

9.12.2013

A7-0446/ 001-001

**AMENDMENT 001-001**

by the Committee on Foreign Affairs

**Report**

**Antonio López-Istúriz White**

**A7-0446/2013**

Partnership instrument for cooperation with third countries

Proposal for a regulation (COM(2011)0843 – C7-0495/2011 – 2011/0411(COD))

---

**AMENDMENTS BY THE EUROPEAN PARLIAMENT\***

to the Commission proposal

-----

REGULATION (EU) No.../2014 OF THE EUROPEAN PARLIAMENT AND OF THE  
COUNCIL

**establishing a Partnership Instrument for cooperation with third countries**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular  
Articles 207(2), 209(1) and 212(2) thereof,

Having regard to the proposal from the **█** Commission,

*Having regard to the opinion of the Committee of Regions<sup>1</sup>*

---

\* Amendments: new or replacement text is marked in ***bold italics***, and deletions are indicated by the symbol **█**

<sup>1</sup> ***OJ C 391, 18.12.2012, p. 110.***

After transmission of the draft legislative act to the national Parliaments,

Acting in accordance with the ordinary legislative procedure<sup>1</sup>,

Whereas:

- (1) *The Union shall seek to develop relations and build partnerships with third countries.* This Regulation constitutes *a new and complementary instrument* providing direct support for the European Union's *external policies, expanding cooperation partnerships and policy dialogues to areas and subjects beyond development cooperation .It follows on from the experience gained* with industrialised *countries* and **■** high income countries and territories *under Council Regulation No 1934/2006*<sup>2</sup>.
- (1a) The scope of cooperation under the geographic programmes with developing countries, territories and regions established under the Development Cooperation Instrument is *almost entirely* limited to financing measures designed to fulfil the criteria set for official development assistance (ODA) set by the Development Assistance Committee of the Organisation for Economic Cooperation and Development (DAC/OECD).
- (2) Over the last decade, the Union has consistently strengthened its bilateral relations with a broad range of industrialised and other high-income *or middle-income* countries and territories across different regions of the world **■** .

---

<sup>1</sup> Position of the European Parliament of ...

<sup>2</sup> Council Regulation (EC) No 1934/2006 of 21 December 2006 establishing a financing instrument for cooperation with industrialised and other high-income countries and territories (OJ L 405, 30.12.2006, p.41).

(2a) The *EU* needs a **foreign policy** financial instrument of global scope allowing the financing of measures that might not qualify as ODA but which are crucially important for deepening and consolidating its relations with the partner countries concerned, in particular through policy dialogues and the development of partnerships. ***This new instrument, innovative in terms of scope and objectives, should create a positive environment for deepened relationship between the EU and relevant third countries and promote core EU interests.***

(2b) In order to achieve the objectives of this Regulation it is necessary to pursue a differentiated and flexible approach with key partner countries which takes into account their economic, social and political contexts and also the Union's specific interests, policy priorities and strategies, whilst maintaining the ability to intervene all over the world wherever needed. ***The Union should use a comprehensive approach to foreign policy including the Union's sectoral policies.***

(2c) The Union should be able to respond in a flexible and timely manner to evolving and /or unforeseen needs in order to make its commitment to promote and **defend** its interests in its relations with third countries more effective, by adopting special measures not covered by multi-annual indicative programmes.

- (2d) *It is in the Union's interest to deepen its relations and dialogue with countries where the Union has a strategic interest in promoting links, especially developed and developing countries which play an increasingly important role in world affairs, including in global governance, foreign policy, international economy, multilateral fora and bodies such as the G8 and the G20, and in addressing challenges of global concern.*
- (2e) ■ The Union needs to build comprehensive partnerships with new players on the international scene, in *order* to promote a stable and inclusive international order, pursue common global public goods, *promote* core interests of the Union and increase knowledge of the Union in these countries.
- (2f) *The scope of this Regulation should be worldwide in order to enable cooperation measures to be supported as appropriate to underpin relations with any country where the Union has strategic interests, in accordance with the objectives of this Regulation.*
- (2g) *It is in the Union's interest to continue to promote dialogue and cooperation with countries which no longer qualify for bilateral programmes under the Development Cooperation Instrument*
- (2h) *It is in the Union's interest to work towards inclusive global institutions, based on effective multilateralism.*

