

Tuesday, 8 February 1994

Legislative resolution embodying the opinion of the European Parliament on the proposal for a Council Directive on excise duties on motor fuels from agricultural sources

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92)0036) ⁽¹⁾,
 - having been consulted by the Council pursuant to Article 99 of the EC Treaty (C3-0111/92),
 - having regard to the report of the Committee on Economic and Monetary Affairs and the opinions of the Committees on Agriculture, Fisheries and Rural Development, on Energy, Research and Technology, on Environment, Public Health and Consumer Protection and on Transport and Tourism (A3-0047/94),
1. Approves the Commission proposal subject to Parliament's amendments;
 2. Calls on the Commission to amend its proposal accordingly, pursuant to Article 189a(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 4. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 5. Instructs its President to forward this opinion to the Council and Commission.

⁽¹⁾ OJ C 73, 24.3.92, p. 6.

5. Homosexuals and lesbians

A3-0028/94

Resolution on equal rights for homosexuals and lesbians in the EC

The European Parliament,

- having regard to the motions for resolutions by:
 - (a) Mr Blak and Mrs Jensen, on discrimination in relation to freedom of movement (B3-0884/92),
 - (b) Mr Bettini and others, on recognition of civil unions for couples consisting of persons of the same sex (B3-1079/92),
 - (c) Mr Lomas, on civil rights for homosexuals and lesbians (B3-1186/93),
- having regard to its resolution of 13 March 1984 on sex discrimination at work ⁽¹⁾,
- having regard to its resolution of 15 May 1991 on a plan of action in the context of the 1991-1992 'Europe against AIDS' programme ⁽²⁾,
- having regard to its recommendations on sexual harassment at work and the corresponding provisions on protection for lesbians and homosexuals,

⁽¹⁾ OJ C 104, 16.4.1984, p.46.

⁽²⁾ OJ C 158, 17.6.1991, p.54.

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- having regard to the Commission report, 'Homosexuality, a Community Issue', on the impact on lesbians and homosexuals of the completion of the European internal market,
 - having regard to its resolution of 8 July 1992 on a European Charter of children's rights (⁽¹⁾),
 - having regard to the legal discrimination against lesbians and homosexuals which still exists in a number of Member States,
 - having regard to the draft Directive on combating discrimination on the basis of sexual orientation at work and in other legal areas, drawn up by the German Gay Union (SVD),
 - having regard to the law on registered partnerships in Denmark and other anti-discrimination laws for homosexual people,
 - having regard to Clause 28 of the Local Government Act in the United Kingdom,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties and Internal Affairs (A3-0028/94).
- A. having regard to its action in support of equal treatment for all citizens, irrespective of their sexual orientation.
- B. having regard to the greater public visibility of lesbians and homosexuals and the growing pluralization of lifestyles,
- C. whereas lesbians and homosexuals are still exposed, nonetheless, to ridicule, intimidation, discrimination and violent attacks in many social spheres, often from their earliest youth,
- D. whereas social change in many Member States calls for a corresponding adjustment of the civil, penal and administrative provisions in force, to end discrimination on the basis of sexual orientation, and whereas such adjustments have already been made in a number of Member States,
- E. whereas the application of discriminatory provisions by Member States in a number of fields covered by EC legislation amounts to a violation of the fundamental principles of the EC Treaties and the Single European Act, particularly where freedom of movement, pursuant to Article 3 of the EC Treaty, is concerned,
- F. having regard to the European Community's special responsibility to ensure equal treatment for all citizens, irrespective of their sexual orientation, within the framework of its activities and areas of responsibility,

General considerations

1. Affirms its conviction that all citizens must be treated equally, irrespective of their sexual orientation;
2. Considers that the European Community is under the obligation to apply the fundamental principle of equal treatment, irrespective of each individual's sexual orientation, in all legal provisions already adopted or which may be adopted in future;
3. Believes, furthermore, that the EC Treaties must make stronger provision for the defence of human rights, and therefore calls on the Community institutions to make preparations, in the context of the institutional reform scheduled for 1996, for setting up a European institution able to ensure equal treatment, without reference to nationality, religious faith, colour, sex, sexual orientation or other differences;
4. Calls on the Commission and Council to accede to the European Convention on Human Rights, provided for in the Community's 1990 programme, as a first step towards more vigorous protection for human rights;

⁽¹⁾ OJ C 241, 21.9.1992, p.67.

