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AMENDMENTS

1 - 77

Draft report

Gilles Pargneaux

Annual Report 2016 on the Protection of the EU's Financial Interests - Fight against fraud

(2017/2216(INI))

Amendment 1
Notis Marias

Motion for a resolution
Citation 1 a (new)

Motion for a resolution

Amendment

- *having regard to the Protocol (No 1) of the Treaty on the Functioning of the European Union (TFEU) on the role of national parliaments in the European Union,*

Or. el

Amendment 2
Notis Marias

Motion for a resolution
Citation 1 b (new)

Motion for a resolution

Amendment

- *having regard to the Protocol (No 2) of the Treaty on the Functioning of the European Union (TFEU) on the application of the principles of subsidiarity and proportionality,*

Or. el

Amendment 3
Benedek Jávor

Motion for a resolution
Recital A

Motion for a resolution

Amendment

A. whereas the Member States and the Commission have shared responsibility for implementing approximately 74% of the Union's budget for 2016; whereas Member

A. whereas *de jure* the Member States and the Commission have shared responsibility for implementing approximately 74% of the Union's budget

States are primarily responsible for the collection of own resources, particularly in the form of VAT and customs duties;

for 2016 *de facto however, Member States spending those resources and the Commission is responsible for having overview of those projects vis a vis providing a certain level of control*; whereas Member States are primarily responsible for the collection of own resources, particularly in the form of VAT and customs duties;

Or. en

Amendment 4
Barbara Kappel

Motion for a resolution
Recital D

Motion for a resolution

D. whereas the diversity of legal and administrative systems in the Member States ***presents a challenging environment in which*** to overcome irregularities and combat fraud; whereas the Commission should therefore step up its efforts to ensure that the fight against fraud is implemented effectively and produces more tangible and more satisfactory results;

Amendment

D. whereas the diversity of legal and administrative systems in the Member States ***needs to be adequately addressed*** to overcome irregularities and combat fraud; whereas the Commission should therefore step up its efforts to ensure that the fight against fraud is implemented effectively and produces more tangible and more satisfactory results;

Or. en

Amendment 5
Caterina Chinnici

Motion for a resolution
Recital D

Motion for a resolution

D. whereas the diversity of legal and administrative systems in the Member States presents a challenging environment

Amendment

D. whereas the diversity of legal and administrative systems in the Member States presents a challenging environment

in which to overcome irregularities and combat fraud; whereas the Commission should therefore step up its efforts to ensure that the fight against fraud is implemented effectively and produces more tangible and more satisfactory results;

in which to overcome irregularities and combat fraud; whereas the Commission should therefore step up its efforts to ensure that the fight against fraud is implemented effectively and produces more tangible and more satisfactory results; *by means of initiatives - legislative included – aimed at aligning or at least ensuring an upward of the powers available to the competent authorities of the Member States, as it is the case - for example - in Italy by means of the extensive powers available to the “Guardia di Finanza”, as acknowledged at the session of Budgetary Control Committee on 13 November 2017.*

Or. en

Amendment 6
Barbara Kappel

Motion for a resolution
Recital H

Motion for a resolution

H. whereas *the current VAT system*, in particular as applied to cross-border transactions, *is* vulnerable to fraud and tax-avoidance strategies, in which Missing Trader Intra-Community (MTIC) fraud, commonly called carousel fraud, alone was responsible for VAT revenue losses of approximately EUR 50 billion in 2015;

Amendment

H. whereas *VAT systems*, in particular as applied to cross-border transactions, *are* vulnerable to fraud and tax-avoidance strategies, in which Missing Trader Intra-Community (MTIC) fraud, commonly called carousel fraud, alone was responsible for VAT revenue losses of approximately EUR 50 billion in 2015;

Or. en

Amendment 7
Julia Pitera

Motion for a resolution
Recital H

Motion for a resolution

H. whereas the current VAT system, in particular as applied to cross-border transactions, is vulnerable to fraud and ***tax-avoidance*** strategies, in which Missing Trader Intra-Community (MTIC) fraud, commonly called carousel fraud, alone was responsible for VAT revenue losses of approximately EUR 50 billion in 2015;

Amendment

H. whereas the current VAT system, in particular as applied to cross-border transactions, is vulnerable to fraud and ***tax-evasion*** strategies, in which Missing Trader Intra-Community (MTIC) fraud, commonly called carousel fraud, alone was responsible for VAT revenue losses of approximately EUR 50 billion in 2015;

Or. en

Amendment 8

Benedek Jávor, Julia Pitera

Motion for a resolution

Recital H a (new)

Motion for a resolution

Amendment

Ha. whereas corruption affects all Member States, particularly in form of organised crime and burdens not only the EU economy, but undermines democracy and rule of law all across Europe; however the exact figures are unknown as Commission has decided not to publish data in the report on the EU's anti-corruption policy;

Or. en

Amendment 9

Benedek Jávor

Motion for a resolution

Recital H b (new)

Motion for a resolution

Amendment

Hb. whereas fraud is an example of purposeful wrongdoing and is a criminal offence, while an irregularity is a failure

to comply with the rules;

