



2016/0207(COD)

12.5.2017

AMENDMENTS

6 - 80

Draft opinion

Paavo Väyrynen

(PE601.264v01-00)

Establishing an instrument contributing to stability and peace

Proposal for a regulation

(COM(2016)0447 – C8-0264/2016 – 2016/0207(COD))

Amendment 6
Sabine Lösing

Proposal for a regulation

–

Proposal for rejection

The Committee on Development calls on the Committee on Foreign Affairs, as the committee responsible, to propose rejection of the Commission proposal.

Or. en

Amendment 7
Sabine Lösing

Proposal for a regulation
Citation 1

Text proposed by the Commission

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

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles **208(1)**, 209(1) and 212(2) thereof,

Or. en

Amendment 8
Ignazio Corrao

Proposal for a regulation
Citation 1

Text proposed by the Commission

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

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles **208**, 209(1) and 212(2) thereof,

Or. en

Amendment 9
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Citation 1

Text proposed by the Commission

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

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles **208**, 209(1) and 212(2) thereof,

Or. en

Justification

Article 208 states that the primary purpose of development cooperation is the fight against poverty.

Amendment 10
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Citation 1 a (new)

Text proposed by the Commission

Amendment

Having regard to the Treaty on European Union, in particular Articles 24, 40 and 41(2),

Or. en

Justification

References to relevant CFSP articles in the treaty

Amendment 11
Ignazio Corrao

Proposal for a regulation
Citation 1 a (new)

Text proposed by the Commission

Amendment

Having regard to the Treaty on European Union, in particular Article 41(2),

Or. en

Amendment 12

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) Article 208(1) of the Treaty on the Functioning of the European Union clearly states that Union development cooperation policy “shall have as its primary objective the reduction and, in the long term, the eradication of poverty.”

Or. en

Justification

It is important to underline that, in line with relevant decisions of the European Court of Justice, measures of a regulation which is based on Article 209 TFEU should implement development policy objectives and that its centre of gravity should therefore be the eradication of poverty and not security.

Amendment 13

Maurice Ponga, Bogdan Brunon Wenta

Proposal for a regulation

Recital 1

Text proposed by the Commission

Amendment

(1) The 2005 European Consensus on Development recognised the link between security and development¹⁶.

(1) The 2005 European Consensus on Development recognised the link between security and development¹⁶, ***and the 2011 Agenda for Change^{16 a} stressed the***

correlation between development and security.

¹⁶ Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy: ‘The European Consensus’, OJ C 46, 24.2.2006.

¹⁶ Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy: ‘The European Consensus’, OJ C 46, 24.2.2006.

^{16 a} Communication from the Commission: ‘Increasing the impact of EU Development Policy: an Agenda for Change’, 13 October 2011 (COM(2011) 637 final).

Or. fr

Amendment 14 **Heidi Hautala, Maria Heubuch, Judith Sargentini**

Proposal for a regulation **Recital 1**

Text proposed by the Commission

(1) The 2005 European Consensus on Development recognised the link between security and development.¹⁶

¹⁶ Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy entitled “The European Consensus”, Official Journal, C 46 of 24.2.2006

Amendment

(1) The 2005 European Consensus on Development recognised the link between security and development, ***while highlighting their complementary nature.***¹⁶

¹⁶ Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy entitled “The European Consensus”, Official Journal, C 46 of 24.2.2006

Or. en

Amendment 15
Ignazio Corrao

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) According to Article 208(1) of the Treaty on the Functioning of the European Union, “Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty.”

Or. en

Amendment 16
Maurice Ponga, Bogdan Brunon Wenta

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The primary objective of the EU’s development policy is the reduction and, in the long term, the eradication of poverty. The policy is also concerned with sustainable development and with tackling inequality and social injustice as well as human rights violations. These issues are key if the root causes of insecurity and violent conflict are to be addressed. The link between security and development is therefore a core principle underpinning the Union’s overall approach to external crises and conflicts, as was pointed out by the Commission and the High Representative of the Union for Foreign Affairs and Security Policy in a joint communication entitled ‘Capacity building in support of security and development’^{1a}.

Amendment 17
Ignazio Corrao

Proposal for a regulation
Recital 2

Text proposed by the Commission

Amendment

(2) The United Nations' 2030 Agenda for Sustainable Development, adopted in September 2015, underlines the importance of promoting peaceful and inclusive societies both as a Sustainable Development Goal (SDG 16) and in order to achieve other development policy outcomes. SDG 16.a specifically requests to “strengthen relevant national institutions, including through international cooperation, for building capacities at all levels, in particular in developing countries, for preventing violence and combatting terrorism and crime”.¹⁷

deleted

¹⁷ *United Nations, A/RES/70/1, Resolution adopted by the General Assembly on 25 September 2015*

Amendment 18
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Recital 2

Text proposed by the Commission

Amendment

(2) The United Nations' 2030 Agenda

(2) The United Nations' 2030 Agenda

for Sustainable Development, adopted in September 2015, underlines the importance of promoting peaceful and inclusive societies both as a Sustainable Development Goal (SDG 16) and in order to achieve other development policy outcomes. SDG 16.a specifically *requests to “strengthen relevant national institutions, including through international cooperation, for building capacities at all levels, in particular in developing countries, for preventing violence and combatting terrorism and crime”*.¹⁷

¹⁷ United Nations, A/RES/70/1, Resolution adopted by the General Assembly on 25 September 2015

for Sustainable Development, adopted in September 2015, underlines the importance of promoting peaceful and inclusive societies both as a Sustainable Development Goal (SDG 16) and in order to achieve other development policy outcomes. SDG 16 specifically *states that “strengthening the rule of law and promoting human rights is key to this process, as is reducing the flow of illicit arms [...]”*.¹⁷

¹⁷ United Nations, A/RES/70/1, Resolution adopted by the General Assembly on 25 September 2015

Or. en

Justification

The Commission's proposal quotes a subordinate point of SDG 16. We believe that a reference to the core language of SDG 16 is more appropriate, especially in the context of development cooperation.

