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Academic Preparation Kit

Committee on Constitutional Affairs (AFCO)

On 3 December 2015, Danish voters rejected the proposal to convert Denmark's current opt-out on justice and home matters into a flexible opt-in arrangement. Meanwhile the British Government is trying to negotiate the terms of the United Kingdom's membership in the European Union before the end of 2017, when a referendum on the UK's membership will take place. Should the EU's institutional architecture be reshaped, in order to avoid Member States moving away from the Union or leaving it?

**by Stella Benfatto (Vice-President, FR) and
Francesca Lacava (Chairperson, IT)**

1. Video links

euronews U talk - Splitting Europe into a two-speed EU: https://www.youtube.com/watch?v=hnSiIzmvbTM

euronews U talk - Should the EU become a confederation?: https://www.youtube.com/watch?v=NcF89GLG_FM

2. Key terms

- **Democratic deficit** is the term used to argue that the EU institutions suffer from a lack of democracy and are of such complexity that the ordinary citizens seem unable to access them.

- **Euroscepticism** means being opposed to increasing the powers of the EU.

- **European integration** is the process of industrial, political, legal, economic, social and cultural integration of states wholly or partially in Europe. The governments accept to take the decision in these areas as the EU and enforce them under the instructions of the European institutions.

- **Sovereignty** is the power of a state to govern itself and to make its own laws.

- **Federalism** is a group of states that are independent in internal affairs, but are governed by a central body that takes decision for all members.

- **Opt-out:** Certain EU Member States have what are known as 'opt-outs', which are a means of ensuring that when a given country does not wish to join the others in a particular field of EU policy, it can opt out, thus avoiding an overall stalemate.

- **Opt-in** means to decide that you want to do something or be involved in something. In the EU some countries have decided to adopt obligations and benefits of the Union. We may say that they have been taking "the whole package".

- **Brexit** is a term that is used for the possibility of the UK's withdrawal from EU membership.

3. Relevance and explanation of the problem

Deriving from both financial difficulties and a general lack of confidence in the ability of the EU to achieve targets, the phenomenon of Euroscepticism has reached new heights. This is often associated with the idea of disagreement regarding the goals of the European project and is one of the biggest challenges for the architects of the new Europe.

Among all major criticism for EU action is the democratic deficit, the imbalance between benefits and costs arising from EU membership and the difficulties in managing the relationship "national vs. supranational" at the level of governmental responsibilities.

Europeans believe there is a lack of legitimacy in the legislative working procedure of EU institutions due to a significant democratic deficit. Indeed, with the European Parliament being the institution to control democracy at a European level, the voter turnout was as low as 42.6% in the elections of 2014.

Also, Member State governments are becoming more hesitant towards the EU as it is considered that the European integration process has strengthened the executive powers of the Union to the detriment of national parliaments who wish to preserve national sovereignty. They want to have the right to decide over matters such as the free movement of persons, which was questioned by many in the aftermath of the terrorist attacks in Paris and Brussels, economic issues and immigration - especially in the context of the ongoing refugee crisis - whilst making use of supranational cooperation in matters that the state cannot manage alone, such as environmental issues and the fight against organised crime.

- What are other reasons for Euroscepticism?
- How do people in your country feel about the EU? Try to collect some data if you can.
- What do the Danish opt-out and the British referendum mean for Europe's future?

Further links:

Article: What's all this about the EU's 'democratic deficit'?:
http://www.theguardian.com/commentisfree/2013/may/20/eu-democratic-deficit

Article: A vote of no confidence: explaining the Danish EU referendum:
https://www.opendemocracy.net/can-europe-make-it/tam-s-ibolya/vote-of-no-confidence-explaining-danish-eu-referendum

4. Key conflicts

The major conflict within this topic is between EU institutions and the various Member States. Following the Treaty of Lisbon there is a clearer picture of how decision-making powers are divided between the two. Articles 3 to 6 specifically state to what degree the EU has competence in the different matters and in which cases the sovereignty of a state is total.

The most difficult aspect is certainly having everyone to agree on a specific course of action for the near future as the possibilities, even if not that numerous, are still very distant from one another. Therefore, it is of the utmost importance to find a cohesive EU-wide plan to deal with the needs of every individual Member State in the matter of sovereignty, especially as some do not agree on ceding their national powers at all in certain fields.

An example of this situation can observed with the UK holding a referendum on continued membership on 23 June 2016, in the case the "In" campaign wins the agreement on its new conditions of membership will be enforced. The UK is the country with the most opt-outs in the EU; the most well-known are the opt-outs of the Schengen Area and the single currency (€). Another conflict regards the Danish referendum of December 2015 as the Danes rejected more integration in the field of justice and home matters.

These two examples show that Europe is not yet able to respond univocally to the necessities of its Member States: on the one hand it aims at creating a cohesive bloc, on the other it still needs to make agreements following the needs of single Member States.

- Can there be a one-size-fits-all approach to the EU or do we need a so-called "Europe á la carte"-model, where Member States can choose how much and in which areas they want European integration?
- How much should the EU do to accommodate the needs of single Member States without negatively affecting other members of the Union?
- What would a withdrawal of the UK mean for the EU?

Further links:

Article: The UK's EU referendum: All you need to know:
http://www.bbc.com/news/uk-politics-32810887

Article: Denmark   votes   No   on   adopting   EU   rules:
http://www.bbc.com/news/world-europe-35002158

5. Key actors

The EU is an international organisation that has been shaped by its Member States. For this topic it is important to differentiate the key role of the European institutions from the key role of the Member States.

Beginning with the institutions, the **European Parliament** is the only directly-elected body of the EU and represents the interests of EU citizens. This institution has a key role to play in the legislative process of the EU as it can pass legislation after receiving a proposal from the European Commission.

The **European Council** - to be distinguished from the Council of the EU - brings together the Member States' heads of state or government to provide the impetus, general political guidelines and priorities for the EU's development. Furthermore, the Council, especially the President of the Council, Donald Tusk, is who individual Member States turn to for negotiations, such as in the case of the UK.

Finally the **European Commission** has the exclusive right of initiative. In other words it is the only EU institution, which can propose legislation. The Commission also oversees the implementation of EU law.

Now, it is important to underline to underline the importance of **Member States** and its **citizens**. Member States have a particular interest when it comes to deciding upon the balance between national sovereignty and European integration. The national position of each country influences the European integration process, because in the end representatives of the Member States are the EU policy-makers. When citizens are called to cast their votes, they have the power to express their opinion and thus decide

upon the direction to take. Their vote may be crucial especially when dealing with issues such as Brexit.

Finally, **political parties, influential individuals, and organisations**, such as the Union of European Federalists or Leave.eu, have a strong persuasive power and may affect the decision of citizens.

- **In which ways can you influence the European decision-making process?**
- **How do the leave.eu and the Britain Stronger in Europe campaigns try to influence the citizens' decision? (Have a look at their homepages)**

Further links:

Official Source: EU institutions in brief: http://europa.eu/about-eu/institutions-bodies/index_en.htm

Official Homepage: Union of European Federalists: http://www.federalists.eu/

Official Homepage: Leave.eu campaign: http://leave.eu/

Official Homepage: Britain stronger in Europe campaign: http://www.strongerin.co.uk

6. Measures in place

Two treaties shaped the EU in the way we know it today. First of all the **Maastricht Treaty,** also know as the **Treaty on the EU (TEU),** established the three pillar structure (see topic summary) and is still in effect. Article 50 of the treaty mentions the possibility to withdrawal from the EU but no exit procedure was introduced at that time.

Another important aspect about this treaty is that Article 48 provides the European legal system with 4 different revision procedures. The two most important ones are the **ordinary revision** procedure and the **simplified revision procedure**. The ordinary procedure concerns key amendments made to the Treaties, such as increasing or reducing the competences of the EU. The simplified procedure was created to allow the amendment of the EU's internal policies and actions. The objective is to facilitate further European integration in these areas.

15 years later, the **Lisbon Treaty** was signed and the three-pillar system abandoned. Besides this innovation, the Lisbon Treaty, also called the **Treaty on the Functioning of the European Union (TFEU),** establishes a concrete institutional system and defines the competences of both the EU and the

Member States. There are exclusive, shared or supportive competences and Member States also have some sovereign competences, such as tax legislation.

In addition to that some agreements have been signed to allow opt-out benefits to some countries. The major agreements are the following:

- the **Schengen Agreement**: Ireland and the UK have an opt-out,
- the **Economic and Monetary Union (EMU):** Denmark and the UK have secured a formal opt-out although there are other 7 Member States which have not joined the single currency because they do not meet the Maastricht criteria,
- the **European Security and Defence Policy (ESDP):** Denmark has recently confirmed its opt-out with a referendum held on the 3rd December 2015,
- the **EU Charter of Fundamental Rights:** Poland and the UK obtained an opt-out.

Opposing these agreements, the **Treaty establishing a Constitution for Europe of 2004** was a proposal intended to create a consolidated constitution for the EU. This agreement aimed for a more integrated union but the French and Dutch referenda, in which the respective populations took a clear stance against the constitution, made the ratification impossible. The text was reshaped into the Lisbon Treaty.

On a more recent perspective, on the 19th February 2016 the European Council developed an **Agreement for the UK regarding the future relationship between the EU and the UK**. The arrangement will be enforced once the UK has decided to remain a member of the EU. In the deal, the European Council reaffirmed the UK's opt-outs, whilst also creating new ones:

- Britain will no longer have to work towards an 'ever closer union', as mentioned in the TFEU, and is thus not committed to further European integration,
- new restrictions on access to the UK welfare system for migrants from other Member States,
- reducing regulation for EU Small and Medium Enterprises (SMEs).

The February Council meeting concluded the negotiations between the EU and the UK. David Cameron has now started to campaign for Britain remaining in Europe while many of his ministers have chosen to campaign for the other side.

- What are the Maastricht criteria and what are they used for?
- What are the specific reasons behind the referenda in Denmark and the UK?

Further links:

Official Source: Revision of EU Treaties http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3Aai0013

Official Source: Division of competences within the European Union: http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=URISERV:ai0020&from=FR

7. Conclusion

The conflict is very broad but it may be summarised with a general question: How do we want our Europe to be? The current system tried to find a balance and split competences between the EU and the Member States, but at the same time providing some countries with specific advantages.

This situation appears as not being satisfying anymore. The European population is torn up between enforcing the process of integration or reducing Europe to a simple strategic cooperation. When reaching the very extreme sides of the issues, some people are ready to stand up for a European federation and some others would prefer to completely abandon this project of Union.

