

European Parliament

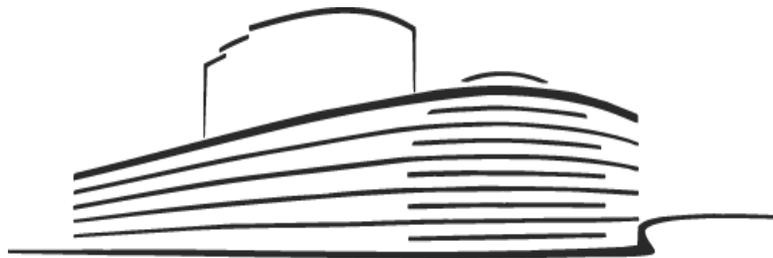
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United in diversity

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Provisional edition

P8_TA-PROV(2015)0266

Resource efficiency: moving towards a circular economy

European Parliament resolution of 9 July 2015 on resource efficiency: moving towards a circular economy (2014/2208(INI))

The European Parliament,

- having regard to the Commission communication ‘Towards a circular economy: A zero-waste programme for Europe’ (COM(2014)0398),
- having regard to the Commission communication on ‘Resource efficiency opportunities in the building sector’ (COM(2014)0445),
- having regard to the Commission communication ‘Green Action Plan for SMEs: Enabling SMEs to turn environmental challenges into business opportunities’ (COM(2014)0440),
- having regard to the Commission communication entitled ‘A Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy’ (COM(2015)0080),
- having regard to the Commission communication on ‘Building the Single Market for Green Products – Facilitating better information on the environmental performance of products and organisations’ (COM(2013)0196),
- having regard to the Commission communication on ‘Innovating for Sustainable Growth: A Bioeconomy for Europe’ (COM(2012)0060),
- having regard to the Commission communication on the ‘Roadmap to a Resource-Efficient Europe’ (COM(2011)0571),
- having regard to the Commission communication on ‘A resource-efficient Europe – Flagship initiative under the Europe 2020 strategy’ (COM(2011)0021),
- having regard to the Commission communication on ‘Europe 2020 – A strategy for smart, sustainable and inclusive growth’ (COM(2010)2020),

- having regard to its resolution of 12 December 2013 on eco-innovation – jobs and growth through environmental policy¹,
- having regard to its resolution of 14 January 2014 on a European strategy on plastic waste in the environment²,
- having regard to its resolution of 24 May 2012 on a resource-efficient Europe³,
- having regard to its resolution of 13 September 2011 on an effective raw materials strategy for Europe⁴,
- having regard to the 7th Environment Action Programme,
- having regard to the EU Sustainable Development Strategy (2006) and the 2009 review,
- having regard to the Environment Council conclusions on ‘Greening the European semester and the Europe 2020 Strategy – Mid-term review’ of 28 October 2014,
- having regard to the synthesis report by the European Environment Agency on ‘The European environment — state and outlook 2015’,
- having regard to the Convention on Biological Diversity (CBD),
- having regard to the UNEP (United Nations Environment Programme) Inquiry into the Design of a Sustainable Financial System,
- having regard to the conclusions of the UNEP International Resource Panel on ‘Environmental Risks and Challenges of Anthropogenic Metals Flows and Cycles’ (2013),
- having regard to the conclusions of the UNEP International Resource Panel on ‘Decoupling natural resource use and environmental impacts from economic growth’ (2011),
- having regard to the petition ‘Stop Food Waste in Europe!’;
- having regard to the opinion of the European Economic and Social Committee of 10 December 2014⁵,
- having regard to the opinion of the Committee of the Regions of 12 February 2015⁶,
- having regard to Rule 52 of its Rules of Procedure,
- having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinions of the Committee on Employment and Social Affairs and the Committee on Industry, Research and Energy (A8-0215/2015),

¹ Texts adopted, P7_TA(2013)0584.

² Texts adopted, P7_TA(2014)0016.

³ OJ C 264 E, 13.9.2013, p. 59.

⁴ OJ C 51 E, 22.2.2013, p. 21.

⁵ Not yet published in the Official Journal.

⁶ OJ C 140, 28.4.2015, p. 37.

- A. whereas an unsustainable use of resources is the root cause of various environmental hazards, such as climate change, desertification, deforestation, loss of biodiversity and the weakening of ecosystem services; whereas the global economy uses the equivalent of 1,5 planets' worth of resources to produce global output and absorb waste and this figure is estimated to reach the equivalent of two planets' worth of resources by the 2030s;
- B. whereas Europe is more dependent on imported resources than any other region in the world and many resources will be exhausted in the relatively short term; whereas Europe's competitiveness can be increased significantly by getting more added value out of resources in the economy and promoting a sustainable supply of materials from European sources; whereas, moreover, as a contribution to safeguarding the supply of raw materials, partnerships for innovation between industry and the waste management sector and research to increase the potential for recycling major raw materials ought to be stepped up;
- C. whereas the switch to a circular economy is essentially a matter of economics, concerning access to, or sustainable availability of, raw materials, the reindustrialisation and further digitalisation of Europe, the creation of new jobs and the challenges of climate change, energy insecurity and scarce resources; whereas investing in a circular economy can therefore be fully compatible with the Commission's jobs, growth and competitiveness agenda and has the potential to create a win-win situation for all stakeholders involved;
- D. whereas resource efficiency must also consider and be coherent with broader sustainability concerns, including environmental, ethical, economic and social dimensions;
- E. whereas the targets and definitive priority actions set out in the 7th Environment Action Programme are of a binding nature;
- F. whereas the Organisation for Economic Cooperation and Development (OECD) Environment Programme finds that 'environmental effectiveness of voluntary approaches is often questionable, and their economic efficiency is generally low'¹;
- G. whereas moving to a circular economy requires systemic change, affecting all stakeholders in the value chain, and substantial innovations in technology, businesses and society as a whole;
- H. whereas citizens, small businesses and local public authorities play a special role in ensuring resource efficiency and promoting the decoupling of economic growth from resource consumption;
- I. whereas a properly functioning circular economy needs competitive businesses, and whereas businesses are themselves driving forces in the switch to a circular economy;
- J. whereas it is important to place SMEs at the core of the EU resource-efficiency strategy as they account for 99 % of EU enterprises and employ two thirds of the workforce;
- K. whereas an ambitious European circular economy package creates business opportunities, secures access to primary materials, prolongs their productive use (through reuse, remanufacturing, recycling or as spare parts), guarantees high-quality recycling processes

¹ The OECD Environment Programme, 'Voluntary approaches to environmental policy', 2003.

- once they reach their end of life, and treats all by-products and waste as valuable resource streams for further use;
- L. whereas the sustainable and responsible sourcing of primary raw materials is critical to achieving resource efficiency and meeting the circular economy objectives;
 - M. whereas it is necessary to develop markets for secondary raw materials in order to achieve resource-efficiency objectives and a circular economy;
 - N. whereas Parliament has repeatedly called on the Commission to set indicators and targets for resource efficiency;
 - O. whereas the elimination of toxic chemical substances for which safer alternatives exist or will be developed in line with the legislation in force concerning chemicals has a central role to play in the establishment of a circular economy;
 - P. whereas the Eurostat data on the processing of urban waste in the EU 28 clearly show that there is still no level playing field in waste policy and that the implementation and enforcement of existing legislation presents significant challenges;
 - Q. whereas on average only 40 % of solid waste is reused or recycled, and the rest goes to landfill or incineration;
 - R. whereas production and consumption of agricultural food products accounts for a significant share of resource use, with significant impacts on the environment, public health, animal health and animal welfare; whereas sustainable solutions are needed to address food resource inefficiencies in a holistic manner;
 - S. whereas the cancellation of environmentally harmful subsidies, including direct and indirect subsidies to fossil fuels, would substantially reduce greenhouse gas emissions, help in the fight against climate change and allow the uptake of the circular economy;
1. Welcomes the Commission communication entitled ‘Towards a circular economy: A zero-waste programme for Europe’ (COM(2014)0398); endorses the Commission’s approach to designing and innovating for a circular economy, setting up a policy framework to support resource efficiency, setting a resource-efficiency target as outlined in the communication and outlining a specific policy framework to enable SMEs to turn environmental challenges into environmentally sustainable business opportunities; stresses that legislative measures are needed to move towards a circular economy, and calls on the Commission to come forward with an ambitious proposal on a circular economy by the end of 2015, as announced in its Work Programme for 2015;
 2. Emphasises that addressing resource scarcity requires reducing the extraction and use of resources and an absolute decoupling of growth from the use of natural resources □ a systemic change which requires backcasting the actions needed from a 2050 sustainability perspective and taking immediate action;
 3. Highlights production and consumption as areas that must be tackled in a way that ensures coherence with broader sustainable development goals;

4. Recalls that, despite improvements in the efficient use of resources that have already occurred, continuous growth in production has outstripped these gains in efficiency and resource extraction continues to rise dramatically worldwide, hence there is an urgent need for an overall reduction in resource extraction and use in order to overcome the rebound effect; urges the Commission to propose measures accordingly;
5. Recalls that water, as both a natural resource used in production processes and a public good, should be considered when calculating raw material consumption figures and should be used in an efficient manner;
6. Stresses that improving resource use through better design requirements, and through waste legislation that ensures upward movement in the waste hierarchy (thereby fostering waste prevention, reuse, preparation for reuse and recycling), could bring substantial net savings for EU businesses, public authorities and consumers, estimated at EUR 600 billion, or 8 % of annual turnover, while also reducing total annual greenhouse gas emissions by 2-4 %; emphasises that increasing resource productivity by 30 % by 2030 could boost GDP by nearly 1 % and create 2 million additional sustainable jobs¹; recalls that resource efficiency is a priority objective of the 7th Environment Action Programme, which emphasises the need to stimulate production and consumer demand for environmentally sustainable products and services through policies that promote their availability, affordability, functionality and attractiveness;
7. Is convinced that improving resource efficiency requires both legislative measures and economic incentives, the internalisation of external costs and further funding of research and innovation, as well as social and lifestyle changes; points out that a variety of instruments are needed at various policy levels, taking account of subsidiarity;
8. Believes that implementing a full-scale circular economy requires the involvement of all relevant stakeholders, regions, cities, local communities, SMEs, NGOs, industry representatives, trade unions and citizens;
9. Calls on the Commission to involve local and regional authorities throughout the development of the circular economy package;
10. Stresses that public awareness, citizen perceptions and involvement are critical for a successful transition to a circular economy; notes that the necessary attention and resources should be devoted to education and information, to promote sustainable consumption and production models, and highlights the benefits of moving to a resource-efficient circular economy;
11. Points out that the transition to a circular economy requires a skilled workforce and that education and training have to take account of the need for green skills;
12. Emphasises that the EU has already put in place financial instruments which favour a more circular economy, in particular the Horizon 2020 programme and Life +, and that if these instruments are used properly they could help to promote eco-innovation and industrial ecology in the Member States and regions of the EU;

¹ Commission communication of 2 July 2014 entitled ‘Towards a circular economy: a zero waste programme for Europe’ (COM(2014)0398).

13. Stresses that legal certainty and long-term predictability are key to unlocking the potential of the European Fund for Strategic Investments for the circular economy in order to channel investments towards a sustainable economy;
14. Highlights that a transition towards a sustainable and circular economy should combine ambitious environmental goals with strong social requirements, including the promotion of decent work and healthy and safe working conditions (i.e. ensuring that workers are not exposed to harmful substances in the workplace);
15. Stresses the need to establish a more coherent legal framework for sustainable production and consumption, covering the complete production cycle from sustainable sourcing until end-of-life recovery;

Indicators and targets

16. Stresses that by 2050 the EU's use of resources needs to be sustainable and that this requires, inter alia, an absolute reduction in the consumption of resources to sustainable levels, based on reliable measurement of resource consumption throughout the entire supply chain, strict application of the waste hierarchy, implementation of a cascading use of resources, notably in the use of biomass, responsible and sustainable sourcing, creating a closed loop on non-renewable resources, increasing the use of renewables within the limits of their renewability, phasing out toxic substances, in particular where safer alternatives exist or will be developed in line with current legislation on chemicals, so as to ensure the development of non-toxic material cycles, and improving the quality of ecosystem services;
17. Recalls that back in 2012 Parliament already called for clear, robust and measurable indicators for economic activity that take account of climate change, biodiversity and resource efficiency from a lifecycle perspective and for the use of these indicators as a basis for legislative initiatives and concrete reduction targets;
18. Urges the Commission to propose, by the end of 2015, a lead indicator and a dashboard of sub-indicators on resource efficiency, including ecosystem services; points out that the use of these harmonised indicators should be legally binding as of 2018, and they should measure resource consumption, including imports and exports, at EU, Member State and industry level and take account of the whole lifecycle of products and services and should be based on the footprint methodology, measuring at least land, water and material use and carbon;
19. Urges the Commission to propose, by the end of 2015, a target to increase resource efficiency at EU level by 30 % by 2030 compared with 2014 levels, as well as individual targets for each Member State; stresses that, before resource-efficiency targets can be implemented, they must be underpinned by indicators;
20. Urges the Commission to promote the use of resource-efficiency indicators through international conventions in order to allow comparability between industries and economies and to ensure a level playing field, and to support dialogue and cooperation with third countries;
21. Stresses that these indicators should be included in the European Semester and in all impact assessments;

Product policy and ecodesign

22. Stresses the importance of a well-thought-out product policy that increases products' expected lifetime, durability, reusability and recyclability; points out that the amount of resources used by a product over its lifetime and its reparability, reusability and recyclability are largely determined during the design phase; calls on the Commission to promote a lifecycle-oriented approach in product policies, in particular by establishing harmonised methods for evaluating products' environmental footprints;
23. Calls on the Commission, in this respect, to present an ambitious work programme, and to comprehensively and ambitiously implement the ecodesign requirements of the existing Ecodesign Directive in new and updated implementing measures, starting with the immediate adoption of measures already drafted;
24. Urges the Commission to propose a review of ecodesign legislation and other relevant product policy legislation by the end of 2016, based on an impact assessment, incorporating the following essential changes: broadening the scope of ecodesign requirements to cover all main product groups, not only energy-related products; gradually including all relevant resource-efficiency features in the mandatory requirements for product design; introducing a mandatory product passport based on these requirements; implementing self-monitoring and third-party auditing to ensure that products comply with these standards; and defining horizontal requirements on, inter alia, durability, reparability, reusability and recyclability;
25. Calls on the Commission to assess, on the basis of a cost-benefit analysis, the possibility of establishing minimum recycled material content in new products in connection with the future revision of the Ecodesign Directive;
26. Urges the Commission to develop measures against planned obsolescence and to further develop a set of product standards for the circular economy, which include refurbishment and repair, facilitating dismantling, and the efficient use of raw materials, renewable resources and recycled materials in products;
27. Recalls that the availability of standardised and modular components, disassembly planning, long-duration product design and efficient production processes have an important role to play in a successful circular economy; urges the Commission to take relevant actions to ensure that products are durable and easy to upgrade, reuse, refit, repair, recycle and dismantle for new resources, and that parts containing hazardous substances are clearly identified in product manuals to facilitate separation of those parts prior to recycling; 28.
Notes that it is crucial to raise consumers' awareness and increase their proactive role;
29. Calls on the Commission to propose the extension of minimum guarantees for consumer durable goods, in order to extend the products' expected lifetime, and to clarify that, in accordance with Directive 1999/44/EC, sellers of consumer goods should examine the defects during the first two years of the legal guarantee and only charge the consumer for it if the defect has been caused by improper use;
30. Calls on the Commission to propose appropriate measures on the availability of spare parts so as to ensure the reparability of products during their lifetime;
31. Calls on the Commission, the Member States and the European Chemicals Agency (ECHA) to step up their efforts to substitute substances of very high concern and to restrict

substances that pose unacceptable risks to human health or the environment in the context of REACH, not least as a means to fulfil the requirement of the 7th Environment Action Plan to develop non-toxic material cycles so that recycled waste can be used as a major, reliable source of raw material within the Union; calls, in this respect, on the Commission to immediately drop its unilateral moratorium on the processing of recommendations by ECHA with regard to the inclusion of substances of very high concern in Annex XIV to REACH, and instead proceed swiftly with the inclusion of such substances; stresses in accordance with the waste hierarchy that prevention takes priority over recycling and that, accordingly, recycling should not justify the perpetuation of the use of hazardous legacy substances;

32. Calls on the Commission and the Member States to step up their efforts to substitute hazardous substances in the context of Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment with a view to establishing non-toxic material cycles;
33. Urges the Member States to carry out effective market surveillance to ensure that both European and imported products comply with the requirements as regards product policy and ecodesign; urges the Member States, in order to ensure this effective market surveillance, to advance without delay in the legislative procedure on the review of the market surveillance regulation; notes that any further delay would harm the interests of businesses and citizens;

Towards zero waste

34. Highlights the Commission's analysis that shows that adopting new waste targets would create 180 000 jobs, make the EU more competitive and reduce demand for costly scarce resources¹; regrets the withdrawal of the legislative proposal on waste², but sees in Vice-President Timmerman's announcement at Parliament's part-session in December 2014 the opportunity for a new and more ambitious Circular Economy Package;
35. Urges the Commission to submit the announced proposal on the review of waste legislation by the end of 2015, diligently applying the waste hierarchy, and to include the following points:
 - clear and unambiguous definitions;
 - developing waste prevention measures;
 - setting binding waste reduction targets for municipal, commercial and industrial waste to be achieved by 2025;

¹ Commission staff working document of 2 July 2014 containing an executive summary of the impact assessment accompanying the proposal for a directive amending the waste directives (SWD(2014)0208).

² Proposal for a directive of the European Parliament and of the Council amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1991/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment (COM(2014)0397).

- setting clear minimum standards for extended producer responsibility requirements to ensure transparency and cost effectiveness of the extended producer responsibility schemes;
 - applying the ‘pay-as-you-throw-principle’ for residual waste combined with mandatory separate collection schemes for paper, metal, plastic and glass in order to facilitate the high quality of recycling materials; introducing mandatory separate collection for biowaste by 2020;
 - increasing recycling/preparation for reuse targets to at least 70 % of municipal solid waste and 80 % recycling of packaging waste by 2030, based on a solid reporting method preventing the reporting of discarded waste (landfilled or incinerated) as recycled waste, using the same harmonised method for all Member States with externally verified statistics; an obligation for recyclers to report on the ‘input’ quantities of waste going into the sorting plant as well as on the ‘output’ quantity of recyclates coming out of the recycling plants;
 - strictly limiting incineration, with or without energy recovery, by 2020, to non-recyclable and non-biodegradable waste;
 - a binding, gradual reduction of all landfilling, implemented in coherence with the requirements for recycling, in three stages (2020, 2025 and 2030), leading to a ban on all landfilling, except for certain hazardous waste and residual waste for which landfilling is the most environmentally sound option;
 - encouraging Member States to introduce charges on landfilling and incineration;
36. Stresses the importance and added value of European waste policy targets, not only in terms of legal certainty, predictability and the creation of a level playing field in the internal market, but also in terms of ensuring that the living environment of all EU citizens is protected and improved;
37. Calls on the Commission to put forth the same targets for all the Member States so as to ensure an equally high level of environmental protection across the EU and so as not to undermine the single market;
38. Urges the Commission to ensure that existing waste legislation and targets are completely and properly implemented, including in particular the obligation of separate collection schemes, to ensure that the Member States increase their efforts to reach existing targets and to establish measures to support the Member States in putting in place the right instruments to achieve the targets within the deadlines;
39. Highlights that, in order to make best use of available waste management capacities in the EU, better planning and information sharing is necessary to avoid overcapacities;
40. Calls on the Commission to further investigate the feasibility of proposing a regulatory framework for enhanced landfill mining so as to permit the retrieval of secondary raw materials that are present in existing landfills and to examine the development of an environmental permit system for the recycling industry;

41. Calls on the Commission to ensure greater transparency and better controls in order to avoid shipping of waste to countries with lower environmental and social standards than those in the EU;
42. Calls on the Commission, together with the Member States, to step up its efforts to counteract the illegal export of post-consumer waste;
43. Calls on the Commission to lay down in the Waste Framework Directive minimum requirements for national waste prevention programmes and to draw up a set of targets and indicators capable of rendering the individual performance of the Member States comparable;
44. Urges the Commission to address the specific waste challenges and to take action as outlined in the Commission communication on a circular economy (COM(2014)0398); encourages the Member States and the Commission to ensure that EU funds are mobilised to help achieve integrated waste management objectives such as separate collection and the development of recycling infrastructure;
45. Urges the Commission to propose a target to reduce marine litter by 50 % by 2025 compared with 2014 levels;
46. Stresses the need to formulate targets for the collection and recycling of specific critical metals in the light of their growing scarcity and with a view to reducing dependency;
47. Calls on the Commission to propose, by the end of 2015, targets, measures and instruments to efficiently tackle food waste, including setting a binding food waste reduction target of at least 30 % by 2025 in the manufacturing, retail/distribution, food service/hospitality sectors and the household sector; calls on the Commission to promote the creation in Member States of conventions proposing that the retail food sector distributes unsold products to charity associations; calls on the Commission, when conducting an impact assessment on new relevant legislative proposals, to evaluate their potential impact on food waste;

Sustainable buildings

48. Welcomes the Commission communication on ‘Resource efficiency opportunities in the building sector’ (COM(2014)0445); considers that an approach to construction based on a roadmap and its long-term targets is needed;
49. Calls on the Commission to propose the full implementation of the circular economy principles and requirements in the building sector and to further develop the policy framework on resource efficiency in buildings – this includes developing indicators, standards and methods and quality requirements as regards land use and urban planning, architecture, structural engineering, construction, maintenance, adaptability, energy efficiency, renovation and reuse and recycling; points out that indicators on sustainable buildings should also include green infrastructure such as green roofs; stresses the importance of a holistic vision for Europe’s building stock, with clear and ambitious objectives for the medium and long term and roadmaps for the implementation of this vision;

50. Considers that indoor air quality and the well-being and social needs of users should be integrated into the sustainability assessment of buildings;
51. Calls on the Commission to develop, within the framework of the general indicators on resource efficiency, indicators to assess the sustainability of buildings over their entire lifecycle, using existing standards and methods and on the basis of an environmental, economic and social sustainability approach;
52. Asks the Commission to determine whether BAT (best available technologies) principles and standards could be extended to encompass all materials and parts of buildings, and to develop a building passport based on the whole lifecycle of a building;
53. Considers that, as 90 % of the 2050 built environment already exists, special requirements and incentives should be set for the renovation sector in order to improve the energy footprint of buildings by 2050; calls on the Commission, therefore, to develop a long-term strategy for the renovation of existing buildings and to upgrade the role of national renovation strategies introduced by Directive 2012/27/EU on energy efficiency;
54. Urges the Member States to facilitate the improvement of recycling through the development of infrastructure for selective collection and recycling in the construction industry;
55. Calls on the Commission and the Member States to look into the potential of predemolition audits (which is an assessment of a building before deconstruction or demolition to describe the materials present and to define which fractions could be separated for recycling) and on-site sorting of recyclable materials (on-site sorting usually delivers secondary raw materials of higher purity than off-site recycling and can help to reduce the environmental impact of transport, for example by crushing/compacting on site);
56. Notes that concrete is one of the most used materials in the construction industry; calls on the Commission to assess the possibilities of increasing recycling of concrete in construction, as is the case in Germany and Switzerland;

Developing markets for secondary raw materials

57. Calls on the Commission to develop measures to incentivise and facilitate the development of markets for high-quality secondary raw materials and the development of business based on the reuse of secondary raw materials;
58. Considers that a long-term and predictable policy framework will help to stimulate the level of investment and action needed to fully develop markets for greener technologies and promote sustainable business solutions; stresses that resource-efficiency indicators and targets underpinned by robust data collection would provide the necessary guidance for public and private decision-makers in transforming the economy;
59. Stresses that it is important that the Commission and the Member States promote the creation of industrial symbiosis programmes that support industrial synergies for reuse and recycling and that help companies – particularly SMEs – discover how their energy, waste and by-products can serve as resources for others; points to similar concepts, such as ‘cradle-to-cradle’ and industrial ecology;

Other measures

60. Calls on the Commission to propose public procurement procedures in which reused, repaired, remanufactured, refurbished and other sustainable and resource-efficient products and solutions are to be preferred and if they are not preferred, the ‘comply or explain’ principle should apply;
61. Stresses the need for a fiscal framework that is in accordance with the ‘polluter pays’ principle, providing the right signals for investment in resource efficiency, the modernisation of production processes and the manufacturing of more repairable and durable products; calls for progress in this area to be pursued by the Member States as part of the European Semester process¹;
62. Urges the Commission to study and propose measures related to taxation, such as reduced VAT on recycled, reused and resource-efficient products;
63. Urges the Commission and the Member States to fully implement the Green Action Plan for Small and Medium-sized Enterprises;
64. Urges the Commission to develop a policy framework on nutrients in order to enhance recycling, foster innovation, improve market conditions and mainstream their sustainable use in EU legislation on fertilisers, food, water and waste;
65. Urges the Commission to present the communication on sustainable food, which has been postponed several times since 2013, during the first half of 2016; stresses that, as the production and consumption of food accounts for a significant share of resource use, that communication should holistically address resource inefficiencies in the food chain and encourage the development of a sustainable food policy; calls on the Commission to assess increasing the use of environmentally friendly food packaging, including an assessment of the feasibility of gradually replacing food packaging with bio-based and biodegradable, compostable material in accordance with European standards;
66. Calls on the Commission to establish a permanent resource-efficiency platform, including all relevant stakeholders, so as to encourage and facilitate the application of the latest research findings, the exchange of best practices and the emergence of new industrial synthesis and industrial ecosystems;
67. Calls on the Commission to establish a cross-sectorial, inter-DG sustainable financing working group in order to include the resource-efficiency indicators in company-level integrated reporting and accounting while respecting the confidentiality of certain business information; further calls on the Commission to examine how to incorporate resource-efficiency and environmental risks in, inter alia, credit ratings and capital requirements of banks, to develop a comprehensive insurance system for environmental hazards and to set out information requirements for investment products, with a due impact assessment; believes that the Commission would benefit from cooperating with UNEP’s ‘Inquiry into the Design of a Sustainable Financial System’ in that regard; calls on the Commission to

¹ Budget Europe, 2015, Country-Specific Recommendations in Support of the European Semester Process, page 6, http://www.foes.de/pdf/2015-02-25_CSR%20Recommendations_FINAL.pdf.

study existing voluntary initiatives in the Member States with a view to a possible exchange of best practice;

68. Calls on the Commission, given that the sustainable and responsible sourcing of primary raw materials is critical for achieving resource efficiency and meeting the circular economy objectives, to review the policy recommendations of the European Resource Efficiency Platform for the development of sustainable sourcing standards for priority materials and commodities; notes, in this respect, the joint support of Parliament and the Council for the Commission's proposals on responsible sourcing of metals and minerals from conflict zones;
69. Calls on the Commission to review its definition of 'critical' raw materials, taking better into account environmental impacts and risks related to their extraction and processing as well as their potential for substitution by secondary materials;
70. Stresses that all EU funding, including funding through the European Fund for Strategic Investment (EFSI), Horizon 2020, cohesion funds and the European Investment Bank, must be mobilised to promote resource efficiency, in line with the waste hierarchy, and urges the Commission and the Member States to phase out all environmentally harmful subsidies, including those for the generation of energy from the biodegradable fraction of industrial and municipal waste by incineration pursuant to Directive 2009/28/EC on the promotion of energy from renewable sources and direct and indirect subsidies for fossil fuels;
71. Calls for funding allocated from the EU Programme for the Competitiveness of Enterprises and SMEs (COSME), Horizon 2020 and the European Structural and Investment Funds to be more focused on developing sustainable, innovative and resource-efficient solutions and new business models (such as leasing or product-service systems), and on improving product design and material efficiency in product and process performance;
72. Underlines how research and innovation are essential to support the transition towards a circular economy in Europe, and that it is necessary to contribute, within Horizon 2020, to research and innovation projects that can demonstrate and test in the field the economic and environmental sustainability of a circular economy; stresses, at the same time, that, by adopting a systemic approach, these projects can facilitate the drafting of a regulation that is innovation-conducive and easier to implement, by identifying possible regulatory uncertainties, barriers and/or gaps that can hamper the development of business models based on resource efficiency;
73. Asks the Commission to use the digital agenda and information technology to their full potential to promote resource efficiency and the switch to a circular economy;
74. Highlights that the EU has an open economy, engaged in imports and exports in a global market; draws attention to the need to address the global challenge of resource depletion also at international level; calls on the Commission and the Member States to actively support the work of the International Resource Panel within the United Nations Environment Programme (UNEP), investigating the world's critical resource issues and developing practical solutions for policy-makers, industry and society;
75. Calls on the Commission to take the necessary action at international level to improve the traceability of products;

76. Stresses that increasing energy efficiency can reduce the EU's energy dependence and energy poverty, which affects some 125 million European citizens; observes that it is worth regarding energy efficiency as a separate energy source, the growth of which contributes substantially to the development of EU industry, job creation and the moderation of people's energy bills;
77. Urges the Commission to examine whether existing and envisaged legislation is hindering the circular economy, existing innovative business models or the emergence of new ones, such as a lease economy or sharing/collaborative economy, or whether there are financial or institutional barriers in this respect; urges the Commission to improve such legislation and address such barriers where necessary; calls on the Commission to review related legislation with a view to improving the environmental performance and resource efficiency of products throughout their lifecycle and to increasing consistency between existing instruments and developing a frontrunner approach;
78. Asks the Commission to clarify relevant aspects of EU competition policy in relation to the circular economy, notably to clarify the trade-off between risks of market collusion and the need to deepen cooperation between manufacturers and their suppliers;
79. Calls on the Commission to report back to Parliament about all the measures outlined above and to propose next steps by 2018;

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80. Instructs its President to forward this resolution to the Council, the Commission and the national parliaments.



TEXTS ADOPTED

Provisional edition

P8_TA-PROV(2015)0267

Maximum permitted levels of radioactive contamination of food and feed following a nuclear accident *I**

European Parliament legislative resolution of 9 July 2015 on the proposal for a Council regulation laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency (COM(2013)0943 – C7-0045/2014 – 2013/0451(COD))

(Ordinary legislative procedure - first reading)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2013)0943),
 - having regard to Articles 31 and 32 of the Treaty establishing the European Atomic Energy Community, pursuant to which the Council consulted Parliament (C7-0045/2014),
 - having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
 - having regard to Article 294(3) and Articles 168 (4) (b) and 114 of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 25 March 2014¹,
 - having regard to Rules 59 and 39 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A8-0176/2015),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 293(2) of the Treaty on the Functioning of the European Union;
 3. Instructs its President to forward its position to the Council and the Commission.

¹ OJ C 226, 16.7.2014, p. 68.

Amendment 1

Proposal for a regulation

Title

Text proposed by the Commission

Proposal for a
Council regulation laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency

Amendment

Proposal for a
regulation ***of the European Parliament and of the*** Council laying down maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency

(This amendment applies throughout the text.)

Amendment 2

Proposal for a regulation

Citation 1

Text proposed by the Commission

Having regard to the Treaty ***establishing*** the European ***Atomic Energy Community***, and in particular ***Articles 31*** and ***32*** thereof,

Amendment

Having regard to the Treaty ***on the Functioning of the*** European ***Union***, and in particular ***Article 168(4)(b)*** and ***Article 114*** thereof,

Amendment 3

Proposal for a regulation

Citation 3

Text proposed by the Commission

Having regard to the opinion of the European Parliament¹⁴,

Amendment

Acting in accordance with the ordinary legislative procedure,

¹⁴ *OJ C ... , ... , p. ...*

Amendment 4

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) Council Directive **96/29/Euratom**¹⁶ lays down basic safety standards for **the protection of the health of workers and the general public** against the dangers arising from **ionizing** radiation.

¹⁶ Council Directive **96/29/Euratom** of **13 May 1996** laying down basic safety standards for the protection **of the health of workers and the general public** against the dangers arising from ionizing radiation (*OJ L 159, 29.6.1996, p. 1.*)

Amendment

(1) Council Directive **2013/59/Euratom**¹⁶ lays down basic safety standards for protection against the dangers arising from **exposure to ionising** radiation.

¹⁶ Council Directive **2013/59/Euratom** of **5 December 2013** laying down basic safety standards for the protection against the dangers arising from exposure to ionising radiation, **and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom and 2003/122/Euratom** (*OJ L 13, 17.1.2014, p. 1.*)

Amendment 5

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) In accordance with Article 168 of the Treaty on the Functioning of the European Union (TFEU), a high level of human health protection should be ensured in the definition and implementation of all Union policies and activities.

Amendment 6

Proposal for a regulation
Recital 2

Text proposed by the Commission

Amendment

(2) Following the accident at the Chernobyl nuclear power-station on 26 April 1986, considerable quantities of radioactive materials were released into the atmosphere, contaminating foodstuffs and feedingstuffs in several European countries

(2) Following the accident at the Chernobyl nuclear power-station on 26 April 1986, considerable quantities of radioactive materials were released into the atmosphere, contaminating foodstuffs and feedingstuffs in several European countries

to levels ***significant from the*** health point of view. Measures were adopted to ensure that certain agricultural products ***are*** only introduced into the Union according to the common arrangements ***which*** safeguard the health of the population while maintaining the unified nature of the market and avoiding deflections of trade.

to ***significant*** levels ***from a*** health point of view, ***causing life-threatening illnesses and health conditions. A high level of radioactive contamination still persists today. Given that the radioactive material released has contaminated air, water, soil and vegetation,*** measures were adopted to ensure that certain agricultural products ***were*** only introduced into the Union according to the common arrangements ***in order to*** safeguard the health of the population while maintaining the unified nature of the market and avoiding deflections of trade.

Amendment 7

Proposal for a regulation Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Member States are responsible for monitoring compliance with the levels laid down in this Regulation, in particular by supervising safety standards for food and feed. Point (b) of Article 168(4) TFEU provides for the adoption of common measures in the veterinary field which have as a direct objective the protection of human health. In addition, Article 114 TFEU provides for an appropriate level of harmonisation to ensure that the internal market can run smoothly.

Amendment 8

Proposal for a regulation Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) It is a proven fact that higher doses of radiation have a harmful and destructive effect on the body's cells and can give rise to cancers.

Amendment 9

Proposal for a regulation Recital 2 c (new)

Text proposed by the Commission

Amendment

(2c) It is important to set low thresholds for maximum permitted levels of radioactive contamination in food, in order to take into account the higher cumulative dose caused by contaminated food that is eaten over an extended period of time.

Amendment 10

Proposal for a regulation Recital 3

Text proposed by the Commission

Amendment

(3) Council Regulation (Euratom) No 3954/87¹⁷ lays down maximum permitted levels of radioactive contamination to be applied following a nuclear accident or any other case of radiological emergency which is likely to lead or has led to significant radioactive contamination of food and feed. Those maximum permitted levels are still in line with the latest scientific advice as presently available internationally.

(3) Council Regulation (Euratom) No 3954/87¹⁷ lays down maximum permitted levels of radioactive contamination to be applied following a nuclear accident or any other case of radiological emergency which is likely to lead or has led to significant radioactive contamination of food and feed. Those maximum permitted levels are still in line with the latest scientific advice as presently available internationally ***and should be periodically reviewed and updated to take into account new scientific evidence. The maximum permitted levels listed in Annexes I to III have been revised and are set out in the Commission's Radiological Protection Publication 105. Specifically, they are based on a reference level of 1 mSv per year in addition to the individual dose as ingested, and suppose that 10 % of the food consumed annually is contaminated.***

¹⁷ Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down maximum permitted levels of radioactive

¹⁷ Council Regulation (Euratom) No 3954/87 of 22 December 1987 laying down maximum permitted levels of

contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency (OJ L 371, 30.12.1987, p. 11).

radioactive contamination of foodstuffs and of feedingstuffs following a nuclear accident or any other case of radiological emergency (OJ L 371, 30.12.1987, p. 11).

(Commission's Radiological Protection Publication 105 = Commission's publication Radiation Protection 105 on EU Food Restriction Criteria for Application after an Accident, see <http://ec.europa.eu/energy/en/radiation-protection-publications>.)

