Thursday 27 October 2011

Sexual abuse and sexual exploitation of children and child pornography ***I

P7_TA(2011)0468

European Parliament legislative resolution of 27 October 2011 on the proposal for a directive of the European Parliament and of the Council on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA (COM(2010)0094 – C7-0088/2010 – 2010/0064(COD))

(2013/C 131 E/27)

(Ordinary legislative procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2010)0094),

— having regard to Article 294(2) and Articles 82(2) and 83(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0088/2010),

— having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

— having regard to the opinion of the European Economic and Social Committee of 15 September 2010 ([1]),

— after consulting the Committee of the Regions,

— having regard to the undertaking given by the Council representative by letter of 29 June 2011 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union

— having regard to Rule 55 of its Rules of Procedure,

— having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Culture and Education and the Committee on Women's Rights and Gender Equality (A7-0294/2011),

1. Adopts its position at first reading hereinafter set out;

2. Approves the joint statement by Parliament and the Council annexed to this resolution;

3. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;

4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

([1]) OJ C 48, 15.2.2011, p. 138.

Thursday 27 October 2011

P7_TC1-COD(2010)0064

Position of the European Parliament adopted at first reading on 27 October 2011 with a view to the adoption of Directive 2011/…/EU of the European Parliament and of the Council on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA

(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive 2011/93/EU.)

ANNEX

Joint statement of the European Parliament and of the Council on solicitation of children for sexual purposes

Having regard to the fact that 'real-life' solicitation of children for sexual purposes (off-line grooming) means intentional manipulation of a child under the age of sexual consent by means of speech, writing, audio-visual material or by similar presentations, to meet him or her for the purpose of committing any of the offences referred to in Article 3(4) and Article 5(6) of the Directive on combating the sexual abuse and sexual exploitation of children and child pornography,

having regard to the fact that 'real-life' solicitation of children for sexual purposes is already covered by the national law of Member States in different forms, as attempt, a preparatory offence or a particular form of sexual abuse;

the European Parliament and the Council call on the Member States to check carefully their criminal law definitions as regards the criminalisation of 'real-life' solicitation of children for sexual purposes, and to improve and correct their criminal law, if necessary, as regards any legal lacunae that might still exists in that regard.

Qualification and status of third country nationals or stateless persons as beneficiaries of international protection ***I

P7_TA(2011)0469

European Parliament legislative resolution of 27 October 2011 on the proposal for a directive of the European Parliament and of the Council on minimum standards for the qualification and status of third country nationals or stateless persons as beneficiaries of international protection and the content of the protection granted (recast) (COM(2009)0551 – C7-0250/2009 – 2009/0164(COD))

(2013/C 131 E/28)

(Ordinary legislative procedure – recast)

The European Parliament,

— having regard to the Commission proposal to Parliament and the Council (COM(2009)0551),

— having regard to Article 251(2) and Article 63(1), points 1(c), 2(a) and 3(a) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C7-0250/2009),

— having regard to the Commission Communication to Parliament and the Council entitled 'Consequences of the entry into force of the Treaty of Lisbon for ongoing interinstitutional decision-making procedures' (COM(2009)0665),

— having regard to Article 294(3) and Article 78(2)(a) and (b) of the Treaty on the Functioning of the European Union,