

# EUROPEAN PARLIAMENT

2004



2009

---

*Session document*

17.9.2008

B6-0447/2008

## **MOTION FOR A RESOLUTION**

pursuant to Rule 33 of the Rules of Procedure

by Eva Lichtenberger, Monica Frassoni and Daniel Cohn-Bendit

on behalf of the Verts/ALE Group

on the European Parliament's priorities for the Commission's Legislative and Work Programme for 2009

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

*The European Parliament,*

- having regard to the Commission Communication on the Annual Policy Strategy for 2009 (COM(2008) 72), adopted on 13 February 2008, and presented by the Commission and debated at Parliament's March 2008 part-session,
  - having regard to the summary report by the Conference of Committee Chairmen of 9 July 2008,
  - having regard to Rule 33 of its Rules of Procedure,
- A. whereas the Commission's Legislative and Work Programme for 2009 must be seen in the context of the elections to the European Parliament, the end of the current Commission's mandate and the appointment of a new Commission,
- B. whereas the policies intended to develop the EU into 'the most competitive knowledge society in the world' should be designed in such a way as to avoid doing harm to other overarching objectives that the EU strives for, in particular fighting climate change, becoming the most energy-efficient society in the world and helping achieve the Millennium Goals,
- C. whereas the Commission, through its right of initiative and as guardian of the Treaties, has a special role and obligation when proposing new policies and legislation to search for those instruments that are proportionate to and commensurate with the goals and bring about win-win situations, overcoming sometimes seemingly contradictory aims and interests,

**Climate change and sustainable Europe**

1. Welcomes the commitment to continued EU leadership in international negotiations and to matching this ambition with concrete measures within Europe; notes with concern, however, that regarding current proposals even the 30% target by 2020 is not compatible with scientific recommendations to limit climate change to +2°C if the level of allowed offsetting with external credits is maintained; calls for the Commission, therefore, to ensure during the negotiations on the climate package that ambition as agreed by European Council is stepped up, and that the package contributes to the international negotiations for a future climate agreement which is consistent with the +2°C objectives;
2. Insists that all EU ETS auction revenues must be used to address climate change, within Europe or in developing countries; is against proposals to use EU ETS allocation to subsidise particular technologies; considers that predictable carbon prices should be the

main instrument to drive technologies to the market;

3. Considers that the EU urgently needs to prepare EU-level financial capacity for commitments to be made under the future climate agreement, in particular as regards external emissions reductions and rewards for avoiding deforestation and degradation, as well as assistance to adaptation to climate change in developing countries; calls for the Commission to make proposals in line with the Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report's scientific findings and the financing needs identified in the framework of UN Framework Convention on Climate Change/Kyoto Protocol (UNFCCC/KP) preparations;
4. Is appalled, in the context of EU objectives on biodiversity protection and climate mitigation, at the delay in coming up with a proposal to ban the placing on the market of illegally logged timber products;
5. Calls for sustainable consumption policy to be strengthened through annual targets for the reduction of the use of natural resources within the EU;
6. Stresses the importance of ensuring full implementation of EU law, especially for achieving biodiversity, water and air quality targets; maintains that ensuring consistent implementation of EU environmental legislation must be allocated sufficient resources and must be carried out in a comprehensive manner with reinforced efforts in 2009;
7. Expects the strategy for Baltic Sea to contain effective measures to reduce pollution from diverse sources, including agriculture, without further delay; regards the planned gas pipeline in the Baltic Sea not compliant with sustainable development in this region;
8. Regrets that the Commission has not introduced proposals to include the maritime transport sector in EU emission reduction targets, and has not come forward with proposals to address the climate impact of NO<sub>x</sub> emissions from aviation; calls for such measures to be introduced without further delay;
9. Regrets the delay in the revision of the National Emission Ceilings (NEC) Directive and car CO<sub>2</sub> labelling;
10. Insists that the Energy Action Plan 2010-2014 should focus on energy efficiency and renewable energies, instead of promoting conventional energies and privileging certain technologies, such as Carbon Capture and Storage, that will not be able to fulfil the 2020 climate change objectives;
11. Agrees, as regards the Common Agricultural Policy, to the priorities comprising the consolidation and implementation of the initiatives started in 2008, in particular the single Common Market Organisations (CMO), the legislative proposals on the 'Health Check', the follow-up to the Green Paper on Quality and the expected effects of climate change on the agricultural sector; stresses that rising food prices, conservation and sustainable use of agricultural biodiversity, the school fruit scheme, the quality of agricultural products, less favoured areas, most deprived persons - food aid, the WTO, qualified market access and

fair trade conditions - social and ecological trading standards - in free trade arrangements are other areas that need particular attention in 2009;