(2i) *Under this Regulation, the Union should support the implementation of the external dimension of "Europe 2020 – A Strategy for smart, sustainable and inclusive growth", bringing together three pillars: economic, social and environmental. In particular, this Regulation should support objectives relating to global issues such as climate change, energy security and resource efficiency, the transition to a greener economy, science, innovation and competitiveness, mobility, trade and investment, economic partnerships, business, employment and regulatory cooperation with third countries, and better market access for European companies including the internationalisation of SMEs. It should also promote public diplomacy, education/academic cooperation and outreach activities.*

█

(12) In particular, fighting climate change is recognised as one of the great **global** challenges **faced by** the Union █ and the **broader international community**. **Climate change is an** area where urgent international action is necessary, **and where the achievement of the Union's goals requires cooperation with third country partners. The EU should therefore invest renewed efforts in promoting global consensus in this respect.** In accordance with the **intention** stated in the Commission's Communication of 29 June 2011 "A budget for Europe 2020" of increasing the climate related proportion of the Union budget to at least 20%, this Regulation should contribute to that goal.

- (12a) *Transnational challenges, such as environmental degradation and access to and the sustainable use of raw materials and rare earths require a rule-based, inclusive approach.***
- (13) The Union is committed to helping to meet the global 2020 biodiversity targets and to deliver on the associated Strategy for resource mobilisation.
- (13a) The Union is committed in relations with its partners worldwide to promoting decent work for all along with ratification and effective implementation of the internationally recognised labour standards and multilateral environmental agreements.
- (13b) *An important strategic interest of the EU is to boost growth and jobs by promoting fair and open trade and investment at the multilateral and bilateral level and by supporting the negotiation and implementation of EU trade and investment agreements. Under this Regulation, the Union should contribute to creating a secure climate for the increase of trading and investment opportunities for European companies worldwide, not least Small and Medium-sized Enterprises, including by supporting regulatory cooperation and convergence, promoting international standards, improving the protection of intellectual property rights, and targeting the removal of unwarranted market access barriers.***

- (13c) The Union's action on the international scene should be guided by the principles which have inspired its own creation, development and enlargement, as enshrined in Article 21 of the Treaty, and which it seeks to advance in the wider world, namely democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principle of equality, and solidarity and respect for the principles of the United Nations Charter and international law.*
- (13d) The Union should seek the most efficient use of available resources in order to optimise the impact of its external action. This should be achieved through coherence and complementarity between Instruments for external action, as well as the creation of synergies between the present Instrument, other Instruments for external action and other policies of the Union. This should further entail mutual reinforcement of the programmes devised under these Instruments.*
- (13e) In order to ensure the visibility of the Union's assistance towards the citizens of the beneficiary countries and those of the Union, there should be, where appropriate, targeted communication and information by adequate means.*

- (13f) *The objectives of this Regulation should, whenever possible and appropriate, be pursued in consultation with relevant partners and stakeholders, including civil society organisations and local authorities, taking into account the importance of their roles.*
- (13g) *The Union's external action under the instrument should contribute to clear results (covering outputs, outcomes and impacts) in countries benefiting from external financial assistance of the Union. Whenever appropriate and possible, the results of the Union's external action and the efficiency of this particular instrument should be monitored and assessed on the basis of pre-defined, clear, transparent and, where appropriate, country-specific and measurable indicators, adapted to the specificities and objectives of this Instrument.*
- (13h) *Actions under this regulation should, where appropriate, take due account of the Resolutions and Recommendations of the European Parliament.*

**I**

- (19) In order to adapt the scope of this Regulation to the rapidly evolving reality in third countries, the power to adopt acts in accordance with Article 290 of the Treaty of the Functioning of the European Union should be delegated to the Commission in respect of the *priorities* defined in the Annex. It is of particular importance that the Commission should carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should ensure simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.