Amendment 19

Arne Lietz, Doru-Claudian Frunzulică, Elly Schlein, Cécile Kashetu Kyenge

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) The United Nations' 2030 Agenda for Sustainable Development, adopted in September 2015, underlines the importance of promoting peaceful and inclusive societies *both as a Sustainable Development Goal (SDG 16) and in order to achieve other development policy outcomes*. SDG 16.a specifically requests to “strengthen relevant national institutions, including through international cooperation, for building capacities at all

Amendment

(2) The United Nations' 2030 Agenda for Sustainable Development, adopted in September 2015, *outlines the Sustainable Development Goals (SDGs), first of which is the eradication of poverty (SDG 1)*. *SDG 16* underlines the importance of promoting peaceful and inclusive societies. SDG 16.a specifically requests to “strengthen relevant national institutions, including through international cooperation, for building capacities at all

levels, in particular in developing countries, for preventing violence and combatting terrorism and crime”.¹⁷

¹⁷ United Nations, A/RES/70/1, Resolution adopted by the General Assembly on 25 September 2015

levels, in particular in developing countries, for preventing violence and combatting terrorism and crime”.¹⁷

¹⁷ United Nations, A/RES/70/1, Resolution adopted by the General Assembly on 25 September 2015

Or. en

Amendment 20
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Article 24 of the Treaty on European Union sets out specific rules and procedures for the Union's common foreign and security policy. Furthermore, Article 40 of the Treaty on European Union (TEU) states that the implementation of the common foreign and security policy (CFSP) is not to be done at the expense of other policies like development cooperation and Article 41 TEU excludes financing of operations with military and defence implications through the Union budget.

Or. en

Amendment 21
Ignazio Corrao

Proposal for a regulation
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Article 40 of the Treaty on European Union clearly states that the

implementation of the common foreign and security policy (CFSP) is not to be done at the expense of other policies like development cooperation. Article 41 TEU excludes financing of operations with military and defence implications through the Union budget.

Or. en

Amendment 22

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) The OECD Development Assistance Committee (DAC) High Level Meeting Communiqué of 19 February 2016 updated the reporting directives on Official Development Assistance (ODA) in the field of peace and security^{1a}. The financing of the actions undertaken in accordance with this Regulation qualifies as ODA when it complies with the eligibility requirements laid down by the Development Assistance Committee of the OECD. In conformity with that Communiqué, ODA eligible activities involving the partner country's armed forces include: support for civilian oversight and democratic control of the military; under exceptional circumstances, i.e. whenever a specific asset, capability or asset requirement cannot timely or effectively be met using the available civilian assets, the possible delivery of humanitarian aid or development services through the military, provided that it respects the humanitarian principles of humanity, neutrality, impartiality and independence and that the performance of development services is warranted; and training of partner countries military personnel under

civilian oversight and with a clear developmental purpose for the benefit of civilians in the areas of human rights and rule of law, protection of women in conflict and prevention of sexual and gender-based violence, international humanitarian law, prevention and treatment of communicable diseases, the fight against corruption, including the prevention of predatory behaviour against civilians, transparency, respect of civilian oversight and democratic control.

^{1a} Document DCD/DAC(2016)3/FINAL of 8 April 2016

^{1b} Document DCD/DAC(2016)3/FINAL of 8 April 2016

Or. en

Justification

In order to ensure that measures under the new Article 3a on military capacity building do not shift the centre of gravity towards security it is important to specify which activities are eligible under OECD rules.

Amendment 23 **Sabine Lösing**

Proposal for a regulation **Recital 3**

Text proposed by the Commission

(3) Supporting *security sector actors, including the military under exceptional circumstances*, in third countries in a conflict prevention, crisis management or stabilisation context is essential to ensure appropriate conditions for poverty eradication and development. Those actions are particularly necessary to ensure the protection of civilian populations in the areas affected by conflict, crises or fragility. Good governance and effective democratic control and civilian oversight

Amendment

(3) Supporting *public, governmental and civil non- governmental sector actors* in third countries in a conflict prevention, crisis management or stabilisation context is essential to ensure appropriate conditions for poverty eradication and development. Those actions are particularly necessary to ensure the protection *and support* of civilian populations in the areas affected by conflict, crises or fragility. Good governance and effective democratic control and civilian oversight of the

of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider *security sector reform* support to third countries.

security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider *civilian cooperation between the Union, the local and regional public or intergovernmental sector as well as NGOs in order to provide* support to third countries.

Or. en

Amendment 24

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) Supporting security sector actors, including *the military* under exceptional circumstances, in *third countries in a conflict prevention, crisis management or stabilisation* context is essential to ensure appropriate conditions for poverty eradication and development. *Those actions are particularly necessary to ensure the protection of civilian populations in the areas affected by conflict, crises or fragility.* Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.

Amendment

(3) Supporting security sector actors, including *armed forces* under exceptional circumstances, in *compliance with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD in third countries in a crisis* context is essential to ensure appropriate conditions for poverty eradication and development. Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.

Or. en

Justification

It is important to clarify that support to armed forces of third countries is only possible under

exceptional circumstances and in compliance with ODA eligibility criteria in order not to shift the centre of gravity towards security.

Amendment 25
Ignazio Corrao

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Supporting security sector actors, including *the military* under exceptional circumstances, *in third countries in a conflict prevention, crisis management or stabilisation context* is essential to ensure appropriate conditions for poverty eradication and development. *Those actions are particularly necessary to ensure the protection of civilian populations in the areas affected by conflict, crises or fragility.* Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.