12. Points out that, currently, foods derived from cloned animals can enter the European market totally uncontrolled; calls, therefore, on the Commission to bring forward a proposal for a regulation on foods derived from cloned animals and their descendants to be adopted under the codecision procedure, as requested by Parliament at its September I part-session; takes the view that, pending the entry into force of such a regulation, a moratorium should be imposed on the placing on the market of foods manufactured from cloned animals and their descendants;
13. Insists that, as part of the preparatory work for the entry into force of the IUU Regulation (combating illegal, unreported and unregulated fishing), the Commission must dedicate sufficient financial, technical and personnel resources to aiding those third countries, especially in the developing world, which will need assistance to meet the requirements of the catch certification scheme, due to come into force in 2010;
14. Calls on the Commission to come forward with its promised roadmap for reducing discards of fish at sea, including specific timetables for various fisheries, as well as the associated legislative proposals;
15. Calls on the Commission, during its discussions and consultations on the reform of the Common Fisheries Policy, to consider programmes to modify fishing fleets so as to reduce their environmental impact (improved selectivity, less energy consumption, reduced damage to the sea floor, etc.) and, where necessary, to reduce the size of those parts of the EU fleets that are still too large for the resources available to them;

### **Growth and jobs**

16. Deplores the delay in following up Parliament's request to review the Posting of Workers Directive; requests that this review clarify the directive so as to guarantee the fundamental rights of workers posted to provide services;
17. Welcomes actions that facilitate citizens' mobility and protect citizens' rights while they are mobile; asks the Commission to come forward with a renewed Proposal on Supplementary Pension Rights that addresses the matter of pension portability;
18. Deplores the absolute lack of any legislative initiative by the Commission as concerns the recognition and safeguarding of Social and Health Services of General Interest;
19. Is gravely disappointed at the outcome of the evaluation of the operation of the Globalisation Adjustment Fund since experience with the Fund until now has shown that:
  - (a) it has not succeeded in reaching out to small and medium-sized enterprises,
  - (b) it is not being used to full extent and therefore does not reach out to citizens as much as intended,
  - (c) it has only been used in a limited number of sectors such as the automotive sector,
  - (d) its criteria do not allow proper evaluation of whether those applying to the fund are truly victims of globalisation or lack innovation and adaptation capacity; considers,

therefore, that if progress has not been made in these areas by the time of the next evaluation, serious consideration should be given to disbanding the fund and bringing the monies into the Social and Cohesion Funds;

20. Warns that any action taken on the matter of cross-border healthcare should take into account the viability and financial sustainability of Member States' social security systems and the existing Social Security Coordination; points out that any such proposal must respect subsidiarity while aiming at improved access to healthcare as well as high-standards in healthcare provision; points out that future action could bring about improvements as concerns (a) the free movement of healthcare professionals and (b) mutual recognition of professional qualifications in this area;
21. Takes the view that EU Member States' existing tools are no longer adequate to contain the impact of financial crises in ways that minimise collective costs and avoid moral hazard; regrets, in this respect, that the Commission did not initiate a comprehensive reform of current EU regulatory and supervisory arrangements to respond to these challenges; urges the Commission, in particular, to come up with legislative measures as regards the regulation of hedge funds and private equity;
22. Regrets that financial supervision has not kept pace with market integration; urges the Commission to come up with a resolution to transform the existing Lamfalussy Level 3 committees into a configuration of EU supervision; recalls once more that the establishment of a European supervisor will be the best way to achieve effective supervision of cross-border firms in the long run; urges the Commission, in particular, to take initiatives to develop a European view on risk exposures and a European structure to allow for rapid exchange of information and a clear assignment of supervisory responsibilities, which are still lacking;
23. Expresses its concern about the negative side-effects of speculation on commodities and more generally about the impact of speculative financial transactions on the real economy; takes the view that this makes a strong case for relaunching the project of having a general financial transaction tax; urges the Commission to take measures in this respect;
24. Expresses its concern about the Commission's delay in implementing its initiative to set-up a Common Consolidated Corporate Tax Base (CCCTB);
25. Regrets that the Commission did not come up with a comprehensive strategy to tackle fiscal fraud, although it is estimated to equal 2-2.5% of the EU GDP;
26. Recalls that the tax evasion scandal in Liechtenstein has highlighted the urgent need to reform the Savings Tax Directive; expresses, in this respect, its deep concerns about the Commission's delay in reviewing the matter; urges the Commission, in particular, to extend the scope of the Savings Directive to cover all forms of financial assets as well as its geographical scope, considering that some Europeans have moved their money to Asia (especially Hong Kong, Singapore and Macao), in view of their tight banking secrecy which facilitates tax evasion;
27. Calls on the Commission to prepare properly for the necessary adaptations at the time of

