



2014/2253(INI)

26.5.2015

AMENDMENTS

1 - 38

Draft opinion
Jytte Guteland
(PE554.844v01-00)

30th and 31st annual reports on monitoring the application of EU Law (2012-2013)
(2014/2253(INI))

Amendment 1
Jørn Dohrmann

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. Underlines that the Commission has the power and duty to oversee the application of EU law and to launch infringement procedures against a Member State that has failed to fulfil an obligation under the Treaties;

Or. en

Amendment 2
Jørn Dohrmann

Draft opinion
Paragraph 1 b (new)

Draft opinion

Amendment

1b. Notes that citizens and businesses expect a simple, predictable and reliable regulatory framework;

Or. en

Amendment 3
Jytte Guteland

Draft opinion
Paragraph 2

Draft opinion

Amendment

2. Deplores the fact that EU environmental and health legislation continues to be affected by high numbers of cases of late transposition, incorrect transposition and bad application by the Member States;

2. Deplores the fact that EU environmental and health legislation continues to be affected by high numbers of cases of late transposition, incorrect transposition and bad application by the Member States;

notes that the Commission's 31st annual report on the application of EU law shows that in 2013 the biggest category of infringement proceedings was environment-related; recalls that the costs of failing to implement environmental policy – including the costs of infringement proceedings – are high, being estimated at around EUR 50 billion per annum (COWI et al. 2011); stresses that, moreover, the implementation of environmental policy would yield many socioeconomic benefits which are not always registered by cost-benefit analyses;

Or. sv

Amendment 4
Annie Schreijer-Pierik

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Calls on the Commission and the Member States to coordinate their efforts at an earlier stage of the legislative process with a view to ensuring that the end result can be implemented more effectively;

Or. nl

Amendment 5
Tom Vandenkendelaere

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Encourages the Commission to enhance the multi-level cooperation in the EU Pilot programme between national,

regional and local authorities with a view to facilitating the correct and comprehensive application of EU law;

Or. en

Amendment 6
Jørn Dohrmann

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Calls on the Commission to be more rigorous in relation to the application of EU environmental legislation and to conduct faster and effective investigations of infringements relating to environmental pollution;

Or. en

Amendment 7
Jan Huitema

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Notes that late transposition, incorrect transposition and bad application of EU law can result in differentiation between Member States and distort a level playing field across the EU;

Or. en

Amendment 8
Jørn Dohrmann

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2b. Calls on the Commission to take stronger action against the late transposition of environmental directives and to make stronger use of penalty payments;

Or. en

Amendment 9
Piernicola Pedicini, Marco Affronte, Eleonora Evi

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Welcomes the Commission's efforts to solve implementation problems informally; urges the Commission to proceed with formal infringement procedures where informal agreements are not properly implemented by Member States;

3. Welcomes the Commission's efforts to solve implementation problems informally; ***urges the Commission to adopt an approach based on maximum transparency in providing interested members of the public with all the information available, including that concerning pre-infringement procedures;*** urges the Commission to proceed with formal infringement procedures where informal agreements are not properly implemented by Member States;

Or. it

Amendment 10
Nicola Caputo

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Welcomes the Commission's efforts to

3. Welcomes the Commission's efforts to

solve implementation problems informally; urges the Commission to proceed with formal infringement procedures where informal agreements are not properly implemented by Member States;

solve implementation problems informally, ***and calls on the Commission to improve the effectiveness and raise the profile of the ‘EU Pilot’ project***; urges the Commission to proceed with formal infringement procedures where informal agreements are not properly implemented by Member States;

Or. it

Amendment 11
Kateřina Konečná

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Calls on the Commission to examine whether the failure to implement certain directives can be ascribed to the unclear wording of these directives and whether it will therefore be necessary to revise them;

Or. cs

Amendment 12
Annie Schreijer-Pierik

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Calls on the Commission, with a view to obviating the need for infringement procedures, where possible to develop the informal rules into a standard procedure for consultation with Member States in order to make monitoring and enforcement more predictable;