Amendment 11

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) Following the accident at the Fukushima nuclear power station on 11 March 2011, the Commission was informed that radionuclide levels in certain food products originating in Japan exceeded the **action** levels **in food** applicable in Japan. Such contamination may constitute a threat to public and animal health in the Union and therefore measures were adopted imposing special conditions governing the import of feed and food originating in or consigned from Japan, in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health.

Amendment

(4) Following the accident at the Fukushima nuclear power station on 11 March 2011, the Commission was informed that radionuclide levels in certain food products originating in Japan exceeded the **threshold** levels applicable in Japan **for food**. Such contamination may constitute a threat to public and animal health in the Union and therefore measures were adopted imposing special conditions governing the import of feed and food originating in or consigned from Japan, in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health. ***Measures should also be put in place to monitor and minimise the risk of consumption of food products from other countries affected by the radioactive fallout from a nuclear accident in another country.***

Amendment 12

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) There is a need to set up a system allowing the **European Atomic Energy Community**, following a nuclear accident or any other case of radiological emergency which is likely to lead or has

Amendment

(5) There is a need to set up a system allowing the **Union**, following a nuclear accident or any other case of radiological emergency which is likely to lead or has led to a significant radioactive

led to a significant radioactive contamination of food and feed, to establish maximum permitted levels of radioactive contamination in order to ***protect the population.***

contamination of food and feed, to establish maximum permitted levels of radioactive contamination in order to ***ensure a high level of public health protection.***

Amendment 13

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Maximum permitted levels of radioactive contamination should apply to food and feed originating in the Union or imported from third countries according to the location and circumstances of the nuclear accident or the radiological emergency.

Amendment

(6) Maximum permitted levels of radioactive contamination should apply to food and feed originating in the Union or imported from third countries according to the location and circumstances of the nuclear accident or the radiological emergency, ***taking into account the effect of natural and cumulative radiation as it moves up the food chain. Periodic revisions of these levels should be in place.***

Amendment 14

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) In order to take into account that diets of infants during the first six months period of life may vary significantly, and to allow for uncertainties in the metabolism of infants during the second six months period of life, there is a benefit in extending the application of lower maximum permitted levels for foods for infants, to the whole first 12 months of age.

Amendment

(8) In order to take into account that diets of infants during the first six months period of life may vary significantly, and to allow for uncertainties in the metabolism of infants during the second six months period of life, there is a benefit in extending the application of lower maximum permitted levels for foods for infants, to the whole first 12 months of age. ***Lower maximum permitted levels for foods should be applied to pregnant and breastfeeding women.***

Amendment 15

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) In order to facilitate the adaptation of maximum permitted levels, in particular with regard to scientific knowledge, ***procedures for establishing the maximum permitted levels should include the consultation of the Group of Experts referred to in Article 31 of the Treaty.***

Amendment

(9) In order to facilitate the adaptation of maximum permitted levels, in particular with regard to scientific knowledge ***and technical progress at international level, the Commission should present to the European Parliament and the Council a new proposal to adapt the maximum permitted levels.***

Amendment 16

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) In order to facilitate the adaptation of maximum permitted levels, procedures should be introduced to allow the regular consultation of experts. A group of experts should be established by the Commission on the basis of scientific and ethical criteria. The Commission should make public the group's composition and its members' declarations of interests. In adapting the maximum permitted levels, the Commission should also consult experts from international bodies in the field of radiation protection.

Amendment 17

Proposal for a regulation

Recital 9 b (new)

Text proposed by the Commission

Amendment

(9b) The Group of Experts should also estimate the cumulative effect of radioactive contamination.

Amendment 18

Proposal for a regulation Recital 9 c (new)

Text proposed by the Commission

Amendment

(9c) The maximum permitted levels should be made public and regularly revised to take due account of the latest scientific advances and advice as presently available internationally, to reflect the need to reassure the public and to provide it with a high level of protection, and to avoid divergences in international regulatory practice.

Amendment 19

Proposal for a regulation Recital 10

Text proposed by the Commission

Amendment

(10) In order to ensure that food and feed exceeding the maximum permitted levels are not placed on the market of the **EU**, compliance with these levels should be the subject of **appropriate** checks.

(10) In order to ensure that food and feed exceeding the maximum permitted levels are not placed on the market of the **Union**, compliance with these levels should be the subject of **thorough** checks **by the Member States and the Commission; penalties for non-compliance should be applied and the public should be informed accordingly.**

Amendment 20

Proposal for a regulation Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The rules for verifying compliance with measures designed to prevent, eliminate or reduce to acceptable levels the contamination risks to humans or animals are laid down in Regulation (EC) No 882/2004 of the European Parliament and of the Council^{1a}.

^{1a} Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules, OJ L 165, 30.4.2004, p. 1.

Amendment 21

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) The examination procedure should be used for the adoption of acts rendering applicable the pre-established maximum permitted levels of radioactive contamination of food and feed.

Amendment

(12) The examination procedure should be used for the adoption of acts rendering applicable the pre-established maximum permitted levels of radioactive contamination of food and feed. ***In the event of a nuclear accident or any other radiological emergency, it is nevertheless necessary to take due account of the particular circumstances and conditions applying to each accident, and, therefore, to establish a procedure allowing the rapid lowering of these pre-established maximum permitted levels, and, if necessary, the introduction of maximum permitted levels for other radionuclides (in particular tritium) involved in the accident, with a view to ensuring the highest possible level of public protection. The public should be informed immediately of the measure and of the maximum levels.***

Amendment 22

Proposal for a regulation Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) The Commission should be assisted

by the Standing Committee on Plants, Animals, Food and Feed established by Regulation (EC) No 178/2002 of the European Parliament and of the Council^{1a}. The Member States should ensure that their representatives on the committee have sufficient knowledge of radiological protection.

^{1a} Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

Amendment 23

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to certain radiological emergencies which are likely to lead or have led to a significant radioactive contamination of food and feed, imperative grounds of urgency so require.

Amendment

(13) The Commission should adopt immediately applicable implementing acts where, in duly justified cases relating to certain radiological emergencies which are likely to lead or have led to a significant radioactive contamination of food and feed, imperative grounds of urgency so require. ***The public should be informed immediately of the measure and of the maximum levels.***

Amendment 24

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) The adoption of the maximum permitted levels under this Regulation

should be based on the protection requirements for the most critical and vulnerable population groups, in particular children and people in isolated geographic areas or those practising subsistence farming. The maximum permitted levels should be the same for the entire population and should be based on the lowest levels.

Amendment 25

Proposal for a regulation Recital 13 b (new)

Text proposed by the Commission

Amendment

(13b) When food or feed originating in the Union or imported from third countries poses a serious risk to human or animal health or to the environment, the Commission should, by means of implementing acts, adopt additional measures in line with Regulation (EC) No 178/2002 to ensure a high level of human and animal health protection. If possible, the maximum applicable permitted limits and the additional emergency measures should be laid down in a single implementing regulation.

Amendment 26

Proposal for a regulation Recital 13 c (new)

Text proposed by the Commission

Amendment

(13c) When drawing up or reviewing implementing acts, the Commission should take account primarily of the following circumstances: the location, nature and scope of the nuclear accident or of any other cause of a radiological emergency; the nature and scope of radiological substances released into the air, water or soil, as well as in food and feed, whether inside or outside the Union;

the risks of actual or potential radiological contamination of food and feed and the resulting doses of radiation; the type and quantity of contaminated food and feed that can reach the Union market, and the maximum permitted levels for contaminated food and feed in third countries;

Amendment 27

Proposal for a regulation Recital 13 d (new)

Text proposed by the Commission

Amendment

(13d) In the event of a nuclear accident or radiological emergency which requires the maximum permitted levels to be applied, the public should be informed of the levels in force, both by the Commission and by each Member State. Furthermore, the public should also be provided with information about food and feed liable to accumulate stronger concentrations of radioactivity.

Amendment 28

Proposal for a regulation Recital 13 e (new)

Text proposed by the Commission

Amendment

(13e) Compliance with the maximum permitted levels should be the subject of appropriate checks, and penalties should be introduced for the deliberate export, import or sale of foodstuffs exceeding the maximum permitted contamination levels.

Amendment 54

Proposal for a regulation Article 1

Text proposed by the Commission

This Regulation lays down the maximum permitted levels of radioactive contamination of food as set out in Annex I, ***the maximum permitted levels of minor food as set out in Annex II***, and the maximum permitted levels of radioactive contamination of feed as set out in Annex III, which may be placed on the market following a nuclear accident or any other case of radiological emergency which is likely to lead to or has led to significant radioactive contamination of food and feed, and the procedures to render these maximum permitted levels applicable.

Amendment

This Regulation lays down the maximum permitted levels of radioactive contamination of food as set out in Annex I and the maximum permitted levels of radioactive contamination of feed as set out in Annex III, which may be placed on the market following a nuclear accident or any other case of radiological emergency which is likely to lead to or has led to significant radioactive contamination of food and feed, and the procedures to render these maximum permitted levels applicable.

Amendment 29

Proposal for a regulation

Article 2 - paragraph 1 - point 1

Text proposed by the Commission

(1) ‘food’ means any substance or product, ***whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be ingested by humans, including drink, chewing gum and any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment; ‘food’ does not include:***

(a) feed;

(b) live animals unless they are prepared for placing on the market for human consumption;

(c) plants prior to harvesting;

(d) medicinal products within the meaning of Article 1(2) of Directive 2001/83/EC of the European Parliament and of the Council²⁰;

(e) cosmetic products within the meaning of Article 2(1)(a) of Regulation (EC) No 1223/2009 of the European Parliament and of the Council²¹;

Amendment

(1) ‘food’ means any substance or product ***as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council;***

(f) tobacco and tobacco products within the meaning of Directive 2001/37/EC of the European Parliament and of the Council²⁰;

(g) narcotic or psychotropic substances within the meaning of the United Nations Single Convention on Narcotic Drugs, 1961, and the United Nations Convention on Psychotropic Substances, 1971;

(h) residues and contaminants.

²⁰ *Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67).*

²¹ *Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (OJ L 342, 22.12.2009, p. 59).*

²² *Directive 2001/37/EC of the European Parliament and of the Council of 5 June 2001 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco products (OJ L 194, 18.7.2001, p. 26).*

Amendment 55

Proposal for a regulation

Article 2 – paragraph 1 - point 2

Text proposed by the Commission

Amendment

(2) "minor food" means food of minor dietary importance which makes only a marginal contribution to food consumption by the population;

deleted

Amendment 30

Proposal for a regulation

Article 2 – paragraph 1 - point 3

Text proposed by the Commission

(3) ‘feed’ means any substance or product, ***including additives, whether processed, partially processed or unprocessed, intended to be used for oral feeding to animals;***

Amendment

(3) ‘feed’ means any substance or product ***as defined in Article 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council;***

Amendment 31

Proposal for a regulation

Article 2 - paragraph 1 - point 4

Text proposed by the Commission

(4) ‘placing on the market’ means the ***holding of food or feed for the purpose of sale, including offering for sale or any other form of transfer, whether free of charge or not, and the sale, distribution, and other forms of transfer themselves.***

Amendment

(4) ‘placing on the market’ means ***an operation as defined in Article 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council;***

Amendment 32

Proposal for a regulation

Article 2 – paragraph 1- point 4 a (new)

Text proposed by the Commission

Amendment

(4a) "food/feed contact materials" means packages and other materials intended to be in contact with food;

Amendment 33

Proposal for a regulation

Article 2 – paragraph 1- point 4 b (new)

Text proposed by the Commission

Amendment

(4b) "radiological emergency" situation means an unusual event that involves a

radiation source and requires immediate intervention to mitigate any serious health or safety threats, or any adverse consequences to the quality of life, to property or to the environment, or represents a danger that could lead to such adverse consequences.

Amendment 34

Proposal for a regulation Article 2 a (new)

Text proposed by the Commission

Amendment

Article 2a

Practices which consist of blending foodstuffs containing concentrations above those permitted by the rules on maximum permitted levels of radioactive contamination in food and feed with uncontaminated or mildly contaminated foodstuffs, so as to obtain a product that complies with these rules, shall not be authorised.

Amendment 35

Proposal for a regulation Article 3 – paragraph 1

Text proposed by the Commission

Amendment

1. In the event of the Commission receiving — in particular according to either the European Atomic Energy Community arrangements for the early exchange of information in case of a radiological emergency or under the IAEA Convention of 26 September 1986 on early notification of a nuclear accident — official information on accidents or on any other case of radiological emergency, ***substantiating that the maximum permitted levels for food, minor food or feed are likely to be reached or have been reached***, it shall adopt, ***if the***

1. In the event of the Commission receiving — in particular according to either the European Atomic Energy Community arrangements for the early exchange of information in case of a radiological emergency or under the IAEA Convention of 26 September 1986 on early notification of a nuclear accident — official information on accidents or on any other case of radiological emergency ***that contaminates food and feed***, it shall adopt, ***in the shortest time possible***, an implementing ***act laying down maximum permitted levels of radioactivity that may***

circumstances so require, an implementing **Regulation rendering applicable those maximum permitted levels**. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 5(2).

not exceed those laid down in the Annexes to this Regulation. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 5(2).

Amendment 36

Proposal for a regulation Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The maximum permitted levels shall be made public and regularly revised to take due account of the latest scientific advances and advice as presently available internationally, to reflect the need to reassure the public and to provide them with a high level of protection, and to avoid divergences with international regulatory practices which provide higher levels of protection.

Amendment 37

Proposal for a regulation Article 3 – paragraph 2

Text proposed by the Commission

Amendment

2. On ***duly justified*** imperative grounds of urgency relating to the circumstances of the nuclear accident or the radiological emergency, the Commission shall adopt an immediately applicable implementing **Regulation** in accordance with the procedure referred to in Article 5(3).

2. On imperative grounds of urgency relating to the circumstances of the nuclear accident or the radiological emergency, the Commission shall adopt an immediately applicable implementing **act** in accordance with the procedure referred to in Article 5(3).

Amendment 38

Proposal for a regulation Article 3 – paragraph 3

Text proposed by the Commission

3. When preparing the ***draft*** implementing ***act*** referred to paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account the basic standards laid down in accordance with ***Articles 30 and 31 of the Treaty***, including the principle that all exposures shall be kept as low as reasonably achievable, taking the protection of the health of the general public and economic and societal factors ***into account***.

Amendment

3. When preparing the implementing ***acts*** referred to ***in*** paragraphs 1 and 2 and discussing it with the committee referred to in Article 5, the Commission shall take into account the basic standards laid down in accordance with ***Council Directive 2013/59/Euratom***, including the principle that all exposures shall be kept as low as reasonably achievable, taking into account, ***as a priority***, the protection of the health of the general public and ***considering*** economic and societal factors, ***particularly of the most vulnerable segments of society***. ***In drawing up those acts, the Commission shall be assisted by an independent group of public health experts chosen on the basis of their knowledge and expertise in radiological protection and food safety. The Commission shall make public the composition of the committee of experts and its members' declarations of interests.***

Amendment 39

Proposal for a regulation

Article 3 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The implementing acts referred to in paragraphs 1 and 2 shall be adopted in line with the nature and scope of the radiation and shall be reviewed as many times as is necessary with regard to the manner in which the contamination develops. The Commission shall undertake to carry out the first review within one month at the latest following a nuclear accident or radiological emergency in order to modify, if necessary, the maximum permitted levels of radioactivity and the list of radionuclides.

Amendment 40

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. As soon as the Commission adopts an implementing **Regulation** rendering applicable maximum permitted levels, food or feed not in compliance with those maximum permitted levels shall not be placed on the market.

Amendment

1. As soon as the Commission adopts an implementing **act** rendering applicable maximum permitted levels, food, **minor food**, or feed not in compliance with those maximum permitted levels shall not be placed on the market.

Amendment 41

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall put in place a nuclear liability regime that is to address the concerns of all the Member States which might be affected by a nuclear accident; this regime shall provide for appropriate compensation in case of nuclear accidents.

Amendment 42

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

For the purposes of applying this Regulation, food or feed imported from third countries shall be considered to be placed on the market if, on the customs territory of the Union, **they undergo** a customs procedure other than a transit procedure.

Amendment

For the purposes of applying this Regulation, food, **minor food**, or feed imported from third countries shall be considered to be placed on the market if, on the customs territory of the Union, **it undergoes** a customs procedure other than a transit procedure.

Amendment 43

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Member States shall monitor compliance with the maximum permitted levels of radioactive contamination within their territories. For that purpose, Member States shall maintain a system of official controls for foodstuffs and feedingstuffs, and undertake other activities as appropriate in the circumstances, including public communication on food and feed safety and risks, in accordance with Article 17 of Regulation (EC) No 178/2002.

Amendment 44

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. Each Member State shall provide the Commission with all information concerning the application of this Regulation, in particular concerning ***cases of non-compliance with the maximum permitted levels***. The Commission shall ***communicate*** such information to the other Member States.

2. Each Member State shall provide the Commission with all information concerning the application of this Regulation, in particular concerning:

a) the regular scheduling of checks on the maximum permitted levels on its national territory;

b) cases of non-compliance with the maximum permitted levels;

c) the identification of the national competent services in charge of the controls.

The Commission shall ***provide*** this information to the other Member States ***in the shortest time possible***.

Cases of non-compliance with the maximum permitted levels shall be notified via the rapid alert system referred to in Regulation (EC) No 178/2002 of the European Parliament and of the Council.

The Commission shall impose penalties on Member States which themselves fail to impose penalties for the placing on the market or exportation of feed exceeding the maximum permitted levels of contamination.

Amendment 45

Proposal for a regulation Article 4 – paragraph 3 (new)

Text proposed by the Commission

Amendment

3. Member States shall provide information to the public, mainly by means of an online service, about the maximum permitted levels, emergency situations and cases of non-compliance with the maximum permitted levels. The public shall also be notified about foodstuffs that could accumulate higher concentrations of radioactivity, and, in particular, about the product type, brand, origin and date of analysis.

Amendment 46

Proposal for a regulation Article 4 – paragraph 4 (new)

Text proposed by the Commission

Amendment

4. The maximum permitted levels laid down in the Annexes to this Regulation shall take into account the effect of the partial decay of radioactive isotopes during the shelf life of preserved foodstuffs. Depending on the type of contamination, for example contamination with iodine isotopes, the radioactivity of preserved foodstuffs shall

be constantly monitored.

Amendment 47

Proposal for a regulation Article 4 – paragraph 5 (new)

Text proposed by the Commission

Amendment

5. The Commission shall submit to the European Parliament and the Council, by 31 March 2017, a report on the appropriateness of a mechanism for compensating farmers whose foodstuffs have been contaminated beyond the maximum permitted levels of radioactive contamination and therefore cannot be placed on the market. Such a mechanism is to be based on the polluter-pays principle. The report shall, if appropriate, be accompanied by a legislative proposal setting up such a mechanism.

Amendment 48

Proposal for a regulation Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4a

1. The Commission shall submit to the European Parliament and the Council, by 31 March 2017, a report on the pertinence of the maximum permitted levels of radioactive contamination set in the Annexes.

2. The report shall enable verification of whether the maximum permitted levels of radioactive contamination ensure that the limit on the effective dose for public exposure of 1 mSv/year is respected and result in thyroid doses sufficiently below the 10 mGy reference level recommended by the WHO for the administration of stable iodine to especially vulnerable

groups.

3. The report shall consider the possibility of reviewing the radionuclide classification and including tritium and carbon 14 in the Annexes to this Regulation. In assessing those maximum permitted levels, the report shall focus on the protection of the most vulnerable population groups, in particular children, and examine whether it would be appropriate to set maximum permitted levels for all categories of the population on that basis.

Amendment 49

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

1. The Commission shall be assisted by the Standing Committee on ***the Food Chain and Animal Health*** established by Article 58 (1) of Regulation (EC) No 178/2002 ***of the European Parliament and of the Council***²³. That committee shall be considered as a committee within the meaning of Regulation (EU) No 182/2011.

²³ ***Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).***

Amendment 50

Proposal for a regulation Article 6

Amendment

1. The Commission shall be assisted by the Standing Committee on ***Plants, Animals, Food and Feed*** established by Article 58(1) of Regulation (EC) No 178/2002. That committee shall be considered as a committee within the meaning of Regulation (EU) No 182/2011.

Text proposed by the Commission

In order to ensure that the maximum permitted levels laid down in Annexes **I, II and III** take account of any new or additional important data becoming available, in particular with regard to scientific knowledge, **adaptations to those Annexes shall be proposed by the Commission** after consultation of the Group of Experts referred to in Article 31 of the Treaty establishing the European Atomic Energy Community.

Amendment

In order to ensure that the maximum permitted levels laid down in **the Annexes to this Regulation** take account of any new or additional important data becoming available, in particular with regard to **the latest** scientific knowledge, the Commission **shall submit to the Parliament and the Council a report accompanied, where necessary, by a proposal to adapt those annexes and revise, if necessary, the list of radionuclides**, after consultation of the Group of Experts referred to in Article 3(3).

Amendment 51

**Proposal for a regulation
Article 6 a (new)**

Text proposed by the Commission

Amendment

Article 6a

In the event of a nuclear accident or other cause of a radiological emergency leading to contamination of food and feed, the Commission shall submit a report to the European Parliament and the Council giving details of the measures taken in accordance with this Regulation and the information notified pursuant to Article 4(2).

Amendment 57

**Proposal for a regulation
Annex II**

Text proposed by the Commission

Amendment

[...]

deleted



TEXTS ADOPTED

Provisional edition

P8_TA-PROV(2015)0268

Building a Capital markets union

European Parliament resolution of 9 July 2015 on Building a Capital Markets Union (2015/2634(RSP))

The European Parliament,

- having regard to the Commission Green Paper of 18 February 2015 entitled ‘Building a Capital Markets Union’ (COM(2015)0063),
 - having regard to the Commission communication of 15 May 2014 entitled ‘A reformed financial sector for Europe’ (COM(2014)0279),
 - having regard to its resolution of 11 March 2014 with recommendations to the Commission on the European System of Financial Supervision (ESFS) Review¹,
 - having regard to the Commission review reports on the European System of Financial Supervision (COM(2014)0509 on European Supervisory Authorities (ESAs) and COM(2014)0508 on the European Systemic Risk Board (ESRB)),
 - having regard to the Commission communication of 27 March 2014 entitled ‘Long-Term Financing of the European Economy’ (COM(2014)0168),
 - having regard to its resolution of 26 February 2014 on long-term financing of the European economy²,
 - having regard to the Commission communication of 26 November 2014 entitled ‘An Investment Plan for Europe’ (COM(2014)0903),
 - having regard to the question to the Commission on the Green Paper on Building a Capital Markets Union (O-000075/2015 – B8-0564/2015),
 - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas Parliament, in its resolution of 26 February 2014 on long-term financing of the European economy, stressed ‘the need to improve access to capital markets through new

¹ Texts adopted, P7_TA(2014)0202.

² Texts adopted, P7_TA(2014)0161.

sources of funding’ and at the same time noted that ‘commercial banks are likely to remain a main source of finance and that it is key for the Member States to establish new sources to complement established mechanisms and fill the funding gap, while providing for an appropriate regulatory and supervisory framework geared to the needs of the real economy’;

- B. whereas the Commission, in its communication of 27 March 2014 entitled ‘Long-Term Financing of the European Economy’, explored possibilities to take concrete actions in order to diversify funding, develop European capital markets and improve access to financing, especially for SMEs, for instance in the areas of equity and corporate bond markets, simple and transparent securitisation, covered bonds and private placement;
- C. whereas, as declared by Commission President Jean-Claude Juncker, the Commission’s first strategic priority is ‘to strengthen Europe’s competitiveness and to stimulate investment for the purpose of job creation’;
- D. whereas insufficiently regulated and controlled capital markets were a major reason for the outbreak of the financial crisis; whereas any new proposals, notably on securitisation, need to adequately reflect this fact;
- E. whereas, in the wake of the financial crisis, the EU institutions have introduced a number of pieces of legislation aimed at preventing such a crisis from recurring, and at creating the environment of financial stability that is essential for truly sustainable growth; whereas this legislation should be seen as the framework in which Capital Markets Union (CMU) takes place, and not as an impediment to it;
- F. whereas a reduction in fragmentation of capital markets could lead to a lower cost of capital while improving its allocation, and could thus support the growth of businesses, especially SMEs, and the creation of jobs within the EU;
- G. whereas various EU institutions and the private sector are currently developing solutions or recommendations in order to further develop the capital markets, for example in the area of simple and transparent securitisation, private placement, equity financing, European covered bonds and initial public offerings (IPOs);
- H. whereas any previous regulatory efforts (the Capital Requirements Directive (CRD), the Markets in Financial Instruments Directive II (MIFID II) / Markets in Financial Instruments Regulation (MIFIR)) must be complemented and further developed by a CMU;

Economic background

1. Notes that investment in the real economy in Europe has relatively declined over several decades, despite a large increase in the size of the European and global financial sector over the same period; points out that the real economy remains heavily reliant on banks, which makes the economy vulnerable to a tightening of bank lending;
2. Notes that massive public intervention since the start of the crisis, triggered by the failure of the financial sector, has resulted in abundant liquidity, and yet this has not resulted in an increase in demand by the real economy for financing;

3. Points out that before the crisis Europe was not short of cross-border flows, but that they were concentrated in interbank lending and in debt often held by highly leveraged investors, which resulted in a transfer of risks within the internal market;
4. Notes that restoring the stability of the banking sector in the EU took over as a priority vis-à-vis the financing of long-term investment and of the real economy;
5. Points out that there is a large stock of idle capital held by the insurance sector that should be put to more effective use by improving the regulatory framework through reconsideration of the capital requirements for certain investments made by the insurance sector;
6. Points out that, despite the opportunities offered by a well-designed EU capital market, there can be no avoiding the fact that there are formidable obstacles in other areas such as taxation, especially practices that incentivise debt over equity, insolvency and accounting law; believes that in these areas EU harmonisation would not automatically bring added benefits, and that in this context there is no need for an extension of the International Financial Reporting Standards (IFRS) in Europe;
7. Stresses that the degree of financial integration has declined since the crisis, with banks and investors moving back to their home markets;
8. Stresses that demand and supply can be encouraged by creating confidence in the real economy through clear commitments at Member State and Union level to foster a positive investment environment and legal certainty for investors, to formulate long-term objectives for a stabilising, competitive and growth-friendly legislative framework and to incentivise and diversify investment in infrastructure, thus enabling firms to plan for the long term;
9. Acknowledges that Europe's future is connected to its power to innovate; considers that, in addition to an innovation-friendly regulatory framework, easy, adequate and diversified access to financing for businesses is key to creating smart, sustainable and inclusive growth;
10. Points out that the improvement of financing conditions for European businesses has to be built upon reinforced economic and financial stability, which includes the implementation of reforms in all Member States;
11. Highlights that imperfect capital markets have led to a mispricing of risk and to a disconnection between the returns sought and the real risks run, which has caused markets to be unfavourably biased towards entities such as SMEs; believes that one of the objectives of the CMU should be to improve the efficiency of markets and ensure a fair, adequate and economically sound risk-return relationship in the EU capital markets;

A genuine European approach

12. Believes that while, for example, the US has recovered faster from the financial crisis than the EU, which is partly due to a more diversified financial system, the EU needs to build its own genuine version of a CMU, which may draw on the experiences from other parts of the world but not simply replicate them; stresses, however, that a sensible approach for the recognition of equal or similar standards of third countries needs to be developed in order to guarantee compatibility between European and international financial markets;

13. Believes that a genuine European approach to capital markets should duly take into account international developments so that Europe remains attractive for international investors by avoiding unnecessary divergences and duplications in legislation;
14. Underlines that, while Europe saves more than the US in terms of percentage of GDP (20 % and 17 % respectively), the level of savings held in EU mutual funds is equivalent to only 50 % of the US level and savings held in pension funds only 35 %; further indicates that EU equity markets, corporate bond markets and securitisation represent 60 %, 35 % and 20 % of the levels of their US counterparts respectively;
15. Stresses the need for the Commission to take into account the different economic and cultural composition of the SME sector by Member State in order to prevent any unintended consequences resulting from the implementation of the CMU that may accentuate the existing imbalances in access to finance between Member States;
16. Calls on the Commission to establish a European approach to strengthen the diversification of funding sources and investments in European businesses, by means of a CMU that builds upon the characteristics and interdependence of the European banking and capital markets landscape, bearing in mind the specificities of the European model for financing of businesses, and the need to develop reliable non-bank sources of finance for growth and to complement these with ways for market participants to raise debt, equity and venture capital directly from the market; notes that the Commission should not necessarily only rely on peer reviews with other jurisdictions; draws the attention of the Commission to the fact that cultural differences should not be disregarded and adequate answers need to be provided in order to overcome them; believes further that the Commission should take the newest technological developments into account in its reforms of the capital markets;
17. Calls on the Commission to recognise that diversity between business models and the financial markets of Member States can be strengths worth protecting for Europe as a whole;
18. Underlines that the launch of a CMU and the underlying legislation should be targeted at the functioning of capital markets in the entire EU, completing the single market and enhancing sustainable growth; underlines that, following the crisis, steps have been taken regarding supervision of the banking sector that, for the time being, have not been expanded in the capital markets; underlines that differences between financial sectors exist, which make different solutions necessary; stresses, however, that a level playing field among participants must be ensured for similar financing activities and that the key aim for all sectors must be to improve capital allocation across the European economy and make better use of capital stocks that remain idle today;
19. Highlights that, for this purpose, sound and comprehensive stocktaking needs to be done, which considers the cumulative effect on European capital markets of all files passed in recent years; points out that this also implies a careful review of whether the strict capital requirements applied in the banking and insurance sector need reconsideration;
20. Highlights that initiatives towards a CMU should not reinvent the wheel but acknowledge that financing for businesses in Europe is based on well-developed, historically established structures that, despite their limits, have proven to be successful and crisis-resilient, and that further diversification and the development of new channels could be valuable in ensuring that different types of businesses have complementary access to funding;

21. Notes that traditional financing channels through banks are often not supportive of innovative ventures and SMEs; stresses that the lack of access to finance for SMEs is one of the greatest obstacles to growth in the EU; emphasises that while bank credit is continuously difficult to obtain for SMEs, alternatives to bank financing are needed, in particular by improving the business environment for venture capital, peer-to-peer funds, private placement, SME loan securitisation and promotion of credit unions, but also through standardising the rules concerning public-private partnerships (PPPs) throughout the EU;
22. Underlines the fact that a more efficient allocation of capital within the EU need not always lead to higher cross-border capital flows; recalls that the build-up of real estate bubbles in some Member States before the crisis was, to some extent, fuelled by too much capital flowing in;
23. Highlights the necessity of identifying existing financial structures which have proven to be effective and should therefore be retained, and those structures which need substantial improvement; considers that effective structures should also be promoted for local and decentralised financial institutions;
24. Recalls the success of EU-wide initiatives such as undertakings for collective investment in transferable securities (UCITS) that have enabled the growth of EU investment funds, operating with a passport across Member States, with nearly EUR 8 trillion of assets; considers that the Alternative Investment Fund Managers (AIFM) Directive is also a good example;
25. Welcomes the adoption of the European Long-Term Investment Funds (ELTIF) Regulation; considers that ELTIFs could replicate the progress made with UCITS, by encouraging greater allocation of capital to long-term projects in need of funding such as in the infrastructure and energy sectors, in particular at cross-border level; calls on the Commission to investigate how, in the long-term, extraordinary investment programmes such as the European Fund for Strategic Investments (EFSI) could be effectively connected with regular EU funds; considers that institutional investors should be invited to contribute funds under their management to the European capital markets; believes that institutional investors and the conditions under which they can enter the market need to play an important role in the development of the CMU;
26. Recalls previous work on integrating financial markets, such as the Financial Services Action Plan (1999), the Giovannini report and the de Larosière report, and calls on the Commission to build on these reports in its Capital Markets Union Action Plan;
27. Calls upon the Commission to analyse in depth, on a country-by-country basis, the current situation in the capital markets, to assess in a comprehensive economic analysis where and to what extent EU-wide impediments to investment via capital markets exist, and to indicate by which means, including non-legislative and market-based approaches, these impediments may be removed or minimised; believes that this analysis is a precondition for a CMU to succeed; calls upon the Commission to speed up this process;
28. Calls on the Commission to identify cross-border risks in financial and capital markets in the EU caused by institutional, legal and regulatory differences between Member States, and to address them with effective measures in order to streamline cross-border capital flows and to reduce the existing home bias among investors;

29. Calls upon the Commission to consider also the supply side, and in particular to analyse and address the root causes of why retail and institutional investors are not able to mobilise and transform sufficient capital to strengthen individual financial services and long-term investment in the real economy;
30. Suggests that the Commission promote the financial education of both investors and companies as users of capital markets, and enhance the availability of EU data and research by standardising and improving data collection, in order to enable both companies and investors to understand the comparative costs and benefits of different services provided by capital market participants;
31. Calls upon the Commission to investigate ways to reduce the information asymmetries in the capital markets for SMEs, looking into the market for credit rating agencies and the barriers for new entrants to this market; underlines the idea of independent European credit agencies that offer ratings which are also cost-effective for small investments;
32. Welcomes the Commission's announcement to review the Prospectus Directive in order to address the shortcomings of the current prospectus framework; stresses the importance of simplifying its procedures by proportionately lifting the administrative burden for issuers and company listings, in particular with regard to SMEs and mid-cap companies; believes that it might be worth investigating ways to better adapt the requirements according to the type of assets and/or investors and/or issuers; points out that transparency would be enhanced and transaction costs reduced if information to be provided were standardised and made available digitally;
33. Calls upon the Commission to provide more clarity as to how the CMU will interact with the other two pillars of the European Investment Plan, namely the European Fund for Strategic Investments and the European Investment Advisory Hub;
34. Stresses the importance of integrating initiatives on capital markets with other policy agendas, such as the development of a digital single market and ongoing reforms in the field of company law and corporate governance, in order to achieve coherence and consistency among various regulatory and non-regulatory initiatives and thus maximise positive side-effects of different policies on economic growth and job creation;

Building blocks of a Capital Markets Union

35. Takes the view that the CMU should follow a step-by-step approach and that the priorities of the CMU should be threefold: first, to incentivise the most efficient allocation of savings by deepening and diversifying the sources of finance available to businesses and to offer more investment choices, greater transparency and portfolio diversification to savers and investors; secondly, to enable greater risk mitigation by creating deeper cross-border markets, enhancing the financial system's resilience against the adverse effects of severe financial crises and smoothing out the impact of idiosyncratic shocks; thirdly, ensuring that there is an effective complementary channel to finance the real economy;
36. Invites the Commission, where needed, to come forward with proposals to review the current legislation, notably regarding credit rating agencies and audit firms, in order to increase and complete investor protection;

37. Underlines the necessity of eliminating existing barriers to cross-border financing, especially for SMEs, in order to foster the benefits of the CMU for businesses of all sizes in all geographical areas;
38. Underlines that a core principle for building a CMU must be to put a greater focus on the end users of capital markets, i.e. companies and investors, and to recognise that markets exist for companies and investors; believes, therefore, that EU policies must focus on ensuring that capital markets provide companies with better access to capital and investors with diverse, transparent, affordable saving opportunities;
39. Invites the Commission to make consistent proposals to make sure that the CMU will go hand in hand with a clear strategy to face the counterproductive effects of the shadow banking system;
40. Underlines that, in order to contribute to the priorities mentioned above, the CMU initiatives should aim at limiting the complexity, while increasing the efficiency and reducing the cost of, the chain of intermediation between savers and investments, enhancing end-user awareness of the intermediation chain and its cost structure, enhancing investor protection, ensuring the stability of the intermediation chain by appropriate prudential rules and ensuring that intermediaries can fail and be substituted with minimal disruption to the financial system and the real economy;
41. Welcomes the Commission's plan to take stock of the overall impact of financial regulation, in particular the legislation of the last five years; stresses the need to take the aforementioned priorities into consideration when performing reviews of existing financial regulations;
42. Stresses that bank financing and the intermediary role of banks in capital markets are important pillars in business financing; highlights that the CMU should be based on complementing the fundamental role of banks, not about displacing them, as bank financing should continue to play a key role in the financing of the European economy; stresses the important role of relationship banking in financing micro-, small and medium-sized enterprises, which can also be used to provide alternative methods of financing; recalls the strategic dimension of having a strong and diversified European banking sector; calls on the Commission to investigate access to bank lending for SMEs across the Union, and to tackle inappropriate barriers;
43. Underlines that SMEs should have the broadest available choice of funding structures, so that they themselves have a choice of funding options of differing costs and complexity levels, including mortgage lending and securitisation-based funding;
44. Underlines the necessity of fostering an environment where more household and corporate savings flow to vehicles that will invest in capital markets, and where investors are encouraged to allocate capital across the borders of Member States; underlines the necessity of adequate safeguards, especially for households, to ensure full awareness of the advantages and disadvantages of capital market investments; stresses the importance of expanding accessibility to financial education aiming at improving investors' trust in capital markets, in particular retail investors; also underlines that financial education should be targeted towards SMEs, teaching them how to use capital markets;