the mid-term review of the implementation of structural funds, and not to waste time waiting for the next generation of structural funds, in order to respond to the urgent challenges arising from climate change, and to revise the list of categories of expenditure (Lisbon earmarking) in Annex IV, in accordance with Article 9(3) of Council Regulation (EC) No 1083/2006 laying down general provisions on the structural funds and by introducing categories targeted to tackle the impacts of climate change;

28. Requests, as regards the implementation of the cohesion policy, that the Commission ensure that both the partnership principle according to Article 11 of Council Regulation (EC) No 1083/2006 laying down general provisions on the structural funds is fully applied and gender mainstreaming as well as environmental protection are entirely respected in the implementation of operational programmes; calls on the Commission to prevent any use of structural funds that violates Community law, especially environmental law and believes that the Commission should consistently suspend funding when there are serious doubts as to the respect for EU law;
29. Welcomes the new Commission's Action Plan for Structural Actions (COM (2008)0097); urges the Commission to continue to improve budgetary control and asks for close cooperation with Parliament, the Member States and local and regional authorities and to regularly report back to Parliament;
30. Calls on the Commission to promote further progress on European territorial development by implementing the First Action Programme for the implementation of the Territorial Agenda of the EU and promoting and further developing the Leipzig Charter while fully implementing Natura 2000 requirements; stresses that the rural dimension must be integrated in the Territorial Agenda, through a process similar to the one leading to the Leipzig Charter, and that the interdependencies between the urban and rural dimension should be fully taken into account in the implementation process of structural funds;
31. Requests that the Commission present an action plan to develop a single European maritime space without borders and an action programme concerning urban mobility; stresses that, in both action plans, climate change objectives and concerns need to be fully integrated;
32. Welcomes the intention to present a Green Paper on unlocking the potential of cultural and creative industries and a communication on multilingualism; stresses that, as regards the Green Paper on cross border mobility of young people, the question of how EU support has helped increase mobility and future budgetary needs to attain target numbers must be taken into account;

### **Making a reality of the Common Immigration Policy**

33. Welcomes the idea of the global approach on migration, now including legal migration, but stresses that the Commission in this package should put forward sector-specific proposals on seasonal workers;
34. Deplores the introduction of biometrics in residence and travel documents as part of the integrated management of external borders;

35. Calls on the Commission to take the appropriate measures to overcome the deadlock in the Council with regard to the proposal on procedural rights in criminal proceedings; points out that Parliament's Committee on Civil Liberties asked, in the budgetary procedure for 2009, for the setting-up of a body of defence lawyers in the framework of judicial cooperation;
36. Asks the Commission to report back to Parliament about the implementation of the EP recommendations on the alleged use of European countries by the CIA for the transport and illegal detention of prisoners and about the results of the questionnaire sent to all EU Member States on their respective counter-terrorism measures;

