NOKIA 2019

Regional Session of EYP Finland

ACADEMIC PREPARATION KIT

European Youth Parliament (EYP)

The European Youth Parliament represents a non-partisan and independent educational project which is organised across Europe by young people, for young people. European Youth Parliament Finland, established in 2001, is the National Committee of EYP in Finland.

EYP encourages independent thinking and initiative in young people and facilitates the learning of crucial social and professional skills. Since its inauguration in 1987, tens of thousands of young people have taken part in Regional, National and International Sessions, formed friendships and made international contacts across and beyond borders. EYP has thus made a vital contribution towards uniting Europe.

Today, EYP is one of the largest pan-European platforms for political debate, intercultural encounters, non-formal educational work and the exchange of ideas between young Europeans. The EYP network is represented in 41 European countries and has thousands of active young volunteers.
EYP is a programme of the Schwarzkopf Foundation.

European Union (EU)

The EU is an economic and political union of 28 Member States. The EU was established by the Treaty of Maastricht in 1992 upon the foundations of the European Communities.

The EU has developed a single market through a standardised system of laws which apply in all Member States. It ensures the free movement of people, goods, services and capital, including the partial abolition of passport controls within the Schengen Area. It provides legislation in justice and home affairs, and maintains common policies on trade, agriculture, fisheries and regional development. 19 Member States have adopted a common currency, the euro.

Regarding its relations to the wider world, the EU has a limited role in foreign and defence policy through the Common Foreign and Security Policy. The level and speed of integration in foreign policy, just like in all other policy areas, has been widely debated with different Member States having different opinions, and has become a major topic since 2016 in the wake of the United Kingdom's decision to leave the EU. The EU has permanent diplomatic missions around the world and it is represented at the United Nations, the World Trade Organisation (WTO), the G8 and the G20.

The EU operates as a hybrid system of supranationalism and intergovernmentalism. This means that in certain areas, decisions are taken independently by EU institutions whereas, in others, they are made through negotiations between the Member States.

The EU traces its origins from the European Coal and Steel Community and the European Economic Community formed by six countries in the 1950s. Since then it has grown in size through enlargement, and in power through the addition of policy areas to its authority. The latest amendment to the fundamental treaties of the EU, the Treaty of Lisbon, came into force in 2009.

The Institutions of the EU

The European Council is responsible for defining the general political direction and priorities of the EU. It comprises of the heads of state or the government of EU Member States, the President of the European Council (currently Donald Tusk from Poland with Charles Michel from Belgium being President-elect) and the President of the Commission.

The Council of the European Union (commonly referred to as the Council of Ministers) is the legislative institution of the EU that represents the governments of Member States. The other legislative body is the European Parliament. Who exactly are members of the Council of the EU depends on the topic: for instance, when discussing agricultural policy, the Council is formed by the 28 national ministers whose portfolio includes this policy agenda.

The European Parliament is the directly elected, parliamentary institution of the EU. The Parliament directly represents the citizens of the EU. Together with the Council, it forms the bicameral legislative branch of the EU. Parliament is composed of 751 MEPs. The current President is David Sassoli from Italy.

The European Commission is the executive body of the EU. It is responsible for proposing legislation, implementing decisions, upholding the treaties of the EU, and the general day-to-day running of the EU. The Commission operates as a cabinet government with 28 commissioners, one from each Member State. The current President is Jean-Claude Juncker from Luxembourg with Ursula von der Leyen being President-elect.

Other important institutions of the EU include **the Court of Justice of the European Union** and **the European Central Bank**. The EU also has several agencies and other institutions.

The Topics

Committee on Agriculture (AGRI)
Reetamari Pesonen (FI), Tilen Zorman (SI)

With the stagnation of farmers' incomes and the forecast of a 14% further drop in the next decade, there is a risk of a big drop in employment in the agriculture sector. What can the European Commission do to ensure a sustainable agriculture sector across Europe?

Committee on Organised Crime, Corruption and Money Laundering (CRIM)
Valerija Bobrova (LV), Matěj Plachta (CZ)

The EU market of illicit drugs continues to be one of the more resilient ones, due to the constant development of established and newer drugs taking place. How can the EU minimise and prevent further health risks and security threats in the Member States?

Committee on Culture and Education (CULT)
Monica Ratinen (FI), Ronja Gorenc Didanovič (SI)

Access to higher education: with varying costs and even more varying support systems, tertiary educations is out of reach for many European students from disadvantaged backgrounds. What can the EU and its Member States do to ensure fair access to university education, whilst guaranteeing a fair repartition of the costs across society?

Committee on Economic and Monetary Affairs (ECON)
Dan Cederlöf (FI), Hein Posthumus (NL)

With a handful of firms across Europe gaining more and more market share, how should the EU safeguard fair competition and limit monopolisation within the single market without increasing consumer prices?

Committee on Employment and Social Affairs (EMPL)
Andrei Isachanka (BY), Omer Aksu-Sara (RO)

A 2018 Eurostat survey revealed that 16.5% of the 20-34 olds in the EU were neither in employment nor in education and training ('NEETs'). Taking into account the swift process of automatisation and digitalisation of jobs, how should the EU facilitate the integration of youth into a more competitive labour market?

Committee on the Environment, Public Health and Food Safety (ENVI)
Alexandra Salo (FI), Paula Lorberga (LV)

In the light of recent events in Siberia and Amazonia, how can the EU fight the growing worldwide issue of deforestation and forest degradation with the use of green public procurement policies and EU Action plan on Forest Law Enforcement, Governance and Trade to shelter its global objectives and international commitments?

Committee on Civil Liberties, Justice and Home Affairs (LIBE) I

Mariel Tähtivaara (FI), Rilla Ritakallio (FI)

The European Convention on Human Rights protects the right of citizens to hold various religious faiths and beliefs. Considering the spread of religious-based hate crimes in Europe, how should the EU guarantee the right to freedom of religion whilst promoting the assimilation of religious minorities into European societies?

Committee on Civil Liberties, Justice and Home Affairs (LIBE) II

Ani Honarchian (AM), Reihane Zitouni (DE)

Fair trials: More than 20% of prisoners in the EU are pre-trial detainees, where there is an overrepresentation of foreign nationals held in pre-trial detention without access to legal representation. Considering the over-capacity of prisons and the right to be presumed innocent, how can the EU mitigate the existing inequality of representation in prisons to protect the rights of detainees?

Committee on Agriculture (AGRI)

With the stagnation of farmers' incomes and the forecast of a 14% further drop in the next decade, there is a risk of a big drop in employment in the agriculture sector. What can the European Commission do to ensure a sustainable agriculture sector across Europe?

By: Reetamari Pesonen (FI), Tilen Zorman (SI)

Abstract

Farmers' incomes are facing an all-time low. The agricultural sector is already consuming a great amount of the EU's budget and there isn't any more money that could be used to stabilize the farming sector. EU's farmers provide food in and outside of the EU. After noting the importance of a well working and a stable agricultural sector, we should start thinking of a solution. How to stabilize the agricultural sector while staying in a budget?

Key Terms

Agri-foods - the food that is produced agriculturally

The EU's agriculture sector - the companies, farmers and legislation behind agri-foods

Agricultural export - agricultural products that are shipped outside the EU

Direct subsidies - Payments given to farmers based on the amount of agricultural land they own. Also income support.

Topic in the Context

Farmers ' incomes in the EU and the world are declining. There are several reasons for that. Because of all the advances of technology, the productivity of farmers has been increasing since the Neolithic Revolution and will probably be increasing in the future as well. This means that to feed the world population, fewer people percentage-wise would need to be farmers.

Due to globalisation, lower-developed countries have been able to offer agricultural products for a lower price to the whole world, which has put downward pressure on prices and incomes of farmers in the EU. Simply put, the lowering of prices is good for the EU consumer but bad for the EU farmer. Thus, EU farmers have tried to stabilise or increase their income by requesting public funds to support their ever more shrinking market incomes. First from their respective states, but then under the EU,

with the Common Agricultural Policy (CAP) that sought to replace the Member States' subsidies with mixed success so far. It has come to a point at which the majority and the most consistent part of their income are the EU's subsidies. Cuts in that part of the budget, like the new long-term budget[1] being proposed for the 2021-2027 period, would significantly hurt the farmers, but even after that cut, this would stay the second largest piece being second only to Smart and Inclusive Growth[2].

Because of the further decrease in farmers' incomes before subsidies forecasted for the future, the current situation does not seem sustainable. If the EU's subsidising of farmers continues in the same way as now, farmers' incomes will become only dependent on the EU and not on the produce they sell as farmers.

Key Actors

EU farmers - Growing increasingly more dependent on the CAP due to their lowering market incomes.

EU consumers - They are paying higher prices for agricultural products because of the CAP, that they would otherwise have.

Food and Agriculture Organization - works closely with the EU. The main aim is to relieve rural poverty and hunger. Priority areas include for example food security, nutrition, climate change as well as food safety and quality.

Member States - most subsidise their farmers additionally to the CAP, so they can have a steady income which is not dependent on the crop.

Key Conflicts

One of the main conflicts that arise, since the CAP is in place, is between farmers, which represent only 4.4 % of the EU employed population,[3] and the consumer. On one hand, the CAP allows farmers to charge lower prices so they can compete with imported agricultural produce, by giving them direct subsidies, based on the amount of farmable land they own. On the other hand, it also raises the prices of the products by imposing tariffs and other regulations on imported goods. So it doesn't just help the farmer but also hurts the consumer along with the EU taxpayers.

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[1] de La Hamaide, S. (2018): EU proposes to cut farm subsidies, France says unacceptable. Accessible over
https://www.reuters.com/article/us-eu-budget-agriculture/eu-proposes-to-cut-farm-subsidies-france-says-unacceptable-idUSKBN1I31XB
[2] creating growth and jobs and reducing economic gaps between the EU's various regions.
[3] European Commission. (2017): Farmers in the EU - statistics. Accessible over
https://ec.europa.eu/eurostat/statistics-explained/index.php/Farmers_in_the_EU_-_statistics

The other important aspect is the information given to producers by the lowering of prices on the market, which is distorted by the CAP. Low prices disincentivize farmers to keep being farmers and new farmers to enter the market. Shortly, relative lowering of prices provides an information that there's less of a need for farmers in the EU. Transitioning the struggling EU farming population to other rising sectors of the economy, would not only help them be more autonomous but also help the developing countries' economies while lowering the prices for the EU consumer, that farmers also are.

Even with the CAP in place, these market forces are too strong and the EU has lost around 4 million farmers from 2005 to 2015.[4] While low import prices for agricultural produce is one of the reasons for this, the main reason is the relative lowering of labour productivity compared to other sectors in the economy. Farmers or would-be farmers then move to higher-paying jobs, rather than stay in farming.

Measures in place

The CAP was launched in 1962. It is a partnership between agriculture and society, with the main aims including support of farmers and improvement of agricultural productivity, to ensure a stable supply of affordable food. Although it was meant to replace the Members states' subsidies to their farmers, it hasn't achieved that goal completely, as most countries still have some policies helping their farmers. In 2018 The EU supported farmers with €58.82 billion,[5] by giving them funds for income support, rural development and market measures, with income support being the biggest part of the budget (€41,74 billion) and market measures the smallest (€2,7 billion). Noting that the EU's budget for 2018 was €160.11 billion, the agricultural sector presents a big percentage of it.

