

EUROPEAN PARLIAMENT

2004



2009

Session document

17.9.2008

B6-0438/2008

MOTION FOR A RESOLUTION

pursuant to Rule 33 of the Rules of Procedure

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on behalf of the GUE/NGL Group

on the Commission's Legislative and Work Programme for 2009

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Motion for a European Parliament resolution on the Commission's Legislative and Work Programme for 2009

The European Parliament,

- having regard to Rule 33 of its Rules of Procedure,
- A. whereas the EU is facing vital challenges: social challenge, the global financial and food crisis, climate change, the militarisation of international relations and a major democratic deficit,
- B. whereas the EU has so far proved to be unable to find solutions to these problems that are of benefit to the citizens of Europe; whereas the EU's neoliberal policies, the democratic deficit and non-transparent procedures have led to mistrust among citizens and a serious crisis of legitimacy for the current European institutions,
- C. whereas the opposition and resistance of workers, consumers and public-service users all over Europe to unfair social security reforms, income cuts, privatisation, the liberalisation of services of general interest and company relocations promoted by current EU policy are growing stronger,
- D. whereas concern about and resistance to the role of the EU and its Member States in crisis regions such as Iraq and Afghanistan is growing; whereas European citizens do not want a militarisation of international relations,
- E. whereas the people of Ireland rejected the Treaty of Lisbon in the only referendum held on it in the European Union,
- F. whereas 2009 will see not only the holding of elections to the European Parliament, but also a new Commission starting work,

General

1. Expresses its deep concern at the fact that the current Commission and other European institutions did not learn the lessons from the outcome of the referenda on the Draft Constitutional Treaty in France and the Netherlands and the rejection of the Treaty of Lisbon in Ireland, which clearly reflected the resistance of the citizens of Europe to the neoliberal policies and militarisation of the European Union; considers that failure by the European institutions to meet the aspirations of European citizens will result in a dramatic deepening of the crisis of legitimacy of the EU;
2. Calls on the Commission to immediately stop the work in progress and not to undertake new initiatives aimed at continuing a policy of unfair social security reforms, income cuts, privatisation and liberalisation of services of general interest, and company relocations;
3. Insists that the ratification process be brought to a halt and that the treaties be overhauled

in order to open the way to a Social Europe; underlines the need to ensure the primacy of social rights over the freedoms of the internal market;

Growth and Jobs

4. Calls, as a first step, for a ‘Social Progress Clause’ to be introduced as a binding Protocol to the existing Treaties with the aim of clarifying:
 - that the Treaty may not be interpreted as affecting in any way the exercise of fundamental rights as recognised in Member States, including the right to strike and to collective action at national level and also to cross-border strikes and collective action;
 - that these rights also include the right or freedom to take other actions covered by specific industrial relations systems in Member States, including actions aimed at initiating the conclusion of collective agreements going beyond minimum wages and minimum standards;
 - that the Treaty may not be interpreted as affecting in any way industrial relations and collective bargaining systems as recognised in Member States;
 - that the Treaty may not be interpreted as affecting in any way the competence of Member States to adopt social policy legislation that provides for higher standards and requirements applicable to all persons working in a country than those laid down in EU directives stipulating minimum standards;
 - that wherever these rights as cited above and Member States' social policy competencies or industrial relations systems might clash with internal market regulations or the 'fundamental freedoms' of the internal market, the former (fundamental rights, etc.) must prevail over the latter;

Fight against unemployment, poverty, social exclusion and income inequalities

5. Draws attention to the persistence of high levels of unemployment, poverty, social exclusion and income inequality in the EU; insists that the fight against income inequalities and the promotion of real convergence should be at the top of the EU's economic and social agenda; calls on the Commission to reorient its policy in this direction;
6. Considers that the European Employment Strategy needs to take the concept of ‘Good Work’ as its central reference point, with a strong focus on promoting quality in work, improving social security, enhancing existing workers' rights and introducing new rights, promoting better social risk management and a better work-life balance;
7. Emphasises the core requirements as regards revision of the European Works Council Directive: an improved definition of ‘information’ and ‘consultation’ (written and detailed information, including on strategic questions provided in good time) and of ‘transnational’ matters, the lowering of thresholds for establishing EWCs, recognition of the role played by and the rights of trade unions, improved working conditions for EWCs; effective, proportionate and dissuasive penalties for companies flouting the provisions of

the Directive, and the establishment of a right of EWCs to veto management plans for restructuring, mergers and take-overs or layoffs, postponing any final decisions until the EWC has been able to propose alternative solutions and these have been consulted in detail by the EWC and management;

8. Proposes that the collective and individual rights of workers be reinforced by evaluating and revising the directives on collective redundancies (75/129/EEC, amended by Directive 92/56/EEC), transfers of undertakings (77/187/EEC) and insolvency (80/987/EEC), in order to strengthen workers' rights with regard to industrial change; proposes a directive establishing high minimum standards of protection against unwarranted individual dismissal;

