

EUROPEAN PARLIAMENT

1999



2004

Session document

31 March 2004

B5-0165/2004 }
B5-0182/2004 }
B5-0183/2004 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 50(5) of the Rules of Procedure, by

- Hans-Gert Poettering, Ilkka Suominen, W.G. van Velzen, Iñigo Méndez de Vigo, Elmar Brok, Jorge Salvador Hernández Mollar, Othmar Karas, Arie M. Oostlander, Philippe Morillon and Hubert Pirker on behalf of the PPE-DE Group
- Enrique Barón Crespo on behalf of the PSE Group
- Andrew Nicholas Duff, Jules Maaten, Baroness Ludford, Cecilia Malmström, Karin Riis-Jørgensen and Luciana Sbarbati on behalf of the ELDR Group
- Gerard Collins

replacing the motions by the following groups:

- ELDR (B5-0165/2004),
- PPE-DE (B5-0182/2004),
- PSE (B5-0183/2004),

on the outcome of the European Council meeting on 25-26 March 2004

European Parliament resolution on the outcome of the European Council meeting on 25-26 March 2004

The European Parliament,

- having regard to the Draft Treaty establishing a Constitution for Europe, drawn up by the European Convention,
- having regard to its resolutions of 24 September, 4 December and 18 December 2003, and of 29 January and 11 March 2004,
- A. whereas the European Council reaffirmed its commitment to reaching agreement on the Constitutional Treaty, and decided that agreement on the Constitutional Treaty should be reached not later than the European Council meeting on 17-18 June,
- B. whereas the necessity to reinforce the EU strategy on terrorism has become more apparent than ever after the brutal terrorist attacks of 11 September 2001 and those perpetrated in Madrid on 11 March 2004,
- C. whereas terrorism constitutes a crime against humanity and the values of an open, democratic and multicultural society and, as such, is a threat to international peace, stability and security,
- D. whereas the fight against terrorism blurs the traditional distinction between foreign and domestic policy,
- E. whereas only through enhanced cooperation at European and international level can we improve the safety and security of our citizens,
- F. whereas the Convention on the draft constitutional Treaty has already indicated the solution to the malfunctions in the establishment of the area of freedom, security and justice and the prevention and combating of terrorism and organised crime; calling on the European Council and the Council to anticipate as far as possible on the basis of the existing treaties solutions such as the transfer of judicial cooperation in criminal matters to the Community pillar (Article 42 TEU), the introduction of qualified-majority voting and codecision in policies under Title IV of the EC Treaty, the conversion of Europol into a European agency and its association with Eurojust, and consultation of Parliament on all international agreements relating to the AFSJ,

INTERGOVERNMENTAL CONFERENCE

1. Welcomes the European Council's undertaking to reach an agreement on the constitutional Treaty at its meeting on 17 and 18 June 2004 at the latest, and considers that this agreement should, if possible, be reached before the European elections;
2. Stresses that under no circumstances should the agreement thus negotiated undermine the balance of the text resulting from the Convention proceedings; reminds the IGC that Parliament will never support a Constitution that is not substantially based on the

proposals of the Convention, that disregards Parliament's existing budgetary prerogatives, or that fails to widen significantly the scope of qualified majority voting in the Council plus codecision with Parliament;

3. Commits itself to maintaining its active involvement in the IGC at all levels notwithstanding the electoral campaign;
4. Takes the view that, at a time when the most ambitious enlargement in our history is taking place, the Constitution gives practical expression to what is a fresh political start for our continent;