While income support is pretty straightforward as farmers get an amount of money based on the number of hectares of agricultural land they own, rural development is mostly meant to help rural areas adapt and face the new challenges we face as a society like global warming. The EU also has coherent market measures that are meant to regulate and support the agricultural sector. These market measures aim to stabilize the agricultural sector by preventing market crises from escalating, boost demand and help the EU agricultural sector to better adapt to market changes. Market measures are a part of the Common market regulation, which is the framework for how the EU agriculture works within the single market.

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[4] European Parliament. (2019): HEARING OF JANUSZ WOJCIECHOWSKI. Accessible over:
http://www.europarl.europa.eu/resources/library/media/20191002RES63203/20191002RES63203.pdf
[5] European Commission. (2019): The common agricultural policy at a glance. Accessible over
https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/cap-glance_en

Looking Beyond the Horizon

- What should be the policy of the EU in the future? Should it try some new approaches, or keep supporting an ever-larger share of farmers who can't survive on the global agricultural markets? Maybe lean more towards protectionism or more towards safety nets?
- What should the EU do about one of the most regressive payment structures it has? Around 70% of the agricultural budget is meant for direct payments and 20% of the largest farms get 80% of those?[6] Should it restructure its payments to be more progressive or reallocate the direct payments budget towards market measures or rural development which now take the other 30% of the budget?
- Is it even fair to prioritize farming in the EU budget over other also important challenges that the EU faces (global warming, migrations)? Especially since countries are helping farmers on their own and the goal of the Common Agricultural Policy replacing those measures has not been achieved.

Further Links for Research

- European Commission. (2019): The common agricultural policy at a glance. Accessible over https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/cap-glance_en
- European Commission. (2019): Market measures explained. Accessible over https://ec.europa.eu/info/food-farming-fisheries/key-policies/common-agricultural-policy/market-measures/market-measures-explained_en
- Food and Agriculture Organization. (2019); FAO-EU partnership. Accessible over http://www.fao.org/europeanunion/eu-in-action/en/
- Matthews, A. (2016): The dependence of EU farm income on public support. Accessible over http://capreform.eu/the-dependence-of-eu-farm-income-on-public-support/
- European Commission. (2018): Direct payments. Accessible over https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/farming/documents/direct-payments_en.pdf

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[6] European Commission. (2018): Direct payments. Accessible over
https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/farming/documents/direct-payments_en.pdf

Committee on Organised Crime, Corruption and Money Laundering (CRIM)

The EU market of illicit drugs continues to be one of the more resilient ones, due to the constant development of established and newer drugs taking place. How can the EU minimise and prevent further health risks and security threats in the Member States?

By: Valerija Bobrova (LV), Matěj Plachta (CZ)

Abstract

Addiction, blood-borne diseases, premature death, organised crime groups, new psychoactive substances (NPS) and healthcare costs. There are many issues that come with illegal drug abuse, a matter of immensely destructive nature. Many of the aforementioned aspects have already been recognized by the EU and the Member States that have, together with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), created a Drugs Strategy and a Drugs Action Plan - two responses that are mainly focused on drug demand and supply reduction, new psychoactive substances and the integration of non-governmental organisations (NGOs). However, there are still certain discrepancies that need to be dealt with, such as the impact of decriminalisation and legalisation or the obstacles of legal recreational use.

Key Terms

New Psychoactive Substances (NPS) - illegal drugs designed to stay ahead of the law by changing their chemical structures, mimicking established illicit drugs such as cannabis, cocaine, ecstasy and LSD.[1]

Polydrug use - is the use of more than one drug or type of drug by an individual, consumed at the same time or sequentially.[2]

Drug decriminalisation - the elimination of criminal penalties for certain drug use and possession, possession of equipment used to introduce drugs into the human body, such as syringes and low-level drug sales.[3]

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[1] ADF. (2019): What are new psychoactive substances? Accessible over
https://adf.org.au/drug-facts/new-psychoactive-substances/
[2] EMCDDA. (2002): Annual report on the state of the drugs problem in the European Union and Norway. Accessible over http://www.emcdda.europa.eu/attachements.cfm/att_37265_EN_sel2002_1en.pdf
[3] Drug Policy Alliance. (2019): Drug Decriminalization. Accessible over
http://www.drugpolicy.org/issues/drug-decriminalization

Organised crime - criminal activities that are planned and controlled by powerful groups and carried out on a large scale.[4]

Topic in the Context

The illicit drug market remains to be the largest criminal market in the EU. Of all the criminal groups that are active in the EU, more than a third are involved in the production, trafficking or distribution of various types of drugs. Organised crime groups involved in drug trafficking rely heavily on corruption to facilitate their trafficking activities.[5]

The biggest negative impact is undoubtedly the tremendous toll taken on people's health. Illicit drug usage often results in death caused by overdose and in many cases leads to the transmission of HIV/AIDS, as people who inject drugs are 22 times more likely to fall victim to it.[6] There is also a large possibility of acquiring liver, respiratory or cardiovascular diseases, cancer or infections, such as hepatitis C. Over 8200 deaths involving one or more illicit drugs were reported in 2017 in the EU. Out of those deaths, most were premature, affecting people in their thirties and forties.[7]

Another quite new threat is posed by the NPS. Their main issue is that they are being developed at an unprecedented rate, which leads to them being unregulated and untested.[8] Due to that, it is virtually impossible to know the effects they have on humans and the dosage that causes them. That can lead to overdose, or mixing with other inappropriate drugs, both resulting in death. As of December 2018, 888 new substances have been reported to the United Nations (UN) Office on Drugs and Crime, Early Warning Advisory on NPS by Governments, laboratories and partner organisations.[9]

Key Actors

The European Commission - has the great role of proposing laws to the European Parliament and Council, and also of presenting and implementing policies according to its competence limits.

[4] Lexico. (2019): organized crime. Accessible over https://www.lexico.com/en/definition/organized_crime
[5] Europol. (2017). HOW ILLEGAL DRUGS SUSTAIN ORGANISED CRIME IN THE EU. Accessible over https://www.europol.europa.eu/sites/default/files/documents/business_fundamentals_how_illegal_drugs_sustain_organised_crime_in_europe.pdf
[6] Avert. (2019). PEOPLE WHO INJECT DRUGS, HIV AND AIDS. Accessible over https://www.avert.org/professionals/hiv-social-issues/key-affected-populations/people-inject-drugs
[7] EMCDDA. (2019): Latest update on drug-related deaths and mortality in Europe. Accessible over http://www.emcdda.europa.eu/news/2019/latest-update-on-drug-related-deaths-and-mortality-in-europe_en
[8] ADF. (2019): What are new psychoactive substances? Accessible over https://adf.org.au/drug-facts/new-psychoactive-substances/
[9] UNODC Early Warning Advisory on New Psychoactive Substances. (2019): What are NPS? Accessible over https://www.unodc.org/LSS/Page/NPS

Moreover, the European Commission is also in charge of the EU budget, allowing it to develop subsidy programmes that are crucial for the functioning of many **NGOs** and **programmes** dealing with drugs.

Member States - Security and shared safety concerns in public health matters are two areas of the EU's shared competencies.[10] That means that the Member states can introduce policies if the European Commission had not decided to do so. A great example is the distinct approaches of the Member states to prohibition, the most prominent being Netherland's wide-scale decriminalisation of marijuana.

The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) - plays a role of immense importance in the field of drug-related data collection. It exists to provide the EU and its Member States with a factual overview of European drug problems and a solid evidence base to support the drugs debate. Today it offers policymakers the data they need for drawing up informed drug laws and strategies.[11]

There are many **projects and organisations**, such as European Cities Against Drugs, Europe for Action on Drugs, and The European Drug Prevention Quality Standards that are developing initiatives and efforts against drug abuse. In most cases, they are advocating for prevention and recovery-oriented policies, holding conferences, lectures and study visits, or helping those suffering from drug addiction and marginalisation.

Key Conflicts

One of the important conflicts in this topic is one of **Freedom vs. Security**. The conflict is when **recreational use** is safe and does not pose a threat to public health. It is a person's right to experiment with **legal substances**, for example, substances like marijuana that are decriminalised in some Member States. **But when does this right becomes a threat to public health?** Use of legal substances, such as alcohol or marijuana, can lead to the use of other illicit substances and addictions.[12]

Another really important conflict is one of **Decriminalisation vs. Legalisation.** Decriminalisation is a **loosening of criminal penalties imposed for personal drug possession and use** even though the

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[10] Publications Office of the EU. (2016): Division of competences within the European Union. Accessible over https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3Aai0020
[11] See the mission, organisational structure and partners of the EMCDDA. Accessible over http://www.emcdda.europa.eu/about
[12] More information on research about marijuana being a gateway drug. Accessible over https://www.drugabuse.gov/publications/research-reports/marijuana/marijuana-gateway-drug

manufacturing and sale of the substance remain illegal. Legalisation, on the other hand, is the **lifting or abolishment of laws banning the possession and personal use of narcotics**.[13]

Drug decriminalisation and legalisation are important issues that need to be discussed. They have many positive aspects as well as many negative ones. Decriminalisation would change society's view on narcotics as well as allow and encourage drug users to remain productive members of society. But at the same time decriminalisation can encourage drug use and experimentation with narcotics and reduce drug prices.[14]

Measures in Place

One of the actions the European Commission has taken is its **"EU's response to drugs – Strategy and Action Plan"** which consists of the **EU Drugs Strategy 2013-2020**[15] and two consecutive four-year **Action Plans on Drugs**, the first one covering the period **2013-2016**[16] and the second one covering **2017-2020**[17].
The Strategy is structured around two policy areas: drug demand reduction and drug supply reduction. While maintaining and updating the core policy areas and cross-cutting themes of the overall EU Drugs Strategy, the new Action Plan identifies new priority areas for action, including improvement of **NPS monitoring**.[18]

The EMCDDA collects data and maintains datasets that cover drug use and patterns of use in Europe.[19] The EMCDDA has published a study of **wastewater analysis**, which is a developing scientific discipline with the potential for monitoring real-time data on geographical and temporal trends in illicit drug use.[20]

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[13] Murse, T. (2019): Decriminalization Versus Legalization of Marijuana. Accessible over
 https://www.thoughtco.com/decriminalization-versus-legalization-of-marijuana-3368393
[14] Editor in Chief of Vittana.org. (2019): 16 Decriminalization of Drugs Pros and Cons. Accessible over
https://vittana.org/16-decriminalization-of-drugs-pros-and-cons
[15] European Council. (2012): EU Drugs Strategy (2013-20). Accessible over
 http://www.emcdda.europa.eu/document-library/eu-drugs-strategy-2013-20_en
[16] European Commission. (2013): EU Action Plan on Drugs 2013-2016. Accessible over
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52013XG1130%2801%29
[17] European Council. (2017): EU Action Plan on Drugs 2017-2020. Accessible over
http://www.emcdda.europa.eu/system/files/attachments/5642/eu-action-plan%27-on-drugs-2017-2020.pdf
[18] European Commission. (n. d.) : Drugs policy. Accessible over
https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/drug-control/eu-response-to-drugs_en
[19] EMCDDA. (2019): European Drug Report. Accessible over
 http://www.emcdda.europa.eu/system/files/publications/11364/20191724_TDAT19001ENN_PDF.pdf
[20] EMCDDA. (2019): Wastewater analysis and drugs — a European multi-city study. Accessible over
http://www.emcdda.europa.eu/topics/pods/waste-water-analysis

In high-profit illicit drug market, criminal entrepreneurs always find a way to meet demand. When the United Kingdom's government evaluated its **2010-16 Drug Strategy**, it acknowledged that enforcement activities, like **drug seizures**, do contribute to the disruption of drug markets, but the effects of these activities tend to be short-lived and not have an impact on the **availability of drugs** in the market.[21] In March 2019, the UN System Coordination Task Team of the UN Chief Executive Board (representing the directors of all 31 UN agencies, and chaired by the Secretary-General) concluded that: 'The assumption that tougher law enforcement results in higher drug prices and therefore lowers the availability of drugs in the market is not supported by the empirical evidence.'[22].