Or. en

Amendment 10
Julia Pitera, Benedek Jávor

Motion for a resolution
Recital I a (new)

Motion for a resolution

Amendment

Ia. whereas until creation of European Public Prosecutor Office and reform of Eurojust, OLAF is the sole European body specialized in protection of the Union's financial interest; emphasizes that in several Member States even after the setting up of EPPO it will remain the only body to protect the EU's financial interest;

Or. en

Amendment 11
Notis Marias

Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. ***Takes the view*** that the cooperation between the Commission and the Member States in the area of fraud detection is not effective enough;

4. ***Notes*** that the cooperation between the Commission and the Member States in the area of fraud detection is not effective enough;

Or. el

Amendment 12
Raffaele Fitto

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Takes the view that the cooperation between the Commission and the Member States in the area of fraud detection is not effective enough;

Amendment

4. Takes the view that the cooperation between the Commission and the Member States in the area of fraud detection is not effective enough; ***urges accordingly that a set of measures be taken to ensure closer, more effective and more efficient cooperation;***

Or. it

Amendment 13
Notis Marias

Motion for a resolution
Paragraph 5

Motion for a resolution

5. ***Deplores*** the fact that not all Member States have adopted national anti-fraud strategies;

Amendment

5. ***Regards as unacceptable*** the fact that not all Member States have adopted national anti-fraud strategies;

Or. el

Amendment 14
Benedek Jávor, Julia Pitera

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Deplores the fact that not all Member States have adopted national anti-fraud strategies;

Amendment

5. Deplores the fact that not all Member States have adopted national anti-fraud strategies; ***calls on the Commission to actively get engaged to help Member States creating their national anti-fraud strategies particularly because they manage approximately 74% of the EU***

budget;

Or. en

Amendment 15
Julia Pitera, Benedek Jávor

Motion for a resolution
Paragraph 6

Motion for a resolution

6. ***Calls again on the Commission to establish a uniform system for the collection of comparable data on irregularities and cases of fraud from the Member States in order to standardise the reporting process and ensure the quality and comparability of the data provided;***

Amendment

6. ***Notes that the European Commission has put in place an uniform system for the collection of comparable data on irregularities and cases of fraud through adoption in 2015 of four Delegated and four Implementing Regulations on the reporting of irregularities harmonizing the areas of shared management (EU 2015/1970, 2015/1971,2015/1972, 2015/1973,2015/1974, 2015/1975, 2015/1976, 2015/1977) as well as introducing in 2016 a common module in the Irregularity Management System for the transmission of irregularities;***

Or. en

Amendment 16
Marco Valli, Laura Agea

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

6a. ***Expresses concern at the ongoing differences between Member States regarding the reporting process, which can give rise to a mistaken perception of the effectiveness of the controls; calls on the Commission to continue its efforts to***

Amendment

help Member States step up the level and quality of inspections and share best practices in combating fraud;

Or. it

Amendment 17
Luke Ming Flanagan

Motion for a resolution
Paragraph 7

Motion for a resolution

7. **Welcomes** the adoption of the Directive on the fight against fraud to the Union's financial interests by means of criminal law (the PIF Directive), whose scope includes VAT;

Amendment

7. **Notes** the adoption of the Directive on the fight against fraud to the Union's financial interests by means of criminal law (the PIF Directive), whose scope includes VAT;

Or. en

Amendment 18
Ingeborg Gräßle

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Welcomes the adoption of the Directive on the fight against fraud to the Union's financial interests by means of criminal law (the PIF Directive), whose scope includes VAT;

Amendment

7. Welcomes the adoption of the Directive on the fight against fraud to the Union's financial interests by means of criminal law (the PIF Directive), whose scope includes VAT ***fraud, which is particularly important for stepping up the fight against cross-border VAT fraud; sees the Directive as a first step to a harmonised European criminal law; notes that the Directive provides a definition of corruption and defines the types of fraudulent behaviour to be criminalised;***

Or. en

Amendment 19
Barbara Kappel

Motion for a resolution
Paragraph 8

Motion for a resolution

8. **Welcomes** the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation and looks forward to fruitful cooperation between OLAF and the European Public Prosecutor's Office; **regrets however that not all EU Member States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member States;**

Amendment

8. **Takes note of** the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation and looks forward to fruitful cooperation between OLAF and the European Public Prosecutor's Office;

Or. en

Amendment 20
Notis Marias

Motion for a resolution
Paragraph 8

Motion for a resolution

8. **Welcomes** the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation and looks forward to fruitful cooperation between OLAF and the European Public Prosecutor's Office; regrets however that not all EU Member States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member

Amendment

8. **Notes** the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation and looks forward to fruitful cooperation between OLAF and the European Public Prosecutor's Office; regrets however that not all EU Member States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member States;

States;

Or. el

Amendment 21
Luke Ming Flanagan

Motion for a resolution
Paragraph 8

Motion for a resolution

8. **Welcomes** the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation and looks forward to fruitful cooperation between OLAF and the European Public Prosecutor's Office; regrets however that not all EU Member States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member States;

