with the consequences of an exceptionally long economic downturn after 2008; points out that the recovery is still fragile and should be enhanced if it is to deliver substantially more growth and jobs in the medium term; notes, however, that growth in 2014 is more broadly based; notes that the challenge today is to address both cyclical short-term as well as structural long-term problems; underlines that short-run pressures can lead to measures of a transitory nature which could undermine the long-term capacity for growth; underlines the need to ensure that short and long-term policies reinforce one another;
  2. Takes note of the Commission's Annual Growth Survey 2015, which endeavours to promote a return to higher growth levels and to strengthen the recovery; supports the three main pillars approach (boosting investment, accelerating structural reforms and pursuing responsible growth-friendly fiscal consolidation) as the right way to achieve these goals; considers that this approach should be fully incorporated into the upcoming country-specific recommendations (CSRs); supports the Commission's suggestions for improving the European Semester by streamlining existing procedures, including its timetable, and increasing the involvement of national parliaments with a view to strengthening national ownership, considering that only around 9 % of the CSRs were fully implemented by the Member States in 2013; calls on the Commission to come forward rapidly with robust data for the implementation of CSRs in 2014; in this context, highlights the need to streamline the existing procedures of the European Semester, including its timetable, and to increase the involvement of national parliaments, with a view to strengthening national ownership of structural reforms;
  3. Highlights the importance and added value of the Single Market Integration reports in the previous years, contributing to the overall priorities set in the Commission's Annual Growth Survey and the identification of country-specific recommendations in the context of the European Semester; finds it, therefore, most deplorable that the Single Market Integration report has been omitted for 2015;
  4. Underlines the fact that the European Semester, introduced in 2010, is establishing an annual cycle of economic policy coordination involving a detailed analysis of Member States' plans for budgetary, macroeconomic and structural reforms;

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<sup>(1)</sup> Texts adopted, P7\_TA(2013)0036.

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5. Expresses concern that most Member States are still losing market shares globally; believes that the EU economy as a whole needs to boost its competitiveness further in the global economy, particularly by increasing competition in the product and services markets in order to enhance innovation-driven efficiency; insists that labour costs should remain in line with productivity, and that wages should contribute to sustained social security systems; stresses that Member States, when having to manage their expenditure according to the requirements of the Stability and Growth Pact (SGP), should reduce current expenditure rather than reducing investment commitments, even though the rules do not take into account the fact that investment expenditure and current expenditure have a different impact on growth; takes note of the Commission communication on making the best use of the flexibility within the existing rules of the Stability and Growth Pact (COM(2015)0012), as it clarifies the procedure and explains the link between structural reforms, investment and fiscal responsibility whilst making the best use of the flexibility which exists within its rules; welcomes the proposal by the Commission to streamline the European Semester; points out that one-size-fits-all approaches in preparing CSRs should be avoided;

### **Investment**

6. Believes that the lack of investment is caused by low confidence, subdued expectations of demand, high indebtedness, risk-aversion of the private sector, absence of measures to encourage productive public investments, fragmentation of the financial markets, slow deleveraging, subdued expectations of demand aggravated by austerity measures seeking to correct overspending, lack of appropriate financing capacity and the fact that in many cases the Member States and the EU fail to take proper action to cope with these factors; underlines that the investment gap can be bridged by targeted public investments and significantly higher levels of investments in private companies and in European businesses; calls for reforms facilitating a new entrepreneurial climate stimulating new business, new investments and innovations, with the possible returns on investments as a crucial factor for attracting financial capital to the European economy; stresses that increased financing of investments calls for a well-functioning financial system where increased stability and existing cross-border institutions can facilitate liquidity and market making, especially for small and medium-sized enterprises;

7. Welcomes the Investment Plan for Europe, which is an important instrument for increasing private and public investment; notes that the plan is meant to trigger additional investment, develop new projects, attract investors and restore confidence; considers, however, that it is far too early to meaningfully assess the actual impact of the plan; notes that boosting investment should not be seen as an alternative but rather a complement to reforms; insists that the resources of the European Fund for Strategic Investments (EFSI) should be used to spend money on projects with economic return or with a positive social cost-benefit effect; emphasises that the EFSI should not merely substitute co-financed European projects for nationally financed ones; stresses that the European funds should lead to additional investment, not just replace national investment funds that would go to consumption; believes that the Investment Plan for Europe should focus in the first place on projects with a European added value which are not yet eligible for banking finance; emphasises the importance of the regulatory components of the Investment Plan in terms of improving the environment for investment; notes that the implementation of the Commission's Investment Plan is key in order for it to carry the desired added value; emphasises that the investment projects need to be carefully selected to avoid the plan failing to deliver sustainable growth and jobs in Europe; recalls that the results of the Commission's Investment Plan should be rigorously assessed, especially on how projects were selected and prioritised, and also to avoid privatising profits or socialising losses; stresses the interdependence between the lever of the Investment Plan and the actual projects being undertaken; underlines that the aim of achieving a high lever should not come at the expense of sound project selection, which should also take into account the projects' geographic locations; underlines the need to ensure a high quality governance and selection process; notes that the Member States in the adjustment programme expect the Investment Plan to significantly enhance and to facilitate grants and loans for small and medium-sized businesses, which have borne the brunt of the crisis;

8. Calls on the Member States actively to support the Investment Plan, and to contribute to the EFSI, supplementing the amounts provided through the EU budget and by the EIB, in order to guide and encourage the private sector to invest;

9. Stresses that there should be a special regime for SMEs under the Investment Plan in order to create a level playing field, as SMEs are easily put at a disadvantage due to their size and market position;

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10. Stresses that a lack of access to finance, particularly for SMEs, is one of the greatest obstacles to growth in the EU; is concerned that bank credit is continuously difficult to obtain for SMEs; believes that alternatives to bank financing are needed, in particular by improving the business environment for venture capital, peer-to-peer funds and promotion of credit unions, but also, more broadly, by creating the conditions for an efficient allocation of capital through capital markets; considers that more integrated capital markets and better supervision over financial institutions are fundamental in order to achieve these objectives in the short and medium term; stresses that SMEs should have privileged access to the Investment Plan;

11. Acknowledges that energy is an important factor for economic competitiveness; stresses the need to eliminate barriers to the single energy market by, inter alia, promoting energy independence; calls on the Commission to assess progress in this domain at both EU and national level, supporting measures to tackle fragmentation and implementation difficulties;

12. Is still concerned about the lack of progress in reducing excessive private debt levels; points out that this is not only a concern for financial stability, as it also limits the EU's growth potential and makes the ECB's monetary policy less effective; calls on the Commission to make further proposals for the preparation of effective procedures for private sector deleveraging, including bankruptcy and insolvency procedures, while fostering a fair and transparent burden-sharing of costs, as the huge debt burden weighing on companies and households is one of the key factors limiting private investment;

### *Structural reforms*

13. Notes that structural reforms are still necessary in a number of countries; also notes the fact that those Member States that have successfully implemented adjustment programmes or financial sector programmes have been able to return to the capital markets, where they now access capital at low interest rates; points out that the reasons behind this return were, inter alia, the actions taken by the European Central Bank (ECB); encourages the Member States in the rest of the euro area to be no less ambitious in modernising their economies; notes that due regard should be given to the social and employment impact of reforms; emphasises that a more relaxed ECB monetary policy should be complemented by ambitious and socially sustainable structural reforms by the Member States;

14. Calls on the Member States to make their labour markets more efficient, to develop more active labour market policies aimed at creating well-paid jobs, to modernise the social protection systems, including the pension systems, while safeguarding inclusiveness, sustainability and fairness, and to improve and streamline the legal and administrative environment for business investment; stresses that structural reforms need to lead to real and sustainable growth, higher employment, strengthened competitiveness and increasing convergence, and should be complemented by well-targeted, longer-term investments in education, research and development, innovation, infrastructure, industry, ICT, sustainable energy and human resources;

15. Calls on the Member States to safeguard and enhance the inclusiveness, sustainability and fairness of social protection, in particular for those most in need, and to improve and streamline the legal and administrative environment for business investment; stresses that jobs must be of quality, to counteract in-work poverty, and should address the gender pay gap; underlines that economic reforms need to be complemented by well-targeted, longer-term investments in education, research and development, innovation, infrastructure, ICT and sustainable energy;

16. Stresses that reducing the EU's dependence on external energy sources must form part of its growth strategy; reiterates, therefore, the need to diversify external energy supplies, to upgrade the EU's energy infrastructure and to complete the EU internal energy market as key priorities of the EU energy security strategy;

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17. Stresses that the EU cannot compete on costs alone, but needs to increase productivity through sustainable investment in research and development, education and skills, and resource efficiency, at national as well as European level; calls on the Commission and on governments to give these areas priority in their budgets; underlines that the Member States should pay particular attention to youth unemployment when devising reforms, in order not to deprive young people of their opportunities from the start; urges Member States in this regard to use the available financial means, including those under the Youth Guarantee, more rapidly and efficiently;

18. Urges the Commission and the Member States to incorporate financial assistance and the ad hoc system of the Troika into an improved legal structure compliant with the EU economic governance framework and EU law, thereby guaranteeing democratic accountability; stresses the importance of ensuring the follow-up of the Troika reports adopted in March 2014 by Parliament; calls on the Commission to implement the conclusions of these reports; points out that EU financial assistance to certain Member States, provided on terms combining solidarity with conditionality, is most successful when there is a strong national ownership and commitment to reform; reminds the Commission and the Member States that they need to carry out a comprehensive impact assessment of financial assistance programmes;

19. Calls for urgent action to be taken by the Commission to fight tax fraud and tax evasion; calls for a tax system that is simple and transparent; calls on the Member States to reach an agreement on the proposal on a common consolidated corporate tax basis as an important instrument in that fight, and believes that its position of 19 April 2012 on the proposal for a Council Directive on a common consolidated corporate tax base (CCCTB) <sup>(1)</sup> shall serve as a basis for a reasonable compromise; reiterates its call on the Member States to shift taxes from labour; notes that the measures to fight tax fraud and tax evasion should not undermine the prerogatives of the Member States; welcomes, however, effective cooperation on tax arrangements at European level;

20. Highlights the need for reforms in educational systems to enable future generations to prepare for the needs of the growing labour markets of the future;

21. Believes that the Member States and the Commission have not yet delivered on their commitment to complete the single market, especially the single market for services and the digital economy;

22. Reiterates its call on the Commission to improve the governance of the single market; urges the Commission to align the aims of the Single Market with those of the European Semester and to ensure consistency between the monitoring mechanisms of both; believes that a separate analytical tool, composed of indicators measuring the implementation of the single market, can provide useful guidance in relation to country-specific recommendations and the Annual Growth Survey; highlights the importance and added value of the Single Market Integration reports in the previous years, contributing to the overall priorities set in the Commission's Annual Growth Survey and the identification of country-specific recommendations in the context of the European Semester; finds it, therefore, deplorable that the Single Market Integration report has been omitted for 2015; calls on the Commission to make full use of all existing measures provided for in EU law to enforce the implementation of the European Semester;

23. Is concerned about protectionist tendencies in certain Member States; points out that the Treaty does not provide for the restriction of the free movement of people, services or capital, and recalls that the Commission must safeguard and enforce these freedoms;

24. Underlines the fact that the absence of a well-functioning internal labour market and of a balanced approach to immigration is hampering growth in the EU; is concerned about protectionist tendencies in certain Member States; points out that the Treaty does not provide for the restriction of the free movement of people, goods, services or capital, and recalls that the Commission must safeguard and enforce these freedoms;

25. Reiterates the importance of ensuring labour mobility (both cross-border and cross-sectoral), enhanced labour productivity (connected with skills training to improve employability), job quality and labour market flexibility, while preserving the necessary scope of work security, limiting the use of precarious work and ensuring proper scope for collective bargaining; stresses that improved matching of skills supply and demand, as well as job and career guidance, will be of great importance in the future; believes that more mobility may help to reduce the high levels of unfilled job vacancies that persist alongside high unemployment; underlines the importance of investing in the employability of female workers and young people, especially in the context of emerging technologies and new sectors, given that these sectors hold the potential for job creation;

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<sup>(1)</sup> OJ C 258 E, 7.9.2013, p. 134.

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26. Welcomes measures that make the European Semester process more effective and democratic; acknowledges that the implementation record is better in the area of public finance, in which surveillance tools are stronger; calls for the balanced integration of employment and socioeconomic indicators;

#### ***Fiscal responsibility***

27. Welcomes the strong decrease in the number of countries under the excessive deficit procedure — down to 11 in 2014 from 24 in 2011; notes that due to this fiscal improvement the fiscal stance in the EU is now expected to remain broadly neutral in 2015; asks the Commission to assess whether the EU fiscal stance is compatible with the need to increase investment; expresses its concern, however, about growing inequalities, decrease in purchasing power, high long-term unemployment and youth unemployment, and the still very high public and private indebtedness of a number of Member States in the euro area, a circumstance that not only hinders growth but also constitutes a substantial risk in case of possible future shocks; calls on the Commission to adopt a prudent and conservative interpretation of the growth indicators and to review the quality of economic forecasts, as previous Commission forecasts have too often been revised downwards;

28. Agrees with the Commission that most Member States need to continue to pursue growth-friendly fiscal consolidation; invites Member States with sufficient fiscal space to consider reducing taxes and social security contributions with a view to stimulating private investment and job creation; calls on the Commission to come up with concrete recommendations to the Member States, including those still under the economic adjustment programmes, so that they support economic growth with sustainable and socially balanced structural reforms that lead to quality employment creation, strengthened competitiveness and increasing convergence;

29. Notes the Commission assessment of the Member States' draft budgetary plans; stresses that the examination of draft budgetary plans should aim at sustainable finance; insists on the importance of applying fiscal rules and on respect for the equal treatment principle;

30. Notes that only five Member States were found to be fully compliant with the provisions of the SGP; insists that the SGP was developed by consensus among the Member States; underlines that a high proportion of expenditure spent on servicing public debt reduces resources that can be spent on public services and investments; accepts, therefore, that deficit reduction in highly indebted countries remains necessary, but considers that such fiscal consolidation should take place in a way that protects vulnerable users of public services, protects public investment and raises revenue in an equitable way through increased growth;

#### ***Strengthened coordination of national policies***

31. Welcomes the Alert Mechanism Report; welcomes the gradual reduction of internal imbalances in the Member States; draws attention to the external imbalances of several Member States, including the large trade surpluses; notes a loss of global market shares for the EU as a whole;

32. Points out that the objective of the macroeconomic imbalance procedure is not only meant to avoid strong negative effects on growth and employment inside a country, but also to prevent the effects of ill-designed national policies from spilling over into other Member States in the euro area; notes the announcement of the December 2014 European Council to move the debate on closer coordination of economic policies in the EMU forward in 2015, through the Four Presidents' Report;

33. Reiterates its view that the current economic governance framework is lacking sufficient democratic accountability in the application of its rules and of the institutions and bodies involved; calls on the Commission to make the necessary proposals to address the lack of proper democratic accountability in EU economic governance;

34. Notes that consideration should be given to the effects of the significant fall in oil prices and to whether this windfall should be passed on entirely to consumers of fossil fuels or shared, with governments increasing taxes on fossil fuels in order to diminish their deficits, finance investments, avoid undermining climate change policies and lessen disinflationary effects;



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**EU budget**

35. Emphasises that the principle of budgetary accuracy in public accounts shall govern the drawing up of national budgets and the EU budget so as to ensure convergence and stability in the EU; is convinced that such accuracy is one factor in the response to the crisis of confidence existing between the Member States and between the Member States and the citizens of the European Union, a loss of confidence which has increased since the recent financial crisis struck;

36. Calls accordingly for the economic assumptions employed in drawing up national budgets to be harmonised; considers in particular that there should be a common assessment of factors in the international economic situation;

37. Calls for greater uniformity in the presentation of public accounts so as to facilitate comparisons and prevent excessive macroeconomic imbalances; calls in particular for the way in which Member States enter their contributions to the EU budget in their accounts to be standardised;

38. Calls on the Commission to offset any democratic deficit in the semester by means of the package of measures announced for 2015 on deepening economic and monetary union;

39. Considers it vital that the European Parliament and the national parliaments collaborate more closely in the context of the European Semester on economic and budgetary governance; undertakes to deepen its relations with the national parliaments in a spirit of constructive partnership;

40. Deplores the fact that the amount of unpaid bills in the EU budget undermines the credibility of the EU and is in contradiction to the goals set at the highest political level for growth and employment — notably youth employment — and support for small and medium-sized undertakings, and fears that this will deepen the gulf between the Union and its citizens;

41. Calls for the post-electoral revision of the multiannual financial framework (MFF) to analyse and therefore enhance the value added by EU funding to the goals of competitiveness, growth, employment and energy transition set by the Union; calls on the Commission to adopt a clearer methodology for better tracing EU funds and expenditure related to the Europe 2020 goals in order to allow improved impact assessments;

42. Calls, furthermore, on the Commission to report on the potential negative impact that the delayed payments issue would have on the commitments made by Member States in the context of the European Semester;

43. Notes that in many Member States public administration has to date not been made more efficient, even though improvements in that area would serve to achieve savings by rationalising organisation and cutting red tape for businesses and citizens;

44. Welcomes the fact that the Commission has, in its Annual Growth Survey 2015, underlined the economic significance of the European Structural and Investment Funds (including the youth employment initiative); recalls that these funds represent 10 % of total public investment on average in the EU but that the situation varies across countries and that in some Member States they can amount to as much as 80 % of public investment; emphasises that the Structural and Investment Funds constitute a good example of the synergy between the European budget and the national budgets on the basis of commonly agreed objectives enshrined in partnership agreements on growth and investment in line with the Europe 2020 strategy; supports all efforts in the direction of an intelligent pooling of European and national budgetary means in order to achieve efficiency gains, economic stimulation and lower national deficits by means of a positive effect of shared resources;

45. Highlights the urgent need to effectively tackle the tax fraud which is potentially depriving the EU budget of substantial resources;

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46. Calls on the Commission to submit an analysis of the possible impact of redeploying funds from EU programmes such as the Connecting Europe Facility and Horizon 2020;

47. Calls on the Member States to top up the Investment Plan which seeks to maximise the impact of public spending and attract private investment;

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48. Instructs its President to forward this resolution to the European Council, the Council, the Commission, the governments of the Member States, the national parliaments and the European Central Bank.

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P8\_TA(2015)0068

**European Semester for economic policy coordination: employment and social aspects in the Annual Growth Survey 2015****European Parliament resolution of 11 March 2015 on European Semester for economic policy coordination: Employment and Social Aspects in the Annual Growth Survey 2015 (2014/2222(INI))**

(2016/C 316/10)

*The European Parliament,*

- having regard to Article 9 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Articles 145, 148, 152 and 153(5) TFEU,
- having regard to the Charter of Fundamental Rights of the EU, in particular to its Title IV (Solidarity),
- having regard to Article 349 TFEU concerning specific measures for the Outermost Regions,
- having regard to the revised European Social Charter, in particular its Article 30 on the right to protection against poverty and social exclusion,
- having regard to its resolution of 25 February 2014 on the European Semester for economic policy coordination: employment and social aspects <sup>(1)</sup>,
- having regard to its resolution of 22 October 2014 on the European Semester for economic policy coordination: implementation of 2014 priorities <sup>(2)</sup>,
- having regard to the Commission communication of 28 November 2014 entitled 'Annual Growth Survey 2015' (COM(2014)0902), and to the draft Joint Employment Report annexed thereto,
- having regard to the Commission communication of 26 November 2014 entitled 'An Investment Plan for Europe' (COM(2014)0903),
- having regard to the Commission communication of 13 January 2015 entitled 'Making the best use of the flexibility within the existing rules of the Stability and Growth Pact' (COM(2015)0012),
- having regard to the Commission communication of 2 October 2013 entitled 'Strengthening the social dimension of the Economic and Monetary Union' (COM(2013)0690),
- having regard to the Commission communication of 3 March 2010 entitled 'Europe 2020: A strategy for smart, sustainable and inclusive growth' (COM(2010)2020),
- having regard to its resolution of 25 November 2014 on employment and social aspects of the Europe 2020 strategy <sup>(3)</sup>,
- having regard to the Commission communication of 18 April 2012 entitled 'Towards a job-rich recovery' (COM(2012) 0173),
- having regard to the Commission communication of 16 December 2010 entitled 'The European Platform against Poverty and Social Exclusion: A European framework for social and territorial cohesion' (COM(2010)0758), and to Parliament's resolution of 15 November 2011 thereon <sup>(4)</sup>,

<sup>(1)</sup> Texts adopted, P7\_TA(2014)0129.

<sup>(2)</sup> Texts adopted, P8\_TA(2014)0038.

<sup>(3)</sup> Texts adopted, P8\_TA(2014)0060.

<sup>(4)</sup> OJ C 153 E, 31.5.2013, p. 57.

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- having regard to the Commission communication entitled ‘Youth Opportunities Initiative’ (COM(2011)0933),
  - having regard to the Commission communication of 20 February 2013 entitled ‘Towards Social Investment for Growth and Cohesion — including implementing the European Social Fund 2014-2020’ (COM(2013)0083),
  - having regard to its resolution of 13 March 2014 on employment and social aspects of the role and operations of the Troika (ECB, Commission and IMF) with regard to euro-area programme countries <sup>(1)</sup>,
  - having regard to its resolution of 11 June 2013 on social housing in the European Union <sup>(2)</sup>,
  - having regard to its resolution of 15 April 2014 on ‘How can the European Union contribute to creating a hospitable environment for enterprises, businesses and start-ups to create jobs?’ <sup>(3)</sup>,
  - having regard to its resolution of 17 July 2014 on youth employment <sup>(4)</sup>,
  - having regard to the International Labour Organisation (ILO) ‘Global Wage Report 2014/2015’ of 5 December 2014,
  - having regard to the OECD working paper ‘Trends in Income Inequality and its Impact on Economic Growth’ of 9 December 2014,
  - having regard to the Commission communication of 7 July 2014 entitled ‘Green Employment Initiative: Tapping into the job creation potential of the green economy’ (COM(2014)0446),
  - having regard to its resolutions of 14 September 2011 <sup>(5)</sup> and of 16 January 2014 <sup>(6)</sup> on an EU Homelessness Strategy,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on Employment and Social Affairs (A8-0043/2015),
- A. whereas Europe must be committed to the model of the social market economy, ensuring sustainable growth in order to provide the next generation with jobs instead of debts;
- B. whereas the economic and social context in the EU continues to be bleak, and whereas, according to the Commission’s 2014 autumn economic forecast, the economic recovery remains fragile; whereas despite the negative growth rates in the eurozone for the past two years, eurozone growth is expected to reach 0,8 % in 2014 and 1,1 % in 2015; whereas only a few Member States have better forecasts, and whereas the Commission has systematically revised downwards its own forecasts during the last years; whereas despite the fact that the forecasted overall deficit in the EU28 has been reduced to 3 % for 2014, it remains high in some Member States, demonstrating the need for further fiscal consolidation that is compatible with growth and better and sustainable employment, since recovery is neither robust nor underpinned;
- C. whereas the quick path of fiscal consolidation adopted during the economic crisis has hindered Member States from reaching the Europe 2020 targets, demonstrating that fiscal policies should be differentiated and adapted to the specific situation of each Member State; whereas the sharp fall in oil prices can provide an additional boost to the economy of many Member States, especially if it is translated quickly into reduced energy costs for families and businesses;

<sup>(1)</sup> Texts adopted, P7\_TA(2014)0240.

<sup>(2)</sup> Texts adopted, P7\_TA(2013)0246.

<sup>(3)</sup> Texts adopted, P7\_TA(2014)0394.

<sup>(4)</sup> Texts adopted, P8\_TA(2014)0010.

<sup>(5)</sup> OJ C 51 E, 22.2.2013, p. 101.

<sup>(6)</sup> Texts adopted, P7\_TA(2014)0043.

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- D. whereas the EU needs to continue to improve its economic and social policies with the aim of reaching the Europa 2020 targets as soon as possible, while overcoming the risks of secular stagnation and deflation, and whereas for this to happen it is necessary to continue efforts to promote investments and structural reforms that increase economic competitiveness in a socially responsible way; whereas an ecological transformation is needed to ensure a shift towards a resource-efficient economy and sustainable development; whereas, worryingly, the EU's standing in the world economy is declining as a result of the crisis, the loss of its industrial base and the lack of trust of investors and entrepreneurs, while other countries are showing solid signs of recovery; whereas in October 2014 the IMF estimated that the probability of a recession in the eurozone had increased and would reach 35-40 % at year's end;
- E. whereas the Member States have the primary role in delivering employment policies, including youth employment policies, and that such measures are best delivered at the national level;
- F. whereas the EU has to tackle the rapid ageing of its population as soon as possible;
- G. whereas, in spite of some improvements (for the first time since 2011 there has been a small increase in full-time contracts), the unemployment rate remains historically high, with nearly 25 million people out of work in the EU; whereas long-term unemployment is worryingly high, and 12 million people have been unemployed for more than a year (up 4 % over the previous year); whereas youth unemployment rates have not decreased significantly (they have only been reduced by 1,9 % compared to 2013), reaching an EU average of 21,2 %; whereas 75 % of the long-term unemployed in the EU are under 35 years old; whereas the labour market situation is particularly critical for young people, except in some Member States, regardless of their level of education;
- H. whereas the European Social Fund, with the Youth Guarantee, and the Youth Employment Initiative have to be used fully and correctly to finance sustainable projects in order to fight unemployment, in particular youth unemployment;
- I. whereas the share of young people not in education, employment or training (NEETs) has remained high, and whereas young Roma are over-represented in this group;
- J. whereas several factors — including the failure to create a positive environment to boost investment and growth, the reduction of market incomes and the weakening of the impact of social transfers over time<sup>(1)</sup>, and efforts by some Member States to restore their economic balance by reducing spending on social protection — have led to significant reductions in household gross disposable incomes, contributing to an increase in the number of European families at risk of exclusion, and to an alarming increase in inequalities, including gender inequalities; whereas one in four Europeans are at risk of poverty; whereas underemployment and precariousness has peaked and, for 50 % of all job seekers, securing employment is not enough to lift them out of poverty;
- K. whereas the figures for 2013, the latest on record, portray long-term unemployment at a historically high level of 5,1 % of the labour force in EU-28; whereas long-term unemployment not only has crucial consequences for individuals throughout their lives, but can turn into structural unemployment in the EU;
- L. whereas 25,1 % of the EU population is currently at risk of poverty or social exclusion; whereas the average growth rate of child poverty is higher than the average growth rate of poverty overall, and whereas one in three children live below the poverty line in some Member States;
- M. whereas older workers are the most likely group to be long-term unemployed; whereas only half of the workers aged 55-65 were working in 2012; whereas older people suffer more from reductions in public expenditure on social services, health services and social benefits; whereas some categories of older people, such as people over 80, older women, older migrants and older members of ethnic minorities, are especially at risk of falling into poverty;

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<sup>(1)</sup> 'Draft Joint Employment Report from the Commission and the Council accompanying the Communication from the Commission on the Annual Growth Survey 2015' (COM(2014)0906), page 44. See also *OECD Employment Outlook 2014*, [http://www.keepeek.com/Digital-Asset-Management/oecd/employment/oecd-employment-outlook-2014\\_empl\\_outlook-2014-en#page1](http://www.keepeek.com/Digital-Asset-Management/oecd/employment/oecd-employment-outlook-2014_empl_outlook-2014-en#page1).

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- N. whereas in order to tackle the crisis, certain Member States have made severe cuts in public expenditures at the same time as demand for social protection has increased in response to the rise in unemployment; whereas national budget allocations for social security cover have been further stretched as contributions have fallen in the wake of large-scale job or wage cuts, thus seriously jeopardising the European social model; whereas the reforms called for fail to meet citizens' needs and expectations as regards employment and the social sphere;
- O. whereas poverty reduction is not just one of the main goals of the Europe 2020 strategy, but also a social responsibility of the Member States, and decent and sustainable employment is the best way out of poverty; whereas efforts must therefore be focused on facilitating access to jobs, in particular to those furthest away from the labour market; whereas the labour market is still marked by significant inequalities in employment conditions, and whereas past the age of 55, women run a greater risk than men of living in poverty or social exclusion;
- P. whereas socioeconomic imbalances between Member States have deepened further, while the reverse is true with regard to the goal of regional convergence; whereas the core-periphery gap in unemployment has increased from 3,5 % in 2000 to 10 % in 2013; whereas this divergence increases the risk of fragmentation and threatens EU economic stability and social cohesion; whereas the Sixth Cohesion Report highlights the role that structural funds play in overcoming inequality especially during the crisis;
- Q. whereas Article 174 TFUE provides that 'In order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion. In particular, rural areas, areas affected by industrial transition, and regions which suffer from severe and permanent natural or demographic handicaps such as the northernmost regions with very low population density and islands, cross-border and mountain regions';
- R. whereas regions suffering from severe and permanent natural or demographic handicaps usually have higher unemployment rates, less economic growth and a lack of significant investments aimed at improving their potential;
- S. whereas Parliament has for the past two years warned of the social risks of deflation in a context of low growth, high unemployment and downward pressure on wages; whereas the European Central Bank (ECB) has forecast low inflation in the long run, and has warned of the consequences of this on internal demand, growth and employment; whereas deflation has become a reality since August 2014 in eight Member States (of which six are in the eurozone); whereas demand and job creation in the EU is heavily constrained by the prevailing weakness of credit provision to SMEs and the need to reduce excessive public and private debt with special regards to mortgage loans; whereas the drop in inflation rates significantly increases these difficulties, by raising real interest rates and the real debt burden, and could lead to a vicious circle of economic depression; whereas the ECB reacted to all these aspects on 22 January 2015 by implementing an expanded asset purchase programme, with combined monthly asset purchases amounting to EUR 60 billion, to be carried out until at least September 2016;
- T. whereas an expansionary monetary policy can be used to foster exports as a way to improve the EU economy in the short term;
- U. whereas low interest rates can be used to boost investments in the EU;
- V. whereas fiscal consolidation has increased, and new headline targets — focusing more on structural than on cyclical deficits — have been introduced; whereas, in spite of this, the size of fiscal multipliers in the current context is still very high; whereas there is a need to accomplish the medium-term objective and the debt objective to create an environment that will foster economic growth and job creation; whereas there is a need systematically to assess the social, environmental and gender impact of these measures;

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- W. whereas public and private investment in the EU has decreased alarmingly and is now close to 20 % below pre-crisis levels, which is lower than among its main economic partners elsewhere in the world; whereas investment in better and sustainable jobs, human capital, research and innovation (including smaller-scale projects), a resource-efficient energy union, the Digital Single Market, the promotion of entrepreneurship and a better business environment for SMEs must be among the main priorities for both the Commission and the Member States, as investments in these areas are essential not only for ensuring a recovery but also for expanding the EU's economic potential to grow and create prosperity;
- X. whereas insufficient involvement in the EU Semester Process at EU and national level on the part of national parliaments, the European Parliament, local and regional authorities, civil society organisations and social partners has limited the ownership of reforms by the Member States, and the development of inclusive, social and sustainable solutions, and has reduced citizens' confidence in the EU project;
- Y. whereas the setting of wages is the competence of the Member States;

***Ambitious economic policies for growth, quality job creation and fighting deflation***

1. Welcomes the Commission's integrated approach to growth, founded on three main pillars: an Investment Plan for Europe, structural reforms and fiscal responsibility; calls for an ambitious, expansionary economic and fiscal policy, within the existing rules of the Stability and Growth Pact (SGP), to boost smart, sustainable and inclusive growth and to create better and sustainable jobs; underlines that solidarity is the core value on which the European Union is built; calls on the Commission to support Member States' efforts by providing concrete recommendations that are helpful to them and to the EU as a whole, so that they not only address fiscal consolidation but also structural reforms in a socially balanced and economically efficient and sustainable way; stresses that low inflation is already increasing real interest rates as well as real public and private debt, which together with high, long-term youth unemployment depresses growth and increases poverty;
2. Is aware of the links between fiscal responsibility and the need to boost investments and structural reforms in the Member States, in the context of the SGP; welcomes, in this sense, the Commission's communication entitled 'Making the best use of the flexibility within the existing rules of the flexibility of the Stability and Growth Pact'; calls on the partners to implement the reforms using the flexibility already built into the rules and agreements, should a Member State face excessive macroeconomic imbalances, so as to guarantee that fiscal responsibility is compatible with economic growth, employment creation and the welfare state;
3. Underlines the need for structural reforms in the Member States; notes that while some Member States that have implemented reforms have been successful in regaining competitiveness in the global market, these reforms should be compatible with smart, sustainable and inclusive growth as well as with decent job creation; calls, for these goals to be achieved, for the focus of these reforms to be expanded to include areas such as the Digital Single Market, the Energy Union or fiscal reforms; considers that the reforms promoted in the labour market must also introduce the flexibility and the security needed to end segmentation and ensure decent wages;
4. Welcomes the fact that the new policy mix adds investment to the previous priorities of fiscal consolidation and structural reforms; considers, nevertheless, that the Annual Growth Survey (AGS) should pay greater concern to aggregate demand and its connection to wage increases and social inequalities; underlines that the top priority when it comes to reducing macro-imbalances should not be to increase current account surpluses, but rather to raise the growth, investment and employment rates, and to reduce the poverty rate;
5. Is concerned that investments in the EU have fallen significantly in recent years and are now close to 20 % below the pre-crisis level; warns that the decline has been even greater in peripheral Member States where fiscal consolidation was more acute; highlights again the job potential of the green economy which, according to Commission estimates, could create five million jobs by 2020 in the energy efficiency and renewable energy sectors alone, provided that ambitious climate and energy policies are put in place; calls on the Member States to ensure sufficient levels of investment in these sectors and to anticipate the future skills of workers;

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6. Welcomes the fact that one of the three main pillars of the Commission's strategy for 2015 is investment, and calls for the plan to be implemented without delay; takes note of the fact that Member State contributions to the European Fund for Strategic Investments (EFSI) will not be counted when defining the fiscal adjustment under either the preventive or the corrective arm of the SGP;

7. Considers that the three main pillars of the Commission's strategy for 2015 must be implemented jointly in order to boost investments, in a responsible way, in those areas that have a real impact on growth and job creation, such as the digital economy, green sectors and health care;

8. Takes note of the fact that the EFSI will be based on existing EU resources and will not raise public 'fresh' money, apart from an extra EUR 5 billion from the European Investment Bank (EIB); stresses the risks of an insufficient fund based on overly optimistic assumptions about the likelihood of attracting the bulk of the financing needed from private investors; calls on the EIB to consider changing its orientation from purely commercial banking to pursuing a project risk assessment model based on defined criteria and transparency; calls on the Commission to explore ways of using the EU budget and other, new resources to ensure that the EFSI will not fail to deliver;

9. Calls on the Commission and the EIB to assess the effects of the economic crisis on the banking system and for the final recipients of EIB funding, with particular attention to SMEs, the social economy sector and public companies;

10. Stresses the fact that the EFSI must be focused on creating new investments in areas where investor appetite is subdued rather than on substituting investments that would have been produced elsewhere (crowding out), or on focusing on highly profitable investments that would have occurred in any case (deadweight); calls on the Commission also to include and promote social investments that not only generate financial returns but promote positive social spillovers, such as investments in human capital, investments with high impact on better and sustainable job creation or social inclusion and poverty reduction, such as social protection systems and social services, or investments in the social economy; reiterates its call for the implementation of the Social Investment Package (SIP);

11. Calls on the Commission to ensure investments in economically weaker regions suffering from high unemployment, and in SMEs in such regions, given their very limited access to financing, in order to ensure that these efforts have a meaningful impact where they are most needed, with choices made with due regard to the investments' economic features; shares the Commission's view that there is a need for a skilled work force in growing sectors such as the digital economy, green sectors and health care;

12. Calls on the Commission and the Member States to tackle specific enhanced mechanisms to implement investment programmes in the outermost regions, whose remoteness, geographical fragmentation, fragile economies and natural constraints lead to heightened inequalities in accessing job opportunities, goods and services;

13. Call on the Commission to take into account regions suffering from severe and permanent natural or demographic handicaps when programming the European Investment Plan, in particular as regards access to broadband;

14. Calls on the Commission to review in depth, and to improve, the EU-EIB Project Bond Initiative, launched as a pilot project in 2012 to sum up the European Investment Plan, with a view of giving it a greater role in promoting employment; calls also, in this context, for a detailed review of the social impact bonds included in the SIP;

*Responsible policy refocused on investment, quality job creation and growth*

15. Notes that the European Investment Plan is a necessary complement to efforts to boost sustainable economic growth and job creation, which need to be supported by private and public resources to succeed; welcomes the fact that the AGS 2015 continues to call for more efforts from countries with fiscal margins of manoeuvre as a means of encouraging European demand and investment;



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16. Welcomes the extension of the pace of fiscal consolidation, and the introduction of new headline targets — focusing more on structural than on cyclical deficits — that should have a positive effect on employment and sustainable growth; notes, however, that the size of fiscal multipliers in the current context is nevertheless still very high and that this will have a negative impact on economic growth and job creation as well as on the sustainability of the social protection systems; calls on the Commission to facilitate the usage of the maximum flexibility within the existing rules of the SGP;

17. Calls on the development of a European framework to assure that all investments under the European Investment Plan have a significant impact in terms of stimulating sustainable growth, creating quality jobs and fostering social progress; calls on the Commission to monitor and control the investments under the Plan and, furthermore, to audit and measure the economic and social impact of the investments in real terms; calls on the Commission to include specialists on social policies in the expert committee of the new EFSI that will approve projects to be funded, and to ensure that positive social impact is one of the major criteria in this selection;

18. Stresses the importance of flexibility which can be used within the existing SGP in order to ensure room of manoeuvre for social investments, namely social investments in people, providing them with the necessary skills and supporting conditions for productive and fulfilling participation in the economy and society throughout their lives; stresses, in this context, the potential role of the social economy in the creation of sustainable, inclusive and quality jobs;

#### *SMEs restored financing to boost private investment and job creation*

19. Stresses that while SMEs constitute the backbone of job creation in the EU, they continue to face major difficulties in gaining access to financing, and are worryingly over-indebted; welcomes, therefore, the Commission's new recommendations on SME's access to finance, involving a new approach to insolvency and business failure; calls for further efforts by Member States to improve debt-restructuring schemes as a means to this end; calls on the Commission to foster, when necessary, the implementation at national level of the principles set out in its Recommendation of 12 March 2014 through country-specific recommendations (CSRs); underlines that women-led entrepreneurs and SMEs face more difficulties in gaining access to financing; calls on the Commission to analyse the causes for this situation and to propose measures to resolve it;

20. Stresses the importance of creating a culture of entrepreneurship in the European Union by reducing barriers for self-employment and business foundation; points out that this can be supported by an intelligent mix of financial support such as the microfinance and social entrepreneurship axis of the Employment and Social Innovation (EaSI) programme, or through one-stop-shop solutions in public administrations for registering new business;

21. Is concerned that financial fragmentation in the eurozone is, in some cases, jeopardising SME growth and sustainability; calls for a restoration of the economy's lending capacity, thus allowing SMEs to invest and create jobs, as well as for easing access to entrepreneurship and the access of SMEs to programs such as COSME or Horizon 2020;

22. Calls on the Member States to eliminate unnecessary administrative burdens and bureaucracy for the self-employed and for micro-enterprises and SMEs, and to facilitate conditions for start-ups;

23. Welcomes the joint Commission-EIB SME lending scheme using structural funds to streamline investment in these companies so as to boost better and sustainable employment creation; calls on the ECB to complement this policy action, and to explore means of purchasing SME assets and support SME development within the framework of quantitative easing programmes based on good practices in other economic regions, or to serve as a guarantor for SME sources of financing, which generate up to 80 % of employment in many Member States;

24. Takes note of the ECB's expanded asset purchase programme which goes, once again, to the banking system; calls, therefore, on the ECB to optimise its potential to improve the real economy by providing credit in order to boost growth and tackle unemployment in the EU;

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25. Welcomes the measures announced by the Commission to boost job creation in SMEs by unlocking alternatives to bank loans, and to improve the regulatory and fiscal framework in order to enhance long-term investment in SMEs; calls for these measures to be implemented without delay; calls on the Commission also to support smaller-scale projects; calls on the Commission and the Member States to consider financial cooperatives for funding SMEs (credit unions) as alternative funding instruments, and to enable better access for SMEs to public procurement and funding at EU and national levels;

26. Stresses the importance of the intermediary bodies linked to SMEs, such as chambers of commerce, as engines with a multiplier impact in the implementation of the EU policies related to SMEs, and calls on the Commission to launch a partnership dialogue with these bodies on how EU policies related to SMEs could be better implemented so as to boost quality job creation;

*A more efficient use of funds*

27. Stresses that growth and jobs policies have differentiated territorial impacts, depending on the specific situation in each EU region, and that regional disparities have been widening since the beginning of the crisis; stresses that the CSRs should take into account territorial differentiations within Member States to boost growth and jobs while preserving territorial cohesion;

28. Considers that cohesion policy measures have an essential role to play in reducing internal competitive disparities and structural imbalances in regions that need it most; calls on the Commission to consider appropriate solutions for those Member States that, though facing very high unemployment, are obliged to return EU funds owing to co-financing problems; calls on the Commission to consider pre-financing in order to facilitate the full use of funds by these Member States in the 2014-2020 period, while always ensuring that the principle of budgetary accountability is upheld;

29. Calls on the Commission to take urgent action to fight tax dumping, tax fraud and tax evasion, and calls for the adoption at Council level of an ambitious financial transaction tax;

30. Strongly believes that EU funding, particularly under the Youth Employment Initiative (YEI) and the European Social Fund (ESF), should not be used to subsidise national approaches, but rather to provide additional support in a way that complements and enhances national programmes as decided by the Member States;

31. Calls on the Commission, the Member States and the regions to ensure full implementation of EU funds for 2007-2013, and to closely align the ESF and other European Structural Funds with the Europa 2020 strategy; calls on the Commission to ensure strict monitoring of the 20 % ring-fencing of ESF for poverty; calls on the Commission to introduce in the next AGS, and in the CSRs, a chapter related to the implementation of the Fund for European Aid to the Most Deprived (FEAD);

32. Calls on the Commission to develop structural reforms in energy markets to achieve a resilient Energy Union, less dependent on external sources, and diversifying the sources of supply (e.g. Algerian gas);

***Reforms to expand growth potential, human capital and productivity***

33. Notes that decisive investment plans for sustainable growth and better and sustainable job creation, as well as measures taken by the ECB, can only be successful if they are coupled with national reforms that enhance quality labour participation, boost activity and productivity, develop human capital in all age groups, including the most vulnerable groups, and support strong social and social protection systems; points out that the decision of Parliament and of the Council to enhance cooperation in the network of Public Employment Services (PES) is a key element in the effort to improve labour markets; believes that structural labour market reforms should introduce internal flexibility measures aimed at maintaining employment in times of economic disruption, ensure job quality and security in employment transitions, and provide unemployment benefit schemes that are based on realistic activation requirements, ensure adequate support for redundant workers and are linked to reintegration policies;

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34. Calls on the Commission and the Member States to consider innovative ways to encourage investment in the EU; highlights the recent trend of companies returning production and services to the EU and the opportunities this brings for job creation, particularly for young people; believes that the economies of the EU have a unique opportunity to accelerate this trend of re-shoring jobs;

35. Calls on the Commission and the Member States to design tailor-made policies to support quality job creation for the long-term unemployed, senior unemployed people, women and other priority groups hit especially hard by the crisis, such as immigrants, the Roma community and people with disabilities, including measures to promote anti-discrimination policies on the workplace, work-life balance, lifelong learning and training, and to combat the low level of education that affects some of these groups, many of whom are at risk of social exclusion; calls for gender pay and pension gaps reduction to be addressed systemically in the CSRs; urges the Commission to demand that each Member State institute a national job plan for job creation in conformity with what they had agreed at the 2012 Spring Council;

36. Calls on the Commission to launch a new initiative aimed at promoting employment opportunities in the Member States for Roma, with measures to promote skills and qualifications, and to fight discrimination and promote job creation, for example through self-employment and entrepreneurship and by using innovative financial instruments;

37. Calls on the Member States to make it a priority to bridge the gender gaps in employment, particularly by addressing the gender pay gap and by implementing measures to facilitate the reconciliation of work and family life, inter alia through increasing the availability of childcare facilities;

38. Regrets that the European Semester has not been well enough aligned with the Europe 2020 strategy; calls on the Commission and the Member States to bring economic measures implemented in the course of the European Semester in line with the social and employment targets of the Europe 2020 strategy and the social principles set out in the Treaties; calls for more determined efforts to guide and coordinate EU policies to boost smart, sustainable and inclusive growth and create better and sustainable jobs; calls on the Commission to present the Europe 2020 Mid Term review without delay, taking into account the urgent need to make more progress towards the poverty reduction and other social targets, and the need for improvement in meaningful stakeholder involvement;

#### *Education and active labour policies to expand human capital*

39. Believes that growing international competition driven by increasingly skilled workforces has left the EU with serious skill shortages and mismatches that are acting as a brake on economic growth; believes that if Member States are to have a realistic chance of reaching the Europe 2020 employment targets, they must focus on creating the right environment for job creation;

40. Reiterates its call on the Council, the Commission and the Member States to incorporate a gender pillar in the Europe 2020 framework;

41. Points out that the strategy to regain competitiveness should not only focus on labour costs but also on raising productivity via investments in human capital and structural reforms;

42. Calls on the Member States to restore investment in human capital to pre-crisis level, in particular to smoothen the transition between education and work for young people, and to invest in vocational training and lifelong learning programmes;

43. Welcomes the fact that in the AGS 2015 the Commission calls on the Member States to protect or promote longer-term investments in education, research and innovation; notes, however, that Member States with already-constrained budgets do not have sufficient means to accomplish that goal;

44. Stresses the importance of active labour policies for some Member States in the current context; calls on those Member States to increase the coverage and effectiveness of active labour market policies;

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*Quality jobs and wages as engines of productivity and growth*

45. Calls on the Member States to pay special attention to high unemployment rates among disadvantaged groups, giving priority to access to, and integration into, the labour market and the mainstreaming of accession and integration policies, as employment is the key to successful integration;

46. Recalls that decent wages are important not only for social cohesion, but also for maintaining a strong recovery and a productive economy; calls on the Commission to investigate the impact of Member States introducing minimum wages in the context of reducing wage inequalities; calls on the Commission to organise a conference on a European framework for minimum wages;

47. Is concerned that labour market reforms in many Member States have not managed to decrease the level of precarious jobs; observes that 50 % of jobs created in 2014 were temporary jobs; notes that, according to the Commission, in-work poverty persists, and that for 50 % of all job seekers, securing employment is not enough to lift them out of poverty, nor does it raise productivity; calls on the Member States to make job quality a priority and to address labour market segmentation; calls on the Member States to ensure that labour market reforms are aimed at — as well as promoting better and sustainable employment creation — reducing segmentation, advancing the inclusion of vulnerable groups in the labour market, promoting gender equality, reducing in-work poverty and ensuring adequate social protection to all workers, including those who are self-employed;

48. Believes that Member States can only create jobs if the market allows for it, if they can rely on a qualified workforce, if labour markets are sufficiently flexible, if labour costs including wages are in line with productivity, if social protection systems make work more attractive and if regulation is proportionate and evidence based;

49. Calls on the Commission and the Member States to reinforce their efforts to tackle social dumping in the EU, which causes significant harm to the workers affected and to Member State welfare systems; calls, furthermore, for the social partners to be included at all levels in these efforts;

50. Welcomes the initiative regarding a European platform on undeclared work; reiterates its call on the Member States to ensure that people with precarious contracts, or who are self-employed, enjoy a core set of rights and adequate social protection, especially with regards to family and work-life reconciliation; calls on the Commission to make dedicated efforts to address the additional problems caused by involuntary part-time and temporary employment, and by bogus self-employment;

51. Regrets the fact that there is hardly any mention of the quality or the sustainability of the jobs that have been created, especially as regards the employment of women, who are over-represented in part-time work owing to difficulties in reconciling professional and private life;

52. Considers the achievement of reindustrialisation targets paramount for the competitiveness of the EU and believes that the relaunching of a genuine European industrial policy could foster growth and create new high-quality jobs;

53. Regrets the fact that when reference is made to unemployment rates, due consideration is not given to other factors, such as the increasing rates of inactive people, mobility and migration;

*Youth unemployment and labour mobility*

54. Welcomes the reduction in youth unemployment rates, but points out that they are still alarming and not necessarily based on net employment creation; stresses that job insecurity and underemployment have also risen, and that 43 % of the young find themselves working under precarious conditions, on involuntary part-time contracts or as falsely self-employed;

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55. Calls on the Commission to propose a European framework for introducing minimum standards for the implementation of Youth Guarantees and for concrete measures to raise public awareness; calls on the Member States to use the available budget efficiently, to implement the Youth Guarantees without delay and to make sure that they also reach young people from disadvantaged social backgrounds; calls for an adequate budget in the mid-term review of the multiannual financial framework in accordance with ILO recommendations; notes that the ILO estimates that EUR 21 billion are necessary to resolve the problem of youth unemployment;

56. Urges the Commission to go above and beyond the March 2014 Council recommendation on a quality framework for traineeships, and to propose a new Quality Framework with a view to preventing discrimination and exploitation of young workers;

57. Calls on the Member States to make labour markets more inclusive for those who have family duties such as raising children and caring for family members who need care; calls, therefore, for measures favouring the reconciliation of work and family life as part of the labour market reforms promoted through the European Semester;

58. Reiterates its call on the Member States to invest in opportunities for lifelong learning, vocational training and on-the-job training; calls for national lifelong learning systems to be assessed as part of the European Semester's strategies for labour market reform;

59. Stresses that, according to the Commission, despite high unemployment rates there are two million job vacancies in the EU, and that in 2013 only 3,3 % of the active population works in another Member State, indicating a level of mobility that remains low in comparison with levels in the United States and Japan; recalls that divergences in labour mobility rates points — which in the case of the Member States hardest hit by the crisis can range up to ten percentage points — can be affected positively using the tool of the EURES platform; expresses its continuous support for the principle of free movement;