Amendment

(3) Supporting security sector actors, including *armed forces could be*, under exceptional circumstances, essential to ensure appropriate conditions for poverty eradication and development, *but only where strict compliance is ensured with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD in third countries in a crisis context.* Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.

Or. en

Amendment 26
Arne Lietz, Doru-Claudian Frunzuliță, Cécile Kashetu Kyenge

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Supporting security sector actors, including the military under exceptional circumstances, in third countries in a

Amendment

(3) Supporting security sector actors, including the military under exceptional circumstances, in third countries in a

conflict prevention, crisis management or stabilisation context is essential to ensure appropriate conditions *for poverty eradication and* development. Those actions are particularly necessary to ensure the protection of civilian populations in the areas affected by conflict, crises or fragility. Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.

conflict prevention, crisis management or stabilisation context is essential to ensure appropriate conditions, *including good governance for an effective use of development cooperation, whose main goal is poverty eradication.* Those actions are particularly necessary to ensure the protection of civilian populations in the areas affected by conflict, crises or fragility. Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector reform support to third countries.

Or. en

Amendment 27
Vincent Peillon

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Supporting security sector actors, including the military under exceptional circumstances, in third countries in a conflict prevention, crisis management or stabilisation context is essential to ensure appropriate conditions for poverty eradication and development. Those actions are particularly necessary to ensure the protection of civilian populations in the areas affected by conflict, crises or fragility. Good governance and effective democratic control and civilian oversight of the security system, including the military, as well as compliance with human rights and the rule of law principles are essential attributes of a well-functioning State in any context, and should be promoted through a wider security sector

Amendment

(3) *[Does not affect the English version]*

reform support to third countries.

Or. fr

Amendment 28

Ignazio Corrao

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) The European Council conclusions of 19/20 December 2013 emphasised the importance of supporting partner countries and regional organisations, through providing training, advice, equipment and resources where appropriate, so that they can increasingly prevent or manage crises by themselves.

Amendment

(4) The European Council conclusions of 19/20 December 2013 emphasised the importance of supporting partner countries and regional organisations, through providing **only** training, advice, equipment and resources where appropriate, so that they can increasingly prevent or manage crises by themselves.

Or. en

Amendment 29

Sabine Lösing

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) *The Council conclusions on Common Security and Defence Policy (CSDP) of 18 May 2015 called to explore options to enhance coherence and coordination between EU security and development actions, as well as to improve the delivery of capacity building in support of security and development, notably in terms of financing instruments.¹⁹ They also invited to develop an EU-wide strategic framework for Security Sector Reform, bringing together CSDP and all other relevant Common Foreign and Security Policy (CFSP) tools*

Amendment

deleted

as well as development cooperation instruments and freedom, security and justice actors.

¹⁹ Foreign Affairs Council (Defence formation) conclusions on CSDP, document 8971/15 of 18 May 2015

Or. en

Amendment 30
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Recital 6

Text proposed by the Commission

Amendment

(6) *The Council conclusions on Common Security and Defence Policy (CSDP) of 18 May 2015 called to explore options to enhance coherence and coordination between EU security and development actions, as well as to improve the delivery of capacity building in support of security and development, notably in terms of financing instruments.¹⁹ They also invited to develop an EU-wide strategic framework for Security Sector Reform, bringing together CSDP and all other relevant Common Foreign and Security Policy (CFSP) tools as well as development cooperation instruments and freedom, security and justice actors.*

deleted

¹⁹ Foreign Affairs Council (Defence formation) conclusions on CSDP, document 8971/15 of 18 May 2015

Or. en

Justification

This recital gives the impression that the IcSP, an instrument created under a development

cooperation treaty article, should be used as tool for the Common Security and Defence Policy and provide military technology and training for CSDP operations. This is not only politically, but also legally speaking highly problematic.

Amendment 31
Ignazio Corrao

Proposal for a regulation
Recital 6

Text proposed by the Commission

Amendment

(6) *The Council conclusions on Common Security and Defence Policy (CSDP) of 18 May 2015 called to explore options to enhance coherence and coordination between EU security and development actions, as well as to improve the delivery of capacity building in support of security and development, notably in terms of financing instruments.¹⁹ They also invited to develop an EU-wide strategic framework for Security Sector Reform, bringing together CSDP and all other relevant Common Foreign and Security Policy (CFSP) tools as well as development cooperation instruments and freedom, security and justice actors.*

deleted

¹⁹ *Foreign Affairs Council (Defence formation) conclusions on CSDP, document 8971/15 of 18 May 2015*

Or. en

Amendment 32
Arne Lietz, Doru-Claudian Frunzuliță, Elly Schlein, Cécile Kashetu Kyenge

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) The Council conclusions on Common Security and Defence Policy (CSDP) of 18 May 2015 called to explore options to enhance coherence and coordination between EU security and development actions, as well as to improve the delivery of capacity building in support of security and development, notably in terms of financing instruments.¹⁹ They also invited to develop an EU-wide strategic framework for Security Sector Reform, bringing together CSDP and all other relevant Common Foreign and Security Policy (CFSP) tools as well as ***development cooperation instruments and*** freedom, security and justice actors.

¹⁹ Foreign Affairs Council (Defence formation) conclusions on CSDP, document 8971/15 of 18 May 2015

Amendment

(6) The Council conclusions on Common Security and Defence Policy (CSDP) of 18 May 2015 called to explore options to enhance coherence and coordination between EU security and development actions, as well as to improve the delivery of capacity building in support of security and development, notably in terms of financing instruments.¹⁹ They also invited to develop an EU-wide strategic framework for Security Sector Reform, bringing together CSDP and all other relevant Common Foreign and Security Policy (CFSP) tools as ***well as*** freedom, security and justice actors.

