

# EUROPEAN PARLIAMENT

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## **MOTION FOR A RESOLUTION**

to wind up the debate on the statement by the Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Hartmut Nassauer and Joseph Daul

on behalf of the PPE-DE Group

on the Commission Legislative and Work Programme 2008

**B6-0500/2007**

**European Parliament resolution on the Commission Legislative and Work Programme 2008**

*The European Parliament,*

- having regard to the Framework Agreement of 26 May 2005 on relations between the European Parliament and the Commission and to the 'structured dialogue' established in that framework,
  - having regard to the Commission communication of 21 February 2007 on the 2008 Annual Policy Strategy (COM(2007)65),
  - having regard to the European Parliament's resolution of 24 April 2007 on the Annual Policy Strategy,
  - having regard to the contribution by the Conference of Committee Chairmen of 4 September 2007 to the Commission's Legislative and Work Programme for 2008,
  - having regard to the Commission communication of 23 October 2007 on its Legislative and Work Programme 2008 (COM (2007)640),
  - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas in 2008 it will be crucial for the Reform Treaty to be ratified so that it can enter into force before the elections to the European Parliament,
- B. whereas political priorities should be matched with available financial resources,
1. Welcomes the general approach of the Commission's Legislative and Work Programme 2008 and underlines the relevance of its political priorities, especially the emphasis placed on the stimulation of growth and jobs and the completion of the internal market, which will help to achieve the Lisbon goals;
  2. Welcomes the fact that the Commission has included many of the contributions made by the committees of the European Parliament in the framework of the 'structured dialogue'; calls for the involvement of political groups at earlier stages;
  3. Welcomes the fact that the first months of 2009 are also covered, but suggests that future programmes cover the subsequent two years instead of only 18 months;
  4. Regrets that the clarity of the Legislative and Work Programme suffers from the fact that it does not indicate any timing for the Commission's initiatives; calls on the Commission to give an indicative timetable (in terms of six-month periods in 2009 and 2010) in its LWP 2009;
  5. Regrets that there is still a lack of interaction between the Legislative and Work

Programme and the budget procedure;

6. Notes that the Legislative and Work Programme 2008 provides for 79 legislative and 69 non-legislative initiatives for 2008;

### **Moving Closer to the Citizen**

#### **The Reform Treaty**

7. Welcomes the Commission's commitment to supporting the ratification of the Reform Treaty;
8. Believes that the objectives and reforms enshrined in this treaty are essential for the sound functioning and future development of the Union and will render the EU more democratic and bring it closer to the citizen;

#### **Better Regulation and Cutting Red Tape**

9. Regrets that many citizens and SMEs still associate the EU with over-regulation;
10. Welcomes therefore the Commission's determination to reach the goal of a 25% reduction of administrative burdens on businesses originating at EU and Member State level by 2012; regards this as a key priority for the coming months and as an essential contribution to reaching the Lisbon targets; underlines that it will examine legislative proposals in this light;
11. Despite this firm commitment by the Commission, notes a number of overly detailed and unnecessarily complex legislative proposals in recent months; is concerned that they would result in excessive administrative burdens and be difficult to implement; regrets that this will worsen further the reputation of the European Union in the eyes of citizens and in particular SMEs; demands that legislative proposals be drafted in a clearer way and be able to achieve agreed policy goals more efficiently;
12. Regards the list of pending proposals to be withdrawn as insufficient, as most of these proposals are in any case obsolete;

#### **A New Culture of Subsidiarity**

13. Calls on the Commission and the Council, in the light of the new instruments offered by the Reform Treaty – for example to national Parliaments – to work on a new culture of subsidiarity;
14. Underlines that the principle of subsidiarity as currently enshrined in the EC Treaty clearly states that in areas which do not fall within its exclusive competence, the Community is entitled to act only in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States;
15. Underlines as a consequence of this principle that a situation in which Member States have the competence and are in a position to act but choose not to do so has to be respected and does not establish a competence of the EU;

16. Stresses, however, that where the EU has a clear competence and does legislate it should insist on the proper implementation and enforcement of these rules in the face of protective attitudes by Member States; fully supports the Commission in its firm commitment in this respect as guardian of the Treaties;

