



EUROPEAN PARLIAMENT

2014 - 2019

Committee on Regional Development

2014/2155(INI)

17.11.2014

AMENDMENTS

1 - 48

Draft opinion
Pascal Arimont
(PE541.457v01-00)

Annual Report 2013 on the Protection of the EU's Financial Interests - Fight
against fraud
(2014/2155(INI))

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PE541.633v01-00

AM_Com_NonLegOpinion

Amendment 1

Martina Anderson, Josu Juaristi Abaunz, Martina Michels, Ángela Vallina, Younous Omarjee

Draft opinion

Paragraph 1

Draft opinion

1. Notes that 321 irregularities reported as fraudulent and 4 672 reported as non-fraudulent were cohesion-policy related; points out that in both categories the number of reports increased by 15 % as compared to 2012 while the related amounts decreased; observes that, as in previous years, the largest share of amounts that involved irregularities in 2013 (63 %) is nonetheless still related to cohesion policy;

Amendment

1. Notes that 321 irregularities reported as fraudulent and 4 672 reported as non-fraudulent were cohesion-policy related; ***recalls how important it is to differentiate non-fraudulent and fraudulent irregularities***; points out that in both categories the number of reports increased by 15 % as compared to 2012 while the related amounts decreased; observes that, as in previous years, the largest share of amounts that involved irregularities in 2013 (63 %) is nonetheless still related to cohesion policy; ***notes also that for the first time cohesion policy was not the area of budgetary expenditure with the highest number of irregularities reported as fraudulent***;

Or. en

Amendment 2

Lambert van Nistelrooij

Draft opinion

Paragraph 1

Draft opinion

1. Notes that 321 irregularities reported as fraudulent and 4 672 reported as non-fraudulent were cohesion-policy related; points out that in both categories the number of reports increased by 15 % as compared to 2012 while the related amounts decreased; observes that, as in previous years, the largest share of

Amendment

1. Notes that 321 irregularities reported as fraudulent and 4 672 reported as non-fraudulent were cohesion-policy related; points out that in both categories the number of reports increased by 15 % as compared to 2012 while the related amounts decreased; observes that, as in previous years, the largest share of

amounts that involved irregularities in 2013 (63 %) is nonetheless still related to cohesion policy;

amounts that involved irregularities in 2013 (63 %) is nonetheless still related to cohesion policy; ***points out, however, that the experience of previous years would prove a gradual improvement in the matter;***

Or. en

Amendment 3
Olaf Stuger

Draft opinion
Paragraph 1

Draft opinion

1. Notes that 321 irregularities reported as fraudulent and 4 672 reported as non-fraudulent were cohesion-policy related; points out that in both categories the number of reports increased by 15 % as compared to 2012 while the related amounts decreased; observes that, as in previous years, the largest share of amounts that involved irregularities in 2013 (63 %) is nonetheless still related to cohesion policy;

Amendment

1. Notes ***with concern*** that 321 irregularities reported as fraudulent and 4 672 reported as non-fraudulent were cohesion-policy related; points out that in both categories the number of reports increased by 15 % as compared to 2012 while the related amounts decreased; observes that, as in previous years, the largest share of amounts that involved irregularities in 2013 (63 %) is nonetheless still related to cohesion policy;

Or. nl

Amendment 4
Bill Etheridge

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. The number of cases increasing is a source for concern, regardless of the financial value;

Or. en

Amendment 5

Andrew Lewer, Ruža Tomašić

Draft opinion

Paragraph 2

Draft opinion

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy *stems* from different approaches between and within Member States to the detection and classification of irregularities;

Amendment

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy *may stem* from different approaches between and within Member States to the detection and classification of irregularities; *believes also however, that a reduction in irregularities would also result from the Commission placing a less onerous workload of complex requirements, regulations and bureaucracy upon recipients, together with taking more seriously subsidiarity principles and the simplification of process that ought to accompany that;*

Or. en

Amendment 6

Steeve Brion

Draft opinion

Paragraph 2

Draft opinion

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from *different approaches between and within* Member States *to* the detection and classification of irregularities;

Amendment

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from *shortcomings on the part of* Member States *regarding* the detection and classification of irregularities;

Or. fr

Amendment 7
Mercedes Bresso

Draft opinion
Paragraph 2

Draft opinion

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from different approaches between and within Member States to the detection and classification of irregularities;

Amendment

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from different approaches between and within Member States to the detection and classification of irregularities; ***considers that, besides the statistical approach of this report, a presentation of irregularities which would define their type and nature would be useful in order to adapt the policies;***

Or. en

Amendment 8
Davor Škrlec

Draft opinion
Paragraph 2

Draft opinion

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from different approaches between and within Member States to the detection and classification of irregularities;