- Which direction should be taken when heads of states, such as Angela Merkel, are highlighting the problem by saying: "The Europe of today is no longer a Europe of one speed"?
- Should we try to fix the current system by allowing opt-outs or taking the risk of some countries leaving the Union?
- Or should we completely revise our treaties?

8. Essential Research Links

Article: Is a Federal Europe Possible?: http://www.thenewfederalist.eu/is-a-federal-europe-possible

Article: Euroscepticism: More than a British phenomenon: http://www.euractiv.com/section/med-south/linksdossier/euroscepticism-more-than-a-british-phenomenon/

Article: Welcome to a two-speed Europe: http://www.politico.eu/article/welcome-to-a-two-speed-europe-deal-british-voters-brussels-open-marriage/

Committee on Culture and Education (CULT)

The use of technological devices in classrooms is increasing; students not only learn how to use these devices, but also study other subjects on them. Some countries have already launched several national plans on digital education, adapting traditional curricula to these new instruments, and implementing new teaching methods, whereas others are still lacking initiative in this field. How should the European Union coordinate such an important shift towards a more digitalised education?

by Joshua Giovanni Honeycutt Balduzzi (Vice-President, IT) and Hans Näsman (Chairperson, FI)

1. Video links

Can Technology Change Education? Yes!: Raj Dhingra at TEDxBend:
https://www.youtube.com/watch?v=l0s_M6xKxNc

21st Century Education:
https://www.youtube.com/watch?v=nA1Aqp0sPQo

2. Key Terms
- **Information and Communication Technologies (ICT)** refers to any product that will store, retrieve, manipulate, transmit or receive information electronically in a digital form.

- A **Massive Open Online Course (MOOC)** is a course of study made available over the internet without charge often aimed at unlimited participation and open access.

- **Digital Learning** is learning facilitated by technology that gives students some element of control over time, place, path and/or pace.

3. Relevance and explanation of the Problem

Schooling is an essential aspect of society, and the importance of a working education system cannot be understated. However, in Europe there is

currently a large-scale effort towards bringing all Member States up to the same level in education. Facing challenges such as aging societies, skills deficits in the workforce, technological developments and global competition it is critical that school systems give students the essential skills they need later in life. With the role of ICT skills receiving an ever greater emphasis in the workforce, these skills need to be taught somehow. Schools seem like a natural fit, but adapting curricula or budgeting for the necessary technology can prove to be a challenge.

Another aspect of digital education that must be considered is the use of digital online education. With applicants to higher education set to more than double, something must be done to give all these applicants the chance to study. However, this shift will not be without its challenges.

4. Key Conflicts

In an increasingly digitalised Europe, the need for average citizens to understand basic computer skills at the very least will only grow. It was estimated that in 2015 that 90% of jobs require at least basic computer skills while paradoxically, 49% of EU citizens have no or low computer skills. This raises a central question of this issue: where should citizens learn computer skills? **To what extent should schools**, the institution traditionally associated with teaching skills, **revise their curricula in order to be able to provide students with computer skills?** On one hand, it is clear computer skills are vital to working life but on the other, how much can be added into school curriculums without needlessly burdening students? With countries like the UK already fiercely debating new, tougher curriculum standards, is adding computer skills even feasible?

Another aspect of the topic is simply the use of new technology in classrooms to enhance the teaching of existing subjects. Technology can enhance classroom teaching by making things like internet research and presentations easy to do in class, and allowing teachers to make lessons more interactive. However, this technology does not come free and can require additional teacher training to make use of it. This raises the second question of the topic: **To what extent should schools prioritise the acquisition of new technology for classrooms over other expenditures?**

Finally, with the amount of new students enrolling in degree programmes set to more than double in less than 10 years, traditional classroom teaching

may need to be rethought entirely to accommodate the influx of students. Current resources such as Open Educational Resources (OER) and Massive Open Online Courses (MOOC) may need to take a larger role in order to ensure all students are able to enrol in a degree programme. However, current MOOCs lack the certification that current brick and mortar universities enjoy. This needs to be addressed in order to make online studies a feasible possibility. But **to what extent should online courses and learning be used as an alternative to traditional methods?**

Further Questions and Research:
- To what extent should schools revise their curricula in order to provide students with computer skills?
- To what extent should school prioritise the acquisition of new technology for classrooms?
- To what extent should online courses and learning be used as an alternative to traditional methods?
- **Article: Is the proposed national curriculum too much too soon?:** http://www.theguardian.com/education/2013/apr/01/new-curriculum-teaching-concepts-younger
- **Article: Euractiv: Europe struggles with digital education:** http://www.esu-online.org/news/article/6006/Euractiv-Europe-struggles-with-digital-education/

5. Key Actors

Quite many stakeholders are relevant when considering education in the EU. The Member States' governments and their ministries of education or respective organisations are in a leading role in implementing an education reform. Education is a **supporting competence**, meaning the EU can only intervene to support, coordinate or complement the action of its Member States.

However, the EU does work towards education as well, through the **Directorate General for Education and Culture (DG EAC)** a branch of the **European Commission,** which is concerned with policy to support national action and help address **common challenges**, to Europe.

There are also EU agencies involved, especially the **EACEA - The Education, Audiovisual and Culture Executive Agency** which is responsible for the

management of certain parts of the EU's funding programmes in the fields of education, culture, audiovisual, sport, citizenship and volunteering, making it an important agency for EU level coordination.

Locally, **schools and universities** have a very key role as these institutions will need to actually implement whatever reform is passed to them and will have first-hand experience on what works and what does not. **Students** are also important stakeholders as any education reform directly affects their future education, their workplace skills, and chances at having a job later in life.

Further Questions and Research:
- Is it most efficient to act on a EU level, or do actions need to be taken on a Member State level?
- How can information flow best between local, national, and EU levels?
- Further information on the DG EAC: http://ec.europa.eu/education/policy/index_en.htm
- Further information on the EACEA : https://eacea.ec.europa.eu/about-eacea_en

6. Measures in Place

There are various measure already in place, but most without a direct focus on digital learning. There is an EU-wide framework in the form of the **Education and Training 2020 (ET2020) framework for cooperation in education and training**. It functions as a forum with the aim of implementing four common EU aims in education and training by 2020 in order to address the biggest educational challenges.

Additionally, **networks** exist to collect information, among other functions. An important one is the **Eurydice network**, established by the European Commission to support and facilitate collaboration in European education. The Eurydice network primarily focuses on the way education in Europe is structured and organised at all levels.

Finally, but by no means least importantly, are the **individual efforts of the Member States**, some of which have already implemented digital aspects to their education systems. Education being a supporting competence, the efforts of Members States cannot be understated.

Further Questions and Research:

- Which measures have had the greatest effect?
- Which measures have been the simplest to implement?
- Examples of policy measures in response to the Europe 2020 priorities http://eacea.ec.europa.eu/education/eurydice/documents/thematic_reports/164EN.pdf
- Web portal to an overview of every Member States' education system:https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Countries
- Article on Europe's struggles with digital education http://www.esu-online.org/news/article/6006/Euractiv-Europe-struggles-with-digital-education/

7. Conclusion

It is clear that education and education systems in Europe need to change in order to work towards the ET2020 framework's 4 key objectives. Within this large-scale shift in education policy, the question however remains: what role does technology take in classrooms and in education overall? Considering the important role computer skills will play later in life, it seems like an important skill to teach universally to all students.

It cannot be assumed that students will learn on their own with 30% of 16-year old students lacking adequate access to ICT. On the other hand, trying to add too much into curricula will not bode well for students. However, the issue of funds remains when it comes to technology in schools. How should schools prioritise their spending? Digitising higher education seems like a quick and efficient way to accommodate the huge increase of students seeking higher education, but how can the quality of the digital education be ensured to an acceptable standard?

Further Questions and Research:
- To what extent do school systems need changing?
- Survey of schools and the use of ICTs in education: https://ec.europa.eu/digital-single-market/en/survey-schools-ict-education
- 2nd Survey of schools: https://ec.europa.eu/digital-single-market/en/news/2nd-survey-schools-ict-education-smart-20140020

8. Key Research Links

- Official Source: ICT in Education: https://ec.europa.eu/digital-single-market/en/ict-education
- Official Homepage: Electronic Platform for Adult Learning in Europe - Digital e-Learning: http://ec.europa.eu/epale/it/tags/digital-education
- Article: Digital Opportunities For Education In The EU: https://epthinktank.eu/2014/04/01/digital-opportunities-for-education-in-the-eu/
- Blog: dlearn - European digital learning network: https://dlearnblog.wordpress.com/
- Research in Digital Education: Manifesto for teaching online: http://www.de.ed.ac.uk/project/manifesto-teaching-online

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

In 2013, Uruguay has become the first country in the world to fully legalize the production, sale and use of cannabis. In the United States of America, since 2012, four states have fully legalized the medical and recreational use of cannabis. Nevertheless, in June 2015, the European Monitoring Centre for Drugs and Drug Addiction's chief has stated that no such discussion is taking place anywhere in the European Union. In light of these changes, how should the Member States tackle the issue of cannabis regulation?

**by Robin Pedrazzoli (Chairperson, IT)
and Sara Alfirev (Chairperson, HR)**

1. Video links

Weed World: Marijuana Legalization & International Policy Explored: https://www.youtube.com/watch?v=DOYB36TGPT8

2. Key Terms

- **Decriminalisation** is to remove legal restrictions or eliminate criminal penalties.

- A **Gateway Drug** is any mood-altering drug that does not in itself cause dependence, but may lead to other addictive drugs.

- **Addiction** is the state of being enslaved to a habit or practice or to something that is psychologically or physically habit-forming, as narcotics, to such an extent that to stop its use causes severe trauma.

- **The European Cities on Drug Policy (ECDP)** is a network of cities that advocates a more pragmatic, less prohibitionist drug policy and initiates innovative harm reduction measures.

- **Cannabis Social Clubs** are places in which exclusively cannabis is sold and enjoyed, usually for the purpose of relaxing or for social communion.

- **The European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)** is the reference point on drugs and drug addiction information in Europe.

3. Relevance and explanation of the problem

Cannabis is a classified narcotic drug placed under control by all EU Member States, but the measures adopted to control it at a national level vary considerably. In fact, the legal status of cannabis for personal use is one of the most controversial policy issues in the EU. Classification, legality, and penalty concerning the drug vary so much that in one country, possession of cannabis can lead to a mere official warning, in another the punishment is a fine, and in yet another it can lead to a short jail sentence. Some countries even tolerate certain amounts of possession and consumption.