TERRORISM

5. Condemns all terrorist attacks, irrespective of motive, regardless of where such attacks take place and regardless of who perpetrates them, in particular the recent brutal attack in Madrid on 11 March 2004 and expresses its sympathy and its solidarity with the victims, their families and the people of Spain;
6. Considers it necessary to pursue the development of transatlantic cooperation and a worldwide action plan against all forms of terrorism, and calls on the forthcoming EU-US Summit which will take place in Dublin on 25/26 June 2004 to launch a joint Action Plan for the Fight on Terrorism, combining strong determination and action against terrorism;
7. Welcomes the Declaration on Solidarity against Terrorism incorporating the political commitment of the Member and acceding States to act jointly against terrorist acts, in the spirit of the Solidarity Clause contained in the Draft Treaty establishing a Constitution for Europe (Article I-42);
8. Notes the Council Agreement on the establishment of a Counter-Terrorism Coordinator; criticises, however, the fact that this position is to be established within the area of inter-governmental cooperation; believes that this highly sensitive field involving fundamental rights must without fail be submitted to parliamentary and judicial control and must therefore be integrated into the communitised field of internal affairs; while noting that the Member States in theory support the fight against the terrorism, deplores the regrettable lack of support by Member States for adequate funding under the EU budget;
9. Regrets that the European agenda in the fight against terrorism apparently only progresses in the wake of tragic events and not as a result of a coordinated and coherent EU approach; deplores the fact that the Council has given Parliament little or even in some cases no time to properly examine the anti-terrorism legislation drawn up after 11 September 2001 and stresses once again its right to be fully and duly involved in the legislative process; asks the Council to fully involve Parliament in the elaboration of the measures - legislative and operative - requested, envisaged or already submitted and to give due consideration to its opinion, including its possible financial consequences;
10. Regrets, in particular, that five Member States have failed to meet the implementation deadline of the European Arrest Warrant and urges them to rapidly implement it; asks the

Commission to report at the end of this year on the operational working of this fundamental legal instrument;

11. Urges the Council, after having received Parliament's opinion, to rapidly adopt the proposal for a framework decision on procedural guarantees under criminal law in the European Union that the Commission has just presented and which will ensure protection of individual rights, after the entry into force of the European Arrest Warrant;
12. Stresses that one of the priorities for the EU in the fight against terrorism is to reinforce cooperation between police services, including a more structured role for the Task Force of EU Police Chiefs to ensure the interoperability of national security plans and to share intelligence data; calls therefore on the Member and acceding States to do so;
13. Welcomes the European Council's call for the adoption before 1 May 2004 of the Council Directive on compensation to victims of serious crimes and terrorism to ensure adequate redress for the damage and sufferings they are subjected to, and states its willingness to increase significantly the financial allocation for the relevant pilot project, upgrading its status to that of a major EU action which should focus on psychological and material assistance to the victims;
14. Believes that measures taken to defend the values of democracy and freedom against terrorist acts cannot be allowed to undermine the fundamental aspects of those values; believes, in particular, that efforts should be increased to reinforce the protection of civil liberties, fundamental rights and personal data;
15. Stresses that to tackle the terrorist threat the European Union does not need exceptional legal instruments or institutions, but that the Council has to adopt the existing proposals and the Member States have to fully implement the legislative instruments relevant to the fight against terrorism; in this regard, calls on the Commission to publish a regular 'league table' on implementation by the Member States of anti-terrorism legislation;
16. Deplores the intolerable lack of progress and the consistent failure of the Member States to put joint pressure on the United States to charge or release detainees held at Guantánamo Bay;
17. Regrets that the role of Europol and Eurojust has so far been underestimated and asks for an enhanced role for them in strategic intelligence gathering and coordination of investigations of trans-border criminal activities, in cooperation with national police and judicial authorities; also deplores the fact that the anti-terrorist unit created after 11 September 2001 within Europol has been dismantled and asks the European Council for its re-establishment; urges the Member States to transform the European Police Office (Europol) into a genuine European Community Agency and recommends its immediate reorganisation and reinforcement; recommends the creation of the Office of a European Public Prosecutor and harmonisation of the definition of serious and transnational crimes, both important instruments in the fight against terrorism;
18. Expresses very serious concern about the intention expressed by some Member States and by the Commission Communication COM(2003) 826 to collect, for intelligence

purposes, private and commercial data, such as air passenger data and telecommunication and bank information, in possible violation of the EU's data protection legislation;

19. Urges the Commission to undertake a realistic analysis of the threat posed by terrorist attacks in the EU involving biological and chemical weapons and to initiate, in the light of the findings of the analysis, the necessary legislative steps to deal with such attacks;
20. Recalls that the fight against terrorism demands a broad alliance aimed at eradicating poverty and injustice and establishing democracy and respect for the rule of law and human rights world-wide; underlines therefore that international terrorism must be combated firmly, not only by military means but also by addressing the roots of the huge political, social, economic and ecological problems existing in today's world;
21. Calls on the Commission and the Council to ensure closer cooperation with the United Nations Counter-Terrorism Committee and to step up the use of the Rapid Reaction Mechanism for specific projects in priority countries aimed at providing vulnerable third countries with technical assistance, both to enhance their counter-terrorism capabilities and to eliminate the causes of any possible conflict;
22. Calls on the Council to step up dialogue, cooperation and links between Europe and the Arab and Muslim world in order to strengthen the moderate political forces and civil society in those countries;

