

## Resolutions adopted at the EPP Congress in Bucharest, 17th to the 18th October 2012



“...just as the system of nation states in 19th and 20th century Europe was incapable of securing lasting peace, the European Union at its present stage of integration will prove equally incapable of mastering the demographic and globalisation-induced challenges that Europe now faces. Europe must be committed to the model of the Social Market Economy. The future for Europe’s peoples and nations is a community of responsibility and solidarity, united in the Social Market Economy”[1]

### **The European People's Party (Christian Democrats):**

- Noting that the European Union is not only a single market but is a political community that is value-based
- Noting that the Social Market Economy is rooted in Europe's philosophical and religious heritage
- Noting that the agreed objective of a highly competitive Social Market Economy, aiming at full employment and social progress, is set out in the Lisbon Treaty
- Noting that the Social Market Economy is our concept for Europe, based on personal choice, private property rights and fair competition, and supported by solid social and environmental laws
- Noting that the Treaties require the European Union to "take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health", when defining and implementing its policies and activities
- Noting that the concept of the Social Market Economy requires a balancing between the principles of freedom and solidarity and in particular the need to reconcile free competition between responsible individuals with the requirements of the common good
- Noting that legal certainty, subsidiarity and personal responsibility increase confidence and must entail solidarity
- Noting that the concept of a Social Market Economy puts the economy at the service of society and is, therefore, not geared only towards performance but is geared primarily for human dignity free from unwarranted control
- Noting that monopolies, cartels, price-rigging and the distortion of competition through the abuse of economic power is the antithesis of what has been agreed by the peoples of Europe in the Lisbon Treaty

<sup>1</sup> Commission of the Bishops' Conferences of the European Community, October 2011

- Noting that the principle of collective bargaining and labour law ensures equal treatment of workers while respecting the free movement of persons and services, and prevents a downward pressure on social standards, which would undermine the cohesion of the European Union
- Noting that incentive systems that decouple risk and liability contradict the spirit of the social market economy
- Noting that a market economy, which serves exclusively the interests of capital cannot be called social
- Noting that excessive inequalities in income distribution undermine social cohesion
- Noting that, in respect of human dignity, the fight against poverty and the safeguarding of the quality of employment require increased attention

- Noting that global economy increased by a factor of seven over the first 1800 years of the common era and since then, has surged by 70 times, indicating that the social market economy can bring extraordinary benefits for the common good
- Noting that this success has been possible because the free economic system has reformed constantly to meet the challenge of the day
- Noting the central and constructive role of social partnership in the constant reform of our social market economy, for instance through the empowerment, involvement and participation of employees in the management of firms

Reaffirms its commitment to the social market economy at a European and global level based on these principles and will seek to influence and inform the European Union's internal and international agenda to incorporate these principles as the values on which the social market economy must be based.

### **Battling Exploitative Child Labour – Implementing an Agenda For Humane Labour**

215 million children are caught up in child labour worldwide. 115 million are working in dangerous conditions. Children work in private households and in agriculture, mining and industry. Children fight as child soldiers and are exploited as prostitutes. Working children hardly attend school or don't go to school at all. The work damages them physically and emotionally. And they lose out twice. Not only do they lose their childhood, they also lose their future chances.

The high prevalence of child labour is in sharp contrast with international conventions, such as the United Nations Convention on the Rights of the Child or the conventions regarding child labour of the International Labour Organisation, specifically ILO Convention 138 regarding minimum age and Convention 182 regarding the worst forms of child labour. The European People's Party recognises the untouchable dignity of human beings. From our interpretation of human dignity, we deduct fundamental notions about humane labour. These are the basis of our policies. The elimination of child labour and forced labour are one of our goals and also one of the strategic objectives of the agenda for humane labour (the so-called Decent Work Agenda) of the ILO. These goals comprise, next to the implementation of basic labour standards – such as freedom of association, non-discrimination, and promoting employment opportunities for reasonable income, the reinforcement of social security and of industrial dialogue.

The battle against exploitative child labour and inhumane labour conditions requires a double strategy. One part is to eliminate the causes, particularly huge poverty in the third world and in developing countries. Next to that, no products should be allowed onto the market if manufactured under inhumane conditions.

**More transparency for humane production and sustainable consumption Promoting humane production and sustainable consumption in economic sectors Intensifying exchanges within the European Union**

*We call on the EPP to further elaborate these issues in its WG 2 "Economic and Social Policy".*

## Fighting Youth Unemployment / Tracing the path for an effective EU policy against youth unemployment

### *Recognizing that:*

- The EU is facing high levels of youth unemployment with an EU average of 22.6% in March 2012 and peaks of 51.1% for Spain and 51.2% for Greece. Additionally, about 2 million young people in Europe have decided, discouraged by the high levels of unemployment, to leave the labour market by studying longer or by no longer applying for jobs
- According to the recent publication of the International Labour Organization (ILO), youth unemployment across the world climbed to the highest level in two decades and is likely to climb further in 2012.
- In January 2012, the European Council presented in its conclusions a set of steps for the Member States to take in order to reduce labour unemployment.
- In April 2012, the European Commission presented its employment package, laying down guidelines for Member States to enhance job creation.
- The EPP adopted a resolution on young entrepreneurs at the 2011 Congress in Marseille.
- Being jobless means a long term stigma for the young generations, seriously threatening their future prospects in the labour market.
- Youth unemployment severely affects the viability of our Social Market Economy and undermines the hopes for a swift economic rebound, the trust in EU political leaders and the support of the European Union which leads to more opportunities for political extremism and populism.

### *Acknowledging that:*

- Young people are an ambitious, innovative and energetic workforce for their employers which need to be cultivated.
- The NEET group (Not in Education, Employment, or Training) has increased during the past few years.
- Many young people are now facing specific barriers (e.g. higher chance of losing their jobs during economic downturns, non-permanent contracts, and competition with more experienced employees).
- A comprehensive financial commitment is needed to reduce the levels of youth unemployment.
- Educational training does not always meet the needs of the labour markets. A better coordination between educational offers and the labour market needs is required.
- The demand for skilled labour continues to increase in the EU and youth unemployment rates have remained under control where qualitative structures of vocational education and training are in place. The EU currently lacks the necessary coordination between its dispersed instruments. It needs further coordination of economic, social and education policy to elaborate a comprehensive strategy which will require a strong commitment of private companies and the public education system (dual system), as well as full involvement of the social partners.
- Many young people provide valuable services to the community on a voluntary basis or as extracurricular activities but employers frequently fail to recognise these efforts and the skills they have gained.

- High quality internships, which provide for a genuine working experience, are valuable tools that introduce the young people to the labour market. However, the regulation of internships is inadequate in most member states, which leaves space for abuses.
- The differences between generations regarding the contractual arrangements leads to a disruption of the economic system as young people become a short-term adjustable labour force which can be disposed of, free of any burden, whenever the employer desires.
- That the labour market should not discriminate between generations and that flexibility and flexicurity should be promoted for all generations.
- Unemployment has a profound effect on especially young couples as it can disrupt future family planning, further damaging the demographic prospects of Europe.

#### *The European People's Party:*

- Finds it crucial that the EU commits itself financially (through the next multi-annual framework) and politically by stepping up its efforts in reducing youth unemployment. Already existing EU funds should be used more effectively, while not yet used funds should be earmarked for shaping a suitable environment for job creation especially for young people.
- Urges the EU and its Member States to focus education policy on the employability of young people.

#### *Education systems should equip students with the adequate knowledge, skills and competences, ensuring a better adjustment to the needs of the labour market.*

- Believes that opportunities to gain practical experience in the course of secondary or higher education should be increased. The combination of study and work should become the basic principle of as many types of training as possible.
- Stresses the need for more vocational training opportunities to young people which ensures a smoother integration into a working environment and better performance at the work floor.
- Calls on the EU to put mechanisms in place that encourage and recognise voluntary service, non formal education and extracurricular activities of young people as important contribution to societies by strengthening active citizenship.
- Is convinced that private enterprises should open up for more internships as a way to help young people getting contacts with future employers and strengthening their position on the labour market. At the same time, there is need for more effective mechanisms that monitor internship abuses.
- Calls on Member States to identify and to tear down thresholds which make it harder for employees to move and to work in other member states and therefore stimulating mobility inside the EU.
- Calls on Member States to promote the flexible forms of employment for all age groups in the labour market.
- Promotes a stronger protection to the vulnerable youth segments, reduce the NEET group and actively combat (age) discrimination on the work floor.
- Underlines that youth entrepreneurship is an important tool in reducing youth unemployment and should be further stimulated through tax cuts, financial support, practical education and by cutting red tape.