Health issues

9. Strongly criticises the Commission proposal for a directive on the application of patients' rights in cross-border healthcare; points out that this proposal is based on an internal market approach and mainly aims at enabling wealthier and better educated people to go shopping for cheaper healthcare abroad; highlights that the proposal is undermining equality in health care systems, as reimbursements for patients from poorer Member States will not allow them to cover treatment costs for high-quality health care in richer Member States;
10. Considers that, in the field of health and safety at work, a new 'Ergonomics Directive' is urgently needed to address issues such as the prevention of repetitive strain injuries and musculoskeletal disorders (MSDs); suggests that the Commission consider the option of transforming the EU recommendation concerning occupational diseases (2003/670) into a minimum directive;
11. Calls upon the Commission to respond by June 2009 at the latest to two essential objectives which the Commission set in 2004, namely after the Janecek Judgement (Case C-237/07) to make members of the general public aware of environmental pollution and the impact thereof on their health, and to reconsider and adapt European risk-reduction policy;

Monetary and fiscal policies

12. Stresses that the whole finance system in its neo-liberal shape has proved to be economically unstable and inefficient and harmful for equality, general welfare and democracy; underlines that stability requires better supervisory cooperation, including globally, which logically requires a comprehensive revision of current EU supervisory arrangements;
13. Considers that monetary and fiscal policies in the EU have had a negative impact on economic and employment growth; draws attention to the need for a monetary policy which helps to strengthen sustainable growth and fight unemployment; calls for the revocation of the Stability and Growth Pact to this end; calls for a reorientation of the mission of the European Central Bank towards sustainable growth and employment; supports the idea of differentiated interest rates – very low for investments in

employment and education and high for speculative projects;

14. Notes that tax competition and fraud have serious consequences for national budgets, lead to violations of the principle of fair taxation and are liable to bring about distortions of competition; stresses that fundamental changes to the current VAT system are necessary; deeply deplores that the Council has failed to make progress in this matter;
15. Points out that policies that are solely competitiveness-centred will continue to exacerbate regional and social disparities; reasserts Parliament's demand for an evaluation of the earmarking system;
16. Stresses the fact that citizens call for protection from the aggressiveness of the market and high prices in basic goods, through governmental measures against price speculation; stresses the need to reintroduce controls and checks on the prices of basic goods;

Transport

17. Asks the Commission to defend and promote the extension of public service obligations in all modes of transport, where the top priority must be safety and compliance with equitable social standards rather than private financial profit which may pose a threat to both the reliability and the security of transport services;
18. Stresses that the major challenge is how to achieve safety and security in all modes of transport, in particular in the aviation sector, where additional financial measures should be taken to improve checks and assess the compliance of air carriers not only with safety standards but also with social legislation as a key issue for transport workers and passengers alike;
19. Considers that infrastructure and vehicle maintenance, workers' training, rest period requirements and equitable social conditions and wages are key issues contributing to greater safety and security in transport and that the Commission should therefore promote an action plan including the improvement of all these factors;
20. Considers that the Commission should, as part of an overall framework of internalisation of external costs, provide financial support for more sustainable and environmentally friendly modes of transport: considers, therefore, that Eurovignette revised measures should be compulsory rather than optional for Member States, bearing in mind that the forthcoming ratification and implementation of the Alpine Convention will make it possible to complement Member States' adaptation efforts with additional measures in climate sensitive areas;

Energy

21. Requests that in pursuit of climate change mitigation the EU goals should be revised so that they exclude the windfall profits of the big European energy giants due to the price formation system of electricity;
22. Notes the built-in problem in the Emission Trading Scheme arising from the speculative

elements in auction bidding, secondary markets in the energy exchanges and electricity price formation in the wholesale market; requests that the Commission propose a detailed plan on how to restrict the unhealthy speculation effects on the consumer price of electricity;

23. Requests that the Commission put forward the detailed plan concerning CCS demonstration plan subsidies;
24. Calls on the Commission to speed up work on establishing sustainable criteria for biofuel raw materials;
25. Calls on the Commission to propose a new directive with a view to resolving the nuclear waste disposal issue on the basis of the conclusions of the High-Level Working Group;

Agriculture

26. Questions the implementation of the agreement on the Common Agricultural Policy (CAP) 'Health Check' because it continues the method of 'decoupling' subsidies from production, maintains the unfair distribution of subsidies between producers as well as between countries, promotes the model of 'intensive agriculture' with negative effects for the quality of food; deplores that the Commission does not put forward proposals on how to solve the problems of small and medium-sized farmers, whose survival is at stake under the new CAP conditions;
27. Calls on the Commission to take its responsibilities concerning food safety by informing European citizens about the presence of genetically modified organisms in consumer products; calls for the withdrawal of the GMO species already introduced by some Member States; points out the potential health risks of GMO food and calls for more research into these risks; asks that the precautionary principle always be applied to GMO foods;

