EUROPEAN PARLIAMENT 2009 - 2014

Committee on Employment and Social Affairs

2011/0405(COD)

1.6.2012

OPINION

of the Committee on Employment and Social Affairs

for the Committee on Foreign Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Rapporteur: Sylvana Rapti

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SHORT JUSTIFICATION

Since there is a shared interest in a democratic, stable, prosperous and peaceful wider area around Europe, the European Neighbourhood Policy (ENP) is essential for the stability of the neighbouring countries of the EU and contributes to the security and progress of all. The European Neighbourhood Instrument (ENI) as the means to implement the EU's policy towards its neighbours should build upon fundamental values like democracy and the rule of law but at the same time ought to provide the means for the realisation of specific goals such as creating employment and ensuring social protection that promise the empowerment and inclusive growth of these countries in the future. The EU, globally famous for its social model, has a unique expertise to share and to offer.

The ENI must be remodelled and set conditions - in a more effective way than the previous instrument - for the allocation of its funds to adequately and flexibly address developments and historical challenges in the partner countries. If conditionality and the 'more for more' principles are to be applied, progress on social issues that reflect the dignity and substantial progress of the societies should be prioritised.

As a consequence, a number of amendments setting social targets as prerequisites for financial aid are proposed to this regulation to reflect the spirit and the letter of the Lisbon Treaty and especially its famous social clause (Art. 9 TFEU, which states that "In defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health").

AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation
Recital 3

Text proposed by the Commission	*Amendment*
(3) The Union seeks to promote, develop and consolidate the values of liberty, democracy, respect for human rights and fundamental freedoms, principles of equality and the rule of law on which it is founded through dialogue and cooperation with third countries.	(3) The Union seeks to promote, develop and consolidate the values of liberty, democracy, respect for human rights and fundamental freedoms, principles of equality***, fundamental social rights with special attention being paid to the rights of vulnerable groups*** and the rule of law

on which it is founded through dialogue and cooperation with third countries.

Amendment 2

Proposal for a regulation
Recital 4

Text proposed by the Commission	*Amendment*
(4) Since it was launched, the European Neighbourhood Policy has significantly strengthened relations with partner countries and brought tangible benefits to both the Union and its partners.	(4) Since it was launched, the European Neighbourhood Policy has significantly strengthened relations with partner countries and brought tangible benefits to both the Union and its partners. ***At the same time, bearing in mind the 2011 social and political crisis in which North Africa was involved and that many of the countries concerned are still affected by the resultant state of instability, action under the neighbourhood policy, notably in regard to its democratic development objectives, needs to be stepped up.***

Amendment 3

Proposal for a regulation
Recital 5

Text proposed by the Commission	*Amendment*
(5) Under the European Neighbourhood Policy, the Union offers Neighbourhood countries a privileged relationship, building upon a mutual commitment to and promotion of the values of democracy and human rights, the rule of law, good governance and the principles of market economy and sustainable development.	(5) Under the European Neighbourhood Policy, the Union offers Neighbourhood countries a privileged relationship, building upon a mutual commitment to and promotion of the values of democracy and human rights, the rule of law, good governance***, employment, the development of human capital, social protection*** and the principles of market economy and sustainable development ***with a special focus on strengthening civil society***.

Amendment 4

Proposal for a regulation
Recital 9

Text proposed by the Commission	*Amendment*
(9) Furthermore, it is important to foster and facilitate cooperation for the common benefit of Union and its partners, notably through pooling of contributions from internal and external instruments of the Union budget, in particular for Cross-Border Cooperation, infrastructure projects of Union interest that will pass through Neighbourhood countries and other areas of cooperation.	(9) Furthermore, it is important to foster and facilitate***, inter alia with the support of the Union's agencies,*** cooperation for the common benefit of Union and its partners, notably through ***the best and most effective coordination of resources provided and the*** pooling of contributions from internal and external instruments of the Union budget, in particular for Cross-Border Cooperation, infrastructure projects of Union interest that will pass through Neighbourhood countries**,** ***mechanisms promoting and monitoring employment*** and other areas of cooperation.