Amendment

8. **Notes** the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation and looks forward to fruitful cooperation between OLAF and the European Public Prosecutor's Office; regrets however that not all EU Member States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member States;

Or. en

Amendment 22
Julia Pitera, Benedek Jávor

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Welcomes the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation **and looks forward to fruitful** cooperation between OLAF and the European Public Prosecutor's Office; regrets however that not all EU Member

Amendment

8. Welcomes the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation; **recalls that** cooperation between OLAF and the European Public Prosecutor's Office **has to be based on avoidance of duplications of efforts,**

States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member States;

efficient exchange of information and OLAF's support in the EPPO's activities; regrets however that not all EU Member States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member States;

Or. en

Amendment 23 **Ingeborg Gräßle**

Motion for a resolution **Paragraph 8**

Motion for a resolution

8. Welcomes the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation and looks forward to fruitful cooperation between OLAF and the European Public Prosecutor's Office; regrets however that not all EU Member States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member States;

Amendment

8. Welcomes the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation and looks forward to fruitful cooperation between OLAF and the European Public Prosecutor's Office; regrets however that not all EU Member States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member States; *calls on the Commission to push the remaining Member States which do not yet participate in the EPPO to do so; calls for negative financial consequences for those Member States which are not willing to participate in the EPPO;*

Or. en

Amendment 24 **Benedek Jávor, Julia Pitera**

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Welcomes the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation and looks forward to fruitful cooperation between OLAF and the European Public Prosecutor's Office; regrets however that not all EU Member States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member States;

Amendment

8. Welcomes the decision of 20 Member States to proceed with the establishment of a European Public Prosecutor's Office through enhanced cooperation and looks forward to fruitful cooperation between OLAF and the European Public Prosecutor's Office; regrets however that not all EU Member States have been willing to participate in this initiative, and underlines the importance of maintaining equivalent fraud detection efficiency rates in all Member States; ***calls on the Commission to incentivise the so far reluctant Member States to join to the EPPO;***

Or. en

Amendment 25 Ingeborg Gräßle

Motion for a resolution Paragraph 8 a (new)

Motion for a resolution

Amendment

8a. Calls for an effective cooperation between OLAF and EPPO to avoid double structures, conflicting competences and legal loopholes through lack of competences;

Or. en

Amendment 26 Barbara Kappel

Motion for a resolution Paragraph 10

Motion for a resolution

10. **Welcomes** the adoption of short-term measures to tackle losses on VAT **mentioned in the Commission's Action Plan entitled 'Towards a single EU VAT area' published on 7 April 2016; looks forward with interest to the Commission's proposals for a definitive VAT system as provided for in the action plan;**

Amendment

10. **Takes note of** the adoption of short-term measures to tackle losses on VAT;

Or. en

Amendment 27
Benedek Jávor

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Welcomes the adoption of short-term measures to tackle losses on VAT mentioned in the Commission's Action Plan entitled 'Towards a single EU VAT area' published on 7 April 2016; **looks forward with interest to the Commission's proposals for a definitive VAT system as provided for in the action plan;**

Amendment

10. Welcomes the adoption of short-term measures to tackle losses on VAT mentioned in the Commission's Action Plan entitled 'Towards a single EU VAT area' published on 7 April 2016; **emphasizes that the problems related to cross-border VAT fraud need strong, coordinated and speedy measures; urges the Commission speed up its procedures to present its proposals for a definitive VAT system as provided for in the action plan in order to avoid the loss of tax revenue in the EU and in the Member States;**

Or. en

Amendment 28
Notis Marias

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Notes with concern that tobacco smuggling to the EU has intensified in recent years and, according to estimates, represents an annual loss of EUR 10 billion in public revenue to the EU and Member States' budgets, while at the same time it is a major source of organised crime, including terrorism;

Amendment

12. Notes with **great** concern that tobacco smuggling to the EU has intensified in recent years and, according to estimates, represents an annual loss of EUR 10 billion in public revenue to the EU and Member States' budgets, while at the same time it is a major source of organised crime, including terrorism;

Or. el

Amendment 29
Raffaele Fitto

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Notes with concern that tobacco smuggling to the EU has intensified in recent years and, according to estimates, represents an annual loss of EUR 10 billion in public revenue to the EU and Member States' budgets, while at the same time it is a major source of organised crime, including terrorism;

Amendment

12. Notes with concern that tobacco smuggling to the EU has intensified in recent years and, according to estimates, represents an annual loss of EUR 10 billion in public revenue to the EU and Member States' budgets, while at the same time it is a major source of organised crime, including terrorism; ***considers it necessary for Member States to step up their efforts to combat these illegal activities, for example by improving procedures for cooperation and exchanges of information between Member States;***

Or. it

Amendment 30
Barbara Kappel

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Notes with concern that tobacco smuggling to the EU has intensified in recent years and, according to estimates, represents an annual loss of EUR 10 billion in public revenue to the EU and Member States' budgets, while at the same time it is a major source of organised crime, including terrorism;