45. Highlights that CMU initiatives should enable borrowers to access funds from market-based sources, supporting more diversity in the forms of borrowings such as equity and corporate bonds, as well as indirect forms of finance in which banks and markets work together;
46. Stresses the importance of facilitating a comprehensible comparison of the investment options available to financial actors in order to establish an efficient CMU; calls in this respect for strengthening of the common framework for ensuring comparability and transparency among the different financial instruments, in particular with a proper implementation of the measures foreseen for this purpose in MIFID, the Insurance Mediation Directive (IMD) and PRIIPs; stresses the importance of legislative coherence in general and between the aforementioned files in particular, in order to avoid regulatory arbitrage and ensure the highest investor protection standards across markets;
47. Believes that the CMU should create an appropriate regulatory environment that enhances cross-border access to information on the companies looking for credit, quasi-equity and equity structures, in order to promote growth of non-bank financing models, including crowdfunding and peer-to-peer lending; believes that disclosure of such information should be on a voluntary basis for SMEs; underlines that investor protection rules should apply to all financing models to the same extent, irrespective of whether they are part of bank or non-bank financing models; considers that such an environment would also require more systemic resilience and supervision of systemic financial intermediaries outside the banking sector;
48. Believes that standardisation of certain financial instruments and their accessibility across the internal market could be an appropriate tool to help enhance liquidity, strengthen the functioning of the single market, and enable a comprehensive overview and supervision of the European capital markets, with the best practices of existing Member States' standards considered appropriately; underlines the necessity of retaining the possibility of issuing tailor-made financial instruments that fit the needs of individual issuers and individual investors;
49. Recalls that a historical overview of the Financial Services Action Plan invites consideration of two loopholes that have appeared in the wake of its implementation, the need to carefully consider the special impact on the functioning of the euro area of measures designed in the framework of the internal market and the need to improve in parallel integration of the market and of supervision; invites the Commission, while drafting the Action Plan, to draw all the necessary lessons from this precedent;
50. Emphasises that the legal and supervisory frameworks should play a fundamental role in avoiding excessive risk-taking and instability in financial markets; underlines that a strong CMU project needs to be accompanied by strong EU-wide and national supervision including adequate macroprudential instruments; believes that among possible options, a stronger role could be attributed to the European Securities and Markets Authority (ESMA) in improving supervisory convergence;
51. Calls on the Commission to carefully assess the risks of capital market-based credit financing and relevant experiences during the emergence of the 2007/2008 financial crisis, and to tackle any problems emerging therefrom;

Bringing the capital markets closer to SMEs

52. Points out that possible changes or additions to the existing regulatory framework for financial intermediaries should aim at removing barriers to entry for small and medium-sized intermediaries and at improving access to finance, particularly for innovative start-ups and small and medium-sized companies, and ensure risk-proportionate prudential standards;
53. Welcomes the Commission proposal for a Directive amending Directive 2007/36/EC as regards the encouragement of long-term shareholder engagement and Directive 2013/34/EU as regards certain elements of the corporate governance statement (COM(2014)0213); in particular, believes that this proposal could be a vehicle to support an attractive environment for shareholders by improving the efficiency of the equity investment chain; stresses that a sound and practicable framework for corporate governance would strengthen the CMU;
54. Highlights that the sophistication of capital markets should not end up excluding SMEs, which are the enterprises that most need to access complementary financing, particularly in Member States that face(d) economic difficulties; underlines that a positive environment for successful SME financing includes the need for SME-friendly economic and regulatory conditions, both at EU and national level; in particular, stresses that attention should be drawn to a possible simplification of procedures for the access to IPOs by SMEs and mid-cap companies, while ensuring that firm criteria to assess the resilience and eligibility of businesses for an IPO remain; calls on the Commission to look at what more can be done to help SMEs to attract investment;
55. Recalls that lack of information on the financial situation of SMEs is one of the major barriers to investment in this type of company; calls for in-depth reflection on the ways and means to improve investors' access to transparent and comparable data on SMEs while limiting to the greatest extent possible the additional onus put on these companies;
56. Encourages a diverse and attractive funding base in European public markets for companies of all sizes, while promoting the concept of 'Think Small First' in EU financial regulation affecting Emerging Growth Companies and revising EU financial regulation to reduce the administrative costs of listing for companies by 30-50 %;
57. Believes that, given the importance of SMEs and mid-cap companies for the creation of new jobs, existing non-bank financing opportunities such as the development of specialised secondary markets (e.g. SME growth markets) and simple, transparent and standardised securitisation have to be better exploited; welcomes the initiative to establish a sustainable, transparent securitisation market by developing a specific regulatory framework with a uniform definition of high-quality securitisation, combined with effective methods for monitoring, measuring and managing risk; stresses, however, that SMEs constitute a highly diverse group and that securitisation is not the only instrument available; calls, therefore, on the Commission to use a wide range of approaches and to reflect on a broad variety of venues to improve SME financing;
58. Supports suggestions to enhance possibilities for access to data for European companies, particularly SMEs; at the same time, draws attention to the fact that the costs of market data are small compared to the overall transaction costs;
59. Urges the Commission to enhance the capacity to monitor the types, volumes and trends of bank-like intermediation activities carried out outside the regulated banking sector and to implement appropriate measures to ensure that they are subject to the principle of 'same risks, same rules';

60. Points out that private equity and venture capital offer interesting alternatives for financing, in particular for start-ups; calls on the Commission to develop additional instruments building on the experience gained with the European Venture Capital Funds and the European Social Entrepreneurship Funds in order to tackle major shortcomings of risk capital markets in the EU, such as the lack of information for investors; believes that the development of a dedicated database to collect, on a voluntary basis, information on SMEs and start-ups could be a useful tool to provide information to investors, thus eventually widening the range of market participants and reinforcing further risk capital markets among Member States;
61. Welcomes moves to support the development of private placement markets through standardised documents and definitions, while ensuring that potential investors are sufficiently informed about the risks and rewards of this form of investment;
62. Calls on the Commission to ensure that any development of new ‘fund-of-fund’ proposals as part of the CMU does not lead to loopholes in the overall assessment and management of systemic and specific risk;
63. Insists on the necessity, while building the CMU, of strengthening and improving EU coordination at international level, notably in the framework of the G20, the International Organisation of Securities Commissions (IOSCO), the International Accounting Standards Board (IASB) and the Basel Committee;

Creating a coherent EU regulatory environment for capital markets

64. Further underlines the importance of equity financing that can help to mitigate risks and reduce excessive levels of debt and leverage in the financial system; calls, therefore, on the Commission and the Member States to review and address the over-burdensome regulation for equity financing of private companies; stresses the importance of addressing the debt equity tax bias;
65. Is aware that the heterogeneity of insolvency rules complicates the creation of cross-border asset pools and therefore the securitisation process; notes in this regard the Commission’s suggestion to address cross-border insolvency to the extent necessary for achieving a well-functioning CMU; calls for the establishment of a recovery and resolution framework for non-banks, in particular central counterparties (CCPs);
66. Recalls the role of payments systems and securities settlements for the securitisation market and calls for a European market infrastructure to be established for this purpose, as well as for coordinated and more harmonised monitoring of critical market infrastructure, in particular the possibility of creating a data repository for securitisation, which would register each securitisation’s participants, track aggregate exposures and flows between market participants, monitor the efficiency and effectiveness of policy initiatives and detect possible emerging bubbles and reduce information asymmetries;
67. Stresses the need, given the role played by ICTs, to address the threat of cyberattacks and make the whole financial system resilient to such attacks;
68. Encourages the Commission to increase the comparability and quality of financial information looking into the current framework on accounting standards, also with a global perspective and with regard to conservative valuation models and the proportionality of the

requirements; understands that the recently revised European accounting law has to be assessed in practice first;

69. Stresses the necessity of performing an impact assessment and cost-benefit analysis of any additional legislation, including delegated and implementing acts; notes that new legislation might not always be the appropriate policy response to these challenges and that non-legislative and market-based approaches, as well as in some cases already existing national solutions, should be looked into; calls upon the Commission to implement proportionality in the relevant legislation in order to enhance positive effects for SMEs and mid-cap companies;
70. Believes that the building blocks for a fully functional CMU should be in place no later than 2018; reiterates the demand for a comprehensive analysis of the current situation in the EU capital markets and the existing EU-wide impediments; calls on the Commission to speed up its work on the action plan and put forward legislative and non-legislative proposals as soon as possible to achieve the objective of a fully integrated single EU capital market by the end of 2018;
71. Notes that the developing digital environment should be seen as an opportunity to improve the performance and value delivered in the capital markets industry to enterprises, investors and society in general;

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



TEXTS ADOPTED
Provisional edition

P8_TA-PROV(2015)0269

European Agenda on Security

European Parliament resolution of 9 July 2015 on the European Agenda on Security (2015/2697(RSP))

The European Parliament,

- having regard to Articles 2, 3, 6, 7 and 21 of the Treaty on European Union and to Articles 4, 16, 20, 67, 68, 70-72, 75, 82-87 and 88 of the Treaty on the Functioning of the European Union,
- having regard to the Charter of Fundamental Rights of the European Union, and in particular Articles 6, 7, 8, 10(1), 11, 12, 21, 47-50, 52 and 53 thereof,
- having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), the case law of the European Court of Human Rights, the conventions, recommendations, resolutions and reports of the Parliamentary Assembly, the Committee of Ministers, the Human Rights Commissioner and the Venice Commission of the Council of Europe,
- having regard to the Commission Communication of 28 April 2015 on the European Agenda on Security (COM(2015)0185),
- having regard to the Communications from the Commission on the Strategy for the effective implementation of the Charter of Fundamental Rights by the European Union (COM(2010)0573) and the Operational Guidance on taking account of Fundamental Rights in Commission Impact Assessments (SEC(2011)0567),
- having regard to the judgment of the Court of Justice of the European Union of 8 April 2014 in Joined Cases C-293/12 and C-594/12, which annulled Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks,
- having regard to Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument

for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA¹,

- having regard to its resolution of 14 December 2011 on the EU Counter-Terrorism Policy: main achievements and future challenges²,
 - having regard to its resolution of 27 February 2014 on the situation of fundamental rights in the European Union (2012)³,
 - having regard to its resolution of 12 March 2014 on the US NSA surveillance programme, surveillance bodies in various Member States and their impact on EU citizens' fundamental rights and on transatlantic cooperation in Justice and Home Affairs⁴,
 - having regard to its resolution of 17 December 2014 on renewing the EU Internal Security Strategy⁵,
 - having regard to its resolution of 11 February 2015 on anti-terrorism measures⁶,
 - having regard to its plenary debate on 28 April 2015 on the European Agenda on Security,
 - having regard to the questions to the Council and to the Commission on the European Agenda on Security (O-000064/2015 – B8-0566/2015 and O-000065/2015 – B8-0567/2015),
 - having regard to the motion for a resolution of the Committee on Civil Liberties, Justice and Home Affairs,
 - having regard to Rules 128(5) and 123(2) of its Rules of Procedure,
- A. whereas the threats to the Union's internal security have become more complex, hybrid, asymmetric, unconventional, international, rapidly evolving and difficult to predict, going beyond the capacity of any individual Member State, and therefore require more than ever a coherent, comprehensive, multi-layered and coordinated EU response which fully takes into account respect for fundamental rights;
- B. whereas development of EU security policy is a shared responsibility which requires coordinated and aligned efforts by all Member States, EU institutions and agencies, civil society and law enforcement authorities, is geared towards common goals and is based on the rule of law and respect for fundamental rights; whereas in order to deliver optimal results, the concrete implementation of these shared goals and priorities should be associated with a clear division of tasks between the EU level and the national level, on the basis of the principle of subsidiarity and with strong and effective parliamentary and judicial oversight;

¹ OJ L 150, 20.5.2014, p. 93.

² OJ C 168 E, 14.6.2013, p. 45.

³ Texts adopted, P7_TA(2014)0173.

⁴ Texts adopted, P7_TA(2014)0230.

⁵ Texts adopted, P8_TA(2014)0102.

⁶ Texts adopted, P8_TA(2015)0032.

- C. whereas the national security exception included in Article 4(2) TEU cannot be used to allow national security agencies to infringe on the interests, including economic interests, of other Member States, their citizens' and residents' rights and the laws and policies of the European Union and third countries more generally;
- D. whereas attention should be brought to the need to learn the lessons from the many breaches of European and universal norms and values in the context of internal and external security cooperation post-9/11;
- E. whereas freedom, security and justice are objectives that must be pursued in parallel; whereas, in order to achieve freedom and justice, security measures should therefore always respect democracy, the rule of law and fundamental rights in accordance with the principles of necessity and proportionality and should be subjected to proper democratic oversight and accountability; whereas the justice and prevention dimension is not sufficiently covered in the European Agenda on Security;
- F. whereas a number of the root causes of crime, such as increasing inequality, poverty, racial and xenophobic violence and hate crimes, cannot be addressed by security measures alone, but need to be addressed in a wider policy context, including improved social, employment, educational, cultural and external policies;
- G. whereas the prevention aspect of the European Agenda on Security is particularly essential in a period of growing economic and social inequities that undermine the social pact and the effectiveness of fundamental rights and public freedoms; whereas alternative measures to prison on the one hand and reintegration measures on the other, in particular regarding minor offences, should be an important element of such prevention policies;
- H. whereas, upon the expiry of the transitional period provided for in Protocol 36 annexed to the Treaties, the Commission and the European Court of Justice have obtained full powers with respect to the former third-pillar legal instruments, expanding democratic and fundamental rights accountability over measures taken that have played an important role in shaping the area of freedom, security and justice;
- I. whereas cybercrime and cyber-facilitated crime affect the security of EU citizens, the internal market and the intellectual property and prosperity of the European Union; whereas, for example, botnets as a form of cybercrime affect millions of computers and thousands of targets at the same time;
- J. whereas the boundaries between internal and external security are becoming more and more blurred, which requires stronger cooperation and coordination between Member States resulting in a comprehensive and multidimensional approach;
- K. whereas special attention should be paid to supporting and protecting all victims of terrorism and crime across the EU as a major part of the security agenda;
- 1. Takes note of the European Agenda on Security for the 2015-2020 period as proposed by the Commission and the priorities set out in it; considers that, in view of the challenges the European Union is currently facing, terrorism, violent extremism, cross-border organised crime and cybercrime are the most serious threats which require coordinated actions at national, EU and global level; points out that the Agenda should be structured in a flexible way to respond to possible new challenges in the future;

2. Reiterates the need to further address the root causes of crime, including inequality, poverty and discrimination ; stresses furthermore the need to ensure adequate resources for social workers, local and national police officers and judicial officials whose budgets have been slashed in some Member States;
3. Calls for the right balance to be sought between prevention policies and repressive measures in order to preserve freedom, security and justice; stresses that security measures should always be pursued in accordance with the principles of the rule of law and the protection of fundamental rights such as the right to privacy and data protection, freedom of expression and association and due process; calls on the Commission, therefore, when implementing the European Agenda on Security, to take due account of the recent Court of Justice ruling on the Data Retention Directive (judgment in Joined Cases C-293/12 and C-594/12), which requires all instruments to comply with the principles of proportionality, necessity and legality, and to include the appropriate safeguards of accountability and judicial redress; calls upon the Commission to fully assess the impact of this judgement on any instrument involving the retention of data for law enforcement purposes;
4. Recalls that in order to be a credible actor in promoting fundamental rights both internally and externally, the European Union should base its security policies, the fight against terrorism and the fight against organised crime, and its partnerships with third countries in the field of security on a comprehensive approach that integrates all the factors leading people to engage in terrorism or in organised crime, and thus integrate economic and social policies developed and implemented with full respect for fundamental rights and subjected to judicial and democratic control and in-depth evaluations;
5. Welcomes the Commission's choice to base the Agenda on the principles of full compliance with the rule of law and fundamental rights which should be guaranteed through proper judicial oversight; of more transparency, accountability and democratic control; of better application and implementation of existing legal instruments; of a more joined-up inter-agency and cross-sectoral approach; and of greater links between the internal and external dimensions of security; calls on the Commission and on the Council to strictly comply with these principles in the implementation of the Agenda; points out that Parliament will put these principles at the core of its monitoring of the Agenda's implementation;
6. Welcomes the specific focus put in the Agenda on fundamental rights, and in particular the Commission's commitment to strictly assess any security measure it proposes, not only for the extent to which the measure achieves its objectives but also for its compliance with fundamental rights; underlines the need for the Commission to involve in its assessment all relevant bodies and agencies, and in particular the EU Agency for Fundamental Rights, the European Data Protection Supervisor, Europol and Eurojust; asks the Commission to provide all information and documentation on this assessment, so as to allow Parliament to perform its democratic oversight effectively;
7. Recalls in this regard its condemnation of measures entailing the vast and systematic blanket collection of the personal data of innocent people, particularly in view of the potentially severe effects on fair trial rights, non-discrimination, privacy and data protection, freedom of the press, thought and speech, and freedom of assembly and association, and entailing a significant potential for abusive use of information gathered against political adversaries; expresses severe doubts concerning the usefulness of mass surveillance measures as they often cast the net too wide and therefore throw up too many

false positives and negatives; warns of the danger of mass surveillance measures obscuring the need to invest in perhaps less costly, more effective and less intrusive law enforcement measures;

8. Calls on the Member States to ensure that the principle of the best interests of the child is respected in all legislation relating to security;
9. Notes that the EU lacks an agreed definition of ‘national security’, creating an undefined carveout in EU legal instruments which contain references to ‘national security’; 10. Believes that in order for citizens to have more confidence in security policies, the EU institutions and agencies and the Member States should ensure transparency, accountability and democratic control in the process of policy development and implementation; welcomes the intention of the Commission to regularly present to Parliament and the Council updated information on the implementation of the Agenda; reiterates its intention to organise regular monitoring exercises, in cooperation with the national parliaments, on the proper implementation and progress of the Agenda; notes with interest the Commission’s proposal to set up an EU Security Consultative Forum; calls for this Forum to ensure a balanced representation of all relevant stakeholders and looks forward to receiving more detailed information on it, in particular regarding its exact role, tasks, composition and powers and the involvement of the European Parliament and national parliaments in it;
11. Stresses the need to improve the democratic and judicial oversight of Member State intelligence services; notes that Parliament, the Court of Justice and the Ombudsman lack sufficient powers to conduct an effective level of scrutiny of European security policies;
12. Calls on the Commission and the Council to establish a roadmap – or a similar mechanism – as quickly as possible to ensure the effective and operational implementation of the Agenda, to submit it to Parliament and to start its implementation within the next six months; believes that an ‘EU policy cycle’-type of approach (with identification and assessment of common threats and vulnerabilities, political priority setting and development of strategic and operation plans, effective implementation with clear drivers, timelines and deliverables, and evaluation) could provide for the necessary coherence and continuity in the implementation of the Agenda, provided that Parliament is properly involved in setting the political priorities and strategic objectives; looks forward to further discuss these issues with the Commission and the Standing Committee on Operational Cooperation on Internal Security (COSI);
13. Welcomes the underlying principle of the Agenda to fully apply and implement existing instruments in the area of security before proposing new ones; reiterates the need for a more expeditious and efficient sharing of relevant data and information, subject to the appropriate data protection and privacy safeguards; deplors, however, that despite numerous calls by Parliament, an evaluation of the effectiveness of existing EU instruments – also in the light of new security threats the EU is facing – and of the remaining gaps, is still lacking; believes that such an exercise is needed to ensure that the European security policy is efficient, necessary, proportionate, coherent and comprehensive; calls on the Commission to provide such an operational evaluation of existing EU instruments, resources and funding in the internal security area as a priority measure under the roadmap for implementation of the Agenda; reiterates its calls on the Council and the Commission to comprehensively evaluate the implementation of the measures adopted in the area of internal security before the entry

into force of the Lisbon Treaty, making use of the procedure provided for in Article 70 TFEU;

14. Welcomes the Commission's focus on border management as an essential aspect of preventing cross-border crime and terrorism; stresses that EU border security should be reinforced by systematic checks against existing databases, such as SIS; welcomes the Commission's commitment to present its revised proposal on Smart Borders by the beginning of 2016;
15. Supports the Commission's call for a more joined-up inter-agency and cross-sectoral approach and the proposed measures for improving the exchange of information and good practices and for increasing operational cooperation between the Member States and with the EU agencies; reiterates its call for greater use of the existing instruments and databases such as SIS and ECRIS, and of joint investigation teams; calls on the Commission to take all necessary measures to speed up the conclusion of pending working arrangements between agencies; notes with regret that not enough concrete measures are provided for in the Agenda with a view to strengthening its justice dimension; calls for the integration and further development of all aspects of judicial cooperation in criminal matters, including by strengthening the rights of suspected and accused persons, victims and witnesses and by improving the implementation of existing EU mutual recognition instruments;
16. Fully supports the Commission's priority of helping Member States to further develop mutual trust, to fully exploit existing tools for information-sharing and to foster cross-border operational cooperation between competent authorities; underlines the importance of such cross-border operational cooperation, in particular in border regions;
17. Calls on the Commission to quickly table a legislative proposal amending Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II)¹ to harmonise the alert criteria and make compulsory alerts regarding persons convicted or suspected of terrorism;
18. Welcomes the Commission's announced assessment of the necessity and potential added value of a European Police Record Index System (EPRIS) to facilitate cross-border access to information held in national police records and fully supports the launch of a pilot project planned by a group of Member States to establish mechanisms for automated cross-border searches in national indexes on a 'hit'/'no hit' basis; underlines the importance of cross-border access to information, in particular in border regions;
19. Stresses the importance of Joint Investigation Teams (JITs) to investigate specific cases of a cross-border nature and calls on the Member States to use this successful tool more regularly; invites the Commission to develop proposals for a legal framework that would allow the establishment of semi-permanent or permanent JITs to address persistent threats, in particular in border regions, such as drugs trafficking, human trafficking, and motorcycle gangs;
20. Regrets that instruments such as freezing and confiscation of criminal assets are not yet used systematically in all appropriate cross-border cases, and calls for increased efforts from the Member States and the Commission in this area;

¹ OJ L 381, 28.12.2006, p. 4.

21. Emphasises that a democratic and judicial oversight gap exists over cross-border cooperation between national intelligence agencies; expresses its concerns regarding the fact that democratic and judicial oversight is severely hampered by the third-party rule regarding access to documents;
22. Notes that the boundaries between external and internal security are becoming more blurred and welcomes, therefore, the Commission's commitment to ensure that the internal and external dimensions of the security policy work in tandem; calls on the Commission and the Member States to regularly assess the impact of the Agenda on the EU external security strategy and vice versa, including the obligations of respect for, and promotion of, fundamental freedoms and rights and democratic values and principles as contained in the international conventions and agreements they have ratified or signed; underlines the need to further strengthen the links, synergies and coherence between the two, especially in dealing with the new, cross-cutting, hybrid threats that Europe is facing, while respecting the Union's values and fundamental rights; asks the Commission to report regularly to Parliament all further actions aimed at developing the link between the internal and external dimension of security policy and its cooperation with third countries in the security field, in order for Parliament to be able to exercise its right of democratic scrutiny together with national parliaments;
23. Highlights the importance and timeliness of the ongoing strategic review by the VP/HR, entrusted to her by the European Council of December 2013, which should lead to the adoption of a new European Security Strategy; a broad strategy including foreign and security policy issues should identify and describe EU interests, priorities and objectives, existing and evolving threats, challenges and opportunities, and the EU instruments and means to meet them;
24. Calls for very strong human rights clauses in cooperation agreements with third countries, especially in North Africa and the Gulf region with regard to security cooperation; calls for cooperation with non-democratic countries with poor human rights records to be reconsidered;
25. Stresses the crucial importance of addressing the root causes of armed conflict, extremism and poverty in third countries, as these cause security challenges for the EU; urges the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), the Commission and the Member States to step up their efforts to support inclusive, pluralistic and well-functioning states that have a strong and viable civil society capable of delivering freedom, security, justice, and employment to their citizens;
26. Urges the VP/HR to present a draft Common position on the use of armed drones in line with Parliament's resolution of 27 February 2014 on the use of armed drones¹;
27. Acknowledges the Commission's urgent call to finalise the work on the adoption of the EU PNR Directive; reiterates its commitment to work towards its finalisation by the end of the year; stresses that the PNR Directive should respect fundamental rights and data protection standards, including the relevant case law of the Court of Justice, while providing an efficient tool at EU level; calls on the Commission to continue to support this process by providing any relevant additional elements for the necessity and proportionality of an EU PNR Directive; asks that any future proposal creating new tools in the field of security, such

¹ Texts adopted, P7_TA(2014)0172.

as PNR, systematically includes mechanisms for the exchange of information and cooperation between Member States;

28. Agrees with the Commission on the pivotal importance of supporting actions relating to training, research and innovation and the important work of the European Police College (CEPOL) in this field; considers that training and exchange programmes for law enforcement officials are of significant importance for further fostering a European law enforcement culture and good practices in that field; believes that more investment is necessary in research and innovation relating to security, including in the prevention field;
29. Points out that the rapidly changing security situation calls for a flexible, adaptive and reactive approach, development of technical capabilities and regular review of the priority actions set out in the Agenda; points out, in this respect, that use could be made of Article 222 TFEU which requires the European Council to regularly conduct an assessment of threats to the Union, inter alia by building upon existing threat assessments performed by Member States and Europol, and to inform the European Parliament and the national parliaments of its outcome and follow-up;

Terrorism

30. Welcomes the measures set out in the Agenda to combat terrorism, to tackle terrorist financing, to counter the threat of EU nationals and residents who travel abroad for the purpose of terrorism ('foreign fighters') and to prevent radicalisation; notes the proposed new structure of the European Counter-Terrorism Centre to be created within Europol and calls on the Commission to further clarify its exact role, tasks, powers and oversight, particularly in view of the need to ensure proper democratic and judicial oversight at the appropriate levels, including through the ongoing revision of Europol's mandate; emphasises that increased sharing of information between Member States is crucial in the fight against terrorism and that this should be done on a more structural basis;
31. Condemns any analysis that leads to confusion between terrorism, insecurity, Islam and migrants;
32. Recalls in the light of the recent terrorists attacks in Brussels, Paris, Copenhagen and Saint-Quentin-Fallavier, the urgent need for the EU to assess better the threat against EU security and to focus on immediate priority areas for the fight against terrorism: reinforcing EU border security, enhancing internet referral capabilities, and fighting against illicit trafficking in firearms, as well as stepping up information sharing and operation cooperation between national law enforcement and intelligence services;
33. Recalls the crucial importance of tracking and disrupting financial flows, including non-Swift financial flows, in combatting terrorist networks and organised crime groups; welcomes the efforts undertaken to ensure a fair and balanced participation in the Terrorist Finance Tracking Programme (TFTP);
34. Stresses that the threat of home-grown terrorism in the EU is reaching dangerous new levels ever since Islamic fundamentalists took over land in Syria and Iraq and undertook a worldwide propaganda campaign to join forces with jihadists and to carry out attacks within the EU's borders;

35. Stresses that addressing the threat posed by foreign fighters and terrorism in general requires a multi-layer approach that involves comprehensively addressing underlying factors such as radicalisation, developing social cohesion and inclusiveness and facilitating reintegration by promoting political and religious tolerance, analysing and counterbalancing online incitement to perform terrorist acts, preventing departures to join terrorist organisations, preventing and stemming recruitment and engagement in armed conflicts, disrupting financial support to terrorist organisations and individuals aiming to join them, ensuring firm legal prosecution where appropriate and providing law enforcement authorities with the appropriate tools to perform their duties with full respect for fundamental rights;
36. Calls on the Commission to develop together with the Member States a genuine strategy as regards European fighters – which is currently lacking in the Agenda on Security – and in particular those returning from conflict zones who want to leave the terrorist organisations which recruited them and show a willingness to reintegrate into society; considers that a special emphasis should be put on the situation of young European fighters;
37. Reiterates its resolve to ensure accountability for massive violations of fundamental rights under the guise of the fight against terrorism, in particular in the context of the transportation and illegal detention of prisoners in European countries by the CIA, by means of open and transparent investigations; calls for protection to be given to those revealing such violations, such as journalists and whistleblowers;

Radicalisation

38. Agrees that the prevention of radicalisation should be a priority for the EU; regrets the lack of more concrete measures in the Agenda to address radicalisation in Europe and calls on the Commission to take urgent and comprehensive action to intensify measures aimed at preventing radicalisation and violent extremism, preventing the spread of extremist ideologies and fostering integration and inclusiveness; calls on the Commission to strengthen the Radicalisation Awareness Network (RAN), which brings together all relevant actors involved in initiatives to address radicalisation at grassroots level, and to clarify the mandate, tasks and scope of the new proposed RAN Centre of Excellence; recommends that its structure also include local and national decision-makers, so as to ensure practical implementation of the recommendations developed by experts and stakeholders; calls for bolder measures to tackle radicalisation on the Internet and the use of Internet websites or social media to spread radical ideologies in Europe; welcomes the creation of an Internet Referral Unit at Europol to support Member States in identifying and removing violent extremist content online with the cooperation of the industry, and calls on the Commission to provide the additional resources necessary for its functioning; regrets the lack of concrete measures to strengthen the role of the Internet as an awareness-raising tool against radicalisation, and in particular to disseminate counter-narratives online in a proactive manner so as to counter terrorist propaganda;
39. Points out that a successful security policy has to address the underlying factors of extremism, such as radicalisation, intolerance and discrimination, by promoting political and religious tolerance, developing social cohesion and inclusiveness and facilitating reintegration;
40. Believes that extensive research and concrete measures should be developed, with the financial and operational support of the Commission, so as to promote and share with all

European citizens, through effective channels of communication, our common values of tolerance, pluralism, respect for freedom of speech and conscience, and our fundamental rights in general; considers that the Agenda should also underline the need to fight misconceptions about religions, in particular Islam, which do not as such play a role in radicalisation and terrorism;

41. Expresses its concern with regard to the recent rise of incidents of hate crime, including online, against European citizens; calls on Member States to protect their citizens from future attacks and to prevent incitement to hatred and any act of intolerance based on origin, belief or religion, including through educational work targeting young people and the promotion of an inclusive dialogue;

Organised crime

42. Agrees that human trafficking is a phenomenon that needs to be addressed more effectively at European level; strongly rejects, however, any link between irregular migration and terrorism; points out that the lack of legal avenues into the EU in order to seek protection generates a constant demand for irregular avenues, thus endangering vulnerable migrants in need of international protection;
43. Stresses the gravity of organised crime in the field of trafficking in human beings; draws attention to the extreme degrees of violence and brutality inflicted by criminals on this particularly vulnerable group; welcomes the existing framework and agrees on the need for a post-2016 strategy that involves Europol and Eurojust with their specific knowledge in this field;
44. Acknowledges that the fight against organised crime requires strong European action; supports the Commission's determination to tackle this issue; calls on the Commission in particular to establish strong cooperation in tackling human trafficking, but also cooperation with third countries to prevent the smuggling of migrants in order to avoid new tragedies in the Mediterranean;
45. Points out that more attention should be paid to developments in cross-border organised crime with regard to arms trafficking, trafficking in human beings, and the production and sale of illicit drugs; notes with satisfaction that the Agenda acknowledges the dynamic character of the drugs problem, and in particular its connection to organised crime and the evolving threat of market innovation in the production and sale of both new and established drugs; stresses the need for swift adoption of the proposed package on new psychoactive substances and urges the Council to make progress on it;
46. Believes that, apart from EU instruments to combat organised crime and terrorism, a European Agenda on Security should include protection mechanisms for victims of these serious crimes in order to prevent further victimisation; notes that the protection of victims should be regarded as an important tool to combat organised crime and terrorism, as it sends a clear message to offenders that society will not succumb to violence and will at all times safeguard victims and their dignity;

Cybercrime

47. Emphasises that terrorist organisations and organised criminal groups are increasingly using cyberspace to facilitate all forms of crime and that cybercrime and cyber-facilitated crime

constitute a major threat to EU citizens and the EU economy; notes that cybercrime requires a new approach to law enforcement and judicial cooperation in the digital age; points out that new technological developments increase the impact of cybercrime in scale and speed and, therefore, calls on the Commission to perform a thorough analysis of the powers of law enforcement and judicial authorities and their legal and technical capabilities online and offline so as to allow them to tackle cybercrime effectively, while underlining that all enforcement measures have to strictly respect fundamental rights, be necessary and proportionate and adhere to EU and national law; calls in particular on the Commission to make sure that the right to use encryption remains intact throughout the European Union and that, while the interception of communications in the context of a police investigation or judicial procedure can always be possible with the appropriate judicial authorisation, no measures interfering with the right of individuals to use encryption shall be implemented by Member States ; asks the Commission to give the Europol Internet Referral Unit the additional resources necessary for its functioning rather than proceeding by internal redeployments of posts, including staff of the European Centre against Cybercrime (EC3), which must not be left understaffed;

48. Underlines the essential importance of research and innovation in order to keep the EU up-to-date with changing security needs; highlights the importance of a competitive EU security industry to contribute to the EU's autonomy in security; reiterates its call for improved autonomy in EU IT security and the need to consider EU-made security devices and services for critical infrastructure and public services;
49. Calls on the Commission to launch a commensurate awareness and preparedness campaign on the risks linked to serious cybercrime in order to improve resilience against cyber-attacks;
50. Welcomes the work done by EC3 in fighting serious transnational cybercrime and cyber-facilitated crime; underlines the key role of EC3 in supporting Member States in particular in the fight against child sexual exploitation; reiterates the announcements made by the Commission to equip EC3 with the necessary experts and budget in order to boost areas of European cooperation which have not been addressed since its creation in 2013;
51. Calls for the Commission to carry out a full assessment of existing measures related to combating the sexual exploitation of children online, to assess whether or not further legislative tools are required, and to examine whether EUROPOL has sufficient expertise, resources and staff to be able to tackle this horrific crime;

Financing

52. Regrets the fact that the Commission's draft budget for 2016 provides for an increase in Europol's budget by only approximately EUR 1.5 million, which does not give it the necessary resources to set up, as planned in the Agenda, a European Counter-Terrorism Centre and an Internet Referral Unit;
53. Welcomes the statement made by the First Vice-President of the Commission, Frans Timmermans, in the European Parliament that the Commission will align the available financial resources to the priorities of the Agenda; stresses once again, in this regard, the importance of ensuring that the relevant EU agencies are equipped with adequate human and financial resources to fulfil their current and future tasks under the Agenda; intends to

closely scrutinise the implementation, and assess the future needs, of the Internal Security Fund at EU and national level;

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54. Instructs its President to forward this resolution to the Council, the Commission and the national parliaments.



