

Financing instrument for development cooperation - banana accompanying measures *III**

European Parliament legislative resolution of 1 December 2011 on the joint text approved by the Conciliation Committee for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1905/2006 establishing a financing instrument for development cooperation (PE-CONS 00059/2011 – C7-0379/2011 – 2010/0059(COD))
(Ordinary legislative procedure: third reading)

The European Parliament,

- having regard to the joint text approved by the Conciliation Committee and the relevant Parliament, Council and Commission statements (PE-CONS 00059/2011 – C7-0379/2011),
 - having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(2010)0102),
 - having regard to its position at second reading² on the Council position at first reading³,
 - having regard to the Commission's opinion on Parliament's amendments to the Council position at first reading (COM(2011)0179),
 - having regard to the Council position at second reading,
 - having regard to Article 294(13) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 69 of its Rules of Procedure,
 - having regard to the report of its delegation to the Conciliation Committee (A7-0403/2011),
1. Approves the joint text;
 2. Declares that it is ready to accept the compromise package, in a spirit of compromise, as the remaining duration of the current instruments is rather short; regrets that due to Council's rigidity it was not possible to further improve the text of the DCI/BAM instrument, in particular in relation to Parliament's role in strategic decisions, where an equal footing between the co-legislators is essential; underlines that this result does not set a precedent for the future negotiations on the post-2013 external financing instruments; declares that, in accordance with the criteria defined in Article 290(1) of the Treaty on the Functioning of the European Union, it will insist on the use of delegated acts wherever strategic political decisions are involved on financing and programming with regard to those instruments;
 3. Confirms the joint statement by Parliament and the Council annexed to this resolution;

¹ Texts adopted of 21.10.2010, P7_TA(2010)0382.

² Texts adopted of 3.2.2011, P7_TA(2011)0030.

³ OJ C 7 E, 12.1.2011, p. 17.

4. Takes note of the Commission statement annexed to this resolution;
5. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
6. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication, together with the statements by Parliament, the Council and the Commission thereon, in the *Official Journal of the European Union*;
7. Instructs its President to forward this legislative resolution to the Council, the Commission and the national parliaments.

Annex to the legislative resolution

Commission statement for the Banana Accompanying Measures (BAM) programme within the Development Cooperation Instrument (DCI)

In the specific case of the Banana Accompanying Measures (BAM) and in view of the rationale and the objectives of the programme as set out in Article 17a of the financing instrument for development cooperation (DCI), the European Commission confirms that, in determining the indicative country allocations, it will apply a methodology in an objective and uniform manner that takes account of the importance of the banana sector and the economic and developmental realities of each eligible beneficiary country.

The Commission declares that it intends to apply a methodology which will give approximately equal weight to the first two criteria, whilst the third criterion will be used as a development coefficient. The objective of this methodology is to give equivalent importance across all beneficiary countries to their level of trade in bananas with the European Union and the importance of banana exports to the Union to the economies of each beneficiary country. The relative level of development will modulate the allocations in favour of countries with lower development levels, in line with the Union's development objectives as set out in the Treaties and the DCI.

Statement by the European Parliament and the Council on the use of Delegated Acts in the future Multiannual Financial Framework (MFF) 2014-2020

The European Parliament and the Council take note of the Commission Communication "A Budget for Europe 2020" (COM(2011)0500¹), in particular in relation to the proposed use of

¹ The Commission in its Communication: "A budget for Europe 2020" (COM(2011)0500), states that:
"Furthermore, the future legal bases for the different instruments will propose the extensive use of delegated acts to allow for more flexibility in the management of the policies during the financing period, while respecting the prerogatives of the two branches of legislator."
and
"It is considered that democratic scrutiny of external aid must be improved. This could be achieved by the use of delegated acts in accordance with Article 290 of the Treaty for certain aspects of programmes, not only placing the co-legislators on an equal footing but also ensuring more flexibility in programming. For the EDF, it is proposed to bring scrutiny into line with the DCI, whilst taking into account the specificities of this instrument".

delegated acts in the future external financing instruments and await legislative proposals, which will be duly considered.