60. Calls on the Commission and the Member States to ensure the proper functioning of PES to facilitate and stimulate job seeking abroad;

61. Given the number of workers, particularly young people, who are now leaving their countries of origin for other Member States in search of employment opportunities, there is an urgent need to develop appropriate measures to guarantee that no worker is left uncovered by social and labour rights protection; calls, in this regard, on the Commission and the Member States to improve further EU labour mobility through instruments like EURES while upholding the principle of equal treatment and safeguarding wages and social standards; calls on each Member State to establish social and employment policies ensuring equal rights and equal pay at the same place of work in line with the principles underpinning the freedom of movement of workers, in particular from a gender perspective;

62. Recalls the EU objectives in gender matter, notably the targets of reaching 75 % employment for women and men by 2020 and of reducing by 20 million the number of people in or at risk of poverty;

63. Urges the Commission to present a proposal on parental leave that contributes to ensuring equal working conditions for women and men, not least in light of the fact that the EU is ageing rapidly, placing at risk Member States' future ability to maintain necessary social services; calls on the Commission and the Member States to implement more policies that contribute to the EU's demographic growth by stimulating either birth rates or immigration;

64. Regrets that the austerity measures imposed by the EU aimed at restoring investor confidence have led to a worsening of employment and social conditions, resulting in higher unemployment, poverty and inequality levels;

65. Calls on the Member States to improve cooperation between businesses and the education sector at all levels;

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*A decisive call for the EU Social Dimension and for Convergence*

66. Reiterates its warning of the socioeconomic challenges facing the Union, especially in some Member States, and of the risks to its sustainability and stable growth potential posed by a reversal in regional convergence; recalls that more than 122 million EU citizens are at risk of poverty or social exclusion, including in-work poverty and child poverty; points out that 19 % of children in the EU are currently estimated to be at risk of poverty, and insists that these levels are unacceptable and need to be reduced immediately; calls on the Commission to continue developing the social dimension in the EU; acknowledges the Commission's work on the social pillar of the Economic and Monetary Union, as part of the process of integrating the social dimension into the current structure of the economic governance mechanisms, and calls for the continuation on this path with the aim to advance with the fulfilling of the Europa 2020 strategy;

67. Regrets that there are no indicators on, or clear definitions of, absolute poverty, an issue of concern to many Member States;

68. Reminds the Commission that, under Article 9 TFEU, employment and social policies to promote the European social acquis should govern all EU policies; asks the Commission to fulfil its obligation to link the European Semester with the objectives of the Europa 2020 strategy;

69. Points out that social protection and social policy — in particular unemployment benefits, minimum income support and progressive taxation — initially helped to reduce the depth of the recession and stabilised labour markets and consumption; stresses, however, that social stabilisers have been widely used as adjustment factors by those EMU members experiencing negative economic shocks; stresses that social protection and social policies are the competence of the Member States;

*Social stabilisers*

70. Observes that, in its 2013 annual report on the EU employment and social situation, the Commission highlighted the importance of social protection expenditure as a safeguard against social risks; recalls the importance of automatic stabilisers in dealing with asymmetrical shocks, avoiding excessive depletion of national welfare states and thus strengthening the sustainability of EMU as a whole; calls on the Commission to include in its CSRs the importance of preserving strong automatic stabilisers in the Member States, in view of their outstanding role in maintaining social cohesion as well as in stimulating internal demand and economic growth; reiterates its call on the Commission to produce a Green Paper on automatic stabilisers in the eurozone;

71. Notes the Commission objective 'to make EU law lighter, simpler and less costly for the benefit of citizens and enterprises'; stresses that this removal of regulatory barriers should undermine neither the European social acquis in fields such as occupational health and safety, information and consultation of workers, the ILO core conventions nor the European Social Charter, and should respect the autonomy of the social partners as foreseen in the Treaty; urges the Commission to make credible efforts to ensure the protection of pregnant workers and workers that have recently given birth;

*Social indicators*

72. Welcomes the fact that the Joint Employment Report annexed to the AGS includes a scoreboard for employment and social policies; calls on the Commission to study if these indicators are sufficient so as to do a thorough analysis of the socioeconomic situation in the Member States; highlights the importance of understanding the dynamics and consequences of household income developments and rising income inequalities; regrets that much of the data presented in this year's edition of the scoreboard is outdated; asks the Commission to make greater use of this scoreboard in policy formulation; calls for a detailed overview of Member States' choices in different policy fields and the corresponding results; calls on the Commission to assess and improve its scope and effectiveness to ensure that they are taken fully into account when developing country specific recommendations;

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73. Stresses that employment and social considerations should be put on a par with macroeconomic considerations in the procedure of the European Semester;

74. Calls for the identification of the major macro-economic and macro-social imbalances within the EU and eurozone economies, and for CSRs prepared in the context of the European Semester to be formulated on that basis, including steps towards convergence on labour and social standards;

#### *Poverty and social exclusion*

75. Regrets that the Annual Growth Survey and the Joint Employment Report do not contain any measure or policy framework to meet the Europe 2020 strategy objective on poverty reduction; calls on the Commission and the Member States to ensure that this objective is reflected in a better way in the European Semester;

76. Underlines the need to enforce the social acquis, the horizontal social clause and the protocol on services of general interest;

77. Welcomes the appeal by the President of the Commission to the Member States to introduce a minimum income with the aim of reducing poverty in the EU; calls on the Commission to propose an initiative to promote the introduction of minimum incomes in the Member States; stresses that it is up to each Member State to set minimum income levels and that these should be commensurate to the specific socioeconomic situation in the country in question;

78. Regrets the fact that the Commission approach aimed at tackling gender inequalities mainly treats the reconciliation of professional and family life as a women's issue; notes that measures aimed at promoting reconciliation for both men and women are crucial for the creation of jobs and have a direct influence in the quality of jobs created; notes that access to affordable and quality childcare services is still a major barrier to such reconciliation, and calls, therefore, on the Commission to pay attention to this indicator when analysing the scoreboard of key employment and social indicators;

79. Calls on the Commission to work with the Member States to tackle immediately the alarming increase in child poverty throughout the EU through long-term and holistic measures based on the good practices of some Member States, in particular measures to increase state support for school feeding, and to implement the three-pillared Commission recommendation 'Investing in Children' included in the Social Investment Package;

80. Points out that emerging new forms of poverty aggravated by the debt crisis — such as in-work poverty compounding difficulties such as, e.g., paying mortgages, or high utility prices creating energy poverty — have resulted in an increase in the number of evictions, foreclosures and homeless people; calls on the Commission and the Member States to implement integrated policies favouring social and affordable housing, effective prevention policies aimed at reducing the number of evictions, and policies tackling energy poverty based on good practices by Member States, and to stop the criminalisation of homeless people that has come to light in some Member States; calls on the Commission to launch immediately an EU action plan on homelessness, as requested by Parliament on several occasions and called for as well by other EU bodies, in order to help Member States tackle the urgent and rapidly growing problem of homelessness;

81. Ask the Commission to develop a strategy that would support Member States to tackle homelessness through integrated policies and appropriate social investment;

82. Calls on the Commission and the Member States to take urgent action to address homelessness; points out that this extreme manifestation of poverty and social exclusion violates fundamental rights and has increased in a large majority of Member States; calls on the Commission to propose concrete mechanisms to monitor and support Member States' efforts to confront homelessness, as called for in its resolutions of 14 September 2011 and 16 January 2014 on an EU homelessness strategy;

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83. Calls on the Commission to evaluate whether it is possible to increment the FEAD during the mid-term review of the multiannual financial framework;

*Sustainable pensions and health*

84. Calls for affordable and quality public services in the field of child and dependent people care that will permit women in particular to return to employment and facilitate the reconciliation of work and private life;

85. Reminds the Commission that in order to ensure both the sustainability, safety and adequacy of pensions, pension reforms need to be accompanied by policies that: develop employment opportunities for older and young workers in order to contribute to a sustainable pensions system; limit incentives to early retirement schemes and other early exit pathways; provide for the compensation of times spent caring for children or dependent family members; develop employment opportunities for older workers; guarantee access to lifelong learning for both employed and unemployed people of all ages; enhance healthy ageing at the workplace, considering physical and psycho-social risks to health and safety; introduce tax benefit policies offering incentives to stay in work longer; and support active healthy ageing; stresses that pension reforms require national political and social cohesion, and should be negotiated with the social partners and representatives of younger and elder generations as the directly affected population groups in order to be successful; calls on the Member States to take into full account Parliament's position on the Green and White Papers on pensions;

86. Takes note of the Commission's recommendation to reform healthcare systems so that they meet their objectives of providing universal access to high-quality care — including affordable access to medicines, especially those that are life-saving — and to secure respect for the rights of health staff; observes that, as a consequence of the crisis, some Member States haven't been able to ensure full coverage of public health; calls on the Commission to issue concrete recommendations to correct this situation; calls for further reform efforts to ensure that the quality and financial accessibility of health infrastructure is not put at risk;

87. Notes the Commission's recognition that the health and social care sectors hold significant potential for growth and represent crucial areas for investment in pursuit of sustainable economies; invites the Commission to report on progress in developing initiatives, as part of the Europe 2020 strategy, for investment in the health and social care sectors with regards to quality employment;

88. Calls for effective health prevention measures such as 'lifetime healthy ageing' to be strengthened and developed with a view to increasing life quality while, at the same time, reducing costs to national health systems of the medical treatments and pharmaceuticals needed late in life;

*Fairer labour taxation systems*

89. Stresses that the tax wedge has bigger impact for low-wage and second-income earners, and that this remains an issue; calls on the Commission to take note of the IMF's October 2013 tax report, which points out that there is scope for better and more progressive forms of taxation;

90. Notes the importance of reducing taxation on labour, especially by low-paid and low-skilled workers, the long-term unemployed and other vulnerable groups, while ensuring the long-range sustainability of public pension systems; calls on the Member States to shift taxes from labour to consumption, capital and environmental taxes, while paying due regard to potential redistributive effects;



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***Strengthening the democratic legitimacy of the European Semester***

91. Expresses its deep concern over the limited role that it, the national parliaments as well as social partners and civil society organisations have to play in the formulation, monitoring and implementation of economic and social priorities in the European Semester; reiterates its call for increased and structured involvement of civil society and social partners at EU as well as national level so as to improve the legitimacy of the European Semester process by developing concrete guidelines;

92. Calls for the involvement of subnational parliaments and local and regional authorities in the design and implementation of the National Reform Programmes, including through multi-level governance arrangements;

93. Urges the Commission to involve social partners more closely in the preparation of the AGS and, more generally, to formalise the role of social partners in the European Semester process;

94. Reiterates its call for an interinstitutional agreement to involve Parliament in the drafting and approval of the AGS and the Economic Policy and Employment Guidelines;

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

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P8\_TA(2015)0069

## Single market governance within the European Semester 2015

### European Parliament resolution of 11 March 2015 on Single Market governance within the European Semester 2015 (2014/2212(INI))

(2016/C 316/11)

*The European Parliament,*

- having regard to the Commission communication of 28 November 2014 entitled ‘Annual Growth Survey 2015’ (COM(2014)0902),
- having regard to the Commission communication of 13 November 2013 entitled ‘Annual Growth Survey 2014’ (COM(2013)0800) and the Commission report of 13 November 2013 entitled ‘A Single Market for growth and jobs: An analysis of progress made and remaining obstacles in the Member States — Contribution to the Annual Growth Survey 2014’ (COM(2013)0785),
- having regard to the Commission report of 28 November 2012 entitled ‘State of the Single Market Integration 2013 — Contribution to the Annual Growth Survey 2013’ (COM(2012)0752),
- having regard to the Commission communication of 8 June 2012 entitled ‘Better Governance for the Single Market’ (COM(2012)0259),
- having regard to the Commission communication of 3 March 2010 entitled ‘Europe 2020 — A strategy for smart, sustainable and inclusive growth’ (COM(2010)2020),
- having regard to the Commission communication of 19 March 2014 entitled ‘Taking stock of the Europe 2020 strategy for smart, sustainable and inclusive growth’ (COM(2014)0130),
- having regard to the Commission communication of 2 June 2014 entitled ‘2014 European Semester: Country-specific recommendations — Building Growth’ (COM(2014)0400),
- having regard to the Commission communication of 3 October 2012 entitled ‘Single Market Act II — Together for new growth’ (COM(2012)0573),
- having regard to the Commission communication of 13 April 2011 entitled ‘Single Market Act — Twelve levers to boost growth and strengthen confidence — “Working together to create new growth”’ (COM(2011)0206),
- having regard to the report of 9 May 2010 by Mario Monti to the President of the European Commission entitled ‘A new strategy for the single market. At the service of Europe’s economy and society’,
- having regard to the study of September 2014 entitled ‘The Cost of Non-Europe in the Single Market’ commissioned by the IMCO Committee,
- having regard to the study of September 2014 entitled ‘Indicators for Measuring the Performance of the Single Market — Building the Single Market Pillar of the European Semester’ commissioned by the IMCO Committee,
- having regard to the study of September 2014 entitled ‘Contribution of the Internal Market and Consumer Protection to Growth’ commissioned by the IMCO Committee,

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- having regard to the July 2014 edition of the online Single Market Scoreboard,
  - having regard to the European Council conclusions of 26-27 June 2014,
  - having regard to the European Council conclusions of 20-21 March 2014,
  - having regard to the deliberations of the Competitiveness Council of 25-26 September 2014 on the Europe 2020 strategy for growth and jobs,
  - having regard to its resolution of 7 February 2013 with recommendations to the Commission on the governance of the Single Market <sup>(1)</sup>, and to the Commission's follow-up thereon adopted on 8 May 2013,
  - having regard to its resolution of 25 February 2014 on Single Market governance within the European Semester 2014 <sup>(2)</sup>, and to the Commission's follow-up thereon adopted on 28 May 2014,
  - having regard to its resolution of 22 October 2014 on the European Semester for economic policy coordination: implementation of 2014 priorities <sup>(3)</sup>,
  - having regard to Rule 52 of its Rules of Procedure,
  - having regard to the report of the Committee on the Internal Market and Consumer Protection (A8-0018/2015),
- A. whereas in the context of the mid-term review of the Europe 2020 strategy, the Single Market and the Digital Single Market (DSM) should be considered two key tools for reigniting economic growth and creating quality employment in the EU, at the same time as ensuring complementarity with the more traditional drivers of growth, such as boosting investment in RDI, training and education, while paying particular attention to the needs of SMEs;
- B. whereas the Single Market strategy requires a holistic approach taking into account citizens', consumers' and SMEs' concerns and projecting Single Market priorities into all policy areas, so as to ensure the completion of a viable Single Market serving as a catalyst for economic recovery and sustainable growth;
- C. whereas there is a need to strengthen the governance of the Single Market within the European Semester as a horizontal priority of the Union's different policies, preserving the necessary balance between the economic, social and environmental dimensions, and to improve the quality of the transposition, implementation and enforcement of the rules which govern the Single Market so that they function in both practical and economic terms, also significantly reducing the duration of infringement proceedings;
- D. whereas a very positive process has been launched by the Single Market Governance within the European Semester and the corresponding country-specific recommendations (CSRs) for a more competitive Europe which generates quality jobs with an equitable growth better attracting investors;
- E. whereas, more than 20 years after its official creation, the Single Market has not yet been fully completed, primarily because Member States have not fully transposed or implemented Union legislation;
- F. whereas the EU Single Market strategy needs to be approached with coherence and determination and to be coordinated and based on a holistic approach and a pragmatic, comprehensive and wide-reaching agreement supported by all Member States and the EU institutions; whereas strong leadership, commitment and coordination on the part of all EU institutions, especially from the Presidents of the Commission and Council, as well as clear political ownership, cooperation and solidarity on the part of the Member States, are still required in order to fully implement and enforce Single Market-related rules and increase the credibility of and confidence in the Single Market and its management;
- G. whereas while many tools, chiefly specific indicators, exist to measure the economic performance of the Single Market within the European Semester, so far they have not yet triggered any clear impact on policy;

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<sup>(1)</sup> Texts adopted, P7\_TA(2013)0054.

<sup>(2)</sup> Texts adopted, P7\_TA(2014)0130.

<sup>(3)</sup> Texts adopted, P8\_TA(2014)0038.

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- H. whereas maximum effort should be made not only to ensure clarity, simplicity, operability and enforceability of legislation, but also to establish a predictable and stable framework for the assessment of how the legislation in the Single Market area works in practice;
- I. whereas a well-functioning and effective Single Market, based on a sustainable and highly innovative and competitive social market economy, is needed to boost sustainable growth and competitiveness, to attract investment, to promote social cohesion and to create jobs so as to revitalise the European economy; whereas a deeper and fairer Single Market with a strengthened industrial base ranks high in the priorities of the Commission Work Programme 2015; whereas the Member States and the EU should jointly draw up a European industrial policy, building on the work already undertaken in this area in recent years and focusing on strategic sectors, also with a view to achieving the objectives set in the work programme; whereas the Single Market is also needed to allow the needs of the citizens, consumers and business to be adequately taken into account and ensure that the policies proposed can provide added value for European citizens and other actors;
- J. whereas a stronger focus on the Single Market in the context of the European Semester is necessary in order to better exploit its growth and employment potential, place enhancement of the Single Market at the heart of the European industrial strategy, better communicate its positive effects and allow citizens and businesses to fully benefit from it;
- K. whereas the Member States have committed themselves to completing the internal energy market by 2014 and to integrating the 'energy islands' into the internal energy market by 2015;
- L. whereas a fully integrated internal energy market is indispensable for the Union's overall objectives of energy security and sustainability, and is of crucial value for its global competitiveness, economic growth and the creation of new jobs, as recognised in the Single Market Act II and the Europe 2020 strategy;

#### ***I. Building the Single Market pillar of the European Semester***

1. Reiterates its call on the Commission to improve governance of the Single Market by developing a set of analytical tools to more properly measure the economic and regulatory performance of the Single Market within the framework of the Single Market pillar of the European Semester; believes that such an analytical tool could provide useful input for the CSRs, the Annual Growth Survey (AGS), the European Council's guidance to Member States, and the national action plans aimed at implementing the Single Market guidelines;
2. Highlights the importance and added value of the Single Market integration reports of previous years, given their contribution to the overall priorities set in the Commission's Annual Growth Survey and the identification of CSRs in the context of the European semester; finds it therefore most deplorable that the Single Market Integration report has been omitted for 2015;
3. Further finds the omission of the Single Market integration report regrettable since it comes at a time when Parliament and the Commission have been engaging in developing specific indicators to assess internal market integration and all potential benefits of further targeted integration in key growth areas; calls, therefore, for the stepping-up of efforts to ensure better implementation and enforcement of the rules already in place;
4. Calls on the Commission to clarify the restructuring of the Annual Growth Survey 2015, and to explain why it failed to publish a contribution study on the current state of play of Single Market integration with regard to the key areas with greatest growth potential; asks the Commission to publish at least the data gathered on the Single Market in order to complement this year's AGS;

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5. Calls on the Commission to present, as early as possible in 2015, a report on the state of Single Market Integration so that such a report can set the course for the Single Market pillar of the European Semester 2015; stresses, however, that in the future the timing of the report will need to be reconsidered; is of the view that for maximum impact, also with regard to the CSRs, such a report should be published together with the AGS;
6. Urges the Commission to present a mandatory report every year aimed at monitoring the functioning of the Single Market within the European semester process and presenting an analysis of the state of Single Market integration in key areas with the greatest growth potential; calls on the Commission to identify policy priorities in the context of the AGS which would contribute to unlocking the Single Market's full growth potential, and to removing the remaining obstacles to further integration;
7. Notes the support expressed in the Annual Growth Survey 2015 for an integrated Single Market which offers consumers the same possibilities as in their home markets, and emphasises that the rights given to consumers online should be no less than those offered in their own traditional markets;
8. Highlights the acknowledgement in the Annual Growth Survey 2015 that in order to increase competitiveness in Europe unduly burdensome regulation, particularly for SMEs, must be avoided, access to finance improved, and the quality of investment in research and innovation ensured;
9. Notes the potential benefits offered by modernising administration as outlined in the AGS and how this may help remove red tape and regulatory obstacles, thus aiding businesses and citizens by boosting competition, jobs and growth in Europe;
10. Asks for a comprehensive overhaul of the framework for Single Market governance and strengthening of the monitoring and assessment of the correct, timely and effective implementation and application of Single Market rules; stresses the need to use the Single Market as the third pillar of the European Semester in order to cover a clear set of priorities related to the real economy, while fully respecting the principles of subsidiarity and proportionality within the EU;
11. Calls on the Commission to take full account of the key growth and quality job-creation areas for building an EU Single Market fit for the 21st century, as previously identified by the Commission and further specified in the study of September 2014 entitled 'The Cost of Non-Europe in the Single Market' and including services, the Digital Single Market and in particular e-commerce, the consumer acquis, public procurement and concessions, the free movement of goods; also calls on the Commission to complete the Single Market in transport and energy;
12. Considers that there is a need to define an integrated measurement system, combining different methodologies such as composite indicators, a systematic set of indicators and sectoral tools, so as to measure the performance of the Single Market for the purpose of embedding it in the European Semester; stresses that, in order both to measure and to provide an impetus for deepening the Single Market in key priority areas, a headline indicator and a target for this indicator as regards Single Market integration should be considered;
13. Calls on the Commission to introduce a methodology for quantitative targets for the reduction of administrative burdens at European level; notes the positive experiences in some Member States of setting net reduction targets with the aim of lowering compliance costs; asks that this methodology be considered in the Commission's new initiative on reducing administrative burdens;
14. Notes that in the context of assessment of economic impacts on the Single Market within the European Semester, further efforts should be made to promote the provision of appropriate details on the methodology applied and the data used, in order to ensure the credibility and comparability of the results obtained, establish the relevant linkages with ex post assessments, and point to gaps in the data needed to conduct the assessments;

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15. Reiterates its call for the procedures to provide for appropriate involvement of the European Parliament in the economic governance cycle, setting forth the adoption, by Parliament and by the Council, of other measures necessary to strengthen Single Market governance, in particular measures addressing the areas where the Union regulatory framework has been established in accordance with the ordinary legislative procedure laid down in Article 294 TFEU;

16. Regrets that the CSRs have not been sufficiently aligned with the Europe 2020 targets; calls, therefore, for more determined efforts to guide and coordinate national and EU policies and for the continuation of the specific measures that are necessary to strengthen the Single Market and exploit its potential with the aim of boosting smart, sustainable and inclusive growth and competitiveness and creating jobs, particularly for young people;

17. Believes that the ownership of the CSR by national parliaments needs to be strengthened; encourages the Member States to provide the possibility for the Commission to present the CSRs in the national parliaments before their adoption by the Council; calls, furthermore, on the Member States to demonstrate more commitment to the implementation of the CSRs and to rigorously transpose the EU targets into their own targets at national level; considers, therefore, that the Member States should report annually and thoroughly on the implementation of the CSRs on Single Market areas; reiterates, furthermore, its request that the Commission report to the competent committee of Parliament on the measures taken to ensure progress in the implementation of the CSRs and the progress achieved thus far; invites Member States to explain the reasons for significant variations regarding the CSRs to the competent committee of Parliament;

18. Supports the emphasis placed in the CSRs for 2014 on the importance of removing unjustified restrictions and barriers to entry in the key sectors such as retail, e-commerce and business services; urges the Member States concerned to give those recommendations their utmost consideration and, as an immediate priority, to remove these obstacles to the growth of the Single Market;

19. Requests that the forthcoming CSRs in the European Semester cycle should reflect the findings of the Single Market integration report in a much stronger and more stringent fashion than previously;

20. Regrets the fact that the Commission has so far not considered promoting the Single Market as a priority in the framework of the European Semester; calls on the Commission to make Single Market governance, in particular with regard to measures focused on jobs, growth and competitiveness, a vital part of all subsequent phases of the European Semester process; reminds the Commission that a genuine Single Market in these areas would significantly boost economic growth and job creation in the EU; calls for the opportunity provided by this new framework to be taken up and for the key growth areas and the measures included in the Single Market Acts I and II to be developed to the fullest extent possible, drawing attention to the need to take account of citizens' concerns and expectations;

21. Stresses the need for an integrated approach by the EU, the Member States, the regions, municipalities, social partners and stakeholders in the implementation and development of policies in order to move the social market economy forward;

22. Calls on the Commission, the Member States and the regions to ensure the full implementation of EU funds for the period 2007-2013; notes the opportunity for Member States and the regions to shape their policies and investments in the period 2014-2020 towards sectors where more growth and jobs are generated, especially for young people, such as the Digital Single Market, energy, services and the green economy, while also investing in RDI on a genuine and quality-oriented basis so as to ensure access to network infrastructure for all citizens;

## II. *Untapped potential of the Single Market in key growth areas*

23. Recalls that the Single Market is a key driver for growth and jobs and has an indispensable role to play in meeting the objectives of the Europe 2020 strategy for smart, sustainable and inclusive growth; notes, however, that this potential remains untapped in many respects;

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24. Recalls the three priorities set out in the Europe 2020 strategy:

- developing an economy based on knowledge and innovation;
- promoting a more resource-efficient, greener and more competitive economy;
- fostering a high-employment economy delivering a high level of social and territorial cohesion;

25. Welcomes the new approach of the Commission in the AGS for 2015 of giving a coordinated boost to investment in the EU so as to increase domestic demand and foster a more competitive economy; strongly believes that, with a view to being as ambitious as possible, priority need to be given to investments encouraging the digital economy and to the creation of a more competitive internal market in cooperation with Member States;

26. Is greatly concerned at falling levels of private investment in Europe and the lack of confidence of private investors, resulting in a reluctance to invest, in particular as a consequence of the lack of structural reforms, the lack of a pro-growth EU strategy, and the persisting barriers within the Single Market to growth in areas such as e-commerce; calls on the Member States to actively support the Investment Plan and to contribute to the European Fund for Strategic Investment, supplementing the amounts provided through the EU budget and by the EIB, in order to guide and encourage investment by the private sector;

27. Calls on the Commission, the Member States, the regions and all the relevant stakeholders to focus on the real economy in designing and developing investment policies which will attract private investment in return; calls, furthermore, for investment in training for both individuals and companies for the digital era, including in the latest technologies in the energy sector, since this produces a leverage effect, ensuring a global digital network, supporting education and quality R+I and resulting in solid progress in achieving a Single Market in the transport sector, thus allowing us to compete on an equal footing with the major world powers;

28. Calls on the Commission and the Member States to improve the regulatory framework for SMEs, given its job creation capacity; calls for maximisation of the opportunities presented by the COSME programme in terms not only of fostering entrepreneurship in Europe, but also of improving SMEs' access to finance and to both EU and global markets;

29. Highlights the need to link investment with innovation and entrepreneurship, maximising the opportunities offered by the digital economy and society and developing a smart European industrial policy; notes that this investment should take particular account of SMEs, which face the most difficulties in accessing investment, and should include practical measures to support start-ups and social entrepreneurship and innovation as a source of jobs for the future for young people;

30. Stresses the need to reignite the entrepreneurial spirit in Europe through practical measures, which means ensuring easy access to credit for SMEs, particularly those linked to key sectors; also calls for other forms of financing to be promoted as an alternative to bank financing;

31. Calls on the Member States to be more decisive in gearing their economies towards innovation and growth, since this will prepare us for the tasks and demands of the future in the digital age; notes that this will also make our businesses more innovative and more able to react on the global market, particularly with the full integration of ICTs;

#### *Digital Single Market*

32. Takes the view that, as identified in the Annual Growth Survey 2015, advancing the Digital Single Market is crucial to stimulating growth, creating quality jobs, keeping the European economy competitive globally and bringing benefits to both businesses and consumers; calls, therefore, on the Commission to draw up an ambitious European e-Government Action Plan 2016-2020 and thus continue supporting the Europe 2020 objectives;

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33. Notes the importance of investment, including in broadband networks, in achieving priority goals and objectives in the key area of the digital market; recommends devoting a substantial part of the future EUR 315 billion investment plan to targeted and strategic investments in the digital sector; points out further that the interlinking of elements such as high levels of network penetration and high levels of ICT skills in the population and businesses is a key factor in achieving a genuine Digital Single Market; appeals to the EU and the Member States to make digital network infrastructure and digital training for their businesses and citizens a priority for investment;

34. Believes that fragmentation and a lack of legal certainty are primary concerns in this field and that the inconsistent enforcement of existing EU rules in Member States also needs to be addressed;

35. Notes that the completion of the Digital Single Market could generate additional GDP growth of 0,4 % (or EUR 520 billion at 2014 prices) over the period up to 2020, with employment gains in the range of 0,1 %, equivalent to creating more than 223 000 jobs by 2020, according to data included in the study 'The Cost of Non-Europe in the Single Market'; believes that addressing barriers to e-commerce, investment in broadband infrastructure and the deployment of new technologies such as 4G and 5G is crucial for the development of digital solutions as they rely on fast and effective connections; considers the adoption of the EU's general data protection framework and the Network and Information Security Directive as essential for the completion of the Digital Single Market by 2015; calls for investment to remedy unequal access to broadband and 4G networks in the EU;

36. Highlights the correlation between high levels of online sales and increases in per capita GDP, and therefore urges that progress be made in achieving genuine cross-border e-commerce and cloud computing; considers it essential to put an end to fragmentation into 28 digital markets, guarantee universal network access, and make net security and consumer trust the cornerstones of the DSM, since there can be no online market without trust;

37. Stresses that according to the 'Cost of Non-Europe' report, making progress on e-government could generate savings of EUR 100 billion per annum; calls for Member States' efforts to modernise their public administrations to be concentrated and intensified so that citizens and businesses can carry out more and more procedures electronically while making use of their rights in the Single Market, particularly at cross-border level;

38. Underlines that there is a need for EU Single Market rules to be workable for the digital era, and that this entails implementation of Single Market rules for online payments, development of safe e-solutions Europe-wide (e.g. e-invoicing and digital signature), reform of intellectual property rights, and clarifying VAT requirements where appropriate, in order to generate trust in e-commerce, improve the quality of information provided to European consumers about their rights, and ensure that the same level of protection is available to consumers online as that which they are used to in their traditional markets;

39. Emphasises that the review of the recent economic governance framework is a great opportunity to urge Member States to step up their efforts towards the Digital Single Market, meaning not only more growth and jobs, especially in the SME sector and among young people, but also a future-oriented and modern European Union;

40. Believes that Member States have to step up their efforts to modernise their public administrations, providing more and better accessible digital services for citizens and businesses, reducing costs and enhancing efficiency, facilitating cross-border cooperation, and implementing interoperability frameworks for public administrations;

41. Stresses the importance of electronic identification and trust services for increasing the volume and quality of electronic trade with a view to growth; calls, therefore, on the Member States to take all necessary measures to implement the regulation on electronic transactions in the internal market by 1 July 2016;



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42. Considers improving digital skills in the Union to be an absolute priority;

*Free movement of goods*

43. Believes that the free movement of goods, capital, services and people still offers untapped potential for citizens and business, in terms of efficiency, growth and jobs creation;

44. Reiterates its support for comprehensive trade and investment agreements that would support and be compatible with the creation of jobs for European workers, directly benefit European consumers, and open up new opportunities for EU companies, in particular small and medium-sized enterprises (SMEs) respecting EU social, environmental and consumer standards as a key to providing new growth opportunities; expresses the view that Parliament must be closely involved in negotiations on the Single Market acquis and that any modification of existing legislation or introduction of new legislation must fully respect the role of Parliament as co-legislator;

45. Calls on the Member States to strengthen the value chain in cross-border production as a key factor for promoting competitiveness and growth, creating jobs and reducing existing trade barriers in sectors which are relatively extensive but are not sufficiently integrated to maximise the benefits offered by the Single Market;

46. Calls for increased monitoring of barriers in the Single Market for goods;

*Services*

47. Stresses that specific policy actions should be included in the Europe 2020 strategy, aiming at addressing barriers in the areas of the services sector covered by the Services Directive and in financial services, for example, and putting more explicit emphasis on the deepening of the Single Market;

48. Stresses that significant untapped growth potential exist in the services sector, as is clear from the estimates in the report 'The Cost of Non-Europe in the Single Market' referring to potential gains of between EUR 337 billion and EUR 637 billion;

49. Takes the view that, given that the services sector is one of the areas with the greatest growth potential in the EU, there is a need to strengthen measures aimed at improving competitiveness in the sector, including retail trade, and to simplify legislation for businesses, particularly SMEs; stresses the importance of guaranteeing universal access to public services for all consumers, families and businesses;

50. Considers that consumer protection, choice and competition in the area of financial services should be strengthened, paying particular attention to the different needs of consumers, including the most vulnerable ones; considers that consumers' financial awareness capabilities should be raised, given the significant confusion that can arise regarding financial products and the problems this can cause to individual consumers and the Single Market;

51. Reiterates the need for renewed efforts to combat fraud and tax avoidance and evasion, and therefore calls for more emphasis to be placed on good tax governance in both private and public sectors in the EU; stresses that the 'Cost of Non-Europe' report indicates that savings of EUR 9 billion per year could be generated through measures such as the standardisation of electronic invoices and coordination of cross-border tax systems; welcomes the Commission President's announcement of an automatic exchange of information on national fiscal policy decisions; stresses the need to strengthen and improve tax coordination so as to prevent unfair competition and market distortions and ensure equal opportunities in the Single Market;

52. Welcomes the statement made by the Commission in its AGS report 2015 that 'addressing tax fraud and tax evasion is essential to ensure fairness and allows Member States to collect the tax revenues due to them';

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53. Reaffirms its position that the overall level and quality of investment in research and development should be increased in order to stimulate innovation, highlighting the different levels of investment in the Member States; reminds the Commission of the need to create a genuine Single Market in knowledge, research and innovation and for the completion of the European Research Area; stresses that 85 % of the funds earmarked for innovation are currently used exclusively on a national basis, without cross-border cooperation, which makes it impossible to fully exploit added value on a European scale;

*Public procurement and concessions*

54. Welcomes the adoption in 2014 of the directives on public procurement procedures and the award of concession contracts, which modernised public procurement in the EU, promoting the sustainability of public contracts; emphasises the added value of the directive on the award of concession contracts, particularly in terms of facilitating the procedures and making them more transparent and of offering more opportunities for SMEs, thus making it possible to overcome the problems in these contracts, ensure legal certainty, flexibility and transparency, and support the development of economic infrastructure and high-quality public services;

55. Points out that the EU legislation on public procurement and concessions needs to be applied fully and speedily in order to improve the quality, effectiveness and transparency of investment and public spending;

56. Stresses the need for the proper and timely transposition of the legislation on public procurement and concessions; highlights the importance of public procurement and the value of innovation partnerships as a key driver of smart, sustainable and inclusive growth, particularly for SMEs, which need to be supported through specific measures that will foster competition and innovation;

*Consumer acquis*

57. Finds it regrettable that the fragmented implementation of EU consumer protection legislation by the Member States results in differences in the protection of consumers and in the severity and timing of any enforcement measures taken; considers that this limits the consistency and coherence of legislative provisions in the same sectors or between different sales channels;

58. Calls on the Commission to ensure the swift implementation and enforcement of legislation such as the Consumer Rights Directive and the provisions on Alternative Dispute Resolution and Online Dispute Resolution, while ensuring the reduction of administrative burdens; calls for consumers to be given adequate protection in line with their traditional market in cross-border sales and for enhanced data protection in the digital age, since this will help boost consumer trust in online purchases; points out the importance of effective enforcement of the rights of online consumers and the need for affordable and effective means of redress in the event of a dispute;

59. Calls for action to be taken to encourage sustainable consumption, particularly in relation to a product's useful life, and to combat practices aimed at deliberately reducing that useful life; hopes in this regard that the Commission will draw up a coherent action plan;

60. Stresses that the Consumer Rights Directive marked an important step forward in terms of increasing legal certainty for consumers and businesses in online transactions, and today constitutes the main consumer protection instrument for online services;

61. Notes that further gains can be made from improvements to the functioning of the Single Market, such as putting in place the online dispute resolution (ODR) system for consumer disputes, which could generate savings in the region of EUR 22 billion;

*Energy*

62. Calls on the Commission to ensure a functioning internal market in energy with non-discriminatory market access and a high level of consumer protection, as well as adequate levels of interconnection capacity and system adequacy;

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63. Reiterates the need to increase Europe's energy security by diversification of sources and routes of energy, and stresses the need, as a priority, to complete the internal energy market and to end the isolation of energy islands inside the Union;

64. Considers that, in order to enhance the completion of the internal market, the integration of renewable energy sources and the security of supply, the Member States need to achieve a minimum target of 10 % of electricity interconnection capacity as a matter of urgency, and ideally to reach a level of 30 %;

65. Considers that the liberalisation of the gas and electricity markets is fundamental for empowering consumers, and calls on the Commission to put consumers at the centre of its EU internal energy market policy;

### III. *Instruments for the assessment of Single Market integration and governance tools*

66. Acknowledges that the Single Market Scoreboard can be considered a best practice for monitoring and evaluating the compliance of Member States with Single Market obligations, given that it can trigger improvements and catch-up processes among countries; stresses, however, that this scoreboard makes no provision for quality assessment tools; stresses the importance of improving dialogue with and between Member States in order to identify and address the complexities they are experiencing in implementing the Single Market legislation; in this regard, calls on the Commission to better assist Member States, when they so request, with the implementation of complex Single Market legislation;

67. Considers, with respect to the regulatory performance of the Single Market, that a composite indicator could be developed to measure the 'Single Market gap', i.e. the additional burden borne by citizens and companies in cross-border activities because of the lack of rules governing the Single Market; insists that such an indicator should facilitate the development of conclusions which could result in policy recommendations for the EU institutions and Member States;

68. Takes account of the Digital Agenda Scoreboard as an important tool to evaluate the progress made by Member States in this field; believes that the composite index to measure the Single Market gap should incorporate that scoreboard;

69. Calls on the Commission to consider including in the body of its proposals for legal instruments in the Single Market area the obligation to carry out a systematic review of transposition, compliance, effectiveness and fitness for purpose of the legal instruments, including a methodology and criteria for such a review; believes that such methodology and criteria would allow for better assessment of whether the legal instruments are properly transposed, implemented and enforced, and also of whether and to what extent they contribute to attaining their objectives and how far they are fit for their purpose;

70. Supports the creation of a sustainable Single Market based on the development of an inclusive, resource-efficient, knowledge-based economy, including measures to further innovation of whatever kind in sustainable technologies, balance consumer and business interests, and make improvements in respect of an informal problem-solving mechanism for the Single Market such as SOLVIT, whilst also enhancing public knowledge of points of single contact so that the public can become more aware of the opportunities available to generate growth and jobs in the Single Market;

71. Acknowledges the continuous increase in the use of the Your Europe and Your Europe Advice portals, which should be able to provide the necessary information to anyone living, working or studying in or moving between Member States in the EU;

72. Welcomes the fact that the average transposition deficit in Member States has fallen below the 1 % limit agreed by the European Council, reaching 0,6 %, which represents the best result registered since the creation of the Single Market Scoreboard; stresses that the zero-tolerance principle as regards the transposition of EU regulations must be a fundamental rule for both the Member States and the Union;

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73. Notes that proper implementation and enforcement of EU legislation is crucial for the completion of the Single Market; therefore calls on the Commission to make determined use of all its powers to reach this goal, and urges the Member States and the Commission to step up their efforts to enforce Single Market legislation and to monitor this enforcement, inter alia through regular inspection sweeps, while also continually reflecting on problems regarding implementation and making sure that legislation is more efficient and that ex post assessment is used more extensively and effectively; calls for increased monitoring of the effectiveness of consumer rights in the digital environment, particularly given the speed with which breaches of consumer legislation can spread in that environment;

74. Recalls, however, that the infringement proceedings process has revealed a number of limitations as regards swiftly addressing and correcting the implementation and application deficiencies in Single Market provisions; calls on the Member States to work more effectively with the Commission in resolving cases more swiftly;

75. Recognises that a failure to implement can be the result of complexities in the initial drafting; therefore stresses the need for both primary and secondary legislation to follow better regulation principles throughout, employing proper consultation, impact assessments and post-implementation reviews;

76. Insists, furthermore, that every effort should be made to ensure the more effective use of infringement proceedings for breaches of Union law in the field of the Single Market, and that the Member States and the European Council should continue the further development of infringement proceedings in the framework of future revisions of the Treaty on the Functioning of the European Union; takes the view, nevertheless, that infringement proceedings should always be the last resort and should be opened only after several attempts at coordination and rectification have been made;

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77. Instructs its President to forward this resolution to the Commission, the Council, the European Council and the governments and parliaments of the Member States.

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P8\_TA(2015)0070

**Fight against child sexual abuse on the Internet****European Parliament resolution of 11 March 2015 on child sexual abuse online (2015/2564(RSP))**

(2016/C 316/12)

*The European Parliament,*

- having regard to the UN Convention on the Rights of the Child, of 20 November 1989, and the protocols thereto,
  - having regard to Article 3 of the Treaty on European Union,
  - having regard to Articles 7, 8, 47, 48 and 52 of the Charter of Fundamental Rights of the European Union,
  - having regard to the Council of Europe Convention on Cybercrime, of 23 November 2001,
  - having regard to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, of 25 October 2007,
  - having regard to Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA <sup>(1)</sup>,
  - having regard to the Europol report of 2014 on the Internet Organised Crime Threat Assessment (iOACTA),
  - having regard to General Comment No 14 (2013) of the UN Committee on the Rights of the Child on the right of the child to have his or her best interests taken as a primary consideration,
  - having regard to the EU Agenda for the Rights of the Child, adopted in February 2011,
  - having regard to its resolution of 27 November 2014 on the 25th anniversary of the UN Convention on the Rights of the Child <sup>(2)</sup>,
  - having regard to the Commission communication entitled 'A special place for children in EU external action' (COM (2008)0055),
  - having regard to the EU Guidelines for the Promotion and Protection of the Rights of the Child,
  - having regard to the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016, in particular the provisions on financing the development of guidelines on child protection systems and on the exchange of best practices,
  - having regard to its plenary debate of 12 February 2015 on the fight against child sexual abuse on the internet,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas sexual abuse and sexual exploitation of children, including child abuse images, constitute serious violations of fundamental rights, in particular of the right of children to the protection and care necessary for their well-being, as provided for by the 1989 UN Convention on the Rights of the Child and by the Charter of Fundamental Rights of the European Union;

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

<sup>(2)</sup> Texts adopted, P8\_TA(2014)0070.

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- B. whereas the child's best interests must be a primary consideration when carrying out any measures to combat these offences, in accordance with the EU Charter of Fundamental Rights and the UN Convention on the Rights of the Child;
- C. whereas serious criminal offences such as the sexual exploitation of children and child abuse images require a comprehensive approach covering the investigation of offences, the prosecution of offenders, the protection of child victims and the prevention of this phenomenon;
- D. whereas the internet can expose children to specific risks, through them being able to gain access, or being subjected, to child sexual exploitation material, or being subjected to cyber predators, the exchange of material on violence, intimidation, bullying or grooming; whereas this exposure of children to such risks is exacerbated by the widespread use of and access to mobile technology and the internet;
- E. whereas the fight against child abuse on the internet should be integrated into a wider strategy addressing the overall phenomenon of child sexual abuse and exploitation, which still relates mainly to offline offences perpetrated through networks and individuals deliberately acting outside the internet area;
- F. whereas in the online environment sexual exploitation may take various forms, with young people being persuaded, or forced, to send or post sexually explicit images of themselves, to take part in sexual activities via a webcam or smartphone, or to have sexual conversations by text or online, meaning that abusers and cyber predators can threaten to send images, videos or copies of conversations to the young person's friends and family unless they take part in further sexual activity; whereas images and/or videos may continue to be shared long after the sexual abuse has stopped and remain freely available for anyone to view online, thus maintaining a constant risk of the victims being re-victimised and stigmatised;
- G. whereas the measures taken by Member States to prevent illegal online content have not always been effective enough;
- H. whereas the investigative tools made available to those responsible for the investigation and prosecution of child sexual abuse online should take into account, inter alia, the principle of proportionality and the nature and seriousness of the offences under investigation, in line with EU and Member State law;
- I. whereas the protection of minors in the digital world must also be addressed through the industry taking initiatives in order to assume its shared responsibility, including through education and training for children, parents and teachers with a view to preventing minors from accessing illegal content;
- J. whereas, by reason of their international nature, child exploitation and child sexual exploitation online, which span hundreds of countries and their legal jurisdictions and law enforcement agencies, constitute an international problem which requires an international solution; whereas concerns must be raised over human traffickers using children without a legal identity, who are 'invisible' to the authorities, for sexual abuse online;
- K. whereas, owing to the nature of the crime and the age of the victims, most areas of child sexual exploitation and abuse — to a greater extent than other forms of crime — suffer from chronic underreporting to law enforcement authorities; whereas, therefore, the available data on the number of crimes committed do not accurately reflect the extent of the problem; whereas, according to information provided by NGOs concerning web pages containing child abuse material, more than 80 % of the victims are aged younger than 10; whereas data from the International Association of Internet Hotlines show an increase in the number of infant victims of sexual abuse and in abuse of an extreme and sadistic nature;
- L. whereas a large number of offenders use the Darknet, where they have established anonymous communities using hidden forums, website services, social networking platforms and storage providers dedicated to child abuse material, thereby enabling and facilitating practically untraceable sexual exploitation of children;
- M. whereas many criminals use defensive measures such as encryption and other tools to secure their activities, posing a serious challenge to law enforcement investigations;

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- N. whereas NGOs reveal that just eight top-level distributors were responsible for 513 commercial child abuse material distribution brands in 2012, and that the 10 most prolific brands recorded in 2012 were all associated with a single top-level distributor;
- O. whereas Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography was due to be transposed by Member States by 18 December 2013, and whereas fewer than half of the Member States have fully implemented it so far;
1. Strongly emphasises that protecting children and ensuring a safe environment for their development is one of the primary objectives of the European Union and its Member States;
  2. Stresses in the strongest terms that the rights and protection of children online must be safeguarded, and that steps must be taken to ensure that any illicit content is promptly removed and reported to law enforcement authorities, and that there are sufficient legal instruments for investigating and prosecuting offenders;
  3. Considers that children's personal data online must be duly protected and that children need to be informed in an easy and child-friendly way of the risks and consequences of using their personal data online; underlines the important changes the data protection reform will bring in order to further protect the rights of children online;
  4. Stresses the need for a comprehensive and coordinated European approach in order to ensure consistency in policymaking and the resulting action, encompassing the fight against crime together with fundamental rights, privacy, data protection, cybersecurity, consumer protection and e-commerce;
  5. Considers that further steps must be taken to combat cyber grooming, and that the Commission, together with national governments, civil society, social media companies, parents, teachers, social workers, child protection officers, paediatricians, and youth and children's organisations must play an active role in raising awareness of this issue through defined guidelines, the exchange of best practices, the creation of social platforms for cooperation and the exchange of information on this subject with a view to identifying potential risks and threats to children;
  6. Calls on the Commission and the Member States to launch an awareness campaign, involving all relevant actors, to empower children and support parents and educators in understanding and handling online risks and protecting children's safety online, to support Member States in setting up online sexual abuse prevention programmes, to promote awareness-raising campaigns on responsible behaviour in the social media, and to encourage major search engines and social media networks to take a proactive approach to protecting child safety online;
  7. Calls on the Commission and the Member States to take appropriate measures to improve and enhance children's reporting of abuse, as well as the action taken in response to such reporting, and to consider setting up systematic direct reporting mechanisms; supports the development of hotlines for children where they can denounce abuse anonymously;
  8. Stresses the need to improve international cooperation and transnational investigations in this area through cooperation agreements, and to strengthen cooperation among law enforcement authorities, including through Europol and the European Cybercrime Centre (EC3), with a view to investigating, dismantling and prosecuting child sex offender networks more effectively, while prioritising the rights and safety of the children involved;
  9. Welcomes, in this connection, the joint initiative by the EU and 55 countries around the world — coming together in the Global Alliance against Child Sexual Abuse Online — aimed at rescuing more victims, ensuring more effective prosecution, increasing awareness and achieving an overall reduction in the amount of child sexual abuse material available online; calls on the Commission to report more regularly on the progress made through this Alliance; calls on the Member States to implement these recommendations at national level;
  10. Calls on the Commission and the Member States to foster and strengthen the resources dedicated to victim identification and victim-centred services, and calls for the setting-up of related platforms as a matter of urgency and for the strengthening of existing platforms within Europol;

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11. Calls on the Member States to implement Directive 2012/29/EU on establishing minimum standards on the rights, support and protection of victims of crime;
  12. Believes it is essential to use the correct terminology for crimes against children, including the description of images of sexual abuse of children, and to use the appropriate term 'child sexual abuse material' rather than 'child pornography';
  13. Encourages the Member States to properly resource the national contact points in order to enable them to report criminal and harmful online content and conduct, as provided for in Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography;
  14. Recalls that Member States are required to take the necessary measures to ensure that people who fear they might commit any of the offences related to sexual abuse and sexual exploitation have access, where appropriate, to effective intervention programmes or measures designed to evaluate and prevent the risk of such offences being committed;
  15. Asks that the Member States' law enforcement authorities and Europol be provided with the necessary funds, human resources, investigative powers and technical capabilities to seriously and effectively pursue, investigate and prosecute the offenders, including appropriate training to build capacity in the judiciary and police units and to develop new high-tech capabilities to address the challenges of analysing vast amounts of child abuse imagery, including material hidden on the 'dark web', in order to trace and prosecute the offenders so as to protect the safety and rights of children;
  16. Notes with concern the development and expanding trends of commercial sexual exploitation of children online, including new means of distribution and transaction for child abuse materials, notably through the Deep Web and the Darknet, and in particular the phenomenon of live streaming of abuse for payment; calls on the Commission and the Member States, therefore, to further engage with representatives of alternative payment systems in order to identify opportunities for better cooperation with law enforcement authorities, including common training on better identification of payment processes linked to the commercial distribution of child abuse material;
  17. Calls for an effective partnership approach and lawful information exchange between law enforcement agencies, judicial authorities, the ICT industry, internet service providers (ISPs), internet host providers (IHPs), social media companies, the banking sector and NGOs, including youth and children's organisations, with a view to ensuring that the rights and protection of children online are safeguarded and that any illicit content is promptly removed and reported to law enforcement authorities, which should regularly report on their investigations and prosecutions based on this relevant information, where appropriate; welcomes, in this connection, the CEO coalition for making the internet a better place for kids, as well as the work of the European Financial Coalition against Commercial Sexual Exploitation of Children Online (EFC);
  18. Stresses that illegal online content should be removed immediately on the basis of due legal process; highlights the role of ICT, ISPs and IHPs in ensuring the fast and efficient removal of illegal online content at the request of the responsible law enforcement authority;
  19. Strongly urges those Member States that have not yet done so to transpose Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography; calls on the Commission, therefore, to strictly monitor its full and effective implementation, and to report back to Parliament, and its committee responsible, on its findings in a timely manner;
  20. Instructs its Committee on Civil Liberties, Justice and Home Affairs to further monitor the implementation of Directive 2011/93/EU and to carry out an in-depth analysis of the current policy framework for the fight against child sexual abuse, in the form of an implementation report on Directive 2011/93/EU, and to report back to the plenary;
  21. Instructs its President to forward this resolution to the Commission, the Council and the parliaments of the Member States.
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Thursday 12 March 2015

P8\_TA(2015)0071

**Recent attacks and abductions by ISIS/Da'esh in the Middle East, notably of Assyrians****European Parliament resolution of 12 March 2015 on recent attacks and abductions by ISIS/Da'esh in the Middle East, notably of Assyrians (2015/2599(RSP))**

(2016/C 316/13)

*The European Parliament,*

- having regard to Article 18 of the Universal Declaration of Human Rights (UDHR) of 1948,
- having regard to Article 9 of the European Convention on Human Rights (ECHR) of 1950,
- having regard to Article 18 of the International Covenant on Civil and Political Rights (ICCPR) of 1966,
- having regard to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief of 1981,
- having regard to the UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities of 1992,
- having regard to the International Convention for the Protection of All Persons from Enforced Disappearance,
- having regard to its previous resolutions on Iraq, Syria, Libya and Egypt, in particular that of 10 October 2013 on recent cases of violence and persecution against Christians, notably in Maaloula (Syria) and Peshawar (Pakistan) and the case of Pastor Saeed Abedini (Iran)<sup>(1)</sup>, that of 18 September 2014 on the situation in Iraq and Syria, and the IS offensive, including the persecution of minorities<sup>(2)</sup>, and that of 12 February 2015 on the humanitarian crisis in Iraq and Syria, in particular in the IS context<sup>(3)</sup>,
- having regard to the EU Guidelines on the promotion and protection of freedom of religion or belief,
- having regard to the statements by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on violence and persecution against Christians and other communities in the Middle East, in particular that of 16 February 2015 on the beheading of 21 Egyptian Coptic Christians in Libya,
- having regard to the Joint Communication from the Commission and the VP/HR to the European Parliament and the Council on elements for an EU regional strategy for Syria and Iraq as well as the Da'esh threat,
- having regard to the statement by the UN Security Council of 25 February 2015 condemning the abduction of more than 100 Assyrians by ISIL,
- having regard to the UN Report of the Independent International Commission of Inquiry on the Syrian Arab Republic entitled 'Rule of Terror: Living under ISIS in Syria', of 14 November 2014,
- having regard to the annual reports and interim reports of the UN Special Rapporteur on freedom of religion or belief,
- having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

<sup>(1)</sup> Texts adopted, P7\_TA(2013)0422.

