



EUROPEAN PARLIAMENT

2014 - 2019

Committee on the Internal Market and Consumer Protection

2015/2037(INI)

1.4.2015

AMENDMENTS

1 - 76

Draft opinion
Ildikó Gáll-Pelcz(*)
(PE549.296v02-00)

The impact of developments in European defence markets on the security and defence capabilities in Europe
(2015/2037(INI))(*)Associated committee – Rule 54 of the Rules of Procedure

Amendment 1
Dita Charanzová

Draft opinion
Paragraph 1

Draft opinion

1. Welcomes the European Council's decision to include the topic of European defence markets on the agenda for its June 2015 summit; calls on the European Council to provide guidelines for defence policies with a particular emphasis on the *internal* market;

Amendment

1. Welcomes the European Council's decision to include the topic of European defence markets on the agenda for its June 2015 summit; calls on the European Council to provide guidelines for defence policies with a particular emphasis on the *European Defence Equipment Market taking into account the specificities of defence sector*;

Or. en

Amendment 2
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 1

Draft opinion

1. Welcomes the European Council's decision to include the topic of European defence markets on the agenda for its June 2015 summit; calls on the European Council to provide guidelines for defence policies *with a particular emphasis on* the internal market;

Amendment

1. Welcomes the European Council's decision to include the topic of European defence markets on the agenda for its June 2015 summit *but criticises the fact that the adoption of strategic actions by the European Council in December 2013 has not resulted in specific measures and closer cooperation between the various CSDP stakeholders*; calls on the European Council to provide *specific* guidelines for defence policies, *with a view, in particular, to bolstering* the internal *security and defence* market;

Or. es

Amendment 3

Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion

Paragraph 1

Draft opinion

1. **Welcomes** the European Council's decision to include the topic of European defence markets on the agenda for its June 2015 summit; ***calls on the European Council to provide guidelines for defence policies with a particular emphasis on the internal market;***

Amendment

1. **Notes** the European Council's decision to include the topic of European defence markets on the agenda for its June 2015 summit;

Or. fr

Amendment 4

Franz Obermayr

Draft opinion

Paragraph 1

Draft opinion

1. Welcomes the European Council's decision to include the topic of European defence markets on the agenda for its June 2015 summit; calls on the European Council to ***provide guidelines for*** defence policies ***with a particular emphasis on the internal market;***

Amendment

1. Welcomes the European Council's decision to include the topic of European defence markets on the agenda for its June 2015 summit; calls on the European Council to ***ensure that Member States continue to enjoy unrestricted powers in the area of*** defence policies;

Or. de

Amendment 5

Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1a. Is alarmed by the recent Commission offensive launched by President Juncker in support of the creation of a European army under the control of the EU institutions;

Or. fr

Amendment 6

Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion

Paragraph 1 b (new)

Draft opinion

Amendment

1b. Points out that the internal market should be used neither as a pretext nor an instrument for establishing a European defence policy and a European diplomatic service at the expense of the Member States' sovereignty in these areas;

Or. fr

Amendment 7

Dita Charanzová

Draft opinion

Paragraph 2

Draft opinion

Amendment

2. Recalls that internal market and defence policies should not be seen as opposing one another; stresses that correct implementation of the legal framework for EU public procurement could contribute to more efficient defence spending and strengthen the European Defence Technological and Industrial Base;

2. Recalls that internal market and defence policies should not be seen as opposing one another; stresses that correct implementation of the legal framework for EU public procurement ***by all the Member States*** could contribute to more efficient defence spending and strengthen the European Defence Technological and

Amendment 8

Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion

Paragraph 2

Draft opinion

2. Recalls that internal market and defence policies should not be seen as opposing one another; *stresses* that *correct* implementation of the legal framework for EU public procurement *could contribute to more efficient defence spending and strengthen the European Defence Technological and Industrial Base*;

Amendment

2. Recalls that internal market and defence policies should not be seen as opposing one another, *but also that defence policy is the exclusive preserve of Member States, and warns* that implementation of the legal framework for EU public procurement *in this sector would put the principle of not sharing sovereign technologies at risk*;

Amendment 9

Igor Šoltes

Draft opinion

Paragraph 2

Draft opinion

2. Recalls that internal market and defence policies should not be seen as opposing one another; stresses that correct implementation of the legal framework for EU public procurement could contribute to more efficient defence spending and strengthen the European Defence Technological and Industrial Base;

Amendment

2. Recalls that internal market and defence policies should not be seen as opposing one another ; *underlines that a well-functioning internal market of defence-related products would strongly contribute to achieving the objectives of the Common Security and Defence Policy (CSDP), and regrets that few progress has been made so far in this direction despite the adoption in 2009 of the defence package directives*; stresses that correct implementation of the legal framework for EU public procurement could contribute to

more efficient defence spending and strengthen the European Defence Technological and Industrial Base;

