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# Greens/EFA Debriefing

## Plenary week, 10-14 December 2018

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### Revocability of Article 50

On Monday, the European Court of Justice ruled on the revocability of Article 50. This follows on from the opinion of the Advocate General published last Tuesday 4 December. The case, which was brought to the ECJ by a group of Scottish politicians including Greens/EFA Member **Alyn Smith**, had been referred from the Scottish Court of Session and the UK's Supreme Court.

On the news that the ECJ has ruled that Article 50 may be withdrawn by a Member State, **Alyn Smith** Greens/EFA (SNP) MEP and co-litigant on the case commented: *"Now it's up to the UK."If the UK chooses to change their minds on Brexit, then revoking Article 50 is an option and the European side should make every effort to welcome the UK back with open arms."*

- More on Brexit

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## Humanitarian visas

Following a technical problem during the vote in November, the report was not adopted. A new report, with the same content, was then initiated at committee level and was voted in December.

The European Parliament voted in favour of setting-up an EU-level humanitarian visa system for third-country nationals. The proposal will allow asylum seekers to apply for visas at embassies and consulates outside the EU, through which they can legally travel to an EU country and seek asylum. The move is designed to create a safe channel for those in need of asylum and to reduce the amount of people risking their lives in trying to travel to Europe. The European Commission now has to present a legal proposal.

*Now the European Commission must prove that it can provide humane alternatives to the migration issue instead of just shelling out money to dodgy regimes with poor human rights records. People will continue to try and come to Europe but through humanitarian visas we can ensure that those who are in dire need of safety do not have to risk their lives to find it.", said* Greens/EFA shadow rapporteur **Bodil Valero.**

Our group has consistently called for the establishment of safe and legal pathways for migration.

- Text adopted
- Press release
- Plenary video - Green MEP Bodil Valero

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## Attack in Strasbourg

Following the fatal attack in Strasbourg with three dead and 12 injured, **Ska Keller** and **Philippe Lamberts** Co-Presidents of the Greens/EFA group in the European Parliament commented:

*"We mourn the deaths following the terrible attack around the Christmas market in Strasbourg. Our deepest sympathy is with the injured, the relatives and friends of the dead.*

*"We thank all the emergency services and the people who provided assistance so quickly. We stand together in solidarity with the victims and all the people of Strasbourg."*

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## Climate negotiations (COP24)

The UNFCCC summit in Katowice (Poland, 3 to 14 December) gathers representatives that should come together and commit to maintaining the emissions reduction targets set out in the Paris Agreement. Greens/EFA MEPs are present at the COP, including **Bas Eickhout** who is part of the official delegation of the European Parliament.

While Friday 14 December is supposed to be the last day of the COP, the bilateral technical consultations took more time than expected and the political negotiations only started at 9:00 pm on Thursday 13.

The overall negotiating text was published in the early morning. While the Austrian presidency is quite satisfied with it, the Greens - who have had a look at the document - expressed their disatisfaction, mainly due to the fact that the real discussion on the importance of raising the ambition has been postponed to a UN Special Summit in September.
Long and difficult negotiations are expected to finalise the text.

- Watch our video from COP24
- Read our demands
- EP position on COP24
- More on climate

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## Transparency and sustainability of the EU risk assessment in the food chain

Members of the European Parliament voted in favour of greater transparency around the authorisation of pesticides, GMOs and additives in the food chain. Following the call of over 1.4 million people in the largest ever European Citizens' Initiative (ECI "Stop Glyphosate") for more transparency in the authorisation of pesticides, in April 2018 the European Commission proposed a new regulation: "Transparency and sustainability of EU risk assessment in the food chain". The regulation will have an impact on the General EU Food Law and other legislation, for example on the authorisation of genetic engineering, pesticides and food additives.

A legal opinion, commissioned by the Greens/EFA group found that the Commission's draft regulation does not go far enough to bring about transparency, and could even endanger current rights on access to documents. However, the plenary ensured that those rights will not be endangered. The public register of scientific studies commissioned by the food industry, as proposed by the European Commission, will ensure that independent scientists can properly scrutinize EFSA's work. The European Parliament also spoke out for increasing transparency within the risk management process, and publishing results of Member States' votes in the Standing Committees, where decisions about authorisations are taken.

"*Transparency from risk assessments of pesticides, genetic engineering and additives to the decision on authorisation must not depend on the goodwill of the food industry. We cannot rely on the industry to judge whether its own products are harmful. We need more scrutiny by independent scientists.*", commented **Bart Staes**, Greens/EFA group spokesperson on pesticides.

- Text adopted

- Press release
- Plenary video - Green MEP Molly Scott Cato

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## EU-Japan partnership agreement (JEFTA)

The European Parliament voted on the EU- Japan free trade agreement known as JEFTA. The Greens/EFA Group have voted against this trade agreement since it does not represent a forward-looking and sustainable trade policy, The European Commission continues to focus on deregulation and has failed to learn from the massive public opposition to the previous trade agreements.

JEFTA allows for the liberalisation of financial services and provides insufficient protection for public services such as water and water-sanitation. The precautionary principle to prevent damage to the environment, health and consumer protection is not safeguarded. Japan has not committed to environmental protection rules such as an import ban on illegally harvested timber, and protective mechanisms for Japanese small farmers against the mass exports of dairy products from the European Union are missing.