TEXTS ADOPTED

Provisional edition

P8_TA-PROV(2015)0270

Situation in Yemen

European Parliament resolution of 9 July 2015 on the situation in Yemen (2015/2760(RSP))

The European Parliament,

- having regard to its previous resolutions on Yemen,
- having regard to the statement of 26 March 2015 by the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, on the situation in Yemen,
- having regard to the joint statement of 1 April 2015 by the VP/HR, Federica Mogherini, and the Commissioner for Humanitarian Aid and Crisis Management, Christos Stylianides, on the impact of fighting in Yemen,
- having regard to the joint statement of 11 May 2015 by the VP/HR, Federica Mogherini, and the Commissioner for Humanitarian Aid and Crisis Management, Christos Stylianides, on the proposed truce in Yemen,
- having regard to the joint statement of 3 July 2015 by the VP/HR, Federica Mogherini, and the Commissioner for Humanitarian Aid and Crisis Management, Christos Stylianides, on the crisis in Yemen,
- having regard to the Council conclusions of 20 April 2015 on Yemen,
- having regard to United Nations Security Council resolutions 2014 (2011), 2051 (2012), 2140 (2014), 2201 (2015) and 2216 (2015),
- having regard to the statement of 24 May 2015 by the Co-Chairs of the 24th Gulf Cooperation Council – European Union (GCC-EU) Joint Council and Ministerial Meeting,
- having regard to the UN Security Council press statement of 25 June 2015 on the situation in Yemen,
- having regard to the Peace and National Partnership Agreement of 21 September 2014, the National Dialogue Conference outcomes document of 25 January 2014 and the Gulf Cooperation Council initiative of 21 November 2011,

- having regard to the Charter of the United Nations,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas the current crisis in Yemen is the result of a failure by successive governments to meet the legitimate aspirations of the Yemeni people for democracy, economic and social development, stability and security; whereas this failure has created the conditions for an outbreak of violent conflict by failing to establish an inclusive government and fair power-sharing, and systematically ignoring the country's many tribal tensions, widespread insecurity and economic paralysis;
 - B. whereas the current conflict in Yemen has spread to 20 out of 22 governorates; whereas, according to the latest consolidated figures from the World Health Organisation (WHO), at least 1 439 people were killed between 19 March and 5 May 2015, and another 5 951 injured, many of them civilians; whereas more than 3 000 people have been killed, and more than 10 000 injured, since the outbreak of hostilities;
 - C. whereas Yemen is one of the poorest countries in the Middle East, with high rates of unemployment and illiteracy and an absence of basic services; whereas 20 million people are currently in need of humanitarian assistance, including an estimated 9,4 million Yemeni children, more than 250 000 refugees and 335 000 internally displaced persons;
 - D. whereas the recent developments carry grave risks for the stability of the region, in particular that of the Horn of Africa, the Red Sea and the wider Middle East;
 - E. whereas on 26 March 2015 a Saudi-led coalition including Bahrain, Egypt, Jordan, Kuwait, Morocco, Qatar, Sudan and the United Arab Emirates launched a military operation in Yemen against Houthi rebels, at the request of Yemen's President Abd-Rabbu Mansour Hadi; whereas this coalition is reportedly using internationally banned cluster bombs in Yemen and whereas this is currently being investigated by the UN High Commissioner for Human Rights;
 - F. whereas numerous civilian casualties in Yemen have been caused by the Houthi armed groups and affiliated forces, including through the use of anti-aircraft munitions which detonate after landing in populated areas, killing and maiming civilians;
 - G. whereas on several occasions air strikes by the Saudi-led military coalition in Yemen have killed civilians, in violation of international humanitarian law, which requires all possible steps to be taken to prevent or minimise civilian casualties;
 - H. whereas, in addition to air strikes, Saudi Arabia has imposed a naval blockade of Yemen which has had dramatic effects on the civilian population, with 22 million people – almost 80 % of the population – in urgent need of food, water and medical supplies;
 - I. whereas on 15 June 2015, in view of the UN peace talks, UN Secretary-General Ban Ki-moon called for a renewed humanitarian pause for at least two weeks during Ramadan to allow critical assistance to reach all Yemenis in need, but whereas no agreement was reached; whereas on 19 June 2015 Yemen's warring parties failed to reach a ceasefire agreement during diplomatic talks brokered by UN Special Envoy Ismail Ould Cheikh Ahmed;

- J. whereas on 30 June 2015 an estimated 1 200 inmates, including Al-Qaeda suspects, escaped from the central prison in the city of Taiz; whereas around 300 inmates had already escaped from another prison in Hadramout province in April 2015; whereas terrorist attacks are taking place in Yemen, such as the 17 June 2015 attacks in Sana'a, including on three mosques, which resulted in a number of deaths and casualties;
- K. whereas on 1 July 2015 the UN declared Yemen a level 3 emergency, the highest on the scale; whereas, under the emergency plan, the UN will try to reach 11,7 million people who are most in need; whereas the health system is said to be facing 'imminent collapse', with the closure of at least 160 health facilities owing to insecurity and a lack of fuel and supplies;
- L. whereas 15,9 million people in Yemen are in need of humanitarian assistance; whereas the most vulnerable children will not have access to the healthcare or the nutritional services they need, owing to the current widespread insecurity;
- M. whereas 9,9 million children have been severely affected by the conflict, with 279 children killed and 402 injured since March 2015; whereas at least 1,8 million children have lost access to education owing to conflict-related school closures, which places them at increased risk of recruitment or use by armed groups and of other forms of abuse; whereas, according to UNICEF, children comprise up to a third of all fighters in Yemen, at least 140 having been recruited between 26 March and 24 April 2015 alone; whereas 156 children were confirmed to have been recruited and used by armed groups in 2014; whereas that figure has already doubled in 2015;
- N. whereas UNICEF estimates that more than half a million children under the age of five are at risk of developing severe acute malnutrition, while 1,2 million children under the age of five are at risk of moderate acute malnutrition – a near-twofold increase since the beginning of the crisis;
- O. whereas the health system is on the verge of collapse, with the interruption in vaccination services putting an estimated 2,6 million children under the age of 15 at risk of contracting measles and 2,5 million children at risk of diarrhoea – a potentially fatal condition that spreads rapidly in times of conflict and population displacement; whereas dengue fever is on the rise, chronic diseases lack treatment, and vital medical supplies and personnel are being blocked from reaching the people targeted;
- P. whereas the country is rapidly running out of fuel, and whereas this is already severely restricting aid distribution and will soon lead to a life-threatening water shortage, since drought-stricken Yemen is entirely dependent on fuel-run deep well pumps for its water supply;
- Q. whereas Yemen is also directly affected by the humanitarian crisis in the Horn of Africa, as more than 250 000 refugees, mostly from Somalia, are stranded in the country and are living in precarious conditions; whereas, in addition, Yemen is hosting about one million Ethiopian migrants, according to government estimates;
- R. whereas, on account of the deteriorating security situation, humanitarian organisations have relocated most international staff outside of the country; whereas few organisations are still able to operate in Yemen and their activities are severely constrained;

- S. whereas Al-Qaeda in the Arabian Peninsula (AQAP) has been able to benefit from the deterioration of the political and security situation in Yemen, expanding its presence and augmenting the number and scale of its terrorist attacks;
- T. whereas the so-called Islamic State (ISIS)/Da'esh has established its presence in Yemen and carried out terrorist attacks against Shiite mosques, killing hundreds of people; whereas it is expected that both AQAP and ISIS/Da'esh will exploit Yemen's security vacuum to increase their capabilities and plot attacks against Yemeni security forces, Houthis and any Western presence;
- U. whereas the escalation of armed conflict threatens Yemen's cultural heritage; whereas on 2 July 2015 the World Heritage Committee placed two sites in Yemen on the List of World Heritage in Danger: the Old City of Sana'a and the Old Walled City of Shibam;
- V. whereas the EU has imposed an arms embargo and further targeted sanctions against a Houthi leader and the son of ex-President Ali Abdullah Saleh; whereas two other members of the Houthi movement, together with the ex-President, have been under the same restrictions since December 2014;
- W. whereas in 2015 the Commission's Humanitarian Aid and Civil Protection department (ECHO) has allocated EUR 25 million to assist communities across the country affected by acute malnutrition, conflict and forced displacement; whereas in 2014 total EU funding, from Member States and the Commission combined, for humanitarian assistance in Yemen amounted to EUR 100,8 million, of which EUR 33 million came from ECHO;
- X. whereas the UN's revised humanitarian appeal requested USD 1,6 billion, but whereas only around 10 % of that figure is currently funded;
1. Is seriously concerned at the rapidly deteriorating political, security and humanitarian situation in Yemen; urges all warring parties to end the use of violence immediately; expresses its condolences to the families of the victims; stresses that the EU has reaffirmed its commitment to continuing to support Yemen and the Yemeni people;
 2. Reaffirms its strong support for the unity, sovereignty, independence and territorial integrity of Yemen, and stands by the people of Yemen;
 3. Condemns the destabilising and violent unilateral actions taken by the Houthis and military units loyal to ex-President Saleh; also condemns the air strikes by the Saudi-led coalition and the naval blockade it has imposed on Yemen, which have led to thousands of deaths, have further destabilised Yemen, have created conditions more conducive to the expansion of terrorist and extremist organisations such as ISIS/Da'esh and AQAP, and have exacerbated an already critical humanitarian situation;
 4. Urges all Yemeni parties, in particular the Houthis, to work towards resolving their differences through dialogue and consultation; calls on all regional actors to engage constructively with Yemeni parties in order to enable a de-escalation of the crisis and avoid further regional instability; calls on all parties to refrain from targeting cultural heritage sites and buildings by means of shelling or air strikes, and from using them for military purposes;

5. Welcomes the fact that the EU has reiterated its firm commitment and its determination to tackle the threat posed by extremist and terrorist groups such as AQAP, and to prevent them from taking further advantage of the current situation;
6. Condemns all violence and attempts or threats to use violence to intimidate those participating in UN-brokered consultations; emphasises that the UN-brokered inclusive political dialogue must be a Yemeni-led process, with the intention of brokering a consensus-based political solution to Yemen's crisis in accordance with the GCC initiative and its Implementation Mechanism, the outcomes of the comprehensive National Dialogue Conference, the Peace and National Partnership Agreement and the relevant UN Security Council resolutions;
7. Condemns in the strongest possible terms the terrorist attacks carried out by ISIS/Da'esh against Shiite mosques in Sana'a and Saada, which killed and wounded hundreds of people, together with the spread of the extreme sectarian ideology underpinning these criminal acts;
8. Is alarmed at AQAP's ability to benefit from the deteriorating political and security situation in Yemen; urges all parties to the conflict to demonstrate firm commitment and a determination to fight extremist and terrorist groups such as ISIS/Da'esh and AQAP as a matter of the highest priority;
9. Condemns the recruitment and use of children by the parties to the conflict;
10. Expresses its full support for the efforts of the UN and of the UN Secretary-General's Special Envoy to Yemen, Ismail Ould Cheikh Ahmed, to broker peace negotiations between the parties; supports Oman's efforts in achieving a ceasefire between the Houthis and forces loyal to the Government of Yemen as a first step towards a negotiated political solution;
11. Stresses that there can only be a political, inclusive and negotiated solution to the conflict; urges all Yemeni parties, therefore, to work towards resolving their differences through dialogue, compromise and power-sharing, leading to the formation of a government of national unity in order to restore peace, avoid economic and financial collapse and address the humanitarian crisis;
12. Calls for a humanitarian pause in order to allow life-saving assistance to reach the Yemeni people as a matter of urgency; urges all parties to facilitate the urgent delivery of humanitarian assistance to all parts of Yemen, as well as rapid, safe and unhindered access for humanitarian actors to reach people in need of humanitarian assistance, including medical assistance, in accordance with the principles of impartiality, neutrality and independence; recalls, also, that it is therefore essential that commercial shipping access to Yemen be further eased;
13. Calls on all sides to comply with international humanitarian law and international human rights law, to ensure the protection of civilians and to refrain from the direct targeting of civilian infrastructure, in particular medical facilities and water systems, and from using civilian buildings for military purposes, and to work with the UN and humanitarian aid organisations, as a matter of urgency, to deliver assistance to those in need;
14. Stresses the need for coordinated humanitarian action under UN leadership, and urges all countries to contribute to addressing humanitarian needs; calls on the international community to contribute to the UN's revised humanitarian appeal;

15. Calls for the independent international investigation of all alleged violations of international human rights and international humanitarian law;
16. Notes the progress made in the Constitution Drafting Committee and calls for an inclusive, transparent constitution which meets the legitimate aspirations of the Yemeni people and reflects the outcomes of the National Dialogue Conference, and for a referendum on the draft constitution to be held, as well as timely general elections, in order to avoid a further deterioration of the humanitarian and security situation in Yemen;
17. Recalls that freedom of religion and belief is a fundamental right, and strongly condemns any violence or discrimination on the basis of religion and belief in Yemen; reiterates its support for all initiatives aimed at promoting dialogue and mutual respect between religious and other communities; calls on all religious authorities to promote tolerance and to take initiatives against hatred, sectarianism and violent and extremist radicalisation;
18. Calls on the VP/HR, together with the Member States, to gather support within the UN, as a matter of urgency, for a grand international plan to secure Yemen's water supply, since such a move could be essential in bringing a potential peace process to a successful conclusion and giving the population the prospect of being able to improve agriculture, feed themselves and rebuild the country;
19. 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 Secretary-General of the United Nations, the Secretary-General of the Gulf Cooperation Council, the Secretary-General of the League of Arab States, and the Government of Yemen.



TEXTS ADOPTED

Provisional edition

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Security challenges in the Middle East and North Africa and prospects for political stability

European Parliament resolution of 9 July 2015 on the security challenges in the Middle East and North Africa region and the prospects for political stability (2014/2229(INI))

The European Parliament,

- having regard to Articles 8 and 21 of the Treaty on European Union,
- having regard to the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part and its position of 17 January 2013 on that agreement¹,
- having regard to the European Security Strategy of 12 December 2003 and the Council Declaration of 11 December 2008 on strengthening capabilities,
- having regard to the Joint Communication of 8 March 2011 of the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and of the Commission on a partnership for democracy and shared prosperity with the southern Mediterranean (COM(2011)0200),
- having regard to the Deauville Partnership launched by the G8 at the Deauville Heads of State or Government Summit on 21 May 2011,
- having regard to the Joint Communication of 25 May 2011 of the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and of the Commission on a new response to a changing neighbourhood (COM(2011)0303),
- having regard to the Joint Communication of 6 February 2015 of the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and of the Commission on elements for an EU regional strategy for Syria and Iraq as well as the Da'esh threat (JOIN(2015)0002),
- having regard to the Declaration adopted at the third meeting of Foreign Ministers of the European Union and the League of Arab States (LAS) in Athens on 11 June 2014, as well

¹ Texts adopted, P7_TA(2013)0023.

as the Memorandum of Understanding signed in Brussels on 19 January 2015 between the European External Action Service and the General Secretariat of the League of Arab States,

- having regard to the Council conclusions of 30 August 2014 on Iraq and Syria,
- having regard to the conclusions of the International Conference on Peace and Security in Iraq held on 15 September 2014 in Paris,
- having regard to the conclusions of the Foreign Affairs Council of 17 November 2014 on the Middle East Peace Process,
- having regard to the conclusions of the Foreign Affairs Council of 15 December 2014 regarding an EU regional strategy for Syria and Iraq,
- having regard to the conclusions of the Foreign Affairs Council of 9 February 2015 on combating terrorism,
- having regard to its resolution of 24 March 2011 on European Union relations with the Gulf Cooperation Council¹,
- having regard to its relations of 10 March 2011 on the EU's approach towards Iran²,
- having regard to its resolution of 14 December 2011 on the review of the European Neighbourhood Policy³,
- having regard to its resolution of 10 May 2012 on trade for change: EU trade and investment strategy for the southern Mediterranean following the Arab Spring revolutions⁴,
- having regard to its resolution of 11 March 2014 on Saudi Arabia, its relations with the EU and its role in the Middle East and North Africa⁵,
- having regard to its resolution of 18 September 2014 on the situation in Iraq and Syria, the Islamic State offensive and the persecution of minorities⁶,
- having regard to its resolution of 15 January 2015 on the situation in Libya⁷,
- having regard to its resolution of 12 February 2015 on the humanitarian crisis in Iraq and Syria, in particular with regard to the Islamic State⁸,
- having regard to its resolution of 12 March 2015 on relations between the European Union and the League of Arab States and cooperation in countering terrorism⁹,

¹ OJ C 247 E, 17.8.2012, p. 1.

² OJ C 199 E, 7.7.2012, p. 163.

³ OJ C 168 E, 14.6.2013, p. 26.

⁴ OJ C 261 E, 10.9.2013, p. 21.

⁵ Texts adopted, P7_TA(2014)0207.

⁶ Texts adopted, P8_TA(2014)0027.

⁷ Texts adopted, P8_TA(2015)0010.

⁸ Texts adopted, P8_TA(2015)0040.

⁹ Texts adopted, P8_TA(2015)0077.

- having regard to its resolution of 12 March 2015 on recent attacks and abductions by ISIS/Da'esh in the Middle East, notably of Assyrians¹,
 - having regard to the conclusions of the meeting of 23 March 2015 in Brussels of Libyan municipality representatives, convened by the United Nations Support Mission in Libya and hosted by the European Union,
 - having regard to the meeting held in Barcelona on 13 April 2015 of the EU and Southern Mediterranean countries' Foreign Affairs Ministers, organised by Spain, the Latvian presidency and the EU to discuss the future of the European Neighbourhood,
 - having regard to UN Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014) authorising cross-border and cross-line access for the UN and its partners to deliver humanitarian aid in Syria without state consent,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on Women's Rights and Gender Equality (A8-0193/2015),
- A. whereas the conflicts in Syria, Iraq, Yemen and Libya and the increase in tensions in the Middle East and North Africa (MENA) region are major sources of destabilisation of that region; whereas there is a junction between the Sahel and Middle-Eastern fronts in the fight against terrorism, and these fronts are close to the sensitive area of the Horn of Africa; whereas the consequences of such a situation for the security of the whole region are disastrous as they lastingly damage political and economic development, critical infrastructures and demographic cohesion in the region; whereas the risks which these developments entail for European security, citizens and interests are serious; whereas there is a high number of civilian victims and acts of terror committed against civilians; whereas the violations of human rights and humanitarian law, particularly against ethnic and religious minorities are severe; whereas the serious humanitarian crisis caused by these conflicts is causing massive population displacements and creating enormous difficulties for refugees and their host communities; whereas there are persistent difficulties in discerning a coherent conflict resolution strategy and establishing a legitimate and reliable basis for inclusive dialogue with the various parties concerned;
- B. whereas it is necessary to review EU action in the MENA area in the light of the implications of the Arab uprisings for the countries concerned, the new and complex situation thus created and the imperative need to combat ISIS and other terrorist organisations; whereas there is a need to step up pressure on authoritarian regimes for the introduction of inclusive policies; whereas stabilisation in the region is not a security issue alone, but also has economic, political and social implications, requiring the Union and its Member States to develop strategic global and multifaceted policies and full cooperation with parties the region, in the medium and long term;
- C. whereas the terrorist organization ISIL/Da'esh has launched systematic campaigns of ethnic cleansing in northern Iraq and Syria, carrying out war crimes, including mass summary killings and abductions, against ethnic and religious minorities; whereas the UN has already reported on targeted killings, forced conversions, abductions, the selling of women, the

¹ Texts adopted, P8_TA(2015)0071.

enslavement of women and children, the recruitment of children for suicide bombings, and sexual and physical abuse and torture; whereas Christian, Yazidi, Turkmen, Shabak, Kaka'i, Sabean and Shia communities, as well as many Arabs and Sunni Muslims, have been targeted by ISIL/Da'esh;

- D. whereas the Middle East and North Africa are in a state of geopolitical turmoil that is likely to bring about deep and unpredictable changes to regional balances; whereas there are escalating crises and conflicts, with a political, ethnic and sectarian dimension, the rise of paramilitary groups and the weakness or collapse of certain states or regimes in the region; whereas there are many human rights violations resulting from this; whereas the MENA countries and international community have shared security interests in fighting terrorism and supporting inclusive genuine democratic reform in the region;
- E. whereas the conflicts in Iraq and Syria, like the conflict in Yemen and Libya, are exacerbating regional and international tensions; whereas the religious and ethnic cause is being used as a tool to further interests of politics and power; whereas this creates a risk of confrontation between Sunni and Shia that extends beyond immediate geographical borders;
- F. whereas Tunisia is the most remarkable example of democratisation after the Arab uprisings but has been affected by an ISIL/Da'esh-proclaimed terrorist attack on 18 March 2015, which recalls the need for strong and continued support to the region's countries, in particular Tunisia;
- G. whereas in line with the 2008 EU guidelines on violence against women and girls, the promotion of women's rights and gender equality should be basic components of the political and human rights dialogue between the EU and the countries of the Middle East and North Africa (MENA) region; whereas the engagement and empowerment of women in the public, political, economic and cultural spheres in MENA countries is key to fostering stability, peace and economic prosperity in the long run; whereas the empowerment of women and girls through education is central to promoting their role in all these spheres; whereas women's rights and gender equality civil society organisations can play an important role in empowering women in MENA countries;
- H. whereas the influence of Member States in the region is very unequal; whereas there is a need to increase the influence of the European Union; whereas long-term political and economic stability in the MENA region is of fundamental strategic importance to the Union; whereas the Union accordingly has a major role to play in promoting conflict resolution and democratic governance in the MENA region;
- I. whereas EU aid to MENA countries has in the past been too fragmented and too slow to adapt to the political and economic needs of the countries concerned, thereby undermining the EU's capacity to play a major role in the region;
- J. whereas EU assistance to the MENA countries, particularly under the European Neighbourhood Policy (ENP), has in the past too often adopted the same indiscriminate strategic approach, failing to distinguish sufficiently between the specific situations in the countries concerned and failing to identify civil society partners needing support and capacity-building assistance; whereas the attempts at democratisation that were made following the 'Arab Spring' uprisings need to be actively supported on the basis of an organised, long-term approach;

- K. whereas the upheavals in the MENA region have an impact on the EU's capacity to promote its political and democratic values; whereas such upheavals affect the development of the economic relations of the EU with the countries in question and could jeopardise the EU's energy security;
- L. whereas having been forced to take emergency measures in response to successive crises that it failed to anticipate in the MENA region despite some signals, the EU has been unable to analyse the key elements or deal with the complexity of the situation, expectations and prospects created by the Arab uprisings of 2011; whereas, above all, the EU has failed to respond to the need for a very long-term strategy to sustain and assist genuine democratic transition, economic development and political stability; whereas, acting on the instructions issued by the European Council of December 2013, the High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) launched a major strategic reflection process; whereas a broad consultation process was launched by the Commission, the European External Action Service (EEAS) for a review of the ENP; whereas the set-up of the EEAS provides the possibility of a country-by-country political and strategic analysis which should be a key factor in planning of assistance to the countries of the region, including in the framework of the ENP;
- M. whereas the EU, if it is to exert a positive influence on the MENA countries, must be able to do more than just hold out the prospect of economic cooperation, in particular by offering a large-scale political and strategic partnership;
- N. whereas the attacks which occurred between 26 June and 30 June in Tunisia, Kuwait and Yemen, for which Da'esh/ISIL has claimed responsibility, killed 92 people and wounded several hundred others; whereas those attacks emphasise once again the need to address efficiently the security challenges and the lack of political stability in the region;

Addressing the threats and the security situation

1. Calls on the EU and its Member States to address the root causes of the rapidly deteriorating situation across the MENA region through a holistic and ambitious approach; supports the international campaign against ISIL/Da'esh and welcomes the commitment of the coalition partners to working together under a common strategy; welcomes, in particular, the action taken by the EU Member States participating in the international coalition against ISIS, whether in the form of military strikes or through logistical, financial and humanitarian participation; calls, however, for increased mobilisation in all spheres and emphasises the need for better-articulated actions; notes that these actions could usefully be coordinated under the auspices of the EU, if necessary as part of a Common Security and Defence (CSDP) operation, and to this end calls on the EU to develop sufficient operational capacity and to put in place a true common European defence; stresses, however, that a tailored response must be found, based on political and cross-regional differences, to the issue of combating ISIL/Da'esh, the al-Nusra Front and other terrorist groups; calls on the EU to take on the role of main facilitator of a regional dialogue involving all regional stakeholders, in particular the LAS, Saudi Arabia, Egypt, Turkey and Iran; recalls the importance of addressing the legitimate demands of local populations, notably as expressed during the Arab uprisings of 2011, with a view to ensuring the long-term stability of the region; notes the recent announcement by the LAS of the formation of a standing rapid-response unit, with a particular emphasis on fighting ISIS and other emerging terrorist groups;

2. Underlines the importance of a constant EU political presence at the highest level to secure a long-term strategic political dialogue and a genuine joint debate with the MENA countries on what they need in order to achieve regional stability; stresses that the European Union will only be an effective player on the international scene if it is able to speak with one voice; calls, therefore, on the EU to speedily put in place a genuine common foreign policy with close coordination between internal and external actions; calls on the VP/HR to work with EU foreign ministers or political figures recognised by regional actors to ensure, under her authority and on behalf of the Union, a constant high-level dialogue with the countries of the region; recalls the need to identify and rely on key partner countries, to ensure political and security stability in the long term;
3. Stresses the importance and necessity of effective implementation of the following initiatives in the course of 2015: supporting capacity-building projects and activities with MENA countries, countering radicalisation and violent extremism, promoting international cooperation, addressing underlying factors and ongoing crises and strengthening partnership with key countries, including strengthening political dialogue with the LAS, the Organisation of Islamic Cooperation (OIC), the African Union (AU) and other relevant regional coordination structures such as G5 Sahel;
4. Insists on the fact that the stability and security of the MENA region are fundamental to the security of the EU; recalls that ISIL/Da'esh and other terrorist organisations have had their roots in Iraq and Syria for many years, and aim to establish a regional influence; notes that the group's victories are the result of institutional, democratic and security crises in these countries and the porosity of their common border; stresses that the recruitment capacity and expansion of ISIL/Da'esh and the al-Nusra Front are fuelled by the economic, political, social and cultural crisis afflicting the region; calls on the EU, together with the Arab world, to assess the root causes of radicalisation and adopt a global approach based on security, capacity for democratic governance, and political, economic, social and cultural development, whereby inclusivity should be a guiding principle; believes that, unless a practical, sustainable solution is found to these problems, any action to neutralise the threat posed by ISIL/Da'esh and other terrorist groups will encounter increased and persistent difficulties;
5. Notes the allocation of EUR one billion under the EU strategy entitled 'Elements of an EU Regional Strategy for Syria and Iraq as well as the ISIL/Da'esh threat', under which EUR 400 million have been earmarked for humanitarian aid; welcomes the attempts to tailor EU humanitarian assistance to gender- and age-specific needs; calls for special attention to be given to Jordan and Lebanon, which are absorbing the biggest share of refugees in proportion to their population; stresses the importance of these two countries facilitating refugees' safe passage into their territories and respecting the principle of non-refoulement; also recalls the consequences of the refugee crisis for the Kurdistan Regional Government of Iraq (KRG); is concerned that, as a result of extreme poverty and deprivation, refugee camps may become a hotbed of radicalisation; believes that they constitute, in the long term, destabilising factors for their host countries, and therefore asks that long-term solutions be found that will help both the refugees and their host countries; calls on the EU to work with other partners, namely the UNHCR and UNICEF, to address persisting problems in refugee and IDPs camps in Iraq, Jordan, Lebanon and Turkey, especially in relation to lack of schooling for young people and children; welcomes the funds for host populations under the new strategy and under the Instrument contributing to Stability and Peace (IcSP); calls on all EU Member States to increase their commitments in relation to the

refugee crisis in terms of financial resources and resettlement of the most vulnerable refugees;

6. Notes the continuous increase in asylum applications from Syria and Iraq and calls on the EU Member States to step up their efforts in hosting asylum seekers and in swiftly addressing the build-up of pending cases;
7. Welcomes the involvement of some countries of the MENA region in the international coalition against ISIL/Da'esh; urges their governments and the international community to redouble their efforts to prevent the financing of international terrorism and wars in Syria and Libya; reiterates its call on all countries of the region to prevent individuals and private and public entities from funding or facilitating funding of terrorist organisations or Syrian individuals or companies affiliated to the Syrian Government currently under EU sanctions, which must be sufficiently severe; calls for their participation in schemes for regional cooperation in monitoring capital movements, establishing collaboration between the Gulf Cooperation Council (GCC), the LAS, the OIC and the EU institutions; stresses the urgent need to introduce an efficient system of penalties coordinated with the LAS, OIC and GCC so as to put an end to ISIL/Da'esh financing by international actors and commercialisation of illegally produced oil by the terrorist organisation; stresses also, in this regard, the urgent need for increased cooperation between customs authorities at the border of Turkey, Iraq and Syria to prevent ISIL/Da'esh from selling illegal oil;
8. Stresses the importance of long-term strategic dialogue with the LAS, OIC and GCC; welcomes, in this regard, the declaration adopted in Athens on 11 June 2014 and the memorandum of understanding of January 2015, and calls for their full implementation; stresses the crucial importance of the organisation of frequent summits between the EU and LAS, OIC and GCC; stresses the central role to be played by the LAS in terms of crisis resolution; believes that these crises highlight the need for the LAS to be transformed by its members into a fully-fledged executive body genuinely capable of taking binding decisions; notes the strategic cooperation between the European Union and the GCC; stresses that the GCC could exert a positive political influence in the management of crises and conflicts in the MENA countries;
9. Stresses equally the importance of regional dialogues with Turkey and Iran; welcomes the recent agreement reached by the EU3+3 and Iran on the latter's nuclear programme, and hopes to see it translated into a final comprehensive agreement by the agreed deadline; calls on the VP/HR and the Member States, in the event of a final agreement on the nuclear issue, to hold in-depth consultations with Iran and to ensure, at the same time, its commitment to non-proliferation until confirmation by the relevant international bodies, including the IAEA; to this end, urges the EU to actively engage in promoting confidence-building measures between Iran and Saudi Arabia; stresses the need to step up the counter-terrorism cooperation with Turkey; insists on the major role Turkey can play, as a member of NATO, in the fight against ISIL/Da'esh and in stabilising Iraq and Syria; calls on Turkey to clear away certain ambiguities and to play its full role as a stabilising force in the region by effectively controlling its border with Syria and by playing a more active part in combating Da'esh/ISIL in cooperation with the EU;
10. Calls on countries in the region to refrain from exporting terrorism and arms into neighbouring countries as this could further destabilise the situation there;

11. Recalls the need to put in place the conditions for a resumption of peace talks between Israel and the Palestinian Authority for a definitive settlement of the conflict based on a solution enabling both countries to live side by side in peace and security, based on the 1967 borders and with Jerusalem as capital of both states in accordance with international law; expresses again its deep concern over the rapidly deteriorating humanitarian situation in the Gaza Strip; is gravely concerned about the Israeli settlements policy in the West Bank; is deeply concerned by the stalemate in the dialogue and the mounting tensions between Israelis and Palestinians; calls for serious and credible efforts by both sides, the EU and the international community in achieving this; welcomes and supports High Representative Mogherini's determination for the EU to step up its engagement in the Middle East Peace Process and assert itself as a facilitator; urges all parties to refrain from any action that would worsen the situation in the form of incitement, provocation, excessive use of force or retaliation; reiterates its full support for the 2002 Arab peace initiative and calls on the LAS countries and Israel to put it into effect; stresses that any debate on resuming the peace process and on administrative and political control of the Gaza Strip by the Palestinian Authority would gain greatly by including the LAS; stresses the crucial role played by Egypt in bringing about the final ceasefire in the conflict between Hamas and Israel in summer 2014; calls on international donors to honour the commitments made by them at the Cairo Conference of October 2014;
12. Expresses full support for concrete actions to be enacted by the EU in the framework of a strong CSDP to promote stability and security in the MENA countries; deplores the fact that CSDP missions and operations deployed in the region (EUBAM Libya, EUPOL COPPS and EUBAM Rafah) are too small and out of step with the security challenges in the region, and calls for a strategic reassessment of these deployments; points out that the EU, in the framework of this commitment to human rights and the rule of law, could play a major role in providing specific assistance and training in specific skills in the field of criminal justice reform, SSR and DDR, border surveillance, the fight against terrorism and radicalisation, and prevention of trafficking in arms, drugs and human beings; calls for a particular focus to be put on Libya; stresses the importance of dialogue and cooperation with the LAS and the AU so that partner countries can develop skills and have the necessary military and human resources to combat extremism;
13. Firmly opposes the use of drones in extrajudicial and extraterritorial killings of terror suspects, and demands a ban on the use of drones for this purpose;
14. Calls on the authorities in the EU Member States and in the countries of the Middle East and North Africa to uphold the ban on torture as enshrined in particular 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 confessions obtained under torture are invalid, and condemns that practice;
15. Is particularly concerned that the various political crises in the region have reduced the intelligence capacity of the Member States; recalls the crucial importance of promoting improved cooperation between the EU Member States and the MENA countries in combating terrorism within a human rights and international law framework; calls for systematic and effective cooperation between these countries and with Europol and Interpol, to help them develop the necessary structures and resources in the field of anti-terrorism, counter-terrorism and organised crime, including human trafficking, by implementing integrated defence systems designed chiefly to protect the human rights of each individual

involved, provided adequate human rights safeguards are in place; highlights the 5+5 dialogue, which supplements the action of the Union for the Mediterranean (UfM) and enables work on security cooperation; underlines the need to overcome the persisting shortcomings in cooperation with foreign fighters' countries of origin, transit and destination; calls on the EU Member States to pool their resources, enhance the existing mechanisms (Frontex, Eurosur) and establish a European PNR in order to improve controls at the EU's external borders; stresses that the active collaboration between foreign and home affairs ministers should be strengthened, particularly concerning judicial and police cooperation and information-sharing;

16. Stresses the urgent need for a political solution to the conflict in Syria; maintains that a sustainable solution requires an inclusive Syrian-led political process leading to a transition, based on the Geneva Communiqué of 30 June 2012 and in line with relevant UNSC Resolutions in order to maintain the country's unity, sovereignty and territorial integrity; welcomes the Syrian National Coalition's effort in broadening its membership and engaging with other opposition groups, including through recent engagement with the National Coordination Committee to set out the opposition's vision for political transition; supports the efforts of UN special envoy Staffan de Mistura to end the armed conflicts and re-launch the political dialogue; stresses the importance to safeguard and support the democratic Syrian opposition; recalls the necessity of accountability for the crimes against humanity, war crimes and gross human rights violations perpetrated by Bashar Al-Assad's regime during the conflict;
17. Calls for any initiative to end the fighting in Syria to take into account the requirements of international humanitarian law and international human rights law, the latter being applicable during wartime and peacetime, as well as of international criminal law; calls on the European Union to increase pressure on the Assad regime to comply with UN Security Council Resolutions 2139 (2014), 2165 (2014) and 2191 (2014) and to step up its efforts to channel humanitarian aid, including in areas controlled by the Syrian moderate opposition and to assist in their capacity building; welcomes the pledges made during the Kuwait III conference, and calls on the EU and other international donors to fulfil their financial commitments in response to the Syria crisis; supports the Commission's recommendation to encourage restoration of the administration and public services in the devastated regions of Syria, and calls urgently for help to be provided for the reconstruction of Kobane;
18. Expresses its deep concern over Syria's deteriorating humanitarian situation four years on; notes that humanitarian access has been decreasing as a consequence of deliberate obstruction of aid which must be halted immediately; notes with grave concern that the number of people living in areas that are difficult or impossible for aid agencies to reach has almost doubled over the past two years;
19. Points out that war rape against women and girls has been documented, notably in Syria, Iraq, and territories controlled by Da'esh; urges that female victims of rape in the context of armed conflict be offered the full range of sexual and reproductive health services, including abortion, in EU-funded humanitarian facilities, in accordance with international humanitarian law, UN Security Council resolutions, and the common Article 3 of the Geneva Conventions, guaranteeing all necessary medical care required by the wounded and sick without any adverse distinction;

