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Committee on Civil Liberties, Justice and Home Affairs

2007/2088(INI)

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OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Foreign Affairs

on strengthening the European neighbourhood policy
(2007/2088(INI))

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SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Reaffirms the crucial importance of the ENP in consolidating a ring of stability, security, prosperity and good governance based on the values of respect for human rights, democracy and the rule of law; believes therefore that, within the framework of the ENP, the EU should further contribute to improving capacity building in the ENP countries in the area of freedom, security and justice by wider concrete measures, such as technical assistance and training of persons such as judges, police and custom officers.
2. Recalls that this goal is of mutual interest both to the EU and to its neighbours as the ENP contributes to a European area of freedom, security and justice, in promoting respect for human rights, and in particular the right to freedom of expression, the management of migration and the fight against terrorism, organised crime, human trafficking and corruption.
3. Welcomes the initiative of a strengthened ENP that gives new incentives to partner countries; believes that it should remain sufficiently flexible, offering a tailor-made approach to each neighbour; insists that the deepening of the EU relationship with each country should depend on its degree of commitment to common values, as well as its implementation of agreed priorities.
4. Insists that respect for fundamental rights and the international commitments of the Member States, notably those accepted within the framework of the European Convention for the Protection of Human Rights and Fundamental Freedoms, should be at the heart of all relations with ENP partner countries.
5. Expresses its concern about the lack of sufficient commitment by some ENP partner countries to respect for fundamental rights and urges partners to address in particular issues such as restrictions on press freedom, intimidation of NGOs, political prisoners, ill-treatment in police custody.
6. Regrets the weak performance of the ENP in the democracy field, which will have huge costs in terms of the political credibility and reputation of the EU, especially in the Southern partner States; encourages the EU to go beyond its declaration of principles.
7. Is aware of the European aspirations of some ENP countries; recalls that the ENP, as part of European foreign policy, remains distinct from the question of membership of the European Union, as it seeks to provide means for reinforcing bilateral relations, supports transition as a goal in its own right, and encourages prosperity, stability and security as a common interest.
8. Welcomes the proposal to include ENP partners in the Community agencies and programmes related to Justice and Home Affairs, which could serve as a catalyst for reforms, increase the sharing of best practices and enhance mutual understanding and intercultural dialogue.

9. Reiterates the need to step up cooperation with the Justice and Home Affairs bodies of the ENP countries as well as participation by civil society organisations (trade unions, employers' organisations and NGOs, and especially organisations working in the field of the protection of women's rights); emphasises that it is also important to improve cooperation between the European Union and civil society in the ENP countries.
10. Reiterates the importance of facilitating the mobility of students, researchers, officials; recalls that such mobility facilitation contributes to creating closer human links and improving the EU's image in ENP countries; calls for the removal of barriers to legitimate travellers from ENP countries through adequate visa requirements; welcomes therefore the initiative of a strengthened ENP that offers new possibilities of legitimate travel to the EU; welcomes the visa facilitation agreements with Ukraine and Moldova and the creation of a common visa application centre in Moldova, which could serve as a pilot project for the creation of such centres in other partner countries; encourages the Member States to improve their consular services in the ENP countries and to create common visa application centres.
11. Welcomes the establishment of a local border traffic regime that makes it possible for border area populations to maintain traditional contacts without encountering excessive administrative obstacles.
12. Considers that closer cooperation on border control, migration management, in full compliance with international human rights conventions, international law and international obligations relating to search and rescue of persons at sea, together with readmission agreements, are necessary as part of wider strategy to combat illegal immigration, terrorism, organised crime, trafficking in human beings for sexual and other purposes and drugs trafficking and are a prerequisite to visa facilitation.
13. Regrets the fact that seven years after the adoption of the Tampere programme, the European Union does not have a coherent common immigration policy and that the focus has been until now on illegal immigration, whilst legal and illegal migration policy should be developed in a simultaneous and balanced way.
14. Considers that a common EU immigration policy must be based on respect for fundamental rights (notably the right to asylum and *non-refoulement*), solidarity, shared responsibility; it must be done in close cooperation with the third countries of origin and transit and must be associated with a policy of co-development, addressing the root causes of migration such as poverty, wars, dictatorships and taking into account the pull and push factors in migration.
15. Recalls the close link between illegal and legal migration, the fight against clandestine immigration entailing the improvement of legal immigration channels.
16. Welcomes the Commission's submission of a proposal for a directive providing for sanctions against employers of illegally staying third country nationals .
17. Stresses the need to promote programmes for the creation and establishment of organisations for the management of would-be immigrants to the European Union from ENP countries.