THE LISBON STRATEGY

23. Recalls that too often these gatherings have made high-sounding pronouncements that are not matched by real action; agrees therefore with the European Council that the critical issue now is the need for better implementation of existing commitments, which means specific, realistic and concrete action;
24. Supports and agrees with the balanced approach of the Lisbon strategy; fears that timid and belated action might render the aim of becoming the most competitive and dynamic knowledge-based economy in the world difficult if not impossible to achieve; considers that efforts so far have been laudable in intentions, but weak on implementation; points out, in this connection, that 40% of all adopted Lisbon directives have not yet been fully implemented by all Member States;
25. Regrets the fact that the Presidency Conclusions put too much emphasis on bureaucratic processes and not enough on the crucial role of individuals working and competing in the business, educational and research sectors as the driving force for growth, employment and innovation;
26. Warns Europe against squandering its rich human and economic potential and urges EU Heads of State or Government to assume their responsibilities; considers that Europe is clearly failing to capitalise on its positive economic indicators;
27. Emphasises that setting up 'high-level groups' cannot replace political action; believes that the targets and mechanisms are already present in the Lisbon process, but must now

be fully implemented, calls for close cooperation between the High-Level Group and Parliament in its role as co-legislator;

28. Recalls that the evaluation of the Member States' performance in implementing the Lisbon strategy and the upcoming mid-term review in 2005 should be performed under the authority of the Commission; advocates the drawing-up by the Commission of a precise country-by-country catalogue together with a timetable concerning the measures to be taken in order to achieve the Lisbon aims, and suggests that, in doing so, the Commission should define targets similar to the Maastricht criteria and secure the achievement of these aims through a mechanism based on the Stability and Growth Pact;
29. Welcomes the environmental dimension of the Council conclusions and insists on the need for ambitious policies in the field of renewable energy, energy efficiency and development of clean technologies; reiterates that the Kyoto Protocol is only a first step in a global strategy to tackle climate change, and that further emission-reduction targets might be considered; underlines the fact that environmental policies can contribute to the achievement of sustainable economic and social development and job creation;
30. Takes note of the demand for progress to be made towards more and better jobs over the coming years; refers to the fact that, to reach the Lisbon target of 70% employment in 2010, Europe needs an increase of 22 million jobs for the EU-25; considers that this must be done through structural reforms, by making work pay, opening new ways into work for more people and ensuring a labour market better adapted to new challenges; recalls that increased investments are needed in human resources, innovation, research and development, with a special focus on education, skills and lifelong learning in order for the Lisbon strategy to be successfully implemented; calls for structural reforms in the Member States to be speeded up in order to increase competitiveness and ensure a leading position in an ever more globalised world, and welcomes the incentive given by enlargement to further adapt the Union's economies and regulatory systems to the needs of a modern society; requests the Commission to design its 'road map' to 2010 in a way which prioritises EU and national measures for growth and employment, including key internal market proposals, such as the Community patent, measures to release the job creation potential of SMEs, the European Research Area and the European Higher Education Area;
31. Welcomes the fundamental reform of Regulation 1408/71, which simplifies and modernises the provisions facilitating the free movement of workers and protecting the social security rights of people moving within the Union, as a significant step for European citizens; hopes that all European institutions involved realise their responsibility to finalise within the lifetime of the current European Parliament;
32. Reminds Member States that reaching or maintaining a sound budgetary position in line with the Stability and Growth Pact, and price stability are the two key bases on which to build; considers that Member States must ensure that they meet the commitments for budgetary consolidation which they have made; notes, furthermore, that it is essential that long-term sustainability of public finances be secured; encourages the Member States to tackle the financial implications of an ageing population by reducing public debt and strengthening employment, health and pension reforms;

33. Calls once again on all Members States to increase their expenditure on research to 3% of GNP by 2010 and strongly criticises the Council for not keeping its word and each Member State for making little or no effort to increase - and, in the case of some of them even reducing - their R&D expenditure; calls for the establishment of a European Research Council with the purpose of strengthening basic research carried out in Europe; welcomes the increased emphasis placed on strengthening business investment in research and development, and calls on the Member States to follow up the lines of action proposed by the European Council;