### **Growth and Jobs**

17. Regards the creation of a business-friendly environment, particularly for SMEs, as a priority in 2008; supports the Commission's commitment in this respect;

18. Recalls that the creation of a more dynamic economy characterised by innovation, a spirit of entrepreneurship and flexibility is a prerequisite to secure the social models in Member States;

### **Internal Market and Consumer Protection**

19. Underlines the importance of the transposition and implementation of the internal market *acquis*; encourages the Commission to take the necessary legal and political action to ensure the timely and consistent implementation of internal market legislation;

20. Calls on the Commission to place particular emphasis on the timely and coherent implementation of the Services Directive, and in particular to implement effective Points of Single Contact to promote access to the Single Market;

21. Urges improvement in the effectiveness of rules on public procurement; supports the Commission's intention to clarify legal questions related to public procurement;

22. Welcomes the Commission's intention to reform the consumer *acquis*; believes that the codification of consumer protection rules and practices at EU level and ensuring uniform enforcement of these rules should create a coherent and common environment guaranteeing protection of consumer rights throughout the EU; stresses, however, that this process should not lead to the creation of new barriers to free movement in the internal market, and notes the potential value of an internal market clause in achieving this objective;

### **Business Environment**

23. Strongly welcomes the Commission's announcement of a legislative proposal on the European Private Company; calls for this proposal to be presented early in 2008;

24. Stresses the significance of the Common Frame of Reference for European Contract Law; underlines the necessity for close cooperation between the European Parliament, the Council and the Commission on this essential project;

25. Regrets that the Commission does not intend to proceed with the legislative proposal regarding the Fourteenth Company Law Directive (transfer of registered office), while stressing that this long-awaited directive would fill a gap in the internal market for companies; states that in the continuing absence of a proposal from the Commission, the European Parliament will use its powers under Article 192 to come forward with a

legislative initiative;

26. Whilst generally supporting the move to simplification, expresses its concern about simplification of legislation in certain areas of harmonised law, such as company law; questions the impact and benefits of eliminating the Mergers Directive in this respect;
27. Regrets the fact that although Parliament decided to draw up a legislative proposal on the transparency of investors, there is no such proposal included in the work programme;

### **Research and Innovation**

28. Regards the swift implementation of the 7th Research Framework Programme as the most important contribution the EU can make to research and development in the coming months; will closely follow in particular the application of the procedural rules to ensure that Parliament's requests are fully met;
29. Reaffirms that it will closely monitor the implementation of the Competitiveness and Innovation Programme;
30. Confirms its willingness to achieve a sensible design for a European Institute of Technology (EIT) to ensure that this project is able to add real value;
31. Reiterates its clear view that this project must not negatively affect the functioning or financing of the Research Framework Programme, the Competitiveness and Innovation Programme or the Life-Long Learning Programme;
32. Recalls the importance of Galileo as a key project of the European Union, leading to promising developments in services in sectors such as transport, telecommunications, agriculture and fisheries;
33. Points out that the financing of Galileo and the EIT has yet to be resolved by the two arms of the budgetary authority by a revision of the Multiannual Financial Framework in accordance with the Interinstitutional Agreement (IIA) and in particular Part C and Point 47 thereof; welcomes the Commission's proposals in this respect;

### **Intellectual Property**

34. Underlines the need for an adequate level of protection of intellectual property rights and supports the initiative towards an affordable, secure and efficient patent system which would give incentives for investment and research efforts; urges all three institutions to work together towards a political consensus on a real improvement of the patent system;

### **Mobility of Researchers, Teachers, Students and Workers**

35. Points out the essential role played by the Bologna Process and stresses that support for the mobility of researchers, teachers, students and workers requires a horizontal approach;
36. Demands that particular attention be paid and concrete progress be made as regards the mutual recognition of diplomas and professional experience;

## **Telecommunication**

37. Regards the revision of the 'telecoms package' as a key priority in the coming year;
38. Takes the view that existing regulation has resulted in functioning competitive markets in many areas; therefore suggests that such markets be deregulated;
39. Underlines that in other new markets regulation might be necessary to ensure functioning competition;