20. Stresses the need for the Iraqi Government to promote the sharing of political responsibilities, power and oil profits in an inclusive manner, which should encompass all religious and ethnic communities in that country and, specifically, the Sunni minorities; calls for this to be made an essential condition for implementation of the Partnership and Cooperation Agreement between the EU and Iraq; calls on the Iraqi Government to provide protection for ethnic and religious minorities without delay, to prevent Shia militias from exercising violence against Sunni minorities and to provide refugees who have fled ISIS terror with safe havens and essential aid; notes the agreement reached by the Government of Iraq and the Kurdistan Regional Government of Iraq (KRG) and urges its full implementation, and calls on Iraq to fully respect the financial entitlements of the KRG, as provided for in the constitution; stresses the importance, and encourages further enhancement, of cooperation between Baghdad and Erbil, for the security and economic prosperity of Iraq and the region; calls on the EU to contribute to the political, administrative and military capacity building of the Iraqi Government in particular in order to address the challenges posed by the social and economic crisis and the insufficient protection of human rights;
21. Is convinced that in order to achieve long-lasting security in regions that have already been freed from ISIS or other terrorist groups, it is necessary to further stabilise those areas; points out that this can happen by means of providing humanitarian aid, de-mining programmes and policing;
22. Strongly condemns the attack on the Bardo Museum in Tunis on 18 March 2015, for which the Islamic State has claimed responsibility; is concerned about the enrolment capacity of terrorist networks in a country run by a national unity government involving the moderate Islamic party Ennahda; is also concerned about Tunisia's porous borders with Libya, which are used notably for drug and arms trafficking, and welcomes the latest cooperation between Tunisia and the EU and its Member States in this regard; remains worried by the huge influx of Libyan refugees into Tunisia, which is putting great pressure on the country's stability, and welcomes their reception by Tunisia, which now has more than a million Libyan refugees; stresses the importance for the EU and for Tunisia of pursuing and strengthening their security cooperation, in particular by establishing joint security programmes; considers that it is vital for the Tunisian issue to be given more support, by making specific commitments including from an economic and investment point of view, in order to support the fragile democratic transition, mindful that it is in the interest of the entire region and of the EU that the Tunisian experiment succeeds; urges the Commission to underline the importance of democratisation and to send a symbolic message after the Arab uprisings by organising an EU-MENA summit in Tunis;
23. Expresses its deep concern at the deteriorating security and humanitarian situation in Libya; is deeply worried by the expansion of terrorist groups in the country, especially ISIL/Da'esh, which are taking advantage of the political vacuum and the escalation of violence; underlines the importance of urgent measures to limit and eradicate the influence of terrorist organisations on Libyan territory; is alarmed by the particularly serious situation in the south of the country, as it is used as a platform for organised crime and armed groups; stresses the need to maintain Libya's territorial integrity and national unity, which can only be realised through a policy that includes all well-identified actors; reaffirms its support for the UN-led talks conducted by the SRSG Bernardino León in seeking a negotiated solution that will lead to the formation of a Libyan unity government; welcomes the efforts made by Algeria and Morocco to foster the intra-Libyan dialogue; underlines that the EU has already

expressed its readiness to introduce restrictive measures against spoilers of the dialogue process, in line with UNSCR 2174 (2014); highlights that the EU should be ready to lend support to institutions in Libya as soon as a political solution and a ceasefire are achieved; stresses that the EU should contribute to a DDR and SSR effort in Libya as soon as a unity government is inaugurated and at its request; warns, however, that in the event of a stalemate in the political negotiations and an increase in the armed conflict, the EU must stand ready to contribute to any UNSC-mandated peacekeeping intervention;

24. Expresses its concern at the deterioration of the security situation in Yemen; stresses that the political crisis has turned into a security and humanitarian crisis, which is destabilising the entire Arabian peninsula and, beyond that, all of the MENA countries; supports the UN in its efforts to resume negotiations; stresses that only a broad political consensus through peaceful negotiations amongst the main political groups, in an atmosphere free of fear, can provide a sustainable solution to the current crisis and preserve the unity and territorial integrity of the country; calls on the EU and the Member States to take practical measures to help civilians and to end the crisis;
25. Strongly condemns attacks on the civilian infrastructure and population in Yemen that have resulted in a high number of casualties and seriously worsened the already dire humanitarian situation; calls on the EU, together with international and regional actors, to mediate an immediate ceasefire and end of violence targeting civilians; calls on additional funds in coordination with other international donors to be made available to prevent a humanitarian crisis and provide essential aid to those in need;
26. Urges the Commission to address structurally, together with the countries in the MENA region, the problem of young people leaving the EU to fight on the side of ISIS/Da'esh and other terrorist organisations in Syria and Iraq; calls on the Member States to take appropriate measures to prevent fighters from travelling from their territory, in line with UN Security Council resolution 2170 (2014), and to develop a common strategy for security services and EU agencies with regard to monitoring and controlling jihadists; calls for cooperation in the EU and at international level with a view to appropriate legal action against any individual suspected of being involved in acts of terrorism and with a view to other preventive measures aiming to detect and stop radicalisation; calls on the Member States to intensify cooperation and the exchange of information among themselves and with EU bodies;
27. Stresses the importance that, in its fight against terrorism, the Government of Egypt respects basic human rights and political freedoms, halts the systematic arrest of peaceful protestors and activists and upholds the right to a fair trial; notes that it would welcome a ban on the death penalty that could benefit those members of political and social organisations that have been recently condemned;
28. Welcomes the preliminary agreement on the Nile river's flow reached between Egypt, Sudan and Ethiopia on 23 March 2015; Emphasises that a jointly agreed use of the waters of the Nile river is fundamental to the security of all the countries involved; Stresses that the EU should be ready to facilitate further dialogue between all parties if deemed helpful to negotiations;

Stepping up the global strategy for democracy and human rights

29. Is convinced that the lack of democracy is one of the fundamental causes of political instability in the region and that respect for human rights and basic democratic principles is the strongest safeguard in the long term against chronic instability in the countries of the MENA region; calls on the EU and its Member States not to view the MENA region through the lens of short-term security threats only and to provide active and sustainable support to the democratic aspirations of societies in the region; highlights the need for balanced action to be taken, in the framework of a holistic and ambitious approach for democracy, to couple the security policy with that on human rights, which is one of the EU's priorities; stresses the importance of enhancing long-term stability in the MENA region through continuing EU support to civil society, notably through the European Instrument for Democracy and Human Rights (EIDHR) and the ENI Civil Society Facility, as well as through new pro-democracy tools such as the European Endowment for Democracy (EED); 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 in the region; calls on the EEAS to redouble its efforts to spread and explain European values, in particular through its regular contacts with the authorities and, at the same time, with representatives of civil societies;
30. Welcomes the launch by the VP/HR and the Commission of a broad consultation on ENP revision; calls on the Commission, the EEAS, the Council and the Member States to develop a more effective and innovative political and strategic ENP dimension; welcomes the meeting of the EU and Southern Mediterranean countries' Foreign Affairs Ministers; recalls that this meeting was the first time for seven years that the Foreign Ministers had come together; believes that Ministers should meet annually; calls on the EEAS and the Commission to continue to encourage democratic reforms and support democratic actors within the MENA region, notably the EU's neighbouring countries; stresses the importance of preserving the current balance of distribution of funds for the allocation of ENP funding; recalls that countries that are making progress in implementing reforms and following European policy should be granted decisive additional support, with particular attention to Tunisia, and stresses the need to foster women rights;
31. Calls on the EU and its Member States to set up a special programme for the support and rehabilitation of women and girls who are victims of sexual violence and slavery in conflict areas in the MENA region, especially Syria and Iraq; calls for the governments of the countries of the MENA region, the UN, the EU and the NGOs concerned to take into account the particular vulnerability of refugee women and girls, especially those who are isolated from their families, to provide them with appropriate protection and to step up their efforts to assist survivors of sexual violence, while introducing social policies that enable them to reintegrate into society; calls on the parties to the armed conflicts to respect the provisions of UN Security Council Resolution 1325 (2000), to take measures to protect women and girls, in particular from sexual abuse, smuggling and the sex trade, and to fight against the impunity of perpetrators; urges the governments of the countries of the MENA region to sign and ratify the Istanbul Convention, which is a powerful instrument for comprehensively tackling violence against women and girls, including domestic violence and female genital mutilation (FGM);
32. Underlines the opportunity that negotiations on Association Agreements provide to boost reforms; stresses that all the dimensions should be linked in order for the EU to deepen its relationship in a comprehensive and coherent manner; stresses the need to include real and

tangible incentives for partners in these agreements in order to make the path of reform more attractive, effective and discernible to civilian populations;

33. Emphasises that the EU and the MENA countries need to work more closely together on a basis of mutually acceptable objectives based on common interests; stresses the advantages of coordinating EU aid to the MENA countries with that of other international donors; calls on the Commission to recommend improvements in this respect and stresses the need to coordinate emergency aid with long-term development assistance;
34. Strongly believes that the development of local democracy and effective local governance is crucial to the stabilisation of MENA countries, and therefore calls for institutionalisation and capacity development of associations of local and regional authorities in MENA countries;
35. Condemns the continued violations of the right to freedom of religion or belief in the region and reiterates the importance the EU gives to this issue; restates once again that freedom of thought, conscience and religion is a fundamental human right; stresses, therefore, the need to effectively combat all forms of discrimination against religious minorities; calls on the governments of the MENA countries to defend religious pluralism; calls on the European Union to step up its efforts in advocating for active protection of religious minorities and providing safe havens; 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; encourages the VP/HR and the EEAS to engage in a permanent dialogue with NGOs, religious or belief groups and religious leaders;
36. Is convinced that cultural cooperation and diplomacy, as well as academic cooperation and religious dialogue, are essential in order to combat terrorism and all forms of radicalism; emphasises that education and the development of minds capable of critical thinking also constitute a bastion against radicalisation for both Europe and the MENA region, and calls therefore on the EU and its Member States to support the investment needed in this regard; stresses the utmost importance of promoting cultural and academic exchanges, including with representatives of Islam in MENA countries and with Islamic communities in Europe; urges partner countries to participate in EU cultural programmes; calls on the Commission to act on the European Parliament's proposal for the creation of an ambitious Euro-Mediterranean Erasmus programme distinct from the Erasmus+ programme; invites the Commission to pay particular attention, in the immediate term, to the Erasmus+ programmes drawn up for the southern Mediterranean; encourages exchange programmes to also include participants from MENA countries that are not members of the ENP;
37. Stresses the need to develop an effective common European response by all Member States to jihadist propaganda and to home-grown radicalisation, taking into account the use of digital tools, the internet and social networks and involving Europe's local authorities, and working with communities of European citizens who have strong cultural ties with MENA countries; considers that this counter-narrative should be based on the promotion of common values founded on the universality of human rights and should discredit the idea of a conflict between religions or civilisations; calls for the appointment in the EEAS of staff speaking the languages of the MENA region to increase the effectiveness of communication; underlines the need to send a positive message accompanied by specific

examples regarding relations between the European Union and the MENA countries and cooperation between them; stresses the need to raise the profile of the European Union and its Member States in the region;

38. Emphasises the potential for cultural and interreligious dialogue offered by the ENP; stresses the connection between, on the one hand, exchange and cooperation between the EU and the ENP countries in the fields of culture and education and, on the other hand, the building and strengthening of an open civil society, democracy, the rule of law and the promotion of fundamental freedoms and human rights;
39. Stresses the importance of developing direct dialogue with civil societies in the MENA countries in order to understand their expectations more clearly; stresses its support for the consultation and enhancement of civil society organisations and new generations within the ENP framework; emphasises in particular the importance of involving the young people of these countries in a dialogue based on a frank and direct relationship, on equal terms; recalls the importance of election observation missions, and urges the European Parliament and EEAS to send such missions to all countries in the region, at the invitation of the governments of those countries, when the prospects for genuine democratic elections are real and to ensure that such missions do not end up legitimising manipulated orchestration; asks for regular follow-up of the recommendations made by these missions;
40. Stresses the need to highlight the central role of the UfM, which, as a unique forum for dialogue on partnership between the European Union and all the countries in the Mediterranean region, needs to become a driving force for investment in the region's sustainable socioeconomic development; points out that the UfM should itself be able to raise the necessary funds for these projects; endorses the direction being taken by ministerial meetings; calls for wider dissemination of resulting programmes and actions, including joint election observation missions and joint assessment missions, and for greater cooperation with the European Union; reiterates the importance of revitalising the Euro-Mediterranean Parliamentary Assembly and reviving its political ambition, with a view to addressing the challenges posed by the security and stability of the Mediterranean area in a manner that is genuinely acceptable to both sides;
41. Expresses deep concern about the human rights violations, especially against vulnerable groups, in the MENA countries facing conflicts; considers children to be one of the most vulnerable groups and therefore reiterates the need to step up efforts to implement the revised implementation strategy for the EU Guidelines on Children and Armed Conflict; 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;

Strengthening cooperation for economic development

42. Notes that the MENA region is affected particularly by poverty and inequalities; is convinced that economic and social development, combined with greater democracy and justice, is what is needed for political stability to become a fact; is worried by the situation of young people and believes it essential that they have decent and legitimate prospects for their future; stresses the fundamental importance of the fight against corruption in MENA countries, not only to attract European investments and to allow for sustainable economic development, but also to tackle security challenges; underlines the established relationship between transparency, the rule of law and counter-terrorism, which all need to be addressed

together; calls on the EEAS, the Commission and the Member States to increase their cooperation in the field of the fight against corruption in MENA countries, which should be a priority in the fight against terrorism;

43. Takes the view that strategic dialogue between the EU and the MENA countries should be given further impetus in the direction of sustainable economic development, helping to iron out inequalities and creating job and education opportunities, mainly for young people; stresses the importance of facilitating access to the EU single market for the MENA countries, while providing all necessary protection; stresses the importance of encouraging European investments in MENA countries, including energy and infrastructure projects, with the strategic objective of fostering sustainable development and democratic accountability;
44. Recalls that 2015 is the European Year for Development, which aims to inspire more Europeans to get involved in the eradication of poverty worldwide, and which coincides with the international community's plans to agree on a set of Sustainable Development Goals; calls on public authorities at all levels of government in MENA countries to make the achievement of these goals a priority;
45. Stresses that enhanced dialogue on energy-related issues in the Mediterranean could help spur regional cooperation, promote regional stability and ensure environmental integrity; suggests, therefore, that the EU engage more strongly in energy diplomacy in the MENA region, as outlined in the Energy Union; stresses that supplying energy to countries in the EU's southern neighbourhood is important both strategically and in economic terms; welcomes the setting up of the Euro-Mediterranean gas platform and affirms that Euro-Mediterranean interconnections in the gas and electricity sectors need to be encouraged;
46. Supports the funding of academic and vocational training to create wide reserves of professional skills in the MENA countries; notes that EU vocational training circular mobility programme should be extended as far as possible to all MENA countries, by means of flexible and evolving tools such as mobility partnerships;
47. Calls on the EU to affirm its involvement in all stages of the economic development of the states in the region, assisted by all the tools placed at its disposal; recalls that these tools range from humanitarian aid to full and deep free trade agreements and enable it to cover a process that goes from exiting the crisis to the establishment of stable institutions;
48. Regrets that a minimum one-year period is necessary for the release of macro-financial assistance to countries in a very precarious financial situation; urges the EU to mobilise or redirect funding very promptly; urges the deployment of a new procedural dimension for EU aid, both in regard to aid through EU external action financial instruments and at macro-financial assistance level; underlines in the context of macro-financial assistance the need for the EU to adequately assess the socio-economic and human rights impact of the measures requested from beneficiary countries in order to ensure that such assistance does not constitute a factor of instability, for example by undermining welfare services; calls on Arab donors to coordinate aid within the LAS and the GCC and, as far as possible, together with the EU;
49. Calls on the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD) to coordinate their investment strategies with the Union for the Mediterranean so as to create positive synergies;

50. Calls on the EU to develop partnerships with countries in the region that are not direct neighbours; supports the conclusion of a convention to establish a free-trade area between the EU and GCC in so far as a mutually profitable agreement can be found which would offer the EU a greater presence and a further lever in the region, notably through the resumption of negotiations for a new joint action programme; recalls that an agreement of this kind between the GCC and EFTA came into force on 1 July 2014;
51. Encourages the EU to pursue discussions on the launch of negotiations on full and deep free trade agreements with certain countries in the region, in accordance with the commitments made by the European Union following the Deauville Partnership; reiterates that the development of trade relations forms part of the EU's external policy and contributes to achieving the goals of peace, prosperity and stability;
52. Stresses that regional integration of the MENA countries would enable political links to be strengthened and would further trade and development; calls on the MENA countries to diversify their economies and imports; notes that the great majority of the MENA countries' trade is with non-MENA countries; regrets the deadlock faced by the EU with regard to the Arab Maghreb Union (AMU); calls on the EU to make every effort, at the diplomatic, political and financial level, to assist with the regional integration of the Maghreb countries under the AMU or the geographically broader Agadir agreements;
53. Welcomes the support of the Foreign Affairs Council for the Southern Mediterranean Investment Coordination Initiative (AMICI); stresses the importance of initiatives that further consistency and efficiency in the European Union's external action;
54. Supports further cooperation in the transport sector, including by linking the infrastructure network of the European Union and partner countries more tightly in order to facilitate the movement of people and goods;

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55. 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 European Committee of the Regions, the governments and parliaments of all the EU Member States, the Secretaries-General of the League of Arab States and the Union for the Mediterranean and the governments and parliaments of their member countries.



TEXTS ADOPTED

Provisional edition

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Review of the European neighbourhood policy

European Parliament resolution of 9 July 2015 on the review of the European Neighbourhood Policy (2015/2002(INI))

The European Parliament,

- having regard to Articles 2, 3(5), 8, and 21 of the Treaty on European Union,
- having regard to the joint consultation paper from the Commission and the Vice-President/High Representative entitled ‘Towards a new European Neighbourhood Policy’, published on 4 March 2015¹,
- having regard to the joint communications by the Commission and Vice-President/High Representative entitled ‘A partnership for democracy and shared prosperity with the Southern Mediterranean’ (COM(2011)0200)², published on 8 March 2011, and ‘A new response to a changing neighbourhood’ (COM(2011)0303)³, published on 25 May 2011,
- having regard to the communication from the Commission to the Council and the European Parliament of 11 March 2003 entitled ‘Wider Europe – neighbourhood: a new framework for relations with our Eastern and Southern neighbours’ (COM(2003)0104)⁴,
- having regard to the Council conclusions of 18 February 2008 on the European Neighbourhood Policy⁵ and of 20 April 2015 on the review of the European Neighbourhood Policy,
- having regard to the Guidelines to promote and protect the enjoyment of all human rights by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, adopted by the Foreign Affairs Council of 24 June 2013,
- having regard to its previous resolutions on the European Neighbourhood Policy, namely

¹ JOIN(2015)0006.

² <http://ec.europa.eu/enlargement/neighbourhood/consultation/consultation.pdf>

³ http://eeas.europa.eu/euromed/docs/com2011_200_en.pdf

⁴ <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0303:FIN:en:PDF>

⁵ http://eeas.europa.eu/enp/pdf/pdf/com03_104_en.pdf

External Relations Council, conclusions of 18 February 2008 -

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/gena/98818.pdf

those of 20 November 2003 on relations with our neighbours to the east and south¹, of 20 April 2004 on ‘Wider Europe – new neighbourhood policy’², of 19 January 2006 on the European Neighbourhood Policy³, of 15 November 2007 on strengthening the European Neighbourhood Policy⁴, of 7 April 2011 on the review of the European Neighbourhood Policy – Eastern dimension⁵, of 7 April 2011 on the review of the European Neighbourhood Policy – Southern dimension⁶, of 14 December 2011 on the review of the European Neighbourhood Policy⁷, of 23 October 2013 on ‘The European Neighbourhood Policy: towards a strengthening of the partnership: EP’s position on the 2012 reports’⁸, and of 12 March 2014 on assessing and setting priorities for EU relations with the Eastern Partnership countries⁹,

- having regard to the Riga Declaration of the EU Eastern Partnership Summit of 22 May 2015,
 - having regard to the report of the High Level Reflection Group on the Energy Community for the Future,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A8-0194/2015),
- A. whereas the European Neighbourhood Policy (ENP) was created to deepen relations, enhance cooperation and strengthen the EU’s partnerships with neighbouring countries in order to develop an area of shared stability, security and prosperity as underlined in Article 8 TEU; whereas the objective remains the same;
- B. whereas the neighbourhood is currently in a state of flux due to the increasing number of long-standing and newly emerging security challenges, and is less stable, considerably less secure and facing a more profound economic crisis than when the ENP was launched;
- C. whereas the revised policy should be based on mutual accountability and shared commitment to EU values and principles, including democracy, the rule of law, human rights and efficient, accountable and transparent public institutions, and whereas these are in the interest of neighbouring societies as much as of our own in terms of stability, security and prosperity; whereas, despite the complexities and challenges in practice, the EU must remain steadfastly in support of transition processes in all and any countries and democratisation, respect for human rights and the rule of law;
- D. whereas large parts of the neighbourhood continue to be affected by armed or frozen conflicts and crises; whereas partner countries must strive for a peaceful solution to existing conflicts; whereas the existence of conflicts, including frozen or protracted ones,

¹ OJ C 87 E, 7.4.2004, p. 506.
² OJ C 104 E, 30.4.2004, p. 127.
³ OJ C 287 E, 24.11.2006, p. 312.
⁴ OJ C 282 E, 6.11.2008, p. 443.
⁵ OJ C 296 E, 2.10.2012, p. 105.
⁶ OJ C 296 E, 2.10.2012, p. 114.
⁷ OJ C 168 E, 14.6.2013, p. 26.
⁸ Texts adopted, P7_TA(2013)0446.
⁹ Texts adopted, P7_TA(2014)0229.

- hampers economic, social and political transformation as well as regional cooperation, stability and security; whereas the EU should play a more active role in the peaceful resolution of the existing conflicts;
- E. whereas these conflicts are undermining the development of a genuine and effective multilateral dimension of the ENP; whereas peace and stability are fundamental elements of the ENP; whereas partner countries must abide by these principles;
 - F. whereas the EU firmly condemns all forms of human rights violations, including violence against women and girls, rape, slavery, honour crimes, forced marriages, child labour and female genital mutilation;
 - G. whereas developments in the region since 2004, but in particular in the last few years, have shown the ENP to be unable to respond adequately and promptly to rapidly changing and challenging circumstances;
 - H. whereas the ENP remains a strategic priority of the EU's foreign policy; whereas the review of the ENP must be conducted with the objective of strengthening it and in the spirit of sustaining progress towards a comprehensive and effective EU Common Foreign and Security Policy as a whole;
 - I. whereas the Commission and the EEAS, together with the Council and Parliament, have tried to reshape the ENP so as to address its flaws and adapt it to changed national and international circumstances, in particular following the Arab Spring; whereas this was reflected in the new financing instrument for the ENP for 2014-2020, the European Neighbourhood Instrument (ENI); whereas the current challenges posed by the crisis in eastern Ukraine, the occupation of Crimea and Da'esh should be taken into account in the review of the ENP;
 - J. whereas insecurity, instability and unfavourable socio-economic conditions in the neighbourhood countries can have negative impacts and reverse past democratic trends;
 - K. whereas since the introduction of the new approach in 2011, political developments in the neighbourhood have demonstrated that the EU needs to further rethink relations with its neighbours, taking into account the different external and internal realities; whereas the EU needs to address new challenges in its neighbourhood and adjust its strategy by examining its interests and priorities and assessing its policy tools, incentives and available resources and their attractiveness to its partners;
 - L. whereas the 2011 revision of the ENP stated that the new approach must be based on mutual accountability and a shared commitment to the universal values of human rights, democracy and the rule of law;
 - M. whereas the EU should play a more active role in the peaceful resolution of the existing conflicts, notably those of frozen or protracted nature, which currently represent an insurmountable obstacle to the full development of the ENP both in the East and in the South, hindering good neighbourly relations and regional cooperation;
 - N. whereas the ENP includes different 'neighbourhoods', encompassing countries with different interests, ambitions and capabilities;

- O. whereas a differentiated approach and a tailor-made policy are needed, especially as the EU neighbourhood has become more fragmented than ever, with the countries differing in many respects, including in their ambitions and expectations as regards the EU, the challenges they face and their external environment; whereas the EU's bilateral relations with ENP countries are at different stages of development; whereas the effective use of the 'more for more' principle is of fundamental importance in shaping and differentiating relations with partner countries, and the EU should 'reward' countries which demonstrate enhanced cooperation with it and progress in achieving European values, in terms both of resources and of other incentives within the framework of the ENP; whereas the EU's neighbours should be able to determine their future free from external pressure;
 - P. whereas progress in the resolution of conflicts and controversies between ENP countries should be considered a criterion to be assessed in the annual Progress Reports;
 - Q. whereas respect for the territorial integrity of sovereign states is a fundamental principle of relations between countries in the European neighbourhood and the occupation of a territory of one country by another is inadmissible;
 - R. whereas the resources available to the EU for its action as a 'global player' until 2020 within the multiannual financial framework only amount to 6 % of the total budget and cover all related programmes, including development and cooperation assistance;
 - S. whereas the ENP has contributed to the articulation of a single voice of the EU in the neighbourhood as a whole; whereas the Member States should play an important role in the European neighbourhood by aligning their efforts and increasing the EU's credibility and ability to act by speaking with a single voice;
 - T. whereas the consultation process carried out by the Commission and the EEAS should be comprehensive and inclusive so as to ensure that all relevant stakeholders are consulted; whereas the importance of encouraging women's rights and gender equality organisations to participate in this consultation process should be stressed; whereas further efforts should be made to enhance the ENP's visibility and awareness of it in public opinion in the partner countries;
 - U. whereas the Eastern and Southern neighbourhoods face different problems and tackling these successfully requires that the ENP be flexible and adaptable in terms of the specific needs and challenges of each region;
1. Stresses the importance, necessity and timeliness of the review of the ENP; emphasises that the revised ENP should be able to provide a quick, flexible and adequate response to the situation on the ground, while also putting forward an ambitious strategic vision for developing relations with the neighbouring countries in both a bilateral and a multilateral framework, in line with the commitment to promote the core values on which the ENP is based;
 2. Stresses that the ENP is an essential part of the EU's foreign policy and must remain a single policy; considers that it forms a part of the EU's external action whose potential and uniqueness lie in the vast range of diplomatic, security, defence, economic, trade, development, and humanitarian instruments available to be deployed; maintains that an effective ENP is vital to enhance the EU's foreign policy credibility and global positioning, and that the ENP must demonstrate the EU's real leadership in the

neighbourhood and in relations with our global partners;

3. Believes in the continued value of the ENP's initially stated objectives of creating an area of prosperity, stability, security, and good neighbourliness, based on the common values and principles of the Union, by providing assistance and incentives for deep structural reforms in the neighbouring countries, carried out under their own responsibility and agreed with them, which will allow for reinforced engagement with the EU; stresses, therefore, the need to take into account lessons learned, go back to basics and bring these objectives back to the top of the agenda;
4. Underlines the strategic importance of the ENP, as a policy creating multi-layered relations and strong interdependence between the EU and its partners in the neighbourhood; highlights that the fundamental challenge of the ENP lies in delivering tangible and concrete improvements to the citizens of the partner countries; considers that the ENP should become a stronger, more political and more effective policy, also through the reinforcement of its positive elements, including greater focus on partnership with societies, differentiation and the 'more for more' approach;
5. Stresses that respect for the universal fundamental values of human rights, the rule of law, democracy, freedom, equality and respect for human dignity on which the EU is founded must remain at the core of the revised policy, as stated in Article 2 of the association agreements between the EU and third countries; reiterates that strengthening the rule of law and support for democracy and human rights are in the interests of the partner countries, and calls for stronger conditionality regarding respect for these common fundamental values; underlines the role of the EU Special Representative (EUSR) for Human Rights and the European Endowment for Democracy (EED) in this regard;
6. Stresses that the renewed policy must be more strategic, focused, flexible and coherent, and politically driven; calls on the EU to formulate a clear and ambitious political vision on the ENP, and to pay special attention to its own political priorities in the Eastern and Southern neighbourhoods, taking into account the different challenges facing countries in each region, as well as their differing aspirations and political ambitions; maintains that the Eastern and Mediterranean partnerships are crucially important; calls for special representatives to be appointed for the East and the South, with the task of politically coordinating the revised policy and being engaged in all EU action in the neighbourhood;
7. Underlines the important role of the Member States, their expertise and their bilateral relations with the ENP countries in shaping a coherent EU policy; stresses the need for proper coordination between the VP/HR, the Commissioner for European Neighbourhood Policy and Enlargement Negotiations, the EU delegations and the EU Special Representatives in order to avoid duplication of efforts; maintains that the EU delegations have a major role to play in implementing the ENP;
8. Calls on the VP/HR to develop proposals for cooperation with willing European Neighbours based on the model of the European Economic Area, which could constitute a further step in their European perspective, be based on enhanced inclusion in the EU area in terms of freedoms and full integration within the common market, and also include closer cooperation in common foreign and security policy (CFSP);
9. Urges that short-, medium- and long-term priorities and strategic objectives be defined, bearing in mind that the ENP should aim to create a differentiated approach to promote

cooperation in different areas among and with the ENP countries; stresses that in defining its approach the EU should look at its interests and priorities and those of the individual countries concerned, together with their level of development, considering the interests and aspirations of societies, political ambitions and the geopolitical environment;

10. Emphasises that local ownership, transparency, mutual accountability and inclusiveness should be key aspects of the new approach so as to ensure that the benefits of the ENP reach all levels of community and society in the countries concerned, rather than being concentrated within particular groups;
11. Emphasises its conviction that, if the partner countries are to be helped to strengthen their own development potential, the political dialogue which currently characterises the ENP must give way to a broader social, economic and cultural dialogue which embraces all facets of the political, social, ethnic and cultural diversity of the partner countries; stresses the value of the progress achieved through territorial cooperation with the direct involvement of local authorities;
12. Regrets the limited resources allocated to the EU's cooperation with its partners within its neighbourhood, notably in comparison with the significantly higher levels of resources invested in ENP countries by stakeholders from third countries; notes that this undermines the EU's ability to promote and implement policies that are in line with its strategic interests in its neighbourhood; stresses the need to streamline support and increase funds in order to effectively reward and support partner countries which are genuinely committed to and make tangible progress towards achieving reforms, democratisation and respect for human rights ;
13. Emphasises the need to strengthen accountability and transparency mechanisms in the partner countries in order to ensure that they have the capacity to absorb and spend the funds in an efficient and meaningful way; calls on the Commission, therefore, to ensure efficient mechanisms of monitoring and oversight of spending of EU assistance in the ENP countries, including via scrutiny by civil society;
14. Calls on the EU to improve its coordination with other donors and international financial institutions, including through the AMICI initiative, in line with its commitment to become a more consistent, respected and effective global actor, and stresses the need for joint programming with and among the Member States; underlines that better coordination with the Member States and with the regional and local authorities (RLAs) is necessary in order to pursue and achieve a common, coherent and effective approach to the short- and medium-term goals of the EU's cooperation with neighbouring countries, and calls for a discussion to be opened on this matter with the Council;
15. Underlines that the EU should match the ambitions of reinforced engagement in its neighbourhood with sufficient financing; considers that the mid-term review of the external financing instruments should take into account the revised policy, and that the ENI should therefore reflect the ambition of making the ENP more efficient and ensure the predictability and sustainability of the EU's engagement with our partners, as well as an adequate degree of procedural flexibility; calls, furthermore, for more coherence and consistency between the various EU external financing instruments;
16. Underlines the facilitating role of the European Endowment for Democracy (EED), complementing EU instruments with a new approach that is more flexible and responsive,

gap-filling and financially efficient; calls on the Commission to allocate more resources to the EED;

17. Recognises that attitudes toward Europe and the EU in neighbouring countries have a real impact on conflict, but rejects any complicity with repression and human rights violations in neighbouring countries arising from a misguided short-term pursuit of stability;

Added value of action at EU level

Reshaping the European Neighbourhood Policy

18. Stresses the need to reshape the ENP in order to build strong, strategic and lasting partnerships with the ENP countries based on the preservation of, and in coherence with, the EU's values and principles and the promotion of mutual interests; calls for the technical aspects of the policy to be underpinned by a clear political vision;
19. Notes that the ENP should deploy its own methodology and tools, which should correspond to the level of ambition and the needs and objectives that the ENP countries and the EU seek to achieve;
20. Calls on the Commission to focus on sectors identified together with its partners, on the basis of common interests, in which progress and universal added value can be achieved, and to gradually expand progress- and ambition-based cooperation, in particular in order to contribute to economic growth and human development with a focus on the new generations; stresses that economic reforms must go along with political reforms and that good governance can only be achieved through an open, accountable and transparent decision-making process based on democratic institutions;
21. Stresses that enlargement policy and neighbourhood policy are separate policies with different objectives; reiterates, however, that European countries within the ENP, like any European country, can apply for EU membership if they satisfy the criteria and conditions of eligibility and admission under Article 49 TEU; considers, whilst recognising that reform and transition must come first and not wishing to raise unrealistic expectations, that a membership perspective must be sustained as an incentive to all countries which are eligible and have expressed evident European aspirations and ambitions;

Support for democracy, judicial reform, the rule of law, good governance and institutional capacity-building

22. Considers support for democracy, the rule of law, good governance, state-building and human rights and fundamental freedoms to be central to the ENP; underlines that no policies that contribute to jeopardising these core values should be adopted under the ENP; stresses that the EU and its Member States should offer incentives and know-how for undertaking and supporting democratic reforms and overcoming the political, economic, and social challenges;
23. Underlines the continuous need to focus on strengthening and consolidating democracy, the rule of law, good governance, the independence of the judicial system, the fight against corruption, respect for diversity and the rights of minorities, including religious groups, the rights of LGBTI persons, the rights of persons with disabilities, and the rights of persons belonging to ethnic minorities; highlights that capacity-building in national

institutions, including national assemblies, together with support for civil society, pro-democracy groups and political parties, will enhance political dialogue and pluralism;

24. Stresses that women's rights, gender equality and the right to non-discrimination are fundamental rights and key principles of the EU's external action; underlines the importance of promoting the rights of children and young people and gender equality, as well as of the economic and political empowerment of women, with a view to building inclusive, prosperous and stable societies in the EU's neighbourhood;
25. Considers that the revised ENP should strengthen the promotion of fundamental freedoms in the ENP countries by fostering freedom of expression, association and peaceful assembly and freedom of the press and of the media as enabling rights for realisation of economic, social and cultural rights;
26. Highlights the importance of developing the social dimension of the ENP, by engaging with the partners in the fight against poverty and exclusion, stimulating employment and fair growth, facilitating healthy labour relations and promoting education and decent work, thus also tackling some of the root causes of irregular migration;
27. Acknowledges the importance of cultural dialogue between the EU and the neighbouring countries, in areas such as conflict prevention and peace-building, the development of creative industries, strengthening of freedom of expression, support for social and economic development, and reinforcement of dialogue with civil society and intercultural and interreligious dialogues, also in order to tackle the increasing discrimination against and persecution of minority and religious groups; calls for strengthening frameworks for cultural relations, enabling the development of programmes for mobility, training and capacity-building and exchanges in the fields of culture and education;
28. Emphasises that the approach based on 'Partnership with Societies' should be strengthened and promoted; urges that the common interests and goals of the policy be defined in consultation with all stakeholders from the various societies, and not only with the authorities;
29. Stresses the importance of developing a thriving and active civil society in the processes of transformation and democratisation, including social partners and the business community; calls for further support for civil society, local SMEs and other non-state actors, since these constitute a driving force in the reform process, and for a more engaged dialogue and partnership between the different civil society actors and sectors in the EU and the neighbouring countries in the ENP framework; underlines the importance of European companies and their role in the promotion and dissemination of international standards for business, including corporate social responsibility;

Differentiation and conditionality

30. Calls for the ENP to be developed into a more tailor-made and flexible policy framework that is able to adapt to the diversity that exists among partner countries, and for a consistent implementation of the 'differentiated approach'; underlines that differentiation should take place between the ENP countries;
31. Stresses the need to apply effective conditionality in relation to reform processes, and underlines the need for a coherent approach on the part of the EU between its positions