For example in Denmark, as with all drugs, cannabis-related offences are punishable by a fine or imprisonment for up to 2 years, in Spain, cannabis-related offences, such as possession and use in public places, are punishable by administrative sanctions, in Cyprus cannabis is a Class B substance so life imprisonment is possible for use and maximum 8 years for possession.

The discussion that has divided the members of the EU on this topic is the effect that legalising cannabis would have on Member States. There are different arguments, promoting either legalising or discarding it completely. By becoming the first country in the world to fully legalise the drug, Uruguay has set a fairly controversial precedent, and the same can be said of the four states in the US.

Further questions and research:

- Should Member States try and harmonise legislation at a national level on this issue, and what position should they take?

- **Academic Source: Uruguay's Drug Policy: Major Innovations, Major Challenges:**
  http://www.brookings.edu/~/media/Research/Files/Papers/2015/04/global-drug-policy/Walsh--Uruguay-final.pdf?la=en

4. Key conflicts

The two opposing sides of this issue have arguments along the **ethical, economic, and social spectrum**. Arguments such as the economic benefits that can come out of legalisation, state regulation, and production, are often used as reasons to push for legalisation. On the other hand arguments about the social cost of increased addiction and use, push to either keep the current status quo or to make legislation and punishment even more severe.

Another argument against legalisation is that of creating a greater market for other, illicit drugs as a consequence.

So considering the social cost, the danger of the drug itself is one of the main points of discourse, so the physical, mental and emotional effect it can have, both in long and short term use. On one hand people are against its use due to its mood altering effect and increase amount of users. This may lead to an increase in the possibility of it becoming a gateway drug, thereby causing an increase in the use of more addiction-inducing narcotics. The other argument is that it can and should be used for medical purposes, that is is less harmful and less addicting than alcohol, and that legalisation would lead to a fall in drug crime, therefore decreasing the costs on the justice systems of Member States.

Further questions and research:

- Which is the most important argument in this issue for you?

- Which perspective (ethical, economic, social) makes the most sense for you personally? Which perspective do you think has the best arguments?

- **Academic Source: The Economic Impact of Marijuana Legalization:** http://www.globaldrugpolicy.org/Issues/Vol_7_Issue_4/The_Economic_Impacts_of_Marijuana_Legalization_final_for_journal.pdf

- **Debating Europe: Arguments for and against legalising cannabis:** http://www.debatingeurope.eu/focus/arguments-legalising-cannabis/#.VxPfnvl97IU

- **Debating Europe: Should cannabis be legalised across Europe?:** http://www.debatingeurope.eu/2015/02/16/should-cannabis-be-legalised-across-europe/#.VxPtJfl97IV

5. Key actors

At the moment the **EU** and each **Member State's** legislation on cannabis is built on the three UN drug control conventions[1] which restrict cannabis exclusively to medical and scientific purposes and obliges states to adopt measures to establish recreational cannabis as a punishable offences – either penal or administrative.

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[1] The three major UN drug control treaties codify internationally applicable control measures in order to ensure the availability of narcotic drugs and psychotropic substances for medical and scientific purposes, and to prevent their diversion into illicit channels. Furthermore they serve to reinforce the obligation of countries to apply criminal sanctions to combat all the aspects of illicit production, possession and trafficking of drugs.

This legislative leeway that the Member States have is why in some cases legislation on punitive legislation on cannabis use, sale and possession is somewhat vague and open to interpretation. This has give rise to so called **Cannabis Social Clubs**, who are the focal point of support pushing for legalization and drug policy reforms throughout the EU.

Those advocating drug policy reforms are not all pushing for legalization. Some, like the **ECDP**[2], advocate reforms that reflect their belief that the current overall system of repression cannot, and has never been effective, and that reforms must be gradual, so that with prevention, therapy, harm reduction repression shall no longer be necessary.

The **European Monitoring Centre for Drugs and Drug Addictions**, one of the EU's decentralised agencies, aims to provide reliable information on drugs and drug addiction in the EU. It provides online reports databases about drug usage and anti-drug programmes. The information it provides is invaluable for the actors on this issue.

Further questions and research:

- How important a stakeholder are the citizens? What is their opinion on the matter?

- What do you think about the three UN drug control conventions?

- **Official Source: Policy Principles - Declaration of the European Cities on Drug Policy:**
  http://www.ecdp.net/policy-principles/

- **EMCDDA: Development Of Harm Reduction Measures With Regard To The Drug Problem In European Cities And Regions (Phase I-III):**
  http://www.emcdda.europa.eu/html.cfm/index52035EN.html?project_id=890&tab=overview

- **Article: Cannabis policy reform in Europe:**
  https://www.tni.org/en/briefing/cannabis-policy-reform-europe

- **Official Homepage: United Nations Drug Control: Conventions:**
  http://www.undrugcontrol.info/en/un-drug-control/conventions

6. Measures in place

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[2] European Cities on Drug Policy (ECDP): a network of cities that advocates a more pragmatic, less prohibitionist drug policy and initiates innovative harm reduction measures.

As has been stated, each Member State has the prerogative to have their own measures in place, different approaches such as the **Dutch Coffee-Shop system**, or the **decriminalisation**, which separates cannabis from more harmful drugs, but does not address the issue of supply, are in place. Taking the **Dutch System** as an example we can see a system in which cannabis is tolerated: The Dutch Ministry of Justice applies a tolerance policy of soft drugs, such as cannabis, with official guidelines set to clarify under which circumstances offenders should be prosecuted. But to balance things, they have a strong policy against hard drugs, thereby making an effort to reduce addiction and illegal drug use.

Looking at the bigger picture, the EU has set a strategy, that provides the overarching political framework and priorities for EU drugs policy identified by Member States and EU institutions, for the period of 2013-20, prioritising the reduction of illegal drug use, trafficking and abuse.

Further questions and research:

- What does your country's drug legislation look like?

- Which are more liberal Member States and which are the more conservative ones?

- Which reasons do conservative Member States have to prohibit Marijuana?

- **Article: Cannabis policy in the Netherlands: moving forwards not backwards:** http://www.tdpf.org.uk/blog/cannabis-policy-netherlands-moving-forwards-not-backwards

- **Article: Portugal decriminalised drugs 14 years ago – and now hardly anyone dies from overdosing:** http://www.independent.co.uk/news/world/europe/portugal-decriminalised-drugs-14-years-ago-and-now-hardly-anyone-dies-from-overdosing-10301780.html

- **Interactive Map: Legality of Marijuana in Europe:** http://theprohibitionpost.com/interactive-maps/marijuana_legality_in_europe/

7. Conclusion

There are various arguments, with different points of view, motives and reasons to take a certain position on the issue of cannabis. But it is clear that the Member States have to come up with a system that works better. There is

a drug problem in the EU, and there is dissatisfaction on both sides of the argument about legalization. Especially in a Europe with open borders, a common approach on issues like these seems more and more necessary.

Cannabis causes social and economic costs but it is medically beneficial, and is not itself a dangerous drug, but it can lead to more dangerous drugs. All these points must be taken into account if Member States decide to change their legislation. They may take the example of the US or Uruguay, or they may go the other way and make harsher and more punitive drug laws. What matters is that they find a solution to a growing problem of illicit drug use. But what is the best course of action that the EU can take? Should drug legislation be more balanced and uniform, or is it right that each Member State has it's own?

8. Essential Research Links

EMCDDA: Legal topic overviews: possession of cannabis for personal use: tp://www.emcdda.europa.eu/legal-topic-overviews/cannabis-possession-for-personal-use

EMCCDA: Cannabis drug profile: http://www.emcdda.europa.eu/publications/drug-profiles/cannabis

Official Source: EU Drugs Strategy (2013-20): http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52012XG1229(01)

Committee on Women's Rights and Gender Equality (FEMM)

According to the European Commission's debate on women and men in decision-making positions, women in the EU are underrepresented in politics and business: in summer 2015, only 28% of members of the single or lower houses of parliaments were women; in April 2015, women accounted for 21.2% of board members of the Member States' largest publicity listed companies. In light of the fact that the Strategy for Equality between men and women has expired in 2015, which approach should the EU take to tackle this complex issue?

by Rebecca Jones (Chairperson, IT) and
Jacopo Moretti (Chairperson, IT)

1. Video links

How does gender affect the workplace?:
https://www.youtube.com/watch?v=2XbeJotW16E

EBRD - Gender Equality Works:
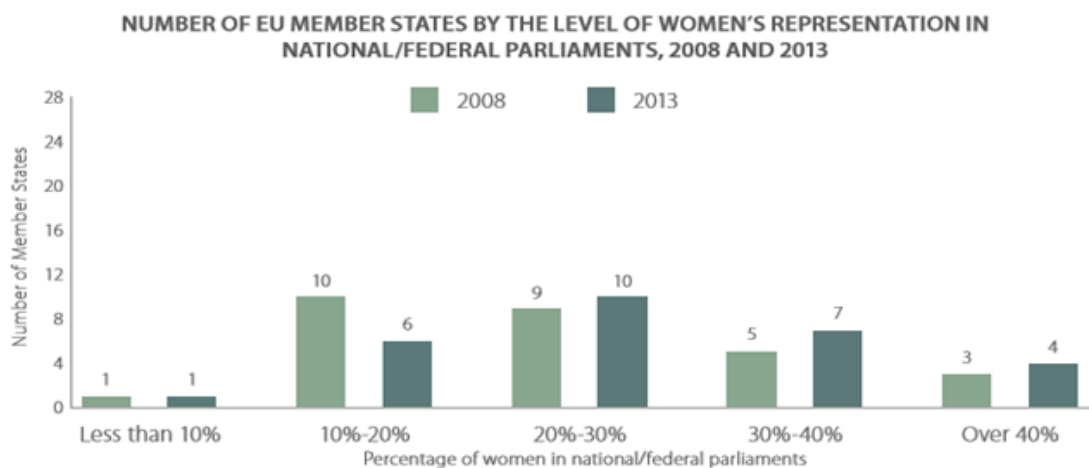*https://www.youtube.com/watch?v=misYmpr925o*

2. Key terms

- **The Structure of earnings survey (SES)** provides comparable information at a European level on relationships between the level of earning, individual characteristics of employees and their employer. It is conducted every four years in the Member States.