- Finds it essential that Member States and businesses implement labour policies in a way that young couples do not have to choose between career and starting a family by stimulating the use of child day care centres and improving the financial means for young couples.
- Women should be stimulated to re-integrate into the work force after child birth through flexible work conditions.
- The European People's Party will support the Project for a **Self-Employed Statute**. The projects' main objectives will be to provide systematic and unified regulations for self-employment in the European Union, to support the improvement of social and labour rights for entrepreneurs, and to articulate the necessary measures to support business start-ups, the sustainability of these companies and the preservation of pre-existing businesses. Recalls the importance of entrepreneurs as the best option to create growth and wealth for our society; we should minimize barriers for investors and simplify the legal framework, so that entrepreneurs and **Self-Employed** can focus primarily on developing their businesses.
- Supports the European Commission's recommendations laid down in the employment package to reduce taxes on labour and seek job creation potentials in some key sectors, such as green economy, ICT and health care services.
- Commits itself to present bi-annual reports in the EPP Working Group 2 "European Social Policy" aimed at monitoring youth unemployment and determining necessary legislative instruments for the EU to effectively and comprehensively combat youth unemployment while taking on board the expertise of the European social partners. The working group will also identify best practices and a set of minimum quality standards for sustainable vocational education and training structures which should be a priority for EU Member States.

### **On the nomination of a common EPP candidate for the presidency of the European Commission**

In preparation of the European elections in 2014, the new EPP presidency should agree on a procedure and start an internal nomination process of a common candidate for the president of the next European Commission, as allowed for by the Treaties, to be presented to the electorate as an EPP frontrunner during the election campaign.

### **A mandate to the EU to provide long-term development assistance to countries threatened with starvation**

We, the EUROPEAN Senior Citizens' Union, propose that the forthcoming Electoral Congress in Bucharest resolve that:

*"The EU faces up to the greatest challenge of our times - of overcoming the looming 'North/South conflict' - by providing not just money but also the economic and industrial "know-how" to countries affected by hunger and unemployment." Calls on the EPP to further elaborate on these issues in one of its Working Groups.*

**Rationale:**

In an address to his countrymen, US President John F. Kennedy stated in more or less as many words: "We will go to the Moon in this decade and we will use the best of our energies and skills and all the resources we have to that end." Ten years later, the Americans were actually on the Moon. We, the ESCU, hope for such a stance in Europe. Imagine the Council of Ministers, the Commission and the Parliament of the European Union sending out a unanimous message today relating to starvation and the ever-increasing numbers of refugees from hunger in the countries of the Northern Hemisphere: "In ten years' time, no-one need suffer from starvation anymore!" Such a fundamental political stance equates to the central message of the Bible – the command to love – and is an integral part of all the major religions of the world. Because overcoming famines is also an objective of environmental protection policy, we call on all those responsible in politics, the economy and society in Europe to combine this call to action with an environmental policy that is not just discussed but is also practised. Not to act here would constitute a contribution to the "North/South conflict" of the worst kind.

***Resolution adopted at the EPP Congress in Bucharest, 17th to the 18th October 2012*****Combating "child abuse images" through committed, transversal and internationally co-ordinated action**

1. "Child abuse images" or "child pornography" are not just image Both expressions refer to a series of crimes, from the solicitation, corruption or trafficking of children (under 18 years) for sexual purposes to the distribution, collection and consultation of images of the abuse committed, over various forms of sexual abuse perpetrated on children – sometimes even causing their death.
2. Despite the fact that most images can be found in a "virtual world", one must never forget that behind every child abuse image, there is at least one child who has been sexually abused in real life.
3. Child abuse images are not only the result and visual depiction of abuse, but may also incite new crimes and thus become a "multiplier" of the sexual abuse and exploitation of children. For this reason, the "mere" viewing of child abuse images should already be criminalised in all member states of the Council of Europe.
4. The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention, CETS No. 201) currently represents the most complete and advanced standard in this field, alongside the Convention on Cybercrime (Budapest Convention, ETS No. 185). They should soon be completed by the upcoming European Union directive on combating the sexual abuse, sexual exploitation of children and child pornography. These texts constitute a strong legal basis but need to be strengthened concerning certain aspects, such as the criminalisation of the intentional consultation of child abuse images (as far as the Lanzarote Convention is concerned)
5. Many member states have started to address the issue by developing strong legislation and policie  
A reinforced European-wide exchange of information and best practice should thus make a more efficient fight against child abuse images possible. To appropriately reflect the complexity of this subject, the notions of "child abuse images" or "child abuse material" should, in the long term, replace the expression of "child pornography" in all legal texts and political debates.



6. We, therefore, invite the EPP member parties:

6.1. as concerns the Lanzarote Convention and the Budapest Convention to:

6.1.1. encourage the ratification of these conventions as soon as possible, if this has not yet been done, and, as concerns member states of the European Union, to implement them in a co-ordinated manner with regard to the upcoming European Union directive;

6.1.2. strengthen their relevant national legislation, in particular by creating a strong legal basis for the intervention of law enforcement agencies according to procedures, which are transparent and fully respectful of democratic principles and human rights;

6.1.3. support the strengthening of the Lanzarote Convention through an additional protocol aimed at covering offences related to child abuse images in more detail;

6.2. as concerns political measures to be taken, to:

6.2.1. develop comprehensive national policies tackling the issue from all possible angles, while following a clear “victim-centred approach” aimed at identifying victims and offenders as swiftly as possible, at halting abuse and at assisting victims, including in the context of child- friendly justice systems;

6.2.2. set up efficient mechanisms to interrupt the commercial and non-commercial online distribution of child abuse images, giving priority to the rapid removal of illegal content wherever possible

6.2.3. develop dialogue with the private sector in order that it takes responsibility for immediately reporting any child abuse images identified and co-operating with law enforcement agencies; and

6.2.4. support more systematic exchanges of information at European and international level on the one hand and further research on child abuse images and related offences on the other.

### **Promoting the human rights of prisoners in Council of Europe member States**

We are concerned by the frequent reports in the media of many of the Council of Europe member States on the dramatic conditions of detainees in prisons. We should acknowledge the urgent need to address this question by means of a comprehensive analysis report, which could possibly lead to recommendations to protect the rights of prisoners and foster an exchange of good practices between member States. The latest reports of the European Committee for the Prevention of Torture highlight an increase in prison overcrowding, the growing number of young foreign prisoners, very young prisoners, a sharp increase in prisoners awaiting final sentencing, and in suicide among prisoners.

In the light of the Universal Declaration of Human Rights (Article 5), the International Covenant on Civil and Political Rights (Article 7), the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126), the European Convention on Human Rights (Article 3), and several resolutions adopted by the Assembly in recent years, which have not been fully implemented, we should consider, as a matter of urgency, revisiting the idea of a European Prisons Charter (Doc. 10097(2004)). We invite the EPP to address the issue of whether the minimum conditions are in place to ensure that the sentence becomes, in accordance with European standards, a means of personal salvation and whether prisons and alternative facilities promote the reintegration of prisoners into society.

## **JUSTICE FOR GROWTH: MOBILISING JUSTICE POLICIES TO FULLY SUPPORT GROWTH AND STABILITY IN THE EU**

### **1. Introduction**

The EPP has always promoted EU policies that will make a strong contribution to growth and job creation in a well functioning internal market. In view of the current financial and economic crisis, we have to make sure that all EU policies are mobilised to fully support growth and stability – and that EU instruments of law, as well as national policies, can play an important role to reach this goal. Efficient justice systems in all EU Member States and a regulatory environment strongly anchored in the rule of law can make a significant contribution to creating an investor-friendly climate and legal certainty for businesses and consumers. At the same time it lays key structural foundations for sustainable economic growth, which is much needed.

Actions at EU and at national level aimed at strengthening a sound and safe legal environment are, therefore, a central feature of the structural reforms currently under way in all EU Member States.

### **2. The EPP calls for efficient justice systems in all EU Member States**

Economic growth, institutional efficiency and the rule of law are directly correlated. For the EPP, efficient independent courts delivering and enforcing justice swiftly and in a reliable manner are key features to increase the confidence of both businesses and citizens and to ensure the respect for fundamental rights, including fair trial and property rights. Dysfunctional justice systems are a major obstacle to doing business affecting the security of property rights and trust. Cumbersome and unclear procedures resulting in long delays in a judicial system seriously affect the efficient conduct of all economic activities. They add legal uncertainty and extra costs to the enforcement of laws and contracts. Moreover, late payments and the length of time needed to obtain a resolution from the justice system place limits on finances and increase uncertainty for businesses. In turn, long delays trigger insolvencies and boost unemployment. It also impacts on credit and interest rates for businesses, tax collection, labour disputes, etc. Small and Medium size businesses – which, for the EPP, must be at the heart of all economic policies – are particularly vulnerable.