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To the Member States

5. Calls on the Member States to abolish all legal provisions which criminalize and discriminate against sexual activities between persons of the same sex;
6. Calls for the same age of consent to apply to homosexual and heterosexual activities alike;
7. Calls for an end to the unequal treatment of persons with a homosexual orientation under legal and administrative provisions;
8. Calls on the United Kingdom to abolish its discriminatory provisions to stem the supposed propagation of homosexuality and thus to restore freedom of opinion, the press, information, science and art for homosexual citizens and in relation to the subject of homosexuality and calls upon all Member States to respect such rights to freedom of opinion in the future;
9. Calls on the Member States, together with the national lesbian and homosexual organizations, to take measures and initiate campaigns against the increasing number of acts of violence perpetrated against homosexuals and to ensure prosecution of the perpetrators of these acts of violence;
10. Calls upon the Member States, together with the national lesbian and homosexual organizations, to take measures and initiate campaigns to combat all forms of social discrimination against homosexuals;
11. Recommends that Member States take steps to ensure that homosexual women's and men's social and cultural organizations have access to national funds on the same basis as other social and cultural organizations, that applications are judged according to the same criteria as applications from other organizations and that they are not disadvantaged by the fact that they are organizations for homosexual women or men;

To the Commission of the European Communities

12. Calls on the Commission to present a draft Recommendation on equal rights for lesbians and homosexuals;
13. Considers that the basis of the Recommendation should be equal treatment for all Community citizens regardless of their sexual orientation and the ending of all forms of legal discrimination on the grounds of sexual orientation; calls on the Commission to submit a report to Parliament at five-yearly intervals on the situation of homosexual men and women in the Community;
14. Believes that the Recommendation should, as a minimum, seek to end:
 - different and discriminatory ages of consent for homosexual and heterosexual acts,
 - prosecution of homosexuality as a public nuisance or gross indecency,
 - all forms of discrimination in labour and public service law and discrimination in criminal, civil, contract and commercial law,
 - the electronic storage of data concerning the sexual orientation of an individual without her or his knowledge and consent, or the unauthorized disclosure or improper use of this data,
 - the barring of lesbians and homosexual couples from marriage or from an equivalent legal framework, and should guarantee the full rights and benefits of marriage, allowing the registration of partnerships,
 - any restrictions on the rights of lesbians and homosexuals to be parents or to adopt or foster children;

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15. Calls on the Commission, in line with Parliament's opinion of 19 November 1993 on the proposal for a Regulation amending the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities in respect of equal treatment of men and women ⁽¹⁾, to undertake to combat any discrimination on the basis of sexual orientation in its own staffing policy;

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16. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States and the states which have applied for accession to the Union.

⁽¹⁾ Minutes of that Sitting, Part II, Item 4(a).

6. The Union and the United Nations

A3-0331/93

Resolution on the role of the Union within the UN and the problems of reforming the UN

The European Parliament,

- having regard to the motions for resolutions by:
 - (a) Mrs van den Brink on the future role of the European Community in the United Nations (B3-1578/90),
 - (b) Mr Arbeloa Muru on the UN as the centre for a new international order (B3-1677/90),
- having regard to its resolution of 18 December 1992 on the establishment of the European Community's common foreign policy ⁽¹⁾,
- having regard to the report of the Committee on Foreign Affairs and Security (A3-0331/93),
- A. convinced that the profound changes which have occurred in the second half of this century require the alteration of the aims and the structure of the United Nations,
- B. convinced however that the primary duty of the UN must remain the prevention of war and aggression, the promotion of collective security and the provision of the means for the peaceful settlement of disputes,
- C. having regard to the new challenges and the new goals which the UN must set itself, such as protecting human rights and the environment, conserving the ecosystem, combating the resurgence of nationalism and fighting against poverty and hunger in the world and against scourges such as AIDS and drug-taking,
- D. whereas the 50th anniversary of the foundation of the UN might be a suitable occasion for the organization to move towards greater democracy, better representation of peoples and communities of states such as the European Union, and greater effectiveness and political weight,
- E. noting that the UN's commitments have grown in number and become increasingly difficult to handle (cf. Bosnia and Somalia), adding to the need for an extremely rapid, effective reform of the UN,

⁽¹⁾ OJ C 21, 25.1.1993, p. 503.