Amendment 5

Proposal for a regulation
Recital 19

Text proposed by the Commission	*Amendment*
(19) European Union external support has increasing financing needs but the economic and budgetary situation of the Union limits the resources available for such support. The Commission must therefore seek the most efficient use of available resources by using financial instruments with leverage effect. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments**.**	(19) European Union external support has increasing financing needs but the economic and budgetary situation of the Union limits the resources available for such support. The Commission must therefore seek the most efficient ***and transparent*** use of available resources by using financial instruments with leverage effect. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments. ***It should also define clearly the priorities of the European Neighbourhood Policy, thereby setting criteria for the evaluation of achievements.***

Amendment 6

Proposal for a regulation
Recital 21

Text proposed by the Commission	*Amendment*
(21) Gender equality ***and*** anti-discrimination should be a cross-cutting objective in all actions undertaken under this Regulation.	(21) Gender equality**,** anti-discrimination***, social justice, social inclusion and the workers' rights*** should be a cross-cutting objective in all actions undertaken under this Regulation.

Amendment 7

Proposal for a regulation
Recital 22

Text proposed by the Commission	*Amendment*
(22) The Union is committed to promote in relations with its partners worldwide decent work as well as ratification and effective implementation of the internationally recognised labour standards and multilateral environment agreements, in relations with its partners worldwide.	(22) The Union is committed to promote in relations with its partners worldwide decent work ***and social dialogue,*** as well as ratification and effective implementation of the internationally recognised labour standards and multilateral environment agreements, in relations with its partners worldwide.

Amendment 8

Proposal for a regulation
Recital 22 a (new)

Text proposed by the Commission	*Amendment*
	(22a) The Union should support partner countries in their efforts to create employment and improve employability, tackle labour market issues and develop social policies.

Amendment 9

Proposal for a regulation
Recital 22 b (new)

Text proposed by the Commission	*Amendment*
	(22b) The Union should support partner countries in establishing stronger labour laws in order to protect children from abusive working conditions and in taking immediate action to eradicate illegal child labour.

Amendment 10

Proposal for a regulation
Recital 22 c (new)

Text proposed by the Commission	*Amendment*
	(22c) Cooperation in controlled circular mobility ensuring fair migration and the fight against trafficking and exploitation are essential to both the Union and its partners.

Amendment 11

Proposal for a regulation
Recital 22 d (new)

Text proposed by the Commission	*Amendment*
	(22d) Enhancing civil society and dialogue with the social partners as well as supporting the necessary structural economic, social and territorial cohesion and educational improvements in the partner countries should be among the objectives of this Regulation.

Amendment 12

Proposal for a regulation
Article 2 – paragraph 2 – point a

Text proposed by the Commission	*Amendment*
(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, establishing deep and sustainable democracy, promoting good governance ***and*** developing a thriving civil society including social partners;	(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, ***social justice,*** establishing deep and sustainable democracy, ***freedom of the media,*** promoting good governance ***and transparent procedures,*** developing a thriving civil society including social partners ***and enhancing social dialogue***;

Amendment 13

Motion for a resolution
Article 2 – paragraph 2 – point aa(new)

Motion for a resolution	*Amendment*
	(aa) targeting decent sustainable job creation, social protection, the appropriate improvement of job quality and labour policies including educational and training programmes, and the protection of workers' rights, and dealing with abuses in the labour market to that end, partner countries should be urged to ratify all core labour conventions of the International Labour Organization and to align national legislation with those conventions;

Amendment 14

Proposal for a regulation
Article 2 – paragraph 2 – point b

Text proposed by the Commission	*Amendment*
(b) achieving progressive integration into the Union internal market and enhanced	(b) achieving progressive integration into the Union internal market ***with special***

sector and cross-sectoral co-operation including through legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in interconnections;	***support for small and medium-sized enterprises*** and enhanced sector and cross-sectoral co-operation including through ***social investment,*** legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in interconnections ***and skills development***. ***It is imperative however that economic integration does not bring about unfair competition on the internal market***;

Amendment 15

Proposal for a regulation
Article 2 – paragraph 2 – point c

Text proposed by the Commission	*Amendment*
(c) creating conditions for well managed mobility of people and promotion of people-to-people contacts;	(c) creating conditions ***in accordance with the law*** for well managed mobility of people and promotion of people-to-people contacts***, including student and vocational training exchange initiatives with adequate financial support***;

Amendment 16

Proposal for a regulation
Article 2 – paragraph 2 – point d

Text proposed by the Commission	*Amendment*
(d) sustainable and inclusive development in all aspects, ***poverty*** reduction, including through private-sector development; promotion of internal economic, social and territorial cohesion, rural development, climate action and disaster resilience;	(d) sustainable and inclusive development in all aspects, reduction ***and prevention of poverty, unemployment and social exclusion with specific attention being paid to vulnerable groups***, including through private-sector development; promotion of internal economic, social and territorial cohesion, ***sustainable*** rural development, climate action and disaster resilience;