<sup>(2)</sup> Texts adopted, P8\_TA(2014)0027.

<sup>(3)</sup> Texts adopted, P8\_TA(2015)0040.

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- A. whereas the promotion of democracy and respect for human rights and civil liberties are fundamental principles and aims of the European Union and constitute common ground for its relations with third countries;
- B. whereas, according to international human rights law and Article 18 of the International Covenant on Civil and Political Rights in particular, everyone has the right to freedom of thought, conscience and religion; whereas this right includes freedom to change one's religion or belief, and freedom, either individually or in community with others and in public or private, to manifest one's religion or belief in worship, observance, practice and teaching; whereas according to the UN Human Rights Committee, the freedom of religion or belief protects all beliefs, including theistic, non-theistic and atheistic beliefs;
- C. whereas the European Union has repeatedly expressed its commitment to freedom of thought, freedom of conscience and freedom of religion or belief and has stressed that governments have a duty to guarantee these freedoms all over the world;
- D. whereas the United Nations and other international organisations have reported widespread serious violations of international human rights and humanitarian law committed by ISIS/Da'esh and associated groups in Syria and Iraq, in particular against minority ethnic and religious groups, including through targeted killings, forced conversions, abductions, selling of women, slavery of women and children, recruitment of children for suicide bombings, sexual and physical abuse and torture; whereas there are serious concerns for the welfare of those still trapped in areas controlled by ISIS/Da'esh forces, as almost no international humanitarian assistance reaches those areas;
- E. whereas ISIS/Da'esh has embarked upon a campaign to eradicate all traces of religious and faith communities other than those representing its own interpretation of Islam, by killing or expelling its adherents and destroying their holy places, historical sites and artefacts, including unique and irreplaceable heritage recognised by UNESCO as World Heritage and described as 'cultural cleansing' by this organisation;
- F. whereas in the areas under its control, ISIS/Da'esh is extracting an unacceptable and irreparable price from millenarian civilisations; whereas, notably in Iraq and Syria, but also in other parts of the wider Middle East, the situation facing Christian communities is such as to endanger their very existence, and if they were to disappear, this would entail the loss of a significant part of the religious heritage of the countries concerned;
- G. whereas ISIS/Da'esh targets Christians, Yezidis, Turkmen, Shi'ites, Shabak, Sabeans, Kaka'e and Sunnis who do not agree with their interpretation of Islam, and other ethnic and religious minorities, but whereas some of these communities were already targeted by extremists well before the advance of ISIS/Da'esh; whereas Christians in particular have been deliberately targeted by various extremist or jihadist groups for many years, forcing more than 70 % of Iraqi Christians and more than 700 000 Syrian Christians to flee their countries;
- H. whereas in Iraq the 250 000 Chaldeans/Assyrians/Syriacs comprise a distinct ethno-religious group and it is estimated that up to 40 000 Assyrians lived in Syria before the country's civil war broke out in 2011;
- I. whereas on 15 February 2015 ISIS/Da'esh released a video showing the beheading of 21 Egyptian Coptic Christians in Libya; whereas the Copts, who were migrant workers from an impoverished part of Egypt, had been kidnapped in Sirte, Libya;
- J. whereas on 23 February 2015 an estimated 220 Assyrians were abducted by ISIS/Da'esh near Tell Tamer on the southern Khabur River bank in north-east Syria; whereas during the same campaign the extremists also destroyed properties and holy places of the Christians; whereas dozens of Assyrians were killed during the IS assault; whereas IS reportedly issued a declaration in February 2015 requesting Assyrian villages in the Syrian Hasaka Province to pay the jizya, a tax on non-Muslims dating to early Islamic rule and abolished in 1856 across the Ottoman empire, to convert to Islam or else be killed; whereas major ISIS/Da'esh attacks have been reported on Assyrian Christian towns in the Khabur River area since 9 March 2015;

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- K. whereas since 1 March 2015 ISIS/Da'esh has released several dozen Assyrians, mostly infants and elderly people, following negotiations with tribal leaders, but most Assyrians are still held captive and the terrorists have threatened to kill them if the coalition bombings do not stop;
- L. whereas as part of a deliberate policy of cultural and religious cleansing, IS has reportedly destroyed more than 100 churches in Iraq, and at least 6 churches in Syria, as well as a number of Shia mosques in Iraq; whereas in February 2015, IS fighters deliberately publicised their destruction of statues and other artefacts in the Mosul Museum dating back to the ancient Assyrian and Akkadian empires; whereas IS subsequently bulldozed the ancient Assyrian city of Nimrud and, most recently, it reportedly destroyed the UNESCO World Heritage site of Hatra; whereas the Syrian regime has reportedly shelled churches in opposition neighbourhoods, for example in Homs in 2012 and Idlib in 2013;
- M. whereas ISIS/Da'esh continues to persecute, maim and murder, sometimes in extremely cruel and unimaginable ways, members of ethnic and religious minorities, journalists, prisoners of war, activists and others; whereas war crimes and other violations of international humanitarian and human rights law continue to be perpetrated on a daily basis and on a massive scale by other conflict parties as well, including notably by the Assad regime;
- N. whereas one of the roots of the ISIS/Da'esh violence is Salafism, notably the extreme Wahhabi interpretation of Islam;
1. Is shocked and saddened at the brutal actions by ISIS/Da'esh extremists against the Assyrians in Syria and the Copts in Libya, and condemns them in the strongest terms; expresses its solidarity with the families of the victims and with the Assyrian Christian community in Syria and Coptic Christian community in Egypt, as well as all other groups and individuals affected by ISIS/Da'esh violence;
  2. Strongly condemns ISIS/Da'esh and its egregious human rights abuses that amount to crimes against humanity and war crimes according to the Rome Statute of the International Criminal Court (ICC), and which could be called genocide; is extremely concerned at this terrorist group's deliberate targeting of Christians, Yezidis, Turkmen, Shi'ites, Shabak, Sabeans, Kaka'e and Sunnis who do not agree with their interpretation of Islam, as part of its attempts to exterminate any religious minorities from the areas under its control; underlines that there must be no impunity for the perpetrators of these acts and that those responsible should be referred to the ICC; recalls, in this context, the unresolved kidnapping of Bishops Yohanna Ibrahim and Paul Yazigi by armed rebels in Aleppo Province, Syria, on 22 April 2013;
  3. Condemns, furthermore, the attempts by ISIS/Da'esh to export their extremist totalitarian ideology and violence to other countries in the region and beyond;
  4. Supports the international efforts against ISIS/Da'esh, including the military actions of the international coalition, coordinated by the United States, and encourages the EU Member States who have not already done so to consider ways of contributing to these efforts, including tracing and interdicting ISIS secret funds held overseas;
  5. Calls upon the international coalition to do more to prevent abductions of minorities, such as the abduction of hundreds of Assyrian Christians in northern Syria; underlines the importance of ensuring a safe haven for the Chaldeans/Assyrians/Syriacs and others at risk in the Nineveh Plains, Iraq, an area where many ethnic and religious minorities have historically had a strong presence and lived peacefully alongside each other;
  6. Urges the EU and its Member States to take a proactive and preventive approach towards the threat of ISIS/Da'esh expansion into countries and regions beyond Iraq and Syria; in this light, is extremely concerned about the situation in Libya, not least because of its geographical proximity to the EU as well as to conflict areas in Africa;
  7. Urges the EU and its Member States, as well as NATO partners, to address the issue of certain countries' ambivalent roles in the conflict, in particular where they contributed, or still contribute, actively or passively, to the rise of ISIS/Da'esh and other extremist groups; is very concerned, in this context, about the financing of the dissemination of the Wahhabi interpretation of Islam by public and private entities of countries from the Gulf region and calls upon these countries to stop this financing; furthermore, urges these countries to stop the financing of terrorist organisations from within their territories; calls upon Turkey to play a positive role in the fight against ISIS/Da'esh and without delay allow Christian minorities and other persecuted people fleeing from Syria to cross the border into Turkey and seek safety;

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8. Encourages the cooperation with newly emerging regional and local forces, such as the Kurdish Regional Government in Iraq, Kurdish groups elsewhere, such as the role of YPG in the liberation of Kobane, and the Syriac Military Council, as well as local self-governing entities in the region which have shown more commitment to human rights and democracy than their countries' rulers; salutes, in particular, the courage of the Kurdish Peshmerga forces who have done so much to protect endangered minorities;
  9. Is concerned about reports of Christian minorities not having access to refugee camps in the region because they would be too dangerous for them; requests that the EU make sure its development assistance targets all minority groups displaced by the conflict; encourages the EU to use the experience and well-established networks of local and regional churches, as well as international relief organisations of churches, to provide financial and other assistance, in order to ensure that all minority groups can benefit from the protection and support of European aid;
  10. Considers it imperative that the Council and the European External Action Service (EEAS) start working with international and regional partners on a post-ISIS/Da'esh scenario, taking into account the urgent need for cultural and religious dialogue and reconciliation;
  11. Denounces the destruction of cultural sites and artefacts by ISIS/Da'esh in Syria and Iraq, which constitutes an attack against the cultural heritage of all inhabitants of these countries and of humanity at large;
  12. Urges the EU and its Member States to cooperate with international and local partners to safeguard as much Assyrian and other cultural and religious heritage as possible from the territories occupied by ISIS/Da'esh; furthermore, urges the Council to take action against the illicit trade in ancient artefacts coming from these territories;
  13. Confirms and supports the inalienable right of all religious and ethnic minorities living in Iraq and Syria to continue to live in their historical and traditional homelands in dignity, equality and safety, and to practice their religion freely; in this light, urges all UN member states to clearly speak out against the violence and in particular in favour of the rights of minorities; believes that in order to stem the suffering and the mass exodus of Christians and other indigenous populations of the region, a clear and unequivocal statement by regional political and religious leaders, in support of their continued presence and full and equal rights as citizens of their countries, is necessary;
  14. Rejects without reservation and considers illegitimate the announcement by ISIS/Da'esh leadership that it has established a caliphate in the areas it now controls; emphasises that the creation and expansion of the 'Islamic caliphate', and the activities of other extremist groups in the Middle East, is a direct threat to the security of the region, as well as European countries;
  15. Confirms its commitment to freedom of thought, conscience and religion or belief as a fundamental human right guaranteed by international legal instruments to which most countries in the world have committed and which are recognised as holding universal value;
  16. Supports all initiatives, including in the EU, aimed at promoting dialogue and mutual respect between communities; calls on all religious authorities to promote tolerance and to take initiatives against hatred and violent and extremist radicalisation;
  17. Urges the EU to further explore counter-terrorism policies, within the human rights framework, other than those already in place, and to continue to work with Member States to enhance policies that counter radicalisation on EU soil, the spreading of hate speech and incitement to violence online; urges EU Member States, furthermore, to work together with the UN Security Council and the UN General Assembly to stop the spread of extremist and jihadist ideology worldwide;
  18. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States and the Syrian National Coalition, the Government and Parliament of Iraq, the Kurdistan Regional Government in Iraq, the President of the Arab Republic of Egypt, the Council of Deputies in Tobruk, Libya, and the Libyan Government, the League of Arab States, the UN Secretary-General and the UN Human Rights Council.
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P8\_TA(2015)0072

**South Sudan, including recent child abductions****European Parliament resolution of 12 March 2015 on South Sudan, including recent child abductions (2015/2603 (RSP))**

(2016/C 316/14)

*The European Parliament,*

- having regard to its previous resolutions on South Sudan, in particular those of 16 January 2014 <sup>(1)</sup> and 13 November 2014 <sup>(2)</sup> on the situation in South Sudan,
- having regard to the ceasefire and power-sharing agreement of 2 February 2015 between President Salva Kiir and former Vice-President Riek Machar signed in Addis Ababa under the auspices of the Intergovernmental Authority on Development (IGAD),
- having regard to the statement of 3 February 2015 by UN Secretary-General Ban Ki-moon on peace talks in South Sudan,
- having regard to the communique of 10 February 2015 from the IGAD-UN Office for the Coordination of Humanitarian Affairs (OCHA) high-level meeting on the humanitarian crises in South Sudan,
- having regard to the statement of 25 February 2015 by the Special Representative of the Secretary-General for Children and Armed Conflict,
- having regard to the October 2014 Joint Communique of the Republic of South Sudan and the UN on the Prevention of Conflict-Related Sexual Violence,
- having regard to UN Security Council Resolutions 2155 (2014) and 2206 (2015) laying the groundwork for targeted sanctions on those who block peace in South Sudan,
- having regard to the Statement of 6 March 2015 by the spokesperson for Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy Federica Mogherini on the failure of parties to the South Sudan conflict to reach a peace agreement,
- having regard to the renewal in 2012 of the South Sudanese action plan to end the recruitment and use of children in government armed forces and other grave violations against children,
- having regard to the African Charter on Human and Peoples' Rights,
- having regard to the African Union Convention Governing the Specific Aspects of Refugee Problems in Africa,
- having regard to the UN Convention on the Rights of the Child,
- having regard to the African Charter on the Rights and Welfare of the Child,
- having regard to the UN Convention against Torture,
- having regard to the UN Convention on the Elimination of All Forms of Discrimination against Women,
- having regard to the EU Guidelines on Children and Armed Conflict of 2010,
- having regard to International Labour Organisation (ILO) Convention No 182 on the Worst Forms of Child Labour, adopted in 1999, which lists the 'forced and compulsory recruitment of children for use in armed conflict' among the worst forms of child labour,

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<sup>(1)</sup> Texts adopted, P7\_TA(2014)0042.

<sup>(2)</sup> Texts adopted, P8\_TA(2014)0053.

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- having regard to the Cotonou Agreement,
  - having regard to the Sudanese Comprehensive Peace Agreement (CPA) of 2005,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas on 15 and 16 February 2015, an estimated 89 children, and possibly hundreds more, were abducted in the community of Wau Shilluk in Upper Nile State by a militia group allegedly lead by Johnson Oloni, a commander in the Sudan People's Liberation Army (SPLA); whereas according to witnesses, armed soldiers surrounded the community and searched every house, with mostly boys older than 12 years of age being taken away by force;
- B. whereas in December 2013, a political dispute within South Sudan's ruling party, the Sudan People's Liberation Movement (SPLM), escalated into an armed confrontation in Juba between forces loyal to President Kiir and those loyal to former Vice-President Riek Machar;
- C. whereas following the internal armed conflict that erupted in December 2013, approximately 1,4 million people have been internally displaced, 500 000 have fled to neighbouring countries and approximately 12 000 children have been recruited to serve in armed forces and groups; whereas thousands of children have reportedly been killed, raped, displaced and orphaned;
- D. whereas an estimated 4 million people are at high risk of food insecurity and insufficiency, with the UN repeatedly warning of a deepening humanitarian crisis and famine, should fighting continue; whereas coupled with a lack of medical care and infrastructure the situation looks set only to deteriorate;
- E. whereas the UN Mission in the Republic of South Sudan (UNMISS) is now itself providing safe shelter to more than 100 000 internally displaced people seeking refuge from violence, and has itself come under attack;
- F. whereas according to UN estimates, more than half of the population in refugee camps are children, who are thus facing significant threats to their physical security, development and wellbeing; whereas South Sudan's infant mortality rates are among the highest in the world and its education indicators are the lowest globally; whereas 400 000 children have left school as a result of the current conflict;
- G. whereas parties to the conflict have attacked civilians based on ethnicity and perceived political allegiance, committed acts of sexual violence and carried out widespread destruction and looting of property;
- H. whereas the different parties to the conflict in South Sudan started negotiations on 7 January 2014 in Addis Ababa under the auspices of the Intergovernmental Authority on Development (IGAD); whereas despite previous agreements to cease hostilities, the most recent of which was a ceasefire agreement signed on 2 February 2015 in Addis Ababa, and continuous efforts by IGAD to negotiate a political solution to the conflict, fighting has continued, characterised by a total disregard for international human rights and humanitarian law, with no accountability for abuses committed in the context of the conflict;
- I. whereas government and rebels failed to meet the deadline of 5 March 2015 set by IGAD to reach a power-sharing agreement and whereas the peace talks have been extended indefinitely; whereas the IGAD chief mediator has announced that the UN and the African Union (AU) may now play a direct role in the negotiations;
- J. whereas a Commission of Inquiry was established by the AU in March 2014, but its final report had not yet been publicly released, despite its having been submitted to the AU Commission in October 2014;
- K. whereas the decision to delay publication has been met with widespread disappointment and is widely viewed as a setback to accountability and an end to impunity, with figures such as UN Assistant Secretary General Ivan Simonovic, former UN High Commissioner for Human Rights Navi Pillay and prominent members of South Sudanese civil society organisations expressing their disappointment;

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- L. whereas on 3 March 2015 the UN Security Council unanimously approved a system by which to impose sanctions on those responsible for, or complicit in, continuing the conflict or blocking peace in South Sudan; whereas the sanctions also apply to those who target civilians, or attack hospitals, religious sites, schools or locations where civilians seek refuge, and recruit or use children in armed forces or groups;
- M. whereas despite its parliament voting to ratify, South Sudan is not yet party to any core international or regional human rights treaties, such as the African Charter on Human and Peoples' Rights, the AU Convention Governing the Specific Aspects of Refugee Problems in Africa, the UN Convention on the Rights of the Child, the UN Convention against Torture and the UN Convention on the Elimination of All Forms of Discrimination against Women;
- N. whereas the Statute of the International Criminal Court makes the conscription, enlistment or use in hostilities of children under 15 years of age by national armed forces or armed groups a war crime;
- O. whereas a draft non-governmental organisations bill was under consideration in the Parliament of South Sudan which would restrict the right to freedom of association, making registration compulsory, prohibiting NGOs from operating without their being registered, and criminalising voluntary activities carried out without a registration certificate;
- P. whereas schools continue to be used, inter alia, for military purposes, as occupation sites, or as places of recruitment; whereas as of the end of February 2015, 30 schools were reportedly still being used for military purposes;
- Q. whereas excluding donor and humanitarian aid, South Sudan's economy is almost entirely dependent on the oil sector, with oil exports accounting for more than 70 % of GDP and about 90 % of government revenue; whereas revenues generated by the oil industry have fuelled violent conflicts;
- R. whereas the ongoing violence in South Sudan has an unbearable humanitarian cost, with the UN estimating that USD 1,81 billion in humanitarian aid will be needed in 2015; whereas the UN has declared the situation in South Sudan a level-three emergency, the worst level of humanitarian crisis;
- S. whereas the EU and its Member States provided nearly EUR 300 million in humanitarian assistance in 2014 to respond to the humanitarian crisis and to address the urgent needs of South Sudanese refugees in the region;
1. Is deeply concerned by the worsening security and humanitarian situation in South Sudan which could destabilise the whole East Africa region; calls urgently on all sides to stop the violence, cease human rights violations, form a transitional government of national unity, and allow for full access to humanitarian assistance; calls on the parties to end attacks on educational and public buildings and stop using schools for military purposes, including for the recruitment of child soldiers; recalls, in this connection, its support for the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict;
  2. Expresses deep disappointment that after more than a year of negotiations under the auspices of IGAD, no significant progress has been made; urges all parties to the conflict to reach a power-sharing agreement and fully supports the ongoing negotiation process, calling for an unconditional, complete and immediate ceasefire and end to all hostilities and to the immediate cessation of the recruitment and mobilisation of civilians; calls for efforts to find a way of achieving lasting peace and stability; urges the government and the rebel sides to engage in unconditional and all-inclusive political talks in good faith with a view to the successful conclusion of the negotiations; urges the continuation of efforts by the AU and IGAD to promote inclusive dialogue and mediation;
  3. Calls for the immediate release and safe return of all children recruited by armed forces since the beginning of the conflict in December 2013; reminds urgently all parties involved in the conflict that the recruitment and use of children in armed forces and groups is a grave violation of international law;

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4. Calls on the SPLA and opposition forces to thoroughly and transparently verify that there are no children left in their ranks and to immediately develop and implement an action plan in coordination with the UN to end grave child rights violations;
5. Recalls the commitment made in 2009, and renewed in 2012, by the South Sudanese authorities to end the recruitment and use of children in conflict, to release all children associated with government security forces, to provide services for the reunification and reintegration of their families, and to investigate grave violations against children; deplores the fact that this commitment has not been fully respected; calls on the parties to fully implement the guidelines set out in the action plan;
6. Calls on the Commission to assist in mobilising resources to help with the long-term reintegration of children recruited into armed forces and those affected by the conflict, in coordination with the Office of the UN Special Representative for Children in Armed Conflict, UNICEF and other agencies;
7. Insists upon the need to bridge the gap between humanitarian crisis intervention and long-term development cooperation; takes the view, in particular, that long-term development programming for children affected by armed conflicts (CAACs) needs to focus, inter alia, on child protection systems, education and employment schemes; urges the Commission and the Member States to scale up the provision of humanitarian support and to provide for access to resources for local farmers and producers;
8. Urges the AU Peace and Security Council to publish the report of the AU Commission of Inquiry on South Sudan (AUCISS) on human rights abuses in the country and to follow up on its findings without further delay;
9. Underlines the fact that publication of the report is a crucial step towards peace and reconciliation; recognises that all South Sudanese people have the right to truth and justice and that hundreds of victims and witnesses of atrocities have made huge personal efforts to engage with the AUCISS, often taking significant personal risks in recounting painful experiences in order to contribute to a more complete record of the conflict;
10. Requests that the Commission and the European External Action Service actively support the implementation of recommendations by the committee of inquiry, including as regards the possible establishment of a hybrid court to deal with the atrocities, as suggested by the UN Secretary-General;
11. Welcomes the adoption of UN Security Council resolution 2206, which would impose targeted sanctions directly affecting those who have fuelled the conflict, and calls for its immediate implementation; underlines the need for the adoption of a comprehensive arms embargo at regional and international level to halt the supply of weapons to individuals and groups that have committed serious violations of human rights, war crimes and crimes against humanity, and to protect civilians who are at grave risk;
12. Calls on the Government of South Sudan to conduct prompt, thorough, impartial and independent investigations into human rights abuses with a view to prosecuting and holding accountable individuals suspected of crimes under international law and serious violations of human rights, including the abduction and recruitment of children in armed conflict and sexual violence against women and children;
13. Recalls the IGAD Protocol of 25 August 2014 which states specifically that individuals identified by the AUCISS as being responsible for serious crimes will not be eligible for participation in the Transitional Government;
14. Calls on the Government of South Sudan to urgently finalise legislative amendments which criminalise the recruitment and use of children, to use this legislation to prosecute offenders and to finalise the implementation of international agreements, including the 2002 Optional Protocol to the Convention on the Rights of the Child and to accede to the Rome Statute of the International Criminal Court;
15. Calls on the Government of South Sudan to reject legislation that would restrict the sectors in which NGOs and associations can carry out their work, which would severely inhibit the development of society and humanitarian relief efforts;



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16. Calls on the Government of South Sudan to fulfil its responsibility to provide for its people and encourage international donors to increase support for the aid effort and, given the scale and urgency of the needs, calls on the international community to convene a new international donor conference for South Sudan when all conditions for peace have been met and a mechanism of proper distribution of revenues is established;

17. Urges responsible management of South Sudan's natural resources to ensure that oil revenues do not fuel the conflict; calls on the negotiating parties to include transparency and public scrutiny in the oil sector in the peace talks and any final agreement, in such a way as to allow for the revenue from this resource to be used for the sustainable development of the country and to improve the livelihood of its population;

18. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government of South Sudan, the Human Rights Commissioner of South Sudan, the National Legislative Assembly of South Sudan, the African Union's institutions, the Intergovernmental Authority on Development, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the UN Secretary-General.

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P8\_TA(2015)0073

## **Tanzania, notably the issue of land grabbing**

### **European Parliament resolution of 12 March 2015 on Tanzania, notably the issue of land grabbing (2015/2604 (RSP))**

(2016/C 316/15)

*The European Parliament,*

- having regard to the G8 Land Transparency Initiative of 2013,
- having regard to the African Union's Framework and Guidelines on Land Policy in Africa (ALPFG), to the African Union's 'Policy Framework for Pastoralism in Africa: Securing, Protecting and Improving the Lives, Livelihoods and Rights of Pastoralist Communities' adopted by the Conference of African Ministers of Agriculture in October 2010 and approved by the 18th ordinary session of the Executive Council held in Addis Ababa in January 2011 (Doc. EX.CL/631 XVIII) and to the African Union's Declaration of 2009 on Land Issues and Challenges in Africa,
- having regard to the declaration of the World Summit on Food Security, adopted in Rome in 2009, to the Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources (PRAI), and to the Food and Agriculture Organisation (FAO)'s Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT),
- having regard to the Guiding Principles on Large-Scale Land Based Investments in Africa (LSLBI) of the African Union, the African Development Bank and the Economic Commission for Africa,
- having regard to the report of 11 June 2009 by the United Nations Special Rapporteur on the Right to Food, Olivier De Schutter, entitled 'Large-scale land acquisitions and leases: a set of core principles and measures to address the human rights challenge',
- having regard to the Millennium Declaration of 8 September 2000 setting out the Millennium Development Goals (MDGs), in particular Goals 1, 3 and 7,
- having regard to the UN's 'Millennium Development Goals Report 2014',
- having regard to the report of the UN Conference on Sustainable Development, held in Rio de Janeiro (Brazil) from 20 to 22 June 2012,
- having regard to the 2008 United Nations Human Settlements Programme (UN-Habitat) study entitled 'Secure Land Rights for All' and to the UN-Habitat guide on 'How to Develop a Pro-Poor Land Policy: Process, Guide and Lessons',
- having regard to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and to the Indigenous and Tribal Peoples Convention (No 169) of 1989 of the International Labour Organisation (ILO),
- having regard to the Village Land Act No 5 of 1999 and the Local Government Act of 1982 of the United Republic of Tanzania,
- having regard to the EU Land Policy Guidelines of 2004 providing guidance for land policy development and programming in developing countries,
- having regard to the Commission's announcement of 9 April 2014 of the establishment of a new programme to the sum of EUR 33 000 000, aimed at improving land governance and food and nutrition security for family farmers and vulnerable communities in sub-Saharan Africa,

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- having regard to the UN Guiding Principles on Business and Human Rights of 2011,
  - having regard to the ACP-EU Joint Parliamentary Resolution on the social and environmental impact of pastoralism in ACP countries adopted in November 2013 (ACP-EU/101.526/13/fin),
  - having regard to the 2015 study on ‘Addressing the Human Rights Impact of Land Grabbing’ commissioned by its Subcommittee on Human Rights,
  - having regard to the revised Cotonou Agreement,
  - having regard to the Universal Declaration of Human Rights,
  - having regard to the African Charter on Human and Peoples’ Rights,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas key challenges of the 21st century — food security, energy scarcity, water shortages, urban and population growth, environmental degradation, climate change, natural disasters and state fragility — are related to land governance issues, reinforcing the need to prioritise comprehensive land reform and securing land rights;
- B. whereas the Tanzanian authorities announced a plan to sell 1 500 square kilometres of Maasai land in Western Serengeti to a private hunting and safari company based in the United Arab Emirates; whereas this plan involves the eviction of 40 000 Maasai pastoralists;
- C. whereas due to international pressure, the President of Tanzania, Jakaya Kikwete, claimed in November 2014 to have dropped the plan and pledged never to force the Maasai people out of their ancestral lands; whereas despite the promise made, thousands of Maasai were illegally evicted from their lands; whereas recent reports indicate that over 200 houses have been destroyed and livestock confiscated by the Tanzanian authorities, leaving more than 3 000 people homeless and without shelter;
- D. whereas the Tanzanian Maasai have a long-fought history of escalating land ownership disputes with the Tanzanian authorities, since 1992 when the foreign-owned Ortello Business Corporation (OBC) was granted hunting rights within the Loliondo Game Control Area, which is inhabited and legally owned by Maasai pastoralists;
- E. whereas a petition by the Maasai community of Ngorongoro district has been signed on line on the AVAAZ platform by more than 2 million people worldwide;
- F. whereas private investors and governments are showing a growing interest in large-scale land acquisitions or long-term leasing for food or energy production or for mineral extraction, mostly in African developing countries, especially in Tanzania;
- G. whereas Tanzania witnessed a significant increase of foreign and domestic interest in establishing large-scale biofuel plantations in the country between 2005 and 2008, when around 640 000 hectares of land were allocated to investors, thus depriving peasants and rural households of their lands and livelihoods and increasing their food insecurity;
- H. whereas an estimated 1,4 billion hectares worldwide are governed by customary norms; whereas access to land for indigenous people has been afforded specific forms of protection under ILO Convention No 169 and the UN Declaration on the Rights of Indigenous Peoples, while Article 10 of the latter guarantees the right not to be forcibly removed from one’s lands or territories and states that no relocation shall take place without the free, prior and informed consent of the indigenous people after agreement on just and fair compensation as well as, where possible, the option of return;
- I. whereas large-scale land acquisitions can be defined in accordance with the Tirana Declaration of 2011 as ‘land-grabbing’ when one or more of the following apply: when there is a clear violation of human rights; when the displacement of affected local communities is carried out without their free, prior and informed consent; when it is not based on transparent contracts; and when there is an assessed negative social, economic and environmental impact;

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- J. whereas, according to the African Development Bank, 75 % of the population of Tanzania are small-scale farmers; whereas pastoral communities live well and in harmony with protected wildlife and represent about 10 % of the Tanzanian population, including the Maasai, but continue to face the massive loss of their land arising from the selling of land without adequate knowledge of the legal and practical consequences, corrupt and illegal allocation of land to foreigners, and the classification of land as trust land, reserves or national parks by the authorities;
- K. whereas Article 17 of the Universal Declaration of Human Rights recognises the right of everyone to own property either alone or in association with others, and states that no-one shall be arbitrarily deprived of their property;
- L. whereas international companies, including European companies, have played a significant role in large-scale land acquisitions in Tanzania, and international financial institutions have been involved in financing large-scale land deals in the country;
- M. whereas the Framework and Guidelines on Land Policy in Africa calls for respect for the human rights of communities, including respecting customary land rights and land-related resources;
- N. whereas in May 2014 the EU launched a new programme to strengthen land governance and help improve the food and nutrition security of family farmers and vulnerable communities in African countries;
1. Firmly condemns the illegal displacement of local rural communities, the destruction of their villages and traditional way of life, and the violation of their basic human rights, including the right to adequate food, the right to water and the right to adequate housing;
  2. Condemns in particular actions that do not recognise the legitimacy of customary tenure arrangements that provide statutory rights for individuals and communities, and prevent dispossession and abuses of land rights, which are especially prevalent among African communities;
  3. Calls on the Tanzanian Government to immediately implement the VGGT and grant the effective justiciability of the rights enshrined therein; to uphold the first fundamental principle of the Guiding Principles on LSLBI, which includes respecting the human rights of communities and customary land rights and contributes to the responsible governance of land and land-based resources in compliance with the rule of law; and to improve land rights for women, who account for at least half of the workforce in farming and trading, but whose access to property rights and the services that accompany such rights (e.g. access to banks and participation in associations) remains constrained, as well as land rights for vulnerable communities and social groups, such as pastoral communities;
  4. Calls for the launching of an independent investigation into the land disputes in Loliondo;
  5. Urges the Government of Tanzania to promote agricultural investment policies which benefit the local population in the regions concerned, to comply and enforce its policies regarding social and environmental impact assessments, including assessments of impact on local food production, before the commencement of any investment project, and to duly respect the provisions on consultation and compensation in case of land expropriation;
  6. Recalls in particular that indigenous people have been granted specific forms of protection of their land rights under international law; stresses, in line with the UN Declaration on the Rights of Indigenous Peoples, that any shift in land use should take place only with the free, prior and informed consent of the local communities concerned; insist that states must provide effective mechanisms for prevention of, and redress for, any action which has the aim or effect of dispossessing indigenous peoples of their lands, territories or resources;

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7. Expresses its concern at the lack of accurate information and the secrecy surrounding a number of investments in Tanzania; asks the Commission to encourage the authorities to ensure that land deals are conducted in a public and transparent way and are adapted to mobile livestock keepers or pastoralists;
  8. Calls on the Commission, in particular, to engage actively with the Tanzanian authorities in order to strongly encourage them to bring forward a legally binding and codified acknowledgement of the rights of the Maasai, with particular reference to their ancestral land, therefore providing the necessary legal protection to prevent future disputes;
  9. Emphasises that securing land tenure for rural communities is essential to achieving the Millennium Development Goals (MDGs); calls for the EU to strengthen capacity-building of courts in developing countries in order to enforce property law effectively and to resolve land disputes, as part of a universal approach aimed at consolidating judicial systems and the rule of law;
  10. Recalls that large-scale projects frequently cause severe damage to the natural environment, including clearing of forests, loss of biodiversity and contamination of water;
  11. Asks the Commission to ensure the alignment of its land policy guidelines with the VGGT and to give greater importance to it in its development cooperation programmes, trade and investment policy and involvement in multilateral financing institutions;
  12. Reiterates that human rights and the rules prohibiting land grabbing should be mainstreamed in the EU's trade and investment agreements, including the Generalised System of Preferences (GSP);
  13. Stresses the importance of full transparency and accountability of the operations of EU companies and financial institutions in large-scale agri-business investments and land acquisitions in Tanzania, and calls for a strong and efficient EU mechanism to monitor these operations;
  14. Calls on the Commission to submit a report to Parliament on expenditure under development programmes and the EU budget related to land governance, with a view to ensuring that those programmes promote human rights and tackle the challenges linked to land-grabbing;
  15. Stresses that land policy processes must effectively recognise the role of local and community-based land administration/management institutions and structures, alongside those of the state;
  16. Instructs its President to forward this resolution to the Council, the Commission, the African Union and the Government and Parliament of Tanzania.
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P8\_TA(2015)0074

## **Murder of the Russian opposition leader Boris Nemtsov and the state of democracy in Russia**

### **European Parliament resolution of 12 March 2015 on the murder of the Russian opposition leader Boris Nemtsov and the state of democracy in Russia (2015/2592(RSP))**

(2016/C 316/16)

*The European Parliament,*

- having regard to its previous reports and resolutions on Russia, in particular its resolutions of 23 October 2012 on establishing common visa restrictions for Russian officials involved in the Sergei Magnitsky case <sup>(1)</sup>, of 13 June 2013 on the rule of law in Russia <sup>(2)</sup>, of 13 March 2014 on Russia: sentencing of demonstrators involved in the Bolotnaya Square events <sup>(3)</sup>, of 23 October 2014 on the closing-down of the NGO 'Memorial' (winner of the 2009 Sakharov Prize) in Russia <sup>(4)</sup>, and of 15 January 2015 on Russia, in particular the case of Alexei Navalny <sup>(5)</sup>,
  - having regard to the statement of the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, of 28 February 2015 on the murder of Boris Nemtsov,
  - having regard to the statement by the VP/HR of 4 March 2015 on the continued detention of Nadiya Savchenko,
  - having regard to the statement by the spokesperson for the VP/HR of 3 March 2015 on the refusal to allow MEP Sandra Kalniete to enter the territory of the Russian Federation,
  - having regard to the statement by the Human Rights Ombudsman of the Russian Federation, Vladimir Lukin, of 4 March 2014 on public demonstrations in Moscow and the steps taken by the law enforcement agencies,
  - having regard to the EU-Russia human rights consultations of 28 November 2013,
  - having regard to the existing Agreement on partnership and cooperation (PCA) establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, and to the suspended negotiations for a new EU-Russia agreement,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas Boris Nemtsov, the former Deputy Prime Minister of the Russian Federation, the former Governor of Nizhny Novgorod, a preeminent reformist of the post-Soviet Russian society and economy and one of the leaders of Russia's liberal and democratic opposition, was murdered near the Kremlin two days before a demonstration scheduled for 1 March 2015, which he was organising, against the effects of the economic crisis and the conflict in Ukraine;
- B. whereas in the weeks before his assassination Boris Nemtsov was investigating Russia's participation in the Donbas conflict and had the intention of publishing a report on the issue; whereas five men have been arrested over the killing of Boris Nemtsov, but it is not clear whether any of those detained fired the fatal shots; whereas the Russian authorities did not allow some Members of the European Parliament and some national delegations to enter the Russian Federation, thereby preventing them from attending the funeral of Boris Nemtsov;
- C. whereas Boris Nemtsov was a strong advocate for a modern, prosperous and democratic Russian Federation, open to the world;

<sup>(1)</sup> OJ C 68 E, 7.3.2014, p. 13.

<sup>(2)</sup> Texts adopted, P7\_TA(2013)0284.

<sup>(3)</sup> Texts adopted, P7\_TA(2014)0253.

<sup>(4)</sup> Texts adopted, P8\_TA(2014)0039.

<sup>(5)</sup> Texts adopted, P8\_TA(2015)0006.

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- D. whereas the Russian Federation, as a full member of the Council of Europe and the Organisation for Security and Cooperation in Europe (OSCE) and a signatory to the Universal Declaration of Human Rights, has committed itself to the universal principles of democracy, the rule of law and respect for fundamental freedoms and human rights;
- E. whereas the human rights situation in Russia has been deteriorating in recent years and the Russian authorities have adopted a series of laws containing ambiguous provisions which are used to place further restrictions on opposition and civil society actors and hinder the freedoms of expression and assembly; whereas the Justice Ministry has used newly introduced powers to brand 42 groups as 'foreign agents', including the country's most expert and authoritative human rights organisations, and has used bureaucratic pretexts to try to close down several other groups; whereas in January 2015 the Duma took the first step towards approving a new law that would prohibit the activities of 'undesirable' foreign organisations;
- F. whereas Parliament has expressed its concern on numerous occasions over the state of democracy in Russia, and the systematic failure to uphold the rule of law and respect fundamental rights; whereas the rule of law, fair trial standards, due process and the independence of the judiciary are not respected in Russia; whereas the last presidential and State Duma elections failed to meet OSCE standards;
- G. whereas several trials and judicial proceedings over the last few years, including the Navalny, Magnitsky, Khodorkovsky and Politkovskaya cases, have cast doubt on the independence and impartiality of the judicial institutions of the Russian Federation; whereas these high-profile cases are merely the most well-known cases outside Russia of what amounts to a systematic failure by the Russian state to uphold the rule of law and to deliver justice to its citizens;
- H. whereas there is an increasing need for a united, firm, coherent and comprehensive EU policy towards Russia, supported by all the Member States, with support and assistance backed up by firm and fair criticism on the basis of the universal values that both the EU and Russia have agreed to uphold;
- I. whereas the EU has repeatedly offered assistance and expertise to Russia, through the Partnership for Modernisation, to strengthen the rule of law, meet its international obligations and develop its full economic potential;
- J. whereas on 19 February 2015 Russian opposition leader Alexey Navalny was sentenced to 15 days in prison for handing out leaflets to publicise a forthcoming demonstration; whereas on 30 December 2014 a court imposed a 3,5-year suspended sentence on him and a 3,5-year prison sentence on his brother, Oleg Navalny;
- K. whereas on 4 March 2015 a Moscow court rejected another appeal from Nadiya Savchenko against her illegal detention by the Russian Federation, lodged with reference to her immunity as a member of the Parliamentary Assembly of the Council of Europe (PACE); whereas by 4 March 2015 Ms Savchenko had been on hunger strike for 82 days, and whereas, after such an extended period of time, she faces the risk of permanent damage to her health, or death;
- L. whereas six months have passed since the abduction of Estonian police officer Eston Kohver by the Russian security services on Estonian territory, in violation of international law; whereas he continues to be illegally detained in Lefortovo prison in Moscow; whereas he is not receiving adequate legal aid, has been deprived of his right to a fair trial and has been ordered to undergo an unjustified psychiatric examination, the details of which remain unknown;
- M. whereas the European Endowment for Democracy is targeting the issue of plurality of the Russian media, and whereas, together with its partners, it is invited to develop new media initiatives;
- N. whereas the wreckage and black boxes of the Tu-154 Polish Government aeroplane, which crashed near Smolensk in April 2010, killing the Polish president and prominent members of political, military and cultural circles, are still in Russia's hands; whereas the Russian authorities refuse to return them to Poland despite numerous appeals to do so;

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1. Strongly condemns the killing of Boris Nemtsov in the most significant political assassination in recent Russian history, in which he was shot dead near the Kremlin, in an area with video cameras, police and security services;
2. Pays tribute to Boris Nemtsov, a prominent opposition leader, a founder and leader of the political movement Solidarnost and a leading critic of President Vladimir Putin and of the war in Ukraine who committed his life to a more democratic, prosperous, open Russia and to strong partnerships between Russia and its neighbours and partners; extends its deepest condolences to Boris Nemtsov's family and friends, members of the opposition and the Russian people; condemns the Russian leadership's decision to prevent some EU diplomats and national delegations from attending his funeral, thereby impeding the EU's attempt to pay tribute to brave Russian citizens standing for universal values;
3. Points out that his killing is one of a growing number of unresolved politically motivated murders and suspicious deaths perpetrated in Russia since 1998, which include those of investigative journalist Anna Politkovskaya, Alexander Litvinenko, who was allegedly murdered in the United Kingdom, lawyer Stanislav Markelov, journalist Anastasia Baburova, human rights defender Natalya Estemirova, lawyer Sergei Magnitsky, and now politician Boris Nemtsov;
4. Notes the arrest of five suspects of Chechen origin announced by the Russian authorities;
5. Requests an independent international investigation into the murder; takes the view that the instruments available within the framework of the OSCE, the Council of Europe and the United Nations would help to ensure an impartial and fair investigation;
6. Asks the Council, the Commission and the Member States, in framing their future policy towards Russia, to take into account the fact that the political atmosphere which the Russian authorities have created has prepared fertile ground for such murders, violence and pressure; is alarmed by the atmosphere of hatred directed against opposition activists, human rights defenders, minorities and neighbouring nations, which has been growing in Russia in recent years, instigated by state propaganda and official media as part of a political culture that distances itself from democratic principles;
7. Calls on the authorities of the Russian Federation to stop the shameful propaganda and information war against its neighbours, the Western world and its own people, which is turning Russia into a state characterised by repression, hate speech and fear, where nationalist euphoria is built on the annexation of Crimea and an escalating war in Ukraine, where the rights of the Crimean Tatars are violated and where the Kremlin, in breach of international law, is cultivating and provoking hatred and fighting; condemns the new propaganda war being waged against democratic and fundamental values, which are presented as being alien to Russian society; recalls that both the European Union and the Russian Federation have committed, in numerous international declarations and treaties, to protecting universal democratic values and fundamental rights; stresses the importance of having political opposition forces, in order to ensure a constant debate and exchange of views and ideas in politics and in law-making processes in Russia;
8. Calls on the Russian authorities to stop all pressure, repressive acts and intimidation — both political and judicial — against opposition leaders, civil society representatives and independent media, allowing them to act freely in line with the basic principles of the Russian constitution;
9. Is deeply worried by Russia's failure to observe its international legal obligations as a member of the United Nations, the Council of Europe and the OSCE, and to uphold fundamental human rights and the rule of law; takes the view that the Russian Federation should meet the obligations to which it has signed up; deplores the fact that recent developments show that Russia has moved in a direction contrary to that of a functioning democracy, which includes respect for the opposition, the rule of law and the independence of the judiciary;
10. Deeply deplores the Russian authorities' failure to respond to the criticism both inside the Russian Federation and on the international scene of the Law on Foreign Agents, and their adoption instead of amendments which restrict even further the possibilities for non-commercial organisations to act and are discriminatory by their nature; strongly calls on Russia to review the relevant legislation with a view to meeting its international obligations in the area of human rights and democratic freedoms;



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11. Welcomes the Supreme Court's decision of 28 January 2015 to reject the complaint filed by the Ministry of Justice requesting the closure of the 'Russian Memorial Society' and alleging infringements within its organisational structure, and calls for the other NGOs on the 'foreign agents' list to be removed from it;
  12. Calls on the Russian authorities to immediately release all recognised political prisoners;
  13. Calls on the Russian authorities, as a matter of urgency, to release Nadiya Savchenko and to respect her immunity as a member of the Verkhovna Rada of Ukraine and of the PACE, who was abducted in the territory of Ukraine and is being illegally detained in a Russian jail; underlines the fact that Russia bears responsibility for her very fragile state of health; expresses its deep concern about her health condition and urges the Russian judicial authorities to apply humanitarian law;
  14. Condemns the abduction of Estonian police officer Eston Kohver from Estonian territory to Russia; calls for his immediate release and safe return to Estonia;
  15. Believes that Russia remains an important global player and that it is in the EU's and Russia's strategic interest to swiftly de-escalate and restore relations through diplomacy and mediation, provided that this is done with due respect for international law and OSCE commitments;
  16. Expresses its support for democratic forces in Russia, which are committed to an open society and a reformist agenda;
  17. Urges the Council to develop a unified policy towards Russia that commits the 28 EU Member States and the EU institutions to a strong common message concerning the role of human rights in the EU-Russia relationship and the need to end the crackdown on freedom of expression, assembly and association in Russia; is of the view that an EU strategy should be aimed at getting Russia to fully respect the OSCE principles and at motivating Russia's leadership to move it out of its political and economic self-isolation;
  18. Urges the VP/HR, supported by the EEAS and the Commission, to develop a stronger programme of support for Russian civil society in Russia and occupied Crimea, and to seek and develop new opportunities to engage with it with the aim of promoting the values of democracy, human rights and the rule of law; calls for the EU, with regard to the ongoing programming phase of the EU financial instruments, to increase its financial assistance to Russian civil society through the European Instrument for Democracy and Human Rights and the funding for civil society organisations and local authorities, and to include the EU-Russia Civil Society Forum in the Partnership Instrument with a view to ensuring sustainable and credible long-term support;
  19. Reiterates its concern, as expressed in its previous resolutions, regarding the Russian authorities' failure to cooperate with the independent and international investigation into the shooting-down of flight MH17; strongly underlines the fact that the amnesty arrangement made under the Minsk Agreement cannot be applied to the perpetrators of this crime, so that they are not entitled to any amnesty;
  20. Calls on the Russian authorities to immediately return the wreckage of the Tu-154 Polish Government aeroplane and all of its black boxes to Poland; underlines the fact that the level of dependence of the Russian judiciary on the authorities undermines any impartial and honest investigation;
  21. 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 Council of Europe, the Organisation for Security and Cooperation in Europe, and the President, Government and Parliament of the Russian Federation.
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P8\_TA(2015)0075

## **Annual report from the High Representative of the European Union for Foreign Affairs and Security Policy to the European Parliament**

**European Parliament resolution of 12 March 2015 on the Annual Report from the High Representative of the European Union for Foreign Affairs and Security Policy to the European Parliament (2014/2219(INI))**

(2016/C 316/17)