Looking Beyond the Horizon

- What are the impacts of illegal drug usage on a national level?
- What are the key reasons for people to start using/use illegal drugs?
- What are the pros and cons of legalisation?
- What are the most dangerous threats illegal drug usage pose on the individual?
- What can be done to inform EU citizens about the harmful effects of drug use?

Further Links for Research

Sites:

- EMCDDA. (2019): European Drug Report 2019: Trends and Developments. Accessible over http://www.emcdda.europa.eu/publications/edr/trends-developments/2019_en
- European Commission. (n. d.) : Drugs policy. Accessible over https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/drug-control_en
- Wikipedia. (2019): Drug liberalization. Accessible over https://en.wikipedia.org/wiki/Drug_liberalization#Drug_decriminalization
- Ritchie, H. and Roser, M. (2016): Drug Use on Our World in Data: https://ourworldindata.org/drug-use

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[21] Transform. (2019): Submission to the Scottish Affairs Committee. Accessible over https://transformdrugs.org/scottish-committee-drugs-policy-submission-april-2019/
[22] UN system coordination Task Team on the Implementation of the UN System Common Position on drug-related matters. (2019): What we have learned over the last ten years: A summary of knowledge acquired and produced by the UN system on drug-related matters. Accessible over https://www.unodc.org/documents/commissions/CND/2019/Contributions/UN_Entities/What_we_have_learned_over_the_last_ten_years_-_14_March_2019_-_w_signature.pdf

- National Drug Intelligence Center. (2006): The Impact of Drugs on Society. Accessible over
  https://www.justice.gov/archive/ndic/pubs11/18862/impact.htm

Videos:

- EMCDDA. (2016): What are new psychoactive substances? Accessible over
  https://www.youtube.com/watch?v=7jF6S6YNC3U
- Khanacademymedicine. (2015): Risk factors for drug use and drug abuse. Accessible over
  https://www.youtube.com/watch?v=R23KUZvjg4A
- Wait 21. (2013): Understanding Addiction as a Disease. Accessible over
  https://www.youtube.com/watch?v=-w8n9UOiBxE

Committee on Culture and Education (CULT)

Access to higher education: with varying costs and even more varying support systems, tertiary education is out of reach for many European students from disadvantaged backgrounds. What can the EU and its Member States do to ensure fair access to university education, whilst guaranteeing a fair repartition of the costs across society?

By: Monica Ratinen (FI), Ronja Gorenc Didanovič (SI)

Abstract

While the expansion of tertiary education has undoubtedly become a notable feature of the European education system through The Europe 2020 strategy, many challenges remain. These challenges include factors such as the lack of national strategies, generational inequity, and finding a system that enables a sustainably funded tertiary education. All higher education sectors are struggling to find suitable solutions, while the role of the EU in this process is yet to be defined.

Key Terms

Higher Education Institutes - encompass a wide range of organisations awarding academic degrees or professional certification. They include for example universities, professional institutes and academies.

Vocational education and training provider - an organisation or individual that provides vocational education or training services.

Socioeconomic Background - a measure of an individual's family's economic or social position compared to others based on factors such as income or education and the individual's work experience.

Disadvantaged student - a student whose socioeconomic backgrounds negatively affect their studying abilities.

Social Mobility - is the movement of households, families and individuals through an established system of social hierarchy. A part of this is vertical mobility that describes the downward or upward movement within the structure of a class in society.

Topic in the Context

Higher education plays an invaluable role in **individual and societal development**. It provides highly skilled human capital and the engaged citizens that Europe needs to create **jobs, economic growth, and prosperity**. Tertiary education is also important since it leads to better wages. It can be the gateway to better opportunities and better-paying jobs for individuals across the EU. These monetary benefits can increase living standards by people affording housing and health services. Tertiary education must also play its part in **tackling the EU's social and democratic challenges**. This means ensuring that higher education is inclusive and that its institutions are well connected to their communities.

The Europe 2020 strategy aiming to provide higher education qualification to 40% of young Europeans by 2020 has made the expansion of tertiary education a notable feature of the European education system[1]. However, **the likelihood of participation still varies** significantly with a view to age, gender, ethnicity, socioeconomic status and attainment. This makes equal access to higher education a prevailing problem in high, medium and low-income countries alike.

Although higher education participation rates overall have reached the Europe 2020 strategy goal in most Member States, access to **university education remains a barrier for students from lower-income backgrounds and other disadvantaged groups.** At the heart of the problem lies the fact that expanding the system does not necessarily mean increased opportunities for disadvantaged groups.

While the nature of the problem differs somewhat across contexts, all higher education sectors are struggling to find a system that will allow for a **sustainably funded high-quality education for all**.

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[1] European Commission. (2018): Education and training monitor. Accessible over
https://www.educacionyfp.gob.es/inee/dam/jcr:009d2726-d54e-4238-9cfd-5a5dd98bbaab/volume-1-2018-education-and-training-monitor-country-analysis.pdf

Key Actors

European Commission - works to support the development of higher education policies throughout the EU in line with the Education and Training 2020 (ET2020) strategy[2].

The Commission's Directorate-General for Education and Culture[3] - responsible for policymaking in education. Supports issues concerning tertiary education through a variety of programmes and projects, such as Erasmus+.

European University Association (EUA) - represents more than 800 universities in 48 European countries. EUA emphasizes the importance of cooperation and knowledge sharing between the Member States through organising events and projects. Therefore the EUA plays a crucial role in the Bologna process and in influencing EU policies on tertiary education, innovation and research.

The Council of Europe - human rights organisation that, concerning tertiary education, tackles issues such as the recognition of qualifications, governance and other fields related to the installation of the European Higher Education Area.

Academic Cooperation Association - funds and supports the internationalisation of higher education by supporting research and smart policy-making in the field of international higher education.

Project Access - an international non-governmental organisation that aims to support underprivileged students and their access to higher education.

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[2] European Commission. (2009): European Policy Cooperation (ET 2020 framework). Accessible over https://ec.europa.eu/education/policies/european-policy-cooperation/et2020-framework_en

[3] European Commission. (2019): DG EAC - DG for Education and Culture. Accessible over https://ec.europa.eu/knowledge4policy/organisation/dg-eac-dg-education-culture_en

Key Conflicts

The first relevant conflict is the one of **availability vs accessibility**, as the first condition for a fair system is the availability of higher education institutions - relating to the overall number of student places available, as well as the existence of adequate infrastructure and teaching staff. However, the existence of student places does not mean that they will be accessible, or at least not to all individuals or groups. Barriers such as tuition fees, the geographical location of institutions as well as a range of other constraints contribute to the existing inequity.

While making sure everyone has the option to access higher education is important, we need to acknowledge the fact that there are differences in prestige and quality amongst universities, with disadvantaged students generally confined to the lower-ranked institutions. **The Horizontality of Higher Education** is the characteristic of even quality across the system. Right now the EU is full of diverse institutions, but it still lacks a goal in the context of consistently high quality and recognition of diplomas in the broader society.

Furthermore, in April 2019 the ET2020 Working Group on Higher Education organised a peer learning activity which concluded that while social inclusion is high on the agenda in the Member States, there is a **lack of national strategies** and comprehensive approaches with long-term policy commitments on social inclusion in higher education. The EU still has not invested sufficiently in the identification of disadvantaged and target groups and in measuring progress towards targets.

Finally, there is the factor of **generational inequity**. Statistics show that young people with at least one parent with a degree are nearly five times more likely to access higher education than those without. Greater investment is needed in the training of higher education staff to enhance and adapt teaching practices to students from disadvantaged groups.

Measures in place

The first measure in place is the **European Higher Education Area (EHEA)**[4] that is an international collaboration on higher education and the result of the political will of 48 countries which have over the last twenty years built an area implementing a common set of commitments, which are structural reforms and shared tools. These 48 countries adopt reforms on higher education based on common key values such as freedom of expression, autonomy for institutions, academic freedom and free movement of students.

The next measure is a project co-financed by the European Commission named **Eurostudent**. It documents the social and economic conditions of student life in Europe based on surveys and self-assessments in 28 participating countries from the European Higher Education Area.

The EU's **Erasmus+**[5] programme to support education, training, youth and sport in Europe. Its budget of €14.7 billion is set to provide opportunities for over 4 million Europeans to study, train, and gain experience abroad. Set to last until 2020, Erasmus+ does not just have opportunities for students. Merging seven prior programmes, it gives opportunities to a wide variety of individuals and organisations.

The biggest EU Research and Innovation programme ever is **Horizons 2020** with nearly €80 billion of funding available over 7 years, from 2014 to 2020 – in addition to the private investment that this money has been attracting. It promises more breakthroughs, discoveries and world-firsts by taking great ideas from the laboratory to the market.

Finally, there is the **European student card initiative**[6] that will develop an online one-stop-shop through the Erasmus+ Mobile App for students to manage all the administrative steps of their mobility period, before, during and after their stay. It will allow students to find all the information they need to have a high-quality mobility experience abroad.

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[4]European Commission. (1999): European Higher Education Area (EHEA). Accessible over
https://ec.europa.eu/education/policies/european-policy-cooperation/et2020-framework_en
[5] European Commission. (2014): Erasmus+. Accessible over
https://ec.europa.eu/programmes/erasmus-plus/about_en
[6] European Commission. (2014): European student card initiative. Accessible over
https://ec.europa.eu/education/education-in-the-eu/european-student-card-initiative_en

Looking Beyond the Horizon

- Has the EHEA been successful?
- Are there other examples of where programmes alike have worked and if so why?
- Are there alternatives to outreach or financial programs to facilitate more equal access to tertiary education?
- What role should the EU play in making tertiary education more available?

Further Links for Research

- European Council. (2017): The European Universities Initiative. Accessible over https://ec.europa.eu/education/education-in-the-eu/european-education-area/european-universities-initiative_en
- European Commission. (2018): A network of mutual recognition of diplomas. Accessible over https://ec.europa.eu/education/education-in-the-eu/proposal-for-a-council-recommendation-on-the-automatic-mutual-recognition-of-diplomas-and-learning-periods-abroad_en
- European Commission. (2017): The European Student Card in line with the vision for a European Education Area. Accessible over https://ec.europa.eu/education/education-in-the-eu/european-student-card-initiative_en
- Bologna Process. (1999): The Bologna Process aims to create the European Higher Education Area. Accessible over *https://www.wg.aegee.org/ewg/bologna.htm*
- European Union. (2019): University fees and financial help. Accessible over *https://europa.eu/youreurope/citizens/education/university/fees-and-financial-help/index_en.htm*

Committee on Economic and Monetary Affairs (ECON)

With a handful of firms across Europe gaining more and more market share, how should the EU safeguard fair competition and limit monopolisation within the single market without increasing consumer prices?

By: Dan Cederlöf (FI), Hein Posthumus (NL)

Abstract

No matter where you are, the odds are that people are walking around with Apple iPhones, drinking Coca-Cola and fueling their cars with Shell gasoline. Multinational companies alike dominate their markets, knowing only a few opponents. A 100% market share allows a corporation to increase their prices significantly and decrease the quality of their product so long as all quality regulations are met, as there simply is no other source of the goods or services they provide. Dominating the markets to such a degree is a threat to a fair economy and is often to be addressed through market legislation. If the company provides provisions ie. grocery stores and thus is essential for survival, market dominance may pose a threat to the wellbeing of citizens as their groceries may rise into unaffordability.