Amendment 17

Proposal for a regulation
Article 2 – paragraph 2 – point e

Text proposed by the Commission	*Amendment*
(e) promoting confidence building and other measures contributing to security and the prevention and settlement of conflicts;	(e) promoting ***cultural, ethnic and religious awareness and tolerance,*** confidence building, ***the control of irregular migration to prevent migrants from being exposed to the risks of, inter alia, illegal behaviour and poor living conditions*** and other measures contributing to security and the prevention and settlement of conflicts;

Amendment 18

Proposal for a regulation
Article 2 – paragraph 2 – point e a (new)

Text proposed by the Commission	*Amendment*
	(ea) ensuring the economic competitiveness of the European Union and its partner countries by including projects and procedures that best suit SMEs, thereby helping them integrate better into the European Union's internal market.

Amendment 19

Proposal for a regulation
Article 2 – paragraph 2 – point e b (new)

Text proposed by the Commission	*Amendment*
	(eb) coordinating EU support for SMEs, and promoting the creation of businesses between SMEs in partner countries and in the Union; encouraging development of SME projects and investments in partner countries, thereby releasing the resources needed to promote transnational

cooperation.

Amendment 20

Proposal for a regulation
Article 2 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The achievement of these objectives shall be measured using notably the relevant EU periodic reports on the implementation of the policy, and for paragraphs 2(a), (d) and (e), the relevant indicators established by international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, adequately monitored democratic elections, level of corruption, trade flows, indicators enabling measuring internal economic disparities, including employment levels.	3. The achievement of these objectives shall be measured using notably the relevant EU periodic reports, ***including reports by the Union's Agencies,*** on the implementation of the policy, and for paragraphs 2(a), ***(aa),*** (d) and (e), the relevant indicators established by international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, ***the regulatory framework for social protection issues,*** adequately monitored democratic elections, level of corruption, trade flows, indicators enabling measuring internal economic disparities, including employment levels***, quality of employment human capital development, poverty levels, income distribution, respect for human rights and minority rights, independence of the judiciary and the obligation of the social partners and civil society to participate in social dialogue and their right to be consulted before legislation is introduced.***

Amendment 21

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission	*Amendment*
1. The partnership and cooperation	1. The partnership and cooperation

agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation.	agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation***, actively linked with existing internal instruments and policies of the Union regarding infrastructure, energy, transport, ICT, employment and social policy, migration, education, culture, research and innovation***.

Amendment 22

Proposal for a regulation
Article 17

Text proposed by the Commission	*Amendment*
Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support.	Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human ***and social*** rights and fundamental freedoms ***and social justice***, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support.

PROCEDURE

Title	Establishing a European Neighbourhood Instrument
References	COM(2011)0839 – C7-0492/2011 – 2011/0405(COD)
Committee responsible Date announced in plenary	AFET 17.1.2012
Opinion by Date announced in plenary	EMPL 17.1.2012
Rapporteur Date appointed	Sylvana Rapti 19.1.2012
Discussed in committee	24.4.2012 30.5.2012
Date adopted	31.5.2012
Result of final vote	+: 31 –: 1 0: 2
Members present for the final vote	Regina Bastos, Heinz K. Becker, Jean-Luc Bennahmias, Phil Bennion, Pervenche Berès, Vilija Blinkevičiūtė, Philippe Boulland, Alejandro Cercas, Ole Christensen, Derek Roland Clark, Minodora Cliveti, Marije Cornelissen, Frédéric Daerden, Karima Delli, Sari Essayah, Richard Falbr, Thomas Händel, Marian Harkin, Nadja Hirsch, Ádám Kósa, Jean Lambert, Thomas Mann, Csaba Őry, Sylvana Rapti, Elisabeth Schroedter, Joanna Katarzyna Skrzydlewska, Jutta Steinruck, Inês Cristina Zuber
Substitute(s) present for the final vote	Sergio Gutiérrez Prieto, Sidonia Elżbieta Jędrzejewska, Anthea McIntyre, Ria Oomen-Ruijten, Csaba Sógor
Substitute(s) under Rule 187(2) present for the final vote	Jens Nilsson