Or. nl

Amendment 13
Nicola Caputo

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Welcomes, and emphasises the importance of, the role played by members of the public, firms and organisations in drawing attention to possible breaches of EU law;

Or. it

Amendment 14
Nicola Caputo

Draft opinion
Paragraph 3 b (new)

Draft opinion

Amendment

3b. Highlights the important role played by the European Parliament, through petitions and questions, in drawing attention to shortcomings in the application of EU law by the Member States;

Or. it

Amendment 15
Piernicola Pedicini, Marco Affronte, Eleonora Evi

Draft opinion
Paragraph 4

Draft opinion

Amendment

4. Notes that, as regards cases of bad application of EU law, the Commission

4. Notes that, as regards cases of bad application of EU law, the Commission

mainly relies on complaints; deplores the fact that individual complaints are often treated with considerable delays; encourages the Commission to address cases *of strategic importance*;

mainly relies on complaints; deplores the fact that individual complaints are often treated with considerable delays; encourages the Commission to address *all cases and to inform members of the public in an appropriate, transparent and timely manner of the action taken on cases involving the violation of or non-compliance with EU law to which they have drawn attention*;

Or. it

Amendment 16
Jytte Guteland

Draft opinion
Paragraph 4

Draft opinion

4. Notes that, as regards cases of bad application of EU law, the Commission mainly relies on complaints; deplores the fact that individual complaints are often treated with considerable delays; encourages the Commission to address cases of strategic importance;

Amendment

4. Notes that, as regards cases of bad application of EU law, the Commission mainly relies on complaints; deplores the fact that individual complaints are often treated with considerable delays; encourages the Commission to address cases of strategic importance *and cases which set precedents, which can be expected to be of greatest significance in attaining agreed environmental objectives*;

Or. sv

Amendment 17
Kateřina Konečná

Draft opinion
Paragraph 4

Draft opinion

4. Notes that, as regards cases of bad application of EU law, the Commission mainly relies on complaints; deplores the

Amendment

4. Notes that, as regards cases of bad application of EU law, the Commission mainly relies on complaints; deplores the

fact that individual complaints are often treated with considerable delays; encourages the Commission to address cases of strategic importance;

fact that individual complaints are often treated with considerable delays; encourages the Commission to address cases of strategic importance ***and monitor particularly closely cases where the failure to comply with EU law has cross-border consequences;***

Or. cs

Amendment 18
Annie Schreijer-Pierik

Draft opinion
Paragraph 4

Draft opinion

4. Notes that, as regards cases of bad application of EU law, the Commission mainly relies on complaints; deplores the fact that individual complaints are often treated with considerable delays; encourages the Commission to address cases of strategic importance;

Amendment

4. Notes that, as regards cases of bad application of EU law, the Commission mainly relies on complaints; deplores the fact that individual complaints are often treated with considerable delays; encourages the Commission to address cases of strategic importance; ***urges the Commission to introduce a system which does not rely solely on complaints, but which instead seeks, by means of the systematic assessment of legislation, to forestall complaints at an earlier stage and remedy shortcomings;***

Or. nl

Amendment 19
Aldo Patriciello

Draft opinion
Paragraph 4

Draft opinion

4. Notes that, as regards cases of bad application of EU law, the Commission ***mainly*** relies on complaints; deplores the

Amendment

4. Notes that, as regards cases of bad application of EU law, the Commission relies ***to a large extent*** on complaints;

fact that individual complaints are often treated with considerable delays; encourages the Commission to address cases of strategic importance;

deplores the fact that individual complaints are often treated with considerable delays; encourages the Commission to address cases of strategic importance;

Or. it

Amendment 20

Piernicola Pedicini, Marco Affronte, Eleonora Evi

Draft opinion

Paragraph 4 a (new)

