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MOTION FOR A RESOLUTION

further to the European Council report and Commission statement

pursuant to Rule 37(2) of the Rules of Procedure

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on behalf of the Verts/ALE Group

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

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European Parliament resolution on the Brussels European Council meeting of 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 the general acknowledgement of the need for a deepening of European integration in the course of enlargement of the Union,
- having regard to Rule 37(2) of its Rules of Procedure,

I. INTERGOVERNMENTAL CONFERENCE

1. Welcomes the new commitment to reaching agreement on the Constitution demonstrated at the European Summit;
2. Welcomes the decision that agreement on the Constitution should be reached under the Irish Presidency; urges the Irish Presidency, however, to arrange as soon as possible for the resumption of formal negotiations in the IGC so that a positive conclusion can be reached before the European elections;
3. Strongly insists that the urge to come to an agreement must cause no regression from the Convention text and recalls that some of the proposals in the IGC (CIG 60/03, ADD 1) do change its fundamental balance;
4. Insists that the revision procedure of the draft Constitution, which the Convention did not have an opportunity to consider, be reviewed in order to exclude the power of veto and include the full involvement of, and ratification through, the European Parliament;

II. TERRORISM

5. Condemns all terrorist attacks, irrespective of motive and regardless of where such attacks take place and who perpetrates them, including in particular the recent brutal attack in Madrid on 11 March 2004; expresses its condolences and its solidarity with the victims, their families and the people of Spain;
6. Expresses its admiration for the exemplary behaviour of the people of Madrid and Spanish society in general in the face of the horror and terror of the 11 March attacks; highlights the public-spirited and humanitarian response of the public, the efficiency of the emergency services and the assistance provided by all institutions to the victims and their families; stresses the fact that these horrific events did not result at any point in hostile behaviour towards foreigners or specific religions or countries;

7. Recalls that the prevention of the current wave of non-state terrorist attacks calls for a broad alliance aimed at eradicating poverty, injustice and exclusion and establishing democracy, respect for the rule of law and human rights world-wide; underlines therefore that international terrorism must be combated firmly, first by addressing the roots of the huge and intractable political, social, economic and ecological problems existing in today's world through efficient conflict prevention policies and, if necessary, by judicial and military means;
8. Reaffirms that high standards in democratic guarantees, respect for fundamental rights as well as judicial control and parliamentary scrutiny are necessary to improve the trust between Member States, which is a precondition for effective police and judicial cooperation in the EU;
9. Asks the Council and the Member States to overcome the shortcomings of the third pillar, and in particular the lack of coordination, and bureaucratic and technical blockages between the national security services and a certain culture of secrecy;
10. Welcomes, in this connection, the results of the Convention on the Future of Europe, which provide for the abolition of the pillar structure, full jurisdiction for the Court of Justice in the JHA sphere, the incorporation of the Charter of Fundamental Rights into the Treaty and more extensive use of the codecision procedure; urges the IGC not to go back on these advances;
11. States that the Union has to come forward, not with new institutions or bodies but with the strengthening of police cooperation and reinforcement of current instruments, states that all those measures must be consistent with the Charter of Fundamental Rights;
12. Asks the Council to adopt the draft instruments on terrorism currently before it, within the limits defined by the rule of law and with due respect for human rights, as well as due consideration for Parliament's opinion, and asks the Member States to effectively and comprehensively implement them as a matter of high priority;
13. Asks the Council to fully involve the Parliament in the elaboration of the measures - legislative and operative - requested, envisaged or already submitted and to give due consideration to its opinion, in particular with regard to:
 - retention of communications traffic data by service providers;
 - exchanges of information on convictions for terrorist offences;
 - cross-border hot pursuit;
 - European register on convictions and disqualifications;
 - database on forensic material;
 - simplifying the exchange of information and intelligence between law enforcement authorities of the Member States,
 - European Border Agency;
 - SIS II, VIS, exchange of personal information (DNA, fingerprint);
 - incorporation of biometric features into passports and visas;
 - obligation for carriers to communicate passenger data;
 - sharing of intelligence;
 - measures aimed at preventing the financing of terrorism;