¹⁹ Foreign Affairs Council (Defence formation) conclusions on CSDP, document 8971/15 of 18 May 2015

Or. en

Amendment 33
Sabine Lösing

Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Articles 209 and 212 of Treaty on the Functioning of the European Union (TFEU) refer both to Article 208 TFEU which clearly states that the "Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty. The Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries." Therefore, considering that any

subordination of development aid and cooperation to security or defence policy is to be imperatively avoided, the external financial instruments including the IcSP, are to be implemented in that spirit.

Or. en

Justification

None of the Articles to which the Commission's proposal refer to (Art 209 and 212 TFEU) imply or allow in any way the necessity or applicability of using development aid for military purpose/actors but confirm with the reference to Article 208 TFEU that the primary objective of development aid is poverty eradication -therefore Article 209 (1) and 212 (2) must not/cannot apply as legal framework for the amending regulation.

Amendment 34 **Ignazio Corrao**

Proposal for a regulation **Recital 6 a (new)**

Text proposed by the Commission

Amendment

(6a) Capacity building of armed forces in third countries should only be undertaken as part of the Union's development cooperation policy when it directly and exclusively pursues objectives in the field of development, and only in the limited areas which comply with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD and as part of the Union's CFSP when it primarily pursues objectives in the field of peace and security, in compliance with Article 40 and Article 41(2) TEU. This Regulation should comply with the procedures and the allocation of powers amongst the Union's institutions in the framework of the Union's development cooperation policy and its CFSP.

Or. en

Amendment 35
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Capacity building of armed forces in third countries should only be undertaken as part of the Union's development cooperation policy when it primarily pursues objectives in the field of development in limited areas which comply with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD and as part of the Union's CFSP when it primarily pursues objectives in the field of peace and security, in compliance with Article 40 TEU. This Regulation should comply with the procedures and the allocation of powers amongst the Union's institutions in the framework of the Union's development cooperation policy and its CFSP.

Or. en

Justification

Alignment of competences between CFSP and development policy with relevant ECJ case-law on the centre of gravity. In Case C-377/12 the Court stated that "even if a measure contributes to the economic and social development of developing countries, it does not fall within development cooperation policy if it has as its main purpose the implementation of another policy". In Case C-130/10 it stated that "if examination of a measure reveals that it pursues two aims or that it has two components and if the one of those aims or components is identifiable as the main one (...) the measure must be founded on a single legal basis, that required by the main (...) aim or component."

Amendment 36
Vincent Peillon

Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) *The conclusions of the European Council of 7 and 8 February 2013 specified that at least 90% of the Union's total external aid should be deemed official development assistance in accordance with the definition established by the OECD's Development Assistance Committee (DAC). The allocation of funding under the revised Regulation (EU) No 230/2014 should, in so far as possible, reflect that ratio.*

Or. fr

Justification

Almost 90% of spending under the Instrument contributing to Stability and Peace (IcSP) currently meets the CAD criteria.

Amendment 37

Arne Lietz, Doru-Claudian Frunzulică, Elly Schlein, Cécile Kashetu Kyenge

Proposal for a regulation

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) *The primary objective of ODA is not to finance security-related instruments.*

Or. en

Justification

Security instruments must be funded by dedicated budget lines for security. The DCI and EDF must fulfil the treaty-based obligation to be used for poverty eradication.

Amendment 38

Sabine Lösing

Proposal for a regulation
Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) *Pursuant to Article 41(2) TEU operating expenditure arising from operations having military or defence implications is not to be charged to the Union budget.*

Or. en

Amendment 39
Ignazio Corrao

Proposal for a regulation
Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) *The Council conclusions on the Action Plan on Human Rights and Democracy 2015 - 2019 of 20 July 2015, in particular the annexed EU Action Plan on Human Rights and Democracy and its point 21(c), calls on the Commission, the EEAS and the Council to develop and implement, by 2017, a due diligence policy to ensure that the Union's support to security forces is in compliance with and contributes to the implementation of the Union's human rights policy and is consistent with the promotion, protection and enforcement of international human rights law and international humanitarian law, as applicable.*

Or. en

Amendment 40
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Recital 6 b (new)

(6b) *As regards the options available within the CFSP, the European Parliament resolution of 22 November 2016 on the European Defence Union pointed out in paragraph 47 to a possible reform of the ATHENA mechanism aiming at enlarging its potential for cost-sharing and common funding, especially with regard to building the capacity of military actors in partner countries (with respect to training, mentoring, advice, provision of equipment, infrastructure improvement and other services). A similar mechanism was developed outside of the Union budget by means of the African Peace Facility.*

Or. en

Justification

It is important to highlight that within CFSP options are available for implementing military capacity building programs in third countries. One of these options could be to reform the ATHENA mechanism as already promoted and supported by a recent European Parliament resolution.

Amendment 41

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Recital 6 c (new)

(6c) *The Council conclusions^{1a} on the Action Plan on Human Rights and Democracy 2015 - 2019 of 20 July 2015, in particular the annexed EU Action Plan on Human Rights and Democracy and its point 21(c), calls on the Commission, the EEAS and the Council to develop and implement, by 2017, a due diligence policy to ensure that the Union's support to security forces is in compliance with and*

contributes to the implementation of the Union's human rights policy and is consistent with the promotion, protection and enforcement of international human rights law and international humanitarian law, as applicable.

1a

<http://data.consilium.europa.eu/doc/document/ST-10897-2015-INIT/en/pdf>

Or. en

Justification

Prior to the entry into force of the amended IcSP regulation it is of crucial importance that a due diligence policy to ensure that EU support to security forces under the new Article 3a is in compliance with the EU human rights policy comes into effect.