- (20) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation N° 182/2011 *of the European Parliament and of the Council*<sup>1</sup>. Taking into account the nature of those implementing acts, in particular their policy orientation nature or their financial implications, the examination procedure should **■** be used for their adoption, except for technical implementing measures of a small financial scale.
- (20a) Since the objectives of this Regulation cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity and proportionality as set out in Article 5 of the Treaty of the European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary to achieve those objectives.
- (21) Common rules and procedures for the implementation of the Union's instruments for external action are laid down in Regulation (EU) No .../...of the European Parliament and of the Council <sup>2</sup> **■**, hereinafter referred to as 'the Common Implementing Regulation'

---

<sup>1</sup> Regulation No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning the mechanisms of control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011,p. 13).

<sup>2</sup> Regulation (EU) No .../...of the European Parliament and of the Council of ... establishing common rules and procedures for the implementation of the Union's instruments for external action (OJ...)

(22) The organisation and functioning of the European External Action Service are described in Council Decision 2010/427/EU<sup>1</sup>

(22a) *It is appropriate to align the duration of this Regulation with the Council Regulation (EU) No .../...<sup>2</sup>. Therefore, this Regulation should apply as from 1 January 2014,*

HAVE ADOPTED THIS REGULATION:

---

<sup>1</sup> Council Decision 2010/427 EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, 3.8.2010, p. 30).

<sup>2</sup> Council Regulation (EU) No .../... of laying down the multiannual financial framework for the years 2014-2020 (OJ ...).

## Article 1

### Subject matter and objectives

1. This Regulation establishes a Partnership Instrument for cooperation with third countries to advance and promote EU and mutual interests. The Partnership Instrument shall support measures that respond in an effective and flexible manner to objectives arising from the Union's bilateral, regional or multilateral relationships with third countries and address challenges of global concern, ***or ensure an adequate follow-up to decisions taken at multilateral level***
2. The measures to be financed under this Instrument shall reflect the following specific Union objectives:
  - (a) ■ supporting the Union's bilateral, regional and inter-regional cooperation partnership strategies, by promoting policy dialogues and by developing collective approaches and responses to challenges of global concern. ***This objective shall be measured inter alia by the progress made by key partner countries in the fight against climate change or in promoting the environmental standards of the Union;***
  - (ab) implementing the international dimension of "Europe 2020 - *A strategy for smart, sustainable and inclusive growth*". This objective shall be measured by the uptake of the "Europe 2020" policies and objectives by key partner countries;

- (b) improving access **to third country markets and boosting** trade, investment and business opportunities for European companies, **while eliminating barriers to market access and investment**, by means of economic partnerships, business and regulatory **cooperation**. This objective shall be measured by the Union's share in foreign trade with key partner countries and by trade and **investment** flows to partner countries specifically targeted by actions, programmes and measures under this Regulation;
- (c) enhancing widespread understanding and visibility of the Union and its role on the world scene by means of public diplomacy, **people to people contacts**, education/academic/**think tank** cooperation and outreach activities to promote the Union's values and interests. This objective may be measured, inter alia, by opinion surveys or evaluations.

## Article 2

### Scope

- 1. This** Regulation shall primarily support cooperation measures with *countries where the Union has a strategic interest in promoting links, especially* developed and developing countries which play an increasingly prominent role in *global affairs, including in foreign policy*, international economy and trade, **multilateral fora,** global governance and in addressing challenges of global concern *or* where the Union has *other* significant interests.
- 2. Without prejudice to paragraph 1, all third countries, regions and territories may be eligible for cooperation under this Regulation.**

## Article 3

### General principles

1. The Union seeks to promote, develop and consolidate the principles of **■** democracy, *equality*, respect for human rights and fundamental freedoms and the rule of law on which it is founded by means of dialogue and cooperation with third countries.
2. To enhance the impact of the Union's assistance, a differentiated and flexible approach shall be pursued, where appropriate, in designing cooperation with *third* countries to take account of their economic, social and political contexts **■** and also of the Union's specific interests, policy priorities and strategies.
3. **■** *The Union* shall promote a *coherent* multilateral approach to global challenges and shall foster cooperation with international or regional organisations and bodies, including international financial institutions, United Nations agencies, funds and programmes, **■** and other bilateral donors.

