

Il-Hamis, 28 ta' April 2005

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The internal market in the new Member States

European Parliament resolution on the internal market in the new Member States: situation, opportunities and lessons to be learnt (2004/2155(INI))

The European Parliament,

- having regard to the Treaty establishing the European Community,
 - having regard to the Treaty concerning the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia ⁽¹⁾,
 - having regard to Internal Market Scoreboard Edition No 13 of 13 July 2004,
 - having regard to the Interinstitutional agreement on better law-making ⁽²⁾,
 - having regard to the 1 579 Internal Market directives with a transposition deadline no later than 15 November 2004,
 - having regard to the Communication of 7 May 2003 from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions “Internal Market Strategy — Priorities 2003-2006” (COM(2003)0238),
 - having regard to the Communication of 21 January 2004 from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions “Report on the Implementation of the Internal Market Strategy” (2003-2006) (COM(2004)0022),
 - having regard to the report published in November 2004 by the High Level Group chaired by Wim Kok “Facing the Challenge: The Lisbon Strategy for Growth and Employment”,
 - having regard to the report published by the Association of European Chambers of Commerce and Industry (Eurochambres) and Slovenian Business & Research Association (SBRA) “CAPE 2004 Survey: Corporate Readiness for Enlargement in Central Europe”,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection (A6-0068/2005),
- A. whereas Article 3(1)(c) of the Treaty states that the activities of the Community shall include the creation of an Internal Market characterised by the abolition as between Member States of obstacles to the free movement of goods, persons, services and capital,
- B. whereas Article 3(1)(h) of the Treaty states that the activities of the Community shall include the approximation of the laws of Member States to the extent required for the functioning of the common market,
- C. whereas Article 10 of the Treaty calls on the Member States to take all appropriate measures to ensure the fulfilment of their obligations arising out of the Treaty or resulting from action taken by the institutions of the Community and provides that they shall abstain from any measure which could jeopardise the attainment of the objectives of the Treaty,
- D. whereas Article 14(2) of the Treaty states that the Internal Market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured in accordance with the provisions of the Treaty,
- E. whereas Article 18(1) of the Treaty states that, subject to certain conditions, every citizen of the Union shall have the right to move and reside freely within the territory of the Member States,

⁽¹⁾ OJ L 236, 23.9.2003, p. 17.

⁽²⁾ OJ C 321, 31.12.2003, p. 1.

Il-Hamis, 28 ta' April 2005

- F. whereas Articles 23 and 24 of the Treaty call for the free movement of goods within the Community,
- G. whereas Title III of Part Three of the Treaty calls for the free movement of persons, services and capital within the Community,
- H. whereas the Internal Market established by the European Community has proved an undeniable economic success and has been a driving force in the promotion of economic cohesion and the progressive removal of regional disparities,
- I. whereas the Internal Market can only be genuinely complete if all Member States transpose and enforce the Internal Market directives,
- J. whereas the non-transposition, non-implementation and non-enforcement of these directives causes fragmentation of the Internal Market, blocks further economic growth of the European economy and intensifies regional disparities,
- K. whereas late or incorrect transposition deprives businesses and consumers of the full economic benefits of a properly functioning Internal Market,
- L. whereas efficient transposition and implementation of Community legislation helps develop mutual trust between governments, citizens and businesses,
- M. whereas the Lisbon Strategy has as its central goal the construction by 2010 of the world's most dynamic and competitive knowledge-based economy, with more and better jobs and enhanced social cohesion and a high level of environmental protection,
1. Is convinced that to exploit the full potential of the new enlarged European market, all Internal Market directives that are overdue for transposition and implementation must be transposed and implemented so as to quickly remove remaining barriers to the movement of goods, persons, services and capital;
 2. Recommends that the new Member States develop implementation strategies that will efficiently implement Community legislation and improve awareness of new legislation among consumers, producers, traders and courts;
 3. Urges that the 1,5 % target suggested by the European Councils for the transposition of directives deficit be taken seriously by all Member States and be backed by a strong political commitment on the part of each Member State to transpose any overdue directives by a certain date;
 4. Suggests that, in addition to the timely and correct transposition and effective application of Internal Market directives, Member States also carry out a screening of their existing domestic legislation for compatibility with EU rules, in aid of the process of removing market barriers and opening up competition in the Internal Market;
 5. Welcomes the fact that new Member States have implemented the Mutual Recognition principle in their legislation, and, furthermore, that some Member States have also adopted a horizontal mutual recognition clause which automatically recognises this principle in non-harmonised areas, but reaffirms the need to progress towards upwards harmonisation as a key objective of the Internal Market;
 6. Particularly compliments a number of new Member States for their performance in adopting European product standards, in many cases well in advance of longer established Member States;
 7. Calls on the national authorities of the new Member States to develop and improve their administrative capacity so to reduce the gap between formal compliance and actual enforcement of Community legislation;