Key terms

EU competition law - is an EU law that seeks to maintain market competition to ensure **monopolies** and **cartels** are unable to form.

European Single Market - is a marketplace formed to guarantee the free movement of goods, capital, services and labour - *the Four Freedoms* - within the EU.

Cartel - is an illegal monopoly created by companies competing in the same market by ie. Setting the price of a service on a higher level, thus forcing everyone to pay for that service with that higher price.

Government-granted monopolies - are a form of legal monopoly sanctioned by the state. These kinds of monopolies are often in risky fields, but can also include things like state-owned patents.

The topic in the context

As consumers, we are always looking for the cheapest good with the best quality, since that is how we get the most of our incomes. For basic needs, this is especially important. Had our groceries become too expensive to afford, we would have to resort to a more primitive lifestyle without our luxuries. This is an extreme and theoretical example, but it marks the relevance of the accessibility of goods.

This problem has been relevant for a long time. The first competition laws were made at least two millennia ago. These laws, intended to safeguard free-market economies, were seen in Roman times, medieval times and their remains are still to be seen in modern-day legislation. Most of these introduced a fining of individuals inhibiting the free travel of supply ships. This ensured marketmen could not prevent one another from having goods to sell, hence essentially preventing monopolies.

With the rise of modern businesses came new conflicts. Before, the only monopolies were monopolies in power, like in areas under the autarchic rule. Economic monopolies were very scarce and only really came to life in the 20th century with big pharmaceuticals like Bayer, early car manufacturers like Ford and Mercedes-Benz and soft drinks producer Coca-Cola. It was only after the industrial revolution that people started to cooperate to degrees unprecedented. Had such cooperations grown enough, they could take over great amounts of the market and thus form the first monopolies. This required adaptations to be made to pre-existing laws, and we are to find ways to improve them.

Key conflicts

Free and unregulated markets collide with market preservation. Competitive markets have a beneficial influence on the quality of goods and services, as corporations then face a constant need to improve to hold on to their market shares. If they stop innovating and improving, their innovative rivals will seize their market share.

There are several different viewpoints on the topic of monopolies. Often it is thought that competition within the market is good since it leads to more innovations and forces the companies to have competitive prices. However, it could be warranted to enforce a state-owned monopoly on markets which could be seen as risks to public health such as alcohol and gambling, or in markets where it is practically impossible to have several competitors. Markets where competition is difficult are utility services, especially water and electricity or even public transportation services such as trains. The reason for it being difficult is the high cost of building the necessary infrastructure to enter that market.

Key actors

Companies - They have a lot to lose or gain in the discussion of monopolization. They often engage in lobbying to influence decision-makers.

The European Parliament - is the representative organ in the EU which holds a part of the legislative power within the EU

European Commission - holds the power to propose legislation in the EU however they do not have the power to approve proposed legislation.

Directorate-General for Competition - establishes and implements competition policy for the EU. It is led by the European Commissioner for Competition.

European Commissioner for Competition - is responsible for matters such as commercial competition, antitrust, company mergers and cartels.

Measures in place

Currently, cartels are illegal in the EU under the **EU competition law**.[1] Companies which are involved in cartels are heavily fined by the European Commission. Since cartels are often very secretive, a cartel leniency policy[2] has been put in place, which encourages companies to self-report, by providing them legal immunity or reduced fines.

The European antitrust policy[3] includes two central articles of which the first one[4] prohibits agreements between two or more independent market operators which restrict competition, this

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[1] Your Europe. (2019): Competition rules in the EU. Accessible over
https://europa.eu/youreurope/business/selling-in-eu/competition-between-businesses/competition-rules-eu/index_en.htm
[2] Your Europe. (2019): Reporting anti-competitive behaviour. Accessible over
https://europa.eu/youreurope/business/selling-in-eu/competition-between-businesses/anti-competitive-behaviour/index_en.htm
[3] European Commission. (2014): Competition - Antitrust - Overview. Accessible over
https://ec.europa.eu/competition/antitrust/overview_en.html
[4] The EU Member States. (1957): Consolidated version of the Treaty on the Functioning of the European Union - PART THREE: UNION POLICIES AND INTERNAL ACTIONS - TITLE VII: COMMON RULES ON COMPETITION, TAXATION AND APPROXIMATION OF LAWS - Chapter 1: Rules on competition - Section 1: Rules applying to undertakings - Article 101 (ex Article 81 TEC). Accessible over
https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:12008E101

includes cartels. The second central part[5] prohibits firms that hold a dominant position on a given market to abuse that position, for example by charging unfair prices, by limiting production, or by refusing to innovate against the best interest of the consumer.

The EU does not regulate if a Member State may have a state-owned company which has a monopoly in a specific market. However, this is a hotly debated matter, whether or not there should exist state-owned monopolies.

Looking beyond the horizon

- Can you break up a monopoly without disrupting that specific market?
- How do we define the modern boundaries of tech companies, ie. does Facebook have a monopoly in messaging apps?
- How can we prevent monopolies from forming?

Further links for research

- CrashCourse. (2016): Monopolies and Anti-Competitive Markets: Crash Course Economics #25. Accessible over https://www.youtube.com/watch?v=Sb_-wfmJnHA
- European Commission. (2019): Competition rules. Accessible over https://ec.europa.eu/info/business-economy-euro/doing-business-eu/competition-rules_en

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[5] The EU Member States. (1957): Consolidated version of the Treaty on the Functioning of the European Union - PART THREE: UNION POLICIES AND INTERNAL ACTIONS - TITLE VII: COMMON RULES ON COMPETITION, TAXATION AND APPROXIMATION OF LAWS - Chapter 1: Rules on competition - Section 1: Rules applying to undertakings - Article 102 (ex Article 82 TEC). Accessible over https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:12008E102

Committee on Employment and Social Affairs (EMPL)

A 2018 Eurostat survey revealed that 16.5% of the 20-34 olds in the EU were neither in employment nor in education and training (NEETs). Taking into account the swift process of automatisation and digitalisation of jobs, how should the EU facilitate the integration of youth into a more competitive labour market?

By: Andrei Isachanka (BY), Omer Aksu-Sara(RO)

Abstract

Employment and education are two of the EU core values and the basis of its economy. Not everyone is involved in these processes, whether they choose it or not. Diversity and differentiation are facts of life. Therefore, to understand why NEETs exist, all the causes, personal or social difficulties and problems should be considered. Additionally, Europe meets new processes, such as automation and digitalization of jobs, which potentially deepen the problem of NEETs. It is up to the EU on a global level to take care of the opportunities and the quality of life of its citizens.

Key Terms

People not in education, employment or training (NEETs) - persons who are unemployed or inactive and have not received any formal or non-formal education or training in the past four weeks. Unemployed are those without work, but available to start work within the next two weeks and actively having sought employment. Inactive are generally not a part of the labour force since they are not working and not available or not looking for work, for example, students or housewives/husbands;

Competitive labour market - while the labour market means the abstract place, where employees and employers meet each other, the 'competitiveness' adds that employers compete to hire the best, and the workers compete for the most satisfying job. The job cuts, for example, lead to a higher level of competition between employees;

Automation/digitalization - using machinery or other technology to allow processes to take place without human input or work. Both terms influence the process of interaction between people and the business models in general;

Topic in the Context

For the majority of people, "the twenties" is the turning point, when they are finishing their education and start working. However, the statistics show that some of them are neither in employment nor education. In fact, in 2018, there were about 15 million NEETs. Despite levels of NEETs percentage decreasing since 2013 and currently dropping back to the numbers of 2008 statistics,[1] today **the labour market is becoming more competitive** due to job automation and digitalization. This means that NEETs are still at risk of being unemployed and not in education, which eventually leads to **not being able to get a stable job** with appropriate quality and wage later in life. Therefore, NEETs will potentially **meet social exclusion, physical and mental problems in the future**. That can lead to the detachment from democratic engagements, civic participation or engagement in different forms of negative behaviour.[2] Moreover, a high percentage of NEETs in society results in the **direct economic losses**, due to inability to fruitfully employ young people in the labour market.[3]

Young people aged 20-34 neither in employment nor in education and training, 2018 (%)[4]

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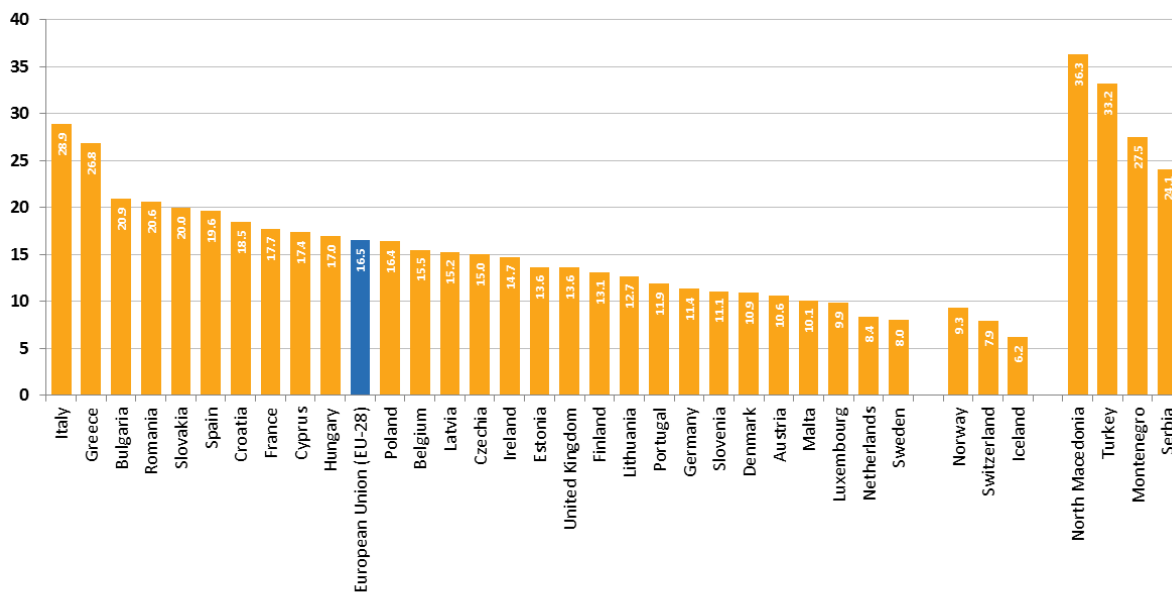
[1] Eurostat. (2018). Statistics on young people neither in employment nor in education or training.
Accessible over link

[2] The Scottish Government social research. (2015). Consequences, risk factors and geography of young people not in education, employment or training. Accessible over link

[3] Mascherini, M. (2017). Good practices in dealing with young people who are NEETs: policy responses at European level. Accessible over link

[4] Eurostat. (2018). Statistics on young people neither in employment nor in education or training
Accessible over link

However, the level of employment and the number of NEETs is **extremely variable from country to country**. In Finland, NEETs make up 13% of all young people, in Sweden, it is 8%. At the same time, the number rises to almost 30% in Italy and 27% in Greece, as the Eurostat from 2018 indicates.[5] This leads to economic differences between the EU countries, making it difficult to reach the EU goals of economic cohesion among the Member States.