*The European Parliament,*

- having regard to the Annual Report from the Council to the European Parliament on the Common Foreign and Security Policy (12094/14),
- having regard to Articles 21 and 36 of the Treaty on European Union,
- having regard to the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management,
- having regard to the declaration by the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the Commission (HR/VP) on political accountability,
- having regard to the commitments made by HR/VP Federica Mogherini during her hearing of 6 October 2014 in the Committee on Foreign Affairs,
- having regard to Rules 52 and 132(1) of its Rules of Procedure,
- having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on Budgets (A8-0039/2015),

### ***Facing a changed political and security environment***

1. Points to the dramatically aggravated security environment around the EU, especially in its immediate neighbourhood, where the international law-based order and stability and security of Europe are challenged to a degree unprecedented since the beginning of European integration; points to the ongoing transformation of the global political order;
2. Is concerned that the EU, due also to its internal crisis, has so far not been able to use its full potential to shape the international political and security environment, and that a lack of policy coordination and coherence between EU policies, and financial limitations, pose additional restraints on Europe's influence in the world and its capacity to be a regional and global security provider contributing to conflict prevention and crisis management;
3. Takes the view that the priority tasks for EU foreign and security policy are:
  - protecting European values and interests and enforcing the political and legal order in Europe, thereby restoring and safeguarding peace and stability;
  - improving the EU's contribution to the territorial defence of its Member States and the security of its citizens by strengthening its ability to defend itself against the threats facing it, including terrorism and arms, drug and human trafficking;
  - supporting security, democratisation, the rule of law and economic and social development in the EU's neighbourhood;

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- taking a leading role in the resolution of conflicts, including through peacekeeping and peace enforcement in the context of CSDP;
- strengthening, together with its partners, the rules-based, pluralistic global political, economic and financial order, including respect for the rule of law and human rights; and
- improving the EU's internal structures and working methods in order to strengthen its resilience and allow it to unleash its full potential as a global player;

### ***The EU as a credible actor***

4. Believes that an ambitious and effective EU foreign policy needs to be based on a shared vision of key European interests, values and objectives in external relations and on a common perception of the threats affecting the EU as a whole; welcomes the commitment of the HR/VP, on the basis of the mandate from the European Council of December 2013, to initiate as a matter of priority a process of strategic reflection on the EU's foreign and security policy, which should involve a wide range of stakeholders, including Member States, European institutions, and the European public; insists that this reflection should lead to a new European Security Strategy that takes account of the recent geopolitical changes in order to respond to the new threats and challenges;

5. Underlines the obligation undertaken by the Member States in ratifying the Treaty on European Union to support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity, in line with Article 24(3) TEU;

6. Insists that the political, economic, financial and defence resources of the EU and its Member States must be strengthened and combined in order to maximise the EU's influence in the world, produce synergies and ensure peace and stability in Europe and its neighbourhood; underlines that significant cost savings can be made through better cooperation between Member States in terms of their foreign and security policy;

7. Stresses that the external financial assistance deployed by the EU and its Member States needs to be refocused and used more efficiently in line with the jointly agreed strategic priorities; calls for more measures to be taken by the EU in order to increase the visibility, coherence and effectiveness of EU assistance; is of the view that all areas of EU assistance, be it development aid or emergency and humanitarian aid, should be coordinated and consistent; calls on the Commission, the EEAS and the Member States to ensure effective oversight over financial assistance, to make sure that targets are met; points to the reports of the European Court of Auditors which have demonstrated problems in the past; emphasises that financial assistance supporting civil society and NGOs on the ground should be increased; calls for faster and less bureaucratic procedures for the approval of projects;

8. Encourages the EU institutions and the Member States to fully use the toolbox of the Lisbon Treaty to move from what has so far been a mostly reactive approach to a proactive, coherent and strategic EU foreign and security policy, based on common values and deployed in the shared European interest;

9. Takes the view that the Council and the Commission, with the active cooperation of the Member States, need to ensure the coherence and consistency of:

- internal and external policies pursued by the EU, including the Common Foreign and Security Policy (CFSP), the Common Security and Defence Policy (CSDP) and the policies relating to neighbourhood, trade, development, humanitarian aid, justice and home affairs, energy, the environment, migration, etc,

- policies pursued by the EU and by its Member States;

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10. Welcomes, in this connection, the organisation of the new Commission in clusters, since this enables the HR/VP to coordinate all relevant Commission policies with an external dimension; supports the HR/VP in her efforts to fully assume her role as Vice-President of the Commission; encourages the HR/VP at the same time to use her role as Chair of the Foreign Affairs Council to bring initiatives into the Council that advance common proactive policies beyond the lowest common denominator, using the whole toolbox of the CFSP and the EU's external policies;

11. Reiterates that the internal structures of the EEAS need to be reformed so as to enable it to assist the HR/VP in all her roles and enable her to advance strategic planning and coordinate political processes within the Council and Commission; insists on the need to rationalise the EEAS's top management structure and to speed up and streamline its decision-making processes; reiterates its call for closer integration of the EU Special Representatives into the EEAS, including by transferring their budget from the CFSP operational budget to the EEAS budget; urges, in this respect, a political and cost-effective evaluation of the role played by these Special Representatives;

12. Reiterates its call for enhanced cooperation and coordination between the different EU-level monitoring and crisis response capacities; urges, in addition, rationalisation of the existing structures to reduce unnecessary duplications, including by merging overlapping capacities; takes the view that the monitoring centres must be adequately resourced and that the linguistic profiles of their staff should be brought into line with the languages spoken in the most relevant crisis areas, in particular Russian and Arabic; calls for enhanced cooperation and information-sharing between the EU-level monitoring centres and the corresponding services in the Member States;

13. Calls for the modernisation of the EU delegations network so as to reflect the needs of EU foreign policy in the 21st century, including by adapting staff numbers and expertise; considers, for example, that all delegations located in conflict areas, particularly in countries where a CSDP mission is in place, should include an expert on security and defence matters; asks the HR/VP to strengthen the authority of the head of delegation over all staff, irrespective of their institutional origin, and to simplify the administrative budgets of delegations towards a single funding source; demands that the reporting lines be clarified; regrets that the potential for synergies and economies of scale afforded by the strengthening of cooperation between Member State embassies and EU delegations has yet to be fully exploited; insists that the fair balance between staff seconded from Member States and EU officials laid down in the Council Decision of 26 July 2010 establishing the EEAS should be respected on all levels, and notes that, especially in higher positions such as that of Head of Delegation, this balance is currently not being maintained;

14. Is concerned at the lack of flexibility within the EU's financial rules, which often leads to delays in operational disbursement of EU funds and places additional obstacles in the way of the EU's ability to respond to crises; stresses the need for faster disbursement of financial means, while underlining the need for effective control in order to avoid fraud and misappropriations; asks the Commission to come up in 2015 with a proposal for reform of the relevant legislation, including by allowing the fast-track procedure, currently available for humanitarian assistance, to be used for crisis management while ensuring that spending in reaction to crises is coherent with EU long-term strategic goals; is deeply concerned at the shortage in payments regarding the two major EU budgetary sources for crisis management and conflict prevention, namely the CFSP budget and the Instrument contributing to Stability and Peace (IcSP); is convinced that the current security environment in the east and south of Europe requires synergy effects and additional resources rather than substantial cuts;

15. Points out that the visibility of the EU's actions needs to be increased at the level of strategic planning and multilateral fora, as well as at operational level through CSDP missions and all other missions with an external facet;

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16. Recalls that the EU has the obligation under Article 21 of the Treaty on European Union to ensure that its external action is designed and implemented in order to consolidate and support democracy, the rule of law, human rights and the principles of international law, and that this is a joint responsibility of the EU and its Member States; calls on the HR/VP to report regularly on Article 21 compliance and to explore means to improve external policy coherence, notably in relation to human rights and international law; emphasises that the monitoring of external policies regarding Article 21 compliance must be carried out in a more harmonised and stricter way; underlines the need to hold partners to the commitments they have made on human rights in agreements with the EU, and stresses the need to use the human rights conditionality clauses in these agreements when necessary;

17. Notes the increased demand for international assistance in democracy support and election observation; recognises this as an area in which the EU can play an effective role in supporting democratic processes; calls, therefore, for consistent follow-up on the implementation of the country-specific recommendations and requests for capacity-building support for political parties;

18. Underlines the vital importance of collective defence guaranteed by NATO for its members; urges the Member States, as a matter of urgency, to step up their ability to contribute to territorial defence, commit more resources and take the Pooling and Sharing methodology seriously by cooperating more closely to build synergies; stresses that all the Member States must enjoy the same level of security, in line with Article 42(7) TEU; stresses that a credible EU foreign policy needs to be underpinned by adequate defence capabilities in the Member States and an effective Common Security and Defence Policy (CSDP); takes the view that the CSDP is an important component of European defence and security and contributes to it in many ways, including by promoting the creation of a European Defence Technological and Industrial Base (EDTIB), by fostering cooperation concerning the development of defence capabilities, and by directly intervening in crisis areas through its civilian missions and military operations; stresses, therefore, that the CSDP should be deepened further in cooperation with NATO; reiterates that the EU is a partner of NATO and that the strategies of both organisations should be complementary; underlines the important role of security and defence cooperation between the EU and partners such as the UN, NATO, the African Union and the OSCE; welcomes the HR/VP's commitment to actively engage on defence matters, including by chairing meetings of the Foreign Affairs Council in the Defence Ministers configuration;

19. Supports the ongoing review of the crisis management structures within the EEAS; calls on the VP/HR to make existing structures much more efficient so that they can respond faster and more appropriately to emerging crises, inter alia by reducing the number of parallel structures; calls on the VP/HR to preserve and strengthen the distinct character of civilian approaches to conflict prevention and crisis management;

20. Emphasises that the potential of several clauses of the Lisbon Treaty, such as Article 44 TEU (entrusting of CSDP missions to a small group of Member States), Article 41 TEU (on the startup fund), Article 46 TEU (on permanent structured cooperation), Article 42(7) TEU (mutual assistance clause), and Article 222 TFEU (solidarity clause), has yet to be exploited; calls on the HR/VP to actively promote these instruments and their implementation, and encourages the Member States to make use of them;

21. Welcomes the holding of a meeting of the European Council on Defence in December 2013, and calls for the implementation of the decisions taken; looks forward to the forthcoming debate in June 2015; calls for ambitious decisions to be taken at this summit, in particular:

— launching — on the basis of the review of the EU's strategic framework — a process of strategic reflection on objectives and priorities in the field of security and defence, setting out the required capabilities and options for deepening defence cooperation in order to be able to respond better to the threats facing the countries of the EU;

— strengthening the European Defence Agency by providing it with the necessary resources and political impetus, so that it can play its full role in coordinating and stimulating armaments cooperation;

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- reviewing the Athena financing mechanism with a view to further increasing common financing in the field of CSDP military operations, so as to prevent financial considerations from compromising the EU's ability to respond to crises and to encourage Member States to speedily generate forces for CSDP operations and ensure fairer burden-sharing;
- strengthening the European Defence Technological and Industrial Base, inter alia by coordinating defence budgets, harmonising requirements, reducing inefficiencies and creating synergies;
- addressing existing problems in the areas of the planning and conduct of military operations, including by establishing a permanent military operational headquarters in close cooperation with the already existing Civilian Planning and Conduct Capability (CPCC);
- increasing the EU Battlegroups' effectiveness and usability, inter alia by introducing a modular approach, extending common financing through the Athena mechanism, and deploying the Battlegroups in future crisis management scenarios whenever appropriate;

22. Takes the view that recent terrorist attacks in EU countries demonstrate that it is increasingly difficult to separate internal from external security, and calls on the Member States and the EU institutions to better connect their efforts in these spheres; calls on the Member States to step up the sharing of security-related intelligence, making use of the existing coordination facilities at European level; calls for cooperation on counter-terrorism matters to be reinforced in the EU's relations with countries in the Middle East and North Africa, including through training and capacity- building in the security sector, information sharing and exchange of best practices; calls on the EU and its Member States to make all efforts to strengthen international cooperation in order to prevent and combat terrorism, and underlines the important role that the UN must play in this endeavour;

23. Calls for the industrial and technological resources needed to improve cybersecurity to be developed, including by promoting a single market for cybersecurity products; emphasises the need to mainstream cyber defence into external action and the CFSP, and calls for closer coordination on cyber defence with NATO with a view to establishing cyber deterrence in order to effectively face and prevent attacks launched through cyberspace; urges the EU Member States, the EEAS and the Commission to focus on how to strengthen the resilience of relevant infrastructure; welcomes the EU's Cyber Security Strategy; underlines the need to significantly increase the cyber defence capabilities of Member States; urges the European Defence Agency to strengthen coordination on cyber defence among Member States and calls on the Member States to provide the EDA with the means to achieve this goal; calls on the Commission to update the dual-use regulation in order to avoid the export of systems to those who seek to undermine the EU's security and critical infrastructure and prevent the export of mass surveillance technology to authoritarian regimes; recalls the importance of maintaining the balance between the safeguarding of digital freedoms and security;

24. Calls for a renewed and coherent EU migration policy; insists on the need to address the root causes of irregular migration, by strengthening cooperation with countries of transit and origin of migration flows using all policy and assistance instruments, including development and trade policies, humanitarian aid, conflict prevention and crisis management, in combination with the need to strengthen routes of legal migration; reiterates its call for humanitarian support to be stepped up to countries which host refugees and to strengthen the Regional Protection Programmes run in collaboration with UNHCR close to regions of origin; stresses that migration management issues should be mainstreamed into EU external action and should be a high priority in EU cooperation with neighbours in the east and south; emphasises that the loss of life at the EU's borders has to be avoided;

25. Points out that energy is increasingly being used as a foreign policy tool, and recalls that energy cooperation lies at the foundation of European integration; emphasises the importance of building a European Energy Union aiming to increase coherence and coordination between foreign policy and energy policy; stresses that energy security should be part of the comprehensive approach to the EU's external action, and believes that energy policy must be in line with the Union's other priority policies, including its security, foreign and neighbourhood, trade, and development policies, as well as its policies in defence of human rights; in this regard, underlines the need to significantly reduce dependence on Russia and find alternative sources of energy; calls on the HR/VP and the Commission to monitor and address the control of infrastructures by non-EU entities, notably by state-owned companies, national banks or sovereign funds from third countries, penetrating the EU energy market or hampering diversification, including in the nuclear sector; stresses that non-EU energy companies must also be subject to the competition rules applicable to the EU energy market;

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26. Welcomes the establishment of the post of Vice-President for the Energy Union and the Commission's communication on a European Energy Security Strategy; calls on the Commission and the Member States to intensify cooperation in order to implement short- and long-term actions listed in this strategy; insists on the need to strengthen the coherence between EU foreign policy and other policies with an external dimension, such as energy policy, and expects the Commission's new cluster-based structure to deliver results in this regard; urges further steps to bring energy security goals into line with other objectives pursued by the EU; calls on the HR/VP to develop strategic priorities for the external energy policy enshrined in the general foreign policy objectives and to make more systematic use of foreign policy tools in the areas of energy security;

27. Takes the view that a solidarity mechanism should be put in place in order to deal with possible energy disruptions; believes that an interconnected energy infrastructure should be further developed and that all parts of the EU territory should be integrated into an EU-wide energy grid; emphasises that efforts to diversify the EU's energy supply should be accelerated in order to strengthen the energy independence of the EU; takes the view that the development of renewables and of energy efficiency will strongly benefit the credibility of EU external action; recalls that a well-functioning internal energy market is essential and that it is in the general interest of the EU to ensure that international energy markets are stable, transparent, and based on international rules; calls on the Commission to bring forward a proposal for a comprehensive strategy to strengthen supply security for resources other than energy resources;

28. Welcomes HR/VP Federica Mogherini's cooperative attitude towards Parliament, aimed at strengthening her accountability to the institution; reiterates the need for systematic and proactive consultation with Parliament, and in particular with its Committee on Foreign Affairs, prior to the adoption of foreign policy strategies and CSDP mandates; asks the Council to finalise negotiations with Parliament on replacing the 2002 Interinstitutional Agreement concerning access by the European Parliament to sensitive information of the Council in the field of security and defence policy; is committed to intensifying cooperation with national parliaments, including within the Inter-Parliamentary Conference for the CFSP and the CSDP and COSAC, in order to be better prepared to control the respective resources;

### ***Preserving and strengthening the European political and legal order***

29. Underlines the need to consolidate the EU and to strengthen its integration capacity, which is one of the Copenhagen criteria; reiterates the enlargement perspective for all candidate countries and other potential candidates under the Thessaloniki Declaration of 2003, based on fulfilment of the Copenhagen criteria, and supports the continuation of the enlargement negotiations; supports, in this connection, the Commission's approach, which consists in addressing fundamental reforms in the area of the rule of law, public administration and economic governance early in the enlargement process; reiterates that each country will be judged by its own merits and believes that in instances where the EU deems a candidate country's level of alignment with the EU acquis satisfactory, accession negotiations should be opened or continued, as this is crucial for preserving the credibility of the EU as a whole; underlines the importance of cooperation with the candidate countries in the field of external policy and highlights the significance of their alignment with the CSFP;

30. Takes the view that an overarching political strategy is needed aimed at restoring the European political order under international law, laid down in the Helsinki Final Act of 1975 and binding all European states, including Russia; insists that this order is based on respect for human rights, minority rights and fundamental freedoms, the sovereignty, independence and territorial integrity of states, and the peaceful resolution of conflicts; sees the development of a constructive dialogue with Russia and other states in the EU's neighbourhood on cooperation to strengthen this order as an important basis for peace and stability in Europe, provided Russia respects international law and fulfils its commitments regarding Georgia, Moldova and Ukraine, including withdrawal from Crimea;

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31. Takes the view that a new approach to the EU's relations with its eastern neighbours is needed, based on merits, differentiation and the 'more for more' principle; believes that supporting those countries that want to draw closer to the EU must be a top priority for EU foreign policy and that an important response for containing Russia's ambitions in its neighbourhood is to invest in the independence, sovereignty, economic development and further democratisation of these countries; is committed to the European perspective for the EU's eastern European neighbours and recalls that pursuant to Article 49 TEU they — like any other European state — may apply to become members of the European Union, provided they adhere to the Copenhagen criteria and the principles of democracy, respect fundamental freedoms and human and minority rights, and ensure the rule of law;

32. Welcomes the signature, the ratification by the European Parliament and the national parliaments of the countries concerned, and the provisional implementation of Association Agreements including Deep and Comprehensive Free Trade Agreements with Georgia, the Republic of Moldova and Ukraine, which is a key step in their convergence with the EU; takes the view that the association process should be used by the countries concerned to modernise democratic governance, strengthen the rule of law, reform public administration and undertake economic and structural reforms as a major step in their political, economic, social and environmental convergence with the EU; urges a substantial increase in EU political, financial and technical assistance to support these reforms; insists, however, on strict conditionality and the need to guarantee accountability for resources spent and to achieve significant success in reducing corruption; welcomes the conduct and results of the parliamentary elections held in Ukraine and the Republic of Moldova in October and December 2014 respectively in line with international democratic standards;

33. Calls for a close engagement with those eastern European neighbours which have not yet concluded Association Agreements with the EU or wish to deepen and strengthen relations in different frameworks, including by promoting bilateral cooperation in areas of mutual interest; recalls, however, that EU assistance can only be effective if there is sufficient ownership of and respect for European values on the part of the partner countries, who have to respect their obligations under international law;

34. Urges Russia to honour its commitments and legal obligations, including those enshrined in the UN Charter, the Charter of Paris, the OSCE Helsinki Final Act, the Budapest Memorandum and the Treaty of Friendship, Cooperation and Partnership between Russia and Ukraine; strongly condemns the fact that Russia has broken international law through its direct military aggression and hybrid war against Ukraine, which has resulted in thousands of military and civilian casualties as well as the illegal annexation and occupation of Crimea and actions of similar nature vis-à-vis Abkhazia and South Ossetia, territories of Georgia; highlights the alarming deterioration in respect for human rights, freedom of speech and media freedom in Crimea; urges Russia to de-escalate and to withdraw its troops from Ukrainian territory and to re-establish the pre-annexation status quo; welcomes the efforts to reach a comprehensive agreement in Minsk on 12 February 2015, and calls for the immediate and full implementation of the agreement; rejects as illegitimate the presidential and parliamentary elections held in Donetsk and Luhansk on 2 November 2014;

35. Supports the sanctions adopted by the EU in reaction to the Russian aggression against Ukraine, and stresses that these are scalable and reversible, depending especially on the fulfilment of the Minsk agreements, but could also be strengthened should Russia continue to fail to meet its international obligations; calls on the Commission to watch over their uniform implementation;

36. Emphasises the need for the EU and its Member States to show solidarity and speak with one voice vis-à-vis Russia; invites candidate countries to align their foreign policy toward Russia with that of the EU; calls on the HR/VP to develop, as a matter of priority, a common EU strategy on Russia, aimed at securing a commitment from Russia on peace and stability in Europe including unconditional respect for its neighbours' sovereignty and territorial integrity; believes that a good relationship between Russia and the EU, based on respect for international law and other international obligations, would be in the common interest, and hopes that Russia will show itself open to such a development by respecting international law;



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37. Emphasises the need for a coherent European approach towards the misinformation campaigns and propaganda activities pursued by Russia both inside and outside the EU; urges the EEAS and the Commission to present an action plan with concrete measures to counter the Russian propaganda; calls for cooperation with the NATO Strategic Communications Centre of Excellence on this matter;

38. Urges the EU leadership and the Member States to guarantee the safety and freedom of Christians and other religious and ethnic minority groups who are facing increasing discrimination and persecution, and find themselves in the crossfire; calls on the EEAS and the Member States to ensure that future bilateral agreements include effective monitoring mechanisms for the protection of the human rights of religious minorities and the effective implementation of the EU guidelines on the promotion and protection of freedom of religion or belief;

### ***Supporting security and stabilisation in the southern neighbourhood***

39. Insists on the need to substantially revise the EU's policy towards its southern neighbourhood, which should be characterised by adequate budgetary resources and the development and implementation of a comprehensive strategy focusing the EU's instruments and resources on support for the building of functioning and inclusive states capable of delivering security for their citizens, promoting democracy, confronting religious extremism, respecting human rights, protecting religious and ethnic minorities and enhancing the rule of law, as a key precondition for investment and economic development; points to the unused potential of cross-border trade within the region; insists on close cooperation with the authorities of the countries concerned on managing migration flows while respecting human rights and international law;

40. Emphasises that when providing aid and support the EU has to enforce conditionalities, as aid programmes and support for civil society can only be sustained if clear conditions are set at the highest political level;

41. Insists that the revised approach of the EU towards its southern neighbours should be based on differentiation and the 'more for more' principle, under which additional EU support should be granted to partner governments which are committed to and make tangible progress towards democratisation and respect for fundamental freedoms and human rights, as is the case with Tunisia, Jordan and Morocco;

42. Regrets the recent deterioration in relations between the EU and Turkey, and calls for renewed efforts to foster a stronger partnership in order to address shared security and humanitarian challenges in the southern Mediterranean; further urges Turkey to work on reforms that will fully comply with human rights standards, including freedom of the press, democracy, equality, and the rule of law;

43. Urges the EU leadership to develop, in close coordination with the US and involving major powers (e.g. Russia and China), a strategy encouraging regional actors (including Turkey, Iraq, Israel, Jordan, Egypt, the Gulf Cooperation Council governments, Iran, the Arab League and Kurdish forces) to unite in order to put an end to proxy wars and halt financial support for fundamentalists, and to develop a solution for peace and stability in the region, particularly with a view to ending the war in Syria and Iraq; emphasises the need to preserve the territorial integrity and national unity of Libya, and urges the HR/VP to provide impetus for a stronger engagement of regional actors on mediation and conflict resolution, in close coordination with the UN; welcomes the ongoing negotiations of E3+3 with Iran, and hopes that they will lead to a mutually acceptable agreement, ensuring the exclusively peaceful nature of the Iranian nuclear programme and offering the long-term prospect of Iran's full reintegration into the international community; supports the engagement of the HR/VP and all parties involved in the Middle East peace process in finding a comprehensive, constructive, and sustainable solution to the Middle East conflict that is viable for both sides; stresses that the lack of progress towards a negotiated two-state solution on the basis of the 1967 borders is leading only to further violence and bloodshed;

44. Welcomes the statement by the HR/VP concerning the opening of an office in Erbil in Iraqi Kurdistan, and urges the HR/VP and EEAS to open such an office as soon as possible; emphasises that this would enable the EU to gather information on the ground, improve its engagement with local actors, ensure the better assessment and coordination of humanitarian and military responses, and improve the EU's visibility in the region;

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45. Calls for the appointment of a special adviser to assess the merits of opening a permanent EU diplomatic representation in Iran;

46. Takes the view that the criminal activities and barbaric violence by terrorist jihadists groups engaged in and associated with the so-called Islamic State (IS) represent a major threat to the wider Middle East and North Africa (MENA) region, to Europe, and potentially to global peace and stability; supports the global coalition against IS and its efforts to combat IS militarily; welcomes the contributions of EU Member States in this context and encourages closer and efficient global cooperation and dialogue in order to reach a common threat assessment; urges the stepping-up of resolute global regulatory pressure to deprive jihadists of oil revenues and to apply strict global sanctions against financial transactions in their favour; points out in this connection that jihadist groups are also receiving funding from some Arab countries and that the EU should ask those countries to show greater consistency; points to the urgent need to counter jihadist groups' use of the internet for recruitment and propaganda; insist on the need to step up international as well as intra-EU cooperation, focused on preventing extremists from travelling to Syria and Iraq to join the jihadist fight, including investment in national radicalisation prevention and de-radicalisation programmes in Member States; calls on the Member States to enact ways to bring those returning European fighters to justice, within the remit of their domestic criminal law systems; recalls the need for closer cooperation and coordination between Turkey and the EU;

47. Urges the countries of the region to remain committed to the war on terrorism and to refrain from actions that may cause tension, friction or crisis between them or create additional problems for the struggle of the international community against IS;

48. Condemns the brutal violence used by the Assad regime against Syrian citizens, and calls for the stepping-up of pressure to bring about a genuine political transition in Syria, including by increasing support to the moderate Syrian opposition;

49. Highlights the fact that in many fields the Union's external policy toward its southern neighbourhood must also make the link with Africa; considers that Africa, in particular the Sahel-Sahara region, is under a strategic threat, and calls for an adequate EU response to this threat, including measures in the areas of economic development, democracy, the rule of law, education and security; notes the steady increase in the criminal activity of the terrorists of al-Qaeda in the Islamic Maghreb (AQIM), Al-Mourabitoun born from the fusion of the Movement for Unity and Jihad in West Africa (MUJAO) and Mokhtar Belmokhtar's Masked Men Brigade, and Boko Haram; stresses that the recommendations of the European Strategy for Security and Development in the Sahel need to be implemented, and calls on the Commission to conduct an evaluation of the strategy;

50. Emphasises the importance of Jordan and Lebanon as stable partners in the Middle East; recalls that these two countries are facing an increasing wave of refugees which poses huge socio-economic challenges; commends the continued assistance of neighbouring countries to refugees from Iraq and Syria; urges the EU leadership to initiate a global effort, including on the part of regional powers, to massively increase humanitarian assistance for civilians affected by the conflict in Syria and Iraq and IS violence, in particular with a view to supporting refugees and providing direct financial support to all countries in the region which host refugees in order to foster social integration and avoid marginalisation;

51. Urges the EU to ensure that counter-terrorism cooperation with third countries goes hand in hand with respect for the rule of law and universal human rights;

### ***Strengthening a cooperative, rule-based global order***

52. Believes that the US is the EU's key strategic partner, and encourages closer coordination, on an equal footing, with the US on EU foreign policy in support of international law and pursuing common approaches to challenges in the EU neighbourhood and at global level; underlines the strategic nature of the Transatlantic Trade and Investment Partnership, which has the potential to enable the transatlantic partners to set global standards on labour, health, the environment and intellectual property and strengthen global governance; calls, in this connection, for greater openness and transparency in the negotiations and for the involvement of all stakeholders at all stages of the process; believes that Latin America is an important partner for the EU and that various modalities of triangular transatlantic cooperation should be developed;

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53. Underlines the need to engage in strategic cooperation and partnership with various countries, with a clear agenda, and to review current strategic partnerships in light of the impact of their policies;

54. Welcomes the conclusions of the NATO summit held in Wales in September 2014, and calls for their implementation; believes that EU-NATO cooperation should be strengthened and closer planning and coordination undertaken between NATO's smart defence and the EU's pooling and sharing, in order to avoid duplication and make best use of the scarce resources available; reiterates the need to respect the security policies of those EU Member States which are not NATO members;

55. Underlines the need for an EU strategy, in coordination with the US, on how to share with Russia, China, India and other major powers the responsibility for the peace and stability of the global political and economic order; points out the importance of enhancing relations with pivotal states in Asia as well as regional organisations such as ASEAN in the context of this strategy;

56. Calls on the HR/VP to strengthen the EU's foreign policy towards Asia, especially China and India; urges the HR/VP to ensure that bilateral summits with China and India are held on a yearly basis and yield tangible results;

57. Stresses that peace and stability in the Asia-Pacific Region, and in the East and South China Sea in particular, are of substantial importance to the EU; urges all parties concerned in the region to solve differences in a peaceful way, in line with international law, and to cooperate with each other to exploit natural and marine resources; advocates developing and advancing European policies on the basis of supporting active conflict prevention and peaceful conflict resolution strategies; takes the view that the EU has a substantial interest in East Asia's continued growth and prosperity; underlines the need to strengthen the EU's economic partnership with Asia-Pacific countries in an inclusive manner so as to maintain sustainable peace, stability and prosperity; welcomes the encouraging improvements in cross-Strait relations over the past six years and calls upon all parties to take further measures to facilitate their peaceful development;

58. Calls on the HR/VP and the EU Member States to give negotiated nuclear disarmament and arms control policy a new and strong impetus; welcomes the forthcoming UN review of the Non-Proliferation Treaty as a major step towards international peace and security, and urges the Member States to take a coordinated and proactive position in the negotiations; welcomes the entry into force of the Arms Trade Treaty and calls for its effective and full implementation; calls for the creation of an EU authority for arms trade to assist Member States in the interpretation of, and ensure consistent and strict compliance with, the norms established by the EU's Common Position on arms exports; stresses the need for better export checks on the use of exported weapons;

59. Declares that the EU, which has in the past been successful in fighting the death penalty in specific cases, should take a more decisive stand; calls for the institutions and the Member States to maintain and step up their commitment to this cause and their political will, in order to see the death penalty finally abolished worldwide;

60. Reasserts the need for a reform of the United Nations Security Council (UNSC), for it to better reflect today's global realities; urges the HR/VP to make this a priority and to kick off a Europe-wide debate on the reform of the UNSC; stresses, in this respect, that the EU should become a full member of the UN;

61. Reiterates the need for the EU to play a leading role in promoting the universal signature and ratification of the Rome Statute and to further strengthen and support the International Criminal Court;

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62. Recalls the EU's strong commitment to fighting impunity and promoting the universality of the Rome Statute establishing the International Criminal Court (ICC); welcomes the recent ratification of the Rome Statute by Palestine;

63. Calls for the development of a coherent climate security strategy at EU level that addresses the strategic and political consequences of climate change, allowing the EU to respond to and prepare for climate-induced geopolitical instability and paying particular attention to cooperation with developing countries and countries most afflicted by the impacts of climate change; acknowledges the importance of the upcoming Paris Summit on climate change; calls on the EEAS to prioritise diplomacy on climate change goals in order to build support for a strong and comprehensive agreement; calls for a debate on a forward-looking strategy to address migration occurring as a result of climate change;

64. Calls for the EU and its Member States to contribute positively and in a coordinated manner to the conception of the Post-2015 Development Agenda, and points to the important role of the HR/VP in ensuring EU leadership in the negotiations; stresses that the new framework should address the structural causes of poverty, inequality and violence by strengthening effective, inclusive and democratic institutions, good governance and the rule of law;

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65. Instructs its President to forward this resolution to the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the Commission, the Council, the Commission, the governments and parliaments of the Member States, the Secretary-General of the United Nations, the Secretary-General of NATO, the President of the NATO Parliamentary Assembly, the Chairperson-in-Office of the OSCE, the President of the OSCE Parliamentary Assembly, the Chairman of the Committee of Ministers of the Council of Europe, and the President of the Parliamentary Assembly of the Council of Europe.

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P8\_TA(2015)0076

**Annual report on human rights and democracy in the world 2013 and the EU policy on the matter****European Parliament resolution of 12 March 2015 on the Annual Report on Human Rights and Democracy in the World 2013 and the European Union's policy on the matter (2014/2216(INI))**

(2016/C 316/18)

*The European Parliament,*

- having regard to the Universal Declaration of Human Rights and other United Nations human rights treaties and instruments,
- having regard to the UN Convention on the Rights of the Child, and to its resolution of 27 November 2014 on the 25th anniversary of that convention <sup>(1)</sup>,
- having regard to the UN Millennium Declaration of 8 September 2000 <sup>(2)</sup>, the UN post-2015 development agenda and the resolutions of the UN General Assembly,
- having regard to the European Convention on Human Rights,
- having regard to Articles 2, 3 and 21 of the Treaty on European Union (TEU),
- having regard to Article 207 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the EU Strategic Framework and Action Plan on Human Rights and Democracy <sup>(3)</sup>, as adopted by the Foreign Affairs Council on 25 June 2012,
- having regard to the EU Annual Report on Human Rights and Democracy in the World in 2013, adopted by the Council on 23 June 2014,
- having regard to the Annual Report on the Main Aspects and Basic Choices of the CFSP in 2013, endorsed by the Council on 22 July 2014,
- having regard to the Commission's Annual Report 2014 on the European Union's development and external assistance policies and their implementation in 2013 (COM(2014)0501), adopted on 13 August 2014, and the accompanying documents,
- having regard to its resolution of 11 December 2013 on the Annual Report on Human Rights and Democracy in the World 2012 and the European Union's policy on the matter <sup>(4)</sup>,
- having regard to the European Union's Human Rights Guidelines,
- having regard to the Council conclusions of 23 June 2014 on the 10th anniversary of the EU Guidelines on Human Rights Defenders,

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<sup>(1)</sup> Texts adopted, P8\_TA(2014)0070.

<sup>(2)</sup> A/RES/55/2.

<sup>(3)</sup> Council document 11855/2012.

<sup>(4)</sup> Texts adopted, P7\_TA(2013)0575.

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- having regard to its resolution of 17 June 2010 on EU policies in favour of human rights defenders <sup>(1)</sup>,
- having regard to its urgency resolutions on cases of breaches of human rights, democracy and the rule of law,
- having regard to its resolution of 13 March 2014 on EU priorities for the 25th session of the UN Human Rights Council <sup>(2)</sup>,
- having regard to its recommendation to the Council of 2 April 2014 on the 69th session of the United Nations General Assembly <sup>(3)</sup>,
- having regard to its resolution of 17 November 2011 on EU support for the ICC: facing challenges and overcoming difficulties <sup>(4)</sup>,
- having regard to its resolution of 17 July 2014 on the crime of aggression <sup>(5)</sup>,
- having regard to its resolution of 7 July 2011 on EU external policies in favour of democratisation <sup>(6)</sup>,
- having regard to its resolution of 13 June 2013 on the freedom of press and media in the world <sup>(7)</sup>,
- having regard to the Joint Communication of the Commission and of the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy of 8 March 2011 entitled ‘A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean’ (COM(2011)0200),
- having regard to the UN General Assembly resolution of 20 December 2012 on a moratorium on the use of death penalty <sup>(8)</sup>,
- having regard to its resolution of 11 March 2014 on the eradication of torture in the world <sup>(9)</sup>,
- having regard to its resolution of 17 June 2010 on implementation of Council Regulation (EC) No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment <sup>(10)</sup>,
- having regard to UN Security Council Resolutions 1325, 1820, 1888, 1889 and 1960 on women, peace and security,
- having regard to the report on the EU indicators for the comprehensive approach to the EU implementation of UN Security Council Resolutions 1325 and 1820 on Women, Peace and Security, adopted by the Council on 13 May 2011,
- having regard to the ‘Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework’, endorsed by the UN Human Rights Council (UNHRC) in its Resolution 17/4 of 16 June 2011,
- having regard to the ICT (information and communication technologies) Sector Guide on Implementing the UN Guiding Principles on Business and Human Rights, published by the Commission on 17 June 2013,

<sup>(1)</sup> OJ C 236 E, 12.8.2011, p. 69.

<sup>(2)</sup> Texts adopted, P7\_TA(2014)0252.

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

<sup>(4)</sup> OJ C 153 E, 31.5.2013, p. 115.

<sup>(5)</sup> Texts adopted, P8\_TA(2014)0013.

<sup>(6)</sup> OJ C 33 E, 5.2.2013, p. 165.

<sup>(7)</sup> Texts adopted, P7\_TA(2013)0274.

<sup>(8)</sup> A/RES/67/176.

<sup>(9)</sup> Texts adopted, P7\_TA(2014)0206.

<sup>(10)</sup> OJ C 236 E, 12.8.2011, p. 107.

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- having regard to the UNHRC resolution of 26 June 2014 calling for the establishment of an open-ended intergovernmental working group with the aim of drawing up ‘an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights’,
  - having regard to its resolution of 25 November 2010 on corporate social responsibility in international trade agreements <sup>(1)</sup>,
  - having regard to its resolution of 14 February 2006 on the human rights and democracy clause in European Union agreements <sup>(2)</sup>,
  - having regard to its resolution of 25 November 2010 on human rights and social and environmental standards in international trade agreements <sup>(3)</sup>,
  - having regard to its resolution of 25 November 2010 on international trade policy in the context of climate change imperatives <sup>(4)</sup>,
  - having regard to the Council conclusions of 14 May 2012 on ‘Increasing the Impact of EU Development Policy: an Agenda for Change’,
  - having regard to its resolution of 25 November 2014 on the EU and the global development framework after 2015 <sup>(5)</sup>,
  - having regard to its resolution of 10 October 2013 on caste-based discrimination <sup>(6)</sup>,
  - having regard to the Joint Communication of the Commission and of the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy of 5 March 2014 entitled ‘Responsible sourcing of minerals originating in conflict-affected and high-risk areas: Towards an integrated EU approach’ (JOIN(2014)0008),
  - having regard to the United Nations Convention against Corruption (UNCAC),
  - having regard to its resolution of 8 October 2013 on corruption in the public and private sectors: the impact on human rights in third countries <sup>(7)</sup>,
  - having regard to the Council conclusions of 12 May 2014 on the EU’s comprehensive approach,
  - having regard to its recommendation to the Council of 18 April 2013 on the UN principle of the ‘Responsibility to Protect’ (‘R2P’) <sup>(8)</sup>,
  - having regard to Rules 52 and 132(2) of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Development and the Committee on Women’s Rights and Gender Equality (A8-0023/2015),
- A. whereas Article 21 of the Treaty on European Union (TEU) further strengthened the EU’s commitments to develop a common foreign and security policy guided by the principles of democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and the principle of advancing international law and justice, with respect for the principles of the United Nations Charter, the Charter of Fundamental Rights of the European Union and international law; whereas, pursuant to Article 6 TEU, ‘the Union shall accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms’;
- B. whereas Article 207 of the Treaty on the Functioning of the European Union (TFEU) stipulates that the EU’s commercial policy is to be based on the principles and objectives of the Union’s external action;

<sup>(1)</sup> OJ C 99 E, 3.4.2012, p. 101.

<sup>(2)</sup> OJ C 290 E, 29.11.2006, p. 107.

<sup>(3)</sup> OJ C 99 E, 3.4.2012, p. 31.

<sup>(4)</sup> OJ C 99 E, 3.4.2012, p. 94.

<sup>(5)</sup> Texts adopted, P8\_TA(2014)0059.

<sup>(6)</sup> Texts adopted, P7\_TA(2013)0420.

<sup>(7)</sup> Texts adopted, P7\_TA(2013)0394.

<sup>(8)</sup> Texts adopted, P7\_TA(2013)0180.

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- C. whereas respect for, and the promotion and safeguarding of, the universality and indivisibility of human rights are cornerstones of the EU's foreign and security policies; whereas the universality of human rights is being seriously challenged by a number of authoritarian regimes, in particular in multilateral forums;
- D. whereas more than half of the world's population is still living under undemocratic regimes, and whereas global freedom has continuously declined over the past few years;
- E. whereas democratic regimes are defined not only by the organisation of elections but also by respect for the rule of law, freedom of speech, respect for human rights, an independent judiciary and impartial administration;
- F. whereas the EU's credibility in its external relations and in the international arena will be bolstered by increasing consistency between its internal and external policies in relation to democracy and human rights;
- G. whereas the new Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) has stated that human rights will be one of her overarching priorities and that she intends to use them as a compass with regard to all relations with third countries; whereas she has also reiterated the EU's commitment to promoting human rights in all areas of foreign relations 'without exception'; whereas the adoption of the new EU Action Plan on Human Rights and Democracy and the renewal of the mandate of the EU Special Representative for Human Rights will be on the EU agenda at the beginning of 2015;
- H. whereas on 23 June 2014 the Council adopted the EU Annual Report on Human Rights and Democracy in the World in 2013, covering the first full year of implementation of the EU Strategic Framework and Action Plan on Human Rights and Democracy; whereas 2013 was also the first full year of the new mandate of the EU Special Representative for Human Rights; whereas the holder of this post should serve to assist the Union in coordinating its activities so as to make clearer, and heighten the visibility of, its work in promoting the observance of human rights throughout the world, and in particular of women's rights;
- I. whereas the EU Annual Report on Human Rights and Democracy in the World in 2013 and events after its reporting period serve as a stark reminder of the grave human cost of the non-observance of human rights; whereas the non-observance of human rights in third countries has an adverse impact on the EU when failure to respect human rights and lack of legitimate democratic participation lead to instability, failed states, humanitarian crises and armed conflicts, phenomena to which the EU is obliged to respond;
- J. whereas the EU's commitment to effective multilateralism, with the UN at its core, is an integral part of the Union's external policy and is rooted in the conviction that a multilateral system founded on universal rules and values is best suited to addressing global crises, challenges and threats;
- K. whereas the EU and its Member States have been staunch allies of the International Criminal Court (ICC) since its inception, providing it with financial, political, diplomatic and logistical support while promoting the universality of the Rome Statute and defending its integrity with the purpose of strengthening the Court's independence;
- L. whereas in its resolution of 17 July 2014 Parliament reiterated its strong support for the adoption of the Kampala Amendments to the Rome Statute of the ICC, including the amendment on the crime of aggression, and called on all EU Member States to ratify them and incorporate them into their national legislation; whereas the amendment on the crime of aggression will contribute to the rule of law at the international level and to international peace and security by deterring the illegal use of force and thus proactively contributing to the prevention of such crimes and to the consolidation of lasting peace;



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- M. whereas the focus of the 59th session of the UN Commission on the Status of Women, to be held in New York from 9 to 20 March 2015, will be the follow-up to the Beijing Declaration and Platform for Action, including the current challenges that impede its implementation and therefore the achievement of gender equality and the empowerment of women, and also the opportunities for achieving gender equality and the empowerment of women in the post-2015 agenda for the Millennium Development Goals (MDGs);
- N. whereas free primary education for all children is a fundamental right established by the 1989 UN Convention on the Rights of the Child; whereas educating children and adults helps reduce poverty and infant mortality and promote good environmental practices; whereas access to education for all is intrinsically linked to the gender equality MDG, in particular in terms of completing primary education; whereas this goal is far from being achieved;
- O. whereas in times of armed conflict women and children, including female and child refugees, asylum seekers and stateless persons, are among the most vulnerable groups in society, and whereas the risks to adolescent girls displaced during humanitarian crises are significantly heightened;
- P. whereas all types of discrimination and violence against women, including sexual abuse, female genital mutilation, forced marriage, so-called honour crimes, the commercial sexual exploitation of women and domestic violence, should never be justified on any political, social, religious or cultural grounds or on the basis of any popular or tribal tradition;
- Q. whereas there is a clear relationship between corruption and violations of human rights; whereas corruption in the public and private sectors perpetrates and aggravates inequality and discrimination, and consequently prevents the equal enjoyment of civil, political, economic, social and cultural rights; whereas it is proven that acts of corruption are often linked to human rights violations, abuse of power and lack of accountability;
- R. whereas labour rights and trade union rights are under serious attack around the world, while the ways in which companies operate have a profound impact on the rights of workers, communities, and consumers within and outside Europe; whereas international human rights law imposes on states the duty to protect human rights, to ensure that the activities of corporations under their jurisdiction do not violate human rights, and to ensure that effective forms of remedy are available to victims;
- S. whereas the business community has a great role to play in promoting human rights and whereas such efforts are deeply desirable and should be supported by public institutions worldwide; whereas the promotion of human rights should be considered to be a platform for cooperation between government and the private sector;
- T. whereas a clause on compliance with international conventions on human rights and labour rights is a requirement of the enhanced Generalised System of Preferences (GSP+) for third countries;
- U. whereas Article 16 of the Universal Declaration of Human Rights (UDHR) states that men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family, and are entitled to equal rights as to marriage, both during marriage and at its dissolution, and that marriage is to be entered into only with the free and full consent of the intending spouses;
- V. whereas Article 14 of the UDHR recognises the right of every person to seek asylum from persecution in other countries; whereas the UN Convention on the Status of Refugees clearly states that all refugees are entitled to special protection and that no state may expel or return a refugee to a territory where he or she faces persecution or threats to life or freedom;
- W. whereas Article 18 of the UDHR recognises the freedom of thought, conscience and religion; whereas the number of incidents relating to freedom of religion or belief has risen sharply, inter alia as a consequence of an increasing number of conflicts with a religious dimension;

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- X. whereas Article 25 of the UDHR recognises the right of every person to a ‘standard of living adequate for the health and well-being of himself and of his family’, in which motherhood and childhood are entitled to special care and assistance, and which includes medical care; whereas it is the 25th anniversary of the UN Convention on the Rights of the Child, which is the most widely ratified human rights treaty; whereas UNHRC Resolution 26/28 calls for the next UNHRC Social Forum meeting to focus on access to medicines in the context of the right of everyone to enjoy the highest attainable standard of physical and mental health; whereas the World Health Organisation (WHO) constitution states that the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition;
- Y. whereas the effects of climate change, such as increasing temperatures, rising sea levels and more extreme weather conditions, will intensify the challenges of global instability and, consequently, the threat of serious human rights violations;
- Z. whereas access to safe drinking water and sanitation is a human right that stems from the right to an adequate standard of living and is inextricably linked to the right to the highest attainable standard of physical and mental health, and to the right to life and human dignity; whereas approximately 2,6 billion people — half the developing world — lack even a simple ‘improved’ latrine and 1,1 billion people have no access to any type of drinking water;
- AA. whereas this report, while drafted in response to the EU Annual Report on Human Rights and Democracy in the World in 2013 adopted by the Council, is a forward-looking analysis of the EU’s activities in the policy area in question; whereas Parliament, in its resolutions on the previous Annual Reports and on the review of the EU human rights strategy, has stressed the need for continued reflection on its own practices in relation to the mainstreaming of human rights in its activities, to the follow-up of its urgency resolutions on breaches of democracy, human rights and the rule of law and to the monitoring of compliance with clauses on democracy and human rights in all agreements concluded by the EU with third countries;

### ***Centrality of human rights in EU external policies***

1. Recalls that the preamble to the Charter of Fundamental Rights of the European Union affirms that the EU ‘places the individual and human dignity at the heart of its activities’;
2. Calls on all the EU institutions and the Member States to place human rights at the centre of the EU’s relations with all third countries, including its strategic partners and in all high-level statements and meetings; emphasises the importance of effective, consistent and coherent implementation of the EU’s human rights policy, in line with the clear obligations laid down in Article 21 TEU and in the EU Strategic Framework on Human Rights and Democracy; commends the new VP/HR for openly stating her forthright commitment to the implementation of these principles;
3. Stresses the importance for the Member States of speaking with one voice in support of the indivisibility, inviolability and universality of human rights and, in particular, of ratifying all the international human rights instruments established by the UN; calls for the EU to uphold the indivisibility and inviolability of human rights, including those enshrined in the International Covenant on Economic, Social and Cultural Rights, in conformity with Article 21 TEU; calls for the EU to further promote universal human rights standards as the basis for its engagement with third countries and regional organisations, in both political and human rights dialogues and trade negotiations;
4. Welcomes the Commission’s decision to place the rule of law at the heart of the enlargement process; urges the EU to monitor closely the implementation of provisions protecting human rights and the rights of people belonging to minorities, throughout the enlargement process;

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5. Warns, however, of the unintended consequences of continuously expanding the list of human rights and including ideologically or politically controversial issues, as this could ultimately reduce general support for the very idea of the universality and indivisibility of human rights;
6. Points out that, in addition to human suffering, the EU should also take into account all the consequences of the non-observance of human rights where failure to respect human rights and lack of legitimate democratic participation lead to instability, corruption, failed states, humanitarian crises or armed conflicts, phenomena which undermine the EU's efforts in its development policy, and to which the EU or its Member States are obliged to react in the foreign and security policy domain; welcomes, in this connection, the EU's recent efforts to include human rights violations in its early warning matrix linked to crisis prevention; calls, however, for stronger preventive action, and urges the VP/HR, the Commission and the Member States to develop a human-rights-based crisis prevention element which should be added to the EU's comprehensive approach to external conflict and crises and should be included in the forthcoming revised European Security Strategy;
7. Takes the view that the EU, including its Delegations, should identify early warning signals, such as repression of minorities and human rights violations, that point to potential conflicts and humanitarian catastrophes; calls for the EU to develop best practices for promoting and protecting human rights in post-disaster and post-conflict situations, paying special attention to disabled people, women, children and other vulnerable groups, by providing data and taking relevant measures as regards concrete references to people with disabilities, the availability of disability-inclusive disaster risk reduction plans, training for all relevant service personnel and the proportion of accessible emergency shelters and disaster relief sites, with a focus on human rights mainstreaming in relief, recovery and reconstruction efforts, while respecting the humanitarian principles of humanity, impartiality, neutrality and independence and the needs-based approach to humanitarian assistance;
8. Encourages the EU to ensure that there is a synergy between the opportunities for support afforded by the Instrument for Stability, the European Instrument for Democracy and Human Rights (EIDHR) and the European Endowment for Democracy;
9. Expresses its deep concern at the increasing number of serious human rights violations resulting from terrorism across the world; refers to a 2014 report which indicated a 62 % rise in terrorist activity from 2012 to 2013 and an increase in the number of countries that experienced terrorism causing more than 50 deaths, from 15 to 24; urges the VP/HR and the European External Action Service (EEAS), with reference to the increase in terrorist activity, to cooperate better and more efficiently with governments in combating all forms of terrorism;
10. Holds that denials of genocide and other crimes against humanity, as well as acts of racism, xenophobia or religious hatred, constitute a clear violation of human rights and fundamental freedoms, and as such should be condemned;
11. Calls on the VP/HR, Federica Mogherini, and the EU foreign ministers to place regularly on the Foreign Affairs Council agenda the discussion of EU efforts to pursue the release of human rights defenders, journalists, political activists and others who exercise their rights peacefully;