- and measures aimed at reinforcing the operational cooperation between the Member States and in the framework of Europol and Eurojust;
14. Calls on the Council to adopt data protection legislation under the third pillar which would provide guarantees equivalent to those under Directive 95/46/EC with regard to the first pillar, as an urgent priority;
 15. Renews its request to the Commission to submit as soon as possible a proposal for a framework decision on procedural guarantees under criminal law in the European Union which will ensure protection of individual rights, after the entry into force of the European Arrest Warrant;
 16. Reaffirms that, while an important line of defence against terrorism is the mobilisation of public opinion against those who pose a threat to the rule of law and fundamental democratic principles, it must be ensured that any measures to counteract this threat do not engender xenophobia or prejudice;
 17. Asks the Council and the Member States, therefore, to ensure a democratic dialogue between institutions and citizens, with a view to promoting cross-cultural and inter-religious understanding; asks the Council once again, in particular, to adopt the framework decision on combating racism and xenophobia;
 18. 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 intergovernmental cooperation; believes that this highly sensitive field involving fundamental rights must be submitted to parliamentary and judicial control and must therefore be integrated into the communitised field of internal affairs;
 19. Reiterates that the unilateral US-led war on terror, based on misleading intelligence, high scale military intervention and pre-emptive military action, has been counterproductive, is turning out to be unwinnable and is having a damaging effect on transatlantic relations; supports the proposal of the new Spanish Government to withdraw its forces from Iraq should the UN not be enabled to play its full role, and calls on the other EU governments to follow suit; insists that the situation of the Guantánamo detainees must be solved;
 20. Reiterates its call for a solution to the Israeli-Palestinian conflict; considers that the solution of the conflict would deeply reduce the motivations of potential terrorists in Islamic societies within and outside the region and eradicate one of the main sources of frustration among Muslim countries;
 21. Underlines that the EU and its Member States must do everything within their power to prevent potential terrorists being supplied with conventional and WMD sensitive technology; points out that for this purpose the export regulations on arms and dual-use technology must be strengthened and efficiently implemented; insists on a ban on arms-brokering and on a global arms trade treaty which forbids arms supplies to non-state actors;

III. LISBON STRATEGY

22. Is disappointed that no new ideas on how to bring the European economy back on track to Lisbon have been proposed and considers that there is a crucial lack of political leadership, coherence and determination; criticises, in particular, the fact that, with a few exceptions, no instruments or concrete measures are being proposed on how to achieve the goals set; emphasises that setting up 'high-level groups' cannot replace political action and hopes that the new Kok-group will be open to non-mainstream, alternative economists and also include high-level experts on environmental issues; calls for close cooperation between the High-Level Group and Parliament;
23. Notes with satisfaction that sustainable growth is defined as environmentally sound growth and welcomes the reiteration of commitments to decouple growth from negative environmental impacts, understanding this to include resource use; criticises, however, the fact that, despite Parliament's recent resolution, the Council has failed to take into account biodiversity indicators and to address the lack of progress in meeting EU commitments to halting biodiversity loss by the year 2010 in the EU, and by 2015 globally;
24. Demands that the high-level expert group headed by Mr Wim Kok include in its mid-term review an appraisal of the progress made to decouple economic growth from resource use, transport growth and generation of waste, to internalise social and environmental costs in prices and to halt biodiversity loss in the EU;
25. Is disappointed that, despite Parliament's recent calls to this effect, the Council has not seriously engaged in addressing the elimination of subsidies which are incompatible with sustainable development, or ensuring the sustainability of EU budgetary expenditure;
26. Is of the opinion that the conclusions are biased towards enhancing the EU's industrial competitiveness and are based on an old concept of how to achieve this; repeats, therefore, its call of 26 February for massive investment in renewable energies and energy-saving measures, which could bring about technological progress and open up future-proof markets while contributing to achieving the Kyoto commitments;
27. Welcomes the Council's reaffirmation of the Union's determination to fulfil the emissions reductions agreed in the Kyoto Protocol and the commitment to considering medium- and longer-term emission reduction targets at the 2005 Spring Council; expects the Commission cost-benefit analysis to take into account *inter alia* the benefits for technological development and new sectors of industry, and the costs of inaction for developing countries;
28. Deplores the lack of deeper reflection on the Stability and Growth Pact and its incompatibility with the ambitious goals set out, in particular on strengthening social cohesion in the first years of enlargement and increased investment in research and development; renews its call for an intelligent reform of this Pact, contained in its resolution of 26 February of this year;
29. Welcomes the fact that the European Council dismissed the idea of proposing to create the post of a Vice-President of the Commission for coordinating and overseeing

economic reform; proposes that, if such a post is to be created, it should serve to coordinate the sustainability strategy set out in Göteborg as a complement to Lisbon; proposes, in this connection, that the Competitiveness Council be paralleled by a Sustainability Council uniting the ministers for Economic, Social, and Environmental Affairs;

30. Strongly criticises the lack of clear commitment to full employment; 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; is disappointed that the Council has not responded adequately to the critical development of economic stagnation, rising unemployment and social polarisation in the EU;
31. Notes with satisfaction that the eradication of poverty is to be reinforced, given that the most recent income figures show that 15% of the population, i.e. about 56 million people, are at risk of poverty, since they are living below a threshold defined to be 60% of the national average income; is concerned about the fact that 11.4 million facing poverty in Europe are working poor; is worried about the lack of gender equality, given the existence of a gender pay gap of up to 21%;
32. Welcomes the fundamental reform of Regulation 1408/71, which simplifies and modernises the provisions 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 it within the lifetime of the current European Parliament;