- and conditionality in financial allocations; emphasises that the EU cannot compromise its fundamental values and rights and should avoid creating double standards; stresses that countries that are making progress in implementing reforms, leading to long-term political, economic and social developments and seeking a deeper political engagement with the EU, should be granted more substantial EU commitment and support and should be assessed on the basis of individual achievements in these reform processes; underlines the importance of fully applying the ‘more for more’ principle;
32. Stresses that Association Agreements are the most advanced but not the final step in relations between the EU and its neighbours;
 33. Considers that the EU should invite non-association partner countries to engage in sectorial cooperation, including the possibility of concluding new or reinforcing existing sectorial agreements such as the Energy Community that would facilitate the integration of such countries into specific sectorial parts of the single area of the four basic freedoms of the EU;
 34. Considers that in pursuing the ENP special attention should be focused on cooperation related to economic governance and the sustainability of public finances in ENP countries;

Security dimension

35. Notes that preserving peace, security and stability is a fundamental concern in the neighbourhood and that the security environment is sharply deteriorating; calls for a strong security component in the ENP, with adequate policy tools which have regrettably been missing to date; stresses that the EU should focus on improving the efficiency and effectiveness of its current crisis management instruments with a view to establishing capacities to broaden the spectrum of crisis management interventions; stresses that security, stability and development go hand in hand and that a comprehensive approach is needed to address the security concerns in the region and the root causes thereof;
36. Observes that the stability of the Sahelo-Saharan belt should be regarded as the nerve-centre of insecurity in both northern and southern Africa, and that the instability of that region is caused by the duplication of trafficking networks dealing in arms, drugs and human beings and is harming Europe’s stability;
37. Calls for closer coordination between the ENP and wider Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP) activities, alongside strengthening the links between internal and external security and addressing different aspects of the security of ENP countries and of the EU; stresses the need for coherence and full alignment between the review of the ENP and the revision of the EU Security Strategy;
38. Underlines the need for an overarching political strategy while ensuring full compliance with international law and commitments, as laid down in the Helsinki Final Act of 1975, based on respect for human rights, minority rights and fundamental freedoms, independence, sovereignty and the territorial integrity of states, inviolability of borders, equal rights and self-determination of peoples, and peaceful resolution of conflicts; notes that the Organisation for Security and Co-operation in Europe (OSCE), as the biggest regional organisation responsible for security, can play an important role in this regard

and believes it should acquire a new impetus by taking on the role of mediator; supports the right of partners to make independent and sovereign choices on foreign and security policy, free from external pressure and coercion;

39. Calls for the revised policy to support partner countries in building proper state structures to deal with security issues, such as effective law enforcement, terrorism and organised crime, and intelligence and security, including cybersecurity, which should be developed on the basis of full respect of human rights and accompanied by proper parliamentary democratic control; stresses that the EU should engage in areas such as security sector reform (SSR), and, in post-conflict situations, in disarmament, demobilisation and reintegration (DDR); calls on the EU to focus on capacity-building for border control on the part of the partner countries; acknowledging the ongoing contribution already being made by some of those countries; invites the neighbourhood countries to contribute to CSDP missions where relevant; calls on the EU to promote joint initiatives by the neighbouring countries in the security field, so as to enable them to take on more responsibility and make a positive input into security in their region;
40. Reminds the Member States of their obligations under the Council Common Position 2008/944/CFSP on arms exports) which inter alia requires them to deny an export licence for military technology or equipment to any neighbourhood country if there is a clear risk that the military technology or equipment to be exported might be used for internal repression or in committing serious violations of international humanitarian law, would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination, or would be exported aggressively against another country or used to assert a territorial claim by force;
41. Stresses the need to actively promote and assist in the peaceful settlement of conflicts and in post-conflict reconciliation policies in the EU's neighbourhood, using different tools and instruments on the basis of the added value they may provide; believes such measures should include the work of the EU Special Representatives, confidence-building programmes, restoring dialogue, mediation promoting people-to-people contacts, and CSDP missions; calls on the VP/HR and the EEAS to develop innovative measures and approaches, including public communication strategies and informal consultations, in order to support dialogue and reconciliation; observes that the EU delegations have a key role to play in establishing early warning systems by building up finely-meshed prevention networks with the various civil society organisations;
42. Reiterates its support for the sovereignty, territorial integrity and political independence of the partner countries; takes the view that the ENP should contribute to and be supportive of these principles in practice; stresses that that frozen or protracted conflicts hamper the full development of the ENP; regrets, in this regard, that since the launch of the ENP no progress has been made in the resolution of the existing conflicts; recalls its position that the occupation of territory of a partner country violates the fundamental principles and objectives of the ENP; emphasises the need for the earliest peaceful settlement of the frozen conflicts on the basis of the norms and principles of international law; calls on the VP/HR to play a more active role making clear that the deepening of bilateral relations is linked to peaceful conflict resolution and respect for international law; underlines, in this context, the importance of pursuing a principled policy of promoting accountability for all violations of human rights and international humanitarian law and of avoiding double standards, in particular in this regard;

43. Urges the EU to apply to regional conflicts the spirit and lessons deriving from the historical experience of European integration, since bilateral issues must be solved peacefully and good neighbourly relations and regional cooperation are fundamental elements of the ENP; calls, in this regard, for the involvement of citizens and the engagement of public actors in horizontal partnerships and twinning with counterparts from the Union, and for engagement with society and the younger generation as a factor for change;

Fostering regional integration

44. Stresses the importance of the regional dimension of the ENP and the need to promote and contribute to regional synergies and integration by means of regional cooperation programmes; underlines that enhanced economic cooperation among the ENP countries is necessary for achieving stability and prosperity in the European neighbourhood;
45. Calls, in this respect, for the complementing of the EU's bilateral relation with ENP countries with its multilateral dimension by increasing the number of activities and initiatives in this context, paying particular attention to strengthening cross-border projects, stepping up people-to-people programmes, developing incentives for regional cooperation, and further enhancing an active dialogue with civil society; considers that the future ENP should offer an inclusive regional platform for discussing human rights issues, in line with the core principles of the ENP;
46. Calls for systematic human rights impact assessments – including gender perspectives – of trade agreements and EU financial support to programmes and projects within the framework of the ENP;
47. Calls for the revised policy to strengthen the existing platforms for cooperation, namely the Union for the Mediterranean and the Eastern Partnership, in order to further support regional integration where the priorities identified by the partners are similar for a specific policy field, to address specific sub-regional issues such as mobility, energy or security, and to bring the partners closer together in terms of economic standards and legislation; believes that the multilateral structures of the ENP should be consolidated and developed more strategically;
48. Underlines the importance of the role of multilateral assemblies, such as Euronest and PA-UfM, as fora for political dialogue and as a tool for fostering ownership of the Neighbourhood Policy, and strongly encourages them to increase their engagement therein in an adequate and effective manner;
49. Highlights the added value of parliamentary diplomacy and of the regular bilateral interparliamentary meetings the EP holds with the counterparts from the Neighbourhood as a tool for exchanging experiences and evaluating the status of the individual countries' relation with the EU; encourages the Member States' national parliaments to hold their bilateral interparliamentary meetings within the framework of the ENP, as a means of ensuring a coherent approach;
50. Highlights the importance of the Conference of Regional and Local Authorities for the Eastern Partnership (CORLEAP) and the Euro-Mediterranean Regional and Local Assembly (ARLEM), which enable local and regional representatives to engage in dialogue with the EU institutions and to pursue economic, social and local and regional

cooperation;

51. Emphasises that the development of regional civil society platforms such as the Eastern Partnership and the Southern Neighbourhood Civil Society Fora strengthens a multi-stakeholder engagement driving the democratisation and economic reform agenda in the Neighbourhood;

Neighbours of neighbours

52. Emphasises the need to build strong partnerships with neighbouring countries; stresses the importance of ensuring that the ENP is part of the EU's broader external policy and of acknowledging the other strategic players that have influence on the neighbourhood – the 'neighbours of neighbours' – as well as international and regional organisations, by, inter alia, addressing issues of common interest and mutual concern, including regional and global security, through existing bilateral frameworks or multilateral dialogue where deemed appropriate and relevant;
53. Stresses that the EU should realistically consider the different policy options that its partners face, as well as how to build bridges with their neighbours on different levels and how to address the foreign policy of third countries in its neighbourhood, ensuring that it is for the EU and its sovereign partners to decide on how they want to proceed in their relations;
54. Reiterates its conviction that the DCFTA provisions do not represent any commercial challenges for the Russian Federation and that the Association Agreements should not be seen as an impediment to good relations of Eastern Partners with any of their neighbours;
55. Calls on the EU to develop effective mechanisms of support for ENP partner countries which are pursuing an ambitious European agenda and, as a consequence, are suffering from retaliatory measures, trade coercion or outright military aggression from third countries; reiterates that, while the ENP is not aimed against any other strategic player and rejects the notion of a zero-sum geopolitical competition in the neighbourhood, the EU must provide credible commitments and robust political support to partners who wish to align more closely with it;
56. Calls on the EU to take advantage of the expertise of the regional organisations to which the neighbours belong, such as the Council of Europe, the OSCE, the African Union, the relevant Regional Offices of the United Nations and the League of Arab States, and to actively involve and cooperate with them in order to address regional conflicts; recalls that these are important fora for engaging partners in carrying out reforms, addressing concerns on human rights and regional issues – for which they should assume greater responsibility – and fostering democratisation;

Policy objectives and tools

A diversified offer: priority sectors

57. Calls for the EU to explore and identify, together with its partners, priorities for strengthened cooperation and integration in different policy fields, such as economic and human development, conflict and disaster prevention, infrastructure and regional development, the environment, trade competition policies, SMEs, migration, security,

- energy and energy efficiency, with the aim of creating an area of prosperity, stability and good neighbourliness;
58. Considers that the aim of achieving coherence in the internal and external policies of the EU, as well as the close and growing links between certain internal and external issues, should be reflected in the new ENP;
 59. Considers that stronger cooperation in the field of the future digital single market, support for e-administration reforms and open government solutions, constitutes an instrument for citizens' engagement;
 60. Stresses the importance of the free movement of people, and supports enhancing mobility within the neighbourhood, in a secure and well managed environment, through visa facilitation and liberalisation, particularly for students, young people, artists and researchers; calls on the Commission, in cooperation with the Member States, to further enhance mobility partnerships within the neighbourhood and develop possibilities for circular migration schemes which would open up safe and legal routes for migrants; calls on the EU to make a clear distinction between asylum seekers fleeing persecution and irregular economic migrants; condemns trafficking in human beings, most of the victims of which are women, and stresses the importance of reinforcing cooperation with partner countries in order to combat it;
 61. Calls on the Commission to pay attention to the gender equality perspective when promoting vocational and academic training, as well as in the framework of circular migration programmes with the neighbourhood countries, in order to strengthen women's participation in their economies;
 62. Notes that high unemployment, particularly among young people, lack of free access to information, social exclusion and poverty, and lack of protection of minority rights, combined with low political and socio-economic participation of women, poor governance and high levels of corruption, are root causes of instability, and demands engagement beyond the Deep and Comprehensive Free Trade Areas (DCFTAs); notes that the mere prospect of trade deals and free trade agreements no longer provides a sufficiently effective lever to strengthen our partnership with the neighbourhood, in the southern Mediterranean countries in particular; notes the lack of regional economic cooperation between the EU's neighbouring countries, and calls for the establishment of sub-regional initiatives in order to increase trade among them;
 63. Highlights the importance of investing in projects for youth, women and future leaders, by making full use of the scholarship opportunities under the Erasmus + programme, in order to foster student and teacher exchanges between ENP countries and the Member States, aiming at the formation of future leaders from both ENP countries and the Member States, as well as further promoting academic and educational projects which have already proved their value in this field, such as the College of Europe;
 64. Calls on the Commission to explore and offer to the ENP countries different levels of participation, cooperation and engagement in EU policies, programmes and agencies, such as EUROPOL, FRONTEX, and customs management, in the field of fighting against human trafficking, economic and cross-border crimes and in that of the Energy Community, which as a successful integration agreement can play a greater role in the ENP; highlights the importance of energy security and closer energy cooperation within

the European neighbourhood, with a view of reaching a shared goal of uninterrupted supply of affordable, sustainable, efficient and clean energy; calls for the gradual opening-up of the Energy Union to the ENP countries; encourages the Commission to promote the Budapest convention on fighting cybercrime among the ENP countries and to call on them to join it if they have not yet done so;

65. Considers that greater emphasis should be placed on using technical assistance programmes such as TAIEX and Twinning, and that the partners should be included in EU programmes such as Erasmus and Horizon 2020, as they contribute to sharing knowledge and establishing networks at different levels and are the basis for creating a Common Neighbourhood Area;
66. Takes the view that the parliamentary dimension of the policy needs to be reinforced by enhancing the effectiveness of the interparliamentary meetings and the joint parliamentary bodies established under agreements with the EU, and of the parliamentary assemblies; welcomes, in this context, the new approach that Parliament has adopted to parliamentary democracy support; underlines the role played by parliaments of ENP countries in holding governments accountable, and encourages the strengthening of their monitoring capacity; calls for Parliament to be involved in the implementation of the new ENP and to be kept regularly informed and consulted on its progress in the partner countries; takes the view that European political parties and groups in the national parliaments of Member States and the European Parliament can play an important role and can take on crucial responsibility as regards the promotion of a political culture based on fully-fledged democratic institutions, the rule of law, multi-party democracy and full participation of women in decision-making;
67. Emphasises that for the ENP to be a successful policy, it should also ensure that there is ownership by the Member States, also by expanding Flagship Initiatives; calls on the Commission, therefore, to reinforce policy coordination and joint programming of financial assistance, and to provide mechanisms to foster information-sharing among Member States and EU structures on ENP countries, as well as consultation between the Member States, EU structures and neighbouring countries; considers that the EU's financial and technical assistance should be conditional on successful achievement of tangible benchmarks in the reform process, on the basis of which further support will be allocated;

Assessment and visibility

68. Emphasises that the action plans established in close partnership with the authorities of the partner countries and in consultation with CSOs should focus on a limited number of realistic priorities to be implemented, and that their implementation should be assessed on a regular basis or when prompted by changing circumstances, with policy options which could be commonly agreed; points out the importance of developing a consultation process with CSOs as regards the definition of benchmarks;
69. Stresses that the progress reports should focus on the implementation of the priorities identified in the action plans and should reflect the level of engagement of the partner country; reiterates its call for the data contained in the reports to be put into perspective by bearing in mind the national context and by including trends from the previous years; takes the view that all the main stakeholders of ENP countries, including civil society, should be genuinely involved and consulted before drafting the reports; calls for key

documents such as progress reports to be readily available on the respective EU delegation websites and translated into the local language; calls on the EU to employ more qualitative means of measuring the extent of progress in the partner countries and to implement effective cross-compliance measures regarding progress by partners in terms of human rights, the rule of law and democracy;

70. Considers that the visibility of EU assistance should be enhanced in order to make clear to the populations of the partner countries and the EU Member States the benefits of EU support; calls on the Commission to design a special mechanism for providing EU humanitarian assistance to the neighbourhood countries that would differ from the model used for third countries worldwide and would ensure high visibility for the EU and its political agenda, among other goals; underlines the importance and necessity of a mechanism able to ensure transparency in relation to the financial assistance granted by the EU;
71. Calls for the EU to strengthen its capacity to counter misinformation and propaganda campaigns against itself and its Member States which are aimed at diminishing their unity and solidarity; calls for the EU to strengthen its visibility in order to show clearly its support for and engagement with and in the partner countries; underlines the importance of promoting objective, independent and impartial information and of freedom of the media in the ENP countries, as well as the need for strategic communication efforts in its neighbourhood, including on its values and objectives, through the development of a comprehensive, effective and systematic communication strategy within the revised policy;
72. Calls for the EU to increase its presence in the partner countries using more interactive audiovisual means and social media in the respective local languages, in order to reach all of society; calls on the Commission to prepare a clear communication strategy for societies in the ENP countries, in order to explain to them the benefits of the Association Agreements, including Deep and Comprehensive Trade Areas (DCFTA's), as a tool for modernising their political systems and economies;

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73. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the ENP countries, the Parliamentary Assemblies of Euronest and the Union for the Mediterranean, the League of Arab States, the African Union, the Council of Europe and the OSCE.



TEXTS ADOPTED

Provisional edition

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Harmonisation of certain aspects of copyright and related rights

European Parliament resolution of 9 July 2015 on the implementation of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (2014/2256(INI))

The European Parliament,

- having regard to Articles 4, 26, 34, 114, 118 and 167 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Article 27 of the Universal Declaration of Human Rights,
- having regard to the 1994 Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS),
- having regard to the UNESCO Convention of 20 October 2005 on the Protection and Promotion of the Diversity of Cultural Expressions,
- having regard to Articles 11, 13, 14, 16, 17, 22 and 52 of the Charter of Fundamental Rights of the European Union,
- having regard to Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society¹,
- having regard to the Berne Convention for the Protection of Literary and Artistic Works, and expressly to the Three-Step Test,
- having regard to the World Intellectual Property Organisation (WIPO) Copyright Treaty of 20 December 1996,
- having regard to the WIPO Performances and Phonograms Treaty of 20 December 1996,

¹ OJ L 167, 22.6.2001, p. 10.

- having regard to the WIPO Treaty on Audiovisual Performances, adopted by the WIPO Diplomatic Conference on the Protection of Audiovisual Performances in Beijing on 24 June 2012,
- having regard to the September 2013 intellectual property rights (IPR) study carried out jointly by the European Patent Office (EPO) and the Office for Harmonisation in the Internal Market (OHIM), entitled ‘Intellectual property rights intensive industries: contribution to economic performance and employment in the European Union’,
- having regard to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled,
- having regard to Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market¹,
- having regard to Directive 2013/37/EU of the European Parliament and of the Council of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information²,
- having regard to Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 on certain permitted uses of orphan works³,
- having regard to Directive 2006/116/EC of the European Parliament and of the Council of 12 December 2006 on the term of protection of copyright and certain related rights⁴,
- having regard to Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011 amending Directive 2006/116/EC on the term of protection of copyright and certain related rights⁵,
- having regard to Council Directive 93/83/EEC of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission⁶,
- having regard to Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights⁷,
- having regard to Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property⁸, which amends Council Directive 92/100/EEC⁹,

¹ OJ L 84, 20.3.2014, p. 72.

² OJ L 175, 27.6.2013, p. 1.

³ OJ L 299, 27.10.2012, p. 5.

⁴ OJ L 372, 27.12.2006, p. 12.

⁵ OJ L 265, 11.10.2011, p. 1.

⁶ OJ L 248, 6.10.1993, p. 15.

⁷ OJ L 157, 30.4.2004, p. 45.

⁸ OJ L 376, 27.12.2006, p. 28.

⁹ OJ L 346, 27.11.1992, p. 61.

- having regard to Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art¹,
 - having regard to its resolution of 27 February 2014 on private copying levies²,
 - having regard to its resolution of 12 September 2013 on promoting the European cultural and creative sectors as sources of economic growth and jobs³,
 - having regard to its resolution of 11 September 2012 on the online distribution of audiovisual works in the European Union⁴,
 - having regard to its resolution of 22 September 2010 on enforcement of intellectual property rights in the internal market⁵,
 - having regard to the public consultation on the review of the EU copyright rules carried out by the Commission between 5 December 2013 and 5 March 2014,
 - having regard to its resolution of 16 February 2012 on Petition 0924/2011 by Dan Pescod (British), on behalf of the European Blind Union (EBU)/Royal National Institute of Blind People (RNIB), on access by blind people to books and other printed products⁶,
 - having regard to the Commission Green Paper on the online distribution of audiovisual works in the European Union: opportunities and challenges towards a digital single market (COM(2011)0427),
 - having regard to the Commission Green Paper entitled ‘Copyright in the Knowledge Economy’ (COM(2008)0466),
 - having regard to the Commission communication entitled ‘A Single Market for Intellectual Property Rights: Boosting creativity and innovation to provide economic growth, high quality jobs and first class products and services in Europe’ (COM(2011)0287),
 - having regard to the Memorandum of Understanding of 20 September 2011 on key principles on the digitisation and making available of out-of-commerce works, with a view to facilitating the digitisation and making available of books and learned journals for European libraries and similar establishments,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs and the opinions of the Committee on Industry, Research and Energy and the Committee on Internal Market and Consumer Protection (A8-0209/2015),
- A. whereas the revision of Directive 2001/29/EC is central to the promotion of creativity and innovation, cultural diversity, economic growth, competitiveness, the Digital Single Market

¹ OJ L 272, 13.10.2001, p. 32.

² Texts adopted, P7_TA(2014)0179.

³ Texts adopted, P7_TA(2013)0368.

⁴ OJ C 353 E, 3.12.2013, p. 64.

⁵ OJ C 50 E, 21.2.2012, p. 48.

⁶ OJ C 249 E, 30.8.2013, p. 49.

and to access to knowledge and information, while at the same time also providing authors of literary and artistic works with sufficient recognition and protection of their rights;

- B. whereas Article 167 of the Treaty on the Functioning of the European Union (TFEU) states that the European Union shall promote the flowering and diversity of the cultures of the Member States, particularly through artistic and literary creation;
- C. whereas Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society was aimed at adapting legislation on copyright and related rights to reflect technological developments;
- D. whereas Directive 2001/29/EC also addresses a number of EU obligations under international law, including the provisions of the Berne Convention for the Protection of Literary and Artistic Works, the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty;
- E. whereas the Commission and the Member States are making considerable investments in the digitisation and online accessibility of the rich collections of Europe's cultural heritage institutions, so that citizens can enjoy access from anywhere on any device;
- F. whereas the European cultural and creative industries are an engine for economic growth and job creation in the EU and make a major contribution to the EU economy, as they employ more than 7 million people and generate more than 4,2 % of EU GDP according to the latest estimates, and whereas cultural industries continued to create jobs during the economic crisis of 2008-2012;
- G. whereas the September 2013 joint EPO and OHIM study shows that about 39 % of total economic activity in the EU, worth some EUR 4 700 billion a year, is generated by IPR-intensive industries, as is, in addition, 26 % of direct employment (or 56 million jobs), with indirect employment accounting for a further 9 % of the total number of jobs in the EU;
- H. whereas the digital revolution has brought with it new techniques and means of communication and opened the way to new forms of expression which, while calling into question the long-established three-way relationship between creators, cultural entrepreneurs and users, has spurred the emergence of a knowledge-based economy providing new jobs and helping to promote culture and innovation;
- I. whereas any political initiative concerning the digital single market must be in keeping with the Charter of Fundamental Rights of the European Union, and in particular Articles 11, 13, 14, 16, 17 and 22 thereof;
- J. whereas cultural diversity and language diversity extends beyond national borders, with some European languages spoken in multiple countries;
- K. whereas the Charter of Fundamental Rights protects freedom of expression, freedom of information and freedom of the arts and science, and guarantees protection of personal data and of cultural and linguistic diversity, the right to property and the protection of intellectual property, the right to education and the freedom to conduct a business;
- L. whereas the right of the creator to protection of his or her creative works must continue to apply in the digital age;

- M. whereas measures that contribute to the further development of cultural interchange and improve legal certainty in the sector need to be considered; whereas many creative online services have been developed since the application of Directive 2001/29/EC, and consumers have never before had access to such a wide range of creative and cultural works; whereas users need access to a plentiful and diverse supply of high-quality content;
- N. whereas the harmonious and systematic development of the Europeana digital library, which was founded in 2008 as part of an EU initiative, has made works from Member States' libraries available;
- O. whereas creative works are one of the main sources nourishing the digital economy and information technology players such as search engines, social media and platforms for user-generated content, but virtually all the value generated by creative works is transferred to those digital intermediaries, which refuse to pay authors or negotiate extremely low levels of remuneration;
- P. whereas Directive 2011/77/EU and Directive 2006/116/EC harmonised the terms of protection of copyright and neighbouring rights by establishing a complete harmonisation of the period of protection for each type of work and each related right in the Member States;
- Q. whereas the EU legislative authorities have a duty to promote a clear legal framework for copyright and related rights that can be understood by all stakeholders, in particular the general public, and that ensures legal certainty;
- R. having regard to the competitive advantage and growing power of a number of Internet intermediaries and to the negative impact of this situation on authors' creative potential and on the development of services offered by other distributors of creative works;
- S. whereas when defining the legal framework for copyright and related rights, account should be taken of the need to promote innovative industrial and commercial models, taking advantage of the opportunities offered by new technologies, in order to make EU businesses more competitive;
- T. whereas the Commission's priority and the focus of its 2014-2019 programme is the creation of growth and jobs;
1. Points out that copyright is the tangible means of ensuring that creators are remunerated and that the creative process is funded;
 2. Welcomes the Commission's initiative in having conducted a consultation on copyright, which attracted great interest from a wide range of interested stakeholders, including the cultural sector and civil society¹;
 3. Welcomes the commitment of the Commission on further developing the EU digital agenda, including copyright issues, in the course of the new Commission mandate; welcomes the Commission Work Programme for 2015 insofar as it promises to deliver a Digital Single Market Package which includes a legislative proposal with the objective of modernising copyright rules to make them fit for the digital age;

¹ European Commission, DG MARKT, Report on the responses to the Public Consultation on the Review of the EU Copyright Rules, July 2014.

4. Recalls that copyright and related rights protect and stimulate both the development and marketing of new products and services and the creation and exploitation of their creative content, thereby contributing to improved competitiveness, employment and innovation across several industry sectors in the EU;
5. Stresses that copyright is only as effective as the enforcement measures in place to protect it and that in order to ensure a flourishing and innovative creative sector copyright enforcement must be robust;
6. Points out that the existence of copyright and related rights inherently implies territoriality; emphasises that there is no contradiction between that principle and measures to ensure the portability of content;
7. Emphasises that any revision of Directive 2001/29/EC should continue to safeguard the principle of fair remuneration for rightholders; calls for a reaffirmation of the principle of territoriality, enabling each Member State to safeguard the fair remuneration principle within the framework of its own cultural policy;
8. Notes that the range of works lawfully available to users has increased since the implementation of Directive 2001/29/EC; further notes that cross-border access to the diversity of uses that technological progress offers to consumers may require evidence-based improvements to the current legal framework in order to further develop the legal offer of diversified cultural and creative content online to allow access to European cultural diversity;
9. Recalls that consumers are too often denied access to certain content services on geographical grounds, which runs counter to the objective of Directive 2001/29/EC of implementing the four freedoms of the internal market; urges the Commission, therefore, to propose adequate solutions for better cross-border accessibility of services and copyright content for consumers;
10. Considers that lessons may be drawn for other types of content from the approach taken in Directive 2014/26/EU on collective rights management, but that issues concerning portability and geoblocking may not be solved by one all-encompassing solution but may require several different interventions, both regulatory and market-led;
11. Stresses that the creative output of the EU is one of its richest resources, and those who want to enjoy it should be able to pay to do so, even when it is only sold in another Member State;
12. Draws attention to the fact that multi-territorial licensing, as provided for in Directive 2014/26/EU on collective management of copyright, is an option when broadcasters want Europe-wide coverage;
13. Points out that the financing, production and co-production of films and television content depend to a great extent on exclusive territorial licences granted to local distributors on a range of platforms reflecting the cultural specificities of the various markets in Europe; that being so, emphasises that the ability, under the principle of freedom of contract, to select the extent of territorial coverage and the type of distribution platform encourages investment in films and television content and promotes cultural diversity; calls on the Commission to ensure that any initiative to modernise copyright is preceded by a wide-ranging study of its

- likely impact on the production, financing and distribution of films and television content, and also on cultural diversity;
14. Emphasises that industry geoblocking practices should not prevent cultural minorities living in EU Member States from accessing existing content or services in their language that are either free or paid for;
 15. Supports the initiatives aimed at enhancing the portability, within the EU, of online services of legally acquired and legally made available content, whilst fully respecting copyright and the interests of rightholders;
 16. Recalls that the European cultural markets are naturally heterogeneous on account of European cultural and linguistic diversity; notes that this diversity should be considered as a benefit rather than an obstacle to the single market;
 17. Takes note of the importance of territorial licences in the EU, particularly with regard to audiovisual and film production which is primarily based on broadcasters' pre-purchase or pre-financing systems;
 18. Notes with concern the growing number of illegal online services and the increasing incidence of piracy and, more generally, of infringements of intellectual property rights, a trend that poses a serious threat to Member States' economies and to creativity in the EU;
 19. Emphasises that any reform of the copyright framework should be based on a high level of protection, since rights are crucial to intellectual creation and provide a stable, clear and flexible legal base that fosters investment and growth in the creative and cultural sector, whilst removing legal uncertainties and inconsistencies that adversely affect the functioning of the internal market;
 20. Alongside the important task of expanding functioning structures for the digital single market, stresses that steps must also be taken to ensure that the analogue single market continues to function properly;
 21. Points out that copyright-intensive industries employ more than seven million people in the EU; asks the Commission, therefore, to ensure that, in line with the principles of better regulation, any legislative initiative to modernise copyright be preceded by an exhaustive ex-ante assessment of its impact in terms of growth and jobs, as well as its potential costs and benefits;
 22. Emphasises that any revision of EU copyright law must be properly focused and must be based on convincing data, with a view to securing the continued development of Europe's creative industries;
 23. Recognises that commercial copyright infringing activities pose a serious threat to the functioning of the digital single market and to the development of the legal offer of diversified cultural and creative content online;
 24. Deems it indispensable to strengthen the position of authors and creators and improve their remuneration with regard to the digital distribution and exploitation of their works;

Exclusive rights

25. Acknowledges the necessity for authors and performers to be provided with legal protection for their creative and artistic work; recognises that the dissemination of culture and knowledge is in the public interest; recognises the role of producers and publishers in bringing works to the market, and the need for fair and appropriate remuneration for all categories of rightholders; calls for improvements to the contractual position of authors and performers in relation to other rightholders and intermediaries, notably by considering a reasonable period for the use of rights transferred by authors to third parties, after which those rights would lapse, as contractual exchanges may be marked by an imbalance of power; stresses in this connection the importance of contractual freedom;
26. Notes that a proportionate protection of copyright works and other protected matter is of great importance, including from a cultural standpoint, and that under Article 167 TFEU, the Union is required to take cultural aspects into account in its activity;
27. Stresses that authors and performers must receive fair remuneration in the digital environment and in the analogue world alike;
28. Invites the Commission to evaluate targeted and appropriate measures to improve legal certainty, in line with the Commission's objective of better regulation; calls on the Commission to study the impact of a single European Copyright Title on jobs and innovation, on the interests of authors, performers and other rightholders, and on the promotion of consumers' access to regional cultural diversity;
29. Points out that, in the fragile ecosystem which produces and finances creative work, exclusive rights and freedom of contract are key components because they make for improved risk sharing, enable a range of players to get involved in joint projects for a culturally diverse audience and underpin the incentive to invest in professional content production;
30. Recommends that the EU legislator should consider, in order to protect the public interest while protecting personal information, how to further lower the barriers to the re-use of public sector information; notes that such adjustment of the legislation should be made with due regard to Directive 2013/37/EU, the principles underpinning the copyright system and the relevant case law of the Court of Justice of the European Union;
31. Calls on the Commission to effectively safeguard public domain works, which are by definition not subject to copyright protection; urges the Commission, therefore, to clarify that once a work is in the public domain, any digitisation of the work which does not constitute a new, transformative work, stays in the public domain; also calls on the Commission to examine whether rightholders may be given the right to dedicate their works to the public domain, in whole or in part;
32. Calls on the Commission to further harmonise the term of protection of copyright, while refraining from any further extension of the term of protection, according to the international standards set out in the Berne Convention; encourages Member States to finalise the transposition and implementation of Directives 2006/116/EC and 2011/77/EU in a streamlined manner;

Exceptions and limitations

33. Calls on the EU legislator to remain faithful to the objective stated in Directive 2001/29/EC of providing adequate protection for copyright and neighbouring rights as one of the main ways of ensuring European cultural creativity, and of safeguarding a fair balance between the different categories of rightholders and users of protected subject-matter, as well as between the different categories of rightholders; further emphasises that any legislative change in this field should guarantee people with disabilities access to works and services protected by copyright and related rights in any formats;
34. Underlines that copyright and related rights constitute the legal framework for the European cultural and creative industries, as also for the educational and research sector and for the sector benefiting from exceptions to and limitations on those rights, and form their basis for activity and employment;
35. Notes that exceptions and limitations must be applied in such a way as to take account of the purpose for which they were designed and the particular respective characteristics of the digital and analogue environments, while maintaining the balance between the interests of rightholders and the interests of the public; calls, therefore, on the Commission to examine the possibility of reviewing a number of the existing exceptions and limitations in order to better adapt them to the digital environment, taking into account the ongoing developments in the digital environment and the need for competitiveness;
36. Underlines the importance of exceptions and limitations being accessible for persons with disabilities; in this regard notes the conclusion of the Marrakesh Treaty, which will facilitate access for the visually impaired to books, and encourages swift ratification thereof without making the ratification conditional upon the revision of the EU legal framework; believes that the Treaty is a good step forward, but that much work remains to be done in order to open up access to content for people with different disabilities;
37. Notes the importance of European cultural diversity, and notes that the differences among Member States in the implementation of exceptions can be challenging for the functioning of the internal market in view of the development of cross-border activities and EU global competitiveness and innovation, and may also lead to legal uncertainty for authors and users; considers that some exceptions and limitations may therefore benefit from more common rules; remarks, however, that differences may be justified to allow Member States to legislate according to their specific cultural and economic interests, and in line with the principles of proportionality and subsidiarity;
38. Calls on the Commission to examine the application of minimum standards across the exceptions and limitations, and further to ensure the proper implementation of the exceptions and limitations referred to in Directive 2001/29/EC and equal access to cultural diversity across borders within the internal market, and to improve legal certainty;
39. Considers it necessary to strengthen exceptions for institutions of public interest, such as libraries, museums and archives, in order to promote wide-ranging access to cultural heritage, including through online platforms;
40. Calls on the Commission to consider with care to protect fundamental rights, particularly to combat discrimination or protect freedom of the press; recalls in this context that fair compensation should be provided for these exceptions;

41. Recalls the importance of small and medium-sized enterprises (SMEs) in the cultural and creative industries in terms of job creation and growth in the EU; stresses that the vast majority of SMEs in the cultural and creative industries take advantage of the flexibility of copyright rules to produce, invest in and distribute cultural and creative works, but also to develop innovative solutions which enable users to gain access to creative works online adapted to the preferences and specificities of local markets;
42. Notes with interest the development of new forms of use of works on digital networks, in particular transformative uses, and stresses the need to examine solutions reconciling efficient protection that provides for proper remuneration and fair compensation for creators with the public interest for access to cultural goods and knowledge;
43. Stresses that, where an exception or limitation already applies, new uses of content which are made possible by technological advances or new uses of technology should be, as far as possible, construed in line with the existing exception or limitation, provided that the new use is similar to the existing one, in order to improve legal certainty – this would be subject to the three-step test; acknowledges that such flexibility in the interpretation of exceptions and limitations may permit the adaptation of the exceptions and limitations in question to different national circumstances and social needs;
44. Highlights the need to ensure the technological neutrality and future-compatibility of exceptions and limitations by taking due account of the effects of media convergence, while serving the public interest by fostering incentives to create, finance and distribute new works and to make those works available to the public in new, innovative and compelling ways;
45. Suggests a review of the liability of service providers and intermediaries in order to clarify their legal status and liability with regard to copyright, to guarantee that due diligence is exercised throughout the creative process and supply chain, and to ensure fair remuneration for creators and rightholders within the EU;
46. Maintains that the development of the digital market is impossible unless creative and cultural industries are developed alongside it;
47. Emphasises the importance of the exception for caricature, parody and pastiche as a factor in the vitality of democratic debate; believes that the exception should strike the balance between the interests and rights of the creators and original characters and the freedom of expression of the user of a protected work who is relying on the exception for caricature, parody or pastiche;
48. Stresses the need to properly assess the enablement of automated analytical techniques for text and data (e.g. ‘text and data mining’ or ‘content mining’) for research purposes, provided that permission to read the work has been acquired;
49. Maintains that the development of the digital market is closely linked to, and must go hand in hand with, the development of creative and cultural industries, this being the only way to achieve lasting prosperity;
50. Notes that the right to private property is one of the fundamentals of modern society; also notes that facilitation of access to educational materials and cultural goods is of extreme

importance for the development of the knowledge-based society and that this should be taken into account by the legislators;

51. Calls for an exception for research and education purposes, which should cover not only educational establishments but also accredited educational or research activities, including online and cross-border activities, linked to an educational establishment or institution recognised by the competent authorities, or legislation, or within the purview of an educational programme;
52. Stresses that any new exceptions or limitations introduced into the EU copyright legal system needs to be duly justified by a sound and objective economic and legal analysis;
53. Recognises the importance of libraries for access to knowledge and calls upon the Commission to assess the adoption of an exception allowing public and research libraries to legally lend works to the public in digital formats for personal use, for a limited duration, through the internet or the libraries' networks, so that their public interest duty of disseminating knowledge can be fulfilled effectively and in an up-to-date manner; recommends that authors should be fairly compensated for e-lending to the same extent as for the lending of physical books according to national territorial restrictions;
54. Calls upon the Commission to assess the adoption of an exception allowing libraries to digitalise content for the purposes of consultation, cataloguing and archiving;
55. Stresses the importance of taking into account the conclusions of the numerous experiments being undertaken by the book industry to establish fair, balanced and viable business models;
56. Notes that in some Member States statutory licences aimed at compensatory schemes have been introduced; stresses the need to ensure that acts which are permissible under an exception should remain so; recalls that compensation for the exercise of exceptions and limitations should only be considered in cases where acts deemed to fall under an exception cause harm to the rightholder; further calls on the European Observatory on Infringements of Intellectual Property Rights to carry out a full scientific evaluation of these Member State measures and their effect on each affected stakeholder;
57. Recalls the importance of the private copying exception that may not be technically limited, coupled with fair compensation of creators; invites the Commission to analyse, on the basis of scientific evidence, Parliament's resolution of 27 February 2014 on private copying levies¹ and the results of the latest mediation process conducted by the Commission², the viability of existing measures for the fair compensation of rightholders in respect of reproductions made by natural persons for private use, in particular in regard to transparency measures;
58. Notes that private copying levies should be governed in such a way as to inform citizens of the actual amount of the levy, its purpose and how it is going to be used;

¹ Texts adopted, P7_TA(2014)0179.