***EU Annual Report on Human Rights and Democracy in the World as the reporting tool for EU human rights and democracy policy***

12. Welcomes the adoption by the Council of the EU Annual Report on Human Rights and Democracy in the World in 2013; invites the new VP/HR to make a commitment for the future to participate in two dedicated annual debates in plenary sittings of Parliament on the EU's human rights and democracy policy, to present the EU report, and to respond to Parliament's report;
13. Considers it regrettable that the Commission did not give a written answer to Parliament's aforementioned resolution on the Annual Report on Human Rights and Democracy in the World 2012, and considers that such written answers are extremely important for interinstitutional cooperation in this area and cannot be replaced by the debate in plenary, which allows less time for reflection and for a systematic reply to all the points raised by Parliament;

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14. Commends the EEAS and the Commission for their comprehensive and clear reporting on EU action taken during the reporting period; reiterates, however, its view that the country reports in particular should allow an overview of key positive and negative trends and evaluate the efficiency of the EU's actions; notes that more thorough public reporting, based in particular on the priorities and indicators identified in the hitherto confidential EU human rights country strategies, would encourage greater consistency in implementing human rights conditionality and assessing the human rights impact of EU policies;

15. Maintains its view that the EU institutions should jointly strive to improve the format of the Annual Report on Human Rights and Democracy in the World with a view to enabling it to reach a large section of the public while conserving its comprehensive nature as an implementation report on the EU Strategic Framework and Action Plan on Human Rights and Democracy; reiterates its readiness to be part of active and constructive cooperation among the EU institutions in the preparation of future reports; reiterates its request that the Annual Report include a section on the implementation of the Action Plan by Member States;

#### ***Implementation of the EU Strategic Framework and Action Plan***

16. Reiterates its appreciation of the EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted by the Council in 2012, as a major milestone in breaking new ground in policy development and in reconfirming the EU's commitment to the Treaty obligation to mainstream human rights in all EU external policies 'without exception';

17. Recalls that human rights have become an essential component of the EU's external action and a real element of its identity in its bilateral, multilateral and institutional relations;

18. Appreciates the efforts made by the EEAS and the Commission to report back to Parliament on the implementation of the first EU Action Plan on Human Rights and Democracy; calls on the VP/HR and the EEAS to involve the Member States, the Commission, Parliament, civil society and regional and international organisations in the review and consultations leading to the adoption of a new Action Plan, to take effect in early 2015; welcomes the discussions aimed at achieving better prioritisation of objectives in the new Action Plan, and at improving the clarity, effectiveness and coherence of this EU external policy tool, but warns against narrowing the scope of the Action Plan or lowering the level of ambition in terms of mainstreaming human rights across EU policy areas;

19. Encourages all parties involved in EU external action to take ownership of the EU's external policy on human rights and the various tools associated with it, and to ensure that human rights are taken into account across the board, inter alia by arranging for the officials concerned to receive regular training on human rights;

20. Expresses its particular concern over the implementation of the commitment made in the Strategic Framework to 'place human rights at the centre of EU relations with all third countries, including its strategic partners'; urges, accordingly, studied attention by the VP/HR and the EEAS to implementing this commitment and to ensuring human rights and democracy mainstreaming in the EU's relations with its strategic partners in such central contexts as summit meetings and Council conclusions; further recommends that, whenever there is a gross breach of human rights by a partner country with which an agreement has been concluded, the EU take more effective steps to carry out the appropriate sanctions as stipulated in the agreement's human rights clauses, including possible (temporary) suspension of the agreement;

21. Calls on the VP/HR, in coordination with all the other Commissioners, to draft a programme that mainstreams human rights in various EU activities, particularly in the areas of development, migration, the environment, employment, internet data protection, trade, investment, technology and business;

22. Welcomes the fact that the VP/HR has publicly stated the need to review the EU's strategy towards all its strategic partners, including China and Russia, and calls on her to prioritise human rights in such countries during her tenure by clarifying that gross human rights violations are a threat to bilateral relations between the EU and its strategic partners;

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***Mandate of the EU Special Representative for Human Rights***

23. Recognises the importance of the mandate given to the first ever EU Special Representative (EUSR) for Human Rights and congratulates the current mandate holder on the work done so far; encourages the EUSR to continue to enhance the EU's visibility and its engagement with the relevant multilateral organisations and regional human rights mechanisms (the UN, the Council of Europe, the Organisation for Economic Cooperation and Development, the Organisation for Security and Cooperation in Europe, the Association of Southeast Asian Nations, the African Union and the Organisation of Islamic Cooperation), to promote key EU thematic priorities reflected in the EU's Human Rights Guidelines, to work for the empowerment of civil society throughout the world, and to contribute to the mainstreaming, coherence, consistency and effectiveness of EU human rights policy and to striking the right balance between silent and public diplomacy; acknowledges the need for greater visibility for the role of the EUSR for Human Rights, who, while supported by the different services within the EU institutions in the interests of good coordination, needs to have own-initiative powers and the right to speak publicly;

24. Calls on the Council to adopt as a general principle the practice of including cooperation with the EUSR for Human Rights systematically in the mandate of future geographical EUSRs;

25. Requests that the position of EUSR for Human Rights be continued with a view to turning it into a permanent function, with adequate means to fully endorse the role, including the use of public diplomacy;

***Internal/external coherence in EU human rights and democracy policy***

26. Stresses that EU human rights policy needs to be consistent in complying with Treaty obligations, ensuring coherence between internal and external policies and avoiding double standards; calls, therefore, for the adoption of Foreign Affairs Council conclusions on human rights with regard to strategic partners; calls, in this context, for the establishment of common thresholds for Member States and for EU officials in terms of the human rights concerns that they have to raise, as a minimum, with their strategic partner counterparts, while keeping in mind the circumstances of each country's situation;

27. Stresses that the EU's action regarding third countries has to be consistent for it to be credible and hence effective, and that discrepancies and inconsistencies make its action less effective and sometimes cause its views on human rights not to be heard; recalls that, in spite of the many problems encountered, consistency is still a priority for external policy and that it has to be at the heart of the mandate of all those involved in such policy;

28. Considers it essential, moreover, that the requirements regarding human rights set out by the EU in its relations with third countries apply equally to the Member States; recalls, therefore, that Parliament adopts an annual report on the situation of fundamental rights in the European Union, drawn up by the Committee on Civil Liberties, Justice and Home Affairs;

29. Calls on the EEAS to reinforce the management, control and accountability of EU funds for the defence of human rights;

30. Points to the considerable challenges posed by Russia's annexation of Crimea and the continuing military involvement in eastern Ukraine; stresses that this policy of aggression is a continuation of Russia's slide towards authoritarian rule, with a worsening human rights situation inside the country; stresses that Russia is now a 'strategic challenge' for the EU, and no longer complies with strategic partnership criteria;

31. Calls for the EU to address effectively internal human rights challenges, such as the situation of Roma, the treatment of refugees and migrants, discrimination against LGBTI people, detention conditions and media freedom in the Member States, so as to maintain credibility and consistency in its external human rights policy; considers it regrettable that the Roma minority remains subject to discrimination, racism and social exclusion, both within the EU as well as in candidate countries in the Western Balkans and Turkey; notes, in this connection, that respect for the rights of minorities is one of the key challenges identified in the Commission's enlargement strategy for 2014-2015;

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### **EU human rights policy tools**

#### *Human rights country strategies and the role of EU Delegations*

32. Commends the EEAS for its successful completion of the first cycle of human rights country strategies, which were developed with a strong emphasis on ownership at the EU Delegation level; considers regrettable, however, the continued lack of transparency regarding the content of the country strategies, in particular the failure properly to inform Parliament, and calls, once again, for the public disclosure of, at least, the key priorities of each country strategy, and for Parliament to have access to the strategies, in an appropriate setting, so as to allow a proper degree of scrutiny; encourages the EEAS to adopt indicators with which to evaluate their efficacy, and to treat the country sections of the Annual Report on Human Rights and Democracy in the World more explicitly as constituting implementation reports on the country strategies; recalls the EU's commitment to ensure that the human rights country strategies are taken into account at all levels of policymaking with third countries, including human rights and political dialogues;

33. Stresses the need for the EU Delegations to draft an annual report on their activities in the field of human rights;

34. Welcomes the nearly completed network of human rights focal points and liaison officers for human rights defenders in EU Delegations; calls on the VP/HR and the EEAS to develop clear operational guidelines as to their role in the Delegations so as to enable them to realise their full potential, to create credible standards and to avoid inconsistencies between EU Delegations;

35. Encourages greater cooperation between the Member States' diplomatic networks and EU Delegations worldwide with a view to contributing to discussions by working parties on human rights in third countries;

36. Calls on the EEAS to ensure that the cases of jailed human rights defenders are raised in all high-level EU-third country meetings, including Cooperation Council/Association Council meetings; insists that all EU-third country human rights country strategies should include a section on jailed rights advocates;

37. Recalls the commitment to integrate human rights into all EU impact assessments; insists on the importance of this commitment in ensuring that the EU respects, protects and fulfils human rights and that its external policies and activities are designed and implemented in such a way as to consolidate human rights abroad; calls for the EU, through better consultation and coordination with civil society and EU institutions, to improve the quality and systematicity of its impact assessments on human rights;

#### *Human rights dialogues and consultations*

38. Reiterates its support for dedicated human rights dialogues as a tool of EU human rights policy, provided that they do not constitute an end in themselves, but are a means to secure specific commitments and achievements from the counterpart; recognises the value of engagement in human-rights-specific dialogue, in particular with countries with serious human rights problems; underlines, however, the need for the EU to draw clear political conclusions when the human rights dialogue does not lead to positive outcomes owing to the counterpart's lack of willingness to engage in good faith or lack of genuine commitment to reform, and to place emphasis on public diplomacy with a view to ensuring that the public credibility of the EU's human rights policy is not endangered; warns, furthermore, against diverting human rights discussions away from high-level political dialogues; insists that individual cases of human rights defenders who are at risk or in jail, and of political prisoners, be effectively raised by the EU in an accountable and transparent manner; calls, in the case of gross violations of human rights, for the issue to be placed at the core of political dialogue at all levels;

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39. Urges the EEAS to develop a comprehensive review mechanism to help evaluate the dialogues in the light of their failure to achieve significant and tangible results; further urges the EU to strengthen its benchmarks with a view to helping to measure success and to make the dialogues more effective, which would contribute to bringing countries with serious human rights problems closer to international human rights standards; urges the EU, in the light, for example, of the failure of the EU-China human rights dialogue to achieve significant and tangible results, and of the recent developments in Hong Kong, to rethink its human rights strategy and to adopt a more coherent, unified and strategic approach to human rights;

40. Considers it regrettable that, owing to the variety of structures, formats, frequency and methods employed, and the confidential nature of these exchanges, there is no real mechanism for monitoring and reviewing such dialogues, and nor are there any progress indicators; recommends making the goals of each dialogue clear and reviewing the results in consultation with Parliament;

41. Urges the EEAS to continue to engage further with all the countries with which it currently has human rights dialogues in place by requesting concrete commitments from the respective authorities and regularly following up on the demands raised during consultations;

#### *EU Human Rights Guidelines*

42. Welcomes the adoption by the Council of the EU Guidelines concerning human rights for lesbian, gay, bisexual, transgender and intersex people and the EU Guidelines concerning freedom of religion or belief, both during the 2013 reporting year, as well as the EU Guidelines on Freedom of Expression Online and Offline, in 2014;

43. Reiterates that the adoption of guidelines must not lead to the introduction of selectivity into the human rights system, as the principles of universality and indivisibility must remain central; calls on the Commission to define, in conjunction with Parliament and civil society representatives, the criteria for selecting the topics covered by such guidelines, so as to bring clarity to the selection process;

44. Calls on the Commission to complete the guidelines, which ought to set out objectives, criteria, means, timetables and indicators and include a regular review, by standardising their content and format and thereby making them clearer; recalls, in this respect, that Parliament recently recommended the 'effective and results-oriented' implementation of the guidelines on torture;

45. Calls for greater participation of civil society actors in the development, evaluation and review of the guidelines;

46. Urges the EEAS and the Council to take appropriate action to implement and evaluate the EU guidelines at the country level; encourages the EEAS and the Member States also to engage in continued training and awareness-raising among EEAS and EU Delegation staff, and among Member State diplomats, so as to make sure that the EU Human Rights Guidelines have the intended effect in shaping actual policies on the ground;

#### *EU policies to support democratisation and elections*

47. Stresses that democratic regimes are defined not only by the organisation of elections but also by respect for the rule of law, freedom of speech, respect for human rights, an independent judiciary and impartial administration; calls on the Commission and the EEAS to support ongoing democratic processes in third countries; emphasises, in this connection, the importance of following up on the reports and recommendations of election observation missions by using them as part of the EU's engagement in support of democracy with the country concerned and by mandating the chief observer to exercise a special role in follow-up monitoring of the implementation of the recommendations, as a coherent part of Parliament's comprehensive democracy support approach and with the support of Parliament's standing bodies; notes the positive role that can be played by EU election observation missions in ensuring the EU's credibility as a partner;

48. Calls for the EU to continue to work for the definition of best practices in this area in order to support and consolidate democratisation processes; encourages the development of both policy and operational tools to be applied in priority countries in order to integrate human rights and democracy support measures, including conflict prevention measures and mediation, into the EU approach in a coherent, flexible and credible manner;

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49. Emphasises that political transition and democratisation need to be combined with respect for human rights, the promotion of justice, transparency, accountability, reconciliation, the rule of law and the establishment of democratic institutions; calls for systematic EU support for freely and fairly elected parliaments; stresses the need to invest in political dialogues between ruling and opposition parties;

50. Recalls that, following the Arab Spring, the European Union redefined its neighbourhood policy towards the Southern Mediterranean and insisted on the role of civil society and on the principle of 'more for more' in order to develop more solid partnerships with its neighbours and to guide their reforms and democratic transitions;

51. Considers that the performance-driven 'more for more' approach should guide the EU's relations with all third countries, that the EU should grant partner countries advanced status only if clear human rights and democracy requirements are met, and that it should not hesitate to freeze this status if those requirements are no longer fulfilled;

52. Calls for effective use of new technologies and the worldwide web to make information about human rights and democracy, as well as EU programmes, as accessible as possible to people all over the world;

53. Welcomes the pilot country work conducted so far by nine EU Delegations with a view to achieving increased coherence for democracy support in the EU's external relations, as initiated in the Council conclusions of 2009 and 2010 and as embedded in the EU Strategic Framework and Action Plan on Human Rights and Democracy in 2012;

54. Requests that the Commission and the EEAS enhance their coordination with Parliament with regard to the second generation of pilot countries so as to ensure that all EU institutions participate and combine their expertise in the effective pursuit of democracy support in third countries;

55. Congratulates the European Endowment for Democracy on its efficient work in promoting democracy in our neighbourhood, and supports a careful expansion of its mandate to other societies struggling for democratisation; calls on the Member States, in a spirit of solidarity and commitment, to provide the Endowment's budget with sufficient funding to ensure the most flexible and effective support for local actors of democratic change;

56. Stresses the importance of strengthening the role of women in promoting human rights and democratic reform, supporting conflict prevention and consolidating political participation and representation; also notes, in this connection, that the recommendations made in the reports of EU election observation missions concerning full and equal participation by women in the electoral process should be taken into account and acted upon;

57. Recalls that enlargement has been the EU's most successful democratisation effort and emphasises that negotiations with the Western Balkans remain the main instrument to help these countries establish fully fledged democratic societies;

*EU support for human rights defenders*

58. Welcomes the dedicated Council conclusions on human rights defenders on the 10<sup>th</sup> anniversary of the EU Guidelines on Human Rights Defenders; commends, furthermore, the Commission for its increased use of EIDHR funding to provide emergency grants to human rights defenders under imminent threat, and encourages the Commission to further explore new ways of supporting human rights defenders; recalls, in this context, the importance of the European Endowment for Democracy as a tool to promote and protect pro-democracy activists, bloggers and journalists throughout the world;

59. Deplores the fact that persecution and marginalisation of human rights defenders remains a widespread tendency all over the world, particularly in countries that do not accept the universality of human rights;



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60. Calls for the EU to place a particular focus on the issue of jailed human rights defenders around the world and the need for the EU to collectively step up its action to secure the release of these individuals by, among other strategies, establishing a European Parliament internal working group that keeps itself up to date, through close collaboration with civil society, on cases of jailed activists worldwide;

61. Reiterates its call on the EEAS to continue to protect NGOs, human rights defenders, civil society activists, journalists and lawyers by enhancing the effectiveness of EU human rights dialogues and promoting EU thematic priorities and human rights guidelines; encourages, in this context, the organisation of campaigns aimed at reaching human rights defenders, including in the more remote areas of third countries, so as to help implement EU policy objectives;

62. Calls on the EEAS and the Commission to ensure that EU grants and other programmes are not available only for large NGOs but also to build local capacity; urges, therefore, a reduction in the bureaucratic burden while preserving accountability in application and accounting procedures, and encourages consideration to be given to the increasing pressure placed on civil society by repressive regimes; calls for a more pragmatic approach to societies in transition towards democracy, with a view to ensuring that the appropriate organisations and individuals are supported;

63. Requests that the EEAS and the EU Delegations engage with human rights defenders and NGOs in a genuine and pragmatic political dialogue aimed at finding the best ways to support an enabling environment for their work; requests that the EU enhance its active diplomacy in third countries and strengthen the position of the human rights focal points in order to mainstream human rights in the daily political work of the relevant EU Delegation by systematically raising the names of political prisoners and engaging in trial monitoring and visits to prisons, and following up the cases in question; stresses the need for the EU to use public diplomacy to support human rights defenders, and to call for the release of imprisoned human rights activists; insists that senior EU representatives, including the VP/HR, the Council President, Commissioners, EU Special Representatives and government officials from the Member States, systematically meet human rights defenders, especially when travelling to countries where civil society is under pressure;

64. Calls on the VP/HR and the EU foreign ministers to hold an annual Foreign Affairs Council dedicated to discussing EU efforts to pursue the release of human rights defenders, journalists, political activists and others who exercise their rights peacefully, paying particular attention to the cases raised in Parliament's resolutions concerning debates on cases of breaches of human rights, democracy and the rule of law;

#### ***EU support for universal human rights and multilateral human rights organisations***

65. Recalls the commitment of Parliament and its Subcommittee on Human Rights to supporting a strong multilateral human rights system under the aegis of the UN, including the Third Committee of the General Assembly, the Human Rights Council, the Office of the High Commissioner for Human Rights, and the work of related UN specialised agencies such as the International Labour Organisation (ILO), as well as that of UN Special Procedures;

66. Recalls the importance of the decisions issued by the European Court of Human Rights and their implementation by the countries concerned, with regard to respect for, and the consolidation of, human rights as basic values and principles;

67. Recalls its unequivocal position institutionalising its presence at UN General Assembly sessions, as expressed in its resolution of 7 February 2013 concerning the EU's priorities at the UNHRC, considers it indispensable to continue the practice of sending a European Parliament delegation to relevant UN Human Rights Council and General Assembly sessions, and considers it regrettable that this practice was interrupted in 2014;

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68. Reiterates the importance of the EU participating actively in all UN human rights mechanisms, in particular the Third Committee of the General Assembly and the Human Rights Council; encourages the EU Member States to do so by co-sponsoring and leading on resolutions, actively participating in debates and interactive dialogues, and issuing statements; strongly supports the EU's growing practice of cross-regional initiatives;

69. Stresses again the importance of effective coordination and cooperation between the EEAS, the Commission, Parliament and the Member States on human rights issues; encourages the EEAS, in particular through the EU Delegations in New York and Geneva, to increase EU coherence by means of timely and substantive consultation in order to present the EU position with one voice;

70. Recalls the importance of the European Union acting within the Organisation for Security and Cooperation in Europe (OSCE) at a time when the organisation is preparing to mark its 40th year; encourages the strengthening of ties between the EU, the OSCE and the Council of Europe;

71. Recalls, furthermore, the importance of the work carried out by the Council of Europe in this area, as well as the need for the EU to accede swiftly to the European Convention on Human Rights pursuant to the Treaties;

72. Reaffirms the importance of integrating the work being done in New York and Geneva in the context of the UN General Assembly, the Third Committee and the Human Rights Council into the EU's relevant internal and external activities in order to ensure coherence;

#### ***EU policy on international criminal justice and the International Criminal Court***

73. Reiterates its full support for the work of the International Criminal Court (ICC) in its role of ending the impunity of perpetrators of the most serious crimes of concern to the international community and of providing justice for the victims of war crimes, crimes against humanity and genocide; remains vigilant regarding any attempts to undermine its legitimacy or independence; recalls its vital role in the dual processes of justice and reconciliation; urges the EU and its Member States to cooperate with the Court and provide it with strong diplomatic and political support in bilateral relations and in all forums, including the UN; expresses its concern that several arrest warrants have still not been executed; calls for the EU, its Member States and EU Special Representatives actively to promote the ICC, the enforcement of its decisions, and the fight against impunity for crimes under the Rome Statute; considers the increasing number of States Parties to be an important development in strengthening the universality of the Court; welcomes the ratification of the Rome Statute by Côte d'Ivoire in February 2013, but considers it regrettable that no state ratified the Statute in 2014; encourages the EU and its Member States to step up their efforts to promote the ratification and implementation of the Rome Statute with a view to widening access to justice for victims of serious crimes under international law; calls on the EU Member States, as States Parties to the Rome Statute of the ICC, to provide it with the resources it needs to exercise its mandate fairly and effectively; encourages the EU to continue to provide assistance to international criminal justice and the ICC, including by supporting civil society actors through the EIDHR;

74. Reiterates its call for the creation of an EU Special Representative on International Justice and International Humanitarian Law in order to give these subjects the prominence and visibility they deserve, to advance the EU agenda effectively and to mainstream the fight against impunity in all external actions of the EU;

75. Considers it regrettable that the Rome Statute of the ICC has not yet been included in the new GSP Regulation list of conventions required for GSP+ status; notes that a number of GSP+ applicants (e.g. Armenia and Pakistan) are not States Parties to the Statute or have not ratified it; reiterates its recommendation that the Rome Statute be added to a future list of conventions;

76. Reiterates its call for the EU to adopt a common position on the crime of aggression and the Kampala Amendments, and calls on the Member States swiftly to align their national legislation with the definitions set out in the Kampala Amendments, as well as other obligations under the Rome Statute, so as to enable national investigations and prosecutions by Member States and enhance cooperation with the Court;

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77. Calls, ahead of the 100th anniversary of the Armenian genocide, on all the Member States to acknowledge it, and encourages the Member States and the EU institutions to contribute further to its recognition;

78. Urges the EEAS to spread good practices as regards the rights, protection and support of victims of crime and violence in third countries, and to exchange anti-corruption policies with third countries, as corruption is often a gateway for impunity and the root of injustice for victims;

#### ***EU action against the death penalty***

79. Reiterates its univocal opposition to capital punishment, and encourages the EU and its Member States to maintain a high-profile policy aimed at global abolition of the death penalty; urges the EEAS to remain vigilant with regard to developments in all countries, and to use all means of influence at its disposal;

80. Gives its full support to the December 2014 resolution of the UN General Assembly regarding the 'Moratorium on the use of the death penalty' <sup>(1)</sup>;

81. Calls for the EU to continue to use cooperation and diplomacy in all possible forums worldwide with a view to the abolition of the death penalty, in line with the EU Guidelines on the Death Penalty, and to ensure that the right to a fair trial is fully respected for each and every person facing execution, without the use of torture and other ill-treatment used to extract confessions;

82. Expresses its concern at the reported rise in the number of executions globally from 2012 to 2013, despite the fact that executions are confined to an increasingly small minority of countries; calls for the EU to take due action regarding the continuously high rate of executions in China and Iran, the resumption of executions in 2013 in Indonesia, Kuwait, Nigeria and Vietnam, the execution of minors in Iran, Saudi Arabia and Yemen in 2013, and the marked increase in reported executions in Iraq and Saudi Arabia;

83. Welcomes the revived discussion in the United States on the arbitrary and error-prone nature of capital punishment, the campaign to stop the flow of substances used for execution from Europe to the United States, and the abolition of the death penalty in 2013 by the state of Maryland; encourages the VP/HR, the EUSR and the EEAS to engage with the US Federal Government and state governments with a view to accelerating the demise of the death penalty in the United States, so as to strengthen transatlantic cooperation internationally in credibly advancing human rights, international justice and democracy;

84. Encourages the Commission to use the new flexibility now offered by the EIDHR to explore new ways to campaign for the abolition of the death penalty and to support actions aimed at preventing death sentences or executions;

85. Stresses the importance of the EU continuing to monitor the conditions under which executions are carried out in those countries that still retain the death penalty, and to support legal and constitutional reform towards full and total abolition;

86. Recalls its firm belief that the death penalty, as a violation of the right to personal integrity and human dignity, is incompatible with the prohibition of cruel, inhuman or degrading punishment under international law, and calls on the EEAS and the Member States formally to acknowledge this incompatibility and to adapt EU policy on capital punishment accordingly; emphasises the need to interpret the respective EU guidelines concerning the death penalty and torture as cross-cutting;

#### ***EU action against torture and other cruel, inhuman and degrading treatment or punishment***

87. Urges the VP/HR and the EEAS, in the light of continued reports of the widespread practice of torture and abuse around the world, to step up the EU's efforts in the fight against torture and other cruel, inhuman and degrading treatment or punishment; reiterates its concern that the EU's action in this field remains largely insufficient and falls short of its commitments under the EU Guidelines concerning torture; calls, in particular, for greater EU support for the establishment and strengthening of national and regional torture prevention mechanisms; takes note of the Commission's proposal of

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<sup>(1)</sup> A/RES/69/186.

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14 January 2014 for a regulation amending Council Regulation (EC) No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment (COM (2014)0001), thus responding to Parliament's resolution of 17 June 2010;

88. Points out that, as stipulated in Articles 7 and 8 of the Rome Statute of the ICC, torture, if committed systematically or on a large scale, can constitute a war crime or a crime against humanity; stresses that the 'responsibility to protect' principle confers upon the international community a specific responsibility upon which it must act;

89. Encourages the EEAS to pay detailed attention to the country conclusions of the UN Committee against Torture, the subcommittee established under the Optional Protocol to the Convention against Torture, and the Council of Europe Committee for the Prevention of Torture, and to raise these concerns systematically in political dialogues with the countries concerned and in public statements; calls on the EEAS, especially the EU Delegations, and the Member States, and especially their embassies on the ground, also to step up the implementation of the EU Guidelines on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; urges the Member States to step up their monitoring of trade in goods that could be used to commit acts of torture or to inflict inhuman and degrading treatment, as well as their monitoring of trade in dual-use goods and technologies;

90. Stresses that members of vulnerable groups, such as ethnic, linguistic and religious minorities, are more often exposed to torture or ill treatment in detention and therefore require special attention;

91. Condemns the export by European companies of products and arms that can be used for the purpose of torture or other punishment or cruel, inhuman or degrading treatment, including as part of crackdowns on protests; gives its support, in this context, to the process of revising Regulation (EC) No 1236/2005;

92. Reiterates the importance of effective export control mechanisms for certain drugs that can be used for executions and for equipment that can be used for torture; calls on the Commission to tackle the remaining loopholes in the regulation by introducing a catch-all end-use clause that would prohibit the export of any drug that could be used for torture or execution;

93. Urges the Union and its Member States to work towards ensuring that all third countries ratify the International Convention for the Protection of All Persons from Enforced Disappearance of 20 December 2006;

#### ***Human rights in EU trade agreements and other international agreements***

94. Calls for the EU to ensure that trade agreements signed with third countries facilitate their economic and social development and ensure that their natural resources — including land and water — are well managed; reiterates its call for the systematic inclusion of binding, enforceable and non-negotiable human rights clauses in the EU's international agreements, including trade and investment agreements concluded or to be concluded with third countries, and calls for improved consultation of Parliament in the early stages of the negotiation process for trade and investment agreements, for effective monitoring of the application of human rights clauses and for reporting back to Parliament on the agreements' human rights aspects;

95. Points out that trade policy contributes to achieving the EU's overall objectives and that, under Article 207 TFEU, EU trade policy has to be conducted 'in the context of the principles and objectives of the Union's external action'; points out, moreover, that under Article 3 TEU the Union must 'contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter';

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96. Calls on the Commission to take into account, when drawing up its future trade strategy, the important role of trade and international agreements in the promotion of human rights internationally;

97. Stresses the need to continue multilateral cooperation and dialogue on human rights between the EU and, in particular, the World Trade Organisation and the UN, in order to secure a multilateral trade framework which contributes to respect for human rights;

98. Points out that the GSP was designed in such a way as to ensure that beneficiary countries respect the principles of international human rights conventions and core labour standards, and includes a special scheme of supplementary tariff preferences to promote the ratification and effective implementation of core international conventions on human and labour rights, environmental protection and good governance; reiterates that failure to comply with these conditions can lead to a trading arrangement being suspended; stresses the importance of regular monitoring and assessment of the implementation of international conventions by countries benefiting from GSP+;

99. Welcomes the entry into force on 1 January 2014 of the revised GSP; points out that GSP+ has been kept in the Generalised System of Preferences and that it requires countries asking to benefit from it to commit to cooperating fully and completely with international organisations as regards compliance with international conventions relating to human and workers' rights;

### ***Business and human rights***

100. Considers it regrettable that a holistic approach to the way in which corporations abide by human rights standards globally is still lacking, and that this is allowing certain states and companies to circumvent such rules; stresses the need, therefore, to adopt rules on corporate social responsibility (CSR); strongly supports the implementation of the UN Guiding Principles on Business and Human Rights; calls, in particular, on the Commission to introduce effective measures to operationalise the 'Protect, Respect and Remedy' framework put forward by John Ruggie, the UN Secretary-General's Special Representative on business and human rights; recalls the importance of promoting CSR principles, including in business operations outside the EU, and ensuring that they are respected throughout the supply chain, in particular with regard to the illegal timber trade, wildlife trafficking and trading of minerals from conflict zones; is convinced that European companies and their subsidiaries and subcontractors should play a key role in the promotion and dissemination of international standards on business and human rights worldwide;

101. Requests that the Commission and the EEAS encourage EU Delegations around the world to engage with EU businesses in order to promote respect for human rights, and to ensure that 'business and human rights' is included among the focus themes in local calls for proposals under the EIDHR; calls on the Member States to ensure that companies which come under their national law do not disregard human rights or the social, health and environmental standards to which they are subject when moving to, or doing business in, a third country;

102. Draws attention to the EU strategy on corporate social responsibility for 2011-2014, which called on the Member States to draw up national plans to implement the UN Guiding Principles on Business and Human Rights; reiterates its call on the Commission to report on a regular basis on the implementation of the UN Guiding Principles on Business and Human Rights by the Member States, including their national action plans; considers regrettable the lack of progress made by the Commission in following up Parliament's request that it propose legislation requiring EU companies to ensure that their transactions do not support perpetrators of conflicts or grave human rights violations;

103. Reaffirms that European businesses should undertake adequate due diligence to ensure that their operations respect human rights, wherever they are performed; stresses the importance of meaningful reporting on the impact as regards human rights and social and environmental aspects of projects supported by European financial institutions; insists on the need for these institutions to ensure the compliance of their activities with Article 21 TEA, which contains, inter alia, an obligation to respect human rights;

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104. Notes that companies should regard this not as a challenge but rather as an opportunity to create new business potential in those regions that most need sustainable and responsible investment, and as a means of contributing to respect for human rights in developing countries;

105. Calls on the Commission and the Council to ensure that companies owned by third-country nationals or third-country states and established in the Member States do not support perpetrators of conflicts or grave human rights violations, including modern forms of slavery such as trafficking of persons and their employment under abhorrent conditions;

106. Calls on the Commission and the EEAS to take strong initiatives to improve access to justice for victims of human rights violations linked to business operations outside the EU; insists, also, on the need to introduce effective remedies to sanction corporations that are guilty of human rights violations and to provide redress for the victims of such violations;

107. Calls for the EU to engage in the emerging debate about a legally binding international instrument on business and human rights within the UN system;

108. Recalls the four core and universal labour standards as anchored in the instruments of the ILO, namely: the freedom of association and the right to collective bargaining; the elimination of all forms of forced labour, exploitation and slavery; the abolition of child labour; and the elimination of discrimination in the area of employment;

109. Points out, in particular, the urgent need to respect freedom of association and the fight against all forms of repression, including the assassination of trade unionists;

110. Notes with great concern that, according to the ILO, around 21 million men, women and children around the world are in a form of slavery; highlights the need to address human rights in a holistic and indivisible manner by emphasising and making a strong and binding commitment to both civil and political rights and economic, social, cultural and environmental rights, since without these rights there can be no development; stresses the need to tackle the root causes of poverty; highlights the obligation to respect international labour standards, in line with the fulfilment of the ILO Decent Work Agenda; takes the view that social issues should have a more central place in the EU's external relations; considers it regrettable, in this context, that the EU does not have a standard format for a 'social clause' to be inserted in all external trade agreements; urges the EU, accordingly, to incorporate a chapter on development and a social clause reflecting ILO core labour standards into all its external trade agreements;

111. Notes that the deteriorating security situation worldwide and the worsening financial crisis since the 2008 meltdown have led to an increase in child labour in the world's poorest countries and could have legal and reputational implications for companies that source goods from the developing world; urges the VP/HR and the EEAS further to promote the International Programme on the Elimination of Child Labour, particularly in developing countries, where a deplorable number of children are put to work to supplement family incomes;

***EU action to ensure freedom of expression rights online and offline and to limit the impact of surveillance technologies on human rights***

112. Recognises that the rapid evolution of information and communications technologies has transformed the environment for the exercise of freedom of expression and access to information across the world, generating both profound advantages and serious concerns; welcomes, in this context, the adoption by the Council in May 2014 of the dedicated EU Guidelines on Freedom of Expression Online and Offline;

113. Reiterates that freedom of expression and media freedom, independence and pluralism are essential elements of a sustainable democracy, maximising the involvement of civil society and empowering citizens, and are therefore indispensable for ensuring transparency and accountability in public life;

114. Calls for increased support in the areas of promoting media freedom, protecting independent journalists and bloggers, reducing the digital divide and facilitating unrestricted access to information and communication and uncensored access to the internet (digital freedom);

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115. Calls for the EU and its Member States to enhance their monitoring of, and clearly and rapidly condemn, all restrictions on freedom of expression, including aggressive use of criminal defamation laws and other restrictive laws, restrictive criteria or burdensome procedures in accessing registration as a journalist or any one of the professions related to the media, to establish a media house and to take strong initiatives to support better access to information which is in the public interest;

116. Condemns all restrictions on digital communication, including closing down websites and blocking personal accounts, when targeting civil society, civil liberties activists and free media;

117. Expresses its concern at the proliferation and spread of monitoring, surveillance, censoring and filtering technologies, which represent a growing threat to human rights and democracy activists in autocratic countries and also pose troubling questions regarding privacy rights in democratic countries, even when used with legitimate aims such as counter-terrorism, state security and law enforcement;

118. Recognises that important producers of hacking and surveillance technologies, which can be used for human rights violations and to attack European digital infrastructure, are located in Europe; calls on the Commission to revise the European export control system in order to prevent dangerous technology from falling into the wrong hands;

119. Commends the Commission on its publication in June 2013 of the ICT (information and communication technologies) Sector Guide on Implementing the UN Guiding Principles on Business and Human Rights; remains concerned, however, at the trade in products and services aimed at denying internet access, enabling mass surveillance and monitoring of internet traffic and mobile communications, filtering search results or intruding on private conversations; draws attention to the Commission communication of 24 April 2014 entitled 'The Review of export control policy: ensuring security and competitiveness in a changing world' (COM(2014)0244), which, among other things, acknowledges the human rights problems encountered in the export of certain types of ICT; calls on the Commission, therefore, to reflect on how to improve this situation with a view to the possible adoption of updated export control guidelines;

120. Calls on the Commission to continue to support initiatives related to the development and dissemination of digital security technologies in order to empower human rights defenders by providing secure collection, encryption and storage mechanisms so as to avoid monitoring by repressive governments;

#### ***EU support for civil society and for freedom of assembly and association***

121. Expresses its serious concern over the shrinking space of legitimate civil society action in many countries around the world; considers a free civil society to be one of the foundations for the protection and support of human rights and democratic values in all societies; welcomes, in this connection, all EU programmes aimed at training young professionals from third countries and simplifying student exchange programmes for third-country nationals, as these foster the active participation of young people in democracy-building and contribute effectively to the development of civil society;

122. Calls for the EU and its Member States to enhance their monitoring of, and clearly and rapidly condemn, all restrictions on freedom of assembly and association, including bans on civil society organisations, aggressive use of criminal defamation laws and other restrictive laws, excessive registration and reporting requirements, overly restrictive rules on foreign funding, and prohibitions on NGOs from engaging in political activities or having contact with foreigners;

123. Calls for the EU and its Member States to raise violations of freedom of assembly and association at every level of political dialogue, including the highest level, when other forms of dialogue, including the human rights dialogue, have failed to bring any concrete improvement on the ground; urges the EU and its Member States to use these dialogues to raise individual cases of concern, particularly all those involving people who are imprisoned only for exercising their right to peaceful assembly and association;

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124. Encourages representatives of the EU Delegations and Member State embassies to monitor trials of human rights defenders and all those detained only for exercising their right to peaceful assembly and association, and, when relevant, publicly to condemn the lack of respect for fair trial rights;

125. Calls for the EU to make respect for, and the promotion of, freedom of assembly and association a key priority in the future EU Action Plan on Human Rights and Democracy, and to lay out specific actions in that area, as freedom of assembly and association are vital elements for democracy and an open society;

126. Reiterates its endorsement of the majority of EIDHR funding being allocated to support for human rights defenders and civil society actions around the world, and supports the development of legal defence funds to help persecuted journalists and activists gain access to a lawyer and a fair trial;

127. Underlines the importance of National Human Rights Institutions (NHRIs) at the national level in human rights monitoring and awareness-raising, and in ensuring redress for victims of violations; calls for the EU to develop a policy in support of NHRIs, in line with the Paris Principles, and to make it a priority in external assistance, in particular under the European Neighbourhood Instrument;

### ***Freedom of thought, conscience, and religion or belief***

128. Condemns all violence and discrimination on the basis of ideology, religion or belief, as prescribed by Article 10 TFEU; expresses its serious concern over the continued reports of violence and discrimination against religious minorities around the world, including in the Middle East; stresses that the right to freedom of thought, conscience, religion or belief is a fundamental human right interrelated with other human rights and fundamental freedoms and encompassing the right to believe or not to believe, the right to manifest or not to manifest any religion or belief, and the right to adopt, change and abandon or return to a belief of one's choice, as enshrined in Article 18 of the Universal Declaration of Human Rights;

129. Calls for the EU and its Member States to ensure that religious minorities are respected worldwide, particularly in the Middle East, where Christians, including Catholics, Apostolic Armenians, Copts and Yezidis, and Muslim minorities are being persecuted by ISIS and other terrorist groups;

130. Strongly condemns attacks against Christians in several countries around the world and expresses solidarity with the victims' families; is deeply concerned about the growing number of episodes of repression, discrimination, intolerance and violent attacks against Christian communities, in particular in Africa, Asia and the Middle East; further calls on governments to bring all those responsible to justice; is deeply concerned about the current situation of Christians in North Korea, Somalia, Syria, Iraq, Afghanistan, Saudi Arabia, Pakistan, Uzbekistan, Yemen, Nigeria and many other countries, where Christians live in fear of being killed, face torture, rape and abduction and see their churches damaged or destroyed;

131. Expresses deep concern about the situation of people belonging to the Rohingya Muslim minority in Burma/Myanmar, who are denied Burmese citizenship and face systematic human rights violations and persecution; recalls its resolution of 13 June 2013 on the situation of Rohingya Muslims<sup>(1)</sup>;

132. Welcomes the adoption during the 2013 reporting year of the EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief, and calls on the EU institutions and the Member States to pay particular attention to the implementation of these guidelines, both in international and regional forums and in bilateral relations with third countries, with particular attention to the vulnerable situation of apostates; commends the new VP/HR for stating that freedom of religion or belief is one of the human rights priorities; encourages the VP/HR and the EEAS to engage in a permanent dialogue with NGOs, religious or belief groups and religious leaders;

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<sup>(1)</sup> Texts adopted, P7\_TA(2013)0286.



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133. Welcomes the EU's commitment to promoting the right to freedom of religion or belief within international and regional forums including the UN, the OSCE, the Council of Europe and other regional mechanisms; encourages the EU to continue tabling its yearly resolution on freedom of religion or belief at the UN General Assembly and supporting the mandate of the UN Special Rapporteur on freedom of religion or belief;

### ***Rights of women and girls***

134. Welcomes the EU's support for UN resolutions on gender issues, notably on the elimination of violence against women and girls, on discrimination against women and on the role of freedom of expression and opinion in women's empowerment, and for the UN's statements on early and forced marriage and on female genital mutilation;

135. Calls for the EU to participate actively in the 59th session of the Commission on the Status of Women, and to continue to fight all attempts to undermine the UN Beijing Platform for Action as regards, among other elements, access to education and health as basic human rights, and sexual and reproductive rights;

136. Finds it regrettable that women's and girls' bodies, specifically with respect to their sexual and reproductive health and rights, still remain an ideological battleground, and calls for the EU and its Member States to recognise the inalienable rights of women and girls to bodily integrity and autonomous decision-making as regards, inter alia, the right to access voluntary family planning and safe and legal abortion and to be free from violence, including female genital mutilation, child, early and forced marriage, and marital rape;

137. Reaffirms its condemnation of all forms of abuse and violence against women and girls, especially the use of sexual violence as a weapon of war and domestic violence; calls on all Council of Europe member states, accordingly, to sign and ratify the Istanbul Convention on preventing and combating violence against women and domestic violence; calls for the EU, as such, to take steps to accede to that convention in order to ensure coherence between EU internal and external action on violence against women and girls;

138. Express its deep concern about governments turning a blind eye to inhumane cases of sexual abuse of women, at a time when one in three women worldwide will experience violence in their lives; urges the EEAS further to establish good practices for combating rape and sexual violence against women in third countries with a view to tackling the root causes of this problem;

139. Stresses the importance of the authorities undertaking to develop education campaigns targeted at men, and in particular the younger generations, with the aim of preventing and gradually eliminating all types of gender-based violence; emphasises the need to ensure that health professionals, police officers, prosecutors and judges, both within the EU and in third countries, are adequately trained to assist and support victims of violence;

140. Emphasises that gender-based violence, including harmful customary and traditional practices, is a violation of basic rights, and especially of human dignity, the right to life and the right to the integrity of the person;

141. Points out that the Istanbul Convention on preventing and combating violence against women and domestic violence is an important and binding international instrument and, therefore, that the accession thereto of more and more countries will contribute significantly to the development of an integrated policy for protecting and empowering victims and promoting international cooperation in the field;

142. Calls on the Council to include the issue of 'gender-selected' abortion in the EU Guidelines concerning violence against women and girls; encourages the Commission and the Council to develop data-gathering methods and indicators on this phenomenon, and encourages the EEAS to include this issue in the development and implementation of the human rights country strategies;

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143. Stresses the importance of conducting information and awareness-raising campaigns in communities in which female genital mutilation, the sexual abuse of young girls, early and forced marriage, femicide and other gender-based human rights violations are practised, and of involving human rights defenders who are already fighting for an end to these practices in the preparation and implementation of such campaigns; reiterates that child marriage, early and forced marriage and the failure to enforce a legal minimum age for marriage constitute not only a violation of children's rights but also an obstacle to women's empowerment;

144. Strongly condemns the use of sexual violence against women and girls as a tactic of war, including crimes such as mass rape, sexual slavery, enforced prostitution, gender-based forms of persecution including female genital mutilation, trafficking, sex tourism, early and forced marriage, honour killings and all other forms of sexual violence of comparable gravity; remains particularly concerned, in this connection, at the situation in the Great Lakes region of Africa and in Syria, for example; expresses its support for the work of UN Women, the UN Special Rapporteur on violence against women, its causes and consequences, and the UN Special Representative on Sexual Violence in Conflict; welcomes the fact that in 2014 the Sakharov Prize was awarded to Dr Denis Mukwege for his outstanding fight to protect girls and women who have become victims of sexual violence during armed conflicts;

145. Draws attention to the fact that gender-related crimes and crimes of sexual violence are classed in the Rome Statute as war crimes, crimes against humanity or constitutive acts with respect to genocide or torture; welcomes, in this context, UN Security Council Resolution 2106 on the prevention of sexual violence in conflict, adopted on 24 June 2013, which reaffirms that the ICC plays a key role in the fight against impunity for sexual and gender-based crimes; calls for the EU to support the implementation of these principles in full;

146. Recalls the EU's commitment to mainstreaming human rights and gender aspects in common security and defence policy missions, in line with the landmark UN Security Council Resolutions 1325 and 1820 on women, peace and security; reiterates, in this connection, its call for the EU and its Member States to support, in the process of building sustainable reconciliation, the systematic participation of women as a vital component of peace processes, and to recognise the need to mainstream gender perspectives in conflict prevention, peacekeeping operations, humanitarian assistance and post-conflict reconstruction and democratic transition processes;

147. Considers women's under-representation in political decision-making to be a question of fundamental rights and democracy, values that should underline governments' capacity to devote their attention, to the fullest extent, to democracy-building and maintenance processes; welcomes legislated parity systems and gender quotas and calls for the necessary legislative process to be developed as soon as possible;

148. Asks the EU and its Member States to support full participation by women in political and economic decision-making, particularly in processes of peace-building, democratic transition and conflict resolution; encourages the Member States, the Commission and the EEAS to focus on the economic and political emancipation of women in developing countries, promoting their involvement in companies and in the implementation of regional projects and local development projects;

149. Stresses the need to ensure that women in Europe and the rest of the world have the right to be able freely to make their own individual choices, on an equal footing with men, without any ideological, political or religious impositions;

***Human rights and corruption***

150. Recalls that corruption is a violation of human rights and that the EU has claimed competence for the signing of the UN Convention against Corruption (UNCAC);

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151. Considers it regrettable that there has been no follow-up so far on Parliament's request to the VP/HR to present an EU Action Plan against corruption in order to effectively monitor the UNCAC recommendations, including the obligation on the States Parties to publish and disseminate information on corruption, to establish channels for reporting violations, and to create a proper legal framework for the protection of witnesses and for civil society activities in this area;

152. Urges Europol to develop more strategic and operational partnerships with third countries with a view to combating corruption and organised crime more effectively;

153. Calls on the Commission to develop innovative financial mechanisms for implementing fiscal reforms and strengthening the fight against corruption, illicit financial flows and tax evasion; encourages, in this context, consideration of public-private partnerships, the blending of grants and loans, and help for developing countries to better mobilise their domestic resources; notes a call for an international tax on financial transactions that could act as an additional source of funding for development, and reminds the Member States that they have already agreed to introduce a domestic financial transaction tax and undertaken to set aside a share of the funds raised to finance global public assets, including development;

154. Notes that third countries with weak governance and large flows of aid also have a higher rate of corruption, which as a consequence diverts the intended purpose of development aid and weakens the development of human rights; calls on the EEAS to support development programmes in which humanitarian aid and transparency go hand in hand, for the sake of advancing human rights in third countries;

155. Reiterates its call for the EU and its Member States to support the establishment of a UN Special Rapporteur on financial crime, corruption and human rights;

### ***Trafficking in human beings***

156. Condemns the illicit business of human trafficking, human trafficking for removal of organs and any other exploitative business related to violating the right to bodily integrity and inflicting violence; stresses the need to tackle human trafficking, the majority of whose victims are women, who are exploited for sexual purposes;

157. Calls for the EU to prioritise the fight against trafficking in human beings in both its internal and external policies, with a particular focus on the protection of victims; calls for more intensive and regularly reviewed EU efforts; stresses the need for enhanced cooperation with third countries on the exchange of good practices and the dismantling of international trafficking networks, which also make use of the internet to find new victims; reiterates the need for all EU Member States to implement Directive 2011/36/EU and the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016;

### ***Caste-based discrimination***

158. Condemns the continuing human rights violations committed against people suffering from caste hierarchies and caste-based discrimination, including the denial of equality and of access to the legal system and to employment, continued segregation and caste-induced barriers to the achievement of basic human rights and development; calls for the EU to adopt a policy aimed at directing action for the elimination of caste-based discrimination and to include policy objectives on caste-based discrimination in its new EU Action Plan on Human Rights and Democracy;

### ***LGBTI rights***

159. Considers it regrettable that 78 countries still criminalise homosexuality, including 10 which provide for the death penalty (Saudi Arabia, Nigeria, Mauritania, Sudan, Sierra Leone, Yemen, Afghanistan, Iran, the Maldives and Brunei), and that 20 countries still criminalise transgender identities; firmly condemns the recent increase in discriminatory laws and believes that practices and acts of violence against individuals on the basis of their sexual orientation and gender identity should not go unpunished; encourages close monitoring of the situation in Nigeria, Uganda, Malawi, India and Russia, where new laws or recent legal developments seriously threaten the freedom of sexual minorities; reaffirms its support for the continuing work of the UN High Commissioner on Human Rights to combat these discriminatory laws and practices and for the UN's work more generally on this issue;