Thus the NEET concept has an enormous effect on every single person as well as on the society. Understanding the long-term potential negative consequences, **what should the EU do today to avoid problems of tomorrow**?

Key Actors

European Social Fund (ESF)[6] - the EU's main instrument for supporting jobs, helping people get better jobs and ensuring fairer job opportunities for all EU citizens. It works by investing in EU's human capital: its workers, young people and all seeking work. ESF's financing of 10 billion Euro a year is improving job prospects for millions of Europeans, in particular, those who find it difficult to get employed;

Youth Employment Initiative - is one of the EU's main financial resources to support the implementation of Youth Guarantee schemes, which were created to provide young people with workplaces. It was launched to provide support to young people living in regions where youth unemployment was higher than 25%;

International Labour Organisation[7] - the United Nations agency, which operates in 187 Member States developing policies and setting labour standards. It is very relevant to this topic because it has also integrated many technical projects into flagship programmes, designed to enhance the impact of its development cooperation with constituents on a global scale;

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[5] Eurostat. (2018). Statistics on young people neither in employment nor in education or training. Accessible over link
[6] European Commission. (n.d.). European Social Fund. Accessible over link
[7] International Labour Organization. (n.d.) About the ILO. Accessible over link

Key Conflicts

The income is not the only risk factor of becoming a NEET. Moreover, the studies showed that the probability of being a NEET is higher for those with a lower income, decreases for the middle-level income, and increases again for higher incomes.[8]

The most vulnerable people are those with **poor education**, **ill health, social problems** or **migrant background.** Other risk factors are connected with **living conditions in childhood** or **family circumstances**. For example, living in social rented households, in a family without married parents, in a household with no employed adults or having a large number of siblings.[9]

Increased chances of being NEET[10]

Factor	Increase in chance of being NEET for six months or more
Being NEET at least once before	7.9 times more likely
Pregnancy or parenthood	2.8 times more likely
Supervision by youth offending team	2.6 times more likely
Fewer than three months post-16 education	2.3 times more likely
Disclosed substance abuse	2.1 times more likely
Responsibilities as a carer	2.0 times more likely

The **geographical aspect** also matters. There is a marked increase in the NEET rates in more urban areas. The paradoxical issue is that although cities provide the majority of the EU employment opportunities, the NEET rates there are also higher.[11]

There are 2 types of NEETs, those **who do not want to work** and those **who would like to** but cannot find a job. Even though there is an overall decrease in NEET levels, the percentage of people who do not want to work has been increasing since 2014.[12] One of the explanations is that the government's unemployment benefit can sometimes be the same or even higher than the minimum wage.

[8] OECD iLibrary (2016): Society at a Glance 2016. OECD Social Indicators. Accessible over link
[9] Mascherini, M. (2017). Good practices in dealing with young people who are NEETs: policy responses at European level. Accessible over link
[10] Powell, A. (2018). NEET: Young People Not in Education, Employment or Training. Accessible over link
[11] Eurostat. (2016). Urban Europe - statistics on cities, towns and suburbs - poverty and social exclusion in cities. Accessible over link
[12] Eurostat. (2019). Young people neither in employment nor in education and training by sex, age and labour status (NEET rates). Accessible over link

NEET rates percentage by the activity status[12]
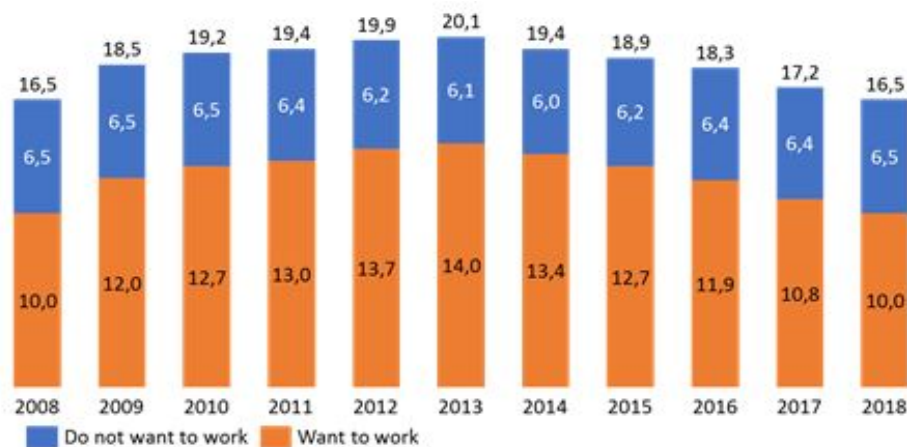
Therefore, the NEET problem is a complex issue, connected not only to income, but also to mental and physical health, social conditions and early childhood life, and the willingness of people to work or study.

Measures in place

The EU Youth Strategy 2019-2027[13] highlights three core areas in youth policies: **Engage, Connect, Empower**. Following this structure, the policy responses can be clustered into three main types:[14]

- *Prevention policies* - educational policies aimed at preventing early school leaving and at facilitating the smooth transition from school to work;

- *Reintegration policies* - employability policies aimed at supporting young people re-entering the educational system or the labour market;

- *Compensation policies* - tackling the most extreme situations, where reintegration seems to be difficult and social assistance measures appear as the last resort in alleviating exclusion.

ENGAGE: Fostering young people's participation in civic and democratic life

CONNECT: Connecting young people across the European Union and beyond to foster voluntary engagement, learning mobility, solidarity and intercultural understanding

EMPOWER: Supporting youth empowerment through quality, innovation and recognition of youth work

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[13] European Commission. (2019). EU Youth Strategy. Accessible over link
[14] European Training Foundation. (2015). Young people not in employment, education or training (NEET). Accessible over link

Educational program **Erasmus+**[15] plays a key role in improving the level of competencies and skills. Apart from its academic part, this project fosters social inclusion, promoting active citizenship and common values through education.

Since 2013 the **Youth Guarantee scheme** has worked in all Member States. This program aims to ensure that young people receive a good-quality offer of employment or were engaged in some forms of education and training within four months of leaving formal education or becoming unemployed.

The good practice is to offer **one-stop-shop services**, which provide career advice, coaching, mediation with employers, and other related services in one place that has turned out to be very efficient in activating young people. The participation of educational and guidance agencies, representatives of employers, trade unions, and NGOs is highly appreciated.

A connected, but different approach is to support local projects, which create bridges between young people and employers through **non-formal and vocational education,** mutual learning, **counsellors' meetings** with unmotivated people. At the end of programs participants ideally find a job and stay in touch with the project team.

Looking Beyond the Horizon

- What are the ways to provide opportunities for upskilling and reskilling in the labour market for the youth and adults?
- Should the EU take steps to involve people who do not want to work into employment to meet the interests of society in general?
- How can the EU contribute to improving the employability of the youth, providing them with labour market-relevant qualification?
- Keeping in mind the constant process of job automatization, how can the EU provide new workplaces to keep the labour market stable?

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[15] European Commission. (n.d.). Erasmus+ programme. Accessible over link

Further Links for Research

- Eurostat. (2019). Statistics on young people neither in employment nor in education or training. Accessible over [link](#)
- European Commission. (2013). The ESF at work: opportunities for young people. Accessible over [link](#)
- European Commission. (2018). Engaging, Connecting and Empowering young people: a new EU Youth Strategy. Accessible over [link](#)
- European Training Foundation. (2015). Young people not in employment, education or training (NEET). Accessible over [link](#)

Committee on the Environment, Public Health and Food Safety (ENVI)

In the light of recent events in Siberia and Amazonia, how can the EU fight the growing worldwide issue of deforestation and forest degradation with the use of green public procurement policies and EU Action plan on Forest Law Enforcement, Governance and Trade to shelter its global objectives and international commitments?

By: Alexandra Salo (FI), Paula Lorberga (LV)

Abstract

Forests still cover around one-third of the world's land area but it is decreasing at a rapid rate. Between 1990 and 2016 the world has lost 1.3 million square kilometres of forest, an area larger than South Africa.[1] Even larger territories are suffering from degradation, where the forests remain but its richness and health do not. Forest fires, illegal logging, and climate change are some of the reasons behind the deforestation and severe forest degradation. All of this threatens biodiversity, boosts climate change, decreases local water quality and disturbs indigenous tribes.

Key Terms

Deforestation - the clearing or thinning of forests by humans to use the land for different purposes such as agriculture.

Forest degradation - the human-caused damage or reduction in the quality of certain features of the forests. Continued degradation of the forests can destroy the entire forest cover and biodiversity.

Illegal logging - harvesting, transporting, processing, buying or selling timber and timber products in violation of national and international laws.

Greenhouse gases - any gaseous compound that is capable of absorbing infrared radiation, thus trapping the heat in the atmosphere and creating a greenhouse effect, ultimately leading to global warming.

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[1] Khokar, T. and Tabary, M. (2016): Five forest figures for the international day of forests. Accessible over
https://blogs.worldbank.org/opendata/five-forest-figures-international-day-forests

Topic in the Context

This summer the Amazon blazed uncontrollably, destroying about 20.000 square kilometres of tropical forest. In Europe, the planet's largest forest, located in Siberia[2], has been on fire for months, and this year South-East Asian countries are dealing with the most hazardous haze[3] they have experienced in years, as a direct consequence of the annual forest fires in Malaysia and Indonesia. Forest fires and deforestation are often fueled by different industries[4], to pave land for **plantations**, **arable-land** and **pastures**. Forest fires can also occur naturally, especially during dry seasons or during thunderstorms. Forest fires can be beneficial to forests and their ecosystem, as they can replenish the soil. However, deforestation and forest degradation have increased at **alarming rates** in the past decades.

Forest fires and global forest degradation may seem like a far-away problem, however, they have dire consequences on the progression of **climate change** and thus affect the EU's climate goals and international commitments. Climate change affects everyone. Within the EU, it is causing more **extreme weather** and **rising sea levels**.[5]

Forests act as **carbon sinks**[6] making them a valuable resource in fighting climate change. Continuance of deforestation accelerates the effects of climate change, as the planet has fewer and fewer carbon sinks to cancel out emissions. Furthermore, fires emit black carbon or soot, that flies great distances with the wind eventually falling to the ground. For example, the fires in Siberia emit soot that can land in the Arctic. As the soot is black it absorbs more sunlight than white snow or ice in the Arctic. The presence of soot in the polar circles further accelerates the melting of the Arctic ice.[7]

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[2] Greenpeace International. (2019): Massive forest fires in Siberia is a climate emergency. Accessible over https://www.greenpeace.org/international/press-release/23660/massive-forest-fires-in-siberia-is-a-climate-emergency/

[3] Au, B. (2019): Singapore haze worst in three years as Indonesian slash-and-burn fires continue. Accessible over https://www.scmp.com/video/asia/3028156/singapore-haze-worst-three-years-indonesian-slash-and-burn-fires-continue

[4] for example the meat industry in Brazil and the palm oil industry in Malaysia

[5] Center for Climate and Energy Solutions (2019) Extreme Weather and Climate Change, Accessible over https://www.c2es.org/content/extreme-weather-and-climate-change/

[6] Fern. (2016): What are carbon sinks? Accessible over https://www.fern.org/news-resources/what-are-carbon-sinks-332/

[7] Flis, A. (2019) Forest Fires in Siberia Sending Ash into Arctic. Accessible over http://www.severe-weather.eu/news/forest-fires-in-siberia-sending-ash-into-the-arctic/

Moreover, considering that especially tropical forests are home to a great amount of our planet's **biodiversity**, forest degradation and deforestation put countless species of flora and fauna at risk of extinction, thus endangering the Earth's biodiversity.