Actions at national level aimed at increasing the efficiency of justice systems and reducing backlogs foster a more investment friendly business environment. Ongoing work in the programme countries (Ireland and Portugal, as well as Greece) and general reforms elsewhere across the EU show how significantly swift and efficient justice can contribute to growth; for example, by creating certainty and trust that investments are secure. At EU level, growth-oriented justice policies will contribute to make European economies generate more trade and jobs, whilst reducing red tape. Also in the field of justice, Europe must now maximise the growth opportunities offered by its internal market. The Digital Single Market, in particular, offers growth potential for businesses and makes cross-border transactions simpler. Once achieved, a fully functioning Digital Single Market can boost EU GDP by as much as €110 billion a year and bring welfare gains for EU consumers in the region of €204 billion. However, consumers and businesses still buy and sell closer to home. They are held back by a lack of trust, very often caused, in particular, by actual or perceived divergences in national laws, notably when it comes to cross-border transactions or for transactions online. We believe that proposals in the field of justice will contribute decisively to complete the Single Market and to provide the necessary legal certainty for businesses and citizens to engage in cross-border transactions. The European Commission, EU Justice Ministers and the European Parliament should also strengthen the emphasis on growth-enhancing measures in the field of justice.

### 3. Cutting red-tape in civil and commercial proceedings

#### *a. Easy Access to justice*

For the Single Market to function properly, consumers and businesses need easy access to justice. Access to the courts in Europe should be predictable and transparent. To strengthen confidence in judicial systems, ensure good cooperation between courts in the Member States and the free circulation of judgments in the EU, it is necessary to make the cross-border recognition and enforcement of judgements in civil and commercial proceedings simpler and faster.

#### *b. Small Claims Procedure*

Better enforcement of commercial claims can significantly help in improving the business environment. Getting rid of unnecessary steps in enforcing judgements in cross-border disputes can cut red tape and costs. Useful steps have already been taken to meet these objectives in the form of the European procedures on small claims and payment orders. The EPP calls on the EU institutions and on national authorities to double their efforts to make the **small claims procedure** (effective since 2009 for sums under €2.000) more widely known about and used. The EU Commission should, furthermore, explore as a matter of priority whether or not the small claims procedure should also be open for use for claims between €2.000 and €10.000.

#### *c. Quick and simple recognition and enforcement of cross border judgements*

Within a functioning internal market, a judgement in civil and commercial matters given by a court in one EU Member State should be quickly and simply recognised and enforced in all other EU Member States. The EPP has, therefore, called for the abolition of the outdated and costly “exequatur” procedure in civil and commercial matters for a long time. On average an “exequatur” costs a company or an individual €2,000 in a straightforward case and almost €13,000 in complex cases. An “exequatur” also implies the unnecessary hassle of going through intermediary proceedings that can sometimes take up to 12 months. It is now time that the EU institutions finalise the reform of the **Brussels I regulation** to simplify the legal environment and to reduce the cost for cross-border transactions. This would bring the EU’s legal setting closer to that of the US internal market where all judgements rendered by the courts in one US State automatically have “full faith and credit” across the US.

#### *d. European Account Preservation Order*

New rules on cross border debt recovery would help European businesses retrieve the 63% of unclaimed cross border debt. Giving creditors more certainty about recovering their debt will increase confidence in trading within the EU’s single market, in particular in economically uncertain times. The EPP subsequently calls on the EU institutions to quickly agree on the creation of a user-friendly **European Account Preservation Order** that protects creditors’ interests effectively throughout the internal market and at the same time provides adequate protection for debtors. The use of this Order would enable the facilitation of the recovery of up to €600 million of cross-border commercial debt every year.

#### *1.e. Smart insolvency proceedings*

**Smart insolvency proceedings** could be essential to ensure the protection and survival of some businesses and safeguard jobs – which instead of being wound up would have access to funds to survive. Modernising the EU Insolvency Regulation to strengthen the internal market will stimulate a modern and growth-friendly insolvency regime across Europe. The EPP calls on the European Commission to swiftly come up with proposals to simplify the rules for the cross-border recognition of insolvencies; to start working on proposals to align and modernise national insolvency rules on the basis of a system where creditors are adequately protected, while legitimate businesses can get a realistic “second chance”; and to invest in the entrepreneurial spirit of Europeans.

#### **4. Reforms of EU Data Protection laws to stimulate the digital single market**

Modern European data protection rules could strongly stimulate the development of the digital economy across the EU's single market. Simplifying the legal environment by means of a single set of rules will reduce administrative burdens for businesses and remove barriers to market entry, in particular for micro, small and medium-sized enterprises. Instead of having to grapple with a patchwork of 27 different and often contradictory rules, which stand in the way of European businesses wanting to operate cross-border, a modernised and uniform data protection legislation will remove barriers to market entry and lead to savings of about €2.3 billion per year in administrative requirements.

At the same time, a strengthened set of rights for the individual can address consumers' concerns about the protection of personal data when shopping online and help boost confidence in purchasing products in the digital environment. Today 70% of European citizens are worried about the way companies handle their personal data. By increasing consumer trust online we stimulate online shopping and give a further boost to the Digital Single Market. The EPP calls, therefore, on the EU institutions to fast-track the reform of the EU data protection rules.

#### **5. A Common Sales Law to stimulate cross-border trade online**

As businesses try to recover from the economic crisis, specific EU actions should aim at making cross-border sales and purchases in the Single Market easier and cheaper, namely by eliminating trade barriers. The EPP has, therefore, supported the creation of an optional Common European Sales Law for some years now that will help to boost trade and expand consumer trust in purchasing goods cross border without touching upon national legal traditions. At the moment, different contract law rules at national levels exist alongside different national mandatory rules in the field of consumer protection. Traders who want to make use of the internal market have to adapt their contracts to 27 national laws, which prevent them from benefiting from economies of scale. Only 6% of online purchases lead to transactions across borders in the EU today; traders often do not deliver their product to other Member States because of different contractual rules.

Against this background, the EPP welcomes that the current Commission has finally proposed an optional instrument in the form of the Regulation on a Common European Sales Law. An optional instrument has the advantage of reconciling three important policy objectives, which are all of great importance to the EPP:

- the single market objective as an optional instrument would allow traders to deliver products to all Member States on the basis of one contract law regime;
- freedom of contract as the application of the rules of the optional instrument always depends on the choice of traders and consumers;
- the principle of subsidiarity as an optional instrument does not interfere with the different legal traditions of the Member States but leaves national civil codes and contract law legislation untouched.

Europe is on a quest for new growth opportunities and the European Commission proposal is, therefore, particularly timely. It has been demonstrated that bilateral trade between countries, which have a legal system based on a common origin (such as common law or the Nordic legal tradition), is 40% higher than trade between two countries without this commonality.

An optional common European contract law regime could be expected to have similar effects on trade and growth across Europe. Today, only 7% of European consumers buy online from another Member State and only 9.3% of businesses sell across EU borders. Businesses wishing to carry out cross-border transactions may have to adapt to up to 26 different national contract laws, translate them and hire lawyers with an additional cost of €10,000 on average for each additional export market. European traders forego €26 billion in cross-border transactions each year because they are dissuaded by contract law barriers. We must continue to break down barriers for businesses and maximise consumers' choices. This is even more important today as we face the challenges of creating growth and jobs.

This is why the EPP calls for timely and effective work on this proposal by all EU institutions. The focus of the further work should be on ensuring that the optional rules are user-friendly and drafted in a simple and clear way that stimulates a fast uptake by practitioners. For the first time, the European Commission has not proposed replacing existing national law with EU law but to make an additional harmonised instrument available for traders to choose - which makes this instrument a turning point in European law making. This instrument provides a welcome opportunity in terms of developing the field of justice in the European area, which has a vital contribution to play for free movement. Moreover, the functioning of the internal market and growth in the digital economy, whilst respecting the different legal systems and traditions of the Member States and the principle of subsidiarity, will also benefit from the proposed instrument. EU Justice Ministers and the European Parliament are called upon, therefore, to work actively on the first optional instrument proposed.

The EPP would also see great benefit if the European Council were, by July 2013, to discuss the practical experiences undergone with this first optional instrument. A more general discussion on the added-value of optional instruments in EU law making in further specified areas where there is a clear growth potential, such as the field of insurance contract law, should also be looked at.