Amendment

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from different approaches between and within Member States to the detection and classification of irregularities; ***considers further harmonisation among Member States necessary including on reporting of irregularities;***

Or. en

Amendment 9
Olaf Stuger

Draft opinion
Paragraph 2

Draft opinion

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from different approaches between and within Member States to the detection and classification of irregularities;

Amendment

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from different approaches between and within Member States to the detection and classification of irregularities; ***takes the view, moreover, that it is highly inadvisable to accord financial aid to manifestly corrupt countries;***

Or. nl

Amendment 10
José Blanco López

Draft opinion
Paragraph 2

Draft opinion

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from different approaches between and within Member States to the detection and classification of irregularities;

Amendment

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from different approaches between and within Member States to the detection and classification of irregularities; ***accordingly urges the Commission to iron out these differences;***

Or. es

Amendment 11
Marc Joulaud

Draft opinion
Paragraph 2

Draft opinion

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from different approaches between and within Member States to the detection ***and*** classification of irregularities;

Amendment

2. Notes that this statistical data still only gives an approximate indication of the impact of irregularities on the EU budget; believes that the inaccuracy stems from different approaches between and within Member States to the detection, classification ***and transmission*** of irregularities;

Or. fr

Amendment 12
Davor Škrlec

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Acknowledges that simplification of rules and procedures may decrease the number of non-fraudulent irregularities; maintains, however, that clear and strong rules including strict application are essential to prevent fraud;

Or. en

Amendment 13
Mercedes Bresso

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Wishes a new approach concerning the qualification and control of the funds allocation; considers that a particular effort should be put on the fields where the irregularities with frauds are more massive;

Or. en

Amendment 14

Andrew Lewer, Tomasz Piotr Poręba

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2a. Notes that most of the errors and irregular payments arise because of non-compliance with public procurement rules; stresses in this regard - in order to guarantee proper financial management of EU funds and avoid fraud as well as illegitimate spending - the necessity to ensure the transparency of public procurements, particularly in the selection of contractors;

Or. en

Amendment 15

Pina Picierno

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2a. Notes that, often, the irregularities that are not fraudulent are the result of mistakes caused by a lack of knowledge of

the rules or by the fact that those rules are too complicated; calls, therefore, on the Commission, the Member States, the regions and the local authorities to work towards simplifying the rules whilst at the same time providing training for the authorities and staff managing cohesion policy funds;

Or. it

Amendment 16
Davor Škrlec

Draft opinion
Paragraph 3

Draft opinion

3. Appreciates the efforts made by the Member States to detect, evaluate and/or report irregularities, including fraud; calls on the Member States and their authorities to ensure stronger ex-ante coordination and evaluation;

Amendment

3. Appreciates the efforts made by the Member States to detect, evaluate and/or report irregularities, including fraud; calls on the Member States and their authorities to ensure stronger ex-ante coordination and evaluation *and to tap their potential to detect and correct errors prior to claiming reimbursement from the Commission by making full use of the information available to them;*

Or. en

Amendment 17
Marc Joulaud

Draft opinion
Paragraph 3

Draft opinion

3. Appreciates the efforts made by the Member States to detect, evaluate and/or report irregularities, including fraud; calls on the Member States and their authorities

Amendment

3. Appreciates the efforts made by the Member States to detect, evaluate and/or report irregularities, including fraud *and calls on them to step up these efforts;* calls

to ensure stronger ex-ante coordination and evaluation;

on the Member States and their authorities to ensure stronger ex-ante coordination and evaluation ***and encourage exchanges of good practice in order to prevent, detect and evaluate frauds and irregularities;***

Or. fr

Amendment 18
Lambert van Nistelrooij

Draft opinion
Paragraph 3

Draft opinion

3. Appreciates the efforts made by the Member States to detect, evaluate and/or report irregularities, including fraud; calls on the Member States and their authorities to ensure stronger ex-ante coordination and evaluation;

Amendment

3. Appreciates the efforts made by the Member States to detect, evaluate and/or report irregularities, including fraud; calls on the Member States and their authorities to ensure stronger ex-ante coordination and evaluation; ***observes that a number of Member States are already providing a statement of declaration of financial interest, which constitutes an example worth following;***

Or. en

Amendment 19
Pina Picierno

Draft opinion
Paragraph 3

Draft opinion

3. Appreciates the efforts made by the Member States to detect, evaluate and/or report irregularities, including fraud; calls on the Member States and their authorities to ensure stronger ex-ante coordination and evaluation;

Amendment

3. Appreciates the efforts made by the Member States to detect, ***avoid***, evaluate and/or report irregularities, including fraud; calls on the Member States and their authorities to ensure stronger ex-ante coordination and evaluation ***and encourages an increasingly intensive and***