4. In implementing this Regulation, the Union shall aim to ensure coherence and consistency with other areas of its external action, in particular the Development Cooperation Instrument for developing countries, and with other relevant Union's policies when formulating policy, strategic planning and programming and implementing measures.
5. Measures financed under this Regulation shall be based, where appropriate, on cooperation policies set out in instruments such as agreements, declarations and action plans between the Union, *the international organisations* and the third countries and regions concerned.  
*Measures financed under this Regulation* shall also relate to areas linked to the *promotion of the* Union's specific interests, policy priorities and strategies.
6. Union support under this Regulation shall be implemented in accordance with the Common Implementing Regulation.

## Article 4

### *Thematic priorities*

*The thematic priorities* to be pursued by the Union's assistance under this Regulation are listed in the Annex. The Commission shall be empowered to adopt delegated acts in accordance with Article 7 to amend *the thematic priorities laid down in the Annex to this Regulation. In particular, following the publication of the Mid-term report, as referred to in Article 17 of the Common Implementing Regulation, and based upon the recommendations contained in the mid-term review report, the Commission shall adopt a delegated act amending the Annex by 31 March 2018.*

## Article 5

### Programming and Indicative allocation of funds

1. Multi-annual indicative programmes shall be adopted by the Commission in accordance with the examination procedure referred to in Article 16 (3) of the Common Implementing Regulation. ■
2. The multi-annual indicative programmes shall set out the Union's strategic and/or mutual interests and priorities, the specific objectives and expected results. For countries or regions for which a Joint Framework Document, laying down a comprehensive Union strategy has been established, the multi-annual indicative programmes shall be based on this document.



3. The multiannual indicative programmes shall also set out the priority areas selected for financing by the Union and shall outline the indicative financial allocation of funds, both overall, per priority area and per partner country or group of partner countries for the period concerned including the participation in global initiatives; these amounts may, where appropriate, be expressed in the form of a range.

**3a. *Multi-annual indicative programmes may provide for an amount of funds, not exceeding 5 % of the total amount, that is not allocated to a priority area or partner country or group of countries. These funds shall be committed in accordance with Article 2 (2) and (3) of the Common Implementing Regulation.***

7. The procedure referred in Article 16(4) of the Common Implementing Regulation may be applied for modifying multiannual indicative programmes *on duly justified imperative grounds of urgency*.
8. *With reference to Article 1, the Commission may take into account the geographic proximity of the Union's outermost regions and overseas countries and territories in its cooperation with third countries.*
9. *Any programming or reviews of programmes taking place after the publication of the Mid-term report referred to in Article 17 of the Common Implementing Regulation shall take into account its results, findings and conclusions.*

#### Article 6

#### Committee

The Commission shall be assisted by the Partnership Instrument committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

#### Article 7

#### Exercise of delegation

1. The delegation of powers referred to in Article 4 shall be conferred for the period of validity of this Regulation.
2. The delegation of powers may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

3. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and the Council.
4. A delegated act adopted shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of 2 months of notification of the act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by 2 months at the initiative of the European Parliament or the Council.

#### Article 8

##### Financial reference amount

1. The financial reference amount for implementation of this Regulation for the period from 2014 to 2020 shall be EUR 954.765.000. Annual appropriations shall be decided by the budgetary authority as part of the annual budget procedure within the limits set in the Multiannual Financial Framework.