## **6. Combating unlawful conduct of business**

Businesses operate in the environment where numerous rules ensure their balanced operation. Infringement of those rules should be appropriately enforced in order to set a safe and certain climate for investment and entrepreneurship. However, they should not be subject to permanent threat of numerous and unclear provisions, which could result in stiffening the need to take the risk of economic activity. At the same time, a reflection should be undertaken on the need to recognise cross-border bans on undertaking economic activity where decided by courts. Otherwise, the operation of the internal market will be undermined by rogue businesses.

## **7. Protecting European taxpayers' money**

The EPP believes that the EU budget should continue to be reoriented on investments into growth enhancing initiatives. To ensure that the added value of each euro from the EU budget is maximised, fraud to the detriment of the EU budget should be fought with equal determination in all Member States. This requires that fraud against the EU budget is punished in all Member States by similarly deterrent criminal sanctions. Better coordination among national authorities and EU bodies, including OLAF and Eurojust should make the common fight more efficient to ensure that crimes affecting the financial interests of the EU and the establishment of a European Public Prosecutor's Office in line with the ambitions of the Treaty of Lisbon will ensure that these crimes are effectively prosecuted across the continent. The EPP calls on the Commission to finally make use of the relevant Treaty provision (Article 86 TFEU) to establish, on the basis of a strengthened Eurojust, a European Public Prosecutor's Office dedicated to this important task. In times of fiscal consolidation, it is more important than ever that no euro from the EU budget is lost to criminals.

**Resolution adopted at the EPP Congress in Bucharest, 17th to the 18th October 2012****SECURITY FOR EU CITIZENS****1. Introduction**

The security of EU citizens is a key priority for the European People's Party. Almost no other political topic draws the dividing line between the EPP and other political movements more clearly. According to the Eurobarometer survey of November 2011 the main challenges to European Security are the economic and financial crisis (34%) followed by terrorism (33%) and organised crime (21%). Security and stability are thus of the highest importance to EU citizens. The EPP aims to protect the physical, economic, social and environmental (environmental in its largest sense) integrity of European citizens. For our political family there is no freedom without security and security is an important precondition for freedom. European citizens can only be free and live their respective lives in peace if they are free from fear of terrorist attacks, serious and organised crime including corruption, religiously motivated crime, radicalisation and extremism as well as white collar crime. In this respect, low-profile criminal offences, especially when committed repeatedly and in high numbers, also have a substantial impact and undermine the sense of security of citizens. Security for EU Citizens can only be achieved while fully respecting fundamental rights, the principle of law and subsidiarity, and privacy and data protection rules.

**2. Organised Crime, Corruption, Counterfeiting and Money Laundering**

In the area of freedom of movement of persons, it is of vital importance to ensure a high level of support and protection to victims of crime. In principle, an EU-citizen becoming a victim of crime should receive the same high level of support and protection regardless of where in the Union he or she falls victim of a crime. There are also those who fall prey to ruthless forms of crime such as trafficking in human beings (THB). Indeed, it must be a primary objective to act with vigour against THB. All aspects of Justice and Home Affairs (JHA) are involved: as an illegal economic activity, THB is one of organised crime's main sources of income – as an offence against human dignity, it is a major violation of fundamental human rights, which the Union cannot condone; and as a cross-border illegal activity, it is an important area of cooperation within the EU and of partnership between the EU and third countries. It is also of such a nature and complexity that it requires action in a wide range of policy areas, in addition to JHA, if it is to be tackled effectively. The 2011 Directive on THB as well as the EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016) adopted by the European Commission this year provide a good basis to counteract THB. Furthermore, protecting our children and safeguarding children's rights must be a core concern for the Union. Sexual abuse of children and child pornography on the Internet are plagues to our societies and must be counteracted effectively.

In times of the financial and economic crisis the prevention of and fight against serious and organised crime, especially corruption and money laundering, are of even higher priority within the EU as they undermine the rules of law, fundamental rights and good governance and thus may lead to the misuse of EU resources; they harm the private sector and distort the EU internal market. This was outlined in the Council conclusions on setting the EU's priorities for the fight against organised crime between 2011 and 2013 (EU policy cycle). Therefore, it is among the EPP's priorities to safeguard licit economy and citizens' security. We are, therefore, strongly engaged in promoting law enforcement and judicial cooperation between Member States and with third countries, in order to find common legislative and operative tools to effectively address criminal phenomena. Trust among EU Member States could be further developed by enhancing the exchange of best practices. Crime should not be profitable. Therefore, it is important that member states cooperate in the fight against hidden and organised crime and discourage criminal proceeds by identification.

Crime producing crime will not be tolerated and should be reduced to a minimum. Furthermore, money laundering, fraud in relation to bank accounts and credit cards, and other means of financial and organised crime have one common denominator: they are organised on a European scale and have a transnational aspect. We believe, therefore, that the responses need to be found at the European level. Counterfeiting and infringements of intellectual property rights and product piracy are becoming increasingly widespread and they put the health and safety of European citizens and consumers at risk; the same applies for the fight against drugs through which organised crime groups profit by up to €230 billion a year. Taking into account the highly profitable nature of drug crimes, which have serious consequences and not only have a local but a wide range of criminal network, it is extremely important to focus joint attention and guide national activities towards identification of organised criminal groups and organisations. International cooperation and common actions are the keywords here.

The EPP is highly engaged in the European Parliament's special committee on organised crime, which aims to produce recommendations on how to better fight organised crime within the EU. Some legislative acts have already been successfully concluded such as the anti-money laundering directive. To reinforce the EU's toolbox in the fight against organised crime and corruption, the EPP will continue to play a leading role in supporting the newly submitted proposal on confiscation and recovery of criminal assets and will support the proposals put forward by the European Commission in June 2011 concerning the Anti-Corruption package. Actions on the national and European level have to extend from crime prevention to law enforcement as organised crime requires a multidisciplinary approach to effectively prevent and counter it.

### 3. Terrorism

Due to the increasing openness of the European Union, in which people, ideas, technology and resources move freely, collective European action is indispensable to combat terrorism. The European Union is committed to fighting terrorism and to providing the best security and protection for its citizens. Through good co-operation between the EU Member States, enhanced by implementing strategic documents as for example the EU Counter-Terrorism Strategy and the Action Plan to this strategy, several terrorist attacks have already been prevented. Terrorist activities though, like attempted attacks on transatlantic flights (e.g. of The Netherlands and France), attacks and attempted attacks on US facilities and US citizens on EU soil involving EU civilians (e.g. Germany), killings of EU and non EU citizens motivated by violent Islamists (e.g. France and Bulgaria), threatening of the freedom of speech and expression (e.g. Denmark and Germany), right wing motivated terrorism (e.g. in Germany but also in Norway) and various other activities are a sad reality in Europe. Terrorism poses a serious threat to our security, to the values of our democratic societies and to the rights and freedoms of the European citizens. Terrorism is, therefore, criminal and unjustifiable under all circumstances.

The SWIFT and the PNR agreement with the United States, the PNR agreement with Australia and the on-going negotiations with Canada on a PNR agreement, and with the USA on a data protection framework agreement, prove the EPP's commitment to the fight against international terrorism, while at the same time ensuring high level protection for EU citizens' data. The EPP will work for a well-balanced Directive on the use of PNR data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime. Furthermore, the EU should continue to prioritise work that prevents the emergence of terrorism.

#### **4. Security of EU borders and Border Management**

400 million people live in the Schengen area today covering 22 EU Member States together with Norway, Iceland, Switzerland and Lichtenstein. The EPP considers freedom to travel and the free movement of persons within the EU, laid down in Articles 20 and 21 of the Treaty on the Functioning of the European Union and in Article 45 of the Charter of Fundamental Rights of the European Union, whether for workers, self-employed, students or for other EU citizens, a key achievement of European integration that needs to be preserved and reinforced for the benefits of EU citizens. Our efforts to protect EU citizens do not stop at only fighting trans-border crime. The EPP is highly committed to other security aspects like securing external borders. It was the EPP that fought for better Schengen governance and the establishment, and consequent budgetary provisions, of FRONTEX and other security related EU agencies. Schengen must be based upon mutual trust among all Member States and the principle of free movement and cooperation on external border security can only function if all Member States take their responsibilities seriously.