- **Gender pay gap** (**GPG**) refers to the difference in average wages between men and women. The unadjusted gender pay gap is calculated as the difference between the average gross hourly earnings of male and female paid employees as a percentage of average gross hourly earnings of male paid employees.

- **Gender Equality** is one of the EU's founding values. It is the idea that both men and women should receive equal treatment and should not be discriminated against based on their gender.

- **The Gender Equality Index** measures how far/close the EU and its Member States are from achieving complete gender equality in the reference year.

- **Gender mainstreaming** means trying to allow women and men to equally benefit from political, economic and social strategies. The ultimate goal is to achieve gender equality.

- **Gender Roles** are learned behaviours in a given society/community that condition what activities, tasks and responsibilities are seen as masculine or feminine.

3. Relevance and explanations

Equality between women and men is one of the objectives of the EU. Since March 25th 1957, with the Treaty of Rome, the EU has underlined the importance of gender equality starting with the principle that "men and women should receive equal pay for equal work" (Art. 157 TFEU). However, women's under-representation in political and economic decision-making is still an important issue for the EU. In 2013, the European Institute for Gender Equality (EIGE) developed the Gender Equality Index (GEI), which measures existing gaps in achieving gender equality. Analysing the results of the GEI, marginal improvements have been observed, but with a score of 52.9% in 2012, (full equality is represented by a 100% score) the EU is far from achieving its 2020 targets.

NUMBER OF EU MEMBER STATES BY THE LEVEL OF WOMEN'S REPRESENTATION IN NATIONAL/FEDERAL PARLIAMENTS, 2008 AND 2013

Source: European Commission, Database Women and men in decision-making

Women occupy less than a third of EU political decision-making position and even less at the highest levels. More precisely, the number of seats occupied by women is 37% in the European Parliament, 32% in the European Commission, 24% in the European committees and only 19% in the European Court of Justice. There has been no significant increase in the proportion of women in the governing bodies and both public and private economic and financial institutions continue to be almost entirely "male-dominated".

Gender statistics have shown that gender gaps are present in every aspect of life, starting with education and ending with politics as more men attain tertiary education (in 2015 it ranged from 22.9% in Italy to 56.4% in Lithuania) and women are more likely to be low-wage earners than men are. When turning to gross hourly earnings, the EU median value is EUR 12.7 for men and EUR 11.0 for women. This wage difference is known as gender pay gap (GPG). Some of the main reasons for this gap's existence are related to the kind of jobs held by women, the difference in institutional mechanisms and systems of wage setting, breaks in career or part-time work due to childbearing or decisions in favour of family life and to different attitudes of the institutions governing the balance between private and work life.
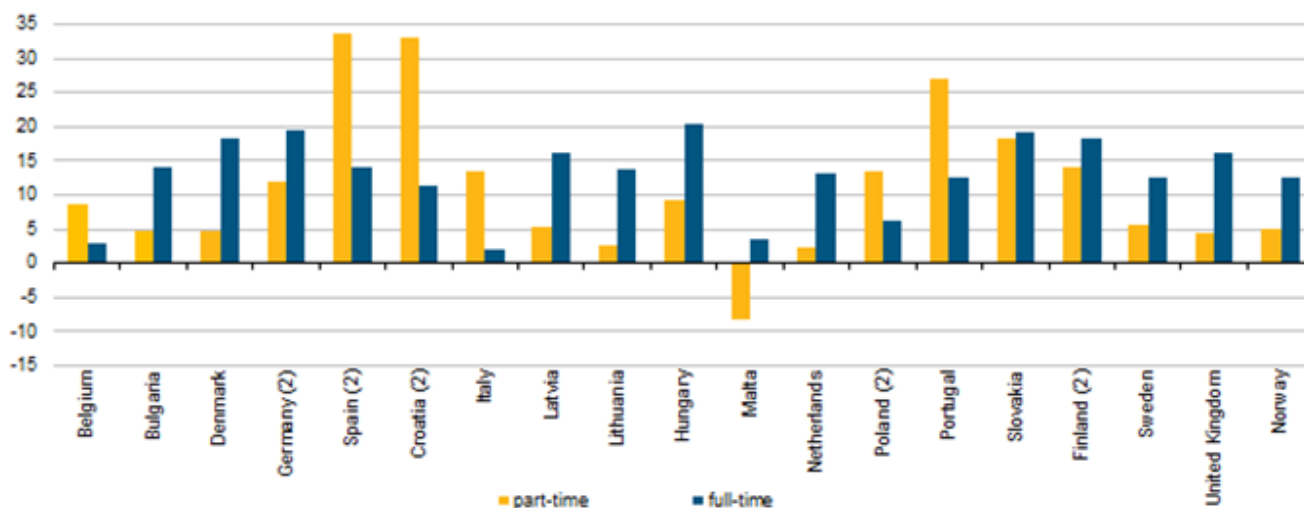
Picture 2: The unadjusted gender pay gap by working profile (%), 2014. Source: Eurostat

Last year the Strategy for equality between women and men 2010-2015 expired and new and effective policy measure have to be implemented. However, one may ask how? As the EIGE has suggested, gender balance can be achieved by implementing or strengthening existing strategies and tools such as the gender quotas or by addressing gender norms, attitudes and

stereotypes blocking women's equal representation in decision-making positions in the political, economic and social domains.

In December 2015 the European Commission published the *Strategic engagement for gender equality 2016-2019*, a follow up of the previous strategy. The Strategic engagement focuses on five priority areas: Increasing female labour market participation and equal economic independence, reducing the gender pay, earnings and pension gaps and thus fighting poverty among women, promoting equality between women and men in decision-making, combating gender-based violence and protecting and supporting victims, and promoting gender equality and women's rights across the world.

Further questions and research:

- How could a new Strategy for equality between women and men look like? How could the old version be improved?
- What tools do you think would be effective when it comes to gender equality?
- If "equal pay for equal work" is included in the EU treaties, why is there still a Gender Pay Gap?
- **Official Source: European Commission: Gender Equality:** http://ec.europa.eu/justice/gender-equality/index_en.htm
- **Official Source: Strategy for equality between women and men 2010-2015:** http://ec.europa.eu/justice/gender-equality/files/documents/strategy_equality_women_men_en.pdf

4. Key Conflicts

The technical issue in all this is the very fundamental question of the "how". How do we ensure gender equality in decision-making positions? We surely cannot force anyone to run for office or to pursue a certain career without them wanting to. This is an argument often made to soften gender equality arguments. However, the "how" is not the core of the issue. We need to think about the "why" first of all. Why are there less women than men in leading positions? At some point, we come to the conclusion that the fact that some women do not want to be in such positions can only be a minor contributing factor and cannot be the sole cause for this high level of under-representation and pay gap.

Quotas are one of the most effective means that the EU and Member States can use to tackle the underrepresentation of women in decision making positions, but they clash with one of the most important principles of our society: meritocracy.

Here are some of the main cons of this solution:
- quotas imply that politicians are elected because of their gender, not because of their qualifications;
- quotas are against the principle of equal opportunity for all, since women are given preference over men;
- quotas are undemocratic, because voters should be able to decide who is elected.

Finding the balance between these two sides can be extremely difficult, considering that there are also very strong cultural differences between the Member States of the European Union. These heavily influence the effectiveness of the strategies adopted: quotas and many other suggested means do not eliminate one of the root causes of the problem i.e. a certain female role model that still survives in the society.

Another aspect that needs to be taken into consideration is the discussion about gender equality itself. While many see improvements in the equality between men and women over the years, others argue that these improvements are not merely enough because there is no real equality yet. Nonetheless, the debate about gender equality has a certain stigma and can be taken less seriously than it should. This is partly due to the fact that women are underrepresented in decision-making positions, making it hard for them to influence the debate and possible measures.

Further questions and research:
- What are possible reasons for gender inequality?
- How is this topic discussed in your country?
- **Video: Gender equality – Is a quota system the best approach?:** http://www.euractiv.com/section/social-europe-jobs/video/gender-equality-is-a-quota-system-the-best-approach/
- **European Commission: Gender Pay Gap: What are the Causes?:** http://ec.europa.eu/justice/gender-equality/gender-pay-gap/causes/index_en.htm

5. Key Actors

European Council: The European Council is formed by the heads of state or government of the EU Member States, together with its President and the European Commission President. It defines the EU's general political direction and priorities.

European Commission: The executive branch of the EU. Responsible for proposing legislation, implementing decisions, upholding the EU treaties and the general day-to-day running of the EU. The Commission president is selected by the European Council with the approval of the European Parliament.

European Parliament and Council of Ministers: together they work as the two legislative chambers of the EU, and they are the protagonists of the legislative process. The Parliament is composed by members directly elected by the citizens, whereas the Council represents the Member States.

Member States: Even though each Member State must "*ensure and subsequently maintain the application of the principle that men and women should receive equal pay for equal work*" in many States, such as Latvia and Malta, gender inequality is highly present.

European Institute for Gender Equality (EIGE): The EIGE is an autonomous body of the EU whose objective is to strengthen the promotion of equality. It collects, analyses, processes and disseminates data and information on gender equality issues.

National Equality Bodies: Created to help report sex discrimination, they conduce surveys concerning gender inequality, publish reports and assist victims of discrimination.

European Court of Justice (ECJ): has played an important role in promoting gender equality.

Further questions and research:
- What role do men, women and people of other genders play in this debate?
- How can EU citizens influence the actions taken in this field?

- **European Commission: Gender Equality: Your Rights:**
  http://ec.europa.eu/justice/gender-equality/rights/index_en.htm
- **Article: The governance of gender equality: issues and tools for stakeholder mobilisation and participation:**
  http://enege.eu/sites/default/files/17-Ulrike-Liebert.pdf

6.   Measures in Place

European Network of Equality Bodies: set up in 2006, it promotes a uniform implementation of EU law in the field of equal treatment of women and men, and encourages the communication between the European Commission and the equality bodies.

The European Employment Strategy (EES) dates back to 1997, when the EU Member States decided to establish a set of common objectives and targets for employment policy. Its main aim is the creation of more and better jobs throughout the EU. It is now part of the Europe 2020 growth strategy and promotes gender equality.

The Women's Charter: first approved by the Singaporean parliament in 1961, the Commission then adopted it on 5 March 2010. It aims to improve gender equality worldwide.