Key Actors

The European Commission - is an institution of the EU that is responsible for proposing legislation and implementing decisions. The European Commission carries out various projects and legislation regarding deforestation and forest degradation, such as the EU FLEGT Action Plan of 2003 mentioned down below.

Countries all across the globe - are all part of the bigger puzzle of tackling the issue. Each nation has its legislation, forestation policy and interests in terms of their forests. The varying histories of each country have shaped the circumstances in which each currently operates and its scope for action. This must be taken into account.

Non-governmental organisations (NGOs) - NGOs that are fighting deforestation also play a large role in combating deforestation and forest degradation, by lobbying, protesting and raising awareness, not only on a national level but an international level as well. For example, Greenpeace, and the World Wildlife Fund, which creatively expose environmental issues and force solutions for a green future.

Key Conflicts

One of the roots of the problem is in the forest conversion to agriculture. As the population continues to grow at a rapid rate the demand for agricultural products increases as well and thus the need for land for plantations. Agriculture is the single largest cause of deforestation and severe forest degradation. The demand for products such as soy, palm oil, cacao, and coffee is only increasing. Palm oil production is expected to nearly double by 2020 and soy to rise to 300 million tons globally. Furthermore, to meet the high demand for paper, pulpwood plantations clear acres of forest.[8]

Climate change acts both as a cause and an effect of deforestation. This summer there were 1200 temperature records broken across the northern hemisphere.[9] The high temperatures and thus the dry land increases the risk of forest fires. But deforestation also negatively affects the carbon cycle

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[8] World Wide Fund. (2019): Forest Conversion. Accessible over
https://wwf.panda.org/our_work/forests/deforestation_causes2/forest_conversion/
[9] Stylianou, N. and Guibourg, C. (2019): Hundreds of temperature records broken over summer. Accessible over
https://www.bbc.com/news/science-environment-49753680

thus being one of the contributing factors to global climate change. This happens when greenhouse gases are trapped in the atmosphere in large quantities and carbon dioxide being 4th most abundant gas in Earth's atmosphere[10] is also the most dominant greenhouse gas. Deforestation disturbs the storage of carbon dioxide as on average, an acre of forest in a year can absorb 2.5 tons of carbon dioxide. Moreover, deforestation is the second-largest human-caused source of CO2 in the atmosphere[11] because when a tree dies it releases the stored carbon dioxide.[12]

Another big problem is illegal logging as it leaves a negative social, economic and environmental impact. Approximately 70% of harvested wood in Gabon is done illegally, 25% of Russia's timber exports are from illegal logging and in total it accounts for 15-30% of all wood trade globally. The trade of illegally harvested timber is highly lucrative and the World Bank has estimated that the global market loses US$10 billion annually from illegal logging.[13]

When were most records broken in 2019?

Number of locations breaking temperature record for...

■ this date ■ this month ■ since records began
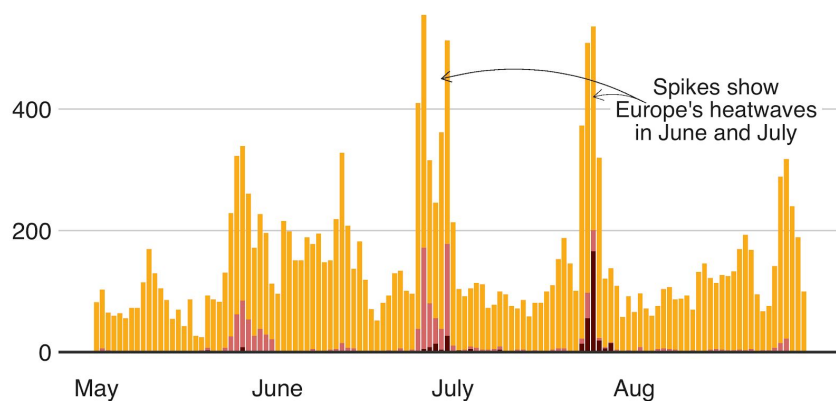
Source: Berkeley Earth   B B C [14]

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[10] Helmenstine, A. M. (2018): The 4 Most Abundant Gases in Earth's Atmosphere. Accessible over https://www.thoughtco.com/most-abundant-gases-in-earths-atmosphere-607594

[11] van der Werf, G. R., Morton, D. C., DeFries, R. S., Olivier, J. G. J., Kasibhatla, P. S., Jackson, R. B., Collatz, G. J. and Randerson, J. T. (2009): CO2 emissions from forest loss. Accessible over https://www.nature.com/articles/ngeo671?utm_source=commission_junction&utm_medium=affiliate

[12] Bradford, A. (2018): Deforestation: Facts, Causes & Effects. Accessible over https://www.livescience.com/27692-deforestation.html

[13] World Wide Fund (2019): Illegal Logging. Accessible over https://wwf.panda.org/our_work/forests/deforestation_causes2/illegal_logging/

[14] Stylianou, N. and Guibourg, C. (2019): Hundreds of temperature records broken over summer. Accessible over https://www.bbc.com/news/science-environment-49753680

Measures in place

The EU Forest Law Enforcement Governance and Trade (FLEGT) Action Plan[15] - is the EU's policy established in 2003 to fight illegal logging. It has two key pieces of legislation: FLEGT Regulation adopted in 2005, that allows only legally harvested timber to be imported into the EU from the partner countries,[16] and the EU Timber Regulation, proposed by the European Commission in 2008 and ratified in 2010, counters the trade in illegally harvested timber and timber products.[17]

Stepping up EU Action to Protect and Restore the World's Forests[18] - which was adopted by the European Commission on 23 July 2019 to protect and improve the health of existing forests and increase sustainable and biodiverse forest coverage worldwide. It aims to create a multi-stakeholder platform and an EU Observatory on deforestation and forest degradation and to reinforce the implementation of the EU FLEGT Action Plan.[19]

The United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation[20] - which was launched in 2008 to reduce forest emissions and enhance carbon stocks in forests while contributing to national sustainable development. The programme has expanded since the establishment and over 60 developing countries are now partners.[21]

Looking Beyond the Horizon

- Why is it beneficial for countries to turn a blind eye to deforestation?
- How does unchecked deforestation directly affect your life?
- How should industries be regulated to combat this?
- How can the EU affect this worldwide issue?

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[15] European Commission. (2003): Communication from the Commission to the Council and the European Parliament - Forest Law Enforcement, Governance and Trade (FLEGT) - Proposal for an EU Action Plan. Accessible over https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52003DC0251

[16] European Commission. (2019): FLEGT Regulation — FLEGT Voluntary Partnership Agreements (VPAs). Accessible over https://ec.europa.eu/environment/forests/flegt.htm

[17] European Commission. (2019): Timber Regulation. Accessible over https://ec.europa.eu/environment/forests/timber_regulation.htm

[18] European Commission. (2019): COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Stepping up EU Action to Protect and Restore the World's Forests. Accessible over https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1565272554103&uri=CELEX:52019DC0352

[19] European Commission. (2019): Stepping up EU Action to Protect and Restore the World's Forests. Accessible over https://ec.europa.eu/environment/forests/eu_comm_2019.htm

[20] UN-REDD. (2019): Main page. Accessible over https://www.un-redd.org/

[21] UN-REDD. (2019): Regions and Countries Overview. Accessible over http://www.unredd.net/index.php?option=com_unregions&view=overview&Itemid=495

Further Links for Research

- Bradford, A. (2018): Deforestation: Facts, Causes & Effects. Accessible over
  https://www.livescience.com/27692-deforestation.html
- World Wide Fund. (2019): Threats - Deforestation and forest degradation. Accessible over
  https://www.worldwildlife.org/threats/deforestation-and-forest-degradation
- Quinn, A. (2019): Europe Criticized for Not Doing Enough to Slow Deforestation. Accessible over
  https://www.bloomberg.com/news/articles/2019-06-10/europe-is-dangerously-behind-on-deforestation-goals-idh-says
- Lawson, S. (2019): To regulate or not to regulate? EU climate commitments face key test over global deforestation (commentary). Accessible over
  https://news.mongabay.com/2019/07/to-regulate-or-not-to-regulate-eu-climate-commitments-face-key-test-over-global-deforestation-commentary/
- European Commission. (2019): EU Communication (2019) on Stepping up EU Action to Protect and Restore the World's Forests. Accessible over
  https://ec.europa.eu/environment/forests/eu_comm_2019.htm

Committee on Civil Liberties, Justice and Home Affairs (LIBE) I

The European Convention on Human Rights protects the right of citizens to hold various religious faiths and beliefs. Considering the spread of religious-based hate crimes in Europe, how should the EU guarantee the right to freedom of religion whilst promoting the assimilation of religious minorities into European societies?

By: Mariel Tähtivaara (FI), Rilla Ritakallio (FI)

Abstract

Xenophobia and prejudice towards religious minorities have significantly risen in the past years within the numerous Member States.[1] Such discrimination leads to the social exclusion of these minorities. "People from minority groups tend to be poorer and to have less power, less influence and less access to remedies to tackle their problems than those from the majority population."[2]. Mistreatment, social exclusion and poverty are key triggers of radicalisation. Radicalised members of a religious minority are likely to turn to violence and could potentially commit hate crimes. Radicalisation could be combated through assimilation and protection of religious minorities.

Key Terms

Radicalisation - the action or process of causing someone to adopt radical positions on political or social issues. The radicalization of a religious individual is what leads to religious-based hate crimes.

Nationalism - identification with one's nation and support for its interests, especially to the exclusion or detriment of the interests of other nations. Nationalism and its strength in a country will affect views on individuals from other countries.

Assimilation - the absorption and integration of people, ideas, or culture into a wider society or culture.

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[1] European Union Agency for Fundamental Rights: Second survey on discrimination and hate crime against Jews in the EU Member States. Accessible over
https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-experiences-and-perceptions-of-antisemitism-technical-report_en.pdf
[2] European Commission: Rights of minorities. Accessible over
https://ec.europa.eu/europeaid/sectors/human-rights-and-governance/democracy-and-human-rights/anti-discrimination-movements-2_en

Prejudice - preconceived opinion that is not based on reason or actual experience. An increase in prejudice due to religious-based hate crimes can lead to the process of assimilation in a country becoming a lot more difficult.

Topic in the Context

The EU's fundamental values are respect for human dignity and human rights, freedom, democracy, equality and the rule of law.[3] One way in which the EU enforces the implementation of these values into society is through the European Convention on Human Rights (ECHR), which is overseen and enforced by the European Court of Human Rights. A central question for the EU is how it can ensure these values are upheld simultaneously, without one freedom or duty of the EU infringing upon another.

For example, how can the EU ensure the safety of its citizens, without eroding on their freedom of religion? Unfortunately, religious-based hate crimes have been on the rise[4], with cases such as the November 2015 Paris attacks[5], the Turku 2017 attack[6], the 2017 Manchester Arena bombing[7] and, the 2017 London Bridge attack[8] being just a few that were reported on by the media. All of these cases have been identified to be religious-based hate crimes and are a major reason interfaith relations have become more strained.[9] In the majority of these cases it has been a member/members of a religious minority who have committed these crimes, leading to an increase in nationalism and political pressure to stop the increasing trend of these attacks. Keeping in mind the fact that these crimes have been on the rise, how can we uphold the values of freedom and equality at the same time? And can we simultaneously ensure that the ECHR is upheld, without encroaching on the liberties we preach as being our most important values?

[3] European Parliament in Plain Language, Mosaiikki Ry. (2014) Values. Accessible over https://europarlamentti.info/en/values-and-objectives/values/.