Bearing in mind the complexity of the tasks and challenges of the Member States in the field of border management and the fight against cross-border crime, the EPP invites the Commission to swiftly present proposals for the establishment of the EU Entry-Exit System and Registered Traveller Programme. Considering that more than half of the illegal immigrants in the EU are over stayers, the full implementation of EU Entry-Exit System, together with a more efficient use of modern technologies in Automated Border Controls, would constitute important measures to increase the security and safety of the European Union and, at the same time, guarantee faster and more comfortable border checks for bona fide travellers. Relevant systems should also take into account the experience, practices and systems already applied in different Member States. Citizens' internal security in this context is guaranteed because of the existence of specific tools that enable authorities to control and deal with any potential threats within the Schengen area. The future governance of Schengen is one of our top priorities. Striking the right balance between an area without border controls and the appropriate checks and balances at national and EU level, represents the only viable avenue for the continuing success of Schengen in the years to come. The EPP will continue to strive to attain these objectives in full respect of the Member States national sovereignty. In doing so, we will aim to ensure that the system is firmly anchored in the Community method with all the necessary links to the EU institutions.

We call, furthermore, on the Commission to further explore policy options, which could strengthen the Schengen area. The EPP demands that existing tools to assist the Member States in better securing their external borders be significantly enhanced and we call for stronger operational capabilities of Frontex.

#### **5. Police and Judicial Cooperation: Europol/Eurojust**

Police, judicial and customs cooperation is intended to ensure a high level of security for EU citizens. The European Arrest Warrant has been one of the most successful tools in the fight against crime and in enhancing judicial cooperation. Europe's citizens must be assured that effective disruption of criminals' networks is complemented by the coordination of efficient and fair prosecutions. Mutual trust between judicial administrations is a priority. The EU Member States still have to ratify and implement some instruments for judicial and law enforcement cooperation. The EPP is working hard on a European Investigation Order that would address current difficulties in obtaining information and evidence in cross-border cases.

Extradition agreements at the EU level with third countries and mutual legal assistance agreements underline the EPP's commitment to fighting organised crime at a global level. We have always been committed to implementing the EU's internal Security Strategy. As security threats emerge and evolve, the EU must be ready to respond.



Regular threat and risk assessments from EU organisations are needed; this is the reason the EPP supports Europol, Eurojust, Frontex and the Intelligence Center (IntCen). These organisations are necessary and their work provides added value to national law enforcement and judicial authorities. The EPP considers Europol as a very important tool for preventing and combating serious and organised crime. Therefore, we strongly support improving Europol's operational efficiency and effectiveness and, at the same time, its accountability. The EPP considers that the Member States obligation to supply Europol, on a proactive basis, with the information and intelligence that belongs to Europol's mandate should be strengthened. The operational capacities of Eurojust should also be enhanced through supporting and strengthening coordination and cooperation between national investigators and prosecutors.

## **6. Data Protection and Cyber security**

### ***a) Reforms of EU Data Protection laws***

The developments of the last 20 years show that the digital age has come to affect the economy, security strategies, communications, state responsibilities as well as all branches of everyday life. No matter where we find ourselves, technology allows us to create, store and send data sets. Individuals can no longer move without leaving digital traces. The EPP continues to consider the internet as the future medium given its rapidness, flexibility, boundlessness, cost-effectiveness and inherent international character. While offering immense opportunities, these developments pose challenges to the protection of fundamental human rights and most notably the right of privacy and the protection of personal data.

The EPP strongly believes that privacy is a fundamental, non-alienable human right because individuals need a private intimate sphere for self-development. We believe, furthermore, that a modern set of European data protection laws will strongly stimulate the development of the digital economy across the EU's single market. Simplifying the legal environment by means of a single set of rules will reduce administrative burdens for businesses and remove barriers to market entry. Instead of having to grapple with a patchwork of 27 different and often contradictory rules, modernised and uniform data protection legislation will remove barriers to market entry and lead to savings of about €2.3 billion per year in administrative requirements.

At the same time, a strengthened set of rights for the individual can address consumers' concerns about the protection of personal data when shopping online and help boost confidence in purchasing products in the digital environment. Today 70% of European citizens are worried about the way companies handle their personal data. By increasing consumer trust online we stimulate online shopping and give a further boost to the Digital Single Market. The EPP calls, therefore, on the EU institutions to ensure that the reform of the EU data protection rules by means of an EU Regulation will be introduced without undue delay and designed in an SME-friendly manner.

### ***b) Cyber Security***

As part of an increasingly interconnected world, the state, critical information infrastructures, businesses and citizens depend on the reliable functioning of information and communication technology and the Internet. Large scale attacks against information systems and various other forms of cyber crime, such as the increasing vulnerability of industry, critical infrastructures, state and society, the trend towards a new quality of cyber attacks and the use of cyberspace by criminals, cyber espionage, terrorists and potentially military purposes, online identity theft or online child abuse, are subject to rapidly evolving technological developments. The responses have to be equally innovative and flexible, ranging from support for cross border cyber investigations and training of police to legislative measures. The availability of cyberspace and the integrity, authenticity and confidentiality of data in cyberspace have become vital assets of the 21st century. Ensuring cyber security has thus turned into a central challenge for the state, for business and for society both at national and international level.

The EPP takes the view that the resilience of networks and an increased cyber security depends on both an adequate level of preparedness and prevention. At this, we firmly believe that cooperation and exchange of expertise between the Member States and between the public and the private sector, as well as the education of the wider public on the challenges in cyber space, contribute most to increased cyber security. We call, therefore, for a comprehensive cyber strategy at the EU level including regulatory and non-regulatory actions and involving not only citizens, businesses and national authorities but also vital actors at Union level, such as ENISA and the European Cybercrime Centre. Cyber security and cyber crime are but two examples illustrating the interconnectedness between EU internal security and the external dimension of the Union. There is, therefore, a need to further integrate the external dimension of EU policies, in the area of freedom, security and justice, into EU Justice and Home Affairs policies.

## 7. Conclusion

Security and freedom go hand in hand and are in fact instrumental conditions of each other. On each and every security related file, the EPP strikes the right balance between the aim of defending freedom and the necessary measures to achieve this aim. The future Internal Security Fund should also help achieve this aim. The EPP is also orientated towards the future: while respecting the principle of subsidiarity, the EPP acknowledges that further European steps are necessary to further improve the security of EU citizens. In this respect, a discussion on the possible aspects of a minimum harmonisation of criminal laws within the framework of the treaty is not unthinkable for the EPP. In this respect the European People's Party is the driving force when it comes to safeguarding the security of EU citizens.

### ***Resolution adopted at the EPP Congress in Bucharest, 17th to the 18th October 2012***

## **Freedom of Religion in the Present World**

*The European Peoples Party,*

- recognising the importance of freedom of thought, conscience, faith and religion;
- reminding us that Europe has learned the value of this freedom in a very hard way; that millions of human lives have been lost in conflicts caused by religious intolerance;
- noting that the grave historical experience with Nazism and Communism showed the whole world that freedom of conscience, faith and religion is inseparable from human dignity, and constitutes the very foundations of democracy;
- recognising the fragility of freedom of religion;
- reaffirming its endeavor and leadership in the global fight for religious freedom; there is no reason that would excuse killing, torturing or any kind of persecution of innocent people; there is also no reason that would excuse our silent consent.

1. Strongly condemns all acts of violence stemming from religious intolerance against members of all religious communities;

2. Stresses once again that the right to freedom of thought, conscience, faith and religion is a fundamental human right; notes that violations of the right to religious freedom are almost always accompanied by the treading upon of other fundamental human rights and freedoms;

3. Is concerned about the safety of Christians in various countries, especially as their safety has gotten worse in recent years;

4. Perceives the growing exodus of Christians from various countries, especially in the Middle East, as a serious memento; urges the governments to take all necessary measures to protect these people and families against violence and to contribute to an atmosphere of tolerance;
5. Acknowledges that problems with religious intolerance and discrimination are present not only outside Europe. In recent years there has been a rising number of various types of unacceptable acts such as ridiculisation, obscenity connected with Christian symbols and sacred persons, teachers and parents getting into trouble when disagreeing with state-defined sexual ethics, vandalism – especially against places of worship and cemeteries, insult, defamation and negative stereotyping; and, although objection of conscience is an accepted principle rooted even in the European Fundamental Rights Charter, there are also tendencies in everyday life to neglect or even to refuse this principle.
6. Notes that equality before the law between the dominant religion, minority churches and associations of non-believers remains problematic in many countries in the world;
7. Expresses its firm belief that the freedom of thought, conscience, faith and religion is best preserved when necessary constitutional limits that assure tolerance and mutual respect between all religious groups are in place; however, stresses that these limits require democratic government and a clear separation of powers;
8. Stresses the importance of political dialogue in promoting religious freedom and freedom of conscience as fundamental human rights; however, reminds that this dialogue must bring concrete results and keeps in mind that a world with a spirit of dialogue, will be safer and more humane;
9. Calls on the Council, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy/Vice President of the European Commission to closely monitor the subject of freedom of religion, and the situation of religious communities, including Christians;
10. Urges representatives of the European Union as well as political representatives of the European Union's Member States and other democratic states in the world, and also representatives of regions and local communities, to put the issue of religious freedom on the agenda in bilateral contacts whenever it is relevant;
11. Calls on the High Representative of the Union for Foreign Affairs and Security Policy/Vice President of the European Commission to implement measures against states who knowingly fail to protect lives and rights of religious communities;
12. Insists that, as a rule, preferential access to European markets should be denied to countries that are not able to protect their religious minorities from violence and persecution;
13. Calls on the Commission to ensure that NGOs fighting for freedom of religion and conscience in countries where these are at stake receive necessary financial and political support from the European Union;