Or. en

Amendment 10
Franz Obermayr

Draft opinion
Paragraph 2

Draft opinion

2. Recalls that internal market and defence policies should not be seen as opposing one another; stresses that correct implementation of the legal framework for EU public procurement could contribute to more efficient defence spending **and strengthen the European Defence Technological and Industrial Base;**

Amendment

2. Recalls that internal market and defence policies should not be seen as opposing one another; stresses that correct implementation of the legal framework for EU public procurement could contribute to more efficient **national** defence spending;

Or. de

Amendment 11
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 2

Draft opinion

2. Recalls that internal market and defence policies should not be seen as opposing one another; stresses that correct implementation of the legal framework for EU public procurement could contribute to more efficient defence spending and strengthen the European Defence Technological and Industrial Base;

Amendment

2. Recalls that internal market and defence policies should not be seen as opposing one another; stresses that correct implementation of the legal framework for EU public procurement could contribute to more efficient defence spending and strengthen the European Defence Technological and Industrial Base; **believes, in this connection, that closer cooperation between the Member States will help to guard against duplication of**

effort and will have a more positive indirect effect in the various sectors that are interconnected;

Or. es

Amendment 12
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Points out that, given the impact of the economic crisis and the cuts being made to Member State defence budgets at a time of heightened global challenges and threats, it is now more important than ever to make the best possible use of resources by improving coordination, in particular on defence capabilities; stresses the need for advance planning of strategic investment in the purchase and modernisation of equipment by Member States;

Or. es

Amendment 13
Ildikó Gáll-Pelcz, Ana Gomes, Michael Gahler, Georgios Kyrtzos

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Stresses that the 'Defence Package' launched by the European Commission aims to support the competitiveness of the European defence sector and one of its goals is to limit the problems due to the fragmentation of the European defence market, some protectionist attitudes in the

award of defence contracts and the lack of coordination between different Member States control on regimes transfers of defence-related products;

Or. en

Amendment 14
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Stresses that a single defence market would ensure full transparency and prevent duplication of effort, which gives rise to market distortions; points out that the success of CSDP peace and security missions depends to a large extent on their rapid response capabilities and that greater integration is of key importance in streamlining processes and cutting costs;

Or. es

Amendment 15
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2b. Points out that the completion of a European defence market calls for a highly competitive, innovation- and technology-driven industrial base that can generate synergies through closer cross-border cooperation, and that advances in dual-use research are of key importance in guaranteeing our independence and ensuring security of supply, in particular

of critical items;

Or. es

Amendment 16
Sergio Gutiérrez Prieto

Draft opinion
Paragraph -3 a (new)

Draft opinion

Amendment

-3a. Calls on the Commission, with a view to enhancing the effectiveness of CSDP missions, to bring the financial rules governing the EU general budget into line with the provisions of the new public procurement and contract award directives, in particular as regards CSDP missions, with a view to ensuring swift and flexible implementation of civilian operations;

Or. es

Amendment 17
Dita Charanzová

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Points out that internal market rules should be used to their full potential to counteract the ongoing fragmentation of the European defence and security sector; urges the Member States to correctly implement and enforce Directive 2009/81/EC, concerning procurement in the fields of defence and sensitive security, and Directive 2009/43/EC, concerning the transfer of defence-related products; calls on the Commission to provide the

3. Points out that internal market ***and other relevant*** rules should be used to their full potential to counteract the ongoing fragmentation of the European defence and security sector ***through enhanced cross-border cooperation***; urges the Member States to correctly implement and enforce Directive 2009/81/EC, concerning procurement in the fields of defence and sensitive security, and Directive 2009/43/EC, concerning the transfer of

necessary assistance to that end;

defence-related products; calls on the Commission to provide the necessary assistance to that end;

Or. en

Amendment 18
Igor Šoltes

Draft opinion
Paragraph 3

Draft opinion

3. Points out that internal market rules should be used to their full potential to counteract the ongoing fragmentation of the European defence and security sector; urges the Member States to correctly implement and enforce Directive 2009/81/EC, concerning procurement in the fields of defence and sensitive security, and Directive 2009/43/EC, concerning the transfer of defence-related products; calls on the Commission to provide the necessary assistance to that end;

Amendment

3. Points out that internal market rules should be used to their full potential to counteract the ongoing fragmentation of the European defence and security sector, ***which leads to duplication of defence equipment programmes, lack of transparency regarding the relations between national defence administrations and the defence industry or even corruption, thereby involving inefficiency in spending public money and higher costs for tax payers***; urges the Member States to correctly implement and enforce Directive 2009/81/EC, concerning procurement in the fields of defence and sensitive security, and Directive 2009/43/EC, concerning the transfer of defence-related products; calls on the Commission to provide the necessary assistance to that end;

Or. en

Amendment 19
Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion
Paragraph 3