*technical exchange of best practice
among the authorities responsible;*

Or. it

Amendment 20
Olaf Stuger

Draft opinion
Paragraph 3

Draft opinion

3. *Appreciates* the efforts made by the Member States to detect, evaluate and/or report irregularities, including fraud; calls on the Member States and their authorities to ensure stronger ex-ante coordination and evaluation;

Amendment

3. *Considers* the efforts made by the Member States to detect, evaluate and/or report irregularities, including fraud, *to be inadequate*; calls on the Member States and their authorities to ensure stronger ex-ante coordination and evaluation;

Or. nl

Amendment 21
Davor Škrlec

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Recalls the importance of capacity building, both in public administrations and among stakeholders including civil society organisations, which contributes to the prevention of irregularities and fight against corruption;

Or. en

Amendment 22
Krzysztof Hetman

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Underlines the importance of anti-fraud education and awareness building in anti-fraud prevention as well as further tackling the problem of fraud;

Or. en

Amendment 23
Olaf Stuger

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Urges the Council and Commission to withhold financial assistance from countries with unsatisfactory scores on the Transparency International Corruption Perceptions Index;

Or. nl

Amendment 24
Marc Joulaud

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Points out that the misappropriation of EU resources is inadmissible at a time of budgetary constraint and recurrent payment deficits in Europe;

Or. fr

Amendment 25
Marc Joulaud

Draft opinion
Paragraph 4 – introductory part

Draft opinion

4. Underlines, in addition, the importance of external assistance and controls in the fight against irregularities and fraud; supports in this context the anti-fraud strategies recently developed by the EU, and in particular, calls on:

Amendment

4. Underlines, in addition, the importance of external assistance and controls in the fight against irregularities and fraud ***and the introduction of measures to protect the EU budget***; supports in this context the anti-fraud strategies recently developed by the EU, and in particular, calls on:

Or. fr

Amendment 26
Bill Etheridge

Draft opinion
Paragraph 4 – point a

Draft opinion

(a) ***all Member States to designate an anti-fraud coordination services (AFCOS) and entrust it with substantial competences and powers;***

Amendment

(a) ***this is a matter for Member States, not the European Union;***

Or. en

Amendment 27
Pina Picierno

Draft opinion
Paragraph 4 – point a

Draft opinion

(a) all Member States to designate an anti-fraud coordination ***services*** (AFCOS) and entrust it with substantial competences and

Amendment

(a) all Member States to designate an anti-fraud coordination ***service*** (AFCOS) and entrust it with substantial competences and

powers;

powers, *taking into account existing good practices in several Member States, in which the coordination services have proven to be particularly efficient*;

Or. it

Amendment 28

Davor Škrlec

Draft opinion

Paragraph 4 – point a

Draft opinion

(a) all Member States to designate an anti-fraud coordination services (AFCOS) and entrust it with substantial competences and powers;

Amendment

(a) all Member States to designate an anti-fraud coordination services (AFCOS) and entrust it with substantial competences and powers, *and calls on the Commission to ensure their harmonisation throughout Member States*;

Or. en

Amendment 29

Mercedes Bresso

Draft opinion

Paragraph 4 – point a

Draft opinion

(a) all Member States to designate an anti-fraud coordination services (AFCOS) and entrust it with substantial competences and powers;

Amendment

(a) all Member States to designate an anti-fraud coordination services (AFCOS), *provide it with sufficient human and financial resources* and entrust it with substantial competences and powers;

Or. en

Amendment 30

José Blanco López

Draft opinion
Paragraph 4 – point a

Draft opinion

(a) all Member States to designate an anti-fraud coordination services (AFCOS) and entrust it with substantial competences and powers;

Amendment

(a) all Member States to designate an anti-fraud coordination services (AFCOS) ***with sufficient economic and human resources*** and entrust it with substantial competences and powers;

Or. es

Amendment 31
Steeve Briois

Draft opinion
Paragraph 4 – point b

Draft opinion

(b) the Council to ***support the directive on*** the fight against fraud to the EU's financial interests ***by means of criminal law; and***

Amendment

(b) the Council to ***guarantee the sovereignty of the Member States in*** the fight against fraud to the EU's financial interests;

Or. fr

Amendment 32
Olaf Stuger

Draft opinion
Paragraph 4 – point b

Draft opinion

(b) the Council to support the directive on the fight against fraud to the EU's financial interests by means of criminal law; and

Amendment

(b) the Council to support the directive on the fight against fraud to the EU's financial interests by means of criminal law ***and, in addition, to withhold further financial aid from countries manifestly guilty of fraud;*** and

Or. nl

Amendment 33
Bill Etheridge

Draft opinion
Paragraph 4 – point b

Draft opinion

(b) the Council to support the directive on the fight against fraud to the *EU's financial* interests by means of criminal law; and

Amendment

(b) the Council to support the directive on the fight against fraud to the *taxpayers'* interests by means of criminal law; and

Or. en

Amendment 34
Bill Etheridge

Draft opinion
Paragraph 4 – point c

Draft opinion

(c) the Council to support the establishment of a European Public Prosecutor's Office (EPPO).