**Resolution adopted at the EPP Congress in Bucharest, 17th to the 18th October 2012****The European Single Market – Key to making Europe the leading economy in the world***Introduction*

The European Union today stands at a defining moment in its history. The undisputed economic and political leadership, in which Europe and the western societies were the main global power generating new ideas, innovations, economic growth and prosperity, has come to a stalling point. While other emerging economies are growing at an unprecedented speed, the European Union suffers from declining economic growth and excessive debt burden. The outlook for the European economy has in recent years been gloomy and the recent crisis has had repercussions in all parts of our societies, resulting in job and welfare losses. The vision of the Lisbon strategy to make the EU “the most competitive and dynamic knowledge-based economy in the world” by 2010 has not lived up to its promise.

However, the European Union is still de facto the biggest economy in the world and possesses unique and valuable economic resources. As such, it does have both the biggest opportunities and the biggest challenges. Europe has every reason to be optimistic in this new global landscape, but it requires a willingness to change, reform and innovate. There will be no way out of the crisis without budget consolidations and there will be no budget consolidations without reforms for growth. EU members that took rapid and strong actions to reform and reshape public expenditure have seen economic growth during the last couple of years. Now is the time for deep structural reforms, which will allow for the creation of new jobs and sustainable growth. A comprehensive reform of the Single Market must be at the heart of these efforts. We urge the Member States to show the political will to implement, as a matter of priority, the decisions reached at European level so far. Structural reforms should be developed and implemented in close cooperation with social partners, as well as at sectorial and company level.

With over 70% of the EU's GDP being dependent on services it is now time to rise to the challenge and take a quantum leap in tackling administrative obstacles and lacking enforcement of the EU law, in particular with regard to the Services Directive. As was the case with the Single European Act in 1986, which paved the way for a more open Single Market with less rules and administrative burdens, we now need a strong political commitment to deliver on concrete reforms that create a real freedom of movement for goods, persons, services and capital in Europe. In addition, we call for responsible regulation of the financial markets. We need to strengthen our banks and disincentivise irresponsible behaviour so that tax payers do not have to help failing banks. We need a European and global legal framework for the Social Market Economy. In order to make full use of the Single Market, we must better inform citizens about opportunities, which arise in this field, appealing to their role as consumers. Only better informed citizens will be able to contribute to achieving a fully operational Single Market.

*We recognise, therefore, that the following measures should be swiftly enacted in cooperation with the national governments and the appropriate international institutions:*

**Enforcing single market legislation**

It has been estimated that the potential economic gains from the implementation of the Services Directive range between €102bn and €322bn, which represents a growth potential of between 0.8-2.6% GDP. The existing potential in this and other areas of the Single Market is nevertheless hampered as the Single Market Acquis in itself is strong but its implementation remains unsatisfactory. Actions should, thus, be taken both at the European and at the national levels. We call, therefore, on Member States to step up their efforts to make sure that Single Market legislation is transposed and implemented fully, timely and in an ambitious manner. Concrete action taken in this area is also of utmost importance for the credibility of the functioning of the Union.

When transposing directives, Member States should do it in a uniform manner and adopt all new provisions at the same time in a package, in order to ensure that the transposition reflects the solution reached at the European level. Member States should also accept drawing up and providing correlation tables in order to increase transparency in the process of ensuring the application of EU law. At the European level, there is a need for better and less legislation. The Commission should choose, where appropriate and principally where there is no need for further discretion when implementing EU legislation, regulations rather than directives as the preferred legal instrument for regulating the Single Market. The reasoning being that they have clear advantages in terms of efficiency and effectiveness and create a level playing field for citizens and business with greater potential for private enforcement.

Moreover, the Commission has to be tougher in ensuring the implementation and enforcement of all agreed rules in Member States. Current infringement procedures take too long. The Commission needs to be given the possibility of 'fast track infringement procedures' to enforce the Single Market Acquis. We support and encourage the European Commission to make determined use of its powers and exploit all sanctioning mechanisms at its disposal to the fullest. It also has to be ensured that a network of civil servants, in charge of the implementation of all new EU legislation and coordinated by the Commission, is set-up in order to improve the quality of implementation and that the Internal Market Information System Regulation is fully applied throughout all Member States. The Commission should also expand innovative mechanisms, such as the mutual evaluation procedure of the Services Directive, to new areas in order to ensure better application of EU law. The institutions should agree on a binding calendar and concrete measures for enforcing the Single Market legislation. We welcome, furthermore, that the Commission has fulfilled its obligation under the Services Directive to report on efforts to open up services markets. We expect recommendations for additional measures to be made to fulfil the Single Market in services.

### **A new strong impetus is needed to make free circulation a reality**

Fully implementing already agreed rules is a crucial first step but it is not sufficient. Europe's ambition to develop into a leading knowledge economy is severely hindered today by a fragmented service market and a lack of ambition in Member States' implementation. The full potential of the EU's Single Market can only be realised if free movement is encouraged across all sectors and professions. Therefore, we call on the Commission and Member States to abolish obstacles to the free circulation of goods, services capital and persons.

When reviewing measures under the Service Directive, overarching principles should be oriented towards measures that maximise the impact on economic growth, remove bottlenecks, enforce implementation of already decided rules and reduce cost for SMEs. The fragmentation of the common EU Value-Added Tax (VAT) System into 27 national VAT systems is considered to be one of the main obstacles to efficient intra-EU trade; thereby effectively preventing citizens from reaping the benefits of a true Single Market. Different systems of VAT collection form an obstacle to cross border e-commerce and hinder, therefore, the completion of a digital single market, amongst other achievements. The VAT income should be collected at national level. The fact that VAT rates set up by Member States are an important budgetary instrument has to be taken into account. In this respect, the following measures should be considered:

- Establishment of well functioning one-stop-shops by Member States. It will contribute to reduction of red tape attributed to businesses;
- Introduction of a linguistically neutral template for a European Invoice; and
- Setting up an EU VAT web portal with involvement of the Member States to ensure that businesses have easy access to accurate and reliable information on VAT legislation in all EU Member States.

## Free movement of persons

The right of citizens to move and reside freely in another Member State should be made as easy as possible. The creation of a European Professional Card would favour increased mobility. We must act collectively to promote well functioning labour markets, which deliver employment opportunities and, crucially, promote higher levels of labour market participation among young people, older people, and women, migrants and their descendants, as well as people with disabilities. We should foster labour mobility to create a more integrated and open European labour market and call on Member States to open up closed professions for competition both from within a country and from workers/professionals from other Member States. Outgoing workers must be able to bring their own built up pension rights to another EU Member State easily.

It is vital to have an easy and well functioning system of recognition of qualifications in order to support the mobility of professionals across Europe. We welcome, therefore, the Commissions review of the Professional Qualifications Directive and call on all institutions to conclude these negotiations as soon as possible, aiming to reduce the differences and hindrances. However, the Commission should go further and make use of the new provision of the TFEU on education, which allows the EU to act in order to encourage the creation of a system of EU-wide recognition of academic diplomas and strengthen the support for the Bologna Process.

## Cutting red tape

Rules should be simplified and SMEs should be given real opportunities to grow by commercialising their products and services freely across the Union's Single Market. More transparency and administrative simplification, also in relation to the freedom of establishment, is important as this offers new opportunities for SMEs. We must act decisively to improve investment opportunities for innovative start-ups, fast-growing companies and small businesses. We must ensure that SME's can operate all over Europe by granting them access via mutual recognition, reduction of red tape and establishing a 'one-stop-shop' for VAT, as well as improving access to finance for SMEs. Especially in the interest of SMEs, we must also ensure that a level playing field is created with regards to the efficient implementation of EU laws in all Member States. The EPP has been at the forefront of allowing the EU to reach its target to cut red tape by 25% by 2012. We now call for a new ambitious target, based on clear indications, which will cut red tape by another 25% by 2015. We should agree on sectorial targets, thus fully exploiting the great savings potential of an estimated €40bn through reduced administrative burdens.