Amendment

12. Notes with concern that tobacco smuggling to the EU has intensified in recent years and, according to estimates, represents an annual loss of EUR 10 billion in public revenue to the EU and Member States' budgets, while at the same time it is a major source of organised crime, including terrorism; ***stresses that China is the primary originating country (80%) for counterfeit goods, followed by Hong Kong, United Arab Emirates, Turkey and India;***

Or. en

Amendment 31

Marco Valli, Laura Agea

Motion for a resolution

Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Deplores the disparities in the customs checks carried out within the EU and the large amounts involved in fraud affecting the own resource collection system; calls on the Commission to strengthen the common policy on customs checks by providing for genuine harmonisation with a view to improving the collection of traditional own resources and to ensure the EU's security and economic interests, focusing in particular on efforts to combat trade in illicit and counterfeit products;

Or. it

Amendment 32

Julia Pitera, Benedek Jávor

Motion for a resolution
Paragraph 18

Motion for a resolution

18. ***Calls on*** the Commission to ***report annually the amount of EU own resources recovered following the recommendations made by OLAF*** and to ***communicate the amounts still to be recovered***;

Amendment

18. ***Deplores the fact that the European Commission is not capable to calculate the total amount of recoveries arose from OLAF's recommendations for recovery; urges*** the Commission to ***introduce a system allowing calculation of the total sums recovered and to publish the cooperation of recommendation and sums factually recovered in the OLAF's annual reports***;

Or. en

Amendment 33
Notis Marias

Motion for a resolution
Paragraph 18

Motion for a resolution

18. ***Calls on*** the Commission to report annually the amount of EU own resources recovered following the recommendations made by OLAF and to communicate the amounts still to be recovered;

Amendment

18. ***Urges*** the Commission to report annually the amount of EU own resources recovered following the recommendations made by OLAF and to communicate the amounts still to be recovered;

Or. el

Amendment 34
Marco Valli, Laura Agea

Motion for a resolution
Paragraph 18 a (new)

Motion for a resolution

Amendment

18a. Considers that the Commission should provide annual data on the difference between expected VAT and

customs receipts and those actually collected;

Or. it

Amendment 35

Notis Marias

Motion for a resolution

Paragraph 19

Motion for a resolution

19. *Deplores* the fact that non-fraudulent irregularities in direct expenditure increased by 16% compared to the previous year, in contrast to all other budget sectors, which registered a decrease in this regard;

Amendment

19. *Notes with great disapproval* the fact that non-fraudulent irregularities in direct expenditure increased by 16% compared to the previous year, in contrast to all other budget sectors, which registered a decrease in this regard;

Or. el

Amendment 36

Notis Marias

Motion for a resolution

Paragraph 20

Motion for a resolution

20. *Regrets* that this is the fourth year in which the irregularities reported as fraudulent in direct management increased in number (16 cases in 2015 and 49 cases in 2016) and value (EUR 0.78 million in 2015 and EUR 6.25 million in 2016);

Amendment

20. *Notes with great disapproval* that this is the fourth year in which the irregularities reported as fraudulent in direct management increased in number (16 cases in 2015 and 49 cases in 2016) and value (EUR 0.78 million in 2015 and EUR 6.25 million in 2016);

Or. el

Amendment 37

Marco Valli, Laura Agea

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Regrets that this is the fourth year in which the irregularities reported as fraudulent in direct management increased in number (16 cases in 2015 and 49 cases in 2016) and value (EUR 0.78 million in 2015 and EUR 6.25 million in 2016);

Amendment

20. Regrets that this is the fourth year in which the irregularities reported as fraudulent in direct management increased in number (16 cases in 2015 and 49 cases in 2016) and value (EUR 0.78 million in 2015 and EUR 6.25 million in 2016); ***calls on the Commission to present by the end of 2018 a specific plan to reduce fraud in this area;***

Or. it

Amendment 38
Georgi Pirinski, Gilles Pargneaux

Motion for a resolution
Paragraph 21

Motion for a resolution

21. ***Is deeply concerned*** that the number of reported fraudulent and non-fraudulent irregularities concerning rural development (***ERDF***), while decreasing from 3 250 cases in 2015 to 2 676 cases in 2016, is still twice as high as in 2012; also notes that, even though the total number of fraudulent and non-fraudulent irregularities fell by 16%, the number of fraudulent irregularities increased by **28%**;

Amendment

21. ***Notes*** that the number of reported fraudulent and non-fraudulent irregularities concerning ***the European Agriculture Fund for rural development (EAFRD)***, while decreasing from 3 250 cases in 2015 to 2 676 cases in 2016, is still twice as high as in 2012, ***but wishes to highlight that the amounts concerned in 2016 are only 8% higher than in 2012;*** also notes that, even though ***between 2015 and 2016*** the total number of fraudulent and non-fraudulent irregularities ***for this fund*** fell by 16%, the number of fraudulent irregularities increased by **17 %**, ***however, welcomes the fact that the financial amounts involved in fraudulent irregularities decreased by more than 50%; notes as well that fraudulent irregularities in the EAFRD over the last five years represent about 0.5% of payments;***

