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Committee on Development

2011/0281(COD)

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AMENDMENTS

10 - 28

Draft opinion
Birgit Schnieber-Jastram
(PE485.893v01-00)

on the proposal for a regulation of the European Parliament and of the Council
establishing a common organisation of the markets in agricultural products
(Single CMO Regulation)

Proposal for a regulation
(COM(2011)0626 – C7-0339/2011 – 2011/0281(COD))

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United in diversity

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Amendment 10
Franziska Keller
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The reform should ensure that, in accordance with Article 208 of the Treaty on the Functioning of the European Union (TFEU), objectives of development cooperation, including those approved in the context of the United Nations and other international organisations, are taken into account by the CAP. Measures taken under this regulation should neither undermine the right of people and sovereign states to democratically determine their own agricultural and food policies nor jeopardize the food production capacity and long term food security of developing countries, in particular least developed countries (LDCs), and such measures should contribute to achieving the Union's commitments on mitigating climate change.

Or. en

Amendment 11
Franziska Keller
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 34

Text proposed by the Commission

Amendment

(34) The production and marketing of fruit and vegetables should fully take into account environmental concerns, including

(34) The production and marketing of fruit and vegetables should fully take into account environmental concerns, including

cultivation practices, management of waste materials and disposal of products withdrawn from the market, in particular as regards protection of water quality, maintenance of biodiversity and the upkeep of the countryside.

cultivation practices, management of waste materials and disposal of products withdrawn from the market, in particular as regards protection of water quality, maintenance of biodiversity and the upkeep of the countryside. ***Priority should be given to fair trade products.***

Or. en

Amendment 12

Franziska Keller

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 83

Text proposed by the Commission

(83) Specific instruments will still be needed after the end of the quota system to ensure a fair balance of rights and obligations between sugar undertakings and sugar beet growers. Therefore, the standard provisions governing agreements between them should be established.

Amendment

(83) Specific instruments will still be needed after the end of the quota system to ensure a fair balance of rights and obligations, ***transparency in price-formation and fair contractual arrangements*** between sugar undertakings and sugar beet growers, ***especially from developing countries***. Therefore, the standard provisions governing agreements between them should be established.

Or. en

Amendment 13

Carlos Coelho

Proposal for a regulation

Recital 84 a (new)

Text proposed by the Commission

Amendment

(84a) In order to allow for the specific features of the sugar sector, the Commission should ensure a fair balance between the rights and obligations of

sugar producers and guarantee that all stakeholders can have access to raw materials on an equal footing.

Or. pt

Justification

The Single CMO must allow for the interests of the different sugar sector operators, including beet growers, processors, isoglucose producers, and full-time cane sugar refiners.

Amendment 14

Franziska Keller, Norbert Neuser, Åsa Westlund

Proposal for a regulation

Recital 94

Text proposed by the Commission

(94) A single market involves a trading system at the external borders of the Union. That trading system should include import duties and export refunds and should, in principle, stabilise the Union market. The trading system should be based on the undertakings accepted under the Uruguay Round of multilateral trade negotiations and in bilateral agreements.

Amendment

(94) A single market involves a trading system at the external borders of the Union. That trading system should include import duties and ***should continue to include, for a limited period,*** export refunds and should, in principle, stabilise the Union market. The trading system should be based on the undertakings accepted under the Uruguay Round of multilateral trade negotiations and in bilateral agreements, ***and take into account the Union's development objectives and commitments towards developing countries as well as the commitment of the 2005 WTO ministerial declaration of eliminating all forms of export subsidies until 2013.***

Or. en

Amendment 15

Franziska Keller, Norbert Neuser

Proposal for a regulation

Recital 105

Text proposed by the Commission

(105) The customs duty system makes it possible to dispense with all other protective measures at the external borders of the Union. The internal market and duty mechanism could, in exceptional circumstances, prove to be inadequate. In such cases, in order not to leave the Union market without defence against disturbances that might ensue, the Union should be able to take all necessary measures without delay. Such measures should comply with the international commitments of the Union.