[4] Wells, N. (2015): Religious Terrorism Grows in the European Union. Accessible over https://www.cnbc.com/2015/11/17/the-rise-of-religious-terrorism-in-the-eu.html.

[5] CNN. (2018): 2015 Paris Terror Attacks Fast Facts. Accessible over https://edition.cnn.com/2015/12/08/europe/2015-paris-terror-attacks-fast-facts/index.html.

[6] Yle Uutiset. (2018): Finland's First Terror Attack: Life Sentence for Turku Stabber. Accessible over https://yle.fi/uutiset/osasto/news/finlands_first_terror_attack_life_sentence_for_turku_stabber/10257371.

[7] Wikipedia. (2018): Manchester Arena Bombing. Accessible over https://en.wikipedia.org/wiki/Manchester_Arena_bombing.

[8] Wikipedia. (2018): 2017 London Bridge Attack. Accessible over https://en.wikipedia.org/wiki/2017_London_Bridge_attack.

[9] Europol. (2018): EUROPEAN UNION TERRORISM SITUATION AND TREND REPORT 2018. Accessible over https://www.europol.europa.eu/activities-services/main-reports/european-union-terrorism-situation-and-trend-report-2018-tesat-2018.

Key Actors

Locals/the ethnic or religious majority in the country - could see religious minorities as a threat to their security,[10] due to the increase in religious-based hate crimes.[11] This can lead to their widespread marginalization.[12]

Religious minorities - are going to see the increased prejudice toward them, due to the actions of a very small radicalised minority.

Ethnic minorities - are likely to be associated with the religious minorities and therefore also suffer from increased prejudice.[13]

Radical right-wing political parties - have a lot to gain from the sudden increase in nationwide fear and will often use populist rhetoric to gain power.[14]

News outlets - have a lot of power over people and their opinions and views of one another, highlighting the importance of non-biased news. E.g. when choosing what information to reveal and in which order.

Member States - are likely to push more nationalistic laws and policies when the radical right-wing parties gain votes. E.g. The right-wing leadership in Hungary has led to the anti-immigration legislature.[15] Competences can lead to other Member States also being affected directly by more nationalistic policies. The police force will have to focus more of their resources towards preventing religious-based hate crimes.

Non-governmental organizations (NGOs) - can make a large impact in their work to improve interfaith and interethnic relations. E.g. PeaceHeals.org or the European Interreligious Forum for Religious Freedom.

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[10] Goldschmidt, P. (2019): With Anti-Muslim Laws, Europe Enters New Dark Age. Accessible over www.politico.eu/article/with-anti-muslim-laws-france-denmark-europe-enters-new-dark-age/.

[11] Bartholomew, R. (2016): The Paris Terror Attacks, Mental Health and the Spectre of Fear. Accessible over doi:10.1177/0141076815625070.

[12] Mecking, O. (2018): In Europe, Muslims Still Face Discrimination in Housing and Employment. Accessible over https://psmag.com/social-justice/europe-muslim-discrimination.

[13] European Parliament. (2015): Discriminatory Impact of Counter-Terrorism Measures. Accessible over www.europarl.europa.eu/doceo/document/E-9-2019-002624_EN.html.

[14] Halikiopoulou, D., et al. (2019): Understanding the Far-Right Populists: Focus on Their Political Message. Accessible over www.socialeurope.eu/far-right-populists.

[15] Krekó, P, et al. (2019): Anti-Muslim Populism in Hungary: From the Margins to the Mainstream. Accessible over www.brookings.edu/research/anti-muslim-populism-in-hungary-from-the-margins-to-the-mainstream/.

European Instrument for Democracy and Human Rights (EIDHR)[16] - can be used as a source of funding, to encourage the promotion of human rights.

European Commission - will be faced with criticism, if unable to uphold its core values and the safety of its citizens.

European Court of Human Rights - will make judgements on whether human rights are being breached by entities within the EU.

Key Conflicts

Only a limited number of Member States collect comprehensive data on hate crimes, resulting in an under-recording of such offences. Moreover, due to mistrust of "law enforcement and criminal justice systems" a majority of hate crimes are left unreported.[17] Mistrust can root from the ineffectiveness of such systems, lack of action taken and violence towards civilians by such systems, such as in the form of police violence. To regain the trust of the civilians, these systems must be fully examined and made more efficient.

In 2018 alone, there were ten court cases within the EU regarding religious hate crimes, such as but not limited to homicide, physical violence, hate speech and discrimination.[18] Between the years 2012-2018, there have been more than 80 court cases in total. In a significant majority of these cases, the target was a Muslim. The significant increase in hate crimes towards religious minorities highlights the need for increased protection and inclusion of religious minorities. This could be achieved through legal measures such as increased police surveillance. Professor Dr Heidi Mescher argues that police can help "in developing the competences to meet with diverse citizenship and their role in guaranteeing national security with its current implicit demonization" of religious minorities as potential terrorists. "[19]. However, it must be ensured that the police themselves are not prejudiced against these minorities to avoid discrimination and police violence.

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[16] European Instrument for Democracy & Human Rights (EIDHR). (2017): International Cooperation and Development - European Commission. Accessible over
https://ec.europa.eu/europeaid/how/finance/eidhr_en.htm_en.
[17]European Union Agency for Fundamental Rights (2019): Hate crime. Accessible over
https://fra.europa.eu/en/theme/hate-crime
[18] European Union Agency for Fundamental Rights (2019): Cases and rulings. Accessible over
https://fra.europa.eu/en/databases/anti-muslim-hatred/case-law
[19]Mescher, H. (2012): Policing and Muslim Communities in Germany Structures, Workplace Cultures and the Threat of Islamophobia. Accessible over
https://helda.helsinki.fi/bitstream/handle/10138/32364/011_07_mescher.pdf?sequence=1

Xenophobia towards religions especially Islam has risen due to religious terrorism and extremism.[20] Robert Pape, an American political scientist, however, argues that "there is little connection between suicide terrorism and Islamic fundamentalism, or any one of the world's religions."[21]. He states that suicide attacks result from political conflict instead of religion. Xenophobia leads to prejudice and exclusion from society of also peaceful religious minorities. Hence religious minorities are more likely to face hate and mistreatment, which can then lead to radicalization.

A survey conducted by the European Union Agency for Fundamental Rights published in June 2019, found that in the numerous Member States the proportion of jews considering antisemitism to be "a very big problem" in their country has risen since the first survey conducted in 2012. Possible ways of combating antisemitism identified at a panel discussion of Office of the Antisemitism Coordinator of North-Rhine Westphalia "strengthening awareness of fundamental rights and knowledge about Jewish culture at different levels, and in schools."[22]. Discrimination and hate often arise from misinformation and prejudice.

Table 6.16: Comparison of unweighted and weighted (propensity weighting) results for selected indicators, 2012 and 2018 surveys, by EU Member State

EU Member State	Unweighted		Propensity weight	
	2012	2018	2012	2018
Perceptions concerning antisemitism as a problem in the country (question B02 D), response category 'a very big problem' (%)				
Belgium	35.2	43.2	33.3	41.5
Germany	17.3	43.1	19.5	44.2
Hungary	48.5	26.1	49.7	27.2
Italy	19.0	21.4	18.3	20.8
Sweden	19.9	35.0	20.5	35.7
United Kingdom	11.2	28.4	11.2	28.4

[23]

[20] Mescher, H. (2012): Policing and Muslim Communities in Germany Structures, Workplace Cultures and the Threat of Islamophobia. Accessible over https://helda.helsinki.fi/bitstream/handle/10138/32364/011_07_mescher.pdf?sequence=1
[21] Wikipedia. (2019): Religious terrorism. Accessible over https://en.wikipedia.org/wiki/Religious_terrorism
[22] EU Agency for Fundamental Rights. (2019): Exploring ways to combat antisemitism in North Rhine Westphalia. Accessible over https://fra.europa.eu/en/news/2019/exploring-ways-combat-antisemitism-north-rhine-westphalia
[23] European Union Agency for Fundamental Rights. (2017): Second survey on discrimination and hate crime against Jews in the EU Member States. Accessible over

Measures in place

The Universal Declaration of Human Rights[24] and **the International Covenant on Civil and Political Rights**[25] state the freedom of religion or belief to be a fundamental human right. Under international law, the freedom of religion or belief consists of two parts: "(a) The freedom to have or not to have or adopt (which includes the right to change) a religion or belief of one's choice, and (b) The freedom to manifest one's religion or belief, individually or in community with others, in public or private, through worship, observance, practice and teaching."[26]

The **EU Guidelines on the promotion and protection of freedom of religion or belief**[27] has measures to promote the freedom of religion. The EIDHR acts to protect the "freedom of thought, conscience and religion or belief, including by means of measures to eliminate all forms of hatred, intolerance and discrimination based on religion or belief and by fostering tolerance and respect for religious and cultural diversity within and among societies."[28]. The EIDHR funded at least 40 projects during 2007-2016 with the purpose to "facilitate dialogue processes between different communities, promote awareness-raising and advocacy about this fundamental freedom, improve monitoring, research and documentation, and strengthen capacity-building of civil society and human rights defenders working in this field."

Looking Beyond the Horizon

- Should we increase police presence? If so, could this lead to increased prejudice against religious minorities?

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https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-experiences-and-perceptions-of-antisemitism-technical-report_en.pdf

[24] United Nations. (1948): Universal Declaration of Human Rights. Accessible over
https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

[25] United Nations. (1976): International Covenant on Civil and Political Rights. Accessible over
https://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf

[26] European Commission. (2019): Freedom of religion or belief. Accessible over
https://ec.europa.eu/europeaid/sectors/human-rights-and-governance/democracy-and-human-rights/freedom-religion-or-belief_en

[27] The Council of EU. (2013): EU Guidelines on the promotion and protection of freedom of religion or belief. Accessible over
https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/137585.pdf

[28] Official Journal of the EU. (2014): REGULATION (EU) No 235/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide. Accessible over
https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:077:0085:0094:EN:PDF

- What actions can be taken by NGOs, acting as neutral parties between religious majorities and minorities, to reduce tensions between the two groups?
- How is the media involved in the rise of religious-based hate crimes?
- If the impact of the media is negative, what can be done to try and counter the effect that the media has? Is it possible to ensure safety, freedom of religion and freedom of speech simultaneously within the EU?

Further Links for Research

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  https://fra.europa.eu/en/theme/hate-crime
- European Union Agency for Fundamental Rights. (2019): Hate crime recording and data collection practice across the EU. Accessible over
  https://fra.europa.eu/en/publication/2018/hate-crime-recording
- European Union Agency for Fundamental Rights. (2019): Database of anti-muslim hatred within the EU. Accessible over
  https://fra.europa.eu/en/project/2018/database-2012-2017-anti-muslim-hatred
- European Union Agency for Fundamental Rights. (2017): Second survey on discrimination and hate crime against Jews in the EU Member States. Accessible over
  https://fra.europa.eu/en/project/2017/second-fra-survey-discrimination-and-hate-crime-against-jews
- European Commission. (2019): Rights of minorities. Accessible over
  https://ec.europa.eu/europeaid/sectors/human-rights-and-governance/democracy-and-human-rights/anti-discrimination-movements-2_en
- Mescher, H. (2012): Policing and Muslim Communities in Germany Structures, Workplace Cultures and the Threat of Islamophobia. Accessible over
  https://helda.helsinki.fi/bitstream/handle/10138/32364/011_07_mescher.pdf?sequence=1

Committee on Civil Liberties, Justice and Home Affairs (LIBE) II

Fair trials: More than 20% of prisoners in the EU are pre-trial detainees, where there is an overrepresentation of foreign nationals held in pre-trial detention without access to legal representation. Considering the over-capacity of prisons and the right to be presumed innocent, how can the EU mitigate the existing inequality of representation in prisons to protect the rights of detainees?