### **Putting the citizen first**

37. Calls on the Commission, in the context of the further implementation of the REACH regulation to request the European Chemicals Agency, to set up a comprehensive candidate list of substances of very high concern so as to allow proper prioritisation of these substances for authorisation and to implement the right of consumers to request information about such substances in consumer products, as called for in its resolution of 10 April 2008 on combating cancer in the enlarged European Union;
38. Calls on the Commission to take initiatives to reinforce product safety for consumers, in particular regarding the new Toys Safety Directive proposed by the Commission;
39. Points out that there is a lack of labelling requirements for foods of animal origin manufactured by feeding animals with genetically modified products; calls, therefore, on the Commission to bring forward provisions governing the labelling of these products in order to create transparency for consumers;
40. Requests that the Commission take appropriate initiatives for the development of a European Social Card, which is preferably to be integrated into the health insurance card, for workers exercising their right of free movement, covering matters coming under Regulation 883/2004: sickness benefits, pensions, invalidity, accidents, unemployment and family benefits;
41. Asks the Commission to follow up Parliament's call for a European Union Envoy on Women's rights to ensure that, whenever policy decisions are made, women's rights are taken into consideration, both within the EU and the rest of the world

### **Europe as a world partner**

42. Regrets that no reference has so far been made by the Commission to the expected mid-term review of the RELEX instruments although this was agreed via an exchange of letters between the Commission and the European Parliament; underlines in this context that it expects that the Commission will at the same time make appropriate proposals to address the chronic under-funding of Heading 4, external actions;
43. Expects the Commission, in its second report on Policy Coherence for Development, due

in 2009, also to give indications as to how to ensure that Europe stays on track to meet the 0.7% GDI ODA commitments by 2015 and more generally how to cope with the most recent challenges facing the developing world in particular, which make it even harder to achieve the Millennium Development Goals, such as climate change, food prices, energy prices and agro-fuels;

44. Welcomes the resumption of negotiations under the aegis of the UN and the genuine climate of confidence between the President of the Republic of Cyprus, Demetris Christofias, and the leader of the Turkish Cypriot community, Mehmet Talat; calls on the Commission to speed up procedures and make fully operational all the resources allocated for the Turkish Cypriot community in order to be fully equipped and prepared when a comprehensive settlement between the two sides is reached and all obstacles can be finally removed for the reunification of the island and the reintegration of the two communities; urges the Commission, in the meantime, to make every effort to improve the Green Line regulation, thus facilitating trade between the two sides of the island, which is often hampered and restricted;
45. Stresses the increased responsibilities of the EU in the Western Balkans; expects the EULEX mission in Kosovo to be fully operational by the end of the year; welcomes, in this connection, the agreement reached with the UN Secretary-General as regards the reconfiguration of UNMIK, that will enhance the coordination of the two international missions with a view to implementing all the provisions of the Ahtisaari plan with regard, in particular, to the consolidation of democratic institutions and respect for human and minority rights and for the rule of law; regrets that the future financial commitments for Kosovo are not more specific;
46. Stresses the need to act as a reliable, comprehensible player in the Balkans, applying the same standards to each country; welcomes, in this respect, the signing of the Stabilisation and Association Agreements with Serbia and Bosnia-Herzegovina, that will further contribute to the stability of the region; takes the view, however, that further efforts are needed in order to simplify visa procedures and facilitate access to the EU for the people of the Western Balkans; appeals to all EU Member States not to hinder the accession process if preconditions for candidates and potential candidates are met;
47. Stresses that the Georgian crisis has further called into question the strategic partnership with the Russian Federation that must be deeply reviewed in light of the recent dramatic events; draws the attention of the Commission once again to the importance of placing democracy, human rights and freedom of expression at the core of future relations with Russia; urges the Commission, in this regard, to define and include clear benchmarks in negotiations on the new Partnership and Cooperation Agreement due to replace the agreement that expired at the end of 2007, instituting a clear mechanism to monitor the implementation of all clauses in such an agreement;
48. Urges the Commission to actively assist the Georgian authorities in the preparation of a medium- and long-term reconstruction plan for the areas affected by the conflict after a correct and complete estimation of the war damages; reiterates its call for urgent aid and action with regard, in particular, to housing, in order to facilitate the return of refugees and shelter them in safe conditions before the winter; calls on the Commission to establish a



new plan to address the further deepening and upgrading of relations with Georgia within the ENP framework;