Draft opinion

3. Points out that internal market rules *should be used to their full potential to counteract the ongoing fragmentation of the European defence and security sector; urges the Member States to correctly implement and enforce Directive 2009/81/EC, concerning procurement in the fields of defence and sensitive security, and Directive 2009/43/EC, concerning the transfer of defence-related products; calls on the Commission to provide the necessary assistance to that end;*

Amendment

3. Points out that internal market rules *must not be systematically exploited and used to undermine Member States' independence in the fields of defence and security or any other strategically important sector;*

Or. fr

Amendment 20
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 3

Draft opinion

3. Points out that internal market rules should be used to their full potential to counteract the ongoing fragmentation of the European defence and security sector; urges the Member States to correctly implement and enforce Directive 2009/81/EC, concerning procurement in the fields of defence and sensitive security, and Directive 2009/43/EC, concerning the transfer of defence-related products; calls on the Commission to *provide the necessary assistance to that end;*

Amendment

3. Points out that internal market rules *and the rules on public procurement and concessions* should be used to their full potential to counteract the ongoing fragmentation of the European defence and security sector, *with a view to building a modern, integrated and competitive European defence industry;* urges the Member States to correctly implement and enforce Directive 2009/81/EC, concerning procurement in the fields of defence and sensitive security, and Directive 2009/43/EC, concerning the transfer of defence-related products; calls on the Commission *to take specific steps to ensure that the directives are properly applied and to check and monitor national transposition procedures in order to make sure that they do not result in market distortions;*

Amendment 21
Anna Maria Corazza Bildt

Draft opinion
Paragraph 3

Draft opinion

3. Points out that internal market rules should be used to their full potential to **counteract** the ongoing fragmentation of the European defence and **securitiy** sector; urges the Member States to correctly implement and enforce Directive 2009/81/EC, concerning procurement in the fields of defence and sensitive security, and Directive 2009/43/EC, concerning the transfer of defence-related products; calls on the Commission to provide the necessary **assitance** to that end;

Amendment

3. Points out that **to strengthen European defence, technological innovation and make substantial savings we need to build economy of scale and have a common European market for defence procurement; stresses that** internal market rules should be used to their full potential to **counteract** the ongoing fragmentation of the European defence and **security** sector; urges the Member States to **remove national rules that are hindering the internal market for defence procurement and** correctly implement and enforce Directive 2009/81/EC, concerning procurement in the fields of defence and sensitive security, and Directive 2009/43/EC, concerning the transfer of defence-related products; calls on the Commission to provide the necessary **assistance** to that end;

Amendment 22
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Calls on the Commission, with a view

to making the best possible use of resources, to encourage Member States to make joint purchases through central purchasing bodies such as the European Defence Agency, as provided for in Directive 2009/81/EC;

Or. es

Amendment 23

Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion

Paragraph 4

Draft opinion

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum;

Amendment

deleted

Or. fr

Amendment 24

Dita Charanzová

Draft opinion

Paragraph 4

Draft opinion

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, *limiting the* use of *justified* exclusions *to a strict minimum*;

Amendment

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets *by promoting a cross-border cooperation and better access to defence industry supply chains; believes, in this regard, that* use of exclusions *as stated in the Directive 2009/81/EC has to be duly justified*;

Or. en

Amendment 25
Igor Šoltes

Draft opinion
Paragraph 4

Draft opinion

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum;

Amendment

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, ***fighting protectionist practices by Member States***, limiting the use of justified exclusions to a strict minimum ***and linking them strictly to the protection of essential security interests and not to the protection of Member States' domestic economic interests***;

Or. en

Amendment 26
Jiří Maštálka

Draft opinion
Paragraph 4

Draft opinion

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum;

Amendment

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum; ***points to the danger that the resulting mergers and acquisitions could lead to a concentration of the EU's defence industry that will lead to reduced competition and therefore rising costs***;

Or. en

Amendment 27

Ildikó Gáll-Pelcz, Ana Gomes, Michael Gahler, Georgios Kyrtzos

Draft opinion

Paragraph 4

Draft opinion

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum;

Amendment

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum; ***calls on the Commission to inform the Parliament of effects of the already published seven Guidance Notes (Field of Applications, Exclusions, R&D, Security of Supply, Security of Information, Subcontracting, Offsets) and notes that it plans to release two more in 2015; believes that these notes thus constitute the perfect opportunity for the Commission to establish a dialogue with Member States on subjects that have never been addressed in a structured and open manner and requests information on the outcome of such dialogue with Member States;***

Or. en

Amendment 28

Ana Gomes, Ildikó Gáll-Pelcz

Draft opinion

Paragraph 4

Draft opinion

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum;

Amendment

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum; ***is of the view that in its current wording and state practice, Article 346 of the TFEU still offers Member States a large room of discretion for resorting to its***

application and thereby derogate from applying EU defence procurement laws in defence contracts; calls, therefore, on Member States to effectively and correctly apply Article 346 of the TFEU in a manner that is consistent with the requirements set forth by EU rules, the Internal Market Directives and defence procurement rules; reminds that, according to settled case-law of the CJEU, measures under Article 346 should be limited to exceptional and clearly defined cases, and must not go beyond the limits of such cases; warns that incorrectly resorting to the derogation from Single Market rules actively impairs EU competition, curtails transparency, facilitates corruption and thus damages the establishment of a EU defence market, is detrimental to a functioning EDTIB and the development of credible military capabilities;