Fisheries

28. Stresses the socio-economic importance of fishing activity and the need to ensure the sustainability of fishery resources; underlines the current lack of balance between the socio-economic situation and environmental sustainability; calls for the implementation of a mechanism for subsidising or compensating fishermen affected by stock recovery plans or other measures to provide increased protection for ecosystems, especially in less favoured regions;
29. Notes the Commission's intention to present a proposal for a revision of the Common Market Organisation in fishery products; stresses the need for an ambitious review of this market organisation in order to improve the marketing of fish and fish products and boost their added value;
30. Asks the Commission to recognise the specific nature of small-scale inshore fishing and artisanal fishing in the CFP and to submit a proposal for the creation of a Community support programme for small-scale inshore fishing and artisanal fishing, which would

help to coordinate actions and channel funding from other existing instruments to deal with the specific problems facing this segment of the industry, including measures to cope with the increase in fuel (petrol and diesel) prices;

Climate Change and Sustainable Development

31. Reaffirms that reaching an agreement on the energy/climate package on time is of vital importance for the EU's credibility and continued leadership in the context of the international climate negotiations so as to secure an ambitious post-2012 agreement on climate change in Copenhagen in 2009, and asks the Commission to devise possible approaches for the post-2012 period as a matter of urgency;
32. Stresses that failure to properly implement Community environmental legislation has an adverse effect not only on the environment but also on public health and points out that the Commission needs to make the implementation of the current EU environment legislation a key priority;
33. Considers that the progress in implementing the Biodiversity Action Plan to halt biodiversity loss in Europe by 2010 is very slow and that the negative social and economic impacts of biodiversity loss and declining ecosystem services are already being felt; asks the Commission, therefore, to promote the implementation of the Biodiversity Action Plan and the protection of ecosystems and its water, soil and biodiversity components as the foundation for an EU adaptation strategy;
34. Considers that the monitoring of the European Sustainable Development Strategy must be improved, and asks the Commission to draw up adaptation indicators for each key issue relating to the environment (climate/energy, environment/health, sustainable mobility, natural resources) which will help to identify urgently needed policies and measures that will contribute to tackling climate change; asks the Commission, therefore, to include adaptation when drawing up and modifying existing and all forthcoming legislation so as to limit the effects of climate change;
35. Stresses that water scarcity and droughts in Europe are one of the core issues that must be tackled when adapting to climate change; asks the Commission, therefore, to draft a legislative proposal in which the right to free access to water is granted as a common good and which includes measures on sustainable land use planning, water and drought management;

Justice and Home Affairs

36. Asks for the opening-up of channels for legal migration for all categories, not only for high-skilled migrants (so called 'blue card' proposal); in this connection, urges that the long-expected proposal on seasonal workers be submitted with due haste and encourages the presentation of a wider horizontal proposal;
37. Asks for the presentation of a specific directive creating a common set of rights for all migrants; is convinced that it should contain all the provisions of the International Convention on the Protection of the Rights of all Migrant Workers and Members of their

Families, adopted by the UN General Assembly on 18 December 1990;

38. Opposes the idea of a single permit for third-country nationals to reside and work in the territory of a Member State, as proposed in the 2007 draft directive because it gives the possibility to enter the EU only to migrants already having a job contract; calls, therefore, for specific residence permits designed to facilitate the search for work;
39. Urges a revision of the Frontex mandate in order to focus on rescuing migrants at sea and to explicitly prohibit 'refoulement' at borders; considers that no increase should be allocated to the Agency until its mandate is reformed;
40. Strongly questions the establishment of a European border surveillance system 'Eurosur' and the need for the suggested extension of the use of biometric identifiers to tighten checks at the EU's external borders via the proposed 'entry-exit system';
41. Regrets the addition of granting designated Member States' authorities and Europol indirect access to the Visa Information System (VIS) and recalls the urgent need for the third pillar data protection framework decision to enter into force;