Amendment 39
Georgi Pirinski, Gilles Pargneaux

Motion for a resolution
Paragraph 22

Motion for a resolution

22. ***Is deeply concerned*** that the 8 497 fraudulent and non-fraudulent irregularities linked to cohesion policy and fisheries in 2016 were 25% higher than the average for the last five years;

Amendment

22. ***Notes*** that the 8 497 fraudulent and non-fraudulent irregularities linked to cohesion policy and fisheries in 2016 were ***22% less than in 2015, but*** 25% higher than the average for the last five years; ***notes also that the financial amounts affected by irregularities was 5% less than in 2015; takes note that for programming period 2007-2013 0,42% of the commitment appropriations were affected by fraud and 2,08% by non-fraudulent irregularities;***

Amendment 40
Marco Valli, Laura Agea

Motion for a resolution
Paragraph 25 a (new)

Motion for a resolution

25a. Expresses concern regarding checks relating to financial instruments managed by intermediaries and the weaknesses revealed in verification of beneficiaries' registered offices; stresses the need to make the disbursement of direct and indirect loans conditional on the publication of country-by-country tax and accountancy data, and on the disclosure of information on actual ownership by the beneficiaries and financial intermediaries involved in the

Amendment

financing operations;

Or. it

Amendment 41
Marco Valli, Laura Agea

Motion for a resolution
Paragraph 28 a (new)

Motion for a resolution

Amendment

2a. Advocates closer cooperation between Member States in exchanging information; points out that many Member States do not have specific laws against organised crime, while its involvement in cross-border activities and sectors affecting the EU's financial interests, such as smuggling or counterfeiting of currency, is constantly growing; considers it essential for the Member States to use effective means to counter the growing internationalisation of fraud and calls on the Commission to introduce common standards for measures to help combat fraud;

Or. it

Amendment 42
Benedek Jávor

Motion for a resolution
Subheading 4 a (new)

Motion for a resolution

Amendment

Public Procurement

Or. en

Amendment 43
Benedek Jávor

Motion for a resolution
Paragraph 28 a (new)

Motion for a resolution

Amendment

28a. *recalls, that public procurement was one of the major source of error in the last programming period, notes that the level of irregularities due to non-compliance with public procurement rules remains high; repeatedly calls on the Commission to develop a database on irregularities, capable of providing a basis for meaningful analysis in a comprehensive way of the frequency, seriousness and causes of public procurement errors; calls on the relevant authorities in Member States to develop and analyse their own databases on irregularities, including those arising in public procurement, and to cooperate with the Commission to provide such data in a form and at a time that facilitates the Commission's work; calls on the Commission to monitor and evaluate the transposition of the 2014/24/EC and 2014/25/EC Directives on public procurement into national rules as soon as possible;*

Or. en

Amendment 44
Benedek Jávor

Motion for a resolution
Paragraph 28 b (new)

Motion for a resolution

Amendment

28b. *recalls on the Commission and the Member States to comply with the provisions setting out the ex-ante*

conditionalities in cohesion policy, in particular in the field of public procurement; calls on the Member States to step up their efforts in the areas highlighted by the Commission's annual report, in particular as regards public procurement, financial crime, conflict of interest, corruption, whistle-blowing and the definition of fraud;

Or. en

Amendment 45
Notis Marias

Motion for a resolution
Paragraph 29

Motion for a resolution

29. ***Calls on*** the Commission and Member States to take ***firm*** measures against fraudulent irregularities; believes that non-fraudulent irregularities should be eliminated using administrative measures, in particular by introducing more transparent and simpler requirements;

Amendment

29. ***Urges*** the Commission and Member States to take ***firmer*** measures against fraudulent irregularities; believes that non-fraudulent irregularities should be eliminated using administrative measures, in particular by introducing more transparent and simpler requirements;

Or. el

Amendment 46
Marco Valli, Laura Agea

Motion for a resolution
Paragraph 29 a (new)

Motion for a resolution

29a. Emphasises that a system enabling the authorities to exchange information would facilitate the cross-checking of accounting records for transactions between two or more Member States in order to prevent cross-border fraud in

Amendment

respect of the structural and investment funds, hence ensuring a cross-cutting and comprehensive approach to the protection of Member States' financial interests; reiterates its request to the Commission to submit a legislative proposal on mutual administrative assistance in those areas of European funding where no provision is made for this;

Or. it

Amendment 47
Notis Marias

Motion for a resolution
Paragraph 31

Motion for a resolution

31. Looks forward to the independent mid-term evaluation of the Hercule III programme, which *is to be* submitted to the European Parliament and the Council no later than 31 December 2017;

Amendment

31. Looks forward to the independent mid-term evaluation of the Hercule III programme, which *should have been* submitted to the European Parliament and the Council no later than 31 December 2017;

Or. el

Amendment 48
Marco Valli, Laura Agea

Motion for a resolution
Paragraph 31 a (new)