IV. CYPRUS

33. Welcomes the action of the UN Secretary-General and his envoys to find a solution to the Cyprus conflict before the date of accession to the EU of 1 May;
34. Regrets that the representatives of both sides were not able to prove their good will to reach a solution, and appeals to them to make every possible effort in the coming days; expects, in this regard, a decisive contribution from Greece and Turkey to the ongoing talks in Switzerland;
35. Points out that the new peace plan should include the gradual demilitarisation of the island and the dismantlement of foreign military bases and that the arrangements proposed should be submitted to a review date in 5 years with free establishment and property rights in both sides guaranteed in any case when Turkey joins the EU; considers that, when Turkey joins the EU, the role of the guarantor countries should be taken over by the EU;
36. Points out that the accession to the EU of the Republic of Cyprus as it stands today will only deepen the divide between the two sides and will be considered by European public opinion as a missed opportunity whose consequences could turn out to be irreversible;
37. Calls on the Council and the Commission to make a full evaluation of the situation should

a divided Cyprus join the EU;

V. INTERNATIONAL SITUATION

MIDDLE EAST

38. Firmly condemns the extrajudicial killing of Sheik Ahmed Yassin carried out by Israeli security forces; stresses that this policy of the Israeli government to further escalate the conflict is contrary to the expectations of the Quartet and to the resumption of the Road Map and will only lead to fresh violence;
39. Points out that the different evaluation of such targeted assassinations between the EU and the US administration is further widening the gap between the two Atlantic shores and jeopardising an effective common approach to the region;
40. Takes note of the proposal of the Israeli Government to withdraw from Gaza but stresses that such an initiative can only take place within the framework of a global peace plan aimed at creating a viable Palestinian state in the Occupied Territories and preventing the resettlement of the settlers from the Gaza strip to the West Bank;
41. Is convinced that, without strong pressure on the two sides the Road Map will remain ineffective; calls, in this regard, on the Council and the Commission to put forward an initiative for the revision of the existing agreements with Israel and the Palestinian National Authorities so as to make them conditional on concrete steps forward on the way to a just peace;

IRAQ

42. Welcomes the Council's support for a new Security Council resolution endorsing a strong role for the UN in the political transition process in Iraq;
43. Insists, however, that all aspects of the transition should be placed under UN authority, notably by transforming the coalition forces into multinational military and police units under UN mandate, comprising strong Arabic contingents and working in close cooperation with the Iraqi people until speedy replacement by local forces;
44. Continues to believe that, in order to avoid the impression of a 'winners' justice', an international, UN-backed tribunal should be put into place in order to judge all mass crimes committed in Iraq between 1968 and 2003 and calls on the EU Member States to support a UN Security Council or General Assembly Resolution to this effect;
45. Welcomes the announcement by Kofi Annan of an inquiry into the functioning of the 'Oil for Food Programme' and calls in this context for an overall assessment of this instrument, not least in view of future UN embargoes and lessons to be learnt;
46. Calls on the Coalition Forces to publicly scrutinise allegations of torture of arrested persons in their custody as well as of media repression, notably against Arabic news agencies;

47. Calls on the Coalition countries to stop the state of impunity for their troops stationed in Iraq and calls for an independent and impartial investigation into all killings and injuries inflicted on civilians by Coalition forces and for the perpetrators of unlawful injuries and killings to be brought to justice;

AFGHANISTAN

48. Welcomes the initiative for a second Afghanistan conference starting on 31 March in Berlin;
49. Draws attention, in this connection, to the unhampered continuation of gross violations of the rights of women and girls, including physical abuse and murder, under-age marriage, and the exchange of girls to settle feuds, and appeals to the Afghan Government and international donors to develop a joint strategy to address the issue more effectively;

RUSSIA

50. Expects of the newly elected Duma and re-elected President Putin a strong initiative so as to find a political solution to the Chechnyan conflict involving all the components of Chechnyan society;
51. Calls, in this respect, for an active involvement of the United Nations so as to broker a peace plan;
52. Calls on the Irish Presidency to raise this matter firmly at the upcoming EU/Russia summit on 21 May, pointing out that a strategic partnership can only be built on shared common values;

VI. OTHER BUSINESS

FINANCIAL PERSPECTIVES

53. Welcomes the Council's intention to reach early agreement with Parliament on the new financial perspectives; is of the opinion that enlargement and the fulfilment of the Lisbon and Göteborg agenda cannot be achieved at no cost, as some Member States are proposing;
54. Instructs its President to forward this resolution to the Council, the Commission, and the governments and parliaments of the current and future Member States.