² António Vitorino's recommendations of 31 January 2013 resulting from the latest mediation process conducted by the Commission in respect of private copying and reprography levies.

59. Stresses that digital levies should be made more transparent and optimised to safeguard rightholder and consumer rights and by taking into account Directive 2014/26/EU on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market;
60. Stresses the importance of bringing more clarity and transparency to the copyright regime for copyright users, in particular with regard to user-generated content and copyright levies, in order to foster creativity and the further development of online platforms, and to ensure appropriate remuneration of copyright holders;
61. Notes the importance of Article 6(4) of Directive 2001/29/EC and stresses that the effective exercise of exceptions or limitations, and access to content that is not subject to copyright or related rights protection, should not be waived by contract or contractual terms;
62. Calls on distributors to publish all available information concerning the technological measures necessary to ensure interoperability of their content;
63. Highlights the need to promote greater interoperability, in particular for software and terminals, as lack of interoperability hampers innovation, reduces competition and harms the consumer; believes that lack of interoperability leads to market dominance of one particular product or service, which in turn stifles competition and limits consumer choice in the EU;
64. Points out that the rapid rate of technological development in the digital market calls for a technologically neutral legislative framework for copyright;
65. Recognises the role of proportionate and effective enforcement in supporting creators, rightholders and consumers;
66. Calls on the Commission and the EU legislature to consider solutions for the displacement of value from content to services; stresses the need to adjust the definition of the status of intermediary in the current digital environment;
67. Stresses that consumers often face various limitations and the notion of consumers' rights in the copyright framework is very often absent; calls on the Commission to assess the effectiveness of the current copyright law from a consumers' perspective and to develop a set of clear and comprehensive consumers' rights;

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



TEXTS ADOPTED

Provisional edition

P8_TA-PROV(2015)0274

Evaluation of activities of the European Endowment for Democracy (EED)

European Parliament resolution of 9 July 2015 on the EU's new approach to human rights and democracy – evaluating the activities of the European Endowment for Democracy (EED) since its establishment (2014/2231(INI))

The European Parliament,

- having regard to Articles 2, 6, 8 and 21 of the Treaty on European Union,
- having regard to its recommendation of 29 March 2012 to the Council on the modalities for the possible establishment of a European Endowment for Democracy (EED)¹,
- having regard to its resolution of 7 July 2011 on EU external policies in favour of democratisation²,
- having regard to its resolution of 11 December 2012 on a digital freedom strategy in EU foreign policy³,
- 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 its 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 matter⁴,
- having regard to Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action⁵,
- having regard to Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide⁶,

¹ OJ C 257 E, 6.9.2013, p. 13.

² OJ C 33 E, 5.2.2013, p. 165.

³ Texts adopted, P7_TA(2012)0470.

⁴ Texts adopted, P8_TA(2015)0076.

⁵ OJ L 77, 15.3.2014, p. 95.

⁶ OJ L 77, 15.3.2014, p. 85.

- having regard to the Council conclusions of 18 May 2009 on ‘Support to Democratic Governance – Towards an enhanced EU framework’¹,
- having regard to the Council conclusions of 17 November 2009 on Democracy Support in the EU’s External Relations²,
- having regard to the Council conclusions of 13 December 2010 containing the 2010 progress report and a list of proposed pilot countries³,
- having regard to the Council conclusions of 20 June 2011 on the European Neighbourhood Policy⁴,
- having regard to the Council conclusions of 1 December 2011 on the European Endowment for Democracy⁵,
- having regard to the Council conclusions of 25 June 2012 on Human Rights and Democracy⁶ and to the EU Strategic Framework and Action Plan on Human Rights and Democracy, also adopted by the Council on 25 June 2012⁷,
- having regard to the Council conclusions of 31 January 2013 on EU Support for Sustainable Change in Transition Societies⁸,
- having regard to the joint consultation paper by the High Representative of the Union for Foreign Affairs and Security Policy and the Commission of 4 March 2015 entitled ‘Towards a new European Neighbourhood Policy’ (JOIN(2015)0006),
- having regard to the 2013 European External Action Service Review⁹,
- having regard to the joint communication by the High Representative of the Union for Foreign Affairs and Security Policy and the Commission of 25 May 2011 entitled ‘A New Response to a Changing Neighbourhood: A review of European Neighbourhood Policy’ (COM(2011)0303),
- having regard to the letter of support for the establishment of the EED, addressed to the then President of the European Parliament, Jerzy Buzek, and the then Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, and dated 25 November 2011,
- having regard to the decision of the EED Board of Governors of 3 December 2014 to lift the initial geographical limitations of the EED,
- having regard to Rules 52 and 132(2) of its Rules of Procedure,

¹ <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%209908%202009%20INIT>

² http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/gena/111250.pdf

³ https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/118433.pdf

⁴ http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/122917.pdf

⁵ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/126505.pdf

⁶ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/131171.pdf

⁷ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/131181.pdf

⁸ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/135130.pdf

⁹ http://eeas.europa.eu/library/publications/2013/3/2013_eeas_review_en.pdf

- having regard to the report of the Committee on Foreign Affairs (A8-0177/2015),
- A. whereas the promotion of and support for democracy, the rule of law and respect for the universality and indivisibility of human rights and fundamental freedoms are among the core objectives of the EU's foreign policy, as enshrined in Article 21 of the Treaty on European Union and in the EU Charter of Fundamental Rights;
- B. whereas the EU considers that the principle of ownership of democracy-building processes is paramount for fostering a genuine democratic culture;
- C. whereas a large number of Member States have successfully completed a process of democratic transformation of society over recent decades, and have accumulated extensive experience in this field that could be relevant to the activities of the EED and which can and should be used at expert and political level for the EED's work;
- D. whereas the events of the Arab Spring and in the Eastern Neighbourhood have triggered a reshaping of the EU's policy instruments for promoting human rights and democracy support;
- E. whereas in a number of countries where the EED operates, the space for legitimate civil society action and external funding of civil society organisations is shrinking on account of authoritarian regimes using increasingly sophisticated means, including legislation, to restrict the work of NGOs and pro-democratic actors, including EED beneficiaries;
- F. whereas in recent years countries in the EU's neighbourhood have faced a significant number of political, security and economic challenges that have put democratisation efforts and respect for human rights and fundamental freedoms under serious pressure;
- G. whereas there is a need to promote the provision of objective and independent information and to strengthen the media environment, including the internet and social media, in countries in which the EED operates, by protecting media freedom and freedom of expression and combating all forms of social and political censorship; whereas there is also a need to support democratisation efforts in those countries, including the consolidation of the rule of law and the fight against corruption;
- H. whereas the establishment of the EED, alongside other EU programmes such as the European Instrument for Democracy and Human Rights (EIDHR) and the European Neighbourhood Policy (ENP) Civil Society Facility, complements the traditional state-centred approach with a much-needed, more balanced, long-term and society-centred perspective focused on direct engagement with local and regional grassroots movements and democratic political actors;
- I. whereas assessing the impact of democracy assistance activities, such as those carried out by the EED, remains an inherently difficult task, in particular owing to the non-linear and long-term nature of political transformation in the countries concerned and to the often confidential nature of the activities involved;
- J. whereas new information technologies and social media have become important instruments in the struggle for democracy and should therefore have a prominent place within the European democracy assistance agenda;

- K. whereas, as at 30 June 2015, the EED has funded 186 initiatives totalling over EUR 5,2 million in the Southern Neighbourhood and over EUR 5,3 million in the Eastern Neighbourhood and beyond;
- L. whereas the EED benefits from a unique form of co-financing under which its administrative budget is provided by the Commission, while activities on the ground are financed by contributions from Member States and third countries;

General evaluation

1. Welcomes the EED's track record to date given the current challenging international environment, and considers that it is fulfilling its main objective of 'fostering and encouraging democratisation and deep and sustainable democracy in countries in political transition and in societies struggling for democratisation'¹ including through 'supporting the unsupported' by fighting corruption, promoting dialogue in diversity and non-violence, encouraging social and political participation and protecting activists and journalists who, locally, do their utmost to ensure and expedite the launch of a democratic process, making justice more accessible;
2. Acknowledges with satisfaction that despite its short period of activity and limited funds, and the challenges inherent in assessing the impact of democracy support actions, the EED is fulfilling Parliament's recommendations and delivering added value to existing EU democracy support through fast, flexible, bottom-up and demand-driven funding provided directly to beneficiaries in a financially efficient manner that complements other EU means, thanks to the low administrative burden and simple procedures established for the EED by its Board;
3. Takes the view that, as a democracy support modality, the EED has been helping to diminish both political and personal risk;
4. Stresses its full and continued support for the EU's multipronged efforts to support civil society organisations, social movements and activists around the world; reiterates the importance of avoiding duplication and continuing to ensure the complementarity of EED activities with existing EU external financing instruments, especially the EIDHR and the European Neighbourhood Instrument (ENI), as they all aim to promote democratic principles and respect for human rights and fundamental freedoms in the proximity of the EU;
5. Welcomes the EED's consistent engagement in favour of freedom of expression and association, media freedom, the building and strengthening of the rule of law, the fight against corruption, and social and political pluralism, an engagement which is intended to support the development of democratic regimes in both the Eastern and Southern Neighbourhoods;
6. Is of the opinion that the initiatives taken by the EED have demonstrated its unique capacity to bridge or fill gaps in cases where it has been impossible to obtain financing from EU Member States or non-EU countries;

¹ Article 2 of the EED Statutes – available at: <https://www.democracyendowment.eu/about-eed/>

7. Calls for the EU and its Member States to develop a holistic approach to supporting political transition and democratisation in third countries, which comprises respect for human rights, the promotion of justice, transparency, accountability, reconciliation, the rule of law and the strengthening of democratic institutions, including legislative bodies;

Funding

8. Calls on the EED founding parties, and especially on all the Member States and the Commission, to contribute, or increase their contributions, to the EED in line with the commitments they have made;
9. Recalls that, as at 26 April 2015, the following countries have pledged and contributed to the EED: Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, Germany, Hungary, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Romania, Slovakia, Spain, Sweden and Switzerland, while the remaining 12 Member States have not yet done so;
10. Stresses that, in order to sustain and further develop the effectiveness of the EED, it is vital to ensure long-term, sufficient, stable, transparent and predictable funding;
11. Calls on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy and on the Commissioner for European Neighbourhood Policy and Enlargement Negotiations to consider the added value of the EED in the course of the newly launched review of the ENP and to reflect on ways of providing the EED with sustainable funding;
12. Calls on Belgium to at least assess the possibility of returning some or all of the tax revenues received from the EED and its employees, in the form of funding for EED projects; recalls that the EED functions as a private foundation under Belgian law;
13. Welcomes the financial contributions from northern, central European and some southern Member States; calls on the remaining southern Member States, some of which have particularly close historical, economic or cultural ties with the Southern Neighbourhood, to make a particular effort to contribute to the EED through either funding or secondment;
14. Welcomes the financial contributions received by the EED from EU partners such as Switzerland and Canada; encourages other states, especially European Free Trade Association countries, to support the EED;
15. Calls on all EED donors to ensure the full autonomy of the EED Executive Committee in selecting beneficiaries on the basis of the work plan endorsed by the Board of Governors, and calls for an end to earmarking of funds by donors for particular countries or projects;

Human resources capacity

16. Calls for a strengthened capacity for the EED secretariat, to be reflected in adequate human resources enabling it to cope with its new tasks;
17. Encourages Member States to follow up on their expressed interest in seconding national experts to the EED secretariat;

Expansion of the EED's geographical mandate and East-South balance

18. Welcomes the lifting of the initial geographical limitation of the EED, as adopted at the Board of Governors meeting of 3 December 2014;
19. Commends the EED for maintaining geographical balance in its project funding between the Eastern and Southern Neighbourhoods;

Grants and beneficiaries

20. Considers it crucial to ensure sustainable funding for EED recipients in the long run by strengthening complementarity links with other bilateral donors and with European external financing instruments, in particular the EIDHR, which – where appropriate – could take over medium-term financial support for ‘mature’ EED beneficiaries, and to this end:
 - (a) invites the EED and the Commission to set up a contact group with the goal of identifying the best way for EED beneficiaries to transition to EIDHR financial support; and
 - (b) calls on the Commission and the European External Action Service (EEAS) to come forward with specific proposals for mechanisms for programming interface and cooperation with the EED, so as to ensure coherence and sustainability in the longer term;
21. Calls on the EED to further actively engage in countries where the space for external support for civil society is severely hampered or where state funding is discriminatory and awarded solely to certain organisations or civil societies; supports the EED’s efforts to explore innovative means for supporting agents for change in particularly difficult political environments;
22. Strongly urges the Board to further continue to support democratic political activists and to provide funding for inclusive political processes; takes the view that the EED should engage with and support the emergence and consolidation of political parties with a clear commitment to democratic principles, in partnership with existing political foundations whenever possible;
23. Welcomes the EED Guidelines for Monitoring and Evaluation; stresses, however, that these implementing guidelines should be proportionate to the EED’s size and human resources capacity;
24. Encourages the EED to continue to respond to new technologies by integrating technology support into its grants;
25. Welcomes the EED grants offered to Ukrainian actors, which set a good example of swift support for political and civic activists who then become democratically elected representatives; welcomes the EED support offered to all pro-democracy activists engaged in the EU’s neighbourhood, which is intended to sustain the development of consolidated democratic regimes;
26. Welcomes the EED grants offered to activists in some of the Southern Neighbourhood countries, since they demonstrate the added value of EED pro-democracy work in particularly hostile environments;

27. Strongly encourages the EED to place stronger emphasis on groups suffering from social exclusion or political marginalisation, by supporting, inter alia, women's movements aimed at furthering women's rights and increasing their participation in public life, ethnic and linguistic minorities, LGBTI human rights activists, persecuted religious minorities and civic activists linked to religious communities, together with grassroots movements, vulnerable or emerging political movements, trade unions, bloggers and new media activists;
28. Calls on the EED to develop, if and when relevant, cooperation with civic activist groups linked to religious communities, including persecuted religious minorities; recalls that the church has played a crucial role in opposing communist regimes and in the democratic transformation processes in central and eastern Europe;
29. Encourages the EED to step up its support for emerging young leaders and newly elected women, youth or minority representatives in countries in political transition;
30. Calls on the Member States to continue to provide financial assistance to Russian civil society and media through the EED; points out that recent developments such as the restrictions imposed on civil society organisations, the repression of the political opposition and aggressive targeted misinformation campaigns by state-controlled media seem to serve the purpose of deliberately building breeding grounds for an extremely nationalistic political climate marked by anti-democratic rhetoric, repression and hate speech;

Cooperation between Parliament and the EED

31. Welcomes the presentation of the EED's first annual report to the Committee on Foreign Affairs, in accordance with Article 8(4) of the EED Statutes; stresses the importance of this exercise taking place on an annual basis, and emphasises that it is a good opportunity to take stock and develop new synergies;
32. Calls for effective links between the EED, the Democracy Support and Election Coordination Group (DEG) and the relevant parliamentary committees and standing delegations; encourages its Members to support the EED and highlight its work in relevant interventions and during visits to third countries by European Parliament delegations, including meetings with beneficiaries;
33. Calls for the development of further cooperation between the EED, its beneficiaries and the Sakharov Prize Network;
34. Invites the EED to further develop its cooperation with Parliament's Young Leaders Forum;

Policy coherence and coordination

35. Encourages both the Member States and the EU institutions to ensure genuine internal and external coherence as regards democracy efforts and to recognise the EED's role in this respect;
36. Encourages EU Delegations and Member State diplomatic missions in the countries where the EED is active to bring potential beneficiaries to the EED's attention and to inform potential beneficiaries about the EED; encourages EED staff, in turn, to liaise closely with relevant EU and Member State diplomatic staff in relation to potential beneficiaries which

cannot be supported by the EED, showing mutual respect for the sensitivity of information and the security of all parties;

37. Urges EU Delegations and Member State diplomatic representations to cooperate in a structured manner in order to facilitate the visa application process for EED grantees who are invited to the European Union;
38. Welcomes the efforts of the EEAS and the Commission to disseminate information regarding the EED among their staff, in particular in EU Delegations;
39. Calls for a triennial meeting of the EED Board of Governors at ministerial level in order to reflect on the EU's democracy support policy and on the EED's future strategic priorities;

Cooperation with other democracy support actors

40. Calls on the EED to continue to cooperate with European-based organisations such as the Council of Europe, IDEA (the International Institute for Democracy and Electoral Assistance) and the Organisation for Security and Cooperation in Europe, in line with the EED's Statutes;
41. Calls on the EED to foster cooperation with key actors and international, regional and national organisations active in the field of democracy assistance which are either based in the EU or work in the countries where the EED operates;
42. Encourages the EED to identify possible avenues for cooperation with international civil society organisations, including the Eastern Partnership's Civil Society Forum and the Anna Lindh Foundation;

Further recommendations

43. Calls on the EED to continue to develop new innovative means and instruments for democracy assistance, including for political actors or activists, and to share best practices in order to adjust to the growing climate of restriction in a number of countries with authoritarian regimes, with particular regard to new media and grassroots initiatives in these countries; underlines the importance, in this context, of developing country-specific strategies;
44. Calls, in the name of its democratic spirit, for it to be guaranteed that the composition of the EED Board of Governors represents political groups, on the basis of the D'Hondt system;
45. Welcomes the public outreach on the EED's achievements so far, and considers that further underlining the uniqueness and added value of the EED and communicating about the subject widely and on a regular basis would increase the EED's fundraising capacity;

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46. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, the governments and parliaments of the Member States, and the European Endowment for Democracy.



TEXTS ADOPTED

Provisional edition

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Situation in Burundi

**European Parliament resolution of 9 July 2015 on the situation in Burundi
(2015/2723(RSP))**

The European Parliament,

- having regard to its previous resolutions on Burundi,
- having regard to the Cotonou Agreement,
- having regard to the UN Security Council statement of 10 April 2014 on the situation in Burundi,
- having regard to the Arusha Peace and Reconciliation Agreement for Burundi,
- having regard to the Constitution of Burundi,
- having regard to the statement issued by the East African Community Heads of State on 31 May 2015 in Dar es Salaam, Tanzania,
- having regard to the urgent call from former Burundian Chiefs of State, political parties and civil society organisations made on 28 May 2015 in Bujumbura,
- having regard to the decisions on the situation in Burundi adopted at the African Union summit of 13 June 2015,
- having regard to the Council conclusions on Burundi of 22 June 2015,
- having regard to the statement by Vice-President/High Representative Federica Mogherini on the suspension of the EU Electoral Observation Mission to Burundi of 28 May 2015 and to the statement by the VP/HR's spokesperson on the situation in Burundi of 29 June 2015,
- having regard to the decision of the Bureau of the ACP-EU JPA on 14 June 2015 to suspend the election observation mission of the Assembly to Burundi due to the situation in the country,
- having regard to the EU Guidelines on Human Rights Defenders and the EU Human Rights Guidelines on Freedom of Expression, and to the Council's June 2014 conclusions in which it committed to intensifying its work on human rights defenders,

- having regard to the Universal Declaration of Human Rights,
 - having regard to the African Charter on Democracy, Elections and Governance (ACDEG),
 - having regard to the International Covenant on Civil and Political Rights,
 - having regard to the African Charter on Human and Peoples' Rights,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas Article 96 of the Constitution of Burundi and Article 7.3 of the Arusha Peace and Reconciliation Agreement stipulate that a president can serve only two terms; whereas President Pierre Nkurunziza has been in office since 2005, having been re-elected in 2010 in an election which the opposition boycotted after accusing the government of intimidation;
 - B. whereas President Nkurunziza announced on 26 April 2015 that he was running for a third term – claiming eligibility because he had been appointed by lawmakers for his first term –, thereby plunging the country into turmoil and triggering widespread protests and a failed military coup in May 2015;
 - C. whereas, following this announcement, 17 officers were arrested on 14 May 2015 after a failed coup attempt led by former army Major General Godefroid Niyombare, who fled the country, in the wake of which more than 70 people have been killed in the violence and a series of grenade attacks;
 - D. whereas two senior members of the Independent National Electoral Commission (CENI) have fled the country, in addition to a senior judge of the Constitutional Court charged with ruling on the legality of the President's third term, and the speaker of the national assembly, all citing fears for their own safety; whereas on 25 June 2015 Burundian Vice-President Gervais Rufyikiri also fled the country after casting doubt on the President's eligibility for a third term;
 - E. whereas police have used excessive force in a crackdown on peaceful protestors, which has resulted in the loss of life; whereas police figures indicate that 892 people were arrested in connection with the protests between 26 April and 12 May 2015 and then 568 were released; whereas 280 detainees have been transferred to the public prosecutor's office;
 - F. whereas the violence is being made even worse by the actions of the militia linked to the authorities; whereas NGOs and human rights defenders have condemned the infiltration of the police and armed forces by CNDD-FDD (National Council for the Defence of Democracy – Forces for the Defence of Democracy) militia;
 - G. whereas opposition parties and civil society have boycotted the elections, citing the partisan use of state institutions, violence and intimidation by the CNDD-FDD youth militia (the Imbonerakure), a lack of confidence in the CENI (Burundi's independent national electoral commission), and government strategies intended to reduce the inclusivity of the electoral process, including voter registration difficulties and the redrawing of electoral boundaries, which favour the ruling party; whereas the situation has also led Burundi's Catholic Church to withdraw the priests it had appointed to help organise the elections, saying that it 'cannot support elections that are full of shortcomings';

- H. whereas Burundi's ruling party has boycotted the resumption of mediation talks under the aegis of the UN facilitator Abdoulaye Bathily, whose resignation they have called for, and the 'facilitation' group consisting of representatives of the UN, the African Union (AU), the EAC and the International Conference on the Great Lakes Region (ICGLR);
- I. whereas the international community plays a significant role in the region as the guarantor of the Arusha Accords, and whereas institutions such as the International Criminal Court are of great importance in carrying out independent inquiries into the violence and crimes committed in Burundi;
- J. whereas, despite calls from the international community to delay elections and despite being boycotted by civil society and the opposition, legislative elections took place on 29 June 2015 and presidential elections are scheduled for 15 July 2015;
- K. whereas on 29 June 2015 the EU withdrew its Electoral Observation Mission to Burundi, taking the view that to hold legislative elections without minimal conditions being in place to ensure their credibility, transparency and inclusiveness could only exacerbate the crisis;
- L. whereas UN observers have declared that the 29 June 2015 poll took place 'in a tense political crisis and a climate of widespread fear and intimidation in parts of the country', and therefore concluded that 'the environment was not conducive for free, credible and inclusive elections';
- M. whereas the election process continues to be seriously marred by restrictions on independent media, excessive use of force against demonstrators, a climate of intimidation for opposition parties and civil society, and lack of confidence in the election authorities, leading to the EU's decision to suspend its Election Observation Mission;
- N. whereas the East African Community (EAC) and the African Union (AU) have declared that conditions conducive to the holding of elections are not currently in place and that it will not be possible to put such conditions in place within the time frame provided for in the Burundian Constitution;
- O. whereas the UN Refugee Agency (UNHCR) says that some 127 000 people have fled Burundi to neighbouring states, creating humanitarian emergencies in Democratic Republic of the Congo, Rwanda and Tanzania, where an outbreak of cholera has been reported;
- P. whereas the political deadlock in Burundi and the deteriorating security and economic situation have serious consequences for the population and pose risks for the region as a whole, with Burundi facing its gravest crisis since the 12-year ethnically charged civil war that left an estimated 300 000 people dead by 2005;
- Q. whereas, in response to previous resolutions of the European Parliament and in particular the references therein to Article 96 of the Cotonou Agreement, EU representatives have insisted on the need for inclusive participation in the electoral process by all the country's political forces, in line with the election roadmap and the Code of Conduct in Electoral Matters (*Code de bonne conduite en matière électorale*);
- R. whereas the EU has suspended the disbursement of the outstanding amount of EUR 1,7 million in election support to Burundi, given that the preconditions needed to ensure the credibility and smooth running of the electoral process in a way that is peaceful, inclusive

and transparent, and does not infringe political freedoms, including freedom of expression, are currently not in place;

- S. whereas Belgium has also announced the suspension of electoral aid, opting to withhold half of the EUR 4 million it had set aside for the polls and pulling out of a EUR 5 million police cooperation deal funded jointly with the Netherlands; whereas France has also suspended security cooperation with Burundi, and Germany has announced the suspension of all bilateral cooperation involving the Government of Burundi;
 - T. whereas the right to freedom of expression is guaranteed by the Burundian Constitution and by international and regional treaties ratified by Burundi, is included in the National Strategy for Good Governance and the Fight against Corruption, and is an essential condition for free, fair, transparent and peaceful elections; whereas, nevertheless, there is a total clampdown on the media as a result of the closure of privately owned broadcasters in mid-May, the mass exodus of journalists and the constant threats against those still in Burundi;
 - U. whereas the EU contributes significantly to Burundi's annual budget, approximately half of which comes from international aid, and has recently allocated EUR 432 million to Burundi – one of the world's poorest nations – from the European Development Fund 2014-2020, inter alia to assist with improving governance and civil society;
 - V. whereas the current situation has an impact on the economic and social life of all Burundians; whereas most schools and university campuses are closed because of violent demonstrations in the capital, Bujumbura, the local currency has depreciated, unemployment has increased and tax revenues have decreased, because of the closure of commercial centres and the slowdown of trade with neighbouring states;
1. Expresses grave concern about the worsening political and humanitarian situation in Burundi and the wider region; calls for an immediate end to violence and political intimidation of opponents and the immediate disarmament of all armed youth groups allied to political parties; extends its sympathy to victims of the violence and to those who have lost their lives, and calls for immediate humanitarian assistance for those who have been forced to flee their homes;
 2. Condemns the decision of the Burundian Government to go ahead with the elections despite the critical prevailing political and security situation and given that the election process has been seriously marred by restrictions on independent media, excessive use of force against demonstrators, a climate of intimidation for opposition parties and civil society and a lack of confidence in the election authorities; urges the Burundian authorities to postpone the presidential elections set for 15 July 2015 in line with calls by the African Union and to involve all stakeholders in the efforts to create an environment conducive to a peaceful, credible, free and fair electoral process;
 3. Calls on all those involved in the electoral process, including the bodies responsible for organising elections and the security services, to honour the commitments made in the Arusha Agreement, and recalls that this agreement put an end to the civil war and is the foundation on which the Burundian Constitution is based; underlines the importance of a consensual agreement on the electoral calendar on the basis of a technical assessment to be undertaken by the UN;

4. Emphasises, once again, that only through dialogue and consensus, involving the Burundian Government, opposition and civil society in accordance with the Arusha Agreement and the Burundian Constitution, can a lasting political solution be found in the interests of security and democracy for all the people of Burundi; calls on all Burundian stakeholders to resume dialogue on all areas of disagreement; supports, therefore, the mediation efforts being made by the AU, the EAC and the UN, and is ready to support the implementation of the specific measures recently announced by the AU;
5. Expresses, once again, its support for the sustained efforts being deployed by the EAC, and emphasises the relevance of the measures agreed upon by the summits held in Dar es Salaam on 13 and 31 May 2015, including the call for the postponement of the elections and the immediate cessation of violence, the disarmament of youth groups affiliated to political parties, the initiation of a dialogue among Burundian stakeholders, and the commitment on the part of the region not to stand by should the situation deteriorate, which provide a framework for a political and consensual solution to the crisis;
6. Recalls that the EU's partnership with Burundi is governed by the Cotonou Agreement, and that all parties are bound to respect and implement the terms of that agreement, in particular respect for human rights; notes that Burundi has also signed and ratified the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, and therefore has an obligation to respect universal human rights and freedom of expression; calls on the Government of Burundi, therefore, to allow genuine and open political debate to take place without fear of intimidation, and to refrain from misusing the judiciary to exclude political rivals;
7. Takes note of the dialogue which has taken place between the EU and the Burundian authorities under Article 8 of the Cotonou Agreement; believes, nevertheless, that there are continuing breaches of the essential and fundamental elements of the Cotonou Agreement, in particular respect for fundamental human and democratic principles, and calls on the Commission, therefore, to initiate Article 96 proceedings with a view to taking appropriate measures;
8. Calls also on the Commission, to this end, to reassess EU aid as a matter of urgency with a view to diverting it, to increasing financial support for civil society and to focusing on humanitarian aid as opposed to central budget support, while keeping in mind the highly commendable role of the Burundian army in the peacekeeping mission in Somalia;
9. Joins the Foreign Affairs Council of 22 June 2015 in calling on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) to prepare a list of targeted restrictive measures and visa and travel bans against those responsible for acts of violence, repression and serious human rights violations, together with those who are actively impeding a political solution within the framework proposed by the AU and the EAC, and also asks the VP/HR to take the necessary measures to freeze the assets of all of these individuals in the EU Member States;
10. Expresses its deep concern at the number of victims and the number of cases of serious human rights violations reported since the beginning of the crisis, particularly those abuses attributed to members of the Imbonerakure; notes the intimidation and risks faced by human rights defenders, political activists and journalists and the arbitrary arrest of opposition party members; calls for the immediate and unconditional release of all individuals arrested as a result of exercising their right to peaceful assembly and expression;

11. Demands that the violence and intimidation exercised by the Imbonerakure be brought to an immediate end; calls on the CNDD-FDD to take immediate action to disarm the youth militia and stop its members from intimidating and attacking opponents, and to ensure that those responsible for abuses are brought to justice; calls for an independent international investigation into claims that the CNDD-FDD arms and trains its youth wing; similarly, urges the leaders of opposition parties to prevent violence from being perpetrated against their opponents;
12. Reiterates that there can be no impunity for those responsible for serious human rights violations, who must be held individually responsible and brought to account in a court of law; considers that it is of particular importance that the deployment of human rights observers and military experts announced by the AU start immediately;
13. Notes that attempts by certain forces to transform the riots into an ethnic conflict are failing, and that political divisions in Burundi are not explicitly ethnic; believes that this demonstrates the success of the Arusha Accords in establishing an ethnically balanced army and police force; invites the International Criminal Court prosecutor to therefore monitor those media closely for incitement to ethnic hatred, as well as speeches by political leaders;
14. Reiterates, in this context, the importance of abiding by the Code of Conduct in Electoral Matters and the UN-brokered election roadmap signed by political actors in 2013, and fully supports UN and regional efforts to prevent a further increase in political violence;
15. Calls for the immediate lifting of restrictions on the media and access to the internet, and denounces once again the repeated targeting of Radio Publique Africaine, which serves as one of the country's principal news outlets; considers that legitimate elections cannot take place unless media outlets are able to operate without restrictions, and journalists to report without intimidation;
16. Commends the role of humanitarian organisations and the authorities of neighbouring countries which are addressing the needs of those fleeing the crisis and are offering protection for refugees; welcomes the Commission's announcement of an additional EUR 1,5 million to ease the humanitarian situation; warns, however, that commitments must be redoubled as a matter of urgency by both the EU and its Member States, given the huge influx of refugees into an already fragile region, reported outbreaks of cholera and alarming reports of sexual violence; underlines the importance of a long-term strategy for not only medical and nutritional assistance but also reintegration and psychological assistance for those forced to flee;
17. Calls for the EU and its Member States to deliver on all commitments to the UN Burundi Regional Refugee Response Plan, which requires USD 207 million up to September 2015 in order to assist the expected 200 000 Burundian refugees, including by topping up existing grants to the region;
18. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the Government of Burundi and the governments of the countries of the Great Lakes region, the governments of the East African Community, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, the African Union, the Secretary-General of the United Nations, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Pan-African Parliament.



TEXTS ADOPTED

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Srebrenica commemoration

European Parliament resolution of 9 July 2015 on the Srebrenica Commemoration (2015/2747(RSP))

The European Parliament,

- having regard to its resolutions of 7 July 2005¹ and of 15 January 2009² on Srebrenica,
 - having regard to the provisions of the Universal Declaration of Human Rights, of the European Convention on Human Rights and of the International Covenant on Civil and Political Rights, recognising the right of everyone to life, liberty and security of person and to freedom of thought, conscience and religion,
 - having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina (BiH), of the other part, which was signed in Luxembourg on 16 June 2008 and entered into force on 1 June 2015,
 - having regard to UN Security Council Resolutions 827 of 25 May 1993, 1551 of 9 July 2004 and 1575 of 22 November 2004,
 - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas 11 July 2015 marks the 20th anniversary of the act of genocide and ethnic cleansing that took place in and around Srebrenica during the Bosnian War, which should serve as a fresh reminder of the dangers of extreme forms of nationalism and intolerance in society, further exacerbated in the framework of war;
- B. whereas on 11 July 1995 the Bosnian town of Srebrenica, which had been proclaimed a safe area by UN Security Council Resolution 819 of 16 April 1993, was captured by Bosnian Serb forces led by General Ratko Mladić, acting under the authority of the then President of the Republika Srpska, Radovan Karadžić;
- C. whereas, during several days of carnage after the fall of Srebrenica, more than 8 000 Muslim men and boys, who had sought safety in this area under the protection of the United

¹ OJ C 157 E, 6.7.2006, p. 468.

² OJ C 46 E, 24.2.2010, p. 111.