Or. en

Amendment 29
Dawid Bohdan Jackiewicz

Draft opinion
Paragraph 4

Draft opinion

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum;

Amendment

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets *by* limiting the use of justified exclusions to a strict minimum *and taking steps to put an end to the situation where some Member States act solely as suppliers and others solely as buyers of defence technology;*

Or. pl

Amendment 30
Anna Maria Corazza Bildt

Draft opinion
Paragraph 4

Draft opinion

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum;

Amendment

4. Urges the Commission to step up its efforts to achieve a level playing field in European defence markets, limiting the use of justified exclusions to a strict minimum; ***therefore ask the Commission to present a proposal for harmonisation of export control regulation at European level;***

Or. en

Amendment 31
Ana Gomes

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Is concerned that the major defence equipment contracts are still made under Article 346, outside the scope of EU procurement laws; given the lack of visible monitoring on the part of the Commission on the use of Article 346 by Member States, invites the Commission to study ways where this could become a practice by designing a system whereby Member States must, as a matter of obligation, provide the Commission with a written justification to invoke Article 346 I, a) and b), which could, in turn, prevent the continuation of the opaque practices of the past in the field of defence procurement;

Or. en

Amendment 32

Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion

Paragraph 5

Draft opinion

5. Stresses that the full phase-out of offsets is indispensable for ensuring the smooth functioning of the internal market in the European defence sector;

Amendment

deleted

Or. fr

Amendment 33

Dita Charanzová

Draft opinion

Paragraph 5

Draft opinion

5. Stresses that the full phase-out of offsets is indispensable for ensuring the smooth functioning of the internal market in the European defence sector;

Amendment

5. Acknowledges that the phase-out of offsets may contribute to a better functioning of the internal market in the European defence sector; however, given the beneficial impacts of off-sets programmes in a number of Member States, in order to phase out offsets without negative impacts on European defence industries, an adequate substitute measure has to be introduced and properly implemented;

Or. en

Amendment 34

Igor Šoltes

Draft opinion

Paragraph 5

Draft opinion

5. Stresses that the full phase-out of offsets is indispensable for **ensuring** the smooth functioning of the internal market in the European defence sector;

Amendment

5. Stresses that the full phase-out of offsets is indispensable for **fighting corruption, avoiding distortions of competition and ensuring** the smooth **and transparent** functioning of the internal market in the European defence sector;

Or. en

Amendment 35

Ana Gomes

Draft opinion

Paragraph 5

Draft opinion

5. Stresses that the full phase-out of offsets is indispensable for ensuring the smooth functioning of the internal market in the European defence sector;

Amendment

5. As Directives 2009/81/EC and 2009/43/EC do not explicitly address offsets, calls on the Commission to propose binding legislation clarifying the procedures and admissibility of the use of offsets by Member States in the framework of Article 346 1 b), so as to prevent discriminatory and opaque practices, which distort the Single Market; calls on Member States to rely on EDA's Code of Conduct on Offsets to phase out the use of offsets and carefully comply with the Commission's Guidance Note on Offsets;

Or. en

Amendment 36

Sergio Gutiérrez Prieto

Draft opinion

Paragraph 5

Draft opinion

5. *Stresses that the full phase-out of offsets is indispensable for ensuring the smooth functioning of the internal market in the European defence sector;*

Amendment

5. *Calls on the Commission to continue to check that Member States are phasing out offsets until such time as that process has been completed, which should occur in the near future; views this as indispensable for ensuring the smooth functioning and transparency of the internal market in the European defence sector and a level playing field for all suppliers, in particular SMEs; points out, in this connection, that the removal of unfair and disproportionate disadvantages will help SMEs to innovate;*

Or. es

Amendment 37

Ildikó Gáll-Pelcz, Ana Gomes, Michael Gahler, Georgios Kyrtzos

Draft opinion

Paragraph 5

Draft opinion

5. Stresses that the full phase-out of offsets is indispensable for ensuring the smooth functioning of the internal market in the European defence sector;

Amendment

5. Stresses that the full phase-out of offsets, *unless duly justified on the basis of article 346. of the Treaty*, is indispensable for ensuring the smooth functioning of the internal market in the European defence sector;

Or. en

Amendment 38

Dawid Bohdan Jackiewicz

Draft opinion

Paragraph 5

Draft opinion

5. Stresses that the full phase-out of offsets is indispensable for ensuring the smooth functioning of the internal market in the European defence sector;