Amendment 42 **Sabine Lösing**

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) No 230/2014

Article 1 – paragraph 2 – subparagraph 1a

Text proposed by the Commission

Amendment

(1) In Article 1(2) the following subparagraph is added:

deleted

‘Where Union assistance is provided to the security sector actors, this may also include military actors under exceptional circumstances as provided for in Article 3a, in particular in the context of a wider security sector reform process and/or capacity building in support of security and development in third countries, in line with the overarching objective of achieving sustainable development.’

Or. en

Amendment 43

Ignazio Corrao

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) No 230/2014

Article 1 – paragraph 2 – subparagraph 1a

Text proposed by the Commission

Where Union assistance is provided to the security sector actors, this **may also** include military actors under exceptional circumstances as provided for in Article 3a, in particular in the context of a wider security sector reform process and/or capacity building in support of security and development in third countries, in line with the overarching objective of achieving sustainable development.

Amendment

Where Union assistance is provided to the security sector actors, this **could** include military actors **only** under **very** exceptional circumstances **and, in any event, shall always rigorously comply with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD**, as provided for in Article 3a, in particular in the context of a wider security sector reform process and/or capacity building in support of security and development in third countries, in line with the overarching objective of achieving sustainable development.

Or. en

Amendment 44

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) No 230/2014

Article 1 – paragraph 2 – subparagraph 1a

Text proposed by the Commission

Where Union assistance is provided to the security sector actors, this may also include **military actors** under exceptional circumstances as provided for in Article 3a, in particular in the context of a wider security sector reform process **and/or capacity building in support of security and development** in third countries, in line with the overarching objective of achieving

Amendment

Where Union assistance is provided to the security sector actors, this may also include **armed forces** under exceptional circumstances **and, in any event, shall comply with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD** as provided for in Article 3a, in particular in the context of a wider security

sustainable development.

sector reform process in third countries, in line with the overarching objective of achieving sustainable development.

Or. en

Justification

The term "military actors" is too broad and could allow building the capacity of non-state actors such as militias and warlords. It is of crucial importance to use very precise language when describing recipients of military training or technology by the Union. Only armed forces controlled and financed by a democratically elected government are eligible for very narrowly defined assistance in line with ODA eligibility requirements.

Amendment 45

Maurice Ponga, Bogdan Brunon Wenta

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Règlement (EU) No 230/2014

Article 1 – paragraph 2 – subparagraph 1a

Text proposed by the Commission

Where Union assistance is provided to the security sector actors, this may also include military actors under exceptional circumstances as provided for in Article 3a, in particular in the context of a wider security sector reform process and/or capacity building in support of security and development in third countries, in line with ***the overarching objective of achieving sustainable development.***

Amendment

Where Union assistance is provided to the security sector actors, this may also include military actors under exceptional circumstances as provided for in Article 3a, in particular in the context of a wider security sector reform process and/or capacity building in support of security and development in third countries, in line with sustainable development ***objectives and the principles of aid effectiveness and policy coherence.***

Or. fr

Amendment 46

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – title

Text proposed by the Commission

Amendment

Capacity building in **support** of security **and development**

Capacity building in **the context** of security **sector reform**

Or. en

Justification

Any measures in the context of the new Article 3a should be part of a broader Security Sector Reform (SSR) initiative in line with the new EU concept on SSR and relevant SSR measures in the contexts of development cooperation instruments. Such measures should focus on reforming relevant governmental structures in a way that parliamentary oversight, civilian control, transparency, accountability and efficiency are strengthened. Article 3a measure should not be understood as crisis response but as components of a medium and long term structural reform policy.

Amendment 47

Ignazio Corrao

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – paragraph 1

Text proposed by the Commission

Amendment

1. In order to contribute to sustainable development and in particular the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to build the capacity of **military actors** in partner countries, under the exceptional circumstances as set out in paragraph 3 of this Article.

1. In order to contribute to sustainable development and in particular the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to build the capacity of **actors, including armed forces of a third country**, in partner countries, **only** under the exceptional circumstances **and always in compliance with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD** as set out in paragraph 3 of this Article.

Or. en

Amendment 48
Sabine Lösing

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 1

Text proposed by the Commission

1. In order to contribute to sustainable development and in particular the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to ***build the capacity of military actors in partner countries, under the exceptional circumstances as set out in paragraph 3 of this Article.***

Amendment

1. In order to contribute to sustainable development and in particular the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to ***prevent conflicts, ensure preparedness to address pre- and post-crisis situations and consolidate peace, guided by the principle of a strict commitment to a purely civilian and non-military approach.***

Or. en

Amendment 49
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 1

Text proposed by the Commission

1. In order to contribute to sustainable development and in particular the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to build the capacity of ***military*** actors in partner countries, under the exceptional circumstances as set out in paragraph 3 of this Article.

Amendment

1. In order to contribute to sustainable development and in particular the achievement of stable, peaceful and inclusive societies, Union assistance under this Regulation may be used to build the capacity of actors, ***including armed forces of a third country***, in partner countries, under the exceptional circumstances ***and in compliance with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD*** as set out in paragraph 3 of this Article.