49. Calls for a reassessment of the strategic partnership with China; points out that the expectation that the Olympic Games would improve the human rights situation in the country have come to nothing; stresses, furthermore, that the lack of substantial results as regards the EU-China human rights dialogue calls for a change of strategy and better coordination between the Member States with a view to promoting the values upon which the EU is founded;
50. Points out that the hopes raised by the Annapolis conference are once more in danger of being disappointed if no results are achieved by the end of the year; takes the view that, should the current negotiations fail, the EU's engagement in the Middle East should be radically reviewed; calls on the Commission, in this regard, to prepare an ambitious plan for both Gaza and the West Bank, in which clear measures are defined on how to overcome the plight of the Palestinian population, going beyond mere assistance to meet basic needs;
51. Stresses that the launching of the Union for the Mediterranean has further increased the role of the EU and the expectations of partner countries in the region vis-à-vis the EU; points out that promises must be followed by deeds; calls on the Commission to outline and better define all the new projects and programmes that were announced at the Paris Conference, with the relevant financial implications;
52. Considers that the institutional structure of EU relations with Asia should better reflect the increased weight of this region in the world; urges the Commission, therefore, to make proposals to enhance the European Union dimension in the ASEM and ASEP process, with a view to the next ASEM/ASEP Summit under the Belgian Presidency in 2010;
53. Expects a speedy implementation of the Central Asia strategy; regrets that so far it has been limited mainly to energy projects and calls, therefore, for a shift in order to address the other priorities, such as human security and environmental problems;
54. Reiterates its position regarding the setting-up of subcommittees on human rights with all ENP partner countries with a view to developing a structured dialogue on human rights and democracy; calls, in this regard, for the close involvement of Parliament in preparing and following up these subcommittees; calls, once again, on the Commission, together with such subcommittees, to draw up an annual report on compliance with the human rights and democracy clause of the agreements; considers, at the same time, that the setting-up of a specific Human Rights Country Strategy would substantially increase the coherence and consistency of EU policy;
55. Points out that there is a genuine need for the EIDHR's budget to be increased from 2009 onwards with a view, in particular, to making additional funding available both for projects in 'difficult' countries and for projects managed directly by the Commission delegations with local civil society organisations, so that any countries in which these projects are implemented can have access to Community funds;

56. Draws attention to the two recent European Court rulings (Judgment of the Court of First Instance in Case T-228/02 of 12 December 2006 and judgment of the Court of Justice in Joined Cases C-402/05 P and C-415/05 of 3 September 2008) confirming the illegality of the European Union and the UN black-list system of persons and organisations associated with terrorist activities; calls on the Commission to propose reforms for the list system and to prepare legislation on compensation measures for victims of erroneously or illegally applied EU counter-terrorism measures;
57. Stresses that free-trade agreements should be designed in such a way that they provide for the promotion of binding higher environmental and social standards;

### **Better Regulation**

58. Is deeply concerned about the new method the Commission is setting up through its Communication entitled 'A Europe of results – Applying Community law' (COM(2007)502) when dealing with the application of Community law and infringement procedures; is very worried about the Commission's intention of renationalising the treatment of complaints; points to the very poor enforcement of Community law; calls on the Commission to strengthen its activities as 'guardian of the Treaties' to ensure full compliance with Community legislation by all Member States; expects the Commission to provide Parliament with a clear, exhaustive and objective evaluation of the results achieved in 2008 through the new method as regards the application of Community law in the different sectors and in respect of the Member States which are involved in the pilot project;

### **Review of the EU budget**

59. Points out that the EU budget is a tool to help implement EU objectives and that the budgetary review planned for 2008-2009 provides an opportunity to reform both the expenditure and revenue sides of the EU budget; expects the Commission to submit proposals to find a way out of decades-old dilemmas as regards the UK- and other - rebates, the reform of agricultural policies and a reform of the own resources system in order for the Union to remain credible and to overcome ongoing financing deadlocks in relation to the challenges the EU faces, in particular in fighting climate change, promoting sustainable development and social cohesion and achieving the Millennium Development Goals;

### **Communication**

60. Points out that the communication priorities will need to be coordinated with Parliament, taking due account of the dialogue between institutions;

### **Human resources**

61. Notes that the Commission intends not to ask for new human resources, apart from those relating to enlargement, during its mandate; considers that, in line with the priority given to fighting climate change, there should be more Commission staff in the field of energy-efficiency and renewable energies; points out that, on many occasions, Parliament has

called for more staff to monitor the application of Community law and to deal with infringement procedures, especially as regards EU environmental law;

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