2. As referred to in Article 13, paragraph 2 of Regulation No ... of the European Parliament and of the Council<sup>1</sup>, in order to promote the international dimension of higher education, an indicative amount of EUR 1 680 000 000 from the different external instruments (Development Cooperation Instrument, European Neighbourhood Instrument, Instrument for Pre-accession Assistance, Partnership Instrument), will be allocated to actions of learning mobility to or from non EU countries and to cooperation and policy dialogue with authorities/institutions/organisations from these countries. The provisions of the Regulation No ... will apply to the use of those funds. The funding will be made available through *two* multiannual allocations only covering the first *four* years and the remaining *three* years respectively. This funding will be reflected in the multiannual indicative programming of these instruments, in line with the identified needs and priorities of the countries concerned. The allocations can be revised in case of major unforeseen circumstances or important political changes in line with the EU external priorities.
3. ***Actions within the scope of "Erasmus +" will only be funded by the Partnership Instrument in so far as they are not eligible for funding under other external action instruments, and complement or reinforce other initiatives under this Regulation.***

---

<sup>1</sup> Regulation No ... of the European Parliament and of the Council of ... establishing "Erasmus+":the Union programme for education, training, youth and sport and repealing Decisions Nos 1719/2006/EC, 1720/2006/EC and 1298/2008/EC(OJ L ...).

## Article 9

### European External Action Service

**The** application of this Regulation shall be in accordance with Decision 2010/427 EU establishing the organisation and functioning of the European External Action Service.

## Article 10

### Entry into force

█ This Regulation shall enter into force on the █ day following *that of* its publication in the Official Journal of the European Union.

It shall apply from 1 January *2014 until 31 December 2020*.

█ This Regulation shall be binding in its entirety and directly applicable in all Member States █

Done at

For the European Parliament

The President

For the Council

The President

## ANNEX

### ***THEMATIC PRIORITIES UNDER THE PARTNERSHIP INSTRUMENT AS A GENERAL FRAMEWORK FOR THE PROGRAMMING***

#### ***Objective 1.2 (a):***

***Support for the Union's bilateral, regional and inter-regional cooperation partnership strategies, by promoting policy dialogues and by developing collective approaches and responses to challenges of global concern.***

- Support for the implementation of Partnership and Cooperation Agreements, Action Plans and similar bilateral instruments;***
- Deepening the political and economic dialogue with third countries of particular relevance in world affairs, including in foreign policy;***
- Supporting engagement with relevant third countries on bilateral and global issues of common concern;***
- Promoting an adequate follow-up or coordinated implementation of the conclusions of international fora, such as the G-20.***

***Reinforcement of cooperation on global challenges addressing in particular climate change, energy security and the protection of the environment.***

- Stimulate efforts in partner countries to reduce greenhouse gas emissions, in particular by promoting and supporting adequate regulatory and performance standards;***
- Boosting the greening of production and trade;***
- Developing energy cooperation;***
- Promoting renewable and sustainable energy sources.***

***Objective 1.2 (b):***

***Implementing the international dimension of the "Europe 2020 – A Strategy for smart, sustainable and inclusive growth", bringing together three pillars: economic, social and environmental:***

- Enhancing policy dialogues and cooperation with relevant third countries, taking into consideration all areas within the scope of the Europe 2020 strategy;***
- Promoting the Union's internal policies with key partner countries and supporting regulatory convergence in this regard.***

***Objective 1.2 (c):***

***Facilitation and support of economic and trade relations with partner countries:***

- Promotion of a secure environment for investment and business, including protection of intellectual property rights, tackling market access barriers, reinforced regulatory cooperation, and promotion of opportunities for Europe's goods and services, especially in areas where Europe has a competitive advantage, and international standards;***
- Support for the negotiation, implementation and enforcement of EU trade and investment agreements.***



***Objective 1.2 (d):***

***Enhancing cooperation in higher education:***

- ***Enhance student and academic staff mobility, leading to the creation of partnerships aiming at improving the quality of higher education and of joint degrees leading to academic recognition (Erasmus +);***

***Enhancing widespread knowledge and raising the profile of the Union:***

- ***Promoting the EU's values and interests in partner countries through enhanced public diplomacy and outreach activities in support of the objectives of the instrument.***

---