Amendment

5. Stresses that, ***in the long term***, the full phase-out of offsets is indispensable for ensuring the smooth functioning of the internal market in the European defence sector; ***emphasises, however, that offset agreements can be used for the legitimate purpose of safeguarding Member States' security, and that offsets can only be fully phased out when the European market is more evenly developed and free from internal imbalances, and when no Member States are technologically dependent on others;***

Or. pl

Amendment 39
Dita Charanzová

Draft opinion
Paragraph 6

Draft opinion

6. Recalls that framework agreements and subcontracting ***are*** a means of opening up established supply chains for the benefit of SMEs; calls on the Member States, the European Defence Agency and the Commission to work together to help SMEs consolidate and facilitate their access to defence procurement;

Amendment

6. Recalls that framework agreements and subcontracting ***should be*** a means of opening up established supply chains for the benefit of SMEs; calls on the Member States, the European Defence Agency and the Commission to work together, ***and also with prime contractors, in order*** to help SMEs consolidate and facilitate their access to defence procurement;

Or. en

Amendment 40
Marc Tarabella

Draft opinion
Paragraph 6

Draft opinion

6. Recalls that framework agreements and subcontracting are a means of opening up established supply chains for the benefit of SMEs; calls on the Member States, the European Defence Agency and the Commission to work together to help SMEs consolidate and facilitate their access to defence procurement;

Amendment

6. Recalls that framework agreements and subcontracting are a means of opening up established supply chains for the benefit of SMEs; ***points out, nonetheless, that the principles of transparency in the subcontracting chain and of joint liability must be guaranteed***; calls on the Member States, the European Defence Agency and the Commission to work together to help SMEs consolidate and facilitate their access to defence procurement;

Or. fr

Amendment 41
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 6

Draft opinion

6. Recalls that framework agreements and subcontracting are a means of opening up established supply chains for the benefit of SMEs; calls on the Member States, the European Defence Agency and the Commission to work together to ***help*** SMEs consolidate and facilitate their access to defence procurement;

Amendment

6. Recalls that framework agreements and subcontracting are a means of opening up established supply chains for the benefit of SMEs; calls on the Member States, the European Defence Agency and the Commission to work together to ***ensure that SMEs are fully familiar with the various stages in the value chain, as this will help them to*** consolidate and facilitate their access to defence procurement;

Or. es

Amendment 42
Igor Šoltes

Draft opinion
Paragraph 6

Draft opinion

6. Recalls that framework agreements **and subcontracting** are a means of opening up established supply chains for the benefit of SMEs; calls on the Member States, the European Defence Agency and the Commission to work together to help SMEs consolidate and facilitate their access to defence procurement;

Amendment

6. Recalls that framework agreements, **subcontracting and division into lots** are a means of opening up established supply chains for the benefit of SMEs; calls on the Member States, the European Defence Agency and the Commission to work together to help SMEs consolidate and facilitate their access to defence procurement; **welcomes the work of the European Defence Agency on a pooled procurement mechanism which should encourage cooperative acquisition of defence equipment;**

Or. en

Amendment 43
Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion
Paragraph 6

Draft opinion

6. Recalls that framework agreements and subcontracting are a means of opening up established supply chains for the benefit of SMEs; **calls on the Member States, the European Defence Agency and the Commission to work together to help SMEs consolidate and facilitate their** access to defence procurement;

Amendment

6. Recalls that framework agreements and subcontracting are a means of opening up established supply chains for the benefit of SMEs; **points out that these means have been in place for a long time now and have proved very effective; encourages the Member States to go even further in their efforts to promote short supply chains and thus facilitate access to defence procurement for local and national SMEs;**

Or. fr

Amendment 44
Dawid Bohdan Jackiewicz

Draft opinion
Paragraph 6

Draft opinion

6. Recalls that framework agreements and subcontracting are a means of opening up established supply chains for the benefit of SMEs; calls on the Member States, the European Defence Agency and the Commission to work together to help SMEs consolidate and facilitate their access to defence procurement;

Amendment

6. Recalls that framework agreements and subcontracting are a means of opening up established supply chains for the benefit of SMEs; calls on the Member States, the European Defence Agency and the Commission to work together to help SMEs consolidate and facilitate their access to defence procurement ***and to counter the geographically uneven development of Europe's technology and defence base;***

Or. pl

Amendment 45

Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion
Paragraph 7

Draft opinion

7. Notes that the uptake by industry of the main instruments of the Defence Transfer Directive, specifically general licences and the certification of defence firms, remains very limited; ***urges the Commission and the Member States to ensure the effective use of these instruments in practice;***

Amendment

7. Notes that the uptake by industry of the main instruments of the Defence Transfer Directive, specifically general licences and the certification of defence firms, remains very limited ***for obvious reasons;***

Or. fr

Amendment 46
Igor Šoltes

Draft opinion
Paragraph 7

Draft opinion

7. Notes that the uptake by industry of the main instruments of the Defence Transfer Directive, specifically general licences and the certification of defence firms, remains very limited; urges the Commission and the Member States to ensure the effective use of these instruments in practice;