Draft opinion

Amendment

4a. Calls on the Commission to review the effectiveness of the penalties imposed on Member States which have been shown to have breached EU law, given that the fines are ultimately paid by European taxpayers, and not by those responsible for the breaches themselves, in particular in cases involving the violation of environmental law; calls, therefore, for more detailed consideration to be given to ways of applying the ‘polluter-pays’ principle effectively;

Or. it

Amendment 21

Eleonora Evi, Piernicola Pedicini, Marco Affronte

Draft opinion

Paragraph 4 b (new)

Draft opinion

Amendment

4b. Points out that the four sectors in which the largest number of new infringement procedures for late transposition were initiated in 2013 were: the environment (168 procedures), health and consumer protection (58), the internal market and services (47) and

transport (36); points out, further, that petitions have been instrumental in enabling the European Parliament to draw the Commission's attention to shortcomings in the application of EU environmental law by Member States;

Or. it

Amendment 22
Julie Girling

Draft opinion
Paragraph 5

Draft opinion

5. Calls on the Commission to submit a new proposal on access to justice in environmental matters *and a proposal on environmental inspections;*

Amendment

5. Calls on the Commission to submit a new proposal on access to justice in environmental matters;

Or. en

Amendment 23
Tom Vandenkendelaere

Draft opinion
Paragraph 5

Draft opinion

5. Calls on the Commission to submit a new proposal on access to justice in environmental matters and a proposal on environmental inspections;

Amendment

5. Calls on the Commission to submit a *proposal on access to more detailed information on the actual stage of the implementation in the Member States for relevant stakeholders, a* new proposal on access to justice in environmental matters and a proposal on environmental inspections;

Or. en

Amendment 24
Tibor Szanyi

Draft opinion
Paragraph 5

Draft opinion

5. Calls on the Commission to submit a new proposal on access to justice in environmental matters and a proposal on environmental inspections;

Amendment

5. Calls on the Commission to submit a new proposal on access to justice in environmental matters and a proposal on environmental inspections, ***possibly without increasing red tape and administrative costs;***

Or. en

Amendment 25
Julie Girling

Draft opinion
Paragraph 6

Draft opinion

6. Expresses its concern that the Commission's communication policy regarding the Regulatory Fitness and Performance Programme (REFIT) overstates the difficulty of implementing environmental and health legislation;

Amendment

deleted

Or. en

Amendment 26
Tom Vandenkendelaere

Draft opinion
Paragraph 6

Draft opinion

6. Expresses its concern that the Commission's communication policy regarding the Regulatory Fitness and

Amendment

6. Takes the view that the Commission's communication policy regarding the Regulatory Fitness and Performance

Performance Programme (REFIT)
*overstates the difficulty of implementing
environmental and health legislation;*

Programme (REFIT) *should reflect lessons
learned and problems encountered in
implementation, including those identified
following citizens' complaints and
petitions to the European Parliament, and
deliver results for citizens and businesses
in the least burdensome way;*

Or. en

Amendment 27
Nicola Caputo

Draft opinion
Paragraph 6

Draft opinion

6. Expresses its concern that the Commission's communication policy regarding the Regulatory Fitness and Performance Programme (REFIT) overstates the difficulty of implementing environmental and health legislation;

Amendment

6. Expresses its concern that the Commission's communication policy regarding the Regulatory Fitness and Performance Programme (REFIT) overstates the difficulty of implementing environmental and health legislation; *calls on the Commission not to lower its level of ambition and calls for public policy objectives, including environmental and health standards, not to be jeopardised;*

Or. it

Amendment 28
Jan Huitema

Draft opinion
Paragraph 6

Draft opinion

6. Expresses its concern that the Commission's communication policy regarding the Regulatory Fitness and Performance Programme (REFIT) overstates the difficulty of implementing environmental and health legislation;

Amendment

6. Expresses its concern that the Commission's communication policy regarding the Regulatory Fitness and Performance Programme (REFIT) overstates the difficulty of implementing environmental and health legislation;

acknowledges the need for better regulation and urges the Commission to reduce red tape;