Amendment

(105) The customs duty system makes it possible to dispense with all other protective measures at the external borders of the Union. The internal market and duty mechanism could, in exceptional circumstances, prove to be inadequate. In such cases, in order not to leave the Union market without defence against disturbances that might ensue, the Union should be able to take all necessary measures without delay. Such measures should comply with the international commitments of the Union ***and policy coherence for development.***

Or. en

Amendment 16

Franziska Keller, Norbert Neuser, Åsa Westlund

Proposal for a regulation

Recital 107

Text proposed by the Commission

(107) Provisions for granting refunds on exports to third countries, based on the difference between prices within the Union and on the world market, and falling within the limits set by the commitments made within the WTO, should serve to safeguard the Union's participation in international trade in certain products falling within this Regulation. Subsidised exports should be subject to limits in terms of value and quantity.

Amendment

(107) Provisions for granting refunds on exports to third countries, based on the difference between prices within the Union and on the world market, and falling within the limits set by the commitments made within the WTO, should serve to safeguard the Union's participation in international trade in certain products falling within this Regulation. Subsidised exports should be subject to limits in terms of value and quantity ***and should not jeopardise the food production capacity and long-term food security of developing countries. Export refunds should be phased out by 2013 according to the commitment of the 2005 WTO ministerial declaration.***

Or. en

Amendment 17
Gesine Meissner

Proposal for a regulation
Recital 107

Text proposed by the Commission

(107) Provisions for granting refunds on exports to third countries, based on the difference between prices within the Union and on the world market, and falling within the limits set by the commitments made within the WTO, should serve to safeguard the Union's participation in international trade in certain products falling within this Regulation. Subsidised exports should be subject to limits in terms of value and quantity.

Amendment

(107) Provisions for granting refunds on exports to third countries, based on the difference between prices within the Union and on the world market, and falling within the limits set by the commitments made within the WTO, should serve to safeguard the Union's participation in international trade in certain products falling within this Regulation. Subsidised exports should be subject to limits in terms of value and quantity. ***Export refunds should be phased out by 2016.***

Or. en

Amendment 18
Åsa Westlund, Norbert Neuser

Proposal for a regulation
Recital 136 a (new)

Text proposed by the Commission

Amendment

(136a) In order to ensure policy coherence for development, no export refunds shall be granted for exports to developing countries. Until the phasing-out effectively takes place, the Union should not use export subsidies for exports to LDC or ACP countries.

Or. en

Amendment 19
Franziska Keller
on behalf of the Verts/ALE Group

Proposal for a regulation
Part 1 – article 2 a (new)

Text proposed by the Commission

Amendment

Article 2a

Policy coherence for development

In accordance with Article 208 TFEU, objectives of development cooperation, including those approved in the context of the United Nations and other international organisations, shall be taken into account in the implementation of this regulation. Measures taken under this regulation shall neither undermine the right of people and sovereign states to democratically determine their own agricultural and food policies nor jeopardise the food production capacity and long-term food security of developing countries, in particular of least developed countries (LDCs). Such measures shall furthermore contribute to achieving the Union's commitments on mitigating climate change.

Or. en

Amendment 20
Franziska Keller
on behalf of the Verts/ALE Group

Proposal for a regulation
Part 2 – article 21 – paragraph 3

Text proposed by the Commission

Amendment

3. When drawing up their strategies, Member States shall draw up a list of products of the fruit and vegetables, processed fruit and vegetables, and

3. When drawing up their strategies, Member States shall draw up a list of products of the fruit and vegetables, processed fruit and vegetables, and

bananas sectors that will be eligible under their respective schemes. This list, however, shall not include products excluded by the measures adopted by the Commission by means of delegated acts pursuant to point (a) of Article 22(2). Member States shall choose their products on the basis of objective criteria which may include seasonality, availability of produce or environmental concerns. In this connection, Member States may give preference to products originating in the Union.

bananas sectors that will be eligible under their respective schemes, ***taking into account in particular fair trade products.*** This list, however, shall not include products excluded by the measures adopted by the Commission by means of delegated acts pursuant to point (a) of Article 22(2). Member States shall choose their products on the basis of objective criteria which may include seasonality, availability of produce or environmental concerns. In this connection, Member States may give preference to products originating in the Union.