Amendment

7. Notes that the uptake by industry of the main instruments of the Defence Transfer Directive, specifically general licences and the certification of defence firms, remains very limited, ***and that there are loopholes in the administrative cooperation between Member States to ensure appropriate control measures in order to prevent breaches of the terms and conditions of transfer licences***; urges the Commission and the Member States to ensure the effective use of these instruments in practice; ***emphasises the need to ensure that defence-related products are not exported or re-exported in violation of export limitations to third countries, and to ensure that in case of re-exportation to a third country, the export limitations decided by the originating Member State are respected, in particular in the framework of the implementation of the European Union Common Position 944/2008 on Arms Export***;

Or. en

Amendment 47

Ana Gomes, Ildikó Gáll-Pelcz

Draft opinion

Paragraph 7

Draft opinion

7. Notes that the uptake by industry of the main instruments of the Defence Transfer Directive, specifically general licences and the certification of defence firms, remains very limited; urges the Commission and the Member States to ensure the effective use of these instruments in practice;

Amendment

7. Notes that the uptake by industry of the main instruments of the Defence Transfer Directive, specifically general licences and the certification of defence firms, remains very limited; urges the Commission and the Member States to ensure the effective use of these instruments in practice ***and, therefore, welcomes the initiative of the Commission to establish a Working***

Group with Member States on the harmonisation of the intra-EU transfers directive;

Or. en

Amendment 48
Jiří Maštálka

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Calls, especially in light of the Intra-Community Transfer Directive 2009/43/EC, that the eight criteria of Council Common Position 2008/944/CFSP on arms exports are unrestricted in scope and, accordingly, also apply for exports within the EU, stresses that this especially has been the case for criterion eight that an arms export licence should not be granted if the recipient country's development prospects would be adversely affected,

Or. en

Amendment 49
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Calls for the European Council to discuss at its meeting in June 2015 the need to streamline cyber security-related public procurement and award procedures, in order to be able to respond immediately to major global threats such as cyber terrorism and cyber attacks;

Amendment 50

Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion

Paragraph 8

Draft opinion

Amendment

8. Welcomes the 2014 Commission Roadmap entitled ‘Towards a more competitive and efficient defence and security sector’; stresses the importance of its timely implementation and of taking additional measures as necessary;

deleted

Or. fr

Amendment 51

Filiz Hyusmenova, Dita Charanzová

Draft opinion

Paragraph 8

Draft opinion

Amendment

8. Welcomes the 2014 Commission Roadmap entitled ‘Towards a more competitive and efficient defence and security sector’; stresses the importance of its timely implementation and of taking additional measures as necessary;

8. Welcomes the 2014 Commission Roadmap entitled ‘Towards a more competitive and efficient defence and security sector’; stresses the importance of its timely implementation and of taking additional measures as necessary; **fully supports the Commission’s efforts for providing practical guidance to SMEs using European funds in dual-use projects;**

Or. en

Amendment 52

Sergio Gutiérrez Prieto

Draft opinion
Paragraph 8

Draft opinion

8. Welcomes the 2014 Commission Roadmap entitled ‘Towards a more competitive and efficient defence and security sector’; stresses the importance of its timely implementation and of taking additional measures as necessary;

Amendment

8. Welcomes the 2014 Commission Roadmap entitled ‘Towards a more competitive and efficient defence and security sector’ ***and the undertaking made by the Commission in that document to look into how the adverse impact of offsets required by third countries could be mitigated and into the impact offsets have on the internal market and European industry***; stresses the importance of its timely implementation and of taking additional measures as necessary;

Or. es

Amendment 53
Dawid Bohdan Jackiewicz

Draft opinion
Paragraph 8

Draft opinion

8. ***Welcomes*** the 2014 Commission Roadmap entitled ‘Towards a more competitive and efficient defence and security sector’; ***stresses*** the importance of its timely implementation and of taking additional measures as necessary;

Amendment

8. ***Acknowledges*** the 2014 Commission Roadmap entitled ‘Towards a more competitive and efficient defence and security sector’, ***while stressing*** the importance of its timely implementation and of taking additional measures as necessary;

Or. pl

Amendment 54
Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion
Paragraph 9

Draft opinion

Amendment

9. Recalls that the Member States urgently need to improve the transparency of procurement practices in the defence sector vis-à-vis the Commission and EU agencies; urges the Commission to ensure appropriate monitoring so as to enable comprehensive reporting, in respect of both directives, to Parliament and the Council in 2016 as scheduled;

deleted

Or. fr

Amendment 55
Igor Šoltes

Draft opinion
Paragraph 9

Draft opinion

Amendment

9. Recalls that the Member States urgently need to improve the transparency of procurement practices in the defence sector vis-à-vis the Commission and EU agencies; urges the Commission to ensure appropriate monitoring so as to enable comprehensive reporting, in respect of both directives, to Parliament and the Council in 2016 as scheduled;