Motion for a resolution

31a. Points out that complete transparency in accounting for expenditure is essential, especially as regards infrastructure works financed directly through EU funds or financial instruments; calls on the Commission to ensure that EU citizens have full access to

information regarding co-funded projects;

Or. it

Amendment 49

Marco Valli, Laura Agea

Motion for a resolution

Paragraph 31 b (new)

Motion for a resolution

Amendment

31b. Considers it necessary to provide easily accessible information tools to ensure greater public involvement in the EU at the programming and control stage, especially in connection with major infrastructural funding; calls on the Commission to consider instruments to facilitate direct public involvement in monitoring the spending of EU funds, and to establish an accessible electronic desk for reporting cases of fraud;

Or. it

Amendment 50

Marian-Jean Marinescu

Motion for a resolution

Paragraph 31 a (new)

Motion for a resolution

Amendment

31a. Prevention

Considers that prevention activities are very important in diminishing the level of fraud in spending the EU money

Or. en

Amendment 51

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Marian-Jean Marinescu

**Motion for a resolution
Paragraph 31 b (new)**

Motion for a resolution

Amendment

31b. Welcomes the Commission and OLAF prevention activities and asks for the strengthening the implementation of the Early Detection and Exclusion Systems (EDES) and Anti-Fraud Information System (AFIS) and for completion of the National Anti-Fraud Strategies

Or. en

**Amendment 52
Marian-Jean Marinescu**

**Motion for a resolution
Paragraph 31 c (new)**

Motion for a resolution

Amendment

31c. Calls on the Commission to continue the simplification of the financial regulation and all other administrative rules. Asks the Commission to evaluate very carefully the clarity and the added value of the financing directions of the Member States operational programs

Or. en

**Amendment 53
Marian-Jean Marinescu**

**Motion for a resolution
Paragraph 31 d (new)**

Motion for a resolution

Amendment

31d. Calls on the Commission to elaborate a framework for the digitalization of all process of implementation of EU policies (calls for proposals, application, evaluation, implementation, payments) to be applied by all Member States

Or. en

Amendment 54
Marian-Jean Marinescu

Motion for a resolution
Paragraph 31 e (new)

Motion for a resolution

Amendment

31e. Considers transparency an important tool for the fight against fraud. Calls on the Commission to elaborate a framework to be used by Member States for making public all steps of the implementation of the projects financed with European funds, including payments

Or. en

Amendment 55
Luke Ming Flanagan

Motion for a resolution
Paragraph 32

Motion for a resolution

Amendment

32. Emphasises the important role of whistleblowers in fraud prevention, detection and reporting and the need to protect them; calls on the Commission and the Member States to ***ensure a minimum level of*** protection for whistleblowers within the EU;

32. Emphasises the important role of whistleblowers in fraud prevention, detection and reporting and the need to protect them; calls on the Commission and the Member States to ***legislate for complete*** protection for whistleblowers within the EU;

Amendment 56
Petri Sarvamaa

Motion for a resolution
Paragraph 34

Motion for a resolution

34. Reiterates its call on the Commission to submit as a matter of urgency *a horizontal* legislative *proposal* on the protection of whistleblowers in order to effectively prevent and combat fraud affecting the financial interests of the European Union;

Amendment

34. Reiterates its call on the Commission to submit as a matter of urgency *sector specific* legislative *proposals* on the protection of whistleblowers in order to effectively prevent and combat fraud affecting the financial interests of the European Union;

Amendment 57
Gerben-Jan Gerbrandy, Sophia in 't Veld

Motion for a resolution
Paragraph 35

Motion for a resolution

35. Deplores the fact that the Commission no longer feels the need to publish the anti-corruption report, which has impaired the assessment of the scale of corruption;

Amendment

35. Deplores the fact that the Commission no longer feels the need to publish the anti-corruption report, which has impaired the assessment of the scale of corruption; *recalls its recommendation of 13 December 2017 to the Council and the Commission following the inquiry into money laundering, tax avoidance and tax evasion, in which it noted that the anti-corruption monitoring by the Commission will be pursued through the European Semester process; took the view that anti-corruption might be overshadowed by other economic and financial matters in this process; and called on the Commission to lead by example, resuming the publication of the report and*

committing to a much more credible and comprehensive anti-corruption strategy; points out that the fight against corruption is a matter of police and justice cooperation, a policy area where the European Parliament is co-legislator and has full scrutiny powers.