## **Energy**

40. Welcomes the Commission's commitment to full liberalisation and the creation of a real internal market in energy; emphasises the relevance of cross-border trade to the creation of a true European market;
41. Takes the view that the revision of the EU regulatory framework must not lead to a centralised approach or to over-regulation;

## **Economic and Monetary Union**

42. Calls on the Commission to give Parliament the necessary time to deliver its opinion on future enlargements of the euro zone;
43. Regrets that the Commission is not intending to propose an initiative regarding the creation of a Common Consolidated Corporate Tax Base, which would increase competition between Member States as far as attracting investment is concerned; at the same time insists on Member States' sole responsibility for setting tax rates, therefore excluding any harmonisation of corporate tax rates;
44. Attributes particular importance to the comitology procedures in the field of financial services (the Lamfalussy procedure), which deserve the greatest attention as a number of important measures are undergoing fine-tuning at the different levels foreseen by these procedures; takes the view that the correct application of the framework is essential for the smooth functioning of the financial system and in order to avoid financial crises;

## **Social Solidarity and Equal Opportunities**

45. Stresses the importance of further efforts to support and encourage adult learning in connection with flexibility in the labour market and to meet the development needs of SMEs (for example, converting businesses into new, more knowledge-based enterprises);
46. Considers that the Working Time Directive should be rethought in the light of flexibility and flexicurity;
47. Deplores the Commission's intention to suggest a directive implementing the principle of equal treatment outside employment; underlines that the principle of subsidiarity must be fully respected in this area;

## **Culture and Sport**

48. Reiterates Parliament's firm conviction that cultural diversity and Europe's heritage must be preserved and developed;
49. Underlines the socio-cultural and educational role of sport for society; calls upon the Commission and Member States to intensify their measures against doping and to continue their support for sport as a means of fighting obesity;

## **A Sustainable Europe**

50. Emphasises that climate change remains a major and pressing global challenge, the consequences of which might threaten international peace and security;
51. Takes the view that the EU should maintain its leadership in the fight against climate change and strive for an ambitious international post-2012 climate agreement which involves China, India and the United States;
52. Welcomes the Commission's commitment to find a political agreement on the 'burden-sharing' required to achieve a 20% reduction in greenhouse gases by 2020 compared to 1990; underlines that these negotiations must be concluded at the earliest possible opportunity and calls on the Member States to take the action necessary to achieve this;

## **Sustainable Energy**

53. Shares the Commission's view that as regards renewable energy the question of burden-sharing, and its implementation in practice, is the key issue now; underlines the important contribution that can be made by sustainable biofuels in this respect;
54. Strongly recommends reinforced efforts to ensure that the EU remains the world leader in energy technologies and points to the great economic potential this promises;
55. Strongly advocates reinforced efforts by the EU and its Member States and regions to support CO<sub>2</sub>-free energy sources; underlines in this respect the important contribution nuclear energy can make to the reduction in greenhouse gases so urgently needed;
56. Welcomes the creation of the Nuclear Energy Forum and confirms its strong interest in participating actively in this important institution;

## **Transport**

57. Underlines the necessity to strengthen the rights of passengers, in particular long-distance coach passengers;
58. Welcomes the Commission's plan to publish a 'Green Transport Package', bearing in mind that sustainable mobility across the EU must be ensured in accordance with the fight against climate change;
59. Takes the view that in the financing of the TEN-T particular emphasis needs to be placed on the cross-border sections and places where congestion problems are significant in order

to guarantee accessibility in the framework of the EU; considers that TEN-T projects need to be selected according to their financial feasibility and in particular according to the financial willingness of the Member States concerned and their regions;

### **Agriculture and Fisheries Policy**

60. Notes the Commission's confirmation in the LWP 2008 that legislative measures will be proposed as part of the CAP 'Health Check' but stresses that their precise nature should not be defined until such time as Parliament, the Commission and the Council have concluded a thorough debate on the Commission's initial 'Health Check' Communication;
61. Calls on the Commission to ensure that agricultural imports from third countries are of the same standard as expected of EU producers in terms of food safety, animal health, plant health and animal welfare;
62. Welcomes the Commission's intention to publish a Green Paper on Agricultural Product Quality with a view to meeting consumer demands better and adding value to agricultural production;
63. Believes that the Common Fisheries Policy should (a) solve problems relating to discards and by-catches; (b) entitle the sector to introduce technical or trade measures acceptable to those working in the industry; (c) define specific proposals on the implications and the detailed rules of the MSY (Maximum Sustainable Yield) model;
64. Calls on the Commission to propose concrete legislative proposals on the eco-labelling scheme and to put forward, within the shortest possible period, a proposal for simplification of Regulation (EC) No 850/98 on technical measures in the fisheries sector;