9. Recalls that the Member States urgently need to improve the transparency of procurement practices in the defence sector vis-à-vis the Commission and EU agencies; ***underlines that specific procurement procedures such as the negotiated procedure without prior publication of the contract notice should be limited to exceptional cases and justified only by overriding reasons of general interest connected to defence and security, in compliance with directive 2009/81/EC;*** urges the Commission to ensure appropriate monitoring so as to enable comprehensive reporting, in respect of both directives, to Parliament and the Council in 2016 as scheduled;

Or. en

Amendment 56
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 10

Draft opinion

10. *Notes that* the Commission *has yet* to publish its Green Paper on the control of assets, initially scheduled for the end of 2014, in accordance with its 2014 Roadmap;

Amendment

10. *Calls on* the Commission to publish *as soon as possible* its Green Paper on the control of assets, initially scheduled for the end of 2014, in accordance with its 2014 Roadmap;

Or. es

Amendment 57
Ildikó Gáll-Pelcz, Ana Gomes, Michael Gahler, Georgios Kyrtos

Draft opinion
Paragraph 10

Draft opinion

10. *Notes that* the Commission *has yet to publish* its Green Paper on the control of assets, initially scheduled for the end of 2014, in accordance with its 2014 Roadmap;

Amendment

10. *Invites* the Commission *to consider publishing as soon as possible* its Green Paper on the control of assets, initially scheduled for the end of 2014, in accordance with its 2014 Roadmap;

Or. en

Amendment 58
Dita Charanzová

Draft opinion
Paragraph 10 a (new)

Draft opinion

Amendment

10a. Invites the Commission to carry out a proper and comprehensive analysis of the impacts of the "defence package" implementation, including a consultation

with defence industries' associations, Member States, EDA and other relevant stakeholders, before presenting the implementation reports;

Or. en

Amendment 59
Olga Sehnalová

Draft opinion
Paragraph 10 a (new)

Draft opinion

Amendment

10a. Recalls the importance of regular checks on defence and security equipment by the relevant supervisory authorities, including checks on proper accounting;

Or. cs

Amendment 60
Anna Maria Corazza Bildt

Draft opinion
Paragraph 10 a (new)

Draft opinion

Amendment

10a. Underlines that cooperation between strategic partners is essential for European security of supply and hence encourages the Commission and Members States to take defence procurement into account when negotiating international trade agreements;

Or. en

Amendment 61

Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion

Paragraph 11

Draft opinion

11. Calls on the Commission to accompany its implementation reports to Parliament and the Council on Directives 2009/81/EC and 2009/43/EC in 2016 with legislative proposals;

Amendment

deleted

Or. fr

Amendment 62

Dita Charanzová

Draft opinion

Paragraph 11

Draft opinion

11. Calls on the Commission to accompany its implementation reports to Parliament and the Council on Directives 2009/81/EC and 2009/43/EC in 2016 with legislative proposals;

Amendment

11. Calls on the Commission to accompany, **where appropriate**, its implementation reports to Parliament and the Council on Directives 2009/81/EC and 2009/43/EC in 2016 with legislative proposals;

Or. en

Amendment 63

Sergio Gutiérrez Prieto

Draft opinion

Paragraph 11

Draft opinion

11. Calls on the Commission to accompany **its implementation reports** to Parliament and the Council on Directives 2009/81/EC

Amendment

11. Calls on the Commission to accompany **the assessment report to be submitted to** Parliament and the Council on **the**

and 2009/43/EC in 2016 with legislative proposals;

implementation of Directives 2009/81/EC and 2009/43/EC in 2016 with legislative proposals ***covering provisions that have not been correctly implemented or could be improved;***

Or. es

Amendment 64
Igor Šoltes

Draft opinion
Paragraph 11

Draft opinion

11. Calls on the Commission ***to accompany*** its implementation reports to Parliament and the Council on Directives 2009/81/EC and 2009/43/EC in 2016 with legislative proposals;

Amendment

11. Calls on the Commission, ***in*** its implementation reports to Parliament and the Council on Directives 2009/81/EC and 2009/43/EC in 2016, ***to evaluate thoroughly whether and to what extent their provisions have been correctly enforced, and whether their objectives have been achieved, and to come up accordingly*** with legislative proposals;

Or. en

Amendment 65
Ildikó Gáll-Pelcz, Michael Gahler, Georgios Kyrtos

Draft opinion
Paragraph 11

Draft opinion

11. Calls on the Commission to accompany its implementation reports to Parliament and the Council on Directives 2009/81/EC and 2009/43/EC in 2016 with legislative proposals;

Amendment

11. Calls on the Commission to accompany its implementation reports to Parliament and the Council on Directives 2009/81/EC and 2009/43/EC in 2016 with legislative proposals, ***if the findings of the report point in this direction;***

Or. en

Amendment 66
Dita Charanzová

Draft opinion
Paragraph 12

Draft opinion

Amendment

12. Stresses that further special reporting obligations should be introduced for Member States, coupled with provision for appropriate confidentiality safeguards; *deleted*