Or. en

Amendment 58

Notis Marias

Motion for a resolution

Paragraph 36

Motion for a resolution

36. *Reiterates its opinion* that corruption is an enormous challenge for the EU and the Member States, and that, without effective measures against it, corruption undermines economic performance, the rule of law and the credibility of democratic institutions within the Union;

Amendment

36. *Stresses* that corruption is an enormous challenge for the EU and the Member States, and that, without effective measures against it, corruption undermines economic performance, the rule of law and the credibility of democratic institutions within the Union;

Or. el

Amendment 59

Gerben-Jan Gerbrandy, Sophia in 't Veld

Motion for a resolution

Paragraph 36

Motion for a resolution

36. Reiterates its opinion that corruption is an enormous challenge for the EU and the Member States, and that, without effective measures against it, corruption undermines economic performance, the rule of law and the credibility of democratic institutions within

Amendment

36. Reiterates its opinion that corruption is an enormous challenge for the EU and the Member States, and that, without effective measures against it, corruption undermines economic performance, the rule of law and the credibility of democratic institutions within

the Union;

the Union; *recalls its Resolution of 25 October 2016 with recommendations to the Commission on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights, specifically calling for the establishment of an annual report on democracy, the rule of law and fundamental rights (European DRF Report) with country-specific recommendations, including a specific focus on corruption.*

Or. en

Amendment 60
Marco Valli, Laura Agea

Motion for a resolution
Paragraph 36

Motion for a resolution

36. Reiterates its opinion that corruption is an enormous challenge for the EU and the Member States, and that, without effective measures against it, corruption undermines economic performance, the rule of law and the credibility of democratic institutions within the Union;

Amendment

36. Reiterates its opinion that corruption is an enormous challenge for the EU and the Member States, and that, without effective measures against it, corruption undermines economic performance, the rule of law and the credibility of democratic institutions within the Union; *regrets that the new directive on public procurement has not so far led any noticeable improvement in detection of the level of corruption in the EU, and calls on the Commission to provide effective instruments for improving the transparency of contracting and subcontracting procedures;*

Or. it

Amendment 61
Benedek Jávor

Motion for a resolution

Paragraph 36

Motion for a resolution

36. Reiterates its opinion that corruption is an enormous challenge for the EU and the Member States, and that, without effective measures against it, corruption undermines economic performance, the rule of law and the credibility of democratic institutions within the Union;

Amendment

36. Reiterates its opinion that corruption is an enormous challenge for the EU and the Member States, and that, without effective measures against it, corruption undermines economic performance, the rule of law and the credibility of democratic institutions ***and the trust in those institutions*** within the Union;

Or. en

Amendment 62 Benedek Jávor

Motion for a resolution Paragraph 36 a (new)

Motion for a resolution

Amendment

36a. is alarmed by the results of research which show that the risk of fraud and corruption is higher when Member States spending European resources, particularly when the share of European funding is significantly over 50% of the total costs, therefore is of the opinion that Member States do not comply completely with Article 325 (2) of the Treaty on the Functioning of the European Union, which requires Member States to take the same measures to counter fraud affecting the financial interests of the Union as they take to counter fraud affecting their own financial interests; therefore calls on the Member States to fully apply the principle of Article 325 (2) and the Commission to make sure that Member States indeed do so;

Or. en

Amendment 63
Julia Pitera, Benedek Jávor

Motion for a resolution
Paragraph 36 a (new)

Motion for a resolution

Amendment

36a. Is concerned by some Member States which have been blocking reforms, or even hampering existing anti-corruption legislation; is on an opinion that those countries should be subject supplementary and rigorous controls on expenditure of EU funds

Or. en

Amendment 64
Benedek Jávor, Julia Pitera

Motion for a resolution
Paragraph 36 b (new)

Motion for a resolution

Amendment

36b. recalls on the Member States to ratify fully the EU Directive on money-laundering, with the introduction of a public register of beneficial ownership of companies and also trusts;

Or. en

Amendment 65
Benedek Jávor

Motion for a resolution
Paragraph 36 c (new)

Motion for a resolution

Amendment

36c. Reiterates its call on the Commission to develop a system of strict indicators and easily applicable, uniform criteria based on the requirements set out in the Stockholm Programme, to measure the level of corruption in the Member States and to evaluate their anti-corruption policies; invites the Commission to develop a corruption index in order to rank the Member States; is of the opinion that a corruption index could provide a sound basis on which the Commission could establish its country-specific control mechanism when controlling the spending of EU resources;

Or. en

**Amendment 66
Benedek Jávor**

**Motion for a resolution
Paragraph 36 d (new)**

Motion for a resolution

Amendment

36d. Reiterates that prevention should involve constant training and support for the staff responsible for the management and control of funds within the competent authorities, as well as exchanges of information and best practices between Member States; points to the decisive role of local and regional authorities and stakeholders in combating fraud;

Or. en

**Amendment 67
Benedek Jávor**

**Motion for a resolution
Paragraph 36 e (new)**

36e. *recalls that the Commission does not have access to the information exchanged between Member States with a view to preventing and combating Missing Trader Intra-Community (MTIC) fraud, commonly called carousel fraud; is of the opinion that the Commission should have access to Eurofisc, in order to better control, assess and improve the exchange of data among Member States; calls on all Member States to participate in all of Eurofisc's fields of activity so as to facilitate and accelerate information exchange with judicial and law enforcement authorities such as Europol and OLAF, as recommended by the Court of Auditors; calls on the Member States and the Council to grant the Commission access to these data in order to foster cooperation, strengthen data reliability and fight cross-border crime;*