Europe as a world partner

42. Strongly criticises the Commission for the lack of transparency of its decisions and actions as far as the 'upgrading of bilateral relations with certain countries of the neighbourhood' is concerned; insists that matters like upgrading an existing relationship should be clearly subject to detailed parliamentary scrutiny and consent;
43. Reiterates that the upgrading of EU-Israel relations should be consistent with and linked to Israel's abidance by its international obligations under international law, in particular human rights and humanitarian law, and the end of the occupation;
44. Expresses deep concern at the competition between the EU and Russia in the common neighbourhood; rejects the strategy of confrontation – the extension of NATO, the installation of an anti-missile shield and other provocative actions – in this sensitive region; rejects any concept aimed at creating spheres of influence in the neighbourhood or other parts of the world; underlines that relations between the EU and its neighbours should be based on respect for the sovereignty and territorial integrity of all states;
45. Calls on the Commission to revise the neighbourhood strategy with a view to establishing relations with all EU neighbours on the basis of equality, mutual advantage and respect for the right of self-determination;
46. Supports the development of the 'Barcelona Process: Union for the Mediterranean' as a consolidation of the Euro-Mediterranean area, based on democratic principles and the respect for the rule of law, which should lead to a strong partnership; underlines that such a partnership calls for a development agenda for the countries in the south of the Mediterranean instead of a free trade strategy, a policy of rapprochement between people and not the shooting of immigrants and an active search for a just solution to the Palestinian problem instead of the continuation of a policy of impunity vis-à-vis Israel;

shares the view on the need for a re-invigorated Barcelona Process, which should remain the central element of the EU cooperation with the Mediterranean region; considers the Barcelona Declaration, its objectives and areas of cooperation as the core of these relations;

47. Calls on the Commission and the Council not to promote the liberalisation of the markets of Mediterranean countries but to base financial relations on fair trade and a genuine approach that strengthens the relations of both sides, motivating local populations and promoting development that is not dependent solely on foreign investments; calls on the Commission and the Council to ensure that the Euro-Mediterranean Parliamentary Assembly (EMPA) becomes an integral part of the institutional framework of the Barcelona Process: Union for the Mediterranean, as its parliamentary dimension;
48. Deeply deplores the recognition by EU Member States of Kosovo's unilateral declaration of independence from Serbia, which proved to be a dangerous precedent for other regions of conflict, as the developments in Abkhazia and South Ossetia have shown; reiterates its concern at the EULEX Mission in Kosovo, which is taking place without the consent of the UN Security Council; insists that all EU actions in Kosovo must be in full compliance with UN Security Council Resolution 1244; asks the Commission in this context to review the financing of the EULEX Mission and stresses that any financing of projects in Kosovo should be in full compliance with international law and EC legislation;
49. Is worried about the lack of parliamentary scrutiny in the fields of CFSP and ESDP; demands the establishment of a parliamentary control mechanism for all types of expenditure in the field of CFSP and ESDP;
50. Criticises the fact that the Annual Policy Strategy contains no reference to the mid-term review of the RELEX instruments, which was agreed between the Commission and Parliament; calls on the Commission to associate the Parliament closely in the review of the Union's external assistance programmes;

Development

51. Deplores the fact that, in its legislative programme for 2009, the Commission does not pay adequate attention to development policy; regrets in particular that the EU's contribution to the achievement of the United Nations Millennium Development Goals is not even mentioned;
52. Is alarmed at the rapid global rise in prices for food commodities and the subsequent serious risk for food security; welcomes the creation of a special crisis facility; stresses, nevertheless, the need for an ambitious programme of sustainable food security, in terms of both the continuation of food aid and agricultural policy for developing countries;
53. Stresses that in 2009 the process of regional integration for EPA regions must remain an underlying principle of EPAs, and that these agreements must be consistent with, and contribute to, the strengthening of the ACP countries' own regional integration initiatives; criticises the Commission for threatening regional integration achievements in the conduct of the EPA negotiations and calls on the Commission to add to its 2009 work

programme administrative, technical and financial support for the regions;

54. Deplores the fact that there is no indication of how the Commission is planning to redress the situation of the serious decline in the contribution to ODA by the EU and its Member States, to ensure that Europe stays on track to reach the 0,7% GDI by 2015;
55. Urges the Commission to include in the APS 2009 the 'Aid for Trade' programme in order to address, in particular, the negative effects in terms of revenues from customs and duties and other levies for the ACP countries;

Implementation, management and better regulation

Budget

56. Considers that a clear and transparent presentation of the European Union's budget is an absolute necessity with regard to the need to communicate to European citizens on how EU money is spent;
57. Awaits the Commission's proposals for the budget review, covering all aspects of EU spending for 2009; underlines that Parliament must be fully associated in the budget review process; advocates the need to establish coherence between political priorities and budgetary priorities; calls on the Commission to elaborate in detail how it envisages financing new priorities without jeopardising old ones;
58. Strongly opposes any financing of EU military interventions from the EU budget; calls for the abolition of the British rebate, which is not justifiable in the current European Union;

Transparency

59. Calls for the application of the Green Paper on the European Transparency Initiative, as adopted by the Commission on 3 May 2006, and speedy progress concerning the final beneficiaries of Community funds and the register for interest representatives (lobbyists);
60. Reminds the Commission of its commitment, in the light of the proposed regulation amending Regulation (EC) No 1049/2001 regarding public access to documents of the EU institutions, to develop greater transparency and access to documents;

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