Amendment 50

Sabine Lösing

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – paragraph 2

Text proposed by the Commission

2. Assistance may cover in particular the ***provision of capacity building programmes in support of security and development, including training, mentoring and advice, as well as the provision of equipment, infrastructure improvements and provision of other services.***

Amendment

2. Assistance may cover in particular the ***following measures:***

(a) support for civilian measures related to demobilisation, disarmament and reintegration (DDR), ad hoc tribunals, truth and reconciliation commissions and mechanisms;

(b) support for socio-economic measures to address the impact of displaced population, including measures addressing the needs of host communities in a situation of critical situation or emerging conflict;

(c) support of international, regional, state and non-governmental organisations, which undertake efforts in and promote confidence building, mediation, reconciliation and dialogue;

(d) support for measures to address the impact on the civilian population of anti-personnel landmines, unexploded ordnance or explosive remnants of war and violent conflicts;

(e) support measures to combat the trade of small arms and light weapons in particular in to conflict regions, including within the UN framework and in close

cooperation with civil society;

(f) support for socio-economic measures to promote ownership, equitable and fair access to, and transparent management of natural resources;

(g) Support measures to help to develop and organise civil society's participation in the political process, in particular measures to promote the participation of women.

Or. en

Amendment 51

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – paragraph 2

Text proposed by the Commission

2. Assistance may cover *in particular* the provision of capacity building programmes *in support of security and development*, including training, mentoring and advice, as well as the provision of equipment, infrastructure improvements and provision of other services.

Amendment

2. Assistance may cover the provision of capacity building programmes, *under exceptional circumstances and in limited areas, in compliance with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD and subject to all conditions and restrictions laid down in Articles 3, 4 and 4a below. Such assistance may include, under civilian oversight, training, mentoring and advice on, inter alia, human rights and the rule of law, civilian oversight and democratic control of the military, protection of women in conflict and prevention of sexual and gender-based violence, international humanitarian law, humanitarian response and disaster relief preparedness, prevention and treatment of communicable diseases, the fight against corruption, including the prevention of predatory behaviour against civilians, and transparency*, as well as the provision of

equipment, infrastructure improvements and provision of other services *needed for the delivery of humanitarian aid or development services through the military while respecting the humanitarian principles of humanity, neutrality, impartiality and independence or the performance of development services.*

Or. en

Justification

In order to avoid funding of measures which are non-compliant with ODA eligibility requirements, there is the need to list all relevant activities. Also reference to the new Article 4a is crucial as this Article sets the parameters for action in a very precise manner.

Amendment 52 **Ignazio Corrao**

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 2

Text proposed by the Commission

2. Assistance may cover *in particular the provision of capacity building programmes in support of security and development, including training, mentoring and advice, as well as the provision of equipment, infrastructure improvements and provision of other services.*

Amendment

2. Assistance may cover, *in the case of developing countries, only fields that are in strict compliance with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD.*,. *In developing and other third countries assistance shall exclude actions primarily aimed at building military capacities for security purposes.*

Or. en

Amendment 53 **Arne Lietz, Doru-Claudian Frunzulică, Cécile Kashetu Kyenge**

Proposal for a regulation
Article 1 – paragraph 1 – point 2

Text proposed by the Commission

2. Assistance **may cover in particular the provision of** capacity building programmes in support of security and development, including training, mentoring and advice, as well as the provision of equipment, infrastructure improvements and provision of other services.

Amendment

2. Assistance **shall be eligible to** cover capacity building programmes in support of security and development, including training, mentoring and advice, as well as the provision of equipment, infrastructure improvements and provision of other services.

Or. en

Justification

Parliament asks for a closed positive list of activities eligible for assistance under the IcSP.

Amendment 54

Arne Lietz, Doru-Claudian Frunzulică, Elly Schlein, Cécile Kashetu Kyenge

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The services whose provision is eligible for financial assistance under this instrument shall be listed in the Annex.

The Commission is empowered to adopt delegated acts in accordance with Article ... concerning amendments to the list contained in the Annex.

Or. en

Justification

The provision of services eligible for financial assistance under this Instrument should be limited to a closed list. The Commission should be able to amend and update this list through delegated acts, which provides an efficient mechanism with parliamentary and Member State oversight.

Amendment 55

Arne Lietz, Doru-Claudian Frunzulică, Elly Schlein, Cécile Kashetu Kyenge

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) 230/2014

Article 3a – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. The funding for the instrument established by this Regulation shall come from instruments other than the Development Cooperation Instrument (DCI) or the European Development Fund (EDF) or any other mechanisms that benefit from those instruments.

Or. en

Justification

Security instruments must be funded by dedicated budget lines for security. The DCI and EDF must fulfil the treaty-based obligation to be used for poverty eradication.

Amendment 56

Sabine Lösing

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – paragraph 3

Text proposed by the Commission

Amendment

3. Assistance pursuant to this Article shall only be provided: ***deleted***

(a) where requirements cannot be met by recourse to non-military actors to adequately reach Union objectives under this Regulation and the premise of the achievement of stable, peaceful and inclusive societies is denied by a serious threat to the existence of functioning State institutions, as well as to the protection of human rights and fundamental freedoms, or State

institutions can no longer cope with this serious threat; and

(b) where a consensus exists between the country concerned and the international community and/or the European Union that the security sector, and in particular the military, are key for stability, peace and development, particularly in crises and fragile contexts and situations.

Or. en

Amendment 57

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – paragraph 3 – introductory part

Text proposed by the Commission

3. Assistance pursuant to this Article shall **only** be provided:

Amendment

3. Assistance pursuant to this Article shall **remain exceptional and shall** be provided **under the following two conditions**:

Or. en

Amendment 58

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – paragraph 3 – point a

Text proposed by the Commission

(a) where requirements cannot **be met by recourse to non-military actors to adequately reach Union objectives under this Regulation and the premise of the achievement of stable, peaceful and**

Amendment

(a) where requirements cannot **timely or effectively be met using available civilian assets to ensure the delivery of humanitarian aid or development services, provided that the humanitarian**

inclusive societies is denied by a serious threat to the existence of functioning State institutions, as well as to the protection of human rights and fundamental freedoms, or State institutions can no longer cope with this serious threat; and

principles of humanity, neutrality, impartiality and independence are respected and the performance of development services is warranted; and

Or. en

Justification

The original Commission text was not entirely in line with the ODA eligibility requirements language and needs to be adapted in order to respect the centre of gravity of the IcSP regulation.