CYPRUS

34. Shares the European Council's position with regard to Cyprus, i.e. its support for the efforts by UN Secretary-General Kofi Annan to help the parties to seize this historic opportunity to bring about a comprehensive settlement of the Cyprus problem consistent with the relevant UN Security Council resolutions and its readiness to accommodate the terms of such a settlement in line with the principles on which the Union is founded;
35. Calls on the two parties to seize this opportunity to reunify the island, which has been divided for thirty years;

INTERNATIONAL SITUATION

Russia

36. Welcomes the Council's intention to build a strategic partnership between the EU and the Russian Federation based upon respect for common values and the Council's affirmation of the EU's strong and genuine interest in an open, stable and democratic Russia;
37. Recalls its conviction that the Partnership and Cooperation Agreement (PCA) remains the essential cornerstone of the relationship and welcomes the Council's position that the PCA will be applicable to all Member States, without precondition or distinction, as from 1 May 2004;
38. Takes the view that any discussion of Russia's legitimate concerns over the impact of enlargement has to remain entirely separate from the extension of the PCA to the new Member States;
39. Reiterates its call for a political solution to the conflict in Chechnya and calls on the Council to raise this matter firmly at the upcoming EU-Russia Summit on 21 May 2004;

Middle East

40. Endorses the European Council statement on the dramatic situation in the Middle East, expresses its deep concern at the situation in the Middle East and condemns, in particular, the extrajudicial killing of Hamas leader Sheikh Ahmed Yassin and seven other Palestinians by Israeli forces on 22 March 2004;

41. Reiterates its condemnation of all terrorist acts against the civilian population committed by both sides and urges the Palestinians not to respond to this most recent provocation, in order to stop the spiral of violence and terrorism;
42. While recognising Israel's right and duty to defend its people from terrorist attacks, strongly rejects the practice of any extrajudicial killings as contrary to international law, creating innocent victims and leading to retaliation and more violence, and calls on civil society and all political parties in Israel to demand that its government act in full compliance with international law;
43. Reiterates, in this connection, its position of 10 April 2002, and calls on the Council and the Commission to consider acting in full compliance with Article 2 of the Association Agreement with Israel should the policy of extrajudicial killings continue;
44. Is convinced that, without strong pressure on the two sides, the Road Map will remain ineffective, and calls on the United States Administration to assume their responsibility vis-à-vis the present crisis and to ask the Israeli Government and the Palestinian National Authority to make a serious effort to resume genuine negotiations and to launch, together with the EU, a more comprehensive dialogue and cooperation between all countries of the entire Middle East region;
45. Considers that the EU and the USA, in agreement with other international organisations, have to propose a 'partnership for peace and security' with Israel, Palestine and other countries of the region; considers that the EU should propose a special Association Agreement with Israel, Palestine and Jordan in order to guarantee a peaceful and viable solution of the present conflict;

EU strategic partnership with the Mediterranean and the Middle East.

46. Stresses the need for a broader approach to the situation of the entire Middle East region, notably following the Iraq war and the tensions generated on religious, cultural, social and economic grounds;
47. Remains convinced that this new process should integrate the EU, the Arab League and other countries involved in the region and must also use the wide variety of instruments already put into practice under the Barcelona process, other cooperation agreements and the EU's Wider Europe Neighbourhood Strategy;

Iraq

48. Fully supports the European Council's request for a strong UN playing a vital and growing role, endorsed by the UN Security Council, in this political transition process; considers that the EU strategy for relations with Iraq, which the High Representative for CFSP and the Commission are requested to formulate, is urgently needed in order to reach a common position of the EU Member States;
49. Reiterates that the UN should play a major role in the reconstruction of the country and considers an increased UN involvement in the process of transferring sovereignty,

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organising the future national elections and appointing the interim government as concrete and determined steps towards the normalisation of the country;

Afghanistan

50. Welcomes the decision by Germany to organise a further conference on Afghanistan underlining the EU commitment to assisting that country, and believes that President Kharzai's decision to hold general, free and fair elections in September constitutes a unique opportunity to move democracy forward in that country;

THE NEW FINANCIAL PERSPECTIVE

51. Agrees with the European Council on the timetable which aims at reaching political agreement on the new Financial Perspective at the European Council in June 2005, but reiterates its opinion that this Financial Perspective should cover a five-year period starting from 2007;
52. Instructs its President to forward this resolution to the Council, the Commission and the national parliaments of the Member States and accession countries.