Strategy for equality between women and men 2010-2015: The Commission adopted the Women's Charter, in which the Commission renewed its commitment to gender equality and to strengthening the gender perspective in all its policies.

Strategic engagement for gender equality 2016-2019: published by the Commission on December 2015, it can be considered as a follow-up of the Strategy for Equality between men and women 2010-2015. With the strategic engagement the Commission has identified five priority areas, which cover the political, social, economic and moral aspect of gender inequality.

Gender Action Plan 2016-2020: adopted by the European Council on 26 October 2015.

EU Charter of Fundamental Rights: *Article 21 - Non-discrimination*: "any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited."

Further questions and research:
- Which measures can be taken by the EU and which measures need to be taken by the Member States?
- Does the Strategic engagement for gender equality 2016-2019 include enough measures to tackle the problem or can it be improved?
- **Strategic engagement for gender equality 2016-2019:** http://ec.europa.eu/justice/gender-equality/files/documents/151203_strategic_engagement_en.pdf
- **Official Source: Implementing EU legislation on equal treatment of men and women:** http://ec.europa.eu/justice/gender-equality/rights/european-law/index_en.htm

7. Conclusion

Underrepresentation of women is an issue that clashes with many fundamental principles of the society we live in, and moreover it results in negative economic and social effects. But even if statistics and research underline the width of the issue, a big portion of the population does not perceive it at all.

What the EU is trying to deal with, is a delicate problem that basically has its origin in factors strongly rooted in the many cultures spread around Europe, and this is the reason why finding a fitting policy is extremely complicated: succeeding in obtaining the balance between flexible and uniform policies, the balance between effectiveness and fairness, is a task that requires pinpoint precision, something that is still missing until now.

8. Essential research

quotaProject: About Quotas: http://www.quotaproject.org/aboutQuotas.cfm

EIGE Gender Statistics: http://eige.europa.eu/gender-statistics

UN Women: Facts and Figures: Leadership and Political Participation:
http://www2.unwomen.org/en/what-we-do/leadership-and-political-participation/facts-and-figures

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

The refugees' flow towards Member States is increasing, with 817.705 new asylum applications in the first three quarters of 2015 according to Eurostat. In May 2015, the European Union has issued the European Agenda on Migration, and later agreed on a "Hotspot approach" and a special refugee relocation system. In December 2015, the European Commission has presented a "Border Package", that would establish a European border agency. Which further actions should the EU take in order to give an effective and feasible response to this issue?

**by Katharina Franke (Chairperson, DE) and
Umberto Sangiorgi (Chairperson, IT)**

1. Video Links

The EU migrant crisis explained in 90 seconds:
http://www.telegraph.co.uk/news/worldnews/europe/italy/11549216/The-EU-migrant-crisis-explained-in-90-seconds.html

The European Refugee Crisis and Syria Explained:
https://www.youtube.com/watch?v=RvOnXh3NN9w

2. Key terms

- **Migrant:** defined as "one who moves, either temporarily or permanently, from one place, area or country of residence to another". There are many social and economic reasons why people move, both positive and negative

- **Refugee:** a person who has escaped from their own country for political, religious, or economic reasons or because of a war. A person is called a refugee, when they have been granted asylum.

- **Asylum:** protection or safety, especially that given by a government to people who have been forced to leave their own countries for their safety or because of war.

- **Asylum seeker**: someone who has applied for asylum and is waiting for approval from the country's government to receive refugee status.

- **Non-refoulement**: binding international law that protects refugees from being sent back to a place where their fundamental human rights and freedom would be put at risk.

- **Hotspot**: registration centre in EU Member States meant to identify and relocate refugees

- **Refugee quota**: proportion of refugees assigned and relocated to each Member State

- **Human smuggling**: the corrupt and illegal transportation of people across international borders.

3. Relevance and explanation of the topic

The arrival of refugees in Europe has been a real challenge, both socially and economically. The dangers of their journey and the hardships encountered by them upon arrival make the refugees extremely vulnerable and in need of immediate basic humanitarian assistance. The unbearable conditions in home and neighbour countries leave refugees with no choice but to resort to human traffickers to get them to EU border-countries, and from there to more stable and prosperous ones, such as Germany or Sweden.

At the same time, the Dublin regulation insists that a refugee applies for asylum in the first Member State they set foot in. Consequently, the effectiveness and fairness of the system have been put into question. Until now, the response of EU countries to the crisis has been deeply flawed; refugee resettlement quotas remain low and unfulfilled, a consensus on how to reform EU asylum policies remains elusive, and Member States are facing a backlash from national electorates on this issue. In this time of crisis, refugee protection needs a system of collective action at a European level.

Another arising problem is the spreading fear among European citizens due to this continuous flow of refugees, which causes phenomena of xenophobia.

Further questions and research:

- How can we manage the flow of refugees humanely and efficiently?
- Should compassion be the heart of the international response?
- How can the EU mediate between the freedom of the refugees and the incoming sense of fear among its citizens?
- **Article: German poll notes rise in fears over refugee influx:** http://www.dw.com/en/german-poll-notes-rise-in-fears-over-refugee-influx/a-18757023
- **Article: Syrian Refugees in Germany Update: Xenophobic Violence Spikes With Rise In Asylum-Seekers, 222 Homes Torched:** http://www.ibtimes.com/syrian-refugees-germany-update-xenophobic-violence-spikes-rise-asylum-seekers-222-2214563

4. Key Conflicts

Since 2011, the stream of migrants from the Middle East and Northern Africa has put significant **pressure** on the EU and its Member States. Today, it is especially the number of refugees coming from war-torn Syria that is putting into question concepts such as the **free movement of people** (Schengen Agreement), and is showing the difference between values and practice in EU politics.

The border countries of the EU, namely Malta, Spain, Greece and Italy, whose governments constantly call for a **fairer allocation of migrants** have been criticised for delays in processing applications, not being able to provide the refugees with medical care, food, and accommodation and constantly call for the principle of **solidarity** to be applied. These countries on the Southern and South-eastern borders are experiencing pressure due to the number of migrants arriving, and also due to the weakness in their laws and their systems. However, Northern and Western European states actually receive the highest number of asylum applications. 64% of the asylum applications are to four countries: Germany, France, the United Kingdom and Sweden.

Germany and Sweden have disproportionately taken in most of the refugees; many Member States **contribute far less than their capacities would allow for**. The United Kingdom, for example, pledging to take in 20,000 refugees over 5 years (4,000 a year), compared to Germany's 105,000 in only 3 months (January-March 2015), is scarcely helping. Nevertheless, the UK insists on their migrant policy and states, like many other Western European countries, that they cannot take in more migrants.

Arguments for this statement are that the mass influx of migrants will first provoke more to come and second have negative repercussions for the economy and social cohesion. However, these arguments are disputed by many studies. The contrary can be the case if refugees are properly integrated, allowed to work instead of being tied to wait in asylum centres, and offered a perspective to build up a new life.

Further questions and research:
- Why is it so difficult for the Member States to agree on a common approach towards asylum? What are the factors contributing to this?
- Which Member States, besides the UK, are taking in less asylum seekers than their capacities would allow for?

Why welcoming more refugees makes economic sense for Europe: https://www.newscientist.com/article/mg22730383-800-why-welcoming-more-refugees-makes-economic-sense-for-europe/
- **Eurostat: Asylum Statistics:** http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics

5. Key actors

Member States: Although a Common European Asylum System exists, immigration law varies from one Member State to another and it is up to each country's legislative organ to adopt and reform their jurisdiction in accordance with international law and European directives.

European Commission: The European Commission is the main executive body of the European Union and it prepares the directives such as the Qualifications Directive and Asylum Procedures Directive. The Commission is in favour of a quota system to distribute refugees and asylum seekers evenly amongst the Member States.

UNHCR: The refugee agency of the United Nations, the UNHCR UN refugee agency follows EU asylum law and policy very closely. UNHCR's Europe Bureau collaborates with EU institutions in Brussels and maintains liaison offices in Malta and Poland, which deal respectively with the European Asylum Support Office (EASO) and Frontex, the EU's external border agency.

European Court of Justice (ECJ): The ECJ is the highest court of the EU on the matters of the EU law. As principle of non-refoulement and the right to asylum are recognised by the EU law, the rulings of the ECJ on the right to

asylum relate to the transfer of asylum seekers in the state responsible for examining their application, to the conditions for granting and withdrawing refugee and subsidiary protection status, and to the transposition of directives in national law.

Frontex: Established in 2004, Frontex coordinates and collaborates with the national border controllers of the bordering countries of the EU to prevent illegal immigration.

Countries of origin: By far, the most refugees come from Syria, Afghanistan, Iraq, Pakistan, Iran, Nigeria, Gambia.

European Asylum Support Offices: Established in 2010, European Asylum Support Offices seek to provide asylum seekers with information and facilitate experience exchange between asylum seekers and also between the Member States.

Non governmental organisations: A non-governmental organisation (NGO) is any non-profit, voluntary citizens' group which is organised on a local, national or international level. Task-oriented and driven by people with a common interest, NGOs perform a variety of service and humanitarian functions, bring citizen concerns to governments, advocate and monitor policies and encourage political participation through provision of information.

Some are organised around specific issues, such as human rights, the environment or health. They provide analysis and expertise, serve as early warning mechanisms and help monitor and implement international agreements. Their relationship with offices and agencies of the United Nations system differs depending on their goals, their venue and the mandate of a particular institution.

Further questions and research:
- Can refugees and asylum seekers influence the policies made for and about them? If so, how?
- Which power does the European Commission have in this issue?
- **UNHCR: Data on refugees:**
  http://data.unhcr.org/mediterranean/regional.php#_ga=1.90510362.14 58233847.1458042589

- **European NGO Platform Asylum and Migration (EPAM):**
  http://www.ngo-platform-asylum-migration.eu

6. Measures in place

Dublin Regulation/Dublin III: The Dublin Convention was originally adopted in 1990 and came into force in 1997. A revision was made in 2003, called Dublin II and the latest version is referred to either as Dublin Regulation or Dublin III. The aim of this regulation, which can be considered the core of EU law concerning asylum seekers and refugees, is to prevent an asylum seeker from applying to several countries and choosing the Member State where he would like to live in.

Common European Asylum System (CEAS)
The CEAS is a system made up of three EU Directives and two regulations. An EU Directive overrides national law, and thus facilitates creating harmonised EU laws, in this case legislation concerned with asylum seekers.