Amendment 59

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – paragraph 3 – point b

Text proposed by the Commission

(b) where a consensus exists between the country concerned *and* the international community *and/or* the *European* Union that the security sector, *and in particular the military*, are key for *stability, peace and development, particularly in crises and fragile contexts and situations*.

Amendment

(b) where a consensus exists between the country concerned, the international community *and* the Union that the security sector, *including the country's armed forces*, are key for *preserving, establishing or re-establishing the conditions essential for sustainable development*.

Or. en

Justification

The primary objective cannot be shifted towards the stability, peace and the management of crisis without shifting the centre of gravity.

Amendment 60

Maurice Ponga, Bogdan Brunon Wenta

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 3 – point b

Text proposed by the Commission

(b) where a consensus exists between the country concerned and the ***international community and/or the*** European Union that the security sector, and in particular the military, are key for stability, peace and development, particularly in crises and fragile contexts and situations.

Amendment

(b) where a consensus exists between the country concerned and the European Union that the security sector, and in particular the military, are key for stability, peace and development, particularly in crises and fragile contexts and situations.

Or. fr

Amendment 61
Sabine Lösing

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 4 – point a

Text proposed by the Commission

(a) ***recurrent*** military expenditure;

Amendment

(a) military expenditure;

Or. en

Amendment 62
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 4 – point b

Text proposed by the Commission

(b) the procurement of arms and ammunition;

Amendment

(b) the procurement of arms, ***spare parts*** and ammunition ***or any other equipment designed to deliver lethal force;***

Or. en

Amendment 63
Sabine Lösing

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 4 – point c

Text proposed by the Commission

Amendment

(c) *training which is solely designed to contribute to the fighting capacity of the armed forces.* *deleted*

Or. en

Amendment 64
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 4 – point c

Text proposed by the Commission

Amendment

(c) training which is *solely* designed to contribute to the fighting capacity of the armed forces.

(c) training which is designed to contribute to the fighting capacity of the armed forces *or aimed at any purposes other than those in compliance with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD.*

Or. en

Amendment 65
Heidi Hautala, Judith Sargentini, Maria Heubuch

Proposal for a regulation
Article 1 – paragraph 1 – point 2

Text proposed by the Commission

Amendment

4a. Support to armed forces under this Regulation shall be subject to the following restrictions:

(a) in the case of developing countries, the Union's support shall comply with Official Development Aid eligibility requirements as laid down by the Development Assistance Committee of the OECD;

(b) , in developing and other third countries the Union's support shall exclude actions primarily aimed at building military capacities for security purposes.

Or. en

Justification

This new paragraph 4a specifies the restrictions applying to developing and other third countries. In the case of developing countries only ODA eligible support is possible, whereas with regards to other third countries, measures have to respect the centre of gravity principle established by the European Court of Justice case-law.

Amendment 66
Sabine Lösing

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 5

Text proposed by the Commission

Amendment

5. When designing and implementing measures pursuant to this Article, the Commission shall promote ownership by the partner country. It shall also develop the necessary elements and the good practices required for ensuring sustainability in the medium and long

deleted

term and promote the rule of law and established international law principles.

Or. en

Amendment 67

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – paragraph 5

Text proposed by the Commission

5. When designing and implementing measures pursuant to this Article, the Commission shall promote ownership by the partner country. It shall also develop the necessary elements and the good practices required for ensuring sustainability in the medium and long term and promote the rule of law and established international law principles.

Amendment

5. When designing and implementing measures pursuant to this Article, the Commission ***and the EEAS*** shall ***ensure full complementarity with other Union external assistance instruments as well as with overall external action consistency, including the CFSP,*** and promote ownership by the partner country. It shall also develop the necessary elements and the good practices required for ensuring sustainability in the medium and long term and promote the rule of law and established international law principles.

Or. en

Amendment 68

Sabine Lösing

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) No 230/2014

Article 3a – paragraph 6

Text proposed by the Commission

6. ***The Commission shall establish appropriate risk assessment, monitoring and evaluation procedures for measures pursuant to this Article.***

Amendment

deleted

Amendment 69
Ignazio Corrao

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 6

Text proposed by the Commission

6. The Commission shall establish appropriate risk assessment, monitoring and evaluation procedures for measures pursuant to this Article.

Amendment

6. The Commission shall establish appropriate risk assessment, monitoring and evaluation procedures for measures pursuant to this Article ***and, without delay, shall make that information publicly available. The European Parliament shall always be directly informed.***

Or. en

Amendment 70
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) No 230/2014
Article 3a – paragraph 6

Text proposed by the Commission

6. The Commission shall establish appropriate risk assessment, monitoring and evaluation procedures for measures pursuant to this Article.

Amendment

6. The Commission shall establish appropriate risk assessment, monitoring and evaluation procedures for measures pursuant to this Article ***and, without delay, shall make that information publicly available.***

Or. en

Justification

Because of the highly sensitive nature of supporting a third country's armed forces via civilian budget-lines it is of utmost importance to ensure maximum transparency.

Amendment 71
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Article 1 – paragraph 1 – point 3
Regulation (EU) No 230/2014
Article 7 – paragraph 1

Text proposed by the Commission

Amendment

(3) In Article 7, paragraph (1) is replaced by the following: *deleted*

“1. Union assistance pursuant to Article 3, and to Article 3a as appropriate, shall be provided through exceptional assistance measures and interim response programmes.”