Or. en

Amendment 67
Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion
Paragraph 12

Draft opinion

Amendment

12. Stresses that further special reporting obligations should be introduced for Member States, coupled with provision for appropriate confidentiality safeguards; *deleted*

Or. fr

Amendment 68
Franz Obermayr

Draft opinion
Paragraph 12

Draft opinion

Amendment

12. Stresses that further special reporting obligations should be introduced for Member States, coupled with provision for appropriate confidentiality safeguards; *deleted*

Amendment 69
Franz Obermayr

Draft opinion
Paragraph 13

Draft opinion

13. Recalls that the modernisation of the EU public procurement rules as set out in Directives 2014/24/EU and 2014/25/EU, adopted in 2014, affords opportunities for more streamlined procedures, such as the use of electronic procurement and aggregation of demand, which can be tailored to the specificities of the defence and security sector;

Amendment

deleted

Amendment 70
Igor Šoltes

Draft opinion
Paragraph 13

Draft opinion

13. Recalls that the modernisation of the EU public procurement rules as set out in Directives 2014/24/EU and 2014/25/EU, adopted in 2014, affords opportunities for more streamlined procedures, such as the use of electronic procurement *and aggregation of demand*, which can be tailored to the specificities of the defence and security sector;

Amendment

13. Recalls that the modernisation of the EU public procurement rules as set out in Directives 2014/24/EU and 2014/25/EU, adopted in 2014, affords opportunities for more streamlined procedures, such as the use of electronic procurement, *aggregation of demand and the use of the most economically advantageous tender*, which can be tailored to the specificities of the defence and security sector;

Amendment 71

Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion

Paragraph 13

Draft opinion

13. Recalls that the modernisation of the EU public procurement rules as set out in Directives 2014/24/EU and 2014/25/EU, adopted in 2014, affords opportunities for more streamlined procedures, such as the use of electronic procurement *and* aggregation of demand, ***which can be tailored to the specificities of the defence and security sector;***

Amendment

13. Recalls that the modernisation of the EU public procurement rules as set out in Directives 2014/24/EU and 2014/25/EU, adopted in 2014, affords opportunities for more streamlined procedures ***which can be tailored to the specificities of the defence and security sector,*** such as the use of electronic procurement, ***but not*** aggregation of demand;

Or. fr

Amendment 72

Sergio Gutiérrez Prieto

Draft opinion

Paragraph 13

Draft opinion

13. Recalls that the modernisation of the EU public procurement rules as set out in Directives 2014/24/EU and 2014/25/EU, adopted in 2014, ***affords*** opportunities for more streamlined procedures, such as the use of electronic procurement and aggregation of demand, which can be tailored to the specificities of the defence and security sector;

Amendment

13. Recalls that the ***purpose of the*** modernisation of the EU public procurement rules as set out in Directives 2014/24/EU and 2014/25/EU, adopted in 2014, ***is to ensure transparency in the subcontracting chain and compliance with environmental, social and labour law;*** ***points out that the new directives afford*** opportunities for more streamlined procedures, such as the use of electronic procurement and aggregation of demand, which can be tailored to the specificities of the defence and security sector;

Or. es

Amendment 73
Sergio Gutiérrez Prieto

Draft opinion
Paragraph 14

Draft opinion

14. *Draws attention to* the new ‘innovation partnership’ procedure *and calls for it to* be introduced in defence procurement.

Amendment

14. *Calls, with a view to building an innovative and competitive European industry and making the best possible use of security and defence budgets, for* the new ‘innovation partnership’ procedure to be introduced in defence procurement.

Or. es

Amendment 74
Mylène Troszczynski, Jean-Luc Schaffhauser, Aymeric Chauprade

Draft opinion
Paragraph 14

Draft opinion

14. Draws attention to the new ‘innovation partnership’ procedure and *calls for it to be introduced in* defence procurement.

Amendment

14. Draws attention to the new ‘innovation partnership’ procedure and *stresses that it must not be applied to* defence procurement.

Or. fr

Amendment 75
Ildikó Gáll-Pelcz, Ana Gomes, Michael Gahler, Georgios Kyrtos

Draft opinion
Paragraph 14

Draft opinion

14. Draws attention to the new ‘innovation partnership’ procedure and calls for it to be introduced in defence procurement.

Amendment

14. Draws attention to the new ‘innovation partnership’ procedure and calls for it to be introduced in defence procurement, *allowing contracting authorities to establish this procedure for the development and subsequent purchase of*

new, innovative products, services or works, providing the necessary market incentives and supporting the development of an innovative solutions without foreclosing the market.

Or. en

Amendment 76
Olga Sehnalová

Draft opinion
Paragraph 14 a (new)

Draft opinion

Amendment

14a. Stresses that ensuring the maximum protection and security of the civilian populace must be taken into account during procurement procedures for defence and security equipment;

Or. cs