*"The European Union ignores citizens' voices and imports the old mistakes of CETA to the free trade agreement with Japan. Safety and quality standards for the environment, consumers and health must not be jeopardised by deregulation. JEFTA is a decision against Europeans citizens and for multinational corporations", declared* Greens/EFA Group shadow rapporteur **Klaus Buchner**.

- Text adopted
- Press release
- Plenary video – MEP Klaus Buchner

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## Conflict of interest and the protection of EU budget, the case in the Czech Republic

At the end of November, the European Commission's legal service concluded that Prime Minister of Czech Republic Andrej Babiš has a conflict of interest between his role as head of the Czech government and his connections to the Agrofert group. As Prime Minister he is in charge of negotiating and implementing EU funds that go to the Czech Republic.

At the request of the Greens/EFA group, the European Parliament hold a debate on the conflict of interest case in the Czech Republic. MEPs voted by an overwhelming majority to support action to end the conflict of interest around Czech Prime Minister Andrej Babiš.

The Agrofert group, which he founded and is still a beneficiary of, received over €82 million in EU funds in 2017. Ever since allegations around Babiš' conflict with his business dealings emerged, the Greens/EFA

group have been demanding the Commission act. Now that the conflict of interest has been proven the European Commission must heed the words of the European Parliament and resolve this conflict without delay.

- Greens/EFA motion for resolution
- Text adopted
- Plenary video
- Press release

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## Euro6 norms – decision of the European Court of Justice

The General Court of the European Court of Justice issued a ruling on the amendment of the Euro6 norms and annuls the conformity factor in the RDE legislation. The European Commission watered down the limits for NOx emissions by introducing a conformity factor.

The Greens/EFA group in the European Parliament introduced in 2016 an objection to these changes but didn't get a qualified majority in the European Parliament back then. The European Commission has two months to appeal to this decision. If not, the Commission needs to come up with a new legislative proposal within 12 months.

*“This ruling stops the license to pollute for European car makers. It's a victory for all European citizens that are struggling with the health consequences of air pollution.*
*We are now asking the European Commission to revert the decision and make sure that the car industry finally complies with the NOx emission limits that has been decided already 11 years ago"*, said Greens/EFA Vice-President **Bas Eickhout.**

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## Sakharov Prize Oleg Sentsov

The Sakharov Prize for Freedom of Thought, named in honour of the Soviet physicist and political dissident Andrei Sakharov, has been awarded annually since 1988 to individuals and organisations defending human rights and fundamental freedoms. This year marks the 30th anniversary of the prize.

On 25th October, the Conference of Presidents of the European Parliament decided on this year’s Sakharov Prize winner.

The official award ceremony took place this week in Strasbourg in absentia of the laureate and Ukrainian film director Oleg Sentsov who is in prison. Oleg Sentsov was sentenced to 20 years in prison for “plotting terrorist acts” against the Russian “de facto” rule in Crimea. His cousin Natalya Kaplan and lawyer Dmitriy Dinze represented him during the ceremony in Strasbourg that was also attended by the two other finalists - the NGOs protecting human rights and saving migrant lives across the Mediterranean Sea and the family of Nasser Zefzafi, the leader of Hirak, a mass protest movement in the Rif region in Morocco.

The Greens/EFA group had nominated the NGOs protecting human rights and saving migrant lives across the Mediterranean Sea, in recognition of their tireless humanitarian efforts where national governments are reluctant to act.

- Video of the award ceremony
- Free Sentsov action
- Action “Saving lives is not a crime”

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## Digital service tax

The European Parliament voted on a proposal to tax tech giants. Large multinational tech companies typically pay significantly less tax (often less than 10% ) than both normal companies and individuals, and frequently use profit shifting techniques to lower their tax bills.

Last week talks broke down between European Union finance ministers over Commission proposals for a "digital service tax". A last minute intervention by France and Germany attempted to salvage a deal that would only tax the three largest tech giants, a proposal that is far less ambitious than the original digital service tax, and which will be discussed in the next ECOFIN meeting.

The Greens/EFA group have long been calling for companies such as Google, Amazon, Facebook and Apple to pay their fair share in the countries where they operate and where they generate revenues. Given the lack of progress in the Council by EU Member States, the Greens/EFA group have also demanded that the Commission reinitiate the legislative procedure on the proposal, which would guarantee that the Parliament has co-decision powers and requires only majority, and not unanimity, in the Council. This amendment was adopted.

- Texts adopted
  - digital services tax
  - Corporate taxation of a significant digital presence
- Plenary video – Green MEP Eva Joly
- Press release

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## European Council

Ahead of the EU Summit of 13 and 14 December, Greens/EFA Co-President **Ska Keller** declared: *"The European Council must break its current cycle of deadlock and postponement. We urgently need progress on a common European asylum system, especially on its corner piece, the Dublin system for a fair distribution mechanism. Also on the Eurozone reform we need more progress. What the finance ministers sent to the European Council has no real teeth: the Eurozone budget is way too small and will not lead to investments nor*

*help against the pressing problems of poverty and unemployment. If we want to have a stable currency and a stable Eurozone, we will have to go further.*

*"On Brexit, it is clear that there cannot be a change in the withdrawal agreement. The EU 27 need to send two clear messages from the summit: that they are united in defending EU principles and also that the UK would find open doors if the British people were to revise their decision."*

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**Greens/EFA motions for resolution**

- Egypt, notably the situation of human rights defenders
- Iran, notably the case of Nasrin Sotoudeh
- Tanzania

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*Next issue of Greens/EFA Plenary Round-up: 18 January 2019*

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