Or. en

Amendment 68
Luke Ming Flanagan

Motion for a resolution
Paragraph 37

37. *Is of the opinion* that investigative journalism plays a key role in fostering the necessary level of transparency in the EU and the Member States, **and that it** must be encouraged **and** supported **by legal means** both in the Member States and within the EU;

37. *Believes* that investigative journalism plays a key role in fostering the necessary level of transparency in the EU and the Member States; **believes further that investigative journalism** must be **fostered**, encouraged, supported **and protected through legislative measures** both in the Member States and within the EU;

Or. en

Amendment 69
Benedek Jávor

Motion for a resolution
Paragraph 37

Motion for a resolution

37. Is of the opinion that investigative journalism plays a key role in fostering the necessary level of transparency in the EU and the Member States, and that it must be encouraged and supported by legal means both in the Member States and within the EU;

Amendment

37. Is of the opinion that investigative journalism plays a key role in fostering the necessary level of transparency in the EU and the Member States, and that it must be encouraged and supported by legal ***and financial (through an intermediary organization)*** means both in the Member States and within the EU;

Or. en

Amendment 70
Marco Valli, Laura Agea

Motion for a resolution
Paragraph 37

Motion for a resolution

37. Is of the opinion that investigative journalism plays a key role in fostering the necessary level of transparency in the EU and the Member States, and that it must be encouraged and supported by legal means both in the Member States and within the EU;

Amendment

37. Is of the opinion that investigative journalism plays a key role in fostering the necessary level of transparency in the EU and the Member States, and that it must be encouraged and supported by legal means both in the Member States and within the EU; ***calls for substantial legal protection for investigative journalists in line with that provided for whistleblowers;***

Or. it

Amendment 71
Benedek Jávor

Motion for a resolution
Paragraph 38

Motion for a resolution

38. Recalls the Commission's decision not to renew the PMI agreement, which expired on 9 July 2016; recalls that it asked the Commission on 9 March 2016 not to renew, extend or renegotiate the PMI agreement beyond its expiry date; believes that the three other agreements (BAT, JTI, ITL) should *not be renewed*;

Amendment

38. Recalls the Commission's decision not to renew the PMI agreement, which expired on 9 July 2016; recalls that it asked the Commission on 9 March 2016 not to renew, extend or renegotiate the PMI agreement beyond its expiry date; believes that the three other agreements (BAT, JTI, ITL) should *be terminated with the effect of 20 May 2019; calls on the Commission to present a report by the end of 2018 presenting the feasibility of stopping the 3 remaining agreements*;

Or. en

Amendment 72
Benedek Jávor

Motion for a resolution
Paragraph 45

Motion for a resolution

45. Deplores the fact that the judicial authorities of some Member States do not regard OLAF's recommendations on the misspending of EU money as a priority;

Amendment

45. Deplores the fact that *despite numerous OLAF recommendations and investigations the prosecution rate is only 30% in the Member States and* the judicial authorities of some Member States do not regard OLAF's recommendations on the misspending of EU money as a priority *and even OLAF does not follow up its recommendations properly; calls on the Commission to establish rules on the follow up of OLAF recommendations*;

Or. en

Amendment 73
Ingeborg Gräßle

Motion for a resolution
Paragraph 45 a (new)

Motion for a resolution

Amendment

45a. *Deplores that around 50% of OLAF cases are dismissed by national judicial authorities; calls on the Member States, the Commission and OLAF to lay down conditions for the admissibility of evidence provided by OLAF; calls on OLAF to improve the quality of its final reports and in order to augment their usefulness for national authorities;*

Or. en

Amendment 74
Ingeborg Gräble

Motion for a resolution
Paragraph 45 b (new)

Motion for a resolution

Amendment

45b. *Calls on OLAF to apply a more realistic approach to its recovery recommendations and to include as well the amounts which were actually recovered;*

Or. en

Amendment 75
Ingeborg Gräble

Motion for a resolution
Paragraph 45 c (new)

Motion for a resolution

Amendment

45c. *Recalls that the OLAF regulation gives an important role to the Director General in complaints procedures about*

investigations; recalls that the direct participation of the Director General in OLAF investigations undermines his role and thus the regulation;

Or. en

Amendment 76
Benedek Jávor

Motion for a resolution
Paragraph 45 a (new)

Motion for a resolution

Amendment

45a. Deplores the fact that secrecy of OLAF judicial recommendations often impedes to hold accountable Member States authorities and EU institutions;

Or. en

Amendment 77
Benedek Jávor, Julia Pitera

Motion for a resolution
Paragraph 45 b (new)

Motion for a resolution

Amendment

45b. Calls on the Commission that at the revision of Regulation (EU, Euratom) No. 883/2013 of the European Parliament and of the Council to create a proper balance of competences between EPPO and OLAF; to strengthen the procedural guarantees, to clarify and strengthen investigative powers of OLAF and establish a certain level of transparency of OLAF recommendations and reports and to clarify the rules on cooperation and access to data between OLAF and its Supervisory Committee;