By: Ani Honarchian (AM), Reihane Zitouni (DE)

Abstract

Detention standards and the protection of human rights in prisons have become a significant problem within the EU. While foreigners are overrepresented in pre-trial detention, their rights for the defence such as the right to be presumed innocent is oftentimes violated. For foreign detainees, detention is not a possibility but a mandatory stage of their trial, since a risk could be that they do not face trial in their home country. At the same time, the overcrowding of EU-prisons, thus the lack of adequate resources and needed support is only contributing to the worsening of the matters. However, the EU has initiated framework decisions as well as different bodies minding the respect of international Human Rights standards. Yet, the inequality of representation, the discrimination of foreign detainees and the difficult conditions within prisons remain. Hence, in the way of justice, freedom and security, obstacles still need to be overcome and require further endeavour from the parties involved.

Key Terms

Pre-trial detention - Article 5 of the European Convention on Human Rights (ECHR) states that "detention may only be ordered when it complies with the duty to respect the right to liberty"[1]. Thus pre-trial detention can only be ordered according to expressed and justified conditions, for example when there are risks of further offence.

The Right to be presumed innocent - is stated in Article 48 of the EU Charter saying that "[e]veryone charged with a criminal offence shall be presumed innocent until proven guilty according to law"[2]. Thus this right prevails until the final sentence.

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[1] European Court of Human Rights, the Council of Europe. (2010): European Convention on Human Rights. Accessible over https://www.echr.coe.int/Documents/Convention_ENG.pdf

[2] European Parliament, Council and Commission. (2000): Charter of Fundamental Rights of the European Union. Accessible over https://www.europarl.europa.eu/charter/pdf/text_en.pdf

Legal Aid - the right to legal aid allows those who do not have sufficient financial resources to meet the costs of a court case or legal representation. Legal aid systems exist in all Member States. [3]

Topic in the Context

Article 3 of the **European Convention on Human Rights** states, that "no one shall be subjected to torture or to inhuman or degrading treatment or punishment"[4]. It is indeed a question of Human Rights, that detainees live in better conditions. Several reports of Prison Inspectorates such as Her Majesty's Chief Inspector of Prison in England[5] underline the pressing issue of overloaded prisons and a lack of means and resources.

However, not only it is a question of Human Rights, but it is also a question of Justice. The ECHR states in **Article 6, the "Right to a Fair Trial"**[6] thus a possibility to be heard in court, to understand a trial and to prepare a defence even with an interpreter if necessary. Regrettably, this is a right pre-trial detainees do not always get and especially those with foreign nationalities are discriminated towards the judicial system.[7] This lack of access to legal representation is in violation of the ECHR signed by all Members of the European Council and contributes to a worsening condition in prisons resulting from injustice, further overloads, frustrations and subjection to more crime within prisons and leads as well to wrong decisions by immigration centres. Although migrant detainees are the most vulnerable ones, the given support, if any, has often failed to provide help and advice. This lack, unfortunately, leads for example to wrong deportations, lost trials or excedent detentions.

Acknowledging the importance of the respect of justice in this matter, what can the EU do to change the situation and see for more justice?

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[3] European e-Justice. (2019): Legal Aid. Accessible over
https://e-justice.europa.eu/content_legal_aid-55-en.do
[4] European Court of Human Rights, the Council of Europe. (2010): European Convention on Human Rights. Accessible over https://www.echr.coe.int/Documents/Convention_ENG.pdf
[5] gov.uk. (n. d.): HM Inspectorate of Prisons. Accessible over
https://www.gov.uk/government/organisations/hm-inspectorate-of-prisons
[6] European Court of Human Rights, the Council of Europe. (2010): European Convention on Human Rights. Accessible over https://www.echr.coe.int/Documents/Convention_ENG.pdf
[7] The United Nations High Commissioner for Human Rights, the Office of the High Commissioner and the Secretary-General. (2010): Panel discussion on the protection of the human rights of persons deprived of their liberty. Accessible over
https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/_layouts/15/WopiFrame.aspx?sourcedoc=/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_29_AUV.doc&action=default&DefaultItemOpen=1

Key Actors

The Member States - the 28 member states are a party to the founding treaties of the EU and subject to the privileges and obligations of membership. The Member States are subjected to binding laws in exchange for representation within the common legislative and judicial institutions.[8]

The Council of the EU - negotiates and adopts legislative acts co-decided with **the European Parliament** such as the framework decision 2008/909/JHA (see Measures in Place).[9]
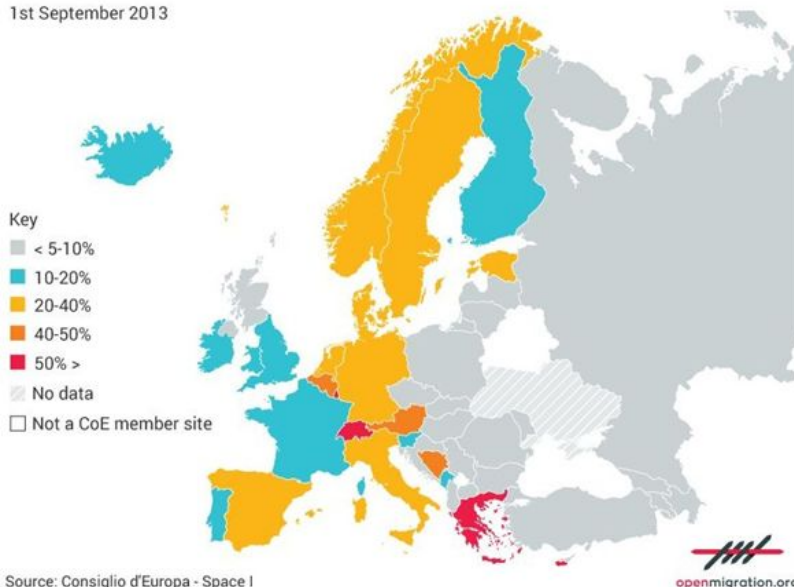
The European Crime Prevention Network - aims to connect the local, national and European level and promote crime prevention knowledge and practices among the Member States and contribute to the EU policy and strategy of crime prevention and to take part in various aspects of crime prevention concerning the strategic priorities of the EU.

Fair Trials[10] - is a registered non-governmental organisation which defends the rights of those facing charges without any payment in countries other than their own. It uses a network of lawyers and diplomatic, political, and media contacts to advocate on behalf of clients.

Key Conflicts

Foreign inmates in the prison population
1st September 2013

Key
< 5-10%
10-20%
20-40%
40-50%
50% >
No data
Not a CoE member site

Source: Consiglio d'Europa - Space I

openmigration.org

In some Member States, detention standards seem to fail to meet the requirements of international laws, including those concerning Human Rights. While Europe has about 800 million inhabitants, detainees in European prisons are 1.737 million. The average presence of immigrants in the European

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[8] The European Parliament. (2017): Prison conditions in the Member States: selected European standards and best practices- Accessible over
http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/583113/IPOL_BRI(2017)583113_EN.pdf
[9] Council of the EU. (2019): What does the Council of the EU do? Accessible over
https://www.consilium.europa.eu/en/council-eu/
[10] Fair Trials. (n. d.): Who are Fair Trials? Accessible over
https://www.fairtrials.org/who-are-fair-trials?partners

penitentiary system is 21%.[11] Therefore the justice system tends to discriminate against foreigners: pre-trial detention is more easily applied to foreigners and becomes for them a sort of anticipated punishment.

The overcrowding of prisons and its negative consequences have been repeatedly examined.[12] It is not just a matter of living space and privacy, it reduces the quality of the services offered to them and may have an impact on people's physical and mental health.

Moreover, in the case of foreigners, they are considered as prone to flee and are mostly detained, which is a violation of the right to be presumed innocent. The over-representation of immigrants in the criminal justice systems of several countries may be due to socioeconomic, ethical or political situations. However, existing research suggests that the relationship between immigration and terrorism is weak and that repression of the immigrants increases the terror risk; and fails to substantiate a relationship between refugee migration and crime. The over-representation of immigrants among those imprisoned before final judgment is the symptom of a judicial system that discriminates based on race.[13]

Finally, foreign prisoners are more fragile when it comes to their rights. They usually lack knowledge of the language, laws, and regulations. Additionally, a foreigner kept in custody may be separated from their social ties, family and lose his job. Therefore, not only do they need to be treated equally, but they need special help to assert their rights.

Measures in place

The Council framework decision 2008/909/JHA - aims to facilitate the social rehabilitation of convicted by allowing them to serve their sentence in their home country. To this end, convicted prisoners can be transferred back to their EU country of nationality, habitual residence or another EU country with which they have close ties.[14]

The Council framework decision 2009/829/JHA - deals with the application of the principle of mutual recognition to decisions on supervision measures as an alternative to pre-trial detention. It enables a suspected person to be subject to a supervision measure in the home EU country until

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[11] Gonnella, P. (2016): Prison and foreign detainees in Europe (and in Italy). Accessible over https://openmigration.org/en/op-ed/foreign-detainees-in-europe-and-in-italy/
[12] Directorate General Human Rights and Rule of Law. (2016): White Paper On Prison Overcrowding. Accessible over https://rm.coe.int/16806f9a8a
[13] Howarth, E. (2018): Overrepresentation in criminal justice systems. Accessible over https://blogs.lse.ac.uk/lseupr/2018/01/25/overrepresentation-in-criminal-justice-systems/?fbclid=IwAR02lpYINB5nefIbPqc5Zv5MpAyGLZGM25AoEuNTvJ1T0TsMx_y8Ou6vk8k
[14] Council of the EU. (2008): Council Framework Decision 2008/909/JHA. Accessible over https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32008F0909

the trial takes place in another country, instead of being placed in pre-trial detention in a foreign country.[15]

Crime prevention - has been addressed on the European level through the **Council Decision 2009/902/JHA** setting up the **European Crime Prevention Network.** It supports crime prevention actions and sets a framework for the States to cooperate in this area.

Looking Beyond the Horizon

- How can the EU member states mitigate the existing inequality of representation in prisons to protect the rights of detainees?
- What are some of the problems of detainees facing charges in countries which are not their own? What can be done about them?
- How can the EU refrain from detention of foreigners all the while ensuring that they will not flee or avoid trial?
- What are some methods for overcoming overcrowding in prisons? What alternatives are efficient and realistic options?

Further Links for Research

- European Commission. (2011): GREEN PAPER Strengthening mutual trust in the European judicial area – A Green Paper on the application of EU criminal justice legislation in the field of detention. Accessible over https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX%3A52011DC0327%3AEN%3AHTML
- European Union Agency for Fundamental Rights. (2019): Website. Accessible over https://fra.europa.eu/en
- European Parliament. (2017): Briefing, Prison conditions in the Member States: selected European standards and best practices. Accessible over https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/583113/IPOL_BRI(2017)583113_EN.pdf
- Office of the United Nations High Commissioner for Human Rights. (2005): United Nations Pocketbook of International Human Rights Standards for Prison Officials. Accessible over https://www.ohchr.org/documents/publications/training11add3en.pdf

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[15] Council of the EU. (2009): Council Framework Decision 2009/829/JHA. Accessible over https://eur-lex.europa.eu/eli/dec_framw/2009/829/oj

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