Il-Hamis, 28 ta' April 2005

8. Suggests that, to achieve the goals set out in the Lisbon Strategy, the new Member States should increase their investment in research and development, which is at present well below the EU average, promote better contact between research institutions and businesses, and develop more efficient education and training systems so as to improve the quality of the labour market, taking into account the recommendations made in the recently published report "Facing the Challenge: The Lisbon Strategy for Growth and Employment";
9. Notes the profound importance of an effective intellectual property regime in stimulating innovation and the commercial exploitation of new ideas as well as the development of creative content in the off-line and on-line environment; encourages new Member States to ensure that patent and copyright protection systems function effectively and that anti-piracy and anti-counterfeiting measures are adequately resourced;
10. Calls on the Council, in view of the critical importance of ensuring intellectual property protection for inventions involving digital technology, to work more closely with the European Parliament on the approval of a new patent measure that will provide a secure framework for the patentability of technical inventions in this field;
11. Calls on the national, regional and local authorities of the new Member States to develop a flexible dynamic labour market so as to increase private sector employment and solve the problems of structural unemployment and regional disparities;
12. Notes the importance of building an effective professional qualifications system and encouraging the definition of standards that are mutually recognised; suggests that the Commission should provide extra resources to help develop professional bodies in the new Member States in order to stimulate the development of a highly qualified workforce;
13. Stresses the importance of completing the Internal Market so as to reduce the social and regional disparities within the new Member States;
14. Notes the importance of a dynamic services market to job creation and new company formation; stresses the great importance of the proposed directive on the Internal Market for Services to the economies of the new Member States; considers, however, that this ambition must be achieved without harming social cohesion in the Union or its high level of protection for European consumers;
15. Urges national, regional and local authorities in the new Member States to improve and broaden their task of disseminating information concerning the legislation and functioning of the EU and the Internal Market; considers it important that members of the public should receive information and guidance about their rights as consumers and about the opportunities for them to work and establish themselves within the internal market;
16. Calls on the new Member States to ensure that out-of-court settlement instruments and problem-solving instruments, such as Solvit⁽¹⁾, receive proper financial support for their development and operation in order to ensure that European citizens and undertakings have tools at their disposal to solve the problems they might encounter following the development of the Internal Market;
17. Welcomes the launching on 20 October 2004 by the Commission of a special infringement procedure against the new Member States who had not transposed the directives in issue by the deadline of 1 May 2004;
18. Is convinced that in order to facilitate the transposition of Community legislation, updates on the status of transposition should be made available more often. These updates should complement the Internal Market Scoreboard and be used to create a name and shame list of all the Member States who are lagging behind in the transposition process;

⁽¹⁾ Solvit is a voluntary on-line problem solving network in which EU Member States work together to solve without legal proceedings problems caused by the misapplication of Internal Market law by public authorities. There is a Solvit centre in every EU Member State. Solvit Centres can help with handling complaints from both citizens and businesses. They are part of the national administration and are committed to providing real solutions to problems within a period of 10 weeks.

Il-Hamis, 28 ta' April 2005

19. Takes the view that the Commission should start streamlining existing Community legislation so as to simplify it. This would greatly help the transposition and implementation process, further promote intra-Community movement and trade, and foster the growth of the European economy;
20. Notes the importance of a simple and efficient regulatory climate to minimising business costs and maximising compliance; encourages the new Member States to transpose the Internal Market "acquis" in the simplest way possible. Suggests that new Member States should actively support the Commission's better law-making programmes by transferring their current knowledge of the complexity of the existing "acquis" while it remains fresh in the mind;
21. Suggests that the Scoreboard be upgraded to European Council level and be recognised on a political level as the main point of reference for the status of transposition;
22. Is of the opinion that European Parliament should play a more proactive role in monitoring performance and putting pressure on Member States to transpose the directives;
23. Recalls its own commitment to actively influence a re-orientation, where appropriate and necessary, of the Lisbon agenda while retaining the balance between the economic, social and environmental dimensions of the Lisbon and Göteborg process in order to develop an ambitious sustainable development strategy;
24. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States.

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Human rights in the world (2004) and the EU's policy

European Parliament resolution on the Annual Report on Human Rights in the World 2004 and the EU's policy on the matter (2004/2151(INI))

The European Parliament,

- having regard to the Universal Declaration of Human Rights and to all relevant international human rights instruments,
- having regard to the entry into force on 1 July 2002 of the Rome Statute of the International Criminal Court (ICC) and to its resolutions related to the ICC⁽¹⁾,
- having regard to the United Nations Charter,
- having regard to Protocol No 13 to the European Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances,
- having regard to the Charter of Fundamental Rights of the European Union⁽²⁾,
- having regard to Articles 3, 6, 11, 13 and 19 of the Treaty on European Union and Articles 177 and 300 of the Treaty establishing the European Community,
- having regard to the ACP-EU Partnership Agreement⁽³⁾,
- having regard to its resolution of 23 October 2003 on peace and dignity in the Middle East⁽⁴⁾,

⁽¹⁾ OJ C 379, 7.12.1998, p. 265; OJ C 262, 18.9.2001, p. 262; OJ C 293 E, 28.11.2002, p. 88; OJ C 271 E, 12.11.2003, p. 576.

⁽²⁾ OJ C 364, 18.12.2000, p. 1.

⁽³⁾ OJ L 317, 15.12.2000, p. 3.

⁽⁴⁾ OJ C 82 E, 1.4.2004, p. 610.