### **Regional and Cohesion Policy**

65. Strongly supports the Commission's initiative to present a Green Paper on European territorial cohesion, as requested by the European Parliament; believes that the concept of territorial cohesion, which was recently endorsed by the Lisbon Treaty, will be central to the development of this Community policy;
66. Deplores the lack of progress in the Council in the adoption of the regulation on the new solidarity fund;
67. Regrets that two important non-legislative documents that concern regional policy – the Fifth Progress Report on Economic and Social Cohesion and the Communication on the new programmes 2007-2013 – are not included in the LWP 2008; urges, however, the Commission to proceed with the preparation of these documents;
68. Stresses the importance of the mid-term review of the EU budget, which is expected to directly affect regional policy as the largest budgetary item; believes that this mid-term review should be less about numbers and more about forward-looking policy reform;

### **Health**

69. Urges the Commission to adapt existing and forthcoming legislation to principles and



practices established by REACH;

70. Calls on the Commission to ensure that patient safety and a manageable system of patient mobility are in line with the European Court of Justice's decisions; calls on the Commission to intensify its efforts to work out a coherent policy with regard to emergencies in the health sector, people with disabilities or chronic illnesses and information to patients;
71. Recalls that the counterfeiting of drugs is a major health danger and an urgent problem of European concern, but should be treated as part of a general fight against counterfeit products;
72. Expects further initiatives to follow up the Green Paper on mental health;
73. Urges the Commission to closely monitor the threat constituted by the flu pandemic, as the European Union must be sufficiently prepared for a flu pandemic;
74. Calls on the Commission to take into account the challenges resulting from the aging of the population and from neurodegenerative illnesses (Alzheimer's) in order to improve the care of patients and to continue the support for research;

#### **Civil Protection**

75. Calls on the Commission to mobilise the current EU Solidarity Fund in the most flexible manner and without any delay; considers in this respect that the necessary resources need to be made available immediately for the purpose of relieving suffering;
76. Suggests the creation of a European force that could immediately react in emergencies, as proposed in the Barnier report; asks the Commission to formulate a concrete proposal to this end;

#### **Internal Security**

##### **Immigration**

77. Emphasises that a common European approach to immigration is a key priority for the European Parliament;
78. Recalls that parts of the *acquis* need to be reviewed as a matter of urgency, for example the Dublin II Regulation;
79. Stresses with regard to integration that the key question is the division of responsibilities between Member States and the EU;
80. Calls for the concept of circular migration to be explored further, with principles set out on how and to what extent to grant access to the labour market for legal immigrants; recalls the importance of close cooperation in this respect with countries of origin and transit;

## **Schengen**

81. Recalls that the year 2008 will be very important for the implementation of the Schengen *acquis* and its expansion to the new EU Member States; stresses that rigorous measures must be taken to ensure the smooth functioning of the system and the integrity of the EU's external borders;

## **Fight against Terrorism**

82. Calls for greater operational cooperation at European level in the fight against terrorism and, where appropriate, for an increase in the involvement of the EP; takes the view that the establishment of an EU PNR system with safeguards for data protection should be considered;

83. Calls for better cooperation between national and EU institutions responsible for internal security and in particular for the fight against jihadist terrorism; reiterates that the problem of radicalisation among Muslims in EU Member States needs to be addressed;

## **Europe as a World Partner**

84. Considers that the EU's role in promoting respect for human rights, democracy and good governance must be regarded as an integral part of all EU policies and programmes;

85. Considers the transatlantic link to be fundamental for both the promotion of shared values and the defence of common interests;