Or. en

Amendment 21

Franziska Keller

on behalf of the Verts/ALE Group

Proposal for a regulation

Part 3 – article 118 – paragraph 2 – point a

Text proposed by the Commission

(a) define the rights and obligations deriving from the licence, its legal effects, a tolerance as regards the respect of the obligation to import or export, and the indication of the origin and provenance where that is compulsory;

Amendment

(a) define the rights and obligations deriving from the licence, ***including evidence that the export has no harmful effect on local producers in developing countries,*** its legal effects, a tolerance as regards the respect of the obligation to import or export, and the indication of the origin and provenance where that is compulsory;

Or. en

Amendment 22

Franziska Keller

on behalf of the Verts/ALE Group

Proposal for a regulation

Part 3 – article 120 – paragraph 1 – point b

Text proposed by the Commission

(b) reject the quantities applied for; and

Amendment

(b) reject the quantities applied for ***in case the product has harmful effects on local producers in developing countries***; and

Or. en

Amendment 23

Franziska Keller

on behalf of the Verts/ALE Group

Proposal for a regulation

Part 3 – article 131 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Safeguard measures can be taken by third countries when exports from the Union pose a risk to local consumers and food security in developing countries in accordance with the Union's commitment to policy coherence for development.

Or. en

Amendment 24

Franziska Keller

on behalf of the Verts/ALE Group

Proposal for a regulation

Part 3 – article 136 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In order to ensure policy coherence for development and since there is a risk that the export of the product concerned is harmful to local producers, no export refunds shall be granted for exports to developing countries. Until the phasing-out effectively takes place, the Commission shall be empowered to adopt

delegated acts in accordance with Article 160 of this regulation to define the conditions and procedures for granting export refunds for exports to developing countries.

Or. en

Amendment 25

Franziska Keller, Norbert Neuser, Åsa Westlund

Proposal for a regulation

Part 5 – article 157 – paragraph 1 – subparagraph 1

Text proposed by the Commission

For the purposes of applying this Regulation, monitoring, analysing and managing the market in agricultural products, ensuring market transparency, the proper functioning of CAP measures, of checking, controlling, monitoring, evaluating and auditing CAP measures, implementing international agreements, including notification requirements under those agreements, the Commission may in accordance with the procedure referred to in paragraph 2 adopt the necessary measures regarding communications to be made by undertakings, Member States and/or third countries. In so doing it shall take into account the data needs and synergies between potential data sources.

Amendment

For the purposes of applying this Regulation, monitoring, analysing and managing the market in agricultural products, ensuring market transparency, the proper functioning of CAP measures, of checking, controlling, monitoring, evaluating and auditing CAP measures, implementing international agreements ***and policy coherence for development***, including notification requirements under those agreements, the Commission may in accordance with the procedure referred to in paragraph 2 adopt the necessary measures regarding communications to be made by undertakings, Member States and/or third countries. In so doing it shall take into account the data needs and synergies between potential data sources, ***also taking into account data from third countries***.

Or. en

Amendment 26

Franziska Keller, Norbert Neuser, Åsa Westlund

Proposal for a regulation

Part 5 – article 159 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the food facility in case of high food prices at global level and a risk of famine in developing countries.

Or. en

Amendment 27

Franziska Keller, Norbert Neuser, Åsa Westlund

Proposal for a regulation

Part 6 – article 165 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Articles 133 to 141 shall apply until 31 December 2013.

Or. en

Justification

Export refunds are clearly a trade distorting instrument. Despite the considerable restraint in recent years by the EU as regards this instrument, its possible use continues to pose a risk to vulnerable producers in developing countries. The CAP regulation should set a clear date for the complete suppression of this policy instrument.

Amendment 28

Gesine Meissner

Proposal for a regulation

Part 6 – article 165 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Articles 133 to 141 shall apply until 31 December 2016.

Or. en