European Agenda on Migration: The EU aims at taking immediate action to prevent further losses of migrants' lives at sea by providing additional funding to Frontex, to the safe and legal resettlement of people to Europe, to the Regional Protection and Development Programmes and to the most affected Member States located at the EU's external borders. In addition, the EU aims to strengthen the role of Europol and intends to launch Common Security and Defence Policy (CSDP) operations in the Mediterranean.

The EU will also activate the emergency system provided in the Treaties so that asylum seekers may be relocated in a more solidary manner. Migration is both an opportunity and a challenge for the EU. The medium to long term priorities consist of developing structural actions that look beyond crises and emergencies and help EU Member States to better manage all aspects of migration.

Hotspot approach: Presented in May in the European Agenda on Migration it is part of the immediate action to assist Member States, which are facing disproportionate migratory pressures at the EU's external borders. The European Asylum Support Office (EASO), EU Border Agency (Frontex), EU Police Cooperation Agency (Europol) and EU Judicial Cooperation Agency (Eurojust) will work on the ground with the authorities of the frontline

Member States to help to fulfil their obligations under EU law and swiftly identify, register and fingerprint incoming migrants.

The Hotspot approach will also contribute to the implementation of the temporary relocation schemes proposed by the European Commission on 27 May and 9 September: people in clear need of international protection will be identified in frontline Member States for relocation to other Member States where their asylum application will be processed. Italy and Greece are the first two Members States where this Hotspot approach is currently being implemented. Other Member States can also benefit from the Hotspot approach upon request.

Refugee relocation system: Ministers agreed to the Commission's proposal to relocate 120,000 people in clear need of international protection during the next two years. The Commission had initially proposed to relocate 120,000 people from Greece (50,400), Italy (15,600) and Hungary (54,000). As Hungary however does not wish to be included as beneficiary of the emergency relocation scheme, the Council agreed that one or more Member States confronted with a similarly evolving pressure following a sudden inflow of nationals of third countries could benefit instead. The remaining 54,000 (who under the Commission proposal would have been relocated from Hungary) will after one year also be proportionally relocated from Italy and Greece to other Member States unless the situation on the ground changes justifying that the Commission propose to amend the Council decision in order to include another country/other countries as beneficiaries of the relocation decision.

Border Package: an important set of measures to manage the EU's external borders and protect the Schengen area without internal borders. It will help to manage migration more effectively, improve the internal security of the EU, and safeguard the principle of free movement of persons. It proposes to establish a European Border and Coast Guard to ensure a strong and shared management of the external borders. To further increase security for Europe's citizens, the Commission proposed to introduce systematic checks against relevant databases for all people entering or exiting the Schengen area.

Further questions and research:
- Out of the many measures taken, which do you find to be the most effective?
- How much do the proposed measures contribute to solving the issue? How much more needs to be done?
- **European Commission: Country responsible for asylum application (Dublin):** http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/examination-of-applicants/index_en.htm
- **European Agenda on Migration:** http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/index_en.htm
- **The Hotspot Approach to Managing Exceptional Migratory Flows:** http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/2_hotspots_en.pdf
- **European Commission Fact Sheet: Refugee Crisis – Q&A on Emergency Relocation:** http://europa.eu/rapid/press-release_MEMO-15-5698_it.htm

7. Conclusion

Deaths at the Mediterranean, overcrowded refugee camps, delays in processing asylum applications and tensions between the Member States are some of the most common consequences of the EU's inadequate asylum policy. While a relatively small part of asylum seekers apply to EU Member States, the EU fails to provide these people with protection and security.

Differences between the immigration laws of different Member States cause a discrepancy between the numbers of accepted asylum applications. For many asylum seekers, the process takes a very long time and forces them to stay in refugee camps, most of which are in very bad conditions. As for those who are accepted as refugees, there is a so-called "asylum lottery" meaning that they have no choice of country that they wish to reside in, which is problematic considering that some Member States' immigration laws are far from providing refugees with security. If the EU wishes to fulfil principles such as basic human rights, right to asylum and non- refoulement, it needs to reform its policies and measures, which are often criticised to have built a Fortress of Europe.

Essential Research links

Infographic by the European Commission, explaining the CEAS:
http://ec.europa.eu/dgs/home-affairs/e-
library/docs/infographics/ceas/ceas_infographics_a4_en.pdf

**Article: Syria refugee crisis: six charts that show how Europe is struggling
to respond:**
http://www.theguardian.com/world/datablog/2016/feb/03/syria-refugee-
crisis-and-international-aid-in-numbers

Questions

- Are there any viable and effective alternatives to the Dublin
  Regulation?
- How can the EU enforce its development aid programmes and
  cooperation with countries in conflict?
- How can the EU fight against the deconstruction of the Schengen Area?
- How can refugees' living conditions be improved? How can host
  countries integrate refugees into its workforces and cultural heritage?
- How can the different actors involved better cooperate to reach an
  effective response to the problem?

Committee on Security and Defence (SEDE)

In the wake of Paris attacks, serious concerns have been raised on the failure of European security cooperation. In the conclusions of the European Council's Meeting of December 2015, European Union leaders underlined "the urgency of enhancing relevant information sharing" between Member States, to be pursued also through "deeper cooperation between security services". Considering how intrinsically connected to national interests intelligence activities are, how should the European Union proceed with its commitments?

by Lydia Purschke (Chairperson, DE)

1. Video Links

Statement by Gilles de Kerchove, EU Counter-Terrorism Coordinator, on the European Day of remembrance of victims of terrorism: http://tvnewsroom.consilium.europa.eu/bmm_video_embed/embed_video/79034

Europol: fighting crime and terrorism in Europe
http://www.europarltv.europa.eu/en/player.aspx?pid=1fa0cc1d-4656-4604-a547-a5600099a75b

2. Key terms

- **National Sovereignty** is the power of a state to govern itself and to make its own laws.

- **National intelligence:** Information gathered within or outside of the respective country, which concerns the interests of more than one department or agency of the government, in order to ensure security within the country.

- **security service:** A government agency that is responsible for internal security and to counter terrorism.

- **Counter-terrorism:** Activities and operations that are intended to deter terrorist acts or to eradicate terrorist groups which can also include offensive measures.

- **Charlie Hebdo shootings:** In January 2015, the satirical newspaper "Charlie Hebdo" got attacked in Paris by Islamist terrorist group Al-Qaeda's branch in Yemen, who took responsibility for the attack. Several attacks followed. Intelligence agencies in Turkey, Iraq and Israel had all warned of an imminent attack on France months beforehand, but were ignored by French authorities.

- **Islamic State of Iraq and the Levant (ISIL):** There are many different names for the terrorist group ISIL, e.g. ISIS, IS, SIC, Daish/Da'ish/Da'ash, etc. due to the changes the group itself made. The differences result from translations and different political implications of each name. Islamic State (IS), Islamic State of Iraq and Syria (ISIS) or Islamic State of Iraq and the Levant (ISIL) remain the most used names. For political and anti-propaganda reasons, it is considered suitable to put "self-proclaimed" in front of it.

3. Relevance and explanation of the topics

First the Charlie Hebdo shootings in the beginning of 2015, then the attacks on Paris in November 2015. It has been a tough year for Europe and especially France concerning terrorism. Both attacks left Europe shocked and paralysed by fear. Although France has been on high alert after the Charlie Hebdo shootings, the attacks later that year could not be prevented. The attacks were the deadliest on France since World War II, and the deadliest in the EU since 2004[34].

Guy Verhofstadt, the leader of the Liberals in the European Parliament, stated last November that "cooperation between the EU's intelligence services is a failure. After each tragedy, we realise that our cooperation does not work."

The Islamic State of Iraq and the Levant (ISIL) claimed responsibility for the attacks to retaliate the French airstrikes on ISIL targets in Syria and Iraq. In March 2016, Brussels was under attack. Again, the planning was not detected by the police or intelligence agencies.

The conclusions of the European Council Meeting of December 2015 state the urgency of enhancing relevant information sharing by ensuring the entry of data on foreign terrorist fighters into the Schengen Information System II, ensuring the extension of the European Criminal Records Information System

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[3] Parisians throw open doors in wake of attacks, but Muslims fear repercussions: http://www.theguardian.com/world/2015/nov/14/paris-attacks-people-throw-open-doors-to-help

[4] Europe's open-border policy may become latest victim of terrorism: http://www.irishtimes.com/news/world/europe/europe-s-open-border-policy-may-become-latest-victim-of-terrorism-1.2435486

(ECRIS) to third country nationals as well as the interoperability of the relevant databases with regard to security checks, supporting the work of the new Europol CT Centre, and increasing Member States' contributions to Europol databases, as well as providing for the access of Europol and Frontex to relevant databases.

Despite the urgent need for coordination of the work of the agencies, setting up a framework, under which operations of security services are easier, is essential. Finding a common ground on legal, technical and political issues is a prerequisite for closer cooperation.

Further questions and research:
- What is your country's stance concerning cooperation between security services?
- Is that stance very different from other European countries?
- How secure is your country?
- **The document "European Council meeting (17 and 18 December 2015) - Conclusions" sums up the December Council meeting:** http://www.consilium.europa.eu/en/meetings/european-council/2015/12/201512-EUCO-conclusions_pdf/
- **An opinion piece about EU wide cooperation concerning intelligence agencies published by the "Parliament Magazine":** https://www.theparliamentmagazine.eu/articles/news/eu-wide-cooperation-essential-fight-against-terrorism-say-meps

4. Key Conflicts

The main problem we are facing is the **lack of cooperation between the national intelligence agencies**. The attacks on Paris were orchestrated from Belgium and went undetected mainly for this reason. National intelligence agencies were originally created to ensure security within national borders, but the new demands set upon them in a Europe without any internal borders challenge this original purpose. **Mistrust** amongst the national intelligence agencies is hindering the much-needed cooperation. While some of them would agree to exchange information and best practices, others prefer keeping the data to protect national interests. The idea of cooperation and information-sharing might make sense and would help the fight against terrorism, but giving up this competence of the agencies and with it the Member States is a big decision and requires convincing, because it challenges **national sovereignty**.

Another challenge relating to the topic at hand is privacy. One can consider whether a **compromise between security and privacy** is possible. For example, the exchange of passenger information is an effective tool to detect terrorist travel but requires that the privacy of all citizens will be

compromised. With the ongoing terrorist threats it will be increasingly more important to find a balance between security and privacy.