18. Welcomes the opening of centres for information on work possibilities in the EU and application, such as in Mali, and recommends the extension of such pilot projects in the ENP partner countries.
19. Calls on the EU to develop policies designed to facilitate to the utmost the positive impact of capital remittances by smoothing their flow and avoiding potential risks of fraud and over-taxation.
20. Recalls that the fight against trafficking in people should be a high priority of the ENP, with special attention being given to the protection of vulnerable groups of persons, such as women and children; calls for more police and judicial cooperation between Member States and ENP countries, in order, on the one hand, to improve prevention by launching awareness campaigns in the ENP countries and the Member States and, on the other, to dismantle the criminal organisations which benefit from trafficking;
21. Recalls that the conclusion of readmission agreements are a priority and form part of the partnership with third countries to combat illegal migration and trafficking in human beings; in that sense, welcomes the readmission agreements with Ukraine and Moldova.
22. Regrets that Ukraine has not yet extended visa facilitation to Romania and Bulgaria; urges Ukraine to immediately apply equal treatment to all EU citizens; welcomes the EC decision to delay ratification of the readmission agreements until this issue is settled; calls for the rapid implementation and appropriate monitoring of these agreements.
23. Considers that EU readmission agreements, replacing bilateral and multilateral agreements, with countries under the ENP programme should be adopted in full transparency and in compliance with international conventions, including the Geneva Convention, the principle of *non-refoulement* and the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
24. Proposes that the Commission publish annually an evaluation report on EU-readmission agreements, and come forward with proposals for improving the agreements when needed, and to fully involve Parliament in this process.
25. Recalls that improving the efficiency of border controls is vital in the fight against illegal migration, terrorism, organised crime, including trafficking in human beings and drugs, counterfeiting; believes that the ENP offers a good framework for helping ENP countries to secure their external borders against such threats.
26. Considers that border controls must be operated in a spirit of solidarity between Member States including by sharing the burden of managing the EU's external borders.
27. Stresses that there is a foreign policy dimension and not only a security dimension to the visa and border control policies, which create a bad image for the EU.
28. Warmly welcomes the establishment of FRONTEX and the launch of cooperation between FRONTEX, ENP countries and other third countries; encourages the conclusion of further agreements with those ENP partner countries; insists on the need to strengthen this cooperation and increase funding for FRONTEX; calls on the Member States to honour their promises and provide FRONTEX with all the logistic and human resources

it needs to accomplish its tasks.

29. Recalls that the effective fight against terrorism, illegal immigration and organised crime in and from the neighbourhood can hardly be carried out without engaging all the resources of both the Commission and the Member States themselves, as well as other EU-based and international players.
30. Reaffirms the importance of enhancing cooperation with ENP countries in the fight against terrorism, notably in deepening cooperation with Europol and Eurojust in order to build mutual trust and share best practices; urges ENP partner countries to increase their level of data protection to approximate laws and practices in line with EU data protection standards as a prerequisite for further cooperation in this area; recalls that any joint counter-terrorism measures should fully comply with the principles of legitimacy, proportionality and efficiency.
31. Recalls that the ENP provides an excellent framework for regional and sub-regional cooperation; calls for enhanced regional cooperation in the matters of freedom, security, justice, and in particular in border management, migration and asylum, the fight against organised crime, trafficking in human beings, illegal immigration, terrorism, money laundering and drugs trafficking as well as police and judicial co-operation; considers that regional cooperation and networking on such issues could build on the experience gained, inter alia, within the framework of the “Söderköping Process”, which includes Belarus, Moldova and Ukraine and, on the EU side, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Sweden.
32. Welcomes the new 'Black Sea Synergy' regional cooperation initiative, which supplements the ENP in the Black Sea region by proposing, inter alia, to improve border management and customs cooperation at regional level and to stimulate regional dialogue with civil society; considers that work on a strengthened and coherent engagement towards the Black Sea area could build on the experience gained within the framework of the Barcelona Process and the Northern Dimension; insists that the priorities of this regional approach should be freedom, justice and security, democracy, respect for international law and civil society cooperation.
33. Reaffirms the crucial importance of the ENP, which is an adequate framework for dialogue and action aimed at finding solutions to frozen conflicts such as Transnistria; ; considers that, in the absence of the rule of law, such frozen conflicts constitute black holes for organised crime, terrorism, trafficking in human beings and drugs, and are a source of insecurity; therefore calls for the strengthening of regional initiatives that bring ENP partner countries together in order to find common solutions to such conflicts.
34. Regrets the absence of an adequate consultation of Parliament by the Presidency on the main aspects and basic choices of the common foreign and security policy, as provided for by Article 21 TEU.
35. Asks the Council Presidency and the Commission to keep the Parliament better informed during negotiations of agreements in the ENP area and to take into consideration Parliament's recommendations, in line with Articles 39 and 21 TEU and Article 300 TEC.
36. Calls on the Council and the Commission to keep Parliament better and more regularly

informed during the negotiations of visa facilitation and readmission agreements with ENP countries, in application of the principle of cooperation in good faith between European institutions.

37. Calls for better cooperation between the EU and international organisations such as the Council of Europe in order to make full use of their expertise in areas such as human rights, information, cyber-crime, bio-ethics, trafficking, organised crime, etc.
38. Supports the idea of creating an “ENP – East Parliamentary Assembly”, following the model of the existing Euromed Parliamentary Assembly.
39. Welcomes the creation of the European Neighbourhood Policy Instrument, which is more flexible and allows new forms of cooperation and progress towards a “Neighbourhood Investment Fund”, which should address specific areas of cooperation, in particular cross-border cooperation.
40. Calls on the Commission to coordinate its financial resources and policy analytical capabilities with those of the international financial institutions (EIB, EBRD, World Bank) to generate synergies in conditioning and stimulating reforms along the lines of the ENP action plans.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	3.10.2007
Result of final vote	+: 26 -: 3 0: 0
Members present for the final vote	Alexander Alvaro, Philip Bradbourn, Michael Cashman, Carlos Coelho, Fausto Correia, Panayiotis Demetriou, Bárbara Dührkop, Kinga Gál, Roland Gewalt, Jeanine Hennis-Plasschaert, Lívia Járóka, Magda Kósáné Kovács, Barbara Kudrycka, Esther De Lange, Henrik Lax, Kartika Tamara Liotard, Sarah Ludford, Viktória Mohácsi, Martine Roure, Søren Bo Søndergaard, Vladimir Urutchev, Adina-Ioana Vălean, Ioannis Varvitsiotis
Substitute(s) present for the final vote	Inés Ayala Sender, Edit Bauer, Maria da Assunção Esteves, Ona Juknevičienė, Jean Lambert, Antonio Masip Hidalgo, Siiri Oviir, Eva-Britt Svensson
Substitute(s) under Rule 178(2) present for the final vote	