Or. en

Justification

Decisions with regards to the new Article 3a on military capacity building should not be reached by using the procedures foreseen for Article 3 of this Regulation which are designed for fast track decisions for urgent exceptional assistance measures. The procedure for Article 3 does not involve the European Parliament, whereas the procedure for Articles 4 and 5 does.

Amendment 72
Sabine Lösing

Proposal for a regulation
Article 1 – paragraph 1 – point 3
Regulation (EU) No 230/2014
Article 7 – paragraph 1

Text proposed by the Commission

Amendment

(3) In Article 7, paragraph (1) is replaced by the following: *deleted*

“1. Union assistance pursuant to Article 3, and to Article 3a as appropriate, shall be provided through exceptional assistance measures and interim response programmes.”

Amendment 73

Ignazio Corrao

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) No 230/2014

Article 7 – paragraph 1

Text proposed by the Commission

Amendment

(3) In Article 7, paragraph (1) is replaced by the following: *deleted*

“1. Union assistance pursuant to Article 3, and to Article 3a as appropriate, shall be provided through exceptional assistance measures and interim response programmes.”

Or. en

Amendment 74

Sabine Lösing

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 230/2014

Article 8 – paragraph 1

Text proposed by the Commission

Amendment

(4) In Article 8, paragraph (1) is replaced by the following: *deleted*

“1. Thematic strategy papers shall constitute the general basis for the implementation of assistance pursuant to Articles 4 and 5, and to Article 3a as appropriate. Thematic strategy papers shall provide a framework for cooperation between the Union and the partner countries or regions concerned.”

Or. en

Amendment 75

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Article 1 – paragraph 1 – point 4

Regulation (EU) No 230/2014

Article 8 – paragraph 1

Text proposed by the Commission

1. Thematic strategy papers shall constitute the general basis for the implementation of assistance pursuant to Articles 4 and 5, and to Article 3a *as appropriate*. Thematic strategy papers shall provide a framework for cooperation between the Union and the partner countries or regions concerned.

Amendment

1. Thematic strategy papers shall constitute the general basis for the implementation of assistance pursuant to Articles 4 and 5, and to Article 3a. Thematic strategy papers shall provide a framework for cooperation between the Union and the partner countries or regions concerned.

Or. en

Justification

The procedure foreseen for Articles 4 and 5 of this Regulation is the appropriate procedure for the new Article 3a. This procedure guarantees that the Parliaments is involved in the process and that military capacity building measures are designed as so called long term measures which address structural problems in the context of a wider Security Sector Reform effort.

Amendment 76

Sabine Lösing

Proposal for a regulation

Article 1 – paragraph 1 – point 5

Regulation (EU) No 230/2014

Article 10 – paragraph 1

Text proposed by the Commission

(5) *In Article 10, paragraph (1) is replaced by the following:*

“1. The Commission shall ensure that measures adopted under this Regulation in relation to the fight against terrorism and organised crime, as well as measures

Amendment

deleted

covered under Article 3a, are implemented in accordance with international law, including international humanitarian law.”

Or. en

Amendment 77

Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Article 1 – paragraph 1 – point 5

Regulation (EU) No 230/2014

Article 10 – paragraph 1

Text proposed by the Commission

1. The Commission shall ensure that measures adopted under this Regulation in relation to the fight against terrorism and organised crime, as well as measures covered under Article 3a, are implemented in accordance with international law, including international humanitarian law.

Amendment

1. The Commission shall ensure that measures adopted under this Regulation in relation to the fight against terrorism and organised crime, as well as measures covered under Article 3a, are implemented in accordance with international law, including international humanitarian law, ***and the Union's due diligence policy to ensure that the Union's support to security forces is in compliance with and contributes to the implementation of the Union's human rights policy and is consistent with the promotion, protection and enforcement of international human rights law and international humanitarian law. The Commission shall, without delay, make its relevant assessments publicly available.***

Or. en

Justification

The Regulation has to be aligned with the Council conclusions on the Action Plan on Human Rights and Democracy 2015 - 2019 of 20 July 2015, in particular the annexed EU Action Plan on Human Rights and Democracy and its point 21(c) which refers to a due diligence policy in the context of EU support to security forces.

Amendment 78
Sabine Lösing

Proposal for a regulation
Article 1 – paragraph 1 – point 6
Regulation (EU) No 230/2014
Article 13 – paragraph 1

Text proposed by the Commission

Amendment

(6) In paragraph 1 of Article 13: deleted
The number ‘2 338 719 000’ is replaced by ‘2 438 719 000’.

Or. en

Amendment 79
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation
Article 1 – paragraph 1 – point 6 a (new)
Regulation (EU) no 230/2014
Article 13 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(6a) In paragraph 3 of Article 13, the following point is inserted:
(ba) 21 percentage points of the financial envelope shall be allocated to measures falling under Article 5;

Or. en

Justification

In Article 13 of this Regulation it is specified that Article 3 measures can consume 70% of the financial envelope and Article 4 measures 9%. In order to make sure that Article 5 continues to receive at least 21% it is important to add this language. Otherwise there is the risk that the new Article 3a consumes not only EUR 100 Million but also funding foreseen, but not properly earmarked, for Article 5.

Amendment 80
Heidi Hautala, Maria Heubuch, Judith Sargentini

Proposal for a regulation

Article 1 – paragraph 1 – point 6 b (new)

Regulation (EU) no 230/2014

Article 13 – paragraph 3 – point b b new

Text proposed by the Commission

Amendment

(6b) In paragraph 3 of Article 13, the following point is inserted:

(bb) assistance falling under Article 3a shall be limited to a maximum of EUR 100 000 000.

Or. en

Justification

It is important to guarantee that as a result of the introduction of the new Article 3a on military capacity building, funds available for the already existing Articles 3, 4 and 5 are not being reduced.