Lastly, Member States' **different legislative backgrounds** make it challenging to create an EU intelligence agency overnight. A lot of work has already been done in order to harmonise legislation but there are still legal structures that remain slightly different in each Member State. Although ensuring internal security is first and foremost a responsibility of each individual Member State, it has to be taken into account that there are growing links between the internal and external security of the EU.

Further questions and research:
- Where would you stand in line between security and privacy?
- How would you solve these aforementioned problems?
- **An interview with S&D leader Gianni Pittella about fighting terrorism on a European level:**
  http://www.euractiv.com/section/justice-home-affairs/interview/pittella-the-trump-of-europe-hamper-cooperation-on-counter-terrorism/
- **An opinion piece about possible reasons of not being able to fight terrorism successfully:**
  https://www.washingtonpost.com/news/monkey-cage/wp/2016/03/22/heres-why-europe-cant-police-terrorism-very-well/

5. Key actors

The **European Police Office (Europol)** handles criminal intelligence and combating serious international organised crime cooperating with the relevant authorities of the Member States, including those tasked with customs, immigration services, border and financial police.

A **Joint Investigation Team (JIT)** is an investigation team set up for a fixed period, based on an agreement between two or more EU Member States and/or competent authorities, for a specific purpose. Non EU Member States may participate in a JIT with the agreement of all other parties. The aim of a JIT is per definition to investigate specific cases. JITs are part of Europol.

The **European Council** defines the EU's overall political direction and priorities. The members of the European Council are the heads of state or government of the EU Member States, the European Council President, Donald Tusk, and the President of the European Commission, Jean-Claude Juncker. In 2005 the Council adopted the EU counter-terrorism strategy and

in December 2015 they met in order to set up measures for the fight against terrorism.

The **European Commission** tried in the past years to put in place measures which included sharing passenger data and a more effective use of the Schengen countries' internal database. The European Parliament and influential governments, such as the UK, in the Council opposed these regulations.

National intelligence agencies (like AISE in Italy, SIS MI6 in the UK or BND in Germany) investigate mainly on their own. Each national intelligence agency acts differently in every country which makes it even harder to combine their work. The fear of releasing important private data to other agencies hinders cooperation among these.

Further links
- Can existing institutions be improved in order to become more efficient?
- How are institutions linked?
- How do institutions operate in your country?
- **More information about Europol can be found here:**
  https://www.europol.europa.eu/
- **More information about JIT:**
  https://www.europol.europa.eu/content/page/joint-investigation-teams-989
- **More information about the European Council and the Council of the European Union:** http://www.consilium.europa.eu/en/home/
- **More information about the European Commission is here:**
  http://ec.europa.eu/index_en.htm

6. Measures in place

The **Prüm Decision** from 2005 is open to all members of the EU and enables signatories to exchange data regarding DNA, fingerprints and Vehicle registration of concerned persons and cooperates against terrorism. The data exchange provisions are to be implemented in 2012.

The European Agenda on Security adopted by the European Commission is the most important framework under which the Commission aims at tackling security threats. The three priorities the agenda has identified are tackling terrorism and preventing radicalisation, disrupting organised crime, and fighting cybercrime. The agenda is an important building block of the Internal Security Strategy.

The renewed Internal Security Strategy (ISS) was adopted by the Council in June 2015 and thus replaced the previous strategy (the Internal Security Strategy 2010-2014). The main purpose of the ISS is to advance information exchange and operational cooperation.

A **platform bringing together Financial Intelligence Units (FIUs)** from the Member States detects terrorist finance and money laundering activities. Lately, several IT tools have been developed in order to enhance direct information exchange among FIUs. It is important to bear in mind that FIUs and Europol cooperate closely.

In addition, there are a number of frameworks established to tackle specific areas of internal and cross-border security. The most notable ones of them is the **Radicalisation Awareness Network (RAN)**. RAN seeks to support Member States' efforts in countering radicalisation. One of the best ways to combat terrorism is to stop people from getting involved in violent extremist activities, which is why RAN has been established.

Another notable system, the **Schengen Information System (SIS)**, is a large-scale information system that enables authorities to enter alerts on, for example, certain wanted persons. Once an alert is being consulted, authorities are able to access information about a particular person as well as instructions on what to do when the person has been found. The main purpose of the SIS, in turn, is to preserve internal security in the Schengen States. A second technical version of this system, **SIS II** went live as scheduled on 9 April 2013 under the responsibility of the European Commission. Although SIS II is considered as one the most powerful tools in the fight against terrorism, Member States do not always enter the required data on suspected terrorists. This hampers the effectiveness of the system.

The Internal Security Fund (ISF) was set up for the period 2014-2020, with a total of EUR 3.8 billion for the seven years. The fund will promote the implementation of the Internal Security Strategy, law enforcement cooperation and the management of the Union's external borders. Its aims are achieving harmonising border management measures within the Union and sharing information among Member States, and between Member States and Frontex, combating cross-border and organised crime including terrorism, and reinforcing coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with EUROPOL and other relevant EU bodies.

European Criminal Records Information System (ECRIS) has been created to improve the exchange of information on criminal records throughout the EU. It establishes an electronic interconnection of criminal records databases in a speedy and easily computer-transferable way. ECRIS is a decentralised system: criminal records data is stored solely in national databases and

exchanged electronically between the central authorities of the Member States upon request.

Further questions and research:

- What have your country and other Member States done to prevent terrorism?
- Are these mentioned measures effective? Can they be developed?
- **European Council and Council of Ministers: EU fight against terrorism:** http://www.consilium.europa.eu/en/policies/fight-against-terrorism/
- **Article: After Paris: What's next for the EU's Counter-Terrorism Policy?** https://www.cer.org.uk/insights/after-paris-what%E2%80%99s-next-eu%E2%80%99s-counter-terrorism-policy

7. Conclusion

As can be seen above, many measures have already been taken to tackle the issue, but they remain insufficient. Closer cross-agency intelligence cooperation is no longer only recommendable – it is necessary. In today's world, the safety of European citizens will – without a coordinated response to the growing threat of terrorism – continue to be at risk. Since the threats become more complex day by day, an international approach is crucial. It is up to the committee on Security and Defence to prevent further terrorist attacks and to ensure a safer Europe for all citizens.

Further links

- **A collection of articles about the EU's counter-terrorism strategy:** http://www.euractiv.com/topics/eu-counter-terrorism-strategy/
- **An opinion piece about the creation of one EU-wide intelligence agency:** http://www.euractiv.com/section/justice-home-affairs/news/verhofstadt-calls-for-creation-of-eu-intelligence-agency/
- **Another opinion piece about an EU-wide intelligence agency:** http://www.politico.eu/article/europes-intelligence-black-hole-europol-fbi-cia-paris-counter-terrorism/

Committee on Transport and Tourism (TRAN)

The success of transport network companies, of which Uber is the most prominent example, on the European market has triggered political, economic and ideological debates in the single Member States and in the European institutions. These companies are consequences of the so-called "sharing economy"; there is no specific European Union regulatory system covering them, and their services have been restricted in several Member States. What should the EU's position be with regards to these new business models?

**by Valentina Moles (Chairperson, IT) and
Filippo Bertolini (Chairperson, IT)**

1. Video links

These two video links will help you to have a 360° view on our topic, in few minutes.

What is a sharing economy?
https://www.youtube.com/watch?v=5y2P4z7DM8

What is Uber?
https://www.youtube.com/watch?v=tQlgavP5cmo

2. Key Terms

Sharing economy, which is also known as shareconomy or collaborative consumption, is a hybrid market model (in between owning and gift giving), which is based on peer-to-peer-based sharing of access to goods and services coordinated through community-based online services.

Uber: Uber Technologies Inc. is an American multinational online taxi dispatch company. It develops, markets and operates the Uber mobile app, which allows consumers with smartphones to submit a trip request, which is then routed to Uber drivers who use their own cars. As of May 28, 2015, the service was available in 58 countries and 300 cities worldwide. The legality of Uber has been challenged by governments and taxi companies, who allege that its use of drivers who are not licensed to drive taxicabs is unsafe and illegal.

Transport network companies: A transportation network company (TNC) connects paying passengers with drivers who provide the transportation on their own non-commercial vehicles. All parties connect to the service via a website and/or mobile app.

Incumbent businesses: "Classic" companies which traditionally dominate all transaction in a particular field of an economy. They are the ones being replaced by "sharing economy" companies, through a process called digital disruption.

Digital disruption: Digital disruption is the effect of digital technologies and business models on a company's current value proposition, and its resulting market position. Digital disruption has the potential to overturn incumbents and reshape markets faster than any force in history.

3. Relevance and explanation of the problem

Transport Network Companies (TNCs) are an innovative business model and are considered examples of what is called the "sharing economy". The sharing economy value consists in creating a match between a consumer owning a certain resource (property or skill/competence) and a consumer in need of that resource, at the right time and against reasonable transaction costs. To be more specific and give some examples, companies such as Airbnb or Tripadvisor can be associated to the concept of sharing economy: the first one is a private company founded in 2008 for people to list, find, and rent lodging. It runs on an online marketplace platform where it connects hosts and travellers and enables transactions between them. It has over 1,500,000 listings in 34,000 cities and 190 countries. Tripadvisor is an American travel website company providing reviews of travel-related content, including also interactive travel forums. The website services are free to users, who provide most of the content, and the website is supported by an advertising business model.

In the field of TNCs, Uber is the most prominent example, but also companies such as BlaBlaCar, Lyft, and Sidecar need to be mentioned. All these companies continuously face legal and regulatory hurdles and have been criticised by established commercial enterprises, including taxi services. In the fall of 2012, the California Public Utilities Commission (CPUC) issued a cease and desist letter to them and fined each $20,000, until in September 2013, the CPUC unanimously voted to make a permanent agreement which reversed its previous actions, and create a new category of service called, indeed, Transportation Network Companies. These aforementioned companies, although all included in the TNC field, run under different business models: the BlaBlaCar technology platform connects drivers and riders headed in the same direction and allows riders to pay drivers enough to cover reasonable expenses, like gas and automobile wear and tear. The ridesharing platform does not let drivers make a profit off of its passengers, as Uber or Lyft does, so that they can be considered as a taxi alternative. BlaBlaCar makes money by collecting a transaction fee, approximately 10% of the total cost of a ride.