## Digital Single Market

Building a European Digital Single Market is crucial since it can be a driver for competitiveness and economic growth, providing highly-qualified jobs. The digital economy is expanding rapidly but cross border trade remains low and creativity is stifled by a complex web of differing national copyright regimes. By breaking down barriers for European companies and entrepreneurs, the digital economy can act as a spearhead for achieving a competitive Single Market. The Internet economy is an important catalyst for economic growth. We must accelerate the spread and adoption of ultra high-speed broadband, as well as creating the right conditions for a thriving cloud based service economy in Europe. Action is needed at the EU level to provide businesses and consumers with the means and the confidence to trade on-line: by simplifying licensing, building an efficient framework for copyright clearance and management, establishing a pan-European spectrum licensing regime, and providing a secure and affordable system for cross-border on-line payments. We urge Member States to swiftly conclude the negotiations on the European patent, such as the European Community Patent. By linking the digital agenda with the development of e-commerce and new services, such as e-health, e-trade, e-banking and e-learning Internet, digital infrastructure can be pivotal in opening up the Single Market.

While great steps have been taken to ensure the free movement of goods within the Union, some EU-directives still violate the principle of free movement of goods and mutual recognition. We call, therefore, for unified and responsible product legislation covering all products, including tobacco products.

### **Energy sector**

We must deliver on our commitment to establish a genuine, efficient and effective Single market in energy by 2014. All Member States should fully implement the Third Energy Package, swiftly and in recognition of agreed deadlines. Energy interconnection should be enhanced to help underpin security of supply. Urgent action is also needed to remove planning and regulatory barriers to investment in infrastructure, to release the potential of the single market and to support sustainable growth. We look forward to the Commission's forthcoming communication on the functioning of the Single Market, which should include an assessment of the degree of liberalisation and energy market opening in Member States. Completing the Single Market in Energy should be accompanied by the full enforcement of the Third Energy Package and EU Competition Law Rules on all foreign companies and their dependant subsidiaries operating in the EU, thereby contributing to the EU's energy security. The Member States of the Union are well on their way to reaching their renewable goals but this development has to be underpinned by truly European infrastructure planning including grid and storage facilities, as well as gas supply & corridors (which will play an even more important role as a balancing source). Many of the Member State's closest neighbours have the capacity and capability to provide carbon-efficient energy to the European grid. A common effort to enable efficient transfer of electricity between these neighbours and the Member States should be promote

### **European Research Area**

We must redouble our commitment to innovation by establishing the European Research Area, creating the best possible environment for entrepreneurs and innovators to commercialise their ideas and create jobs; putting demand-led innovation at the heart of Europe's research and development strategy. A fully functional European Research Area is contingent on the mobility of both people and ideas. Programmes promoting academic mobility need to be strengthened and the European research infrastructure should be improved. Policies promoting innovation must not only be designed to support existing companies but also accommodate support for the many "unborn firms". The European potential for economic growth can only be fully realised if new entrants are able to compete on equal terms.

### **Structural reforms in all Member States**

Structural reforms are necessary to create jobs and make our social security systems sustainable. Structural reforms can restore the much needed fiscal credibility and provide the basis for growth and jobs. In the short term, we need to lower the unemployment rate amongst women and, therefore, elaborate social structures such as child care facilities and preparatory schools. The reforms, which are concentrated on the medium to long-term perspective need to ensure that wages do not rise more than productivity

### **Conclusion**

Ensuring the free circulation of persons, capital, products and services across Europe is the most important reform to stimulate economic growth without further aggravating debt burdens. We must act with urgency, both at the level of Member States and at the European level, to remove the restrictions that hinder access and competition. Together with timely and efficient budget consolidation, the reform of the EU's internal market is the best way for Europe to increase the level of competitiveness and return to growth and low levels of unemployment.

*Resolution adopted at the EPP Congress, 17th to the 18th October 2012***EU Cohesion Policy – Key to improving competitiveness and achieving convergence in Europe**

As an indispensable part of the European project Cohesion Policy has contributed to improving competitiveness, achieving convergence and development in the Member States and the Union at large. The EU is well known all over the world for its high standard of economic, social and cultural development and for its high quality of living. In this respect, the EU has been the frame of reference and standard-setting realm for people outside Europe and these high standards are what makes our Union so attractive for the non-European citizens. In times of severe economic downturn and intensified global competition, when courageous reforms are needed and strong political will has to be shown, the question now is how to preserve and disseminate this high quality of life to as many more Europeans as possible. The **EU Cohesion Policy is an investment and development policy**, which enables growth and improvements in competitiveness and, therefore, lays the foundation for the narrowing of economic, social and regional disparities in Europe through economic convergence. Capacity building should remain a main objective in the use of EU structural funds. The EU will only be able to be competitive in the face of increasing global competition, and to overcome the current crisis, if the development potential of all regions, urban areas and cities can be exploited, allowing for a flexible regional response to the challenges and bottlenecks identified by the EU 2020 Strategy.

We believe that long-term **territorial cohesion comes from improved competitiveness and sustainable development**. We call for the empowerment of all parts of Europe to take part in the Single Market and common efforts to invest in the future. Public funding as an investment can only help to create some preconditions for growth. We reiterate the fact that open borders, competition, dynamic markets, modern infrastructure, broadband and research are crucial factors for competitiveness and development. Therefore, we call for Cohesion Policy to be focussed mainly on regions, which lag behind and to facilitate structural changes where necessary. We recognise the **leverage effect** of Cohesion Policy as well as its capacity to initiate further private and public investments.

European funding adds value on a national, regional and local level in achieving objectives for Europe as a whole. Cohesion Policy also has an impact on those who contribute to its financing. The EU and the Member States have to ensure appropriate ownership and involvement of regional and local authorities. These are among the main co-financers and joint managers of Structural Fund programmes, alongside central governments. Therefore, the EPP believes that the European objectives must be achieved with a **decentralised approach**, the principles of multi-level governance and shared management, based upon growth-promoting criteria, which are the major advantages of Cohesion Policy. Through multi-level governance, the realisation of the principle of subsidiarity, as well as recognition of the importance of regional authorities, has grown substantially. The partnership principle and a sense of ownership of actors involved have to be further strengthened by introducing territorial and regional pacts in each Member State to boost the role of regions and cities.

Cohesion Policy must continue to focus on **territorial cohesion**. It has to be emphasised that the Lisbon Treaty added the objective of territorial cohesion to those of economic and social cohesion: this aim remains inseparable from the challenges of economic and social cohesion and should strengthen the European wide (?) added value of Cohesion Policy. Territorial cohesion is also relevant at the sub-regional level, particularly in urban areas (urban districts facing difficulties, uncontrolled urban sprawl); even within regions considered to be rich. Taking into account the fact that despite the trend towards a narrowing of inter-regional disparities, major imbalances still exist and in some Member States are even growing as a result of the economic and financial crisis.



Cohesion Policy must continue to concentrate on reducing disparities and implementing harmonious and sustainable development for all regions of the Union, regardless of the Member State in which they are located. It is of paramount importance that Cohesion Policy encourages and supports **sustainable economic growth**. An increase of key EU programmes for R&D and innovation expenditure (Horizon 2020) is to be achieved in balance with Cohesion Policy. Focus on cohesion and its output is a necessity and even more so in times of crisis, which is manifested in the closer links proposed between the policy and the national reform and development programmes of the EU Member States. The Cohesion Policy, with its multi-fund approach, is to be firmly focused on growth and competitiveness as well as connected in an appropriate, flexible manner to the Horizon 2020 through the stairway to excellence concept. In this context, it is necessary to complete synergies between the EU's framework programme for research and development (Horizon 2020) and cohesion financing. Current proposals for investments in trans-European infrastructure projects in terms of transport, energy and digital (known as "Connecting Europe Facility" initiative) should be compatible with Cohesion Policy funding to ensure optimal links between different types of infrastructure across the EU and at local, regional and national levels. The EPP supports cross-border projects and multi-fund programmes, especially when they add value to the mobility capacities for the European citizens, contribute to the modernisation of waterways, road and rail infrastructure, add to the further development of the internal energy market and access' extension, and use flexibilisation of ICT.