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160. Supports the idea that the EEAS should prioritise its actions in this area and put particular emphasis on situations where the death penalty is in force and/or where LGBTI people are subjected to torture and ill-treatment, by condemning these practices in accordance with the EU Guidelines on the Death Penalty and the EU Guidelines on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;

161. Welcomes the adoption in 2013 of the EU Guidelines to Promote and Protect the Enjoyment of all Human Rights by Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons; calls on the EEAS and the Commission to raise the issue of LGBTI rights in political and human rights dialogues with third countries and multilateral forums; emphasises the importance of the Commission and the EEAS continuing to raise the issue of LGBTI rights in political and human rights dialogues and of using the EIDHR to support organisations defending LGBTI rights by empowering them to challenge homophobic and transphobic laws and discrimination against LGBTI people, raising awareness among the general public of the discrimination and violence experienced by people of different sexual orientations and gender identities, and ensuring the provision of emergency assistance (including psychosocial and medical help, mediation and reintegration assistance) to those in need of such support;

162. Takes note of the legalisation of same-sex marriage or same-sex civil unions in an increasing number of countries — 17 to date — around the world; encourages the EU institutions and the Member States to further contribute to reflection on the recognition of same-sex marriage or same-sex civil union as a political, social and human and civil rights issue;

163. Calls on the Commission and the WHO to withdraw gender identity disorders from the list of mental and behavioural disorders; calls on the Commission to reinforce its efforts to end the pathologisation of trans identities; encourages states to ensure quick, accessible and transparent gender recognition procedures that respect the right to self-determination;

164. Welcomes the growing political support for outlawing sterilisation as a requirement for legal gender recognition, as expressed by the UN Special Rapporteur on torture, and supports the view that such requirements should be treated and persecuted as a breach of the right to bodily integrity and of sexual and reproductive health and rights;

165. Welcomes the annulment in October 2013 of the Moldovan law prohibiting the 'propagation of any other relations than those related to marriage or family', and calls on the other countries in the region to follow the Moldovan example;

### ***Rights of people belonging to national minorities***

166. Emphasises that national minority communities have specific needs, and that full and effective equality between people belonging to a national minority and those belonging to the majority should therefore be promoted in all areas of economic, social, political and cultural life;

### ***Rights of persons with disabilities***

167. Welcomes the ratifications of the UN Convention on the Rights of Persons with Disabilities; reiterates the importance of efficient implementation by both the Member States and the EU institutions and stresses, in particular, the need to credibly mainstream the principle of universal accessibility and all the rights of persons with disabilities throughout all relevant EU policies, including in the area of development cooperation, and underlines the prescriptive and horizontal nature of this issue; stresses the importance of the EU acting in cooperation with the relevant international and regional organisations and civil society, and in particular with organisations representing persons with disabilities, to ensure that international development programmes take into account the accessibility needs of persons with disabilities;

168. Encourages the VP/HR to continue to support the process of ratification and implementation of the UN Convention on the Rights of Persons with Disabilities by those countries which have not ratified or implemented it as yet;

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169. Encourages the EEAS to pay detailed attention to the country observations and recommendations published by the Committee on the Rights of Persons with Disabilities, and to the state reports, and to raise these concerns systematically in political dialogues with the countries concerned and in public statements; calls on the Commission to prepare and draft EU Guiding Principles to promote and protect the enjoyment of all human rights by people with disabilities, so as to ensure a systematic and coherent policy in this regard, including in its dialogues and negotiations with third countries;

170. Asks the Commission and the EEAS to encourage EU Delegations around the world to engage with civil society in order to promote the effective enjoyment of human rights by people with disabilities;

### *Children's rights*

171. Reiterates its call on the Commission to propose an ambitious and comprehensive Child Rights Strategy and Action Plan for the next five years, as requested in its abovementioned resolution of 27 November 2014 on the 25th anniversary of the UN Convention on the Rights of the Child;

172. Welcomes the EU's cooperation with UNICEF and other organisations and NGOs committed to children's rights, which has resulted in a toolkit for the mainstreaming of children's rights in development cooperation and in support of key MDGs and child protection programmes with a view to realising children's rights, especially in fragile contexts; welcomes in particular the Child Rights Manifesto, and encourages more MEPs and national parliamentarians to promote the Manifesto and become 'child rights champions'; welcomes the use of the Nobel Prize money awarded to the EU to assist children in conflict situations; recalls the importance of providing psychological support for children who have been exposed to violent events or are victims of war; underlines the importance of ensuring access to education for children affected by conflicts; welcomes the EU's participation in the October 2013 Third Global Conference on Child Labour held in Brasilia, and its participation in the negotiation of the tripartite declaration on child labour;

173. Stresses the need to combat all forms of forced child labour and child exploitation; calls for better implementation of existing national and international legislation that fosters awareness of child abuse in the labour market;

174. Calls on the Commission and the EEAS to continue to take action regarding the rights of the child, with a specific focus on violence against children, including torture, as cases of torture and detention of children have been reported recently; calls for particular focus on the issues of forced child labour, child poverty and child malnutrition, and, in this connection, on the goals of universal primary education, a reduction in child mortality, child marriage and harmful practices, the disarmament, rehabilitation and subsequent reintegration of children enlisted in armed groups, and the placing of the issue of child witchcraft on the agenda of human rights dialogues with the countries concerned; stresses the importance of prioritising children's rights within EU external policy, development cooperation and humanitarian aid, so as to ensure adequate funding and increase the level of protection for children in emergency situations; calls on the VP/HR to report annually to Parliament on the results achieved with regard to child-focused EU external action; emphasises that children and adolescents should participate only in work that does not affect their health and personal development or interfere with their schooling; stresses the importance of prioritising children's rights within EU external policy;

175. Notes that the UN Convention on the Rights of the Child calls for legislative, administrative, social and educational measures on child labour, recognising the need for a multi-dimensional approach; highlights the necessity, for effective application, of laws being accompanied by policy interventions that provide alternatives in the form of education and vocational training, together with social protection measures that benefit children and families;

176. Calls for the EU to continue to promote an enabling environment for the prevention and elimination of child labour, social dialogue and concerted action between the public and private sectors around the eradication of child labour; stresses the need to provide support for and build capacity to combat child labour in conflict and post-conflict countries;

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177. Reiterates the need to step up efforts to implement the revised implementation strategy for the EU Guidelines on Children and Armed Conflict; calls, in this context, for more effective use to be made of the resources available under the Stability Instrument and the EIDHR in order to address the phenomenon of child soldiers; encourages the EU to further deepen its cooperation with the UN Special Representative for Children affected by Armed Conflicts, supporting the associated action plans and monitoring and reporting mechanisms; calls for the universal ratification of the UN Convention on the Rights of the Child, in particular the third optional protocol thereto, which will allow children to submit their complaints to the UN Committee on the Rights of the Child; calls on the Commission and the VP/HR to explore ways for the EU to accede unilaterally to the UN Convention on the Rights of the Child;

178. Points out that child undernutrition and malnutrition in developing countries raise serious concerns; welcomes, in this connection, the Framework for Action adopted during the recent Second International Conference on Nutrition, which sets the global target of a 40 % reduction in the number of children under five in the world who are stunted;

179. Reiterates that access to education is a fundamental right for all children, as laid down in Article 28 of the UN Convention on the Rights of the Child; stresses the need for all measures taken by the Union and its Member States to improve children's access to high-quality health services and healthcare;

180. Deplores the fact that worldwide there are still countries reluctant to sign the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Rights of the Child, which provides detailed guidance for the development of inclusive societies for the protection of children with disabilities;

181. Calls for the Union and its Member States to implement concerted humanitarian aid and development policies in an effort to combat child malnutrition;

### ***Rights of indigenous people***

182. Notes with concern that indigenous people are in particular danger of being discriminated against, and are especially vulnerable to political, economic, environmental and labour-related changes and disturbances; notes that most live below the poverty threshold and have little or no access to representation, political decision-making or justice systems; is particularly concerned about reported widespread land-grabbing, forced displacement and human rights abuses resulting from armed conflict;

### ***EU action on migration and refugees***

183. Denounces the dramatic number of deaths at sea in the Mediterranean, estimated by the International Organisation for Migration in its 'Fatal Journeys' report at 3 000 in 2013, thereby making this sea the deadliest region in the world for irregular migration; is extremely concerned about reports of human rights abuses against migrants and asylum seekers on their way to the EU; calls for the Union and its Member States to cooperate with the UN, regional mechanisms, governments and NGOs to tackle these issues; stresses the urgent need to develop stronger, more integrated policies that are more closely rooted in the principle of solidarity at Union level, so as to address the pressing issues relating to migrants, refugees and asylum seekers in a manner consistent with international human rights law and fundamental human dignity, and calls for the EU and to guarantee effective common standards for reception procedures throughout the Union in order to protect unaccompanied minors and the most vulnerable; invites the VP/HR, the Commissioner for Migration, Home Affairs and Citizenship and the EEAS to increase cooperation and equitable responsibility-sharing among Member States, including in hosting and resettling refugees and contributing to search and rescue services to assist migrants who are in distress at sea while attempting to reach EU shores; recalls, in this connection, the need to respect the principle of non-refoulement in European and international waters, as upheld by the European Court of Human Rights; recalls the Commission's commitment to developing adequate legal migration channels; calls on the Member States, therefore, to fully implement the recently adopted EU common asylum package and the common migration legislation, and, to this end, calls for the implementation of the crisis mechanism provided for in Article 33 of the Dublin Regulation, which would include a

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clearly defined minimum contingent per Member State, in order to rapidly achieve a functioning crisis mechanism for redistribution to alleviate pressure on the most affected Member States where the minimum quota is clearly exceeded; calls on the Member States to participate in resettlement programmes and to step up the development of regional protection programmes in the most affected areas; stresses the need to tackle the roots of illegal migration; encourages the EEAS and the Member States to pay detailed attention to countries in which human trafficking or smuggling originates, countries of passage and countries of destination; calls on the VP/HR and the Member States to further strengthen the Union's external dimension, working jointly with countries of origin and transit, including the EU's partner countries, in particular in the Mediterranean region, raising these concerns systematically in political dialogues with the countries concerned and in public statements, and boosting cooperation with these countries to the highest level in order to dismantle the illegal networks used to traffic migrants and fight illegal mafias profiting from human trafficking and human smuggling;

184. Considers that migrant children are particularly vulnerable, especially when they are unaccompanied; recalls that unaccompanied children are above all children and that child protection, rather than immigration policies, must be the leading principle when dealing with them, thus respecting the core principle of the best interests of the child;

185. Encourages the VP/HR and the EEAS to continue to support the process of ratification of the UN Convention against Transnational Organised Crime, the Protocol thereto to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition;

186. Calls for the EU to ensure that the negotiation and implementation of all migration cooperation and readmission agreements with non-EU states comply with international human rights, refugee law and international maritime law, and asks to be consulted prior to their conclusion; demands greater transparency in the negotiation of such agreements and the integration of monitoring mechanisms to evaluate the human rights impact of cooperation on migration with non-EU states and of border control measures, including Frontex and Eurosur; insists that human rights must play an important role in the field of migration and asylum; therefore calls for the fundamental rights officer at Frontex and the training specialists at the European Asylum Support Office to receive adequate funding to enable them to realise evaluation and monitoring activities as well as to present best practices;

187. Calls on the Commission to carry out a permanent evaluation of its migration and border control programmes in EU and non-EU states with a view to proposing improved measures to prevent human rights violations and to share good practices;

188. Urges the European Asylum Support Office to build partnerships with third countries with a view to enhancing international protection for asylum seekers;

189. Welcomes the addition of the criterion of respect for human rights and fundamental freedoms to the list of key criteria to be taken into account prior to the opening of negotiations on visa exemption agreements with third countries<sup>(1)</sup>; calls on the Commission to use this new criterion as a lever to persuade third countries to accept more meaningful dialogue on human rights in the strategically and economically significant context of negotiations on visas;

190. Condemns the increasing criminalisation of irregular migration within the EU at the expense of the human rights of the people concerned; urges that provision be made without delay for the establishment of the necessary human rights safeguards, accountability and enforcement mechanisms;

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<sup>(1)</sup> Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders of Member States and those whose nationals are exempt from that requirement (OJ L 149, 20.5.2014, p. 67).

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191. Requests that the Commission and the EEAS participate actively in the debate on the term 'climate refugee', including its possible legal definition in international law or in any legally binding international agreement;

192. Recognises statelessness as a significant human rights challenge; asks the Commission and the EEAS to fight statelessness in all EU external action, in particular by addressing discrimination in nationality laws on the basis of gender, religion or a minority status, by promoting children's right to a nationality and by supporting the UN Refugee Agency (UNHCR) campaign aimed at ending statelessness by 2024;

### ***Human rights and development***

193. Stresses that respect for human rights, including economic, cultural, social and environmental rights, access to food, good governance, democratic values, peace, security and access to a fair and efficient judicial system, is a prerequisite for the reduction of poverty and inequality and the achievement of the MDGs; takes the view that human rights must be a cross-cutting feature of all goals, targets and indicators in the post-2015 agenda; emphasises, also, that the implementation of that agenda must be based on strong transparency and accountability mechanisms; asserts that commitments on governance and human rights must be measurable and able to be followed up;

194. Recalls that the UN has recognised that without a human rights-based development approach, development goals cannot be fully reached; calls for the EU to remain vigilant in ensuring that the issue of human rights defenders and civil society space is explicitly integrated into the post-MDG discussions;

195. Emphasises the interdependence between extreme poverty and the lack of human rights, and highlights the need to develop a set of principles on the application of standards and criteria relating to human rights in the fight against extreme poverty;

196. Highlights the importance of Policy Coherence for Development (PCD) in achieving respect for human rights; reiterates, to this end, the need to effectively adopt guidelines, impact assessments, monitoring and reporting mechanisms in order to make PCD a reality in EU policies and in those of the Member States, especially in trade and agriculture; takes the view that the EU should maintain political leadership on this issue; calls, therefore, for the EU to work with committed partner countries to launch international initiatives (in the context of the United Nations, the G20, etc.) so as to convert PCD into a universal agenda;

197. Calls for the EU and its Member States to better coordinate their development agendas in the spirit of the Lisbon Treaty, placing development policy at the forefront of the Union's external relations, so that national priorities and European agendas for human rights promotion are better coordinated through development, bearing in mind the complexities embedded in EU development policy;

198. Calls on the EEAS, under the coordination of the VP/HR, to better link foreign and security policy with development policy in order to build synergies and ensure a coherent approach aimed at the universal application of human rights through EU development policy; further calls for the EU to better coordinate externally with emerging economies, such as the BRICS, in multilateral forums in order to address global governance issues and to promote human rights through the coordination of their different development agendas;

199. Urges the EU to mainstream human rights and democracy more effectively across development cooperation and to ensure that EU development programmes contribute to the fulfilment by partner countries of their international human rights obligations;



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200. Emphasises the importance of linking development aid with credible efforts for democratisation;
201. Calls on the Impact Assessment Board, under the supervision of the President of the Commission, to ensure that the impact on the human rights situation is taken into consideration when speaking about EU development cooperation projects and vice versa;
202. Recognises the importance of actively engaging NGOs in planning, implementing and evaluating human rights provisions so as to secure the widest possible involvement of civil society in policymaking, and in ensuring the effectiveness of human rights provisions;
203. Welcomes the new EU Aid Volunteers initiative, which from 2014 to 2020 will create opportunities for some 18 000 people from the EU and third countries to participate worldwide in humanitarian operations where aid is most urgently needed and to demonstrate solidarity by helping communities struck by natural or man-made disasters;
204. Calls for concerted EU action to address the problem of land-grabbing through the promotion of adequate safeguards to prevent it in the countries concerned and among EU and other European companies present in those countries; notes that the denial of access to land and natural resources to the rural and urban poor is one of the key causes of hunger and poverty in the world, thereby having an impact on the local communities' enjoyment of their human rights, and particularly on their right to adequate food; calls for an assessment of the impact of EU trade policy on land-grabbing; welcomes the EU's involvement in the development of the global Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, adopted under the aegis of the UN, and calls for their implementation and for the adoption of binding guidelines for preventing land-grabbing; emphasises, nevertheless, the urgent need to mainstream human rights and poverty reduction considerations in decision-making regarding the acquisition or long-term lease of large areas of land by investors; considers the EU's response to this issue to be an important test of its commitment to moving toward a rights-based approach in its development cooperation policy, as envisioned in the Lisbon Treaty and through which the EU's development policy would further contribute to the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty in the world; calls for the EU to commit, in line with the recommendations of the UN Special Rapporteur on the right to food, to a fundamental shift towards agro-ecology as a means of guaranteeing the right to food;
205. Notes with deep concern that indigenous peoples are particularly affected by human rights violations related to resource extraction; calls on the EEAS to support rigorous legal frameworks and initiatives aimed at transparency and good governance in mining and in other resource sectors, which respect local people's free, prior and informed consent and the UN Declaration on the Rights of Indigenous Peoples;
206. Notes with deep concern that vulnerable groups are particularly affected by human rights violations related to environmental degradation, since the expansion of monoculture plantations, logging, infrastructure and support for gas and oil development, biofuels, mining and large-scale hydropower are all causing deforestation and forest degradation; calls on the Commission to implement the 7th Environment Action Programme and to put in place a comprehensive plan to tackle deforestation and forest degradation and their environmental, social and human rights impacts;
207. Points out that implementing development, education and health programmes contributes not only to the fight against poverty but also to the fight against international terrorism; calls for the EU to develop further strategies along the lines of the EEAS strategy for the security and development of the Sahel;

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208. Stresses that, despite the progress already achieved as regards access to drinking water and sanitation, there are still approximately 2,6 billion people who lack a latrine and 1,1 billion people with no access to any type of drinking water; argues that this is due to a lack not only of resources but also of political will; calls, therefore, on governments to guarantee access to safe drinking water and sanitation, with particular attention to women and children;

209. Calls for an ambitious long-term political strategy and plan of action on public health, innovation and access to medicines that, inter alia, explores new incentive schemes for research and development as outlined in the 2012 report of the WHO Consultative Expert Working Group on Research and Development: Financing and Coordination, so as to safeguard the right to a standard of living adequate for the health and well-being of every human being without distinction of race, religion, political belief, economic or social condition; stresses that women and girls remain those most affected by the HIV pandemic and are also those most involved in caring for patients in their communities;

### ***International cultural and sports events and human rights***

210. Denounces the increasing practice by authoritarian states of hosting mega sports or cultural events in order to boost their international legitimacy while further restricting domestic dissent; calls for the EU and its Member States to engage with national sports federations, corporate actors and civil society organisations on the modalities of their participation in such events, including with regard to the first European Games in Baku in 2015 and the FIFA World Cup in Russia in 2018; calls for the development of an EU policy framework on sports and human rights, and for relevant commitments to be included in the forthcoming Action Plan on Human Rights;

211. Reiterates that in the framework of the universality of human rights and on the basis of UNESCO Conventions, cultural diversity and cultural heritage are world's heritage and that the international community has the duty to cooperate in their protection and valorisation; considers that intentional forms of destructions of cultural and artistic heritage, as it is currently occurring in Iraq and in Syria, should be prosecuted as war crimes and as crimes against humanity;

### ***Enhancing the European Parliament's action on human rights***

212. Reiterates its commitment to the continued improvement of Parliament's own procedures, processes and structures in order to ensure that human rights and democracy are at the core of its actions and policies; draws attention to its long-term commitment to human rights, as reflected in its award of the Sakharov Prize for freedom of thought; considers, furthermore, that effective Parliament-wide cooperation and mainstreaming of human rights is required for the Subcommittee on Human Rights to fulfil its mission, as specified in the Rules of Procedure, to 'ensure coherence between all the Union's external policies and its human rights policy';

213. Calls for better implementation of the Guidelines for the European Parliament's Interparliamentary Delegations on promoting human rights and democracy, and encourages a review of the guidelines to be conducted by the Conference of Delegation Chairs, in cooperation with the Subcommittee on Human Rights; recommends, in this context, a more systematic and transparent practice of raising human rights issues, especially the individual cases referred to in Parliament's resolutions and the cases of Sakharov Prize laureates and nominees who are at risk, during delegation visits to third countries, and of reporting to the Subcommittee on Human Rights on the action taken in writing and, where politically warranted, through a specific debriefing session;

214. Emphasises the need for continued reflection regarding the most appropriate ways to maximise the credibility, visibility and effectiveness of Parliament's resolutions on breaches of human rights, democracy and the rule of law and the necessity of appropriate synchronisation between, and follow-up by, all the European institutions and by the European Endowment for Democracy; stresses, in particular, the need for institutional follow-up of issues raised in Parliament's urgency resolutions;

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215. Encourages discussion on the inclusion of the different tools available to Parliament regarding support for and promotion of human rights in a single strategy document, to be adopted by Parliament in plenary; calls for the creation of a regularly updated website listing the human rights defenders mentioned in Parliament's urgency resolutions and for the establishment of an internal Parliament working group that would follow the cases of these listed defenders worldwide, encouraging delegations travelling to third countries to meet them;

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216. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the UN Security Council, the UN Secretary-General, the President of the 69th UN General Assembly, the President of the UN Human Rights Council, the UN High Commissioner for Human Rights and the EU Heads of Delegation.

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## **Relations between the EU and the League of Arab States and cooperation in countering terrorism**

**European Parliament resolution of 12 March 2015 on relations between the EU and the League of Arab States and cooperation in countering terrorism (2015/2573(RSP))**

(2016/C 316/19)

*The European Parliament,*

- having regard to the resolution adopted by the United Nations Security Council on 24 September 2014 on threats to international peace and security caused by terrorist acts (Resolution 2178 (2014)),
  - having regard to the Riga Joint Statement following the informal meeting of Justice and Home Affairs Ministers in Riga of 29 and 30 January 2015,
  - having regard to the activities of the EU-LAS liaison office in Malta, aimed at facilitating dialogue between the Commission and the Arab League,
  - having regard to the Charter of Fundamental Rights of the European Union,
  - having regard to the declaration adopted at the Third European Union — League of Arab States Foreign Affairs Ministerial Meeting of 10 and 11 June 2014,
  - having regard to the signing of a memorandum of understanding, on 19 January 2015, between Federica Mogherini, Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), and Nabil El Araby, Secretary-General of the League of Arab States, representing the European Union and the League of Arab States respectively,
  - having regard to the EU Internal Security Strategy, as adopted by the Council on 25 February 2010,
  - having regard to the Foreign Affairs Council conclusions on counter-terrorism, in particular those of 9 February 2015,
  - having regard to its resolution of 11 February 2015 on anti-terrorism measures <sup>(1)</sup>,
  - having regard to its resolution of 15 January 2015 on the situation in Egypt <sup>(2)</sup>,
  - having regard to its previous resolutions concerning countries of the League of Arab States (LAS),
  - having regard to the statement by VP/HR Federica Mogherini of 19 January 2015,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas terrorism and violent extremism are major threats to security and freedoms at global level and whereas respect for fundamental rights is an essential element of successful counter-terrorism policies;
- B. whereas terrorism is a global threat that needs to be tackled in a coordinated effort by national governments and regional and international organisations; stresses that only a global alliance can address this threat effectively, in full compliance with international law, fundamental values and international human rights standards;

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<sup>(1)</sup> Texts adopted, P8\_TA(2015)0032.

<sup>(2)</sup> Texts adopted, P8\_TA(2015)0012.

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- C. whereas on 19 January 2015 the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, and the Secretary-General of the League of Arab States (LAS), Nabil El Araby, signed a memorandum of understanding (MoU) between the European External Action Service (EEAS) and the General Secretariat of the LAS;
- D. whereas the content of the 2015 memorandum of understanding between the EEAS and the General Secretariat of the LAS is not public;
- E. whereas the EU and the LAS share a common interest in long-lasting solutions to ensure regional peace and stability; whereas this memorandum of understanding is intended to support and strengthen relationships between the Member States of the EU and the Members of the LAS to enhance their working structures, exchange experience and dialogue in order to achieve common goals and objectives in areas of mutual interest;
- F. whereas the phenomenon of fighters from Europe travelling to different locations to fight in the jihad, and the security threat they may pose inside the EU when they return, are likely to persist in the coming years; whereas thousands of EU nationals are reported to have left their homes to become foreign fighters with the outbreak of war and violence in Syria, Iraq and Libya, posing an additional challenge to EU citizens' security; whereas the recent terrorist acts in Paris and Copenhagen were committed by EU nationals;
- G. whereas the spread of terrorist propaganda is facilitated by the use of the internet and social media; whereas cyberterrorism enables terrorist groups to establish and maintain links without the physical obstacle of borders, thus reducing the need to have bases or sanctuaries in countries;
- H. whereas there are serious and systematic violations of human rights in member countries of the League of Arab States;
- I. whereas civil society organisations that the EU considers to be exercising their universal human rights and fundamental freedoms are labelled as terrorist organisations by governments of members of the LAS; whereas, increasingly, counter-terrorism and national security are cited to legitimise crackdowns on opposition figures, civil society and journalists;
- J. whereas the EU's external policies must contribute to countering the terrorist threat, which is escalating in certain parts of its neighbourhood; whereas prevention strategies to combat terrorism should rely on a plural approach aimed at directly countering the preparation of attacks on Union territory, but also at integrating the need to address the root causes of terrorism;
- K. whereas the EU condemns the application of the death penalty and the application of cruel and inhumane punishment all over the world, including for those convicted of committing acts of terrorism;
1. Expresses its profound dismay at the level of human suffering and loss of life due to terrorist attacks and expresses its solidarity with the families of all innocent victims;
  2. Underlines the fact that terrorism poses a direct threat to all countries and all people regardless of their ethnic background, religion or belief;
  3. Asks for the MoU to be published so that its content can be subject to democratic and judicial oversight;
  4. Calls on the Council to work on a harmonised, unambiguous definition of terrorism with all the member states of the LAS;
  5. Stresses the importance of cooperation on humanitarian assistance issues through the exchange of information on crisis situations; underlines the importance of sharing, as appropriate, assessments and best practices, as well as of cooperating in identifying practical steps to help address the threats, including more effective action to counteract radicalisation, recruitment and travel by terrorists and foreign fighters, as well as dealing with fighters returning to their place of departure;

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6. Reiterates its position that, in the fight against terrorism, it is crucial to address not only the consequences but also the underlying factors of radicalisation, and underlines the need for a comprehensive cross-sectoral approach guaranteeing the involvement of all the policies concerned, including the importance of promoting a culture of inclusion and tolerance through, for instance, education, and social and regional policies;
7. Notes that the present terrorist threat in the EU and the Arab states has among its main causes jihadist extremism; endorses the view that a policy aiming at deradicalisation and combating terrorism cannot be effective unless it is developed with the close cooperation of the countries of origin;
8. Calls on the authorities of EU and LAS member states to respect the prohibition of torture as it is most notably enshrined in the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which most of them have signed and ratified; reiterates that forced confessions under torture are not valid;
9. Reaffirms the need to maintain a balance between freedom and security in response to the terrorist threats and to consider all measures to be taken from the point of view of the compatibility of these measures with the rule of law and the requirements of fundamental rights;
10. Welcomes, in general, the cooperation and partnership between the EU and third countries to counter terrorism; welcomes the establishment of an EU-LAS Strategic Dialogue, including exchanges on political and security matters, the exchange of regular meetings of the EU Political and Security Committee and the Arab Permanent Representatives, and commends the progress made in the field of early warning and crisis response, in particular the full implementation of the Early Warning and Crisis Response Project;
11. Recalls, however, that counter-terrorism measures may never be abused to repress legitimate dissent, or to violate people's universal human rights; calls on the EU to build clear safeguards into its cooperation with third countries, to ensure it does not directly or indirectly support or legitimise the repression of legitimate organisations and individuals in the name of countering terrorism;
12. Stresses that the Foreign Affairs Ministers of the EU and the LAS also agreed to continue work on the comprehensive implementation of the UN Global Counter-Terrorism Strategy; supports the fact that they welcomed the establishment of the UN Counter-Terrorism Centre with the initiative of the Custodian of the two Holy Mosques, and asked for support to be given to this centre, and that they welcomed the holding of the first international Conference on Combating Terrorism, in Baghdad in March 2014, as an opportunity to discuss and seek appropriate means and ways to promote international cooperation and combat terrorism at regional level;
13. Reaffirms the importance of cooperation between the EU and the LAS in the field of human rights, emphasising the significance of continuing to promote and protect human rights and uphold all human rights for all, including the right to economic and social development, freedom of expression and freedom of religion or belief, while also promoting the values of tolerance and coexistence between different religions and rejecting exclusion, extremism, incitement and dissemination of hatred and violence;
14. Calls on the Council to verify whether there have been breaches of the EU Code of Conduct on Arms Exports in relation to repression;
15. Calls for the EU to develop, in cooperation with the League of Arab States, a dedicated mechanism aiming to curb the phenomenon of arms trafficking, in particular targeting the countries where terrorism originates from or where the terrorists are trained; calls for the EU to closely monitor the implementation of arms exports, particularly of dual-use technology that might end up being instrumentalised by terrorists; believes that is essential to counter the financing of terrorism in coordination with relevant actors including the LAS and its members;
16. Believes that the EU must rethink the prevailing weakness that characterised earlier counter-terrorism cooperation with countries of origin, transit and destination through which foreign fighters and the resources to support them have been channelled, including Member States of the LAS;

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17. Stresses that a comprehensive EU strategy on anti-terrorism measures, based on an approach combining diplomatic, socio-economic, development, conflict prevention, peacebuilding and crisis management tools, must also make full use of its foreign and development policies in order to combat poverty, discrimination and marginalisation, to fight corruption and promote good governance and to prevent and resolve conflicts, all of which contribute to the marginalisation of certain groups and sectors of society and thus make them more vulnerable to extremist group propaganda;
  18. Recalls that the international community has committed itself to the adoption of measures that ensure respect for human rights for all and the rule of law as the fundamental basis of the fight against terrorism, through the adoption of the United Nations Global Counter-Terrorism Strategy by the General Assembly in its Resolution 60/288;
  19. Reminds the Member States and EU agencies, including Europol and Eurojust, of their obligations under the Charter of Fundamental Rights and international human rights law and of the EU's external policy objectives;
  20. Reiterates its position that the rights of religious minorities are inextricably linked to respect for other fundamental human rights and freedoms, such as the right to liberty, security, equal opportunities between men and women and freedom of expression, and calls on the LAS, the EEAS and the member states of both organisations to protect religious minorities in the Arab world and fully implement the EU Guidelines on the promotion and protection of freedom of religion or belief;
  21. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, and the Secretary-General of the League of Arab States.
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P8\_TA(2015)0078

## Sustainable exploitation of sea bass

**European Parliament resolution of 12 March 2015 on sustainable exploitation of sea bass (2015/2596(RSP))**

(2016/C 316/20)

*The European Parliament,*

- having regard to the motion for a resolution of the Committee on Fisheries,
- having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the scientific information on the stock status of sea bass is insufficient, in particular the data available on precise boundaries, stock migration paths and the places of reproduction of the sea bass;
- B. whereas the International Council for the Exploration of the Sea (ICES) identifies four kinds of sea bass stocks: Celtic Sea/Channel/North Sea, Bay of Biscay, Western Iberian waters, and West of Scotland/Ireland;
- C. whereas various studies show that the stock status of sea bass is worrying, notwithstanding the emergency measures previously taken by the Commission;
- D. whereas, owing to the fact that mortality is still very high and that the sea bass is a late-maturing and slow-growing species, the sea bass requires a long period of time to recover in population size;
- E. whereas the sea bass is a noble species very much in demand by the fishing industry for its significant economic value;
- F. whereas a considerable number of vessels are involved in fishing sea bass, and it is a heterogeneous fishery in terms of vessel size, fishing seasons and gear used;
- G. whereas catches in recreational fisheries are significant and contribute to at least a quarter of catches of this species;
- H. whereas Regulation (EU) No 1380/2013 of 11 December 2013 on the Common Fisheries Policy <sup>(1)</sup> provides that stocks shall be brought up to or maintained at levels above the maximum sustainable yield;
- I. whereas the sea bass is not a species subject to total allowable catches (TACs);
- J. whereas the Commission has taken emergency measures prohibiting sea bass fishing using pelagic trawls in the Celtic Sea, the Channel, the Irish Sea and the southern North Sea until 30 April 2015;
- K. whereas national management measures taken to date are insufficient to maintain the species and do not solve the problems of sharing and access to resources;
- L. whereas the exploitation of sea bass during spawning periods must be particularly limited as this visibly slows down renewal of stock and prevents its recovery;
- M. whereas Ireland has reserved sea bass fishing for recreational fishermen;
- N. whereas the Scientific, Technical and Economic Committee for Fisheries (STECF) recommends a reduction in fishing mortality of sea bass of approximately 60 %;
- O. whereas the work of the Inter-AC Working Group on sea bass recommends European management measures;

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<sup>(1)</sup> OJ L 354, 28.12.2013, p. 22.



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- P. whereas the sustainable exploitation of sea bass entails political choices, which should be made with the involvement of all relevant stakeholders;
1. Calls on the Commission and the Member States to evaluate the status of the stock of sea bass and its delimitation, migration of the species and the exact places of reproduction; calls on the Commission and the Member States to build on the European Fund for Maritime Affairs and Fisheries, which provides substantial funding for the collection of scientific data;
  2. Stresses the importance of evaluating in a precise manner the segment of various sea bass fishing activities and the segment of the percentage of recreational fishing in catches;
  3. Considers that measures to manage the operation of the sea bass fishery at European level are needed in order to safeguard this species; considers, furthermore, that these measures should take scientific knowledge sufficiently into account and favour proximity management and the regionalisation principle;
  4. Calls on the Commission to propose a multiannual management plan on sea bass in order to bring the stock to a level above the maximum sustainable yield; stresses the need to involve professional and recreational fishermen and advisory councils in the preparation of this management plan;
  5. Recalls that multiannual management plans should be prepared in accordance with the codecision procedure;
  6. Considers that, in order to develop a multiannual management plan for sea bass it is important to evaluate different management measures for commercial fishing, in particular the setting of a TAC and the need for a scientifically sound decision on minimum landing size and spatio-temporal closures in order to protect breeding and other technical measures;
  7. Recognises the problems that the introduction of a TAC would generate, particularly as regards the calculation of historical catches, the distribution of quotas at national level between the different activities and the difficulty of covering recreational fisheries, but, in the light of the absolute necessity of dealing with the state of sea bass stocks, stresses that such a measure must be considered;
  8. Believes that EU measures are necessary for recreational fisheries in the form of quantitative limitations, the shape of which remains to be defined;
  9. Considers that measures for commercial fisheries and recreational fisheries must be coherent with each other in order to maintain the stock above the maximum sustainable yield, in line with the objectives of the common fisheries policy;
  10. Instructs its President to forward this resolution to the Commission and to the governments and parliaments of the Member States.
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P8\_TA(2015)0079

## 28th session of the UNHRC

### European Parliament resolution of 12 March 2015 on the EU's priorities for the UN Human Rights Council in 2015 (2015/2572(RSP))

(2016/C 316/21)

*The European Parliament,*

- having regard to the Universal Declaration of Human Rights and to the UN human rights conventions and the optional protocols thereto, including the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),
  - having regard to United Nations General Assembly Resolution 60/251 establishing the Human Rights Council (UNHRC),
  - having regard to the European Convention on Human Rights, the European Social Charter and the EU Charter of Fundamental Rights,
  - having regard to the EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted on 25 June 2012,
  - having regard to its previous resolutions on the United Nations Human Rights Council,
  - having regard to its previous resolutions on the violation of human rights, including its urgency resolutions on the issues,
  - having regard to the Annual Report on Human Rights and Democracy in the World 2013, and the European Union's policy on the matter,
  - having regard to the conclusions of the Foreign Affairs Council of 9 February 2015 on EU priorities at UN human rights fora,
  - having regard to Articles 2, 3(5), 18, 21, 27 and 47 of the Treaty on European Union,
  - having regard to the 28th session of the UNHRC to be held from 2 to 27 March 2015,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas respect for, and the promotion and safeguarding of, the universality of human rights is part of the European Union's ethical and legal acquis and one of the cornerstones of European unity and integrity;
- B. whereas human rights are inherent to all human beings irrespective of nationality, race, sex, ethnic origin, religion or any other status, and whereas respect for these rights is enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and in subsequent international human rights conventions, declarations and resolutions;
- C. whereas all human rights — whether civil, political, economic, social or cultural — are indivisible, interrelated and interdependent, and whereas the deprivation of any one of these rights has a direct and adverse impact on the others;
- D. whereas failure to respect human rights and lack of legitimate democratic participation lead to instability, failed states, humanitarian crises and armed conflicts;
- E. whereas the Union's action in its relations with third countries is guided by Article 21 of the Lisbon Treaty, which reaffirms the universality and indivisibility of human rights and fundamental freedoms and provides for the respect of human dignity, the principles of equality and solidarity, and the principles of the United Nations Charter and international law;

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- F. whereas all states have an obligation to respect the basic rights of their respective populations and a duty to take concrete action to facilitate respect for those rights at national level, and to cooperate at international level with a view to eliminating obstacles to the realisation of human rights in all areas;
- G. whereas the regular sessions of the Human Rights Council, the appointment of Special Rapporteurs, the Universal Periodic Review mechanism and the Special Procedures addressing either specific country situations or thematic issues contribute to the promotion of, and respect for, human rights, democracy and the rule of law;
- H. whereas, regrettably, some of the current members of the Human Rights Council are acknowledged as being among the worst human rights offenders and have bad records in terms of cooperation with the UN Special Procedures and compliance with their reporting requirements vis-à-vis the UN human rights treaty bodies;

### ***UN Human Rights Council***

1. Welcomes the EU's priorities for the upcoming 28th regular session of the United Nations Human Rights Council (UNHRC), as set out in the Council conclusions of 9 February 2015;
2. Welcomes the appointment of Ambassador Joachim Rucker as President of the UNHRC for 2015;
3. Congratulates Zeid Ra'ad Al Hussein on his appointment as UN High Commissioner for Human Rights (UNHCHR), and reiterates its strongest support for his efforts and for his mandate;
4. Welcomes the presence of Ms Mogherini, Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, at the UNHRC high-level session, as this sends the right signal regarding the EU's strong commitment to the multilateral human rights system;
5. Welcomes the annual report of the High Commissioner for Human Rights to the UN General Assembly, covering the period from December 2013 to November 2014, and expresses its full support for the independence and integrity of his Office; stresses that it is important to defend this independence, so as to ensure that the High Commissioner can continue to exercise his task in an effective and impartial manner; reiterates that the UNHCHR needs to be adequately funded;
6. Recalls the commitment of the European Parliament and its Subcommittee on Human Rights to supporting a strong multilateral human rights system under the aegis of the UN, including the Third Committee of the General Assembly, the Human Rights Council and the Office of the High Commissioner for Human Rights, together with the work of related UN specialised agencies such as the International Labour Organisation (ILO), and of UN Special Procedures;
7. Encourages the EEAS, in particular through the EU Delegations in New York and Geneva, to increase EU coherence by means of timely and substantive consultation in order to present the EU position with one voice; reaffirms the importance of integrating the work being done in New York and Geneva in the context of the UN General Assembly, the Third Committee and the Human Rights Council into the EU's relevant internal and external activities in order to ensure coherence;
8. Considers that the continued harassment and detention of human rights defenders and opposition figures by a number of UNHRC members undermines the credibility of the UNHRC; reiterates its position that UNHRC members should be elected from among states which uphold respect for human rights, the rule of law and democracy and which have agreed to extend standing invitations to all Special Procedures, and urges the Member States to promote and adopt human rights performance criteria, which should apply to any state to be elected as a member of the UNHRC; urges the Member States to encourage transparent, open and competitive processes for the election of UNHRC members;

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9. Reiterates its support for the Universal Periodic Review (UPR) mechanism and its appreciation of the UPR's valuable work, and calls on members to actively prepare their UPR, including by involving civil society, to engage in the interactive dialogue during the UPR session and in the debates on the adoption of the UPR outcomes, to implement the UPR recommendations and to take concrete measures to improve and uphold the fulfilment of their human rights obligations;
10. Continues to oppose 'block voting' within the UNHRC; urges the member countries of the UNHRC to remain transparent in their voting;
11. Calls for the EU and its Member States to continue to follow up the UPR recommendations in all EU policy dialogues with the countries concerned in order to seek ways to support countries in implementing the recommendations;
12. Reiterates its support for the Special Procedures and the independent status of the mandate holders, which enable them to fulfil their function with full impartiality, calls on all states to cooperate with these procedures and encourages the Member States to expose cases of non-cooperation by states with Special Procedure mandate holders;
13. Considers it important to send parliamentary delegations to the UNHRC sessions and to other relevant UN General Assembly sessions;
14. Considers it regrettable that the scope for interaction between civil society and the UNHRC continues to shrink and that NGOs are being offered fewer opportunities to speak at these sessions; urges the EU and the UNHRC to ensure that civil society is allowed to contribute as fully as possible to the 28<sup>th</sup> session of the UNHRC and to the Universal Periodic Review process and other UN human rights mechanisms, without fear of reprisals upon return to their home country;

***Civil and political rights***

15. Reaffirms that freedom of expression, which is the cornerstone of every free and democratic society, is a fundamental right of any individual; strongly condemns the assassination in France in January 2015 of 12 people, including cartoonists at the *Charlie Hebdo* newspaper, and of four people in a Jewish supermarket, together with the assassination of a film director and a synagogue guard in Copenhagen, by terrorists targeting freedom of speech and religion;
16. Condemns the use of religion by extremist and jihadist groups in all countries, and particularly in Syria, Iraq, Libya, Myanmar, Nigeria and Central Africa, whose actions include gun and bomb attacks, suicide bombings, kidnappings and other violent acts terrorising the population; takes the view that the fight against terrorism calls for action to address its root causes, which include social exclusion, political marginalisation and inequality; calls for greater efforts to protect the rights of people belonging to religious minorities; urges that human rights and the rule of law be upheld in all counter-terrorism activities;
17. Expresses its concern about all restrictions on freedom of assembly and association, including bans on civil society organisations, the aggressive use of criminal defamation laws and other restrictive laws, excessive registration and reporting requirements, and overly restrictive rules on foreign funding, and reaffirms that freedom of association and peaceful assembly are fundamental elements of human rights;
18. Calls on all governments to promote and support civil society organisations and human rights defenders and to allow them to operate without fear, repression or intimidation, to cooperate with the UNHRC in the UPR mechanism and to ensure that countries responsible for reprisals against human rights activists are held accountable, in particular for fatal reprisals like the one that led to the death in March 2014 of human rights activist Cao Shunli in China for attempting to board a flight to attend the UNHRC in Geneva in September 2013;

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19. 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;

20. Reiterates the importance of the fight against torture and other forms of ill-treatment, and of the priority that the EU has committed to placing on this issue, including with regard to children, and to facilitating the work of the UN Special Rapporteur on Torture; urges the EEAS, the Commission and the EU Member States to demonstrate their common commitment to eradicating torture and supporting victims, in particular by continuing — or, where applicable, starting — to contribute to the UN Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol to the Convention against Torture;

21. Expresses concern about continued and widespread discrimination against, and violations of the rights of, migrants, including asylum seekers and refugees; calls for the EU and its Member States to support the work of the UN Special Rapporteur on the rights of migrants, together with the implementation of his recommendations; calls on governments to respect the human rights and inherent dignity of migrants, to put an end to arbitrary arrest and detention and, in order to avoid excessive detention of irregular migrants, to review detention periods and use alternatives to detention; calls on governments to respect, in all circumstances, the principle of non-refoulement and to comply fully with their international legal obligations with regard to the expulsion of migrants; calls on states to put in place, if they have not yet done so, systems and procedures to ensure full compliance with their international human rights law obligations by all their programmes and institutions in the field of migration;

22. Supports the UNHRC Special Rapporteur's latest report and conclusions on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; calls for the EU and its Member States to implement the Special Rapporteur's recommendations in its internal policy to combat the spread of racial, ethnic and xenophobic hatred and incitement over the internet and through social media networks by taking appropriate legislative measures, with full respect for other fundamental rights such as freedom of expression and opinion;

23. Recognises that the rapid evolution of information and communication technologies has transformed the environment for the exercise of freedom of expression across the world, generating both significant advantages and serious concerns; welcomes, in this context, the Council's adoption in May 2014 of the EU Guidelines on Freedom of Expression Online and Offline, and condemns all restrictions on digital communication, including those targeting civil society actors; reiterates the need to pay particular attention to the rights of journalists and bloggers;

24. Encourages the UNHRC to continue the debate on the right to privacy and, to that end, to appoint a UN Special Rapporteur on the right to privacy, especially in the context of digital communications;

### ***Social and economic rights***

25. Notes that the UN post-millennium development agenda has the target of ending poverty by 2030 with a holistic approach to economic, social and environmental issues; welcomes the UN Secretary-General's synthesis report ahead of the UN Special Summit on the post-2015 Sustainable Development Goals agenda; supports the Secretary-General's calls for an approach centred on people's needs and rights in order to end poverty;

26. Considers it important to address rising and extreme inequalities in order to fight poverty in general and to promote social and economic rights by facilitating access to food, water, education, health care and adequate housing, in particular; highlights, in this context, the increasing problem of land grabbing, which needs to be addressed;

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27. Is of the opinion that corruption, tax evasion, mismanagement of public goods and lack of accountability contribute to the violation of citizens' rights, as they divert funds from investment in much-needed public services such as education, basic health services and other social infrastructure, thus perpetuating the poverty of populations; recalls that under the International Covenant on Economic, Social and Cultural Rights, governments have an obligation to respect their citizens' rights by making adequate resources available; stresses, in this connection, that particular attention needs to be paid to the protection of human rights defenders working on the promotion of economic, social and cultural rights;

28. Reiterates its support for the establishment of a UN Special Rapporteur on financial crime, corruption and human rights;

### ***Business and human rights***

29. Strongly supports the effective and comprehensive dissemination and implementation of the UN Guiding Principles on Business and Human Rights within and outside the EU, and emphasises the need to take all necessary measures to address gaps in the effective implementation of the UN Guiding Principles, including as regards access to justice; welcomes the initiative relating to a regulation setting up a system of supply chain due diligence for responsible sourcing of minerals from conflict-affected areas; calls on all stakeholders to take an active role in the 11th session of the UN Working Group on the issue of human rights and transnational corporations and other business enterprises, and to support efforts to align their policies with the OECD Guidelines for Multinational Enterprises and with the UN Guiding Principles on Business and Human Rights; reiterates its request to the Commission to report by the end of 2015 on the implementation of the UN Guiding Principles on Business and Human Rights by the EU Member States;

30. Encourages EU delegations around the world to engage with EU businesses in order to promote respect for human rights, and to ensure that 'business and human rights' is included among the focus themes in the local calls for proposals of the European Instrument for Democracy and Human Rights;

31. Believes that business and human rights can reinforce each other by creating new business potential in those regions that most need sustainable and responsible investment and by contributing to general respect for human rights in developing countries;

32. Calls for the EU and its Member States to engage in the emerging debate on a legally binding international instrument on business and human rights within the UN system;

### ***Women's rights***

33. Points out that gender mainstreaming, which involves the reorganisation, improvement, development and assessment of policies to ensure that an equal opportunities approach is incorporated into all policies — at all levels and at all stages — by those involved in policymaking, is an important tool in achieving gender equality;

34. Calls for the EU to participate actively in the 59th session of the Commission on the Status of Women, and to continue to fight all attempts to undermine the UN's Beijing Platform for Action, which will be reviewed on the occasion of the 20th anniversary of the Fourth World Conference on Women as regards, among other elements, access to education and health as basic human rights, and sexual and reproductive rights;

35. Observes critically that despite the progress made so far in achieving gender equality and the empowerment of women, discriminatory laws remain in force in many countries, in particular in the area of the family and access to property; observes that women are still vastly under-represented in decision-making positions and that violence against women remains widespread, while access to justice remains limited despite the number of women who die every day as a result of domestic violence; expresses its grave concern that in some countries setbacks have been observed, in particular in the area of sexual and reproductive rights;

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36. Strongly condemns the use of sexual violence against women, including crimes such as mass rape, sexual slavery, enforced prostitution, gender-based forms of persecution including female genital mutilation, trafficking, early and forced marriages, honour killings and all other forms of sexual violence of comparable gravity, including when used as a tactic of war; calls again for the EU and all its Member States to sign and ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention);

37. Recalls the EU's commitment to mainstreaming human rights and gender aspects in common security and defence policy missions, in line with the landmark UN Security Council Resolutions 1325 and 1820 on women, peace and security; reiterates, in this connection, its call for the EU and its Member States to support, in the process of building sustainable reconciliation, the systematic participation of women as a vital component of peace processes, and to recognise the need to mainstream gender perspectives in conflict prevention, peacekeeping operations, humanitarian assistance and post-conflict reconstruction and democratic transition processes;

38. Stresses that female genital mutilation (FGM) is a form of torture; stresses the continuing need for the EU to work with third countries in eradicating the practice of FGM; reminds those Member States with national legislation criminalising FGM that they must use this legislation when their citizens are found to have undergone it;

39. Welcomes the ICC's inclusion of sexual and gender-based crimes, including rape, sexual assault and humiliation, and its recommendation that these crimes should be considered war crimes;

#### ***Children's rights***

40. Expresses its concern that, while progress has been made since the adoption of the Convention on the Rights of the Child in 1989, at least 58 million children, particularly girls, children from poor families, children with disabilities and children in conflict areas, do not attend school, and many children still suffer from diseases that can be easily prevented, while others are engaged in child labour;

41. Calls on all states to commit themselves to eliminating the worst forms of child labour as defined by Article 3 of ILO Convention No 182, which include child slavery, trafficking, prostitution and hazardous work affecting a child's physical and mental health;