Talking about Uber, as of May 2015, the service was available in 58 countries and 300 cities worldwide. Since Uber's launch, several other companies have copied its business model, a trend that has come to be referred to as "Uberification". Uber gives consumers a choice between regulated taxicab companies and other forms of transportation and can potentially provide drivers with "flexible and independent jobs", since Uber drivers are able to drive their own car and set their own schedule. Users can track the car picking them up on their smartphone, which allows them to know when it will arrive. A receipt will be automatically sent to their email. Uber and other TNCs are triggering broad political, economic and ideological debates all over Europe.

Arguments in favour of Uber and other TNCs deal mainly with attractive prices and additional transportation choices for consumers, which could in turn lead to reductions in car ownership and the creation of new jobs. These kind of new business models are, in fact able to bring several economic benefits, such as:

- **reduction of search costs:** consumers looking for a transport service are traditionally confronted with search costs for uncertain outcomes; consumers hailing taxis on the street are uncertain about the waiting time until the next taxi;
- **a better overview of quality and prices:** the drivers are rated by consumers and may be removed from the system if their rating falls below a certain threshold. Prices of the rides are estimated beforehand and can be easily compared among one another, introducing greater transparency – something that taxi regulation attempted for years by requiring taxis to publish their price lists inside and outside of the vehicle;
- TNCs provide **Information Communication Technology** services assisting drivers that otherwise would not engage in transport services due to restrictions on entry to the taxi industry.

Further questions and research:
- Why are these arising business models such a relevant object of debate?
- Is there a need for regulating the sharing economy?
- **Uber under fire in Europe**… **again:**
  http://money.cnn.com/2015/09/30/news/companies/uber-in-trouble-london-paris-amsterdam/
- **The sharing economy: the good, the bad, and the real:**
  http://www.neweconomics.org/blog/entry/the-sharing-economy-the-good-the-bad-and-the-real

4. Key conflicts

Uber and other ridesharing companies have brought a new element of competition to the taxi industry. Therefore, the company is the subject of on-going protests and legal action from taxi drivers, taxi companies, and governments around the world who are trying to stop Uber from operating in their areas. So far, governments have been largely unable to stop Uber's operations in their jurisdictions because its operations are conducted primarily over the Internet. These groups say that Uber presents unfair competition to taxis because the company does not pay taxes or licensing fees, that it endangers passengers and that drivers are untrained, unlicensed and uninsured.

Uber is involved in at least 173 lawsuits. As of mid2015, protests had been staged in Germany, Spain, France, Italy, Denmark and the UK, among other nations, and dangerous incidents involving passengers have been documented. Uber executives were arrested in France in June 2015. In December 2014, Uber was banned in Spain.

Uber provides different services under different brands. The service that has been challenging directly the taxi market in the Member States is UberPop, which depends on private drivers. A number of regulators in Member States took actions based on existing legal frameworks that resulted in administrative and/or criminal charges against Uber drivers and management (e.g. Netherlands, Portugal, France, Spain and Germany). As a response Uber submitted complaints to the European Commission against the Spanish, German and French national court bans for violation of Art. 49 (right of establishment) and Art. 56 (freedom to provide services) of the Treaty on the Functioning of the EU. In other countries legal decisions are still pending (e.g. Denmark).

TNCs, as providers of information and communication technology services, are covered by European provisions on free movement of services and freedom of establishment, and their services are a part of the Digital Single Market, but at the same time they are difficult to fit into pre-existing national legislation that was mainly regulating taxis with a set of regulatory requirements of their own.

The closest regulatory framework to TNCs until now was telephone-based taxi dispatching centres but even those operate in a significantly different way, with less of a European dimension. In the attempt to intervene in creating a proper legal framework to this issue, new legislation emanating from Member States will result in possibly 28 different outcomes after long legislative processes and substantial social costs of legal litigation, fragmentation and uncertainty.

Such legislation would, however, reflect possibly diverse national views on TNCs and their benefits, which may not be reconcilable at the European level.

Further questions and research:
- How can the EU conciliate economic benefits on one hand and legal, social and political debates and issues on the other, both brought by TNC arising phenomenon?
- "Uberification": to stop or to encourage this process?
- In which European countries can Uber currently be used? Where is it banned?
- **Cities in which you can use Uber:** https://www.uber.com/cities/
- **Legal Challenges for Uber in the European Union and in Germany:** https://blogs.loc.gov/law/2016/03/legal-challenges-for-uber-in-the-european-union-and-in-germany/

5. Key actors

European Parliament: The European Parliament has not taken a formal position on the sharing economy, though the its Transport and Tourism Committee has highlighted the issue in a recent report on the promotion of tourism. The report calls for a measured and appropriate reaction to the sharing economy. Activities on these platforms should be categorised in order to distinguish between informal, adhoc sharing and professional services.

Business Innovation Observatory: The Business Innovation Observatory provides regular evidence on the latest innovative trends in business and industry, including how innovative solutions are developed and brought to market, as well as their impact on the economy.

European Sharing Economy Coalition: The Coalition's main aim is to shape a critical mass that speaks with a single voice, making the case for European policies that place a greater emphasis on sharing and collaboration, as the driving force behind a more prosperous, sustainable and competitive European economy. This type of body explores synergies with EU policies and on-going programmes and how EU decision makers and other stakeholders can work together to lay the necessary policy framework conditions and create the enabling environment for the Sharing Economy to be a success for Member States, businesses, consumers and local communities in the EU.

Sharing economy businesses: Companies such as Uber or Airbnb are at the absolute core of the issue. Mostly, these companies started out in life as startups, small companies, which are usually based on innovation and advance in technology. As they expanded, they gathered more and more workers, notably through advertisement campaigns, with their main

argument being the easy access to profit. Naturally, these companies are against the regulation of collaborative consumption, for the simple reason that it would hinder their further expansion and limit their activities. Currently, an increasing number of businesses are joining this relatively new phenomenon and adopting the sharing economy system.

Incumbent businesses: Having worked successfully on the same economic model for the last decades, incumbent businesses are fervent advocates of more regulation for sharing economy businesses, in order to revert to their former domination of the market in the affected fields. Therefore, the big question is, should incumbent businesses be protected by law against the unfair competition offered by the sharing economy?

Further questions and research:
- Should governments provide protection for incumbent businesses on the market or should they leave the choice to the consumers and let the market take its natural direction?
- Which influence do citizens have in this decision-making process?
- **EU Commission launches study on Uber:** https://www.theparliamentmagazine.eu/articles/news/eu-commission-launches-study-uber
- **How the sharing economy can make its case:** http://www.mckinsey.com/business-functions/strategy-and-corporate-finance/our-insights/how-the-sharing-economy-can-make-its-case

6. Measures in place

The European Commission has not so far taken any official position on the sharing economy. It noted in its 2015 digital single market strategy paper that the sharing economy offers opportunities for increased efficiency, growth and jobs, through improved consumer choice, but also potentially raises new regulatory questions.

Nonetheless, the EU already has a legal framework. Given its wide-ranging nature the sharing economy is affected by an equally wide range of EU policy. There are two broad relevant areas: policy which affects sharing economy platforms such as digital services; and policy which affects sharing economy services, through their effects on the general regulation of the services which are provided through those platforms.

The first legal field consists of:

1. The **E-Commerce Directive (2000/31/EC)**, which defines that information society services are subject to the law of the Member State;
2. The **Commission paper** that has recently reviewed the legal framework

on the protection of personal data, aiming to modernize the legal system, strengthen individual rights and improve the clarity and coherence of the rules. The European Parliament and the Council have finally reached an agreement on the Data Protection Reform;
3. The **Digital Single Market Strategy** proposed by the Commission that includes proposals to construct a new regulatory framework for online platforms, in part through a new Internal Market Strategy and ecommerce framework;

While the one concerning the consequences consists of:

1. The **Services Directive (2006/123/EC)**, which aims to ensure that customers benefit from stronger rights, higher quality services and enhanced information about providers, while businesses benefit from easier establishment, easier provision of cross border services, and simplified procedures and formalities;
2. The **Directive on Consumer Rights (2011/83/EC)** regulates contracts between consumers and traders. This generally aims to strike a balance between robust consumer protections and ensuring businesses can remain competitive, this is the key point concerning the freedom and the protection of the customers;
3. The **Working Time Directive (2003/88/EC)** that provides for limits on working time;
4. The **Employment Information Directive (91/553/EEC)**, which defines how workers should be told about terms and conditions;
5. The **Professional Qualifications Directive (2005/36/EC)** which aims to facilitate the mobility of labour within the EU by allowing those qualified in one Member State to work in their profession in another Member State without repeating the qualification process;

Further questions and research:
- What should the new regulations aim for?
- What still needs to be added to the existing legislation?
- **How should the EU regulate the sharing economy services?:** https://www.linkedin.com/pulse/how-should-eu-regulate-sharing-economy-services-emil-djørup

7. Conclusion

Can the sharing economy coexist together with traditional business models and at the same time integrate with the current European economy?

There are different elements to take into account to determine if and how the EU should act on this matter. Regarding if the EU action is necessary, the following aspects have been taken into account: Is the EU competent? Is there

a clear European dimension? Is there EU legislation on the topic? Would EU action be too burdensome? In this respect, the possible routes for EU action make it clear that attention should most likely be focused on the platforms in order to categorise the different typologies and to place them – if need be at the service of the authorities to control the compliance with the rules by both providers and consumers. Regarding how the EU should act, the recommendations below resort to regulation at EU level, but also to self-regulation. Furthermore, it should be noted that while the existence of divergences at national level on how to deal with the sharing economy probably poses obstacles to the achievement of the single market, it also demonstrates that reaching an agreement at EU level might prove to be difficult.

The recommendations for the EU policy makers are divided into three main levels: the platform, the provider, and the consumer. Concerning the first field, the solution should aim to clearly categorise all the platforms, going on, the improvement of the service should be achieved through the main aspect, ensuring compliance. While the last point should include the biggest issue concerning a nonpersonal business model, creating trust.

8. Essential Research Links

Smarter regulation for the sharing economy:
http://www.theguardian.com/science/politicalscience/2015/may/20/smarter regulationForthesharingeconomy

Can Government Learn to Live With the Sharing Economy?:
http://www.governing.com/govinstitute/voices/collocalgovernmentsharingec onomytaxesRegulationuberairbnb.html

The sharing economy and tourism:
http://www.europarl.europa.eu/RegData/etudes/BRIE/2015/568345/EPRS_B RI%282015%29568345_EN.pdf

European Sharing Economy Coalition (long article, this is a really interesting report about one of the biggest stakeholders):
http://www.eurofreelancers.eu/europeansharingeconomycoalition/