Or. en

Amendment 29
Jytte Guteland

Draft opinion
Paragraph 6

Draft opinion

6. Expresses its concern that the Commission's communication policy regarding the Regulatory Fitness and Performance Programme (REFIT) overstates the difficulty of implementing environmental and health legislation;

Amendment

6. Expresses its concern that the Commission's communication policy regarding the Regulatory Fitness and Performance Programme (REFIT) overstates the difficulty of implementing environmental and health legislation; ***expresses its concern about potential deregulation and takes the view that the REFIT Programme should not be used to undermine environment, food safety and health legislation;***

Or. en

Amendment 30
Annie Schreijer-Pierik

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Urges the Commission to use the REFIT programme to develop proper accountability mechanisms which improve the preparation and implementation of legislation;

Or. nl

Amendment 31
Tom Vandenkendelaere

Draft opinion
Paragraph 7

Draft opinion

7. Notes the Commission's use of the term 'gold plating', ***describing 'excessive' implementation of EU law by Member States***; calls on the Commission to clearly define the concept of gold plating; underlines that such a definition must clarify that Member States have the right to set stricter standards where ***EU law only provides for minimum harmonisation***;

Amendment

7. Notes the Commission's use of the term 'gold plating' ***which refers to obligations that go beyond EU requirements: an excess of norms, guidelines and procedures accumulated at national, regional and local levels interfering with the expected policy goals***; calls on the Commission to clearly define the concept of gold plating; underlines that such a definition must clarify that Member States have the right to set stricter standards where ***necessary, while taking into account that better harmonisation in the implementation of EU environmental law is important for the functioning of the internal market***;

Or. en

Amendment 32
Aldo Patriciello

Draft opinion
Paragraph 7

Draft opinion

7. Notes the Commission's use of the term 'gold plating', describing 'excessive' implementation of EU law by Member States; calls on the Commission to clearly define the concept of gold plating; underlines that such a definition must clarify that Member States have the right to set stricter standards where EU law only provides for minimum harmonisation;

Amendment

Does not affect EN version.

Or. it

Amendment 33
Kateřina Konečná

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Calls on the Commission to treat all Member States equally, regardless of their size or when they joined the EU;

Or. cs

Amendment 34
Tom Vandenkendelaere

Draft opinion
Paragraph 8

Draft opinion

Amendment

8. Underlines the need to maintain a high level of environmental protection and ***warns against associating high levels of infringements with the need to reduce the level of ambition of environmental legislation.***

8. Underlines the need to maintain a high level of environmental protection and ***stresses the importance of correctly implementing environmental law by the Member States.***

Or. en

Amendment 35
Aldo Patriciello

Draft opinion
Paragraph 8

Draft opinion

Amendment

8. Underlines the need to maintain a high level of environmental protection and warns against associating high levels of infringements with the need to reduce the level of ambition of environmental

Does not affect EN version.

legislation.

Or. it

Amendment 36
Kateřina Konečná

Draft opinion
Paragraph 8 a (new)

Draft opinion

Amendment

8a. Calls on the Commission not to rely too heavily on ex ante conditionalities when assessing whether a Member State is entitled to EU funding;

Or. cs

Amendment 37
Annie Schreijer-Pierik

Draft opinion
Paragraph 8 a (new)

Draft opinion

Amendment

8a. Urges the Commission, when drafting and assessing legislation, to take greater account of the burden it may impose on SMUs;

Or. nl

Amendment 38
Kateřina Konečná

Draft opinion
Paragraph 8 b (new)

Draft opinion

Amendment

8b. Calls on the Commission to use ex ante conditionalities to assess whether a Member State is entitled to EU funding

only in cases where it is clear that EU law is not being implemented and where the consequences thereof are far-reaching, and not in cases where it is the method of implementing EU law which is at issue.

Or. cs