42. Recalls that one of the primary obligations of the state is to provide all children with education by increasing opportunities, creating adequate institutions and addressing the structural causes of major impediments to universal primary education, including drop-out rates, which remain a major impediment to universal primary education;

43. Calls for adequate EU funding for demobilisation and reintegration programmes for children associated with armed conflicts and for ex-child-soldiers; recalls its strong support for the campaign 'Children, not Soldiers' as expressed during the hearing on the same topic, held in the Subcommittee on Human Rights, on 3 December 2014; welcomes the annual reports submitted by the UN Special Representative for Children and Armed Conflict and the UN Special Representative on Violence against Children, together with the report of the Special Rapporteur on the sale of children, child prostitution and child pornography;

#### ***Rights of LGBTI persons***

44. Expresses its concern about the recent increase in the number of discriminatory laws and practices, and of acts of violence against individuals, on the basis of their sexual orientation and gender identity; encourages close monitoring of the situation of LGBTI people, including in Nigeria and Gambia, where recently introduced anti-LGBTI laws threaten the lives of sexual minorities; expresses its strong concern regarding so-called 'anti-propaganda' laws limiting freedom of expression and assembly, including in countries on the European continent; welcomes the UNHRC resolution on combating violence and discrimination based on sexual orientation and gender identity, adopted on 26 September 2014; reaffirms its support for the High Commissioner's continued work to promote and protect the enjoyment of all human rights by LGBTI people, in particular through statements, reports and the Free & Equal campaign; encourages the High Commissioner to continue fighting discriminatory laws and practices;

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### ***Climate change and human rights***

45. Stresses that the impact of climate change on groups and individuals in vulnerable situations is high, especially in low-income countries and in coastal and low-lying island states that lack the economic resources to adapt to severe environmental changes;

46. Notes with concern that indigenous people are particularly affected by climate-change-related incidents; notes, in this regard, that most indigenous people live below the poverty threshold and have little or no access to representation, political decision-making or justice systems;

47. Welcomes the UNHRC's recognition that environmental changes have an adverse impact on the livelihood of populations, and are obstacles to the realisation of fundamental, internationally recognised human rights; urges the States Parties, therefore, to adopt urgent and ambitious mitigation and adaptation measures at the upcoming 2015 Climate Change Conference in Paris;

48. Requests that the Commission and the EEAS participate actively in the debate on the term 'climate refugee', including its possible definition in international law or in any legally binding international agreement;

### ***Fight against impunity and the International Criminal Court (ICC)***

49. Reiterates its full support for the work of the ICC in its role of ending the impunity of the perpetrators of the most serious crimes of concern to the international community and to provide justice for the victims of war crimes, crimes against humanity and genocide; remains vigilant regarding any attempts to undermine its legitimacy or independence; urges the EU and its Member States to cooperate with the Court and provide it with strong diplomatic, political and financial support, including in the UN; calls for the EU, its Member States and its Special Representatives to actively promote the ICC, the enforcement of its decisions and the fight against impunity for Rome Statute crimes; welcomes the recent ratification of the Rome Statute by the Palestinian Authority in January 2015;

### ***Indigenous peoples***

50. Calls on the EEAS, the Commission and the Member States to support the review of the mandate of the Expert Mechanism on the Rights of Indigenous Peoples, in line with the Outcome Document of the World Conference on Indigenous Peoples (UN General Assembly Resolution 69/2), with a view to monitoring, evaluating and improving the implementation of the Declaration on the Rights of Indigenous Peoples; urges the EU Member States to request that all Special Procedure mandate holders give special attention to issues affecting indigenous women and girls, and systematically report such issues to the UNHRC; urges the EEAS and the Member States to actively support the development of the system-wide action plan on indigenous peoples, as requested by the UN General Assembly in its September 2014 resolution, especially as regards the organisation of regular consultation of indigenous peoples as part of that process;

### ***International cultural and sports events and human rights***

51. Denounces the increasing practice by authoritarian states of hosting mega sports or cultural events in order to boost their international legitimacy while further restricting domestic dissent; calls for the EU and its Member States to actively raise this issue, including at the UNHRC, and to engage with national sports federations, corporate actors and civil society organisations on the modalities of their participation in such events, including with regard to the first European Games in Baku in 2015 and the FIFA World Cup in Russia in 2018 and Qatar in 2022;



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***Drones and autonomous weapons***

52. Reiterates its call to the Council for the development of an EU common position on the use of armed drones, giving utmost importance to respect for human rights and international humanitarian law and addressing issues such as the legal framework, proportionality, accountability, the protection of civilians and transparency; urges the EU, once again, to ban the development, production and use of fully autonomous weapons which enable strikes to be carried out without human intervention; insists that human rights be part of all dialogues with third countries on counter-terrorism;

***EU human rights mainstreaming***

53. Calls for the EU to promote the universality and indivisibility of human rights, including civil and political, economic, social and cultural rights, in accordance with Article 21 of the Lisbon Treaty and the General Provisions on the Union's External Action;

54. Calls for the EU, its Member States, the Commission and the EEAS to mainstream human rights in all their external policy areas with third countries; stresses also that EU human rights policy needs to ensure that its internal and external policies are coherent, in line with the EU Treaty obligation, and to avoid double standards when it comes to respect for human rights;

55. Calls for the EU to adopt a rights-based approach and to integrate respect for human rights into trade, investment, public services and development cooperation, and into its common security and defence policy;

***EU priorities on country-related issues******Ukraine***

56. Expresses its grave concern over the violence and armed conflict in eastern Ukraine; hopes that the ceasefire agreement, based on the Minsk Agreement, will hold; condemns the large-scale human rights violations in the conflict and the consequences of recent fighting; fully supports the UN Human Rights Monitoring Mission and the OSCE Special Monitoring Mission to Ukraine, and calls for the strengthening of the latter; highlights its strong concern at the fate of IDPs as a result of the armed conflict in the south-eastern regions; condemns the illegal annexation of Crimea by Russia's aggressive and expansionist policy, which constitutes a threat to the unity and independence of Ukraine; remains concerned about the discrimination and widespread human rights violations committed against the local population in this region, in particular the Crimean Tatars; calls on the EU Member States to support all possible efforts at UN level to fight impunity and to conduct impartial investigations into the violent events and human rights violations linked to the crackdown against the Maidan demonstrations, the illegal annexation of Crimea, and the armed conflict in eastern Ukraine; calls for respect for international humanitarian law and principles to protect civilians in the conflict;

***Democratic People's Republic of Korea (DPRK)***

57. Welcomes the planned extension of the mandate of the Special Rapporteur on the human rights situation in the Democratic People's Republic of Korea (DPRK); welcomes too the UN General Assembly resolution encouraging the UN Security Council to take appropriate action to ensure accountability, including by giving consideration to referring the situation in the DPRK to the ICC; calls on the Human Rights Council to reiterate its call for accountability, including with regard to those responsible for crimes against humanity pursuant to policies established at the highest level of the state; welcomes the establishment of a field-based structure in the Republic of Korea to strengthen the monitoring of the situation and documentation of evidence with a view to ensuring accountability, urges all states to cooperate with this structure, and calls on the Human Rights Council to step up its attention to the situation in the DPRK by convening a formal Panel to feature voices of victims of rights violations in the context of a forthcoming session of the Human Rights Council;

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*Iran*

58. Welcomes the UNHRC resolution of March 2014 on the situation of human rights in the Islamic Republic of Iran, and the extension of the Special Rapporteur's mandate, and calls on Iran to allow the UN Special Rapporteur entry into the country as a crucial indicator of Iran's willingness to take steps towards opening up a dialogue on human rights; reiterates its condemnation of the death penalty in Iran, including for minors, which is often carried out following a judicial process which does not comply with internationally accepted minimum standards on fair trial and due process; remains concerned at the high rate of executions without due process or fair trial; supports the joint statement of August 2014 by the UN Special Procedures mandate holders condemning the wave of arrests and sentencing of civil society actors in Iran; calls for the EU and the UNHRC to continue to monitor closely the systematic abuse of human rights, and to ensure that human rights remain a key priority in all dealings with the Iranian Government; calls on the Iranian authorities to abide by international human rights law, under which the execution of juvenile offenders is a violation of international minimum standards, and not to carry out the execution of any juvenile offender;

*Myanmar/Burma*

59. Supports the UN Special Rapporteur's latest report on the human rights situation in Myanmar, which recognises the progress made so far while identifying remaining areas of major concern; calls on the Myanmar Government to mainstream human rights, including the rights of minorities, into the country's institutional and legal framework and all policy areas, and to fully respect freedom of expression and assembly; expresses its concerns over the proposed legislation on the 'protection of race and religion', which includes four draft bills on interfaith marriage, religious conversion, monogamy and population control; calls on the UNHRC to renew the mandate of the Special Rapporteur under Item 4, to reiterate its serious concern at the situation of the Rohingya minority in Rakhine State, which is exacerbated by the fact that this community lacks legal status and thus continues to face systemic discrimination, and calls for full, transparent and independent investigations into all reports of human rights violations against the Rohingya, and to accelerate the process of opening an OHCHR country office with a full monitoring and reporting mandate; deplores the attacks on civilians in the Kachin and Shan States, sexual violence committed by security forces during armed conflict, the existence of political prisoners, the harassment of human rights defenders, activists, and media professionals, extrajudicial killings, land confiscation, and the targeting of religious and ethnic minorities; takes the view that the negotiation of an investment agreement between the EU and Myanmar should be considered carefully, as foreign investment in the country risks exacerbating human rights violations;

*Belarus*

60. Expresses its profound concern at the continued violation of human rights in Belarus; condemns the three executions carried out in 2014, the harassment of human rights defenders, the persecution of independent journalists, the censorship of all internet-based communications and the restrictive legislation on non-governmental organisations; calls for the renewal of the UN Special Rapporteur's mandate on the human rights situation in Belarus at the 29<sup>th</sup> session of the Council, and calls on the government to grant full access to UN Special Procedure mandate holders, including the Special Rapporteur; calls for the unconditional release and rehabilitation of all remaining political prisoners;

*Bahrain*

61. Expresses its continued concern about the crackdown on opposition leaders, civil society actors and activists in Bahrain, and the situation of human rights defenders and political opposition activists in the country; calls on all stakeholders in Bahrain to initiate constructive and inclusive talks with the aim of genuine reconciliation and respect for the human rights of all Bahraini communities; calls for the immediate and unconditional release of all prisoners of conscience, journalists, human rights defenders and peaceful protesters, and expresses its support for the joint statement of 4 February 2015 by UN Special Procedures mandate holders regarding the arrest of a senior opposition politician and the disbanding of the subsequent demonstrations; calls for the EU Member States and other members of the UNHRC to continue to follow closely the human rights situation in Bahrain, focusing on the implementation of the commitments made by Bahrain during the UPR process and the recommendations of the Bahrain Independent Commission of Inquiry, which have been

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welcomed by the King of Bahrain; regrets the lack of progress made by the Government of Bahrain in its cooperation with the Office of the High Commissioner for Human Rights (OHCHR) and the UNHRC Special Procedures, and calls on the EU Member States to work towards the adoption during the March session of the UNHRC of a resolution calling for the full implementation of Bahrain's commitments made during the UPR process and the recommendations, including those concerning human rights defenders, of the Bahrain Independent Commission of Inquiry, and requesting that the OHCHR report on the human rights situation on the ground and on the progress made in Bahrain's cooperation with UN human rights mechanisms;

#### *Egypt*

62. Welcomes the proceedings of the UPR for Egypt in November 2014 and looks forward to its adoption at the upcoming session of the UNHRC; urges Egypt to immediately and unconditionally release all activists and human rights defenders, as well as those detained for peacefully exercising their rights to freedom of expression, assembly and association; demands, also, that the Government of Egypt enact legislation in line with international standards and safeguard the right to association enshrined in the Egyptian Constitution, including the right to receive and dispense funding, and that it revoke the Protest Law of November 2013 and introduce new legislation that would guarantee freedom of assembly; urges the Egyptian Government to open a judicial investigation to determine the identity of those responsible for ordering and carrying out unlawful killings in the course of the suppression of the mainly peaceful demonstrations that have taken place since 3 July 2013, including the dispersals of 14 August 2013 in Raba'a Square and Nahda Square, in which at least 1 000 protesters were killed; urges Egypt to conduct independent, impartial and effective investigations into all human rights violations committed since 2011, including crimes of sexual violence, and to ensure that perpetrators are held to account and victims are provided with an adequate remedy in accordance with international standards; calls on the Egyptian authorities to immediately cancel all death sentences and order retrials that guarantee the right to a fair trial and due process, and to impose an immediate moratorium on death sentences and executions, immediately release all detained journalists and media workers and guarantee the right to freedom of information and expression in accordance with international standards; urges the Egyptian authorities to allow the visit of the UN Special Rapporteur on Violence against Women, which has been agreed on in principle, but has been pending since early 2014, and to invite the relevant UN human rights mechanisms and procedures in particular, the Special Rapporteur on Freedom of Assembly, the Special Rapporteur on Torture, the Special Rapporteur on Human Rights while Countering Terrorism, and the Special Rapporteur on the Independence of Judges and Lawyers; calls on the Egyptian authorities to ensure the compliance of domestic law with international human rights standards and to immediately withdraw Law No 136/2014 and put an end to military trials for civilians, as well as cancel all verdicts issued against civilians by military courts and order immediate retrials before civilian courts; calls on the EU and its Member States to support a strong statement on those issues;

#### *Mali*

63. Welcomes the work of the UN Independent Expert on the situation of human rights in Mali, and calls on the UNHRC to extend his mandate; welcomes the progress made by the Government of Mali in re-establishing the judiciary in some parts of the country, and in the investigations into the 2012 torture and killing of 21 elite soldiers, together with the establishment of the Truth, Justice and Reconciliation Commission; remains concerned about the renewed deterioration of the security situation and the continued use and recruitment of child soldiers, and calls on the Government of Mali to investigate and hold accountable those from all warring factions who were responsible for war violations committed during the 2012-2013 armed conflict; welcomes the peace agreement for all the people of Mali, as they will be the first beneficiaries after months of instability and insecurity, but regrets the delay demanded by the northern rebels; calls on all parties to follow in the footsteps of the Malian Government and immediately sign the agreement, the implementation of which will be monitored by the EU, and to ensure that the future peace agreement calls for accountability, the strengthening of the truth-telling commission and the vetting of security force personnel;

#### *South Sudan*

64. Calls on the African Union to make public the report of its Commission of Inquiry on human rights violations and abuses committed by all parties in South Sudan, as a step toward promoting justice vis-à-vis the human rights violations committed since the start of the conflict; condemns the abduction of a group of young children in Wau Shilluk in February

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2015, with the purpose of making them child soldiers; urges the Human Rights Council to adopt a resolution emphasising that fair and credible investigations and prosecutions of crimes under international law are essential for South Sudan to break a cycle of brutality fuelled by impunity, calling, to this end, for consideration to be given to establishing a hybrid judicial mechanism and further urging South Sudan to accede to the Rome Statute, and to establish a mandate of Special Rapporteur for South Sudan, in order to help promote fair and credible prosecutions and broader accountability measures, with the support of the international community;

*Sri Lanka*

65. Notes the pledges made by the newly elected Government of Sri Lanka, and calls on it to take concrete steps towards accountability between now and the 30<sup>th</sup> session of the UNHRC in September 2015 with a view to acting on its promises to improve the human rights situation in the country and to prevent backsliding, including serious investigations and prosecutions, together with other steps to address the wider problem of impunity and human rights abuses, and to cooperate fully with the Office of the High Commissioner for Human Rights and its international investigation concerning Sri Lanka;

*Syria*

66. Expresses grave concern over the dramatic and violent conflict and the humanitarian crisis that has come as a result of the use of violence, first and foremost by the Assad regime, but also by the Islamic State/Da'esh and other militia against civilians, especially vulnerable groups such as women and children; expresses its concern at the fact that Da'esh is exporting its ideology abroad; is very concerned by the systematic violations of human rights and international humanitarian law in Syria, which may amount to war crimes and crimes against humanity; urges all parties to comply with applicable international humanitarian law in order to protect civilians, respect their human rights and meet their basic needs; urges all UN member states to speak out clearly against the violence and in particular in favour of the rights of minorities, including the systematic persecution of Christians; calls for the immediate and unconditional release of all persons who have been arbitrarily detained or abducted as a result of the exercise of their human rights or other peaceful political activities; requests strong support from the EU and its Member States for accountability and the renewal of the UN Commission of Inquiry;

*Iraq*

67. Expresses its grave concern over dramatic and violent conflict and the humanitarian crisis in Iraq; notes that the human rights situation is deteriorating as IS/Da'esh and other militia conduct abductions and mass executions, and persecution of Iraq's ethnic and religious minorities, including Christians;

*Palestine/Israel*

68. Condemns the rocket attacks on Israel from the Gaza Strip by Hamas and other armed groups, and expresses serious concerns about the humanitarian crisis in Gaza; calls on the EU and its Member States to publicly express support for the UN Commission of Inquiry (CoI) and to denounce the lack of cooperation and access granted by the Israeli authorities to the CoI, through a public statement at the HRC; stresses that justice and respect for the rule of law are the indispensable bases for peace, and stresses that prevailing long-standing and systemic impunity for international law violations must cease; welcomes the opening by the Prosecutor of the International Criminal Court (ICC) of a preliminary examination into the situation in Palestine; calls on the EU to fully cooperate with the ICC Office of the Prosecutor; calls on the EU to re-engage with Item 7 of HRC and to strongly condemn the prolonged violations of international law and the lack of implementation of the advisory opinion by the International Court of Justice, and to support the renewal of the mandate of the CoI;

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69. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative on Human Rights, the governments and parliaments of the Member States, the UN Security Council, the UN Secretary-General, the President of the 69th UN General Assembly, the President of the UN Human Rights Council and the UN High Commissioner for Human Rights.

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P8\_TA(2015)0080

## Situation in Venezuela

### European Parliament resolution of 12 March 2015 on the situation in Venezuela (2015/2582(RSP))

(2016/C 316/22)

*The European Parliament,*

- having regard to its previous resolutions on the situation in Venezuela, in particular those of 27 February 2014 on the situation in Venezuela <sup>(1)</sup> and of 18 December 2014 on the persecution of the democratic opposition in Venezuela <sup>(2)</sup>,
  - having regard to its resolution of 20 April 2012 on the legal security of European investments outside the European Union <sup>(3)</sup>,
  - having regard to the press statements of 23 February 2015 by the spokesperson for Vice-President of the Commission/ High Representative of the Union for Foreign Affairs and Security Policy Federica Mogherini on the arrest of Caracas Mayor Antonio Ledezma and the situation in Venezuela,
  - having regard to the statement of 26 February 2015 by the spokesperson for the UN Secretary-General on the situation in Venezuela,
  - having regard to the statement of 25 February 2015 by the Secretary-General of the Union of South American Nations (UNASUR) and former president of Colombia, Ernesto Samper, on the situation in Venezuela and the death of 14-year-old schoolboy Kluivert Roa,
  - having regard to the statement of 24 February 2015 by the Inter-American Commission on Human Rights (IACHR),
  - having regard to the opinion of 26 August 2014 of the Working Group on Arbitrary Detention of the Commission on Human Rights of the UN General Assembly,
  - having regard to the statement of 20 October 2014 by the UN High Commissioner for Human Rights on the detention of protesters and politicians in Venezuela,
  - having regard to the International Covenant on Civil and Political Rights, to which Venezuela is a party,
  - having regard to the Amnesty International Report 2014/2015 entitled 'The State of the World's Human Rights', released on 25 February 2015, and to the Human Rights Watch report on Venezuela entitled 'New Military Authority to Curb Protests', released on 12 February 2015,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas on 19 February 2015 Antonio Ledezma, twice democratically elected Mayor of the Metropolitan District of Caracas and one of the opposition leaders, was arbitrarily detained by heavily armed officers of the Bolivarian Intelligence Service (Sebin), who failed to produce an arrest warrant or any evidence of his having committed an offence; whereas following his detention Antonio Ledezma was charged with conspiracy and association to commit crimes — offences punishable by severe prison sentences in Venezuela — and imprisoned at the Ramo Verde military prison;
- B. whereas holding civilians in custody in a military prison is incompatible with international standards; whereas Venezuela has the obligation to guarantee the life, humane treatment and safety of all persons deprived of liberty, and to guarantee conditions of detention that are in line with applicable international standards;

<sup>(1)</sup> Texts adopted, P7\_TA(2014)0176.

<sup>(2)</sup> Texts adopted, P8\_TA(2014)0106.

<sup>(3)</sup> OJ C 258 E, 7.9.2013, p. 84.

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- C. whereas President Nicolas Maduro announced on national radio and television the dismantling of an alleged plan to destabilise his government by means of a coup d'état, which would have involved the leadership of the Democratic Unity Roundtable, members of the national assembly María Corina Machado and Julio Borges, and Mayor of Caracas Antonio Ledezma; whereas allegedly, these opposition leaders have also been linked to a plan to assassinate opposition leader Leopoldo López, who has been detained in a military prison for more than a year; whereas since his detention Mr López has suffered physical and psychological torture and has been subjected to solitary confinement;
- D. whereas President Maduro has also announced bizarre alleged foreign conspiracies, destabilisation plans and assassination attempts, which have been reported by the national administration on several occasions;
- E. whereas, in the past, leaders of the democratic opposition have been accused repeatedly and groundlessly of participating in alleged plans for destabilisation and coups d'état; whereas the intimidation and mistreatment of imprisoned opposition leaders and students who participated in the 2014 protests have increased; whereas Leopoldo López, Daniel Ceballos and other opposition politicians remain arbitrarily detained, whereas María Corina Machado was unlawfully and arbitrarily removed from office and expelled from the Venezuelan parliament, and whereas the Venezuelan Government is threatening to lift the immunity of parliamentarian Julio Borges;
- F. whereas the presumption of innocence can be considered to have been violated when a person facing criminal charges is subject to pre-trial detention without proper justification, as in that case the detention becomes a punitive rather than a precautionary measure;
- G. whereas, according to local and international organisations, one year after the peaceful demonstrations more than 1 700 protesters await trial, more than 69 remain jailed, and at least 40 people have been killed in the protests, their murderers remaining unaccountable; whereas the protesters have been met with excessive force and systematic violence on the part of the police, members of the National Guard and violent and uncontrolled armed pro-government groups;
- H. whereas a democratic state must not criminalise the leaders of the political opposition and must guarantee the participation of all sectors in the political life of the country, together with the human rights of those who declare themselves part of the opposition, as stated by Human Rights Watch on 24 February 2015;
- I. whereas members of the Supreme Court have openly rejected the principle of separation of powers, publicly pledged their commitment to advancing the government's political agenda, and repeatedly ruled in favour of the government, validating its disregard for human rights; whereas in December 2014 the pro-government majority in the National Assembly appointed 12 new members to the Supreme Court through a simple majority vote after failing to obtain a two-thirds majority, for which a consensus with the opposition would have been necessary;
- J. whereas new Defence Ministry resolution 8610 allows the military to use firearms to control 'public meetings and peaceful demonstrations'; whereas according to Article 68 of the Venezuelan Constitution the use of firearms and toxic substances to control peaceful demonstrations is prohibited; whereas under international standards the use of military forces in public security operations should be limited;
- K. whereas on 24 February 2015 the 14-year-old student Kluivert Roa was shot dead during a demonstration about the scarcity of food and medicine in San Cristóbal, in Táchira State, becoming the first victim since the authorisation of the use of firearms to quell protests; whereas on 25 February 2015 the Attorney-General's Office stated that a police officer had been charged with intentional homicide, among other crimes;
- L. whereas freedom of expression and the right to take part in peaceful demonstrations are the cornerstones of democracy; whereas equality and justice for all are impossible without respect for the fundamental freedoms and rights of every citizen; whereas there are many reports confirming that the media are being subjected to increasing censorship and intimidation;

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- M. whereas Venezuela is the country with the largest energy reserves in Latin America; whereas the people of Venezuela are suffering from a grave shortage of basic commodities, whereas food prices have doubled and whereas food rationing has intensified; whereas the state's failure to maintain law and order and the growing political polarisation have led to Venezuela becoming one of the most violent countries in the world;
- N. whereas only respect for fundamental rights and freedoms, and constructive and respectful dialogue conducted in a spirit of tolerance can help the country emerge from this serious crisis and overcome future difficulties;
- O. whereas the 'Mesa de Dialogo' (dialogue table) between the government and the opposition was initiated, and unfortunately interrupted without success;
- P. whereas Article 207 of the Treaty on the Functioning of the European Union (TFEU) establishes that European investments in third countries are a fundamental element of the EU's common trade policy and consequently an intrinsic part of its external action policy, and whereas under the Treaty of Lisbon foreign direct investment (FDI) is an exclusive EU competence, as enshrined in Articles 3(1)(e), 206 and 207 TFEU;
- Q. whereas the Venezuelan Government has a particular responsibility to comply with the rule of law and with international law, given that it was elected as a non-permanent member of the UN Security Council on 16 October 2014;
1. Recalls its deep concern about the deteriorating situation in Venezuela and condemns the use of violence against protesters; calls on the Venezuelan authorities to immediately release Antonio Ledezma, Leopoldo López, Daniel Ceballos and all peaceful protesters, students and opposition leaders arbitrarily detained for exercising their right to freedom of expression and their fundamental rights, in line with the demands made by several UN bodies and international organisations; calls on the Venezuelan authorities to withdraw the unfounded accusations against them;
  2. Calls on the Venezuelan authorities to ensure that Antonio Ledezma, Leopoldo López, Daniel Ceballos and all other political prisoners are given any medical attention they may require, as well as immediate, private and regular access to their families and to lawyers of their choice; is deeply concerned about the deterioration in the condition of prisoners;
  3. Calls on the Venezuelan Government to cease the political persecution and repression of the democratic opposition and the violations of freedom of expression and of demonstration, and urges an end to media censorship; reminds the authorities that opposition voices are imperative for a democratic society;
  4. Condemns the shooting of Kluivert Roa and six other students, and expresses its condolences to their families; calls on the government to revoke the recently published resolution 8610, which allows security forces to use potentially lethal force, with a firearm or another potentially lethal weapon, to subdue civilian protests, overriding Article 68 of the Venezuelan Constitution;
  5. Calls on the Venezuelan Government to comply with its own constitution and international obligations in respect of the independence of the judiciary, the right to freedom of expression, association and peaceful assembly, and political pluralism, which are cornerstones of democracy; calls on the Venezuelan Government to create an environment in which human rights defenders and independent non-governmental organisations can carry out their legitimate work in promoting human rights and democracy; stresses that, as a non-permanent member of the UN Security Council, the Venezuelan Government has a particular responsibility to comply with the rule of law and with international law;
  6. Calls on the Venezuelan Government to ensure that accusations are investigated swiftly and impartially, with no margin of impunity and with full respect for the principle of presumption of innocence and for due legal process; recalls that respect for the principle of separation of powers is fundamental in a democracy and that the justice system cannot be used as a political weapon; calls on the Venezuelan authorities to ensure the security of all citizens in the country, regardless of their political views and affiliations;



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7. Expresses its concern at the possibility of new protests leading to more acts of violence, which would only deepen the gulf between the positions of the government and the opposition and polarise to an even greater degree the sensitive political developments that are taking place in Venezuela; calls on the representatives of all parties and all sections of Venezuelan society to remain calm in both actions and words; warns against any move that may lead to an atmosphere of tension and regression, which could lead to the democratic opposition being delegitimised and made illegal and/or the elections being cancelled;
  8. Is concerned at the fact that, in an election year, the political opposition has been a victim of arbitrary detention and attacks, which may call into question both the legitimacy and the outcome of the electoral process;
  9. Calls on the Venezuelan authorities, in view of the upcoming parliamentary elections, to use this period to establish an inclusive political process based on consensus and joint ownership, through a genuine national dialogue with the meaningful participation of all democratic political forces in the framework of democracy, the rule of law and the full observance of human rights; calls on both sides, moreover, to discuss the most serious problems facing the country in order to undertake the necessary economic and governance reforms; calls on the Venezuelan authorities to secure the holding of free and fair parliamentary elections in a fully inclusive process with the participation of all democratic actors; calls on all political actors to keep political struggle within the bounds of constitutional order, resisting any pressure to exacerbate their actions;
  10. Encourages the regional partners of Venezuela, such as UNASUR and the Organisation of American States, to open channels of dialogue and understanding between the conflicting parties, and to guarantee public safety and protection, together with a return to calm and normality in Venezuela;
  11. Urges the EU, its Member States and the international community to make statements and take measures to show solidarity with the Venezuelan people during this difficult period;
  12. Urges the Commission and the Council to explore and adopt any measures required to safeguard European interests and the principle of legal certainty for European enterprises in Venezuela;
  13. Asks the European External Action Service (EEAS), the EU Delegation to Venezuela and the Member States' embassies to continue to closely observe the investigations and the trial hearings of opposition leaders; recalls its demand for an ad hoc European Parliament delegation to be sent to assess the situation in Venezuela and to hold a dialogue with all sectors involved in the conflict as soon as possible;
  14. Recalls its forthcoming request to the VP/HR to call for the immediate release of the protesters who have been arbitrarily arrested since the start of the protests;
  15. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Government and National Assembly of the Bolivarian Republic of Venezuela, the Euro-Latin American Parliamentary Assembly and the Secretary-General of the Organisation of American States.
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## II

(Information)

### INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

## EUROPEAN PARLIAMENT

P8\_TA(2015)0059

### **Request for waiver of the immunity of Theodoros Zagorakis**

**European Parliament decision of 11 March 2015 on the request for waiver of the immunity of Theodoros Zagorakis (2015/2048(IMM))**

(2016/C 316/23)

*The European Parliament,*

- having regard to the request for waiver of the immunity of Theodoros Zagorakis, which was forwarded by the Deputy Public Prosecutor at the Supreme Court of Greece on 19 December 2014 in connection with proceeding No E2010/3844 pending before the single-magistrate criminal court of Thessaloniki and announced in plenary on 28 January 2015,
  - whereas Theodoros Zagorakis waived his right to a hearing, in accordance with Rule 9(5) of its Rules of Procedure,
  - having regard to Articles 8 and 9 of Protocol No 7 on the Privileges and Immunities of the European Union, and to 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 62 of the Constitution of the Hellenic Republic,
  - having regard to Rule 5(2), Rule 6(1) and Rule 9 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs (A8-0044/2015),
- A. whereas the Deputy Public Prosecutor at the Supreme Court of Greece has requested the waiver of immunity of Theodoros Zagorakis, Member of the European Parliament, in connection with possible legal action concerning an alleged offence;

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<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.

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- B. whereas Article 9 of Protocol No 7 on the Privileges and Immunities of the European Union states that Members of the European Parliament shall enjoy, in the territory of their own state, the immunities accorded to members of the Parliament of that state;
- C. whereas Article 62 of the Constitution of the Hellenic Republic provides that, during the parliamentary term, Members of Parliament may not be prosecuted, arrested, imprisoned or otherwise confined without Parliament's prior consent;
- D. whereas Theodoros Zagorakis is accused of causing bodily harm by negligence and failing to comply with workplace safety regulations;
- E. whereas the prosecution concerns a workplace accident suffered on 13 May 2010 by an employee of the PAOK football club at the club's stadium in Thessaloniki, and whereas the accused is Theodoros Zagorakis in his capacity as chair and legal representative of the club;
- F. whereas the alleged offence clearly has nothing to do with the office of Member of the European Parliament held by Theodoros Zagorakis, but is instead linked to his position as chair of the PAOK football club;
- G. whereas the prosecution does not concern opinions expressed or votes cast in the performance of the duties of Member of the European Parliament within the meaning of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union;
- H. whereas there is no reason to suspect that the intention underlying the criminal proceedings is to damage a Member's political activity (*fumus persecutionis*), given that the prosecution was initiated a number of years before the Member took office;
1. Decides to waive the immunity of Theodoros Zagorakis;
  2. Instructs its President to forward this decision, and the report of the committee responsible, immediately to the Public Prosecutor's Office at the Supreme Court of Greece.
-

Wednesday 11 March 2015

P8\_TA(2015)0060

## Request for waiver of the immunity of Sergei Stanishev

European Parliament decision of 11 March 2015 on the request for waiver of the immunity of Sergei Stanishev (2014/2259(IMM))

(2016/C 316/24)

The European Parliament,

- having regard to the request for waiver of the immunity of Sergei Stanishev, forwarded by the Chief Public Prosecutor of the Republic of Bulgaria on 24 November 2014 in connection with legal proceedings pending before the Sofia City Court (ref. CCAN No C-280/2013), and announced in plenary on 15 December 2014,
  - having heard Mr Stanishev in accordance with Rule 9(5) of its Rules of Procedure,
  - having regard to Articles 8 and 9 of Protocol No 7 to the Treaty on the Functioning of the European Union on the Privileges and Immunities of the European Union, and to 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 70 of the Constitution of the Republic of Bulgaria,
  - 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 (A8-0045/2015),
- A. whereas the Chief Public Prosecutor of the Republic of Bulgaria has forwarded a request from the Public Prosecutor's Office of the City of Sofia for authorisation to continue criminal proceedings against Sergei Stanishev with regard to an offence under Article 358(1), in conjunction with Article 26(1), of the Bulgarian Criminal Code;
- B. whereas, according to Article 8 of the Protocol on the Privileges and Immunities of the European Union, Members of the European Parliament may not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties;
- C. whereas, according to Article 9 of the Protocol on the Privileges and Immunities of the European Union, Members of the European Parliament must enjoy, in the territory of their own State, the immunities accorded to members of their parliament;
- D. whereas, under Article 70(1) of the Constitution of the Republic of Bulgaria, a Member of the National Assembly is immune from detention or criminal prosecution except for the perpetration of a criminal offence, and whereas in such cases the permission of the National Assembly or, should the latter be in recess, of the Speaker of the National Assembly, is required, save in the case of detention *in flagrante delicto*; whereas, under Article 70(2) of the Constitution of the Republic of Bulgaria, permission to initiate a criminal prosecution is not required where the Member of the National Assembly has given his or her consent thereto in writing;
- E. whereas it is for Parliament alone to decide whether immunity is or is not to be waived in a given case; whereas Parliament may reasonably take account of the Member's position in reaching its decision on whether or not to waive his or her immunity <sup>(2)</sup>;

<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.

<sup>(2)</sup> Case T-345/05 *Mote v Parliament* (cited above), paragraph 28.

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- F. whereas the alleged offence does not have a direct or obvious connection with Mr Stanishev's performance of his duties as a Member of the European Parliament, and nor does it constitute an opinion expressed or a vote cast in the performance of his duties as a Member of the European Parliament for the purposes of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union;
- G. whereas pre-trial investigations against Sergei Stanishev had already started long before he became a Member of the European Parliament, and whereas the proceedings in question are, therefore, not connected in any way with his position as a Member of the European Parliament;
- H. whereas, in his time firstly as Prime Minister and subsequently as a member of the National Assembly, Sergei Stanishev submitted two written statements to the Speaker of the National Assembly in which he consented to criminal proceedings being opened against him in accordance with Article 70(2) of the Constitution of the Republic of Bulgaria;
- I. whereas in this case Parliament has found no evidence of *fumus persecutionis*, that is to say, a sufficiently serious and precise suspicion that the case has been brought with the intention of causing political damage to the Member concerned;
1. Decides to waive the immunity of Sergei Stanishev;
  2. Instructs its President to forward this decision and the report of its competent committee immediately to the competent authority of the Republic of Bulgaria and to Sergei Stanishev.
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## III

*(Preparatory acts)*

## EUROPEAN PARLIAMENT

P8\_TA(2015)0041

**Mobilisation of the European Globalisation Adjustment Fund — application EGF/2013/009 PL/Zachem — Poland**

**European Parliament resolution of 10 March 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/2013/009 PL/Zachem, from Poland) (COM(2015)0013 — C8-0010/2015 — 2015/2016(BUD))**

(2016/C 316/25)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2015)0013 — C8-0010/2015),
  - having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 on establishing the European Globalisation Adjustment Fund <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 (A8-0036/2015),
- 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 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 406, 30.12.2006, p. 1.

<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 this application is among the last two to be treated under the 2006 EGF Regulation and the adoption of Regulation (EU) No 1309/2013<sup>(1)</sup> 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 Poland submitted application EGF/2013/009 PL/Zachem for a financial contribution from the EGF following 615 redundancies in Zakłady Chemiczne Zachem and 2 suppliers, linked to the discontinuation of production and corporate reorganisation of Zachem, operating in the NACE 2 Division 20 'Manufacture of chemicals and chemical products', located in the NUTS 2 Kujawsko-Pomorskie Province; whereas 404 persons out of the 615 redundant workers have registered as unemployed in the district employment office in Bydgoszcz; whereas the redundancies took place during the reference period from 31 March 2013 to 31 July 2013 and are linked to a decline in the Union's market share of the chemical industry;
- E. whereas the financial contribution requested from the EGF amounts to EUR 115 205 (50 % of the total budget);
- F. whereas the application fulfils the eligibility criteria laid down in the EGF Regulation;
1. Notes that the conditions set out in Article 2(a) of the EGF Regulation are met, therefore agrees with the Commission that Poland is entitled to a financial contribution under that Regulation;
  2. Notes that the Polish authorities submitted the application for EGF financial contribution on 9 October 2013 under the EGF Regulation, which does not cap the time for instruction, and that its assessment was made available by the Commission on 21 January 2015;
  3. Expresses concerns about the length of the procedure from the date of the first redundancies until the assessment of the application; recalls that the goal of the EGF is to offer help to redundant workers as quickly as possible;
  4. Welcomes the fact that, in order to provide workers with speedy assistance, the Polish authorities decided to initiate the implementation of the personalised services to the affected workers on 4 March 2013, well ahead of the decision and even the application on granting the EGF support for the proposed coordinated package;
  5. Notes that the Union's share in the world market of chemicals drastically declined from 1992 to 2012, starting from 35,2 % in 1992 and reducing to 17,8 % in 2012<sup>(2)</sup>; observes that the trend in recent years has evidenced the migration of chemical manufacturing towards Asia, and China in particular, where the manufacture of chemicals increased from an 8,7 % share in 2002 to a 30,5 % share in 2012, due to rising sales in the emerging markets and lower labour costs, access to markets, subsidies, taxes and regulation; consequently considers that the redundancies in Zachem and its 2 suppliers are linked to major structural changes in world trade patterns due to globalisation;
  6. Underlines that Zachem was the biggest employer in the region and that in the given reference period, the workers dismissed directly or indirectly from Zachem amounted to 60 % of all newly registered unemployed persons in the district employment office in Bydgoszcz;
  7. Notes that the redundancies at Zachem and its suppliers are expected to have a negative impact on the Kujawsko-Pomorskie Province, which had the highest unemployment rate in the country, amounting to 17,4 % in July 2013, despite the economic expansion the region has benefited from;
  8. Notes that the measures supported by the EGF are targeted at the 50 workers in the most disadvantaged situation and includes the following 2 measures: hiring incentives and intervention works;
  9. Notes that the largest proportion of the costs for personalised services will be spent on hiring incentives targeted at 45 workers, which aim to provide an incentive to employers who decided to hire these workers for at least 24 months;

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

<sup>(2)</sup> The European chemical industry. Facts & Figures 2013, CEFIC (<http://www.cefic.org/Facts-and-Figures>)

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10. Notes that a smaller-scale support is provided to 5 redundant workers over 50 years of age to cover their social security contributions; notes that this age group is at a higher risk of prolonged unemployment and exclusion from the labour market;
11. Welcomes the complementarity of the EGF measures with the actions funded by Structural Funds; notes in particular that the coordinated package of personalised services is aimed at complementing the numerous ongoing measures available for the redundant workers in the framework of the Human Capital Operational Programme co-financed by the European Social Fund and the other measures undertaken by the employment offices in the region; points out the importance of ensuring that double financing in cases of such complementary actions is prevented;
12. Notes that the personalised services are scheduled to be implemented until 30 September 2015 and that, according to the provisional data, 36 persons have found new employment due to participation in the services provided in the package so far; notes that the implementation of the planned budget amounted to 59 % at the end of the year 2014;
13. Welcomes the fact that the Social Dialogue committee in the province discussed the possibilities of assistance to workers made redundant by Zachem and its suppliers and that the proposed package of personalised measures was discussed at a meeting of the Employment Council in Bydgoszcz, including trade unions, business and local and regional government representatives;
14. 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;
15. Welcomes the fact that the principle of equality between women and men as well as of non-discrimination has been, and will continue to be, applied during the various stages of implementation of and access to the EGF measures;
16. Stresses that EGF assistance can co-finance only active labour market measures which lead to durable, long-term employment; reiterates that assistance from the EGF must not replace actions which are the responsibility of companies by virtue of national law or collective agreements nor measures restructuring companies or sectors;
17. Approves the decision annexed to this resolution;
18. 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*;
19. Instructs its President to forward this resolution, including its annex, to the Council and the Commission.

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ANNEX

**DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on the mobilisation of the European Globalisation Adjustment Fund, in accordance with Point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2013/009 PL/Zachem, from Poland)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/469.)*

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Tuesday 10 March 2015

P8\_TA(2015)0042

**Mobilisation of the European Globalisation Adjustment Fund — application EGF/2014/014 DE/Aleo Solar — Germany**

**European Parliament resolution of 10 March 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/2014/014 DE/Aleo Solar, from Germany) (COM(2014)0726 — C8-0012/2015 — 2015/2018 (BUD))**

(2016/C 316/26)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0726 — C8-0012/2015),
  - 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 (A8-0030/2015),
- 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 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 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/2014/014 DE/Aleo Solar for a financial contribution from the EGF, following 657 redundancies, 390 from Aleo Solar AG, a company operating in the NACE 2 Division 26 'Manufacturing of computer, electronic and optical products', and 267 from its two subsidiaries, with 476 persons expected to participate in the measures, during and after the reference period from 7 March 2014 to 7 July 2014, linked to a decline in the Union's market share in solar module companies;
- E. whereas the application fulfils the eligibility criteria laid down in the EGF Regulation;
1. Notes that the conditions set out in Article 4(1)(a) of the EGF Regulation are met, therefore agrees with the Commission that Germany is entitled to a financial contribution under that Regulation;
  2. Notes that the German authorities submitted the application for EGF financial contribution on 29 July 2014, supplemented it by additional information up to 23 September 2014 and that its assessment was made available by the Commission on 16 December 2014;
  3. 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 11 April 2014, well ahead of the decision and even the application on granting the EGF support for the proposed coordinated package;
  4. Considers that the redundancies in Aleo Solar AG are linked to major structural changes in world trade patterns due to globalisation, with the revenue share of China increasing from 11 % to 45 %, while that of Germany fell from 64 % to 21 % between 2005 and 2011; notes that due to huge Chinese overcapacities in solar modules, which neither its own consumers nor the world market can absorb, EU prices dropped by 40 % in 2011 compared to 2010 and thus below the production costs of Aleo Solar AG; notes that in 2013, the EU approved additional duties on solar modules originating in China, and a minimum price which is still, however, below the production costs of German producers;
  5. Notes that in 2010 Aleo Solar AG had a turnover of EUR 550 million and a profit of EUR 43 million and that this declined rapidly from 2011 and by 2013 had reached losses of EUR 92 million; stresses that various efforts to restructure and improve efficiency have been made, but that, unfortunately, it has not managed to return to profitability;
  6. Notes that this is the second EGF application with regard to the solar module manufacturing with several more to come;
  7. Notes that the redundancies at Aleo Solar AG are expected to have a negative impact on the Prenzlau/Brandenburg region, where per capita income is well below the national average and the unemployment rate the highest in Germany with 15,5 % and 16,4 % respectively; highlights that the inclusion of the redundancies from Aleo Solar AG would increase this rate by 0,9 %; regrets that there is no immediate prospect of the redundant workers finding any equivalent new jobs, due to a relatively low population density and lack of potential employers: the area has mostly small and medium-sized enterprises, and only 10 enterprises (0,3 %) have more than 249 workers (Aleo Solar AG was one of these major employers);
  8. Notes that the coordinated package of personalised services to be co-funded includes the following measures for the reintegration of 476 redundant workers into employment: vocational training, careers advice and guidance, peer groups/workshops, entrepreneurship advice, inter-regional advice for mobility, job search by a professional job searcher, follow-up mentoring for workers who have found a new job but might need advice to secure this job or because it involves resettling, a training allowance of 60 % of the worker's previous net income in line with Article 7(1)(b) of the EGF Regulation;
  9. Notes that the authorities plan to utilise the maximum allowed 35 % of all costs on allowances and incentives in the form of training allowances (Transferkurzarbeitergeld) constituting 60 % or 67 % of a worker's previous net income — depending on the household situation of the beneficiary — which is in line with the practice where workers become unemployed in Germany; notes that the training allowance is not a substitute for passive social protection measures and is tied to strict conditions to undertake the training and other activities that have been organised;

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10. Welcomes the fact that the co-ordinated package of personalised services has been drawn up in consultation with the representatives of the targeted beneficiaries, taking into consideration the potential of the area and the business environment;
11. 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;
12. Notes that 164 of the Aleo Solar AG workers made redundant in Prenzlau were rehired by an Asian consortium, which bought the plant from the liquidator; notes that the reasoning of the German authorities for enabling these workers to benefit from the measures to be funded by the EGF is that the security of their new employment was not certain at that time;
13. Notes that the 104 workers made redundant in the administrative centre in Oldenburg are not included in the measures to be funded by the EGF; notes that the employment situation in this region is much more promising;
14. Regrets that the risk of long-term unemployment for the redundant workers is high and stresses therefore the importance of measures encouraging workers to look beyond the immediate area and take up job offers which can be found in other regions;
15. Considers that workers in the 55-64 and 15-29 age groups are at a higher risk of prolonged unemployment and exclusion from the labour market; considers therefore that these workers have specific needs when it comes to providing them with personalised approach;
16. 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;
17. Stresses that EGF assistance can co-finance only active labour market measures which lead to durable, long-term employment; reiterates that assistance from the EGF must not replace actions which are the responsibility of companies by virtue of national law or collective agreements nor measures restructuring companies or sectors;
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 EGF/2014/014 DE/Aleo Solar, from Germany)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/473.)*

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Tuesday 10 March 2015

P8\_TA(2015)0043

### **Mobilisation of the European Globalisation Adjustment Fund — application EGF/2013/007 BE/Hainaut steel (Dufenco-NLMK) — Belgium**

**European Parliament resolution of 10 March 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/2013/007 BE/Hainaut steel (Dufenco-NLMK), from Belgium) (COM(2014)0725 — C8-0013/2015 — 2015/2019(BUD))**

(2016/C 316/27)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0725 — C8-0013/2015),
  - having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 on establishing the European Globalisation Adjustment Fund <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 (A8-0031/2015),
- 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 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 Regulation (EU) No 1309/2013 <sup>(4)</sup> reflects the agreement reached between the Parliament and the Council to reintroduce the crisis mobilisation criterion, to increase Union financial contribution to 60 % of the total estimated cost of proposed measures, to increase efficiency for the treatment of EGF applications in the Commission and by the Parliament and the Council by shortening 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 406, 30.12.2006, p. 1.

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

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

<sup>(4)</sup> 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 (OJ L 347, 20.12.2013, p. 855).

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- D. whereas Belgium submitted application EGF/2013/007 BE/Hainaut steel for a financial contribution from the EGF following 708 redundancies in two companies, linked to the closure of Duferco and to staff reductions at NLMK, operating in the NACE 2 Division 24 'Manufacturing of basic metals', and both located in La Louvière in the Hainaut region; whereas the redundancies took place during the reference period from 22 January 2013 to 22 October 2013 and are linked to a decline of the Union's market share in the sector of steel production;
- E. whereas the financial contribution requested from the EGF amounts to EUR 981 956 (50 % of the total budget);
- F. whereas the application fulfils the eligibility criteria laid down in the EGF Regulation;
1. Notes that the conditions set out in Article 2(b) of the EGF Regulation are met, therefore agrees with the Commission that Belgium is entitled to a financial contribution under that Regulation;
  2. Notes that the Belgian authorities submitted the application for EGF financial contribution on 27 September 2013 under EGF Regulation, which does not cap the time for instruction and that its assessment was made available by the Commission on 9 December 2014;
  3. Expresses concerns about the length of the procedure from the date of the first redundancies until the assessment of the application; recalls that the goal of EGF is to offer help to redundant workers as quickly as possible; emphasises that the EGF application was submitted on 27 September 2013 thus by the time it reached voting in the Budget Committee almost one year and a half had passed;
  4. 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 June 2013, well ahead of the decision and even the application on granting the EGF support for the proposed coordinated package;
  5. Considers that the redundancies in Duferco and NLMK are linked to major structural changes in world trade patterns due to globalisation, given that the steel production sector has undergone serious economic disruption, in particular a rapid decline in the EU's market share; furthermore, as a consequence of the economic crisis and a relative increase in production costs, world trade patterns were worsened by other factors such as a decline in demand for steel in the automotive and construction sector;
  6. Notes that, according to data referred to by the Belgian authorities <sup>(1)</sup>, between 2006 and 2011, the production of crude steel in the EU-27 decreased from 206,9 million tonnes to 177,7 million tonnes (- 14,1 %; - 3,0 % annual growth <sup>(2)</sup>), whereas, at worldwide level, production increased from 1 249 million tonnes to 1 518,3 million tonnes (+ 21,6 %; + 4,0 % annual growth); understands that this has led to a decrease in the EU-27's market share in the production of crude steel, measured in volume terms, from 16,6 % in 2006 to 11,7 % in 2011 (- 29,4 %; - 6,7 % annual growth) and points, by comparison, to the increase in the Chinese market share from 33,7 % to 45,0 % during the same period;
  7. Notes that this is the fifth EGF application in the steel sector, out of which three were based on globalisation and one on the global financial and economic crisis; stresses the need for an efficient and coordinated approach at Union level in order to fight unemployment in the steel sector;
  8. Notes that the redundancies at Duferco and NLMK are expected to have a negative impact on the Hainaut region, a former coal-mining and steelmaking area in which employment is strongly dependant on traditional heavy industry and on the public sector, where in 2012 the unemployment rate was 17,7 %, compared to 15,8 % on average in Wallonia and 11,2 % at national level <sup>(3)</sup> and peaked at 39 % for the persons aged from 18 to 25; highlights that the low level of qualification of jobseekers (51 % do not have higher secondary education, compared to 47 % in Wallonia) is an additional difficulty for the job search;

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<sup>(1)</sup> Source: World Steel Association, *Steel Statistical Yearbook 2012*.