Amendment

deleted

Or. en

Amendment 35
Olaf Stuger

Draft opinion
Paragraph 4 – point c

Draft opinion

(c) the Council to support the establishment of a European Public Prosecutor's Office (EPPO).

Amendment

deleted

Or. nl

Amendment 36
Andrew Lewer, Ruža Tomašić
on behalf of the ECR Group

Draft opinion
Paragraph 4 – point c

Draft opinion

(c) the Council to support the establishment of a European Public Prosecutor's Office (EPPO).

Amendment

deleted

Or. en

Amendment 37
Steeve Brion

Draft opinion
Paragraph 4 – point c

Draft opinion

(c) the Council to **support** the establishment of a European Public Prosecutor's Office (EPPO).

Amendment

(c) the Council to **reject** the establishment of a European Public Prosecutor's Office (EPPO).

Or. fr

Amendment 38
Lambert van Nistelrooij

Draft opinion
Paragraph 4 – point c

Draft opinion

(c) the Council to support the establishment of a European Public Prosecutor's Office (EPPO).

Amendment

(c) the Council to support the establishment of a European Public Prosecutor's Office (EPPO), ***provided that the relationship between the EPPO and other existing bodies such as OLAF is further defined and clearly demarcated, so that OLAF retains the necessary***

resources to carry out any anti-fraud activities that do not fall within the EPPO's mandate, especially given that several Member States will probably opt-out of the EPPO altogether.

Or. en

Amendment 39

Marc Joulaud

Draft opinion

Paragraph 4 – point c

Draft opinion

(c) the Council to support the establishment of *a* European Public Prosecutor's Office (EPPO).

Amendment

(c) the Council to support the establishment of *an independent* European Public Prosecutor's Office (EPPO) *to defend the EU budget and EU funds effectively;*

Or. fr

Amendment 40

Davor Škrlec

Draft opinion

Paragraph 4 – point c a (new)

Draft opinion

Amendment

(ca) the Commission and Commission representatives to increase the number of their on-the spot-audits;

Or. en

Amendment 41

Pina Picierno

Draft opinion
Paragraph 4 – point c a (new)

Draft opinion

Amendment

(ca) the Member States to make all necessary efforts when implementing the recently adopted public procurement and concessions directives.

Or. it

Amendment 42
Pascal Arimont

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Calls on the Member States to quickly transpose into their national law the adopted directives on public procurement, on procurement by entities operating in the utilities sectors: water, energy, transport and postal services, and on the award of concession contracts;

Or. en

Amendment 43
Martina Anderson, Josu Juaristi Abaunz, Martina Michels, Ángela Vallina

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Notes that in order to effectively tackle irregularities, whether fraudulent or non-fraudulent, adequate resources need to be available particularly in relation to the administrative capacity thematic objective;

Amendment 44
Marc Joulaud

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Points out that cohesion policy reform has led to decentralized EU fund management; calls on Member States to educate and empower new local management authorities to effectively combat fraud and irregularities;

Or. fr

Amendment 45
Pascal Arimont

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. Calls on the European institutions and the Member States to assess at mid-term if the new regulatory architecture of the cohesion policy further prevents and reduces the risk of irregularities as well as to evaluate a greater regulatory simplification of the existing rules;

Or. en

Amendment 46
Martina Anderson, Josu Juaristi Abaunz, Martina Michels, Ángela Vallina, Younous Omarjee

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. Recalls its deep concern regarding the unpaid bills of the EU; believes that this issue must be addressed when fighting irregularities;

Or. en

Amendment 47
Marc Joulaud

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. Notes that it may be useful to allow local management authorities to seek answers directly from the Commission regarding the technical aspects of cohesion policy implementation and thus help them combat any fraud or irregularity; asks the Commission to assess the possibility of establishing a single, direct point of contact between it and the local management authorities to this end.

Or. fr

Amendment 48
Martina Anderson, Josu Juaristi Abaunz, Martina Michels, Ángela Vallina

Draft opinion
Paragraph 4 c (new)

Draft opinion

Amendment

4c. Notes the large amounts of funding that are wasted and lost from EU Programmes due to non-fraudulent and

fraudulent irregularities and that this is particularly deplorable given the current economic difficulties in EU Member States, cuts to the EU budget in 2014-2020 period and the climate of austerity.

Or. en