Nations Protection Force (UNPROFOR), were summarily executed by Bosnian Serb forces commanded by General Mladić and by paramilitary units, including irregular police units; whereas nearly 30 000 women, children and elderly people were forcibly expelled in a massive-scale ethnic cleansing campaign, making this event the biggest war crime to take place in Europe since the end of the Second World War;

- D. whereas the tragic events of Srebrenica left deep emotional scars on the survivors and created long-lasting obstacles to political reconciliation among ethnic groups in Bosnia and Herzegovina (BiH);
 - E. whereas the Srebrenica massacre was recognised as genocide by both the International Criminal Tribunal for the former Yugoslavia (ICTY) in Appeals Judgment, *Prosecutor v. Radislav Krstić*, Case No.: IT-99-33 of 19 April 2004, and the International Court of Justice in the Case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide (*Bosnia and Herzegovina v. Serbia and Montenegro*) of 27 February 2007, p. 127, §297 (ICJ);
 - F. whereas multiple violations of the Geneva Conventions were perpetrated by Bosnian Serb forces against the civilian population of Srebrenica, including deportations of thousands of women, children and elderly people and the rape of a large number of women;
 - G. whereas, in spite of the efforts made to discover and exhume mass and individual graves, the bodies of nearly 1 200 men and boys from Srebrenica have not yet been located and identified;
 - H. whereas in 1999 the UN Secretary-General in his report on the fall of Srebrenica declared that the UN failed to implement its mandate, especially with regard to the protection of the so-called 'safe areas', and thus shares responsibility;
 - I. whereas the EU is built on peaceful coexistence and committed cooperation between its members; whereas one of the main motivations for the European integration process is the will to prevent the recurrence of wars and crimes against international humanitarian law in Europe;
 - J. whereas on 30 January 2015 the ICTY upheld the sentences of five high-ranking Bosnian Serb army officers convicted for their involvement in the 1995 Srebrenica genocide; whereas some of the convicted officers reported directly to former Bosnian Serb army leader Ratko Mladić, who is currently on trial at the ICTY for crimes including genocide;
1. Commemorates and honours all the victims of the Srebrenica genocide and of all the atrocities during the wars in the former Yugoslavia; expresses its condolences to and solidarity with the families of the victims, many of whom are living without final confirmation of the fate of their relatives;
 2. Condemns in the strongest possible terms the genocide in Srebrenica; solemnly declares that such horrendous crimes must never happen again and states that it will do everything in its power to prevent such acts from recurring; rejects any denial, relativisation or misinterpretation of the genocide;
 3. Emphasises the need for political representatives in Bosnia and Herzegovina to acknowledge the past in order to work successfully together towards a better future for all

citizens of the country; highlights the important role which neighbouring countries, religious authorities, civil society, art, culture, the media and educational systems can play in this difficult process;

4. Stresses the importance of the work done by the ICTY and the need to take all necessary measures to accelerate the trials and appeals and bring them to an end without undue delay; reiterates that greater attention needs to be paid to war crime trials being prosecuted at domestic level;
5. Reiterates the EU's commitment to the European perspective and further accession process of BiH and all Western Balkan countries; believes that regional cooperation and the European integration process are the best way to promote reconciliation and to overcome hatred and divisions;
6. Urges the development of educational and cultural programmes that promote an understanding of the causes of such atrocities and raise awareness about the need to nurture peace and to promote human rights and interreligious tolerance; expresses its support for civil society organisations such as the Association of Mothers of Srebrenica and Žepa Enclaves for their pivotal role in raising awareness and building a broader basis for reconciliation among all citizens of the country;
7. Regrets that the UN Security Council, which has the primary responsibility for maintenance of international peace and security, failed to pass a resolution commemorating the Srebrenica genocide. This is especially regrettable, as the International Court of Justice, the UN's primary judicial body, has determined that the crimes committed in Srebrenica were genocide;
8. Strongly welcomes the decision of the Council of Ministers of Bosnia and Herzegovina, taken unanimously, to proclaim the 11th of July as Day of Mourning in Bosnia and Herzegovina;
9. Instructs its President to forward this resolution to the Council and Commission, the governments of the Member States, the Government and Parliament of Bosnia and Herzegovina and its entities, and the governments and parliaments of the countries of the Western Balkans.



TEXTS ADOPTED

Provisional edition

P8_TA-PROV(2015)0277

Cambodia's draft laws on NGOs and trade unions

European Parliament resolution of 9 July 2015 on Cambodia's draft laws on NGOs and trade unions (2015/2756(RSP))

The European Parliament,

- having regard to its previous resolutions on Cambodia,
 - having regard to the statement of 22 June 2015 by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association,
 - having regard to the UN Human Rights Committee's concluding observations of 27 April 2015 on the second periodic report of Cambodia,
 - having regard to the report of 15 August 2014 by the UN Special Rapporteur on the situation of human rights in Cambodia,
 - having regard to the various International Labour Organisation (ILO) conventions, in particular the Freedom of Association and Protection of the Right to Organise Convention (No 87) and the Right to Organise and Collective Bargaining Convention (No 98),
 - having regard to the Universal Declaration of Human Rights of 10 December 1948,
 - having regard to the International Covenant on Civil and Political Rights of 1966,
 - having regard to the 1997 Cooperation Agreement between the European Community and the Kingdom of Cambodia,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas Cambodia's vibrant civil society – in particular activists working on land rights issues, labour union members, journalists and opposition party members – has played an important corrective role;
- B. whereas on 5 June 2015 the Government of Cambodia approved the draft Law on Associations and Non-Governmental Organisations (LANGO); whereas the draft law was sent to the National Assembly of Cambodia for review on 16 June 2015;

- C. whereas the EU is Cambodia's largest partner in terms of development assistance, with a new allocation for the 2014-2020 period of EUR 410 million; whereas the EU supports a wide range of human rights initiatives carried out by Cambodian non-governmental organisations (NGOs) and other civil society organisations, and has also observed national and commune-level elections while providing support for the election process; whereas Cambodia is highly dependent on development assistance;
- D. whereas the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association has stated that civil society in Cambodia has been excluded from the LANGO drafting process;
- E. whereas several renowned NGOs have pointed out that LANGO follows previous attempts, later withdrawn in response to domestic and international opposition, to enact a law that would impose unwarranted restrictions on the rights to freedom of association and expression and create legal grounds for arbitrarily closing or denying registration to politically disfavoured NGOs, including those employing human rights defenders;
- F. whereas the right to freedom of expression is established in Article 41 of the Cambodian Constitution, and the right of political participation in Article 35 thereof;
- G. whereas the right to freedom of peaceful assembly is enshrined in the Cambodian Constitution, in Article 20 of the Universal Declaration of Human Rights and in Article 21 of the International Covenant on Civil and Political Rights;
- H. whereas the right to take part in the conduct of public affairs is enshrined in Article 25 of the International Covenant on Civil and Political Rights, and whereas the right to freedom of association, protected by Article 22 of that covenant, is an essential adjunct and often a gateway to such participation; whereas transparency and accountability are essential elements for a functioning democracy;
- I. whereas it is expected that the country will lose USD 600-700 million in development projects annually once the law has been passed; whereas LANGO would place restrictions on budgets, which would threaten the capacity of international NGOs to run cost-effective projects;
- J. whereas the draft law governing trade unions would violate the right to organise and would severely limit the rights of independent trade unions, including existing unions; whereas the draft law sets an unreasonably high minimum threshold for the number of workers who must join before a union can be formed (20 %); whereas the draft law gives sweeping powers to Labour Ministry officials as regards the approval of strikes and the suspension of union registration on flimsy grounds and without due process; whereas the draft law excludes domestic workers from the right to unionise, makes union leaders subject to literacy requirements which discriminate against women and non-nationals, prohibits contacts with NGOs, and sets ineffectively low fines for employers who violate labour law;
- K. whereas, since the May 2014 consultation in which local labour rights groups were invited to participate, the Cambodian authorities have not held any public consultations on subsequent drafts of the bill; whereas periodic media announcements by government officials have indicated that the trade union law will be enacted in 2015;

- L. whereas about 5 000 NGOs are registered in Cambodia, providing assistance in areas such as human rights, health care, civil society and agriculture;
- M. whereas on 16 June 2015 Prime Minister Hun Sen stated in a meeting with the EU Ambassador to Cambodia, Jean-François Cautain, that the National Assembly was planning to hold a consultation on the draft NGO law, and expressed his wish to include civil society and development partners in that consultation;
1. Urges the Government of Cambodia to withdraw the draft LANGO;
 2. Urges the Government of Cambodia to recognise the legitimate and useful role played by civil society, trade unions and the political opposition in contributing to Cambodia's overall economic and political development; recalls that civil society is one of the main pillars for the development of any country; stresses that the law on associations and NGOs should create an enabling environment for civil society to continue to contribute to the development of Cambodia;
 3. Calls on the Government of Cambodia to withdraw the draft law governing trade unions, to publicly disclose the current draft and to consult with experts and trade union members with a view to revising it, in compliance with international law and ILO conventions, in particular the Freedom of Association and Protection of the Right to Organise Convention (No 87) and the Right to Organise and Collective Bargaining Convention (No 98), before resubmitting the draft for consideration;
 4. Endorses the UN Special Rapporteur's statement that "such legislation should be adopted only through a comprehensive participatory process, that is inclusive enough to ensure that all stakeholders are committed to its substance";
 5. Asks that civil society and the Cambodian people be afforded sufficient time for review of, and consultations on, any legislation so that they can submit comments to their elected representatives before the legislation is voted on;
 6. Urges that any draft legislation should respect the internationally recognised freedoms of speech, association and assembly, which Cambodia has committed to adhere to through its ratification of the International Covenant on Civil and Political Rights, and should not place undue restrictions on civil society's ability to operate effectively and freely;
 7. Encourages the Government of Cambodia to continue to strengthen democracy, the rule of law and respect for human rights and fundamental freedoms, in particular freedom of expression and assembly;
 8. Calls on the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy to support the call for the withdrawal of the draft LANGO and the draft law governing trade unions, and to raise this issue with the Government of Cambodia without delay;
 9. 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 Secretariat of the Association of Southeast Asian Nations, the UN Human Rights Council, and the Government and National Assembly of the Kingdom of Cambodia.



TEXTS ADOPTED

Provisional edition

P8_TA-PROV(2015)0278

The Democratic Republic of the Congo (DRC), in particular the case of two detained human rights activists Yves Makwambala and Fred Bauma

European Parliament resolution of 9 July 2015 on the Democratic Republic of the Congo (DRC), in particular the case of the two detained human rights activists Yves Makwambala and Fred Bauma (2015/2757(RSP))

The European Parliament,

- having regard to its previous resolutions on the Democratic Republic of the Congo, in particular that of 12 September 2013¹, and to the resolution thereon of the ACP-EU Joint Parliamentary Assembly,
- having regard to the statements by the spokesperson for the European External Action Service on the situation in the Democratic Republic of the Congo, in particular that of 21 January 2015,
- having regard to the statements by the EU Delegation to the Democratic Republic of the Congo on the situation of human rights in the country, in particular that of 11 February 2015,
- having regard to the EU Annual Report on Human Rights and Democracy adopted by the Council on 22 June 2015,
- having regard to the Council conclusions of 19 January 2015 on the Democratic Republic of the Congo,
- having regard to the statement of 22 January 2015 of the International Envoys to the Great Lakes region on the situation in the Democratic Republic of the Congo,
- having regard to the joint press release of 12 February 2015 by the African Union (AU) Special Rapporteur on Human Rights Defenders and the AU Special Rapporteur on Prisons and Conditions of Detention in Africa on the human rights situation following the events surrounding the amendment of the Electoral Law in the Democratic Republic of the Congo,
- having regard to the Cotonou Partnership Agreement signed in June 2000,

¹ Texts adopted, P7_TA(2013)0388.

- having regard to the EU Guidelines on Human Rights Defenders and the EU Human Rights Guidelines on Freedom of Expression Online and Offline,
 - having regard to the 1948 Universal Declaration of Human Rights and the 1966 International Covenant on Civil and Political Rights,
 - having regard to the African Charter on Human and Peoples’ Rights, which was ratified by the Democratic Republic of the Congo in 1982,
 - having regard to the Constitution of the Democratic Republic of the Congo, in particular Articles 22, 23, 24 and 25 thereof,
 - having regard to the ‘Free Filimbi Activists’ appeal launched by more than 200 human rights groups on 15 June 2015,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas between 19 and 21 January 2015 nationwide protests erupted over a draft electoral law that would have allowed the presidential term to be extended, contrary to constitutional provisions, and would have required a potentially very lengthy census to be conducted before national elections were held;
 - B. whereas according to the authorities 27 people died in the protests, although other sources report 42 deaths, and whereas 350 people were arrested, some of whom are still in prison without having been put on trial, or forcibly disappeared;
 - C. whereas during the protests in January 2015 internet and mobile text message services were shut down by the government;
 - D. whereas in the end the electoral law adopted by the parliament did not include the controversial provision;
 - E. whereas as soon as the protests started the authorities began a crackdown on human rights activists and opposition politicians who had demonstrated peacefully against the provision, including Christopher Ngoyi, Jean-Claude Muyambo, Vano Kiboko and Cyrille Dowe, who are still being detained for what appear to be politically motivated reasons;
 - F. whereas on 15 March 2015 the National Intelligence Agency (ANR) of the Democratic Republic of the Congo (DRC) arrested and detained without charge more than 30 people during the launch of the pro-democracy youth movement Filimbi, including international participants and DRC activists, musicians, businesspeople and journalists;
 - G. whereas most of the activists and supporters were released and the foreigners expelled from the country, but whereas Yves Makwambala and Fred Bauma are still being detained in Makala prison in Kinshasa and are charged with belonging to an association formed for the purpose of attacking people and property, conspiring against the head of state, and attempting to either destroy or change the ‘constitutional regime’ and to incite people to take up arms against state authority; whereas the authorities have also charged Fred Bauma with disturbing the peace, and Yves Makwambala with publicly offending the head of state, while they were exercising their freedom of expression, peaceful assembly and association;

- H. whereas Filimbi was created as a platform to encourage DRC young people to perform civic duties peacefully and responsibly;
- I. whereas in March and April 2015, in Goma (in the eastern DRC), the authorities arrested and later released at least 15 activists from the LUCHA youth movement who were demonstrating peacefully to demand the release of their colleagues detained in Kinshasa; whereas four of these activists face charges of inciting disobedience against public authority;
- J. whereas on 27 March 2015 the National Assembly of the DRC set up a parliamentary information mission to gather information and report on the arrests; whereas this mission concluded in its report that there was no evidence that the Filimbi leaders and participants had been involved in, or been planning, any terrorist or other violent crimes, and called for a political solution for their immediate release;
- K. whereas, on 15 June 2015, 14 international organisations and 220 DRC human rights organisations called for the immediate and unconditional release of the two activists;
- L. whereas, in this context, a mass grave with an estimated 421 bodies was discovered in Maluku, about 80 km from central Kinshasa;
- M. whereas the Minister of Justice acknowledged recently that the DRC's justice system is fraught with many problems, including clientelism, influence, peddling, corruption, impunity and inequity in judicial decisions;
- N. whereas freedom of the press is limited by threats and attacks against journalists, and many media have been closed or censored illegally;
- O. whereas the next national elections are scheduled for November 2016, with a difficult agenda as regards their organisation and financing;
- P. whereas civil society played an important role in the DRC in the context of the 2003 political transition, the 2006 and 2011 elections, the revision of mining contracts, the 2013 suspension of the DRC from the Extractive Industries Transparency Initiative, and the drafting of the 2013 Electoral Law and of legislation against sexual violence;
- Q. whereas the government reaction to civil society engagement is an attempt to treat activists and advocacy organisations like the political opposition in order to undermine them;
- R. whereas in June 2014 the EU sent a follow-up electoral mission which pointed out the need to update the electoral roll, the necessity of creating the conditions for fair competition among candidates and the need to strengthen the protection of public liberties, the electoral dispute system and the fight against impunity;
- S. whereas the 2014-2020 National Indicative Programme for the DRC, funded with EUR 620 million from the 11th European Development Fund, prioritises strengthening governance and the rule of law, including reforms of the judiciary, the police and the army;
- 1. Deplores the loss of lives and the arbitrary violence against, and arrests of, demonstrators during the January 2015 protests, together with the crackdown on activists and political

opponents, in particular the events that occurred during the launch of the Filimbi movement in March 2015;

2. Calls on the DRC authorities to release Yves Makwambala and Fred Bauma immediately and unconditionally, and to drop all charges against them and other Filimbi leaders as well as any other activists, prisoners of conscience and political opponents arbitrarily arrested and detained solely for their political views or for participating in peaceful activities;
3. Supports the National Assembly of the DRC's calls for the rapid reaching of a political solution that allows the members of Filimbi and other peaceful civil society associations to exercise their freedom of expression and association without fear of being pursued or persecuted;
4. Urges the authorities to ensure that the detainees have not been, and are not being, subjected to any acts of torture or ill-treatment, and to guarantee full protection and access to their families and lawyers;
5. Considers the fact that the ANR has held the detainees without charge for more than 48 hours, denying them access to legal assistance and without bringing them before a competent judicial authority, to be a blatant violation of rights guaranteed by the DRC's constitution;
6. Asks for a full, thorough and transparent investigation to be launched by the DRC Government, together with international partners, into the events of January and March 2015, and for any illegal actions or denial of rights or freedoms to be identified; insists that any official suspected of being responsible for violating rights or freedoms guaranteed by national and international texts must be brought to justice;
7. Is strongly concerned about the continuous attempts to limit freedom of expression, peaceful assembly and association and the increased breaches of these freedoms by the authorities, given that the right political climate is indispensable if a successful electoral cycle is to be achieved in the DRC in the next year;
8. Finds it particularly regrettable that these violations specifically target opposition leaders and youth movements;
9. Calls on the DRC authorities to ensure that the aforementioned freedoms are immediately and unconditionally upheld, especially in the electoral period, as guaranteed by the DRC's constitution and international human rights law;
10. Recalls that respect for political diversity and opposition, an open and peaceful political debate, and the full exercise of the constitutional freedoms of expression, peaceful assembly, association and information are indispensable in order to guarantee democratic elections that are credible, inclusive, peaceful and timely; insists that such guarantees are paramount in a particularly volatile Great Lakes region and also depend on the successful implementation of the Addis Ababa Peace, Security and Cooperation Agreement; supports, in this context, the efforts of the International Envoys to the Great Lakes region;
11. Encourages the DRC's parliament and senate, and its President, Joseph Kabila, to implement all necessary measures to consolidate democracy and ensure genuine participation in the country's governance by all political forces, civil society and pro-

democracy movements expressing the will of the DRC nation, on the basis of constitutional and legal rules as well as in free and fair elections;

12. Encourages the development of platforms such as Filimbi that enable pro-democratic forces to be heard, and favours the participation of young people in an electoral process from which they have unfairly been excluded;
13. Recalls the commitment made by the DRC under the Cotonou Agreement to respect democracy, the rule of law and human rights principles, which include freedom of expression, freedom of the media, good governance and transparency in political office; urges the Government of the DRC to uphold these provisions in accordance with Articles 11(b), 96 and 97 of the Cotonou Agreement and, failing that, asks the Commission to launch the relevant procedure in accordance with Articles 8, 9 and 96 of the Cotonou Agreement;
14. Insists that the nature and amount of further EU support for the electoral process in the DRC must depend on the progress made in implementing the recommendations of the 2011 EU election observation mission and the 2014 follow-up mission, in respecting the electoral calendar and in presenting a credible budget;
15. Urges the EU Delegation to monitor developments and to use all appropriate tools and instruments, including the European Instrument for Democracy and Human Rights, to support human rights defenders and pro-democracy movements;
16. Urges the DRC judicial authorities to assert their independence from any political instrumentalisation and to ensure the protection of rights recognised by legal instruments, such as access to justice and the right to a fair trial;
17. Urges the DRC authorities to stop minimising the significance of the mass grave next to Kinshasa, and echoes the EU and UN call for an urgent, transparent and credible investigation to reassure the families of missing people and put an end to the various allegations;
18. Denounces the illegal closing and abusive censorship of the media, as well as the temporary shutdown of telecommunications;
19. 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 African Union, the governments of the countries of the Great Lakes region, the President, Prime Minister and Parliament of the DRC, the Secretary-General of the United Nations, the UN Human Rights Council, and the ACP-EU Joint Parliamentary Assembly.



TEXTS ADOPTED
Provisional edition

P8_TA-PROV(2015)0279

Bahrain, in particular the case of Nabeel Rajab

European Parliament resolution of 9 July 2015 on Bahrain, in particular the case of Nabeel Rajab (2015/2758(RSP))

The European Parliament,

- having regard to its previous resolutions on Bahrain, notably its resolution of 6 February 2014 on Bahrain, in particular the cases of Nabeel Rajab, Abdulhadi al-Khawaja and Ibrahim Sharif¹,
- having regard to the statement of 17 June 2015 by the Spokesperson of Vice-President/High Representative for Foreign Affairs and Security Policy Federica Mogherini on the sentencing of al-Wefaq Secretary General Ali Salman in Bahrain,
- having regard to the 24th EU-GCC Joint Council and Ministerial Meeting in Doha, Qatar, on 24 May 2015,
- having regard to the decision of the Arab League’s Ministerial Council, meeting in Cairo on 1 September 2013, to set up a pan-Arab court of human rights in Bahrain’s capital Manama,
- having regard to Report Detailing the Government of Bahrain’s Implementation of the Recommendations of the Bahrain Independent Commission of Inquiry of February 2014 and the update on the Universal Periodic Review (UPR) presented by the Government of Bahrain in September 2014,
- having regard to the 1966 International Covenant on Civil and Political Rights, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the Arab Charter on Human Rights, to all of which Bahrain is a party,
- having regard to the European Union Guidelines on Human Rights Defenders, adopted in June 2004 and reviewed in 2008,
- having regard to the United Nations Convention on the Reduction of Statelessness,

¹ Texts adopted, P7_TA(2014)0109.

- having regard to the new EU Strategic Framework and Action Plan on Human Rights, which aims to place the protection and surveillance of human rights at the heart of all EU policies, and which includes a specific section on the protection of human rights defenders,
 - having regard to the visit by Stavros Lambrinidis, the EU Special Representative for Human Rights, to Bahrain at the end of May 2015,
 - having regard to Articles 5 and 19 of the Universal Declaration of Human Rights,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas Bahrain has promised to make progress in its reforms on the situation of human rights, following the release of the report by the Bahrain Independent Commission of Inquiry (BICI) on 23 November 2011, and its follow-up report of 21 November 2012;
 - B. whereas Bahrain’s establishment of the Ombudsman of the Ministry of the Interior, the Prisoners and Detainees Rights Commission and the Special Investigations Unit is encouraging; whereas these institutions should be made more impartial, transparent and independent of government institutions;
 - C. whereas since the beginning of the 2011 uprising Bahraini authorities have been stepping up the use of repressive measures against civil society activists and peaceful opposition; whereas on 10 June 2014, 47 States, including all 28 EU Member States, signed a joint statement at the 26th Session of the UN Human Rights Council noting serious concerns over the human rights situation in Bahrain; whereas the joint statement expressly noted areas of concern, including long sentences for exercising the rights to freedom of peaceful assembly and of association, the lack of sufficient guarantees of a fair trial, the repression of demonstrations, the continued harassment and imprisonment of persons exercising their rights to freedom of opinion and expression, ill-treatment and torture in detention facilities, the arbitrary deprivation of nationality without due process, and insufficient accountability for human rights violations;
 - D. whereas Nabeel Rajab, Bahraini human rights defender and President of the Bahrain Center for Human Rights (BCHR), Deputy Secretary-General of the International Federation for Human Rights (FIDH) and member of the Advisory Committee of Human Rights Watch’s Middle East Division, was sentenced to six months imprisonment simply for peacefully exercising his freedom of expression; whereas Nabeel Rajab was arrested on 1 October 2014 after his visit to the Subcommittee on Human Rights of the European Parliament on accusations of posting tweets about a group of his countrymen allegedly cooperating with IS/Da’esh; whereas he was charged with insulting a public institution and the army; whereas in November 2013 the United Nations Working Group on Arbitrary Detention described the detention of Mr Nabeel Rajab as arbitrary;
 - E. whereas Nabeel Rajab has served several prison sentences since setting up the Bahrain Centre for Human Rights in 2002; whereas Nabeel Rajab is facing further charges related to his freedom of expression and is currently risking up to 10 years’ imprisonment for allegedly ‘insulting a statutory body’ and ‘spreading rumours at a time of war’;
 - F. whereas, like Nabeel Rajab, many human rights defenders, such as Naji Fateel, Danish human rights defender Abdulhadi Al-Khawaja, Swedish political activist Mohammed Habib Al-Muqdad and others in the so-called Bahrain 13, have been detained, subjected to judicial

harassment in Bahrain, imprisoned and are serving long or life-long sentences as a direct reprisal for their work in defending human rights; whereas most of them have reportedly been subjected to violence, ill treatment and physical or psychological torture;

- G. whereas, according to the BCHR, more than 3 000 prisoners are in arbitrary detention, many of them human rights defenders who have been imprisoned and are serving long or life-long sentences as a direct reprisal for their activities; whereas most of them have reportedly been subjected to violence, ill treatment and physical or psychological torture;
- H. whereas on 16 June 2015, the Secretary General of Bahrain's main opposition party al-Wefaq, Sheikh Ali Salman, was sentenced to four years in prison in the context of anti-government protests which erupted in 2011 at the height of the region's 'Arab Spring' uprisings; whereas his lawyers have reportedly been prevented by the court from presenting oral arguments and have not been provided with any meaningful opportunity to examine the evidence; whereas a group of United Nations independent experts, part of what is known as the Special Procedures of the Human Rights Council, have urged the Bahraini authorities to release Sheikh Ali Salman;
- I. whereas since 2012 Bahrain has been misusing anti-terrorism legislation to arbitrarily revoke the nationalities of activists and members of the opposition as a reprisal for dissent, including at least 9 minors; whereas, according to several reports in 2015 alone, over 100 activists, protesters and politicians have had their citizenship revoked, making a large part of them stateless, in contravention of the UN Convention on the Reduction of Statelessness;
- J. whereas the use of the death penalty in politically motivated cases has expanded since 2011; whereas at least seven individuals have been handed death sentences in political cases since 2011, with four of these seven being sentenced to death in 2015 alone;
- K. whereas the Bahrain Independent Commission of Inquiry (BICI) established by Royal Order to investigate and report on the events that took place in Bahrain in February 2011 made a series of recommendations on human rights and political reforms; whereas progress has been made in overhauling the legal and law enforcement systems, but the government has failed to fully implement the Commission's core recommendations, notably the release of protest leaders convicted for exercising their right to freedom of expression and peaceful assembly; whereas the reconciliation talks – known as The National Dialogue – have stalled; whereas some groups are still unrepresented in the political system and the security forces remain unaccountable;
 - 1. Calls for the dropping of charges and immediate and unconditional release of all human rights defenders, political activists and other individuals detained and charged with alleged violations related to the rights of expression, peaceful assembly and association, including Nabeel Rajab, Sheikh Ali Salman and the 'Bahrain 13';
 - 2. Recognises the commitments by the Bahraini authorities to implement the recommendations of the Bahrain Independent Commission of Inquiry (BICI) from 2011 and of the UN Universal Periodic Review of Bahrain (UPR), as well as recommendations made by other UN mechanisms and the recent release of a number of prisoners charged with crimes related to their political association and expression; urges the Bahraini government to swiftly implement all the recommendations in the BICI report and the UPR, to put an end to all human rights abuses and to respect human rights and fundamental freedoms, in line with Bahrain's international human rights obligations;

3. Expresses its grave concern regarding the misuse of anti-terrorism laws in Bahrain to violate human rights, including through the revocation of nationality;
4. Condemns the continuing use of torture and other cruel, degrading treatment or punishment against prisoners, peaceful protesters and members of the opposition by the Bahraini authorities and urges the Government of Bahrain to abide by its obligations and commitments under the UN Convention against Torture;
5. Encourages the Government of Bahrain to cooperate with the UN special rapporteurs (notably on torture, freedom of assembly, independence of judges and lawyers, and human rights defenders) and to issue a standing invitation to them;
6. Notes the Bahraini Government's ongoing efforts to reform the penal code and legal procedures, and encourages the continuation of this process; urges the Government of Bahrain to take all steps to guarantee an impartial and fair judicial system, ensuring due process, and to guarantee the impartiality of its Ombudsman, of the Special Investigations Unit and of the National Institution for Human Rights;
7. Calls for the immediate ratification of the Optional Protocol to the Convention Against Torture, the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty, the Convention for the Protection of All Persons from Enforced Disappearance, and the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families;
8. Calls on the Bahraini authorities to pursue the national consensus dialogue with a view to finding lasting and inclusive national reconciliation and sustainable political solutions for the crisis; notes that in a sustainable political process legitimate and peaceful criticisms should be expressed freely; reminds the Bahraini authorities, in this context, that engaging the Shia majority and its peaceful political representatives on the basis of human dignity, respect and fairness should be an indispensable element of any credible strategy for national reconciliation and sustainable reform;
9. Welcomes the early release from prison of opposition leader Ibrahim Sharif in June 2015 after he was given a royal pardon; believes this decision to be a welcome and important step in the process of promoting trust and confidence in Bahrain;
10. Urges the VP/HR to continue to raise the importance of reform and reconciliation in all her dealings with the Government of Bahrain; strongly encourages the establishment of an EU-Bahrain human rights working group, but notes that an EU-Bahrain human rights dialogue cannot replace a comprehensive dialogue between the government and the opposition in Bahrain itself;
11. Takes note of the recommendations made by the Ombudsman, the Prisoners and Detainees Rights Commission (PDRC) and the National Institution for Human Rights (NIHR), in particular on the rights of detainees and their conditions in prison, including regarding alleged ill-treatment and torture; encourages those bodies to pursue their work in an independent, impartial and transparent manner and calls on the Bahraini authorities to fully implement these recommendations;
12. Calls for a rapid collective EU effort to develop a comprehensive strategy on how the EU and the Commission can actively push for the release of the imprisoned activists and

prisoners of conscience; calls on the EEAS and Member States to ensure proper implementation of the EU Human Rights Guidelines, notably on human rights defenders and torture, by the EU Delegation in Riyadh and the Member States' embassies in Bahrain, and to report on their implementation;

13. Calls for an EU ban on exports of tear gas and crowd control equipment until investigations are conducted into their improper use and until the perpetrators of such improper use are held accountable;
14. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government and Parliament of the Kingdom of Bahrain and to the members of the GCC.



TEXTS ADOPTED

Provisional edition

P8_TA-PROV(2015)0280

Situation of two Christian pastors in Sudan

European Parliament resolution of 9 July 2015 on the situation of two Christian pastors in Sudan (2015/2766(RSP))

The European Parliament,

- having regard to its previous resolutions on Sudan,
 - having regard to the human rights experts' report of 19 May 2014 issued under the Special Procedures of the UN Human Rights Council,
 - having regard to the International Covenant on Civil and Political Rights,
 - having regard to the Universal Declaration of Human Rights of 1948 and to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,
 - having regard to the African Charter on Human and Peoples' Rights,
 - having regard to the Cotonou Agreement of 2000,
 - having regard to the EU Guidelines on Freedom of Religion and Belief of 2013,
 - having regard to Sudan's national human rights plan adopted in 2013, based on the principles of universality and equality of all people,
 - having regard to the resolutions of the UN General Assembly, notably to resolutions 62/149 of 18 December 2007, 63/168 of 18 December 2008, 65/206 of 21 December 2010, 67/176 of 20 December 2012 and 3/69 of 18 December 2014 on the issue of a moratorium on the application of the death penalty, in which it called on those countries where capital punishment still exists to institute a moratorium on executions with a view to its abolition,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas Pastor Michael Yat of the South Sudan Presbyterian Evangelical Church was taken into custody by the Sudanese National Intelligence Service (NISS) after preaching at the Khartoum North Church, a branch of the Sudan Presbyterian Evangelical Church, during a visit to Sudan on 21 December 2014; whereas he was arrested immediately after a sermon

in which he reportedly condemned the controversial sale of church land and property and the treatment of Christians in Sudan;

- B. whereas Pastor Peter Yen Reith was arrested on 11 January 2015 after delivering a letter to the Sudanese Religious Affairs Office asking after Pastor Michael and wanting to know more about his arrest;
- C. whereas both men were held incommunicado until 1 March 2015, and on 4 May 2015 both were charged with multiple offences under the Sudanese Penal Code of 1991, including; joint criminal acts (Article 21), undermining the constitutional system (Article 51), waging war against the state (Article 50), espionage (Article 53), unlawfully obtaining or disclosing official documents (Article 55), agitating hatred (Article 64), disturbing the peace (Article 69) and blasphemy (Article 125);
- D. whereas the charges based on Articles 50 and 53 of the Sudanese Penal Code carry the death penalty in the event of a guilty verdict;
- E. whereas on 1 July 2015 the Sudanese authorities came to destroy part of the Bahri Evangelical Church complex; whereas the church's lawyer, Mohamed Mustafa, who is also the lawyer of the two arrested pastors, and Pastor Hafez of the Bahri Evangelical Church complained that the government employee was destroying the wrong part of the compound; whereas they were both arrested for obstructing a public servant in the exercise of his duties; whereas the government official continued to destroy the wrong part of the complex;
- F. whereas threats against church leaders, intimidation of Christian communities, and destruction of church property have continued at an accelerated pace in Sudan since the secession of South Sudan in 2011;
- G. whereas 12 young Christian girls from the Nuba Mountains were arrested on 25 June 2015 on leaving a Baptist church and were accused of being dressed indecently; whereas two of the girls were released without charge the following day and the other 10 were released on bail;
- H. whereas the Christian girls will have to appear before a court, charged under Article 152 of the Sudanese Penal Code, which reads: 'Whoever does in a public place an indecent act or an act contrary to public morals or wears an obscene outfit or contrary to public morals or causing an annoyance to public feelings shall be punished with flogging which may not exceed forty lashes or with fine or with both';
- G. whereas the African Charter on Human and Peoples' Rights, which Sudan has ratified, includes the right to life and the prohibition of torture and cruel, inhuman or degrading punishment and treatment, but whereas the death penalty, as well as amputation, flogging and other forms of corporal punishment, are still being carried out in the country for a number of criminal offences;
- H. whereas the establishment of a universal moratorium on the death penalty with a view to its total abolition must remain one of the principal objectives of the international community, as reiterated by the UN General Assembly on 18 December 2014;
- 1. Calls on the Sudanese authorities to drop all charges against Pastor Michael Yat and Pastor Peter Yen Reith and calls for their immediate and unconditional release; meanwhile calls on

the Government of Sudan to ensure that pending their release the two pastors are not subjected to torture or other ill-treatment and that their physical and mental integrity is duly respected;

2. Asks the EU Delegation to Sudan to monitor the court proceedings and provide assistance to the pastors; calls on the EU to exercise leadership in highlighting and condemning the serious and widespread violations of human rights and international humanitarian law in the country;
3. Reminds the Sudanese authorities of their obligations at national and international level to protect freedom of religion and belief; reaffirms that freedom of religion, conscience and belief is a universal human right that needs to be protected everywhere and for everyone; strongly condemns all forms of violence and intimidation that impair the right to have or not to have, or to adopt, a religion of one's choice, including the use of threats, physical force or penal sanctions to compel believers or non-believers to renounce their religion or to convert;
4. ***Condemns the arrest of the 12 Christian girls; calls on the Government of Sudan to cease proceedings against the 10 girls who have yet to be cleared of wrongdoing;*** 5. Calls on the Government of Sudan to repeal all legislation that discriminates on the grounds of religion and to protect the identity of minority groups, including those of all faiths;
6. Condemns the harassment of Christians and interference in church affairs; urges the Government of Sudan to desist from such activity; calls on Sudan to repeal the apostasy laws and to stop closing churches and other religious sites;
7. Calls on the Government of Sudan to reform the country's legal system, in accordance with international human rights standards, in order to protect fundamental human rights and freedoms and ensure the protection of every individual's human rights, particularly with regard to discrimination against women, religious minorities and disadvantaged groups;
8. Reiterates its condemnation of the death penalty in all circumstances and the need to introduce a worldwide moratorium with a view to its abolition; calls on the Government of Sudan, accordingly, to abolish the death penalty, as well as the practice of flogging, which is still in force, and to commute existing death sentences;
9. Is gravely concerned about the increase in the repression of members of the opposition, and strongly condemns the decision of the Omdurman court of 6 July 2015 sentencing Mastour Ahmed Mohamed, vice-president of the Congress Party, and two other leading members of that party to 20 lashes, that sentence to be carried out immediately; expresses its support for the efforts being made, notably by the UN, the EU, the African Union and the troika (Norway, the UK and the US), to reach a negotiated solution to the situation in Sudan and support the endeavours of civil society and the opposition parties to promote an inclusive peace process;
10. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Government of the Republic of Sudan, the African Union, the Secretary-General of the United Nations, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the Pan-African Parliament