<sup>(2)</sup> Compound annual growth rate.

<sup>(3)</sup> Source: Steunpunt WSE.

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9. Notes that, in the context of the economic situation and the number of redundancies in the metallurgic industry in the region, in order to find a new job in that region, the workers from Duferco and NLMK will have to retrain to find jobs in other occupations and other sectors;
  10. Notes that the coordinated package of personalised services to be co-funded includes following measures for the reintegration of 701 redundant workers into employment (grouped by category): (1) individual job-search assistance, case management and general information services, (2) training and retraining and (3) promotion of entrepreneurship;
  11. Welcomes the fact that the various social partners and organisations were involved in general coordination and implementation of the measures including: trade unions (FGTB, CSC), FOREM (the public employment and training service of the Walloon Region), the sectoral vocational and technological training centres active in the Walloon region, the European Social Fund Agency of the French Community of Belgium and the Walloon Government; appreciates furthermore that trade unions are directly involved in the management of the two Redeployment Units specifically set up for each separate company;
  12. Welcomes the active labour market measures proposed to improve employability of redundant workers; recalls that allowances are not listed among the personalised services to be supported by EGF;
  13. 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, and the potential of the area.
  14. Notes that the proposed measures also target a group of managers of the companies concerned;
  15. Welcomes the fact that the principle of equality between women and men as well as of non-discrimination has been, and will continue to be, applied during the various stages of implementation of and access to the EGF measures;
  16. Stresses that EGF assistance can co-finance only active labour market measures which lead to durable, long-term employment; reiterates that assistance from the EGF must not replace actions which are the responsibility of companies by virtue of national law or collective agreements nor measures restructuring companies or sectors;
  17. Notes that measures which are mandatory under collective redundancy procedures in Belgium and which are carried out as part of the standard activities of the Redeployment Units (e.g. outplacement support, training, job-search assistance and careers advice, etc.) are not included in this EGF application; notes that more than half of the total estimated costs are to be spent on redeployment services, namely support, guidance and integration measures;
  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 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/2013/007 BE/Hainaut steel (Duferco-NLMK), from Belgium)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/468.)*

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Tuesday 10 March 2015

P8\_TA(2015)0044

## **Mobilisation of the European Globalisation Adjustment Fund — application EGF/2014/012 BE/ArcelorMittal — Belgium**

**European Parliament resolution of 10 March 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/2014/012 BE/ArcelorMittal, from Belgium) (COM(2014)0734 — C8-0014/2015 — 2015/2020 (BUD))**

(2016/C 316/28)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0734 — C8-0014/2015),
  - 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 (A8-0035/2015),
- 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 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 Belgium submitted application EGF/2014/012 BE/ArcelorMittal for a financial contribution from the EGF, following 1 285 redundancies in ArcelorMittal Liège S.A., a company operating in the NACE 2 Division 24 'Manufacture of basic metals', with 910 persons expected to participate in the measures, during and after the reference period from 1 January 2014 to 1 May 2014, linked to a serious economic disruption, in particular a rapid decline in the Union's market share;
- E. whereas the application fulfils the eligibility criteria laid down in the EGF Regulation;
1. Notes that the conditions set out in Article 4(1)(a) of the EGF Regulation are met, therefore agrees with the Commission that Belgium is entitled to a financial contribution under that Regulation;
  2. Notes that the Belgian authorities submitted the application for EGF financial contribution on 22 July 2014, within 12 weeks of the date on which the intervention criteria set out were met, supplemented it by additional information up to 16 September 2014 and that its assessment was made available by the Commission on 9 December 2014;
  3. 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 2014, well ahead of the decision and even the application on granting the EGF support for the proposed coordinated package;
  4. Considers that the redundancies in ArcelorMittal Liège S.A. are linked to major structural changes in world trade patterns due to globalisation, as between 2007 and 2013 the production of crude steel in the EU-27 decreased from 210,1 million tonnes to 166,2 million tonnes <sup>(1)</sup> (- 20,9 %; - 3,8 % annual growth rate <sup>(2)</sup>), whereas, at worldwide level, production increased from 1 348,1 million tonnes to 1 649,3 million tonnes (+ 22,3 %; + 3,4 % annual growth rate). Notes that the decrease in the Union's share of steel production from 16 % of global steel production in 2007 to 10 % in 2013 has been more significant than in the United States and Russia, while there is a very sharp increase in the share for Asia, going from 56 % to 67 % during the same period and, as a result, the metalworking sector in Liege has decreased in recent years, from 6 193 jobs in 40 enterprises in 2007 to 4 187 jobs in 35 enterprises in 2012, a reduction of 32 % in employment in the sector;
  5. Highlights that the effects of these changes in trade patterns have been worsened by other factors, such as a decrease in demand for steel in the automotive and construction sectors in the Union as a consequence of the economic crisis and a relative increase in production costs (raw materials, energy, environmental constraints, etc.). These factors have harmed the competitiveness of the Union's steel industry and have led to a high number of job losses in the steel sector in recent years due to plant closures and restructuring by several steel manufacturers in Europe;
  6. Stresses the need for an efficient and coordinated approach at Union level in order to reverse the decrease in competitiveness of the Union's steel sector; emphasises the need for proper and targeted investments with the aim of ensuring innovation as the main driver for global competitiveness of the Union's steel sector and a guarantee of keeping the jobs in Europe;
  7. Notes the progress report on the implementation of the Commission Communication Action Plan for a competitive and sustainable steel industry in Europe of 11 June 2013 which concludes that half of the actions foreseen in the Communication have been implemented; stresses the need to ensure a proper implementation of the actions concerned in order to achieve tangible results which will lead to the relaunch of the Union's steel sector;
  8. Notes that this is the fourth EGF application of the steel sector, with three of those applications linked to major structural changes in world trade patterns due to globalisation <sup>(3)</sup> and one to the global financial and economic crisis <sup>(4)</sup>; urges the Commission to prevent further redundancies in this sector by developing and implementing preventive and simulative measures;

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<sup>(1)</sup> Source: World Steel Association, Steel Statistical Yearbook 2014.

<sup>(2)</sup> Compound annual growth rate.

<sup>(3)</sup> Cases EGF/2009/022 BG/Kremikovtsi (application rejected by the Commission), EGF/2012/010 RO/Mechel (COM(2014)0255 of 7.5.2014), EGF/2013/007 BE/Hainaut steel (Dufenco-NLMK) (COM(2014)0725 of 9.12.2014), EGF/2013/002 BE/Carsid (COM(2014)0553 of 5.9.2014).

<sup>(4)</sup> Case EGF/2010/007 AT/Steiermark-Niederösterreich. Decision 2011/652/EU of 27 September 2011 (OJ L 263, 7.10.2011, p. 9).

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9. Notes that the redundancies at ArcelorMittal Liège S.A. are expected to have huge negative impacts on the Liège region, a region highly dependent on the metalworking sector, where the impact of the downsizing of ArcelorMittal is all the more important as the share of ArcelorMittal in local employment is 78,9 % within the metal sector and 14,3 % within the manufacturing sector;
  10. Notes that the coordinated package of personalised services to be co-funded covers three main areas: redeployment, training and retraining, and the promotion of entrepreneurship; stresses the importance of ensuring that the retraining services are performed in accordance with the actual needs of the labour market in the region concerned;
  11. Advocates for the future use of provisions of the EGF Regulation to support young people not in employment, education or training (NEETs) in this region;
  12. Welcomes the fact that the coordinated package of personalised services has been drawn up in consultation with the targeted beneficiaries and the social partners;
  13. Notes that more than half of the total estimated costs are to be spent on redeployment services, namely support, guidance and integration measures; notes that these services will be provided by FOREM (the public employment and training service of the Walloon Region), which acts as an intermediary body in the implementation of this application;
  14. 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;
  15. 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;
  16. Stresses that EGF assistance can co-finance only active labour market measures which lead to durable, long-term employment; reiterates that assistance from the EGF must not replace actions which are the responsibility of companies by virtue of national law or collective agreements nor measures restructuring companies or sectors;
  17. Notes that measures which are mandatory under collective redundancy procedures in Belgium and which are carried out as part of the standard activities of the Redeployment Units (e.g. outplacement support, training, job-search assistance and careers advice, etc.) are not included in this EGF application;
  18. Welcomes that financial support from the European Social Fund was in the past awarded to a project (EnTrain — En Transition-Reconversion-Accompagnement) which aimed to develop pedagogical methods for Redeployment Units in general and that the findings of this project are likely to prove useful in the implementation of the planned measures;
  19. Approves the decision annexed to this resolution;
  20. 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*;
  21. Instructs its President to forward this resolution, including its annex, to the Council and the Commission.
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Tuesday 10 March 2015

ANNEX

**DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on the mobilisation of the European Globalisation Adjustment Fund (application EGF/2014/012 BE/ArcelorMittal, from Belgium)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/472.)*

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Tuesday 10 March 2015

P8\_TA(2015)0045

## **Mobilisation of the European Globalisation Adjustment Fund — application EGF/2014/011 BE/Caterpillar — Belgium**

**European Parliament resolution of 10 March 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/2014/011 BE/Caterpillar, from Belgium) (COM(2014)0735 — C8-0015/2015 — 2015/2021(BUD))**

(2016/C 316/29)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0735 — C8-0015/2015),
  - 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 (A8-0033/2015),
- 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 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 Belgium submitted application EGF/2014/011 BE/Caterpillar for a financial contribution from the EGF, following 1 030 redundancies in Caterpillar Belgium S.A. a company operating in the NACE 2 Division 28 'Manufacture of machinery and equipment n.e.c.', with 630 persons expected to participate in the measures, during and after the reference period from 1 January 2014 to 30 April 2014, linked to a decline in demand in Europe;
- E. whereas the application fulfils the eligibility criteria laid down in the EGF Regulation;
1. Notes that the conditions set out in Article 4(1)(a) of the EGF Regulation are met, therefore agrees with the Commission that Belgium is entitled to a financial contribution under that Regulation;
  2. Notes that the Belgian authorities submitted the application for EGF financial contribution on 22 July 2014, supplemented it by additional information up to 16 September 2014 and that its assessment was made available by the Commission on 9 December 2014;
  3. Notes that the total budget is EUR 2 038 090, of which EUR 73 378 is dedicated to implementation, and that the financial contribution of the EGF amounts to EUR 1 222 854, which represents 60 % of the total costs of the proposed measures;
  4. 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 April 2014, well ahead of the decision and even the application on granting the EGF support for the proposed coordinated package; notes that these personalised services already offered will be eligible for EGF funding;
  5. Considers that the redundancies in Caterpillar Belgium S.A. are linked to major structural changes in world trade patterns due to globalisation, where manufacturing and importing equipment from Asia into Europe has become cheaper for the company than producing in Europe for a declining market; notes that the Gosselies production site has suffered from negative upstream and downstream effects with steel and metal products in Europe hit by competition from emerging economies and the 2009 crisis weakening the European construction and mining sectors, which are Caterpillar's most important clients;
  6. Notes that demand for construction machinery suffered due to a decrease in private and public investment in infrastructure caused by poor performance of the global economy;
  7. Notes that this is the twelfth EGF application from the 'Manufacture of machinery and equipment n.e.c.' sector, with previous applications distributed equally between the trade and economic crisis criteria;
  8. Regrets that many of the unemployed persons in the Charleroi region are low skilled (59 % do not have upper secondary education) and that 43 % have been unemployed for more than 2 years; regrets that the employment rate in Charleroi is among the lowest in the Wallonia region at 52,26 %; welcomes, therefore, that the authorities decided to apply for EGF funding in order to help dismissed workers;
  9. Notes that the redundancies at Caterpillar are expected to have huge negative impacts on the Charleroi region, which is facing a very difficult labour market situation due to its over-reliance on traditional industrial employment and lack of new industries; points out that the low qualification level of the workers made redundant makes it difficult for them to find a new job in an adverse economic context; recommends that the Commission carry out a survey in order to determine the entrepreneur success stories in the area and help the redundant people with project ideas inspired from the best cases;
  10. Notes that 18 % of the targeted redundant workers expected to participate in the measures are threatened by labour market exclusion as they are part of the 55-64 age group;
  11. Notes that the coordinated package of personalised services to be co-funded covers three main areas: redeployment, training and retraining and promotion of entrepreneurship;

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12. Notes that more than half of the total estimated costs are to be spent on redeployment services, namely support, guidance and integration measures; notes that these services will be provided by FOREM (the public employment and training service of the Walloon Region), which acts as an intermediary body in the implementation of this application;
13. Welcomes the fact that the co-ordinated package of personalised services has been drawn up in consultation with the targeted beneficiaries and the social partners, taking into consideration the potential of the area and the business environment;
14. 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;
15. Advocates for the future use of the provisions of the EGF Regulation to support young people not in employment, education or training (NEETs) in this region;
16. 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;
17. Stresses that EGF assistance can co-finance only active labour market measures which lead to durable, long-term employment; reiterates that assistance from the EGF must not replace actions which are the responsibility of companies by virtue of national law or collective agreements nor measures restructuring companies or sectors;
18. Welcomes that financial support from the European Social Fund was in the past awarded to a project (En Train — En Transition-Reconversion-Accompagnement) which aimed to develop pedagogical methods for Redeployment Units in general and that the findings of this project are likely to prove useful in the implementation of the planned measures;
19. Approves the decision annexed to this resolution;
20. 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*;
21. 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 EGF/2014/011 BE/Caterpillar, from Belgium)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/471.)*

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Tuesday 10 March 2015

P8\_TA(2015)0046

**Dimensions and weights of road vehicles circulating within the Community \*\*\*II**

**European Parliament legislative resolution of 10 March 2015 on the Council position at first reading with view to the adoption of a directive of the European Parliament and of the Council amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic (11296/3/2014 — C8-0294/2014 — 2013/0105(COD))**

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

(2016/C 316/30)

*The European Parliament,*

- having regard to the Council position at first reading (11296/3/2014 — C8-0294/2014),
  - having regard to the opinion of the European Economic and Social Committee of 11 July 2013 <sup>(1)</sup>,
  - having regard to its position at first reading <sup>(2)</sup> on the Commission proposal to Parliament and the Council (COM(2013) 0195),
  - having regard to the undertakings given by the Commission at Parliament's plenary sitting to take over Parliament's position at second reading, and by the Council representative by letter of 18 December 2014 to approve that position, in accordance with Article 294(8)(a) of the Treaty on the Functioning of the European Union,
  - having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 69 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Transport and Tourism (A8-0032/2015),
1. Adopts its position at second reading hereinafter set out;
  2. Takes note of the Commission statement annexed to this resolution;
  3. Suggests that the act be cited as 'the Leichtfried-Lupi Directive on weights and dimensions of commercial vehicles' <sup>(3)</sup>;
  4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**P8\_TC2-COD(2013)0105**

**Position of the European Parliament adopted at second reading on 10 March 2015 with a view to the adoption of Directive (EU) 2015/... of the European Parliament and of the Council amending Council Directive 96/53/EC laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive (EU) 2015/719.)*

<sup>(1)</sup> OJ C 327, 12.11.2013, p. 133.

<sup>(2)</sup> Texts adopted of 15.4.2014, P7\_TA(2014)0353.

<sup>(3)</sup> Jörg Leichtfried and Maurizio Lupi led the negotiations on the act on behalf of Parliament and the Council respectively.

Tuesday 10 March 2015

ANNEX TO THE LEGISLATIVE RESOLUTION

**Statement by the Commission on revision of the type approval framework**

The derogation on the maximum length for aerodynamic cabs and rear aerodynamic devices for heavy goods vehicles, as foreseen by the new Directive on maximum weights and dimensions of heavy goods vehicles (amendment of Directive 96/53/EC), requires amendments to the type approval legal framework (namely Regulation (EC) No 661/2009 and Regulation (EU) No 1230/2012).

The Commission is currently reviewing Regulation (EC) No 661/2009 of the European Parliament and of the Council, to improve the general safety of vehicles. As requested by Article 17 of this Regulation (EC) No 661/2009, the Commission will report in 2015 to the European Parliament and to the Council, including, where appropriate, proposals for amendment to this Regulation or other relevant Union legislation regarding the inclusion of further new safety features in particular for trucks. The Commission intends to propose the necessary amendments, following a stakeholders consultation and, where appropriate impact assessment, at the latest by 2016.

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Tuesday 10 March 2015

P8\_TA(2015)0047

**European long-term investment funds \*\*\*I****European Parliament legislative resolution of 10 March 2015 on the proposal for a regulation of the European Parliament and of the Council on European Long-term Investment Funds (COM(2013)0462 — C7-0209/2013 — 2013/0214(COD))****(Ordinary legislative procedure: first reading)**

(2016/C 316/31)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0462),
  - 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 (C7-0209/2013),
  - 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 16 October 2013 <sup>(1)</sup>,
  - having regard to the opinion of the Committee of the Regions of 30 January 2014 <sup>(2)</sup>,
  - having regard to the undertaking given by the Council representative by letter of 10 December 2014 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rules 59 and 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 Budgets (A7-0211/2014),
  - having regard to the amendments which it adopted at its sitting of 17 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 (A8-0021/2015),
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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<sup>(1)</sup> OJ C 67, 6.3.2014, p. 71.

<sup>(2)</sup> OJ C 126, 26.4.2014, p. 8.

<sup>(3)</sup> Texts adopted of that date, P7\_TA(2014)0448.

Tuesday 10 March 2015

**P8\_TC1-COD(2013)0214**

**Position of the European Parliament adopted at first reading on 10 March 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council on European long-term investment funds**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2015/760.)*

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Tuesday 10 March 2015

P8\_TA(2015)0048

**Interchange fees for card-based payment transactions \*\*\*I****European Parliament legislative resolution of 10 March 2015 on the proposal for a regulation of the European Parliament and of the Council on interchange fees for card-based payment transactions (COM(2013)0550 — C7-0241/2013 — 2013/0265(COD))****(Ordinary legislative procedure: first reading)**

(2016/C 316/32)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0550),
  - having regard to Article 294(2) and Article 114(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0241/2013),
  - 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 21 January 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 Rules 59 and 61(2) of its Rules of Procedure,
  - having regard to the report of the Committee on Economic and Monetary Affairs (A7-0167/2014),
  - 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 (A8-0022/2015),
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)0265****Position of the European Parliament adopted at first reading on 10 March 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council on interchange fees for card-based payment transactions***(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2015/751.)*<sup>(1)</sup> OJ C 193, 24.6.2014, p. 2.<sup>(2)</sup> OJ C 170, 5.6.2014, p. 78.<sup>(3)</sup> Texts adopted of that date, P7\_TA(2014)0279.

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P8\_TA(2015)0049

## **Mobilisation of the European Globalisation Adjustment Fund — application EGF/2013/011 BE/Saint-Gobain Sekurit — Belgium**

**European Parliament resolution of 10 March 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/2013/011 BE/Saint-Gobain Sekurit, from Belgium) (COM(2015)0009 — C8-0011/2015 — 2015/2017(BUD))**

(2016/C 316/33)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2015)0009 — C8-0011/2015),
  - having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 on establishing the European Globalisation Adjustment Fund <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 (A8-0034/2015),
- 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, dramatically aggravated by the economic, financial and social crisis, and to assist their reintegration into the labour market;
- B. whereas the Union's financial assistance to workers made redundant should be adequate 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 this is the last application to be treated under the 2006 Regulation;
- D. welcomes the extension of the objectives and criteria of the EGF Regulation introduced in December 2013, in order to integrate and facilitate applications from regions and countries with a smaller demographic density;
- E. welcomes the increase in 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 406, 30.12.2006, p. 1.

<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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- F. whereas Belgium submitted application EGF/2013/011 BE/Saint-Gobain Sekurit for a financial contribution from the EGF following 257 redundancies linked to the closure of a plant of the Saint-Gobain Sekurit (SGS) group, located in Auvelais, which produced safety glass for the automotive industry; whereas the redundancies took place during and after the reference period from 31 August 2013 to 31 December 2013 and are linked to a decline in the production of automotive safety glass in the Union;
- G. whereas the financial contribution requested from the EGF amounts to EUR 1 339 928 (50 % of the total budget);
- H. whereas although the application does not fulfil the criteria laid down in Articles 2(a) and 2(b) of the EGF Regulation, it falls under the category of exceptional circumstances that nevertheless allow the mobilisation of the EGF;
1. Agrees with the Commission decision that the application for EGF financial contribution on 19 December 2013 submitted by Belgium is entitled to a financial contribution under Article 2(c), which requires exceptional circumstances to be demonstrated, despite the fact that the conditions set out in Articles 2(a) and 2(b) of the EGF Regulation are not met; underlines however that invoking Article 2(c) should be assessed on a case-by-case situation and should not become a general method for the mobilisation of the EGF when basic conditions are not met;
  2. Stresses that the EGF is a special instrument that allows the Union to react to specified unforeseen circumstances and should maintain its main purpose, that is to provide support in case where, during a reference period, a large number of workers (minimum 500) are made redundant as a result of major structural changes in world trade patterns due to globalisation and global financial and economic crises; stresses that the EGF must not become a substitute for other European Structural and Investment Funds, such as the European Social Fund, and must be used to complement such funds; emphasises that the exceptional circumstances which allow for the mobilisation of the EGF must not divert from the above-mentioned scope;
  3. Notes that the Belgian authorities submitted the application for EGF financial contribution on 19 December 2013 under the EGF Regulation, which does not cap the time for instruction and that its assessment was made available by the Commission on 21 January 2014; regrets the insufficient information given in respect of the exceptional circumstances invoked; underlines that such exceptional circumstances must be duly assessed in order to obtain a derogation from the conditions set out in Articles 2(a) and 2(b) of the EGF Regulation;
  4. Expresses concerns about the length of the procedure from the date of the first redundancies until the assessment of the application; recalls that the goal of the EGF is to offer help to redundant workers as quickly as possible;
  5. Urges the Member States and all the institutions involved to make the necessary efforts to improve procedural and budgetary arrangements in order to accelerate the mobilisation of the EGF; notes in this sense, the improved procedure put in place by the Commission, following Parliament's request to accelerate the release of grants, aimed at presenting to the European Parliament and the Council the Commission's assessment on the eligibility of an EGF application together with the proposal to mobilise the EGF and takes note of the adoption of the new EGF Regulation (Regulation (EU) No 1309/2013) which allows greater efficiency, transparency, accountability and visibility of the EGF;
  6. Urges the Member States to profit from the exchange of best practices and to learn particularly from those Member States and regional and local authorities that have already put in place national information networks on the EGF involving the social partners and stakeholders at local and regional level with a view to having a good structure for assistance in place once any situation which falls under the scope of the EGF might occur;
  7. 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 31 August 2013, well ahead of the decision and even the application on granting the EGF support for the proposed coordinated package;

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8. Notes that the sector of the manufacture of safety glass for the automotive industry has undergone serious economic disruption as a result of several factors, such as a decrease in the production of automotive safety glass in the Union, an increase in the market shares of competitors from non-Member States and an increase in imports of these products into the Union; notes that SGS Benelux's activities were closely linked to production trends in the automotive industry, which saw the production of passenger cars decrease from 21,9 million units to 19,5 million units between 2007 and 2012, whereas, in the rest of the world, it increased from 47,5 million units to 60,6 million units during the same period; observes moreover that there has been a general trend by manufacturers and suppliers in the automotive industry to transfer production within the Union, from Western Europe (in particular, France, Belgium and Spain) to Eastern Europe;

9. Notes that while there have been no other EGF applications relating specifically to the automotive glass sector <sup>(1)</sup>, there have been a series of applications relating to motor vehicle manufacturers or suppliers of automotive equipment <sup>(2)</sup>;

10. Notes that the redundancies at SGS mainly concern production-line workers (83 % of staff concerned have 'ouvrier' status); considers that in the context of the labour market situation in the affected region, the dismissed workers will have to be retrained to find jobs in other occupations and/or other sectors;

11. Deplores that given the socioeconomic situation of the area concerned and of its neighbouring areas (Charleroi, Namur), the workers made redundant by SGS Benelux have limited employment possibilities in these areas as they are likely to be in competition with many other workers with similar qualifications and experience for a limited number of jobs in the glass sector; recalls that the region is characterised by a relatively high level of structural unemployment, with a relatively high proportion of long-term unemployment and low qualification levels and skills; highlights that the redundancies at SGS Benelux are therefore set against a difficult local socioeconomic context;

12. Notes that the personalised services listed in the application consist of several measures aimed at promoting the workers' return to the labour market and helping them with administrative procedures, most of which are expected to support all the dismissed workers;

13. Notes that the coordinated package of personalised services to be co-funded includes the following measures for the reintegration of the 257 redundant workers into employment (grouped by category): (1) individual job-search assistance, case management and general information services, (2) training and retraining and (3) promotion of entrepreneurship;

14. Welcomes the fact that various social partners and organisations were involved in the general coordination and implementation of the measures including: trade unions (FGTB, CSC), FOREM (the public employment and training service of the Walloon Region), the sectorial vocational and technological training centres active in the Walloon region, the European Social Fund Agency of the French Community of Belgium and the Walloon Government; appreciates furthermore that trade unions are directly involved in the management of the specifically set up two Redeployment Units for each separate company;

15. Insists on the need to enhance and encourage assistance with autonomy and ease of access at regional level to implement a bottom up ethos, empowering local solutions at a regional level where any situation which falls under the scope of the EGF might occur;

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<sup>(1)</sup> See EGF database, available at <http://ec.europa.eu/social/main.jsp?catId=582>.

<sup>(2)</sup> See draft Commission proposals on cases EGF/2007/001 FR/Peugeot suppliers (Decision COM(2007)0415 of 12.7.2007), EGF/2007/010 PT/Lisboa-Alentejo (Decision COM(2008)0094 of 20.2.2008), EGF/2008/002 ES/Delphi (Decision COM(2008)0547 of 9.9.2008), EGF/2008/004 ES/Castilla y León/Aragón automoción (Decision COM(2009)0150 of 20.3.2009), EGF/2009/007 SE/Volvo and EGF/2009/009 AT/Steiermark (Decision COM(2009)0602 of 27.10.2009), EGF/2009/013 DE/Karmann (Decision COM(2010)0007 of 22.1.2010), EGF/2009/019 FR/Renault (Decision COM(2011)0420 of 11.7.2011), EGF/2010/002 ES/Cataluña automoción (Decision COM(2010)0453 of 2.9.2010), EGF/2010/004 PL/Wielkopolskie Automotive (Decision COM(2010)0616 of 29.10.2010), EGF/2010/031 BE/General Motors Belgium (Decision COM(2011)0212 of 14.4.2011), EGF/2011/003 DE/Arnsberg and Düsseldorf automotive (Decision COM(2011)0447 20.7.2011), EGF/2011/005 PT/Norte-Centro Automotive (Decision COM(2011)0664 of 13.10.2011), EGF/2012/004 ES/Grupo Santana (Decision COM(2014)0116 of 5.3.2014), EGF/2012/005 SE/Saab (Decision COM(2012)0622 of 19.10.2012), EGF/2013/006 PL/Fiat Auto Poland (Decision COM(2014)0699 of 10.11.2014), EGF/2013/012 BE/Ford Genk (Decision COM(2014)0532 of 22.8.2014).

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16. Takes note of the measures proposed to improve the employability of redundant workers; recalls that allowances are not listed among the personalised services to be supported by the EGF;
17. Notes that measures which are mandatory under collective redundancy procedures under Belgian federal legislation and which are carried out as part of the standard activities of the Redeployment Units (e.g. outplacement support, training, job-search assistance and careers advice, etc.) are not included in this EGF application;
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;
19. Welcomes the fact that the principle of equality between women and men as well as of non-discrimination has been, and will continue to be, applied during the various stages of implementation of and access to the EGF measures;
20. Welcomes that the social partners were involved in the preparation of the social plan as well as in the implementation of the measures;
21. Stresses that EGF assistance can co-finance only active labour market measures which lead to durable, long-term employment; reiterates that assistance from the EGF must not replace actions which are the responsibility of companies by virtue of national law or collective agreements nor measures restructuring companies or sectors;
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 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/2013/011 BE/Saint-Gobain Sekurit, from Belgium)**

*(The text of this annex is not reproduced here since it corresponds to the final act, Decision (EU) 2015/470.)*

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P8\_TA(2015)0053

### **Common rules for imports from certain third countries \*\*\*I**

**European Parliament legislative resolution of 11 March 2015 on the proposal for a regulation of the European Parliament and of the Council on common rules for imports from certain third countries (recast) (COM(2014)0323 — C8-0014/2014 — 2014/0168(COD))**

**(Ordinary legislative procedure — recast)**

(2016/C 316/34)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2014)0323),
  - having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0014/2014),
  - 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 December 2014 <sup>(1)</sup>,
  - having regard to the Interinstitutional Agreement of 28 November 2001 on a more structured use of the recasting technique for legal acts <sup>(2)</sup>,
  - having regard to the letter of 13 November 2014 from the Committee on Legal Affairs to the Committee on International Trade in accordance with Rule 104(3) of its Rules of Procedure,
  - having regard to Rules 104 and 59 of its Rules of Procedure,
  - having regard to the report of the Committee on International Trade (A8-0014/2015),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the Commission proposal does not include any substantive amendments other than those identified as such in the proposal and whereas, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance;
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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<sup>(1)</sup> Not yet published in the Official Journal.

<sup>(2)</sup> OJ C 77, 28.3.2002, p. 1.



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Wednesday 11 March 2015

**P8\_TC1-COD(2014)0168**

**Position of the European Parliament adopted at first reading on 11 March 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council on common rules for imports from certain third countries (recast)**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2015/755.)*

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Wednesday 11 March 2015

P8\_TA(2015)0054

## **Stabilisation and Association Agreement with Montenegro \*\*\*I**

**European Parliament legislative resolution of 11 March 2015 on the proposal for a regulation of the European Parliament and of the Council on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part (codified text) (COM(2014)0374 — C8-0035/2014 — 2014/0190(COD))**

**(Ordinary legislative procedure — codification)**

(2016/C 316/35)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0374),
  - having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0035/2014),
  - 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 December 2014 <sup>(1)</sup>,
  - having regard to the Interinstitutional Agreement of 20 December 1994 — Accelerated working method for official codification of legislative texts <sup>(2)</sup>,
  - having regard to Rules 103 and 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs (A8-0051/2014),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance;
1. Adopts its position at first reading hereinafter set out;
  2. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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## **P8\_TC1-COD(2014)0190**

**Position of the European Parliament adopted at first reading on 11 March 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part (codification)**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2015/752.)*

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<sup>(1)</sup> Not yet published in the Official Journal.

<sup>(2)</sup> OJ C 102, 4.4.1996, p. 2.

Wednesday 11 March 2015

P8\_TA(2015)0055

**Union tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues \*\*\*I**

European Parliament legislative resolution of 11 March 2015 on the proposal for a regulation of the European Parliament and of the Council opening and providing for the administration of certain Union tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues (codified text) (COM(2014)0594 — C8-0169/2014 — 2014/0276(COD))

(Ordinary legislative procedure — codification)

(2016/C 316/36)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0594),
  - having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0169/2014),
  - 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 December 2014 <sup>(1)</sup>,
  - having regard to the Interinstitutional Agreement of 20 December 1994 — Accelerated working method for official codification of legislative texts <sup>(2)</sup>,
  - having regard to Rules 103 and 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs (A8-0052/2014),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance;
1. Adopts its position at first reading hereinafter set out;
  2. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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**P8\_TC1-COD(2014)0276**

**Position of the European Parliament adopted at first reading on 11 March 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council opening and providing for the administration of certain Union tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues (codification)**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2015/754.)*

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<sup>(1)</sup> Not yet published in the Official Journal.

<sup>(2)</sup> OJ C 102, 4.4.1996, p. 2.

Wednesday 11 March 2015

P8\_TA(2015)0056

## **Import into the Union of agricultural products originating in Turkey \*\*\*I**

**European Parliament legislative resolution of 11 March 2015 on the proposal for a regulation of the European Parliament and of the Council on the import into the Union of agricultural products originating in Turkey (codified text) (COM(2014)0586 — C8-0166/2014 — 2014/0272(COD))**

**(Ordinary legislative procedure — codification)**

(2016/C 316/37)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0586),
  - having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0166/2014),
  - 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 December 2014 <sup>(1)</sup>,
  - having regard to the Interinstitutional Agreement of 20 December 1994 — Accelerated working method for official codification of legislative texts <sup>(2)</sup>,
  - having regard to Rules 103 and 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs (A8-0048/2014),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance;
1. Adopts its position at first reading hereinafter set out;
  2. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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## **P8\_TC1-COD(2014)0272**

**Position of the European Parliament adopted at first reading on 11 March 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council on the import into the Union of agricultural products originating in Turkey (codification)**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2015/753.)*

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<sup>(1)</sup> Not yet published in the Official Journal.

<sup>(2)</sup> OJ C 102, 4.4.1996, p. 2.

Wednesday 11 March 2015

P8\_TA(2015)0057

**Suspending certain concessions relating to the import into the Union of agricultural products originating in Turkey \*\*\*I****European Parliament legislative resolution of 11 March 2015 on the proposal for a regulation of the European Parliament and of the Council suspending certain concessions relating to the import into the Union of agricultural products originating in Turkey (codified text) (COM(2014)0593 — C8-0170/2014 — 2014/0275(COD))****(Ordinary legislative procedure — codification)**

(2016/C 316/38)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2014)0593),
  - having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0170/2014),
  - 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 December 2014 <sup>(1)</sup>,
  - having regard to the Interinstitutional Agreement of 20 December 1994 — Accelerated working method for official codification of legislative texts <sup>(2)</sup>,
  - having regard to Rules 103 and 59 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs (A8-0050/2014),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance;
1. Adopts its position at first reading hereinafter set out;
  2. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**P8\_TC1-COD(2014)0275****Position of the European Parliament adopted at first reading on 11 March 2015 with a view to the adoption of Regulation (EU) 2015/... of the European Parliament and of the Council suspending certain concessions relating to the import into the Union of agricultural products originating in Turkey (codification)***(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2015/756.)*

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<sup>(1)</sup> Not yet published in the Official Journal.

<sup>(2)</sup> OJ C 102, 4.4.1996, p. 2.

Wednesday 11 March 2015

P8\_TA(2015)0058

### **Establishment of the General Fisheries Commission for the Mediterranean \*\*\***

**European Parliament legislative resolution of 11 March 2015 on the draft Council decision on the acceptance, on behalf of the European Union, of the amended Agreement for the establishment of the General Fisheries Commission for the Mediterranean (14993/2014 — C8-0027/2015 — 2014/0274(NLE))**

**(Consent)**

(2016/C 316/39)

*The European Parliament,*

- having regard to the draft Council decision (14993/2014),
  - having regard to the draft amended Agreement for the establishment of the General Fisheries Commission for the Mediterranean (15458/2014),
  - having regard to the request for consent submitted by the Council in accordance with Article 43(2) and Article 218(6), second subparagraph, point (a), of the Treaty on the Functioning of the European Union (C8-0027/2015),
  - 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 Fisheries (A8-0038/2015),
1. Gives its consent to conclusion of the amended Agreement;
  2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and the General Fisheries Commission for the Mediterranean.

Wednesday 11 March 2015

P8\_TA(2015)0061

**Guidelines for the 2016 budget — Section III****European Parliament resolution of 11 March 2015 on general guidelines for the preparation of the 2016 budget, Section III — Commission (2015/2008(BUD))**

(2016/C 316/40)

*The European Parliament,*

- having regard to Articles 312 and 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 Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 <sup>(1)</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>(2)</sup>,
  - having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 <sup>(3)</sup>,
  - having regard to its resolution of 17 December 2014 on the Council position on the new draft general budget of the European Union for the financial year 2015 <sup>(4)</sup>,
  - having regard to the European Union's general budget for the 2015 financial year <sup>(5)</sup> and to the six related joint statements agreed between the Parliament, the Council and the Commission as well as the three unilateral statements,
  - having regard to the communication on an Investment Plan for Europe adopted by the Commission on 26 November 2014 (COM(2014)0903), and to the proposal for a Regulation on the European Fund for Strategic Investments, which the Commission adopted on 13 January 2015 (COM(2015)0010),
  - having regard to Title II, Chapter 8 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgets (A8-0027/2015),
- A. whereas the EU budget is predominantly an investment budget with a strong leverage effect and is a catalyst for growth, competitiveness and jobs across the Union; whereas it facilitates the implementation of programmes and projects that would otherwise be difficult or impossible and ensures strategic investment in actions with European added value by pooling resources and allowing for economies of scale; whereas the EU budget has a tangible positive impact on citizens' lives; whereas it has a crucial role in reducing discrepancies between Europe's regions and ensuring investment in areas where it is most needed;
- B. whereas, as a consequence of the economic and financial crisis, the level of investment in the EU has significantly dropped, and the development gap between various regions of the EU has increased; whereas, given the persistent economic and budgetary constraints at national level, the EU budget plays a key role in fostering competitiveness and increasing economic, social and territorial cohesion in the Union;
- C. whereas the EU budget cannot accomplish its mission if its soundness, fairness and credibility are put in question; whereas it is imperative that all commitments forming part of the Multiannual Financial Framework 2014-2020 are respected in full, and that a number of problems that have accumulated over the past years, notably the unprecedented amount of unpaid invoices at the end of 2014, are resolved without delay; whereas this backlog of unpaid invoices is giving rise to delays in the implementation of EU programmes and funds, with EU citizens being the first to suffer from

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 884.<sup>(2)</sup> OJ C 373, 20.12.2013, p. 1.<sup>(3)</sup> OJ L 298, 26.10.2012, p. 1.<sup>(4)</sup> Texts adopted, P8\_TA(2014)0100.<sup>(5)</sup> OJ L 69, 13.3.2015.

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this situation; whereas the delays in structural payments raise the issue of whether interest should not be charged on late payments, given that regional and local authorities are obliged to turn to the financial markets for advance funding to cover late EU contributions; stresses that decommitment is not a solution to the payment crisis; recalls that according to Article 310 TFEU the revenue and expenditure shown in the EU budget shall be in balance;

D. whereas 2016 is the year when the new EU programmes of the MFF 2014-2020 will be operational and in full swing, and when the mid-term revision of the MFF will be launched;

***Back on track — the ‘three Es’: Employment, Enterprise and Entrepreneurship for smart, sustainable and inclusive growth in the European Union***

1. Highlights the potential and added value of the EU budget for the creation of employment and the development of enterprises and entrepreneurship for smart, sustainable and inclusive growth across the Union; stresses also, in this context, the EU budget's contribution to economic, social and territorial cohesion and to support for research and development, as well as the potential of energy transition and interconnection for generating new jobs and growth; acknowledges that a wide range of EU programmes, including Horizon 2020, COSME, Erasmus+ and the Youth Employment Initiative, contribute directly to the attainment of those objectives; expects that the Commission will place such growth-orientated programmes and instruments at the heart of the Draft Budget 2016, in order to ensure that they are endowed with the necessary resources;

2. Recalls that there are more than 20 million SMEs in the EU and that they account for 99 % of all businesses; believes that a favourable business environment and the development of an entrepreneurial culture, including decent jobs, in the EU could give SMEs back their role as main job creators in the Union, which has been weakened by the economic crisis; underlines, in this context, the need to facilitate the creation and operation of start-ups in the EU, through connecting entrepreneurs and fostering new projects; considers that, along with legislative simplification and reduction of red tape, available financial instruments under the COSME programme have to be used to their full extent to help and support SMEs along this path by facilitating in particular their access to markets and credits; stresses the big potential for SMEs and mid-cap firms of the European Fund for Strategic Investment;

3. Stresses that the European Structural and Investment Funds form the biggest share of investment expenditure in the EU budget and are instrumental in job creation, boosting growth, and enhancing competitiveness and innovation; underlines the fact that EU cohesion policy has been instrumental in sustaining public investment in vital economic areas and has achieved tangible results on the ground that can empower Member States and regions to overcome the current crisis and achieve the Europe 2020 objectives; calls on the Commission and the Member States to make every effort to ensure the swift adoption of the remaining Operational Programmes in the coming months, so as to ensure that implementation will reach cruising speed in 2016;

4. Is concerned about the funding of the Youth Employment Initiative as from 2016, given the frontloading of the entire financial envelope of the programme in 2014 and 2015; stresses that the fight against youth unemployment needs to be further intensified and that all funding possibilities should be considered for this purpose; recalls, in this connection, that 2016 will be the first year when resources under the Global Margin for commitments will be made available, as stipulated in the MFF 2014- 2020 regulation, over and above the ceilings established in the MFF for the years 2016 to 2020 for policy objectives related to growth and employment, in particular youth employment; calls on the Commission to ascertain the reasons behind the delays in the implementation of this programme and to work with Member States to ensure that the fund is fully utilised;

5. Underlines the significance of cross-border mobility as a means of enabling Europe to take advantage of the variety of people's skills while expanding training and job opportunities for all generations; considers that emblematic and successful mobility programmes such as Erasmus+ work to the benefit of both the individuals and the economy and should therefore be used to the full; recalls in this context that the social aspects of mobility must always be taken into account and that mobility is only one of the possible tools to combat unemployment and should not be the last resort;



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6. Recalls that tax fraud and tax evasion negatively affect the Member States' economies and, subsequently, the EU budget; stresses, in particular, that any fraud related to VAT, such as 'carousel fraud', directly impacts on the EU's revenues; asks the Commission to strengthen the EU programmes that complement Member States' action in this field;
7. Welcomes the introduction of green development criteria in the EU budget; believes that EU policies should effectively contribute to meeting the agreed targets in the fight against climate change, the promotion of renewable energies and energy efficiency, and the protection of the environment and biodiversity; considers that these represent key medium and long-term global challenges that should not be forgotten;

### ***The EU budget and the Investment Plan***

8. Welcomes as a first step the Investment Plan presented by the Commission, which can create the potential to mobilise EUR 315 billion of investment in infrastructure, education and research, as well as SMEs and mid-cap companies, in order to offset the deficit in public and private investment generated by the economic and financial crisis; notes that the EU budget is expected to provide the backbone of this investment plan by making available the guarantee fund of EUR 8 billion required in commitments and payments for the provisioning of the European Fund for Strategic Investments (EFSI); considers that the EU budget contribution should deliver a significant return through a higher leverage effect; confirms its willingness to examine with the utmost vigilance how financial commitments by the EU to the EIB for the setting-up of the EFSI are entered in the EU budget;
9. Highlights the additional and complementary nature of the proposed Investment Plan and the EU budget and their joint commitment to kick-start the economy and boost job creation; stresses that the EU budget is in itself a major investment tool with a distinctive role and mission, which has provided tangible results with a clear European added value; is convinced that every effort needs to be deployed in order to create synergies not only between the Investment Plan and the EU budget but also with national budgets, in order to bridge the investment gap, ensure convergence and stability in the EU, and maximise the effect of public spending on the real economy; underlines, moreover, the importance of removing existing impediments to investment, in particular as regards the clarity and the predictability of the regulatory framework;

### ***Internal and external solidarity and a secure Europe***

10. Recalls that the EU budget is a tool of internal solidarity in that it supports economic, social and territorial cohesion, helps combat poverty, promotes social inclusion and helps minimise development disparities not only between Member States, but also between their regions; stresses that it is also an instrument of external solidarity, providing urgent assistance in humanitarian and civilian crises by offering support to countries in need — such as Ukraine — and by helping make the EU the biggest donor of development aid, with the aim of meeting the Union's poverty eradication commitments, as reaffirmed in the European Consensus on Development, and contributing to the post-2015 Global Development agenda;
11. Notes with concern that Europe, despite being one of the safest places in the world, is faced with new types of risks to its internal security which require ensuring closer police and judicial cooperation and coordination, developing measures for better integration and increased social cohesion, and at the same time promoting stability and peace in conflict areas; stresses that a common effort to handle migration flows lies at the crossroads of both internal and external solidarity; recalls its support for reinforcement of the EU's means and for the development of a culture of fair burden-sharing among Member States when it comes to the handling of asylum and migration, in order to ensure safe and secure external borders in full respect of the EU's fundamental values, with particular reference to action in the Mediterranean and at the south-east border of the EU; invites the Commission to propose targeted reinforcements of the relevant programmes and instruments, thus demonstrating the EU's pledge to tackle these issues;

### ***Respecting commitments***

12. Is convinced that the EU budget cannot reach its full potential without settling in a definite and unequivocal way a number of problems that have accumulated over the past few years and, regrettably, dominated last year's budgetary negotiations, notably the recurrent problem of unpaid invoices at year-end, the question of budgeting the MFF special instruments, and the delay in implementing cohesion policy operational programmes; considers that 2015 should be the ultimate limit for introducing tangible and sustainable solutions to these outstanding questions;

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13. Calls for the full implementation of the joint statements on payment appropriations and on a payment plan agreed between Parliament, the Council and the Commission at the end of the 2015 budgetary procedure, and considers that such action would indicate that all three institutions are serious about working towards a solution to the problem of unpaid bills; recalls the commitment to hold, in the course of this year, at least three interinstitutional meetings on payments, in order to take stock of payment implementation and revised forecasts; expects the first of these meetings, in March 2015, to provide a first overview of the level of unpaid bills at the end of 2014 for the main policy areas; regrets that, as anticipated, at the end of 2014 this level reached the unprecedented amount of EUR 24,7 billion, for 2007-2013 cohesion programmes alone; deplores the fact that this debt undermines the credibility of the EU and is in contradiction with the goals set at the highest political level for growth and employment; stresses that payments are the direct and logical consequence of past commitments;

14. Attaches the utmost importance to the establishment and implementation of a sound payment plan with the objective of reducing the level of unpaid bills at year-end to its structural level in the course of the current MFF, as stated by the Council, Parliament and the Commission in the joint declaration agreed in the framework of the 2015 budget procedure; recalls that this plan will be agreed by the three institutions in due time before the presentation of the draft budget 2016; considers that the interinstitutional meeting in March 2015 should provide the opportunity for the three institutions to agree on this plan;

15. Reiterates its longstanding position that the payments of special instruments (Flexibility Instruments, the EU Solidarity Fund, the European Globalisation Adjustment Fund and the Emergency Aid Reserve) must be counted over and above the MFF payment ceiling, as is the case for commitments; regrets that no agreement was made possible during last year's budgetary procedure owing to the Council's misinterpretation of the relevant MFF provision; stresses that the Council's position on the matter may imply a further reduction of the MFF compared to the period 2007-2013; expects the matter to be settled with the 2015 technical adjustment of the Global Margin for Payments by the Commission;

16. Recalls that EU agencies play an important role in developing and implementing EU policies and objectives such as competitiveness, growth and employment; reminds the Commission and the Council that EU agencies execute tasks conferred on them by the legislative authority and must thus be respected as important parts of the EU administration; underlines that the agencies need sufficient financial and human resources to enable them to fulfil their statutory mandates fully and effectively; stresses that already one EU agency has announced the postponement and cancellation of ongoing projects as a consequence of the severe staff and budget cuts decided for the 2015 budget; recalls Parliament's opposition to the redeployment pool, and requests the Commission to reverse its effect when presenting the draft budget 2016;

***The way forward***

17. Urges the Commission to take due account of the above-mentioned political priorities when establishing its Draft Budget for 2016, so that the relevant EU programmes and actions are provided with the necessary means to fulfil those objectives; anticipates, in this context, a positive response from the Commission to the further requests and positions expressed in this resolution so as to settle recurrent problems and facilitate this year's budgetary procedure; also expects the Commission to propose an adequate level of payment appropriations in its Draft Budget, based on real forecasts and needs, so as to give the EU resources to match its ambitions;

18. Recalls that according to the Treaty, the European Parliament, the Council and the Commission shall ensure that the financial means are made available to allow the Union to fulfil its legal obligations in respect of third parties; insists on the use of all means available under the MFF regulation in order to meet the Union's legal obligations and not to jeopardise or delay payments to stakeholders such as researchers, universities, etc.;

19. Calls on the Council, in its consideration of next year's budget, to abandon the use of double standards and live up to the expectations raised by its own statements and decisions, whether they relate to the payment crisis, the MFF, the Europe 2020 strategy or the relaunch of investment; considers that such political declarations and commitments are void unless coupled with sufficient budgetary resources to allow their implementation;

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20. Undertakes, within the MFF ceilings and with due consideration to the acute shortage of payments, to play its role as one arm of the budgetary authority with dedication and responsibility by promoting well-targeted increases in those budgetary areas with high absorption capacity that correspond to its political priorities and guarantee successful delivery; in this light, intends to examine, with the support of its specialised committees, the specific programmes and budget lines that can better achieve this objective;

21. Underlines that the 2016 budget will be crucial, not only because 2016 will be the first year of implementation of the new MFF provision on the global margin for commitments, but also because it should serve as a benchmark for the post-electoral MFF review and revision, to be launched before the end of 2016; stresses the need to establish political priorities and identify in good time the areas of proven added value of EU spending for which further investments will be deemed necessary in the second half of the MFF 2014-2020; stresses, in this context, the importance of closely monitoring the implementation and performance of key EU programmes, already during the current budgetary procedure;

22. Reaffirms its position in favour of an in-depth reform of the system of EU own resources, whose current shortcomings are causing severe impasses in budgetary negotiations; attaches, therefore, the highest political importance to the work of the High Level Group on Own Resources under the chairmanship of Mario Monti; welcomes the High Level Group's 'first assessment report', which proposes that the question of own resources for the EU budget be looked into from as many perspectives as possible, and eagerly anticipates the outcome of its work and the final proposals that are due to be presented at an interinstitutional conference, with the participation of national parliaments, during 2016, and considered in the context of the post-electoral MFF review and revision;

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23. Instructs its President to forward this resolution to the Council, the Commission and the Court of Auditors.

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