In order to achieve full mobilisation of its potential, Cohesion Policy should continue to be applicable to all the regions of the Union but it should primarily **target those regions that lag behind**. Structural funds and associated Union programmes must primarily be used to support new future-oriented opportunities and secure the long-term development of less economically strong regions. In order to achieve this, it is important to ensure that targeted funding of Cohesion Policy remains a priority in the 2014-2020 Multi-annual Financial Framework, with the GDP remaining the main criterion. A significant share of the financial means allocated through the cohesion projects should continue to be directed to investments in infrastructure and higher education. Budget resources, which are allocated to the **Common Agricultural Policy** within the next Multi-annual Financial Framework, should increase the competitiveness of the agricultural sector and continuously support the process of structural transformation through restructuring and modernising rural areas and transforming them into knowledge-driven sectors. Budget allocations should stimulate the dissemination and development of innovations to rural areas. As support for **SMEs, innovation and energy efficiency** is crucial to achieve the objectives of Cohesion Policy, structural funds should be prioritised and should concentrate on funding competitiveness, especially that of SMEs, and on reducing youth unemployment. EU funds available in the current Multiannual Financial Perspective, which are not yet spent, must be used quickly and efficiently for measures tackling high **youth unemployment** and easing SMEs access to finance with a view to supporting job creation for young people. Future Cohesion Policy should also respond to demographic challenges in both weaker and developed regions, since we all see that Europe is facing unprecedented regional demographic challenges, and populations living in certain geographical areas are strongly affected by poverty, discrimination and exclusion.

**Investments in broadband infrastructure** and other ICT related technologies have a significant multiplier effect on the economy. Connecting all European households to the Internet should, therefore, be an important criterion in the next cohesion programmes. Senior citizens (aged 65 and over), being the most likely group of society not to be connected to the internet, need specific incentives and programmes.

The Union's **control systems** should not only assess the legality and regularity of the projects financed by EU funds but also measure their effectiveness more closely and lay greater emphasis on conditionality and achieved results. This is to prevent that EU funds finance projects which do not generate growth, since such projects might lead to a general decrease of the acceptance of the EU funds. The EPP firmly supports an increase in the effectiveness of EU fund management, thus simplifying rules for final beneficiaries of EU funds with less complicated administrative structures.

**Cohesion and structural policies need to be flexible, efficient and successful**, especially in periods of severe economic downturn, underlining the need for criteria, which ensure that the goals and aims of the funding are achieved. Therefore, Cohesion Policy should play a stronger role in balancing adverse effects of decreasing internal and external demand. European Cohesion Policy is an instrument to implement the principle of solidarity. It makes EU achievements visible and this is extremely important for the European citizens in times of economic and financial turmoil. Cohesion Policy has to be **better communicated** in our cities and regions. As the driving political force in Europe, it is of politically strategic importance for the EPP to explain the added-value of EU resources and policies and their impact on citizens' lives.

### ***Emergency Resolution adopted at the EPP Congress in Bucharest, 17th to the 18th October 2012***

## ***Syria***

The European People's Party, considering:

- The Assad dictatorship in Syria is one of the worst recent examples of a totally delegitimised regime that continues to kill innocent people and so commit massive crimes, affecting fundamental human rights;
- The international community has been divided, so far, and thus very weak in addressing this violent crisis, in particular by not achieving consensus in the UN Security Council on effective political, economic and humanitarian strategic plans;
- After the failure of Kofi Annan's plan, Mr Brahimi seems to be reflecting on a strong proposal, which includes sending peace keeping and humanitarian UN forces on the ground;
- The dramatic evolution of the crisis, where Iran continues to support the regime thereby working against the efforts of the Arab League and the Islamic International Conference as well as other key countries, is affecting hundreds of thousands of Syrians: around 30.000 have been killed, others are forced to leave the country.
- Syria also became the strongest example of extreme religious intolerance with recent crimes and acts of discrimination committed against ethnic and religious minorities, including prisoners.
- There is a growing concern for the possibility that extremist forces marginalise the democratic components of Syrian society and jeopardize the real aspirations of the Syrian revolution and those components of the Syrian community, Muslims and Christians alike.

- Turkey, earlier a close partner of Syria, has been trying, since the outbreak of the crisis, to play a bridging role in Syria for a peaceful transition to democracy, including the resignation of Assad and his close supporters.
- The number of Syrian refugees to neighbouring states have tripled over the past three months and living conditions in the refugee camps are extremely difficult; these conditions are expected to worsen further more as winter is approaching the region.

*This requires urgent international attention.*

For all these reasons, the EPP, considering that the Syrian regime has irreversibly lost its legitimacy:

1. Appeals to the European Union, UN and Arab League to multiply and strengthen their efforts, in order to finally agree on a strategic, concerted plan, which, under UN responsibility, should first of all put an end to violence and give Syrians an opportunity to build a new tolerant and elected leadership. In so doing, a robust UN peacekeeping and humanitarian protection force should also be considered.

2. Dramatic deterioration of daily life and humanitarian conditions of Syrians in the country and of those that took refuge abroad should be immediately addressed

3. In particular, the European Union and its member states should send humanitarian aid to affected member states, like Cyprus, and to neighbours of the EU, namely Turkey and Jordan, to face the flows of refugees that already amount to hundreds of thousand. In particular we should make specific efforts to meet the needs of child refugees and unaccompanied children, whose traumatic experience might pose a major obstacle to the future development of Syrian society; calls in this respect for access to at least a provisional form of elementary education for all child refugees. In this regard, the good example set by the European union in the years 2005-2007 with the strategic burden sharing plan for Iraqi refugees flowing to the Middle East, could be recalled and studied carefully.

4. While dealing with all the urgent humanitarian implications of the Syrian crisis, including keeping the extraordinary added value represented by the multi-religious trait of Syrian society, the EU and its international partners should reflect upon a political perspective for the mid-term. On this issue we should promote, through political action, further consolidation of the various components of the Syrian opposition, in order to help the opponents of Assad's regime build a cohesive proposal of a road map for a free Syria, including a step towards democratic elections and a constitutional process that safeguards everybody's rights. On all these principles, the EPP is committed to contributing in all political and institutional frameworks to reaching a global alliance and a shared vision for the good of millions of human beings whose fundamental rights are gravely and continuously violated.

***Emergency Resolution adopted at the EPP Congress in Bucharest, 17th to the 18th October 2012*****Responsibility to Protect and Genocide Prevention**

Being convinced that prevention and punishment of the crime of genocide and mass atrocities is our shared responsibility. Genocide and mass atrocities are a direct assault on universal human values, including most fundamentally the right to life. It is our obligation to create in the 21st century “A world free from genocide and mass atrocities”. We pledge to make every effort to stop them. Recalling with deep gratitude the invaluable work of Mr. Raphael Lemkin who coined the word genocide and through his tireless efforts made a milestone contribution to the humanity with the adoption of the Convention on the prevention and punishment of the crime of genocide (1948). Acknowledging that genocide has deep roots and that its execution requires planning and organization. Seizing on opportunities to prevent mass atrocities requires a comprehensive approach, breaking through bureaucratic silos to draw on a wide array of analytical, diplomatic, economic, legal, and military instruments as well as engaging with a variety of partners. It also requires a combination of high-level attention and standing institutional mechanisms.

Bearing in mind the European Parliament’s recommendation to the Council of 13 June 2012 on the 67th session of the UN General Assembly (2012/2036(INI)), in particular the strong reconfirmation of the EU’s commitment to the concept of Responsibility to Protect (R2P) and to initiate the development of an inter- institutional consensus on R2P between the European Parliament, the EEAS and the EU Member States that could ensure a more consistent EU action on such issues in UN forums; to assist states in fulfilling their responsibility to protect their populations; to stress the need for timely and adequate international action to prevent and halt genocide, ethnic cleansing, war crimes and crimes against humanity; and to generate further political and institutional progress on the implementation of the R2P concept in UN organs. Heaving regard the European Parliament’s proposal for the recommendation to the Council on the UN principle of the ‘Responsibility to Protect’ (R2P) of 28 March 2012 (B7-0191/2012).

*The European People’s Party,*

Welcomes the recent appointment of the EU Special Representative for Human Rights, whose mandate is to enhance the effectiveness and visibility of EU human rights policy. Calls upon the Council to further strengthen the R2P concept, to build upon inter-institutional consensus on R2P jointly with the EEAS, the Commission and the European Parliament and to improve the EU capacities to prevent atrocities. Reiterates the need to closely follow policy planning and capability development in the context of the EU’s Common Security and Defence Policy (CSDP) with the goal of creating EU capacities to provide better protection of human rights and to effectively prevent crimes of genocide, ethnic cleansing, crimes against humanity, rape and war crimes. Recommends to the Council to follow the example of the USA and establish the EU Atrocities Prevention Board as an inter-institutional mechanism, which would coordinate and develop new means of preventing genocide and mass atrocities. Recommends to the Council to appoint the EU focal point for R2P and to the Governments of EU Member States to appoint their respective national focal points in order to establish an effective network of information sharing and dialogue on conflict and atrocities prevention.

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**If you have any question  
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The publication of this document received financial support from the European Parliament.

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