86. Demands that the importance given to the EU's Neighbourhood Policy (ENP) and its relations with Africa, Asia and Latin America be better reflected in the budget;

## **European Neighbourhood**

87. Recalls that the ENP requires more adequate financing to enable the ENPI also to promote democracy and human rights in the countries concerned;

88. Regards the Western Balkans as a priority area and welcomes the clear importance attributed in the LWP 2008 to the future of Kosovo;

## **The Wider World**

89. With regard to the Middle East, takes the view that – apart from providing funds for economic survival and reconstruction, notably in Lebanon and Palestine – the EU should continue to support political initiatives, including those taken by the Quartet;

90. Considers that the EU's political commitment to Afghanistan and to assisting it in building strong State institutions, disarming militias and fighting the cultivation of and trafficking in drugs also requires adequate and sustained funding;

91. Considers that a development cooperation policy with Iraq may now be envisaged;

92. Believes that further steps towards a common external energy policy should be taken to

ensure access to sustainable, secure and competitive energy for all Member States; takes the view that a solidarity mechanism should be found to assist those Member States which experience threats to their security of supply for political reasons;

93. Considers that concrete action is necessary to support the African Union, the Pan-African Parliament and the African Standby Force;
94. Calls for a new legal basis for 'non-development' cooperation to be proposed as a matter of urgency;
95. Underlines the importance of the multilateral WTO Doha Round as an important parameter in bolstering worldwide economic growth and employment and as an effective contribution to the integration of developing countries into the world economy; urges the Commission and the EU's main trading partners to do their utmost to conclude these negotiations successfully as soon as possible;
96. Takes note of the interim agreements proposed by the Commission regarding the Economic Partnership Agreements (EPAs); urges the Commission however to continue the negotiations on full EPAs with all the regional partners as soon as possible;
97. Regards the fight against social dumping and promotion of compliance with social legislation as a priority in 2008;

### **Horizontal Issues**

#### **Impact Assessments**

98. Insists on independent assessments of the consequences of legislation; considers that they must be systematically carried out in the context of legislative procedures and also in the process of simplifying legislation;

#### **Commitology**

99. Insists on the proper implementation of the new commitology procedure and the safeguarding of Parliament's rights in this respect;

#### **EU Agencies**

100. Stresses the European Parliament's right to be informed and to have the possibility to evaluate the work done by the different agencies; views critically the increasing number of agencies over recent years; recalls that the prior agreement of the budgetary authority is required before any new agency or other body is created (Article 47 of the Interinstitutional Agreement on budgetary discipline and sound financial management);

#### **Budgetary Responsibility**

101. Calls on the Commission to reinforce the notion of value for money and optimising the use of its limited resources; □
102. Awaits with interest the results of the consultation process initiated by the Commission

on 'Reforming the Budget, Changing Europe' (SEC(2007)1188); demands the full association of Parliament with the review both of EU spending and of the EU own resources system as foreseen by Declaration No 3 on the Review of the Financial Framework of the IIA (Interinstitutional Agreement on budgetary discipline and sound financial management);

103. Expresses concern about the shift of resources from operational programmes to administrative expenses as a result of the creation of executive agencies; expects the Commission to fulfil its obligations laid down in the 'Code of Conduct on the Setting Up of an Executive Agency' and considers it necessary to provide a comprehensive cost-benefit analysis as part of a proposal to create a new executive agency or to expand one already in existence; □
104. Highlights the importance of the outcome of the screening exercise carried out by the Commission on its staff and the importance of continuing this process in order to achieve the best allocation of human resources to political priorities;

### **Budgetary Control**

105. Regrets that important initiatives are missing such as:
- further action to achieve a Positive Statement of Assurance by the ECA,
  - measures related to good governance and to improvement of the governance and accountability structure within the Commission,
  - a decision on guidelines for the use of the Structural Funds, as promised by the Commission,
  - proposals to improve the weak use of budget lines especially in the new Member States, and
  - further information on the financing of NGOs;
106. Urges the Commission to improve the protection of the Community's financial interests by considering administrative, technical and legal ways of detecting and preventing the misappropriation of Community funds and prosecuting those responsible;
107. Instructs its President to forward this resolution to the Council, the Commission and the Parliaments of the Member States.