



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Development

2011/0413(COD)

8.5.2012

DRAFT OPINION

of the Committee on Development

for the Committee on Foreign Affairs

on the proposal for a regulation of the European Parliament and of the Council
establishing an Instrument for Stability
(COM(2011)0845 – C7-0497/2011 – 2011/0413(COD))

Rapporteur: Cristian Dan Preda

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SHORT JUSTIFICATION

The creation in 2007 of the Instrument for Stability (IfS) was an important innovation in the improvement of the EU's crisis response capacity and it has since effectively addressed the security and development nexus, proving to be a strategic tool and increasing the EU's capacity for action in crisis situations.

The EU's reaction time in responding to crisis situations is now approximately eight weeks and funding can be provided for measures lasting up to 18 months. The long-term component of the IfS also enables the EU to respond to specific, potentially destabilizing global and trans-regional threats and to contribute to strengthening the capacity of international, regional and other organizations to respond to pre- and post-crisis situations.

There is, however, still room for improvement. The Commission proposal is to be welcomed, insofar as it seeks to maintain the main characteristics of the IfS, while streamlining its provisions to enhance the trademark flexibility of this instrument.

Also to be welcomed is the proposed budget of EUR 2 828 900 000 allocated to the IfS in the next MFF, a 42% increase, although it remains to be seen if this increase is sufficient. Recent events surrounding the Arab spring have demonstrated that the EU still lacks effective short- and medium-term instruments to end conflicts and to reduce violence during immediate transition phases. If there is truly political will to make the IfS an effective instrument, its future funding should be substantially increased.

The Commission's proposal reserves a minimum of 65% for assistance in response to situations of crisis or emerging crisis to prevent conflict. As the current allocation for actions under article 3 is approximately 73%, this may signal a change of approach with the long-term component gaining comparatively in importance. However, it should be made clear that actions under article 4 should be allocated at least 20% of the funding available for the IfS.

It is also important to strengthen the aspects related to linking relief, rehabilitation and development (LRRD) in some of the provisions and to increase the overall coherence of the new legal text by including special provisions on the annual action programmes as well as special measures. The current revision to simplify the operation of the IfS should not be done at the expense of clarity of the types of implementing measures that can be adopted. It is equally preferable to have specific provisions on the evaluation of the measures adopted under the IfS. Furthermore, the performance indicators for the various types of assistance should be clarified. Finally, although the IfS has become a mature instrument, the inclusion of a review clause seems warranted and could be used to improve coherence between the interventions of the member states and the EU.

AMENDMENTS

The Committee on Development calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Preserving peace, preventing conflicts, strengthening international security **and** assisting populations, countries and regions confronting natural or man-made disasters are among the prime objectives of the Union's external action as defined in article 21 of the Treaty on European Union. Crises and conflicts affecting countries world-wide and other factors such as terrorism, organised crime, climate change, cyber security challenges and threats and natural disasters pose a risk to world stability and security. In order to address these issues in an effective and timely manner, specific financial resources and financing instruments are required that can work in a manner complementary to humanitarian aid and long-term cooperation instruments.

Amendment

(2) Preserving peace, preventing conflicts, strengthening international security, assisting populations, countries and regions confronting natural or man-made disasters, **and fostering the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty** are among **the principles and** the prime objectives of the Union's external action as defined in article 21 of the Treaty on European Union. Crises and conflicts affecting countries world-wide and other factors such as terrorism, organised crime, climate change, cyber security challenges and threats and natural disasters pose a risk to world stability and security. In order to address these issues in an effective and timely manner, specific financial resources and financing instruments are required that can work in a manner complementary to humanitarian aid and long-term cooperation instruments.

Or. en

Amendment 2

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) Regulation (EC) No 1717/2006 was adopted with the objective of enabling the Union to provide a consistent and integrated response to situations of crisis and emerging crisis, to address specific trans-regional security threats and to

Amendment

(3) Regulation (EC) No 1717/2006 was adopted with the objective of enabling the Union to provide a consistent and integrated response to situations of crisis and emerging crisis, to address specific trans-regional security threats and to

enhance crisis preparedness. This Regulation aims at introducing a revised Instrument, building on the experience of the previous one, in order to increase the efficiency and coherence of the Union's actions in the areas of conflict prevention and crisis response, crisis preparedness and peace-building and in addressing security threats, including climate *security*.

enhance crisis preparedness. This Regulation aims at introducing a revised Instrument, building on the experience of the previous one, in order to increase the efficiency and coherence of the Union's actions in the areas of conflict prevention and crisis response, crisis preparedness and peace-building and in addressing security threats, including *through* climate *action and measures enhancing population resilience to natural disasters*.

Or. en

Amendment 3

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) The European Consensus on Development¹, adopted by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the Commission on 22 November 2005 and welcomed by the European Council on 15 and 16 December 2005, states that the Community, within the respective competences of its institutions, will develop a comprehensive prevention approach to state fragility, conflict, natural disasters and other types of crises, to which goal this Regulation should contribute.

¹ *OJ C 46, 24.2.2006, p. 1.*

Or. en

(Reproduces paragraph 4 of Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006 establishing an Instrument for Stability – OJ L 327/1, 24.11.2006, p. 1)

Amendment 4

Proposal for a regulation

Article 1 – paragraph 2 – point b

Text proposed by the Commission

(b) to prevent conflicts, ensure preparedness to address pre- and post-crisis situations and build peace;

Amendment

(b) to prevent conflicts, ensure **capacity** **and** preparedness to address pre- and post-crisis situations and build peace;

Or. en

Amendment 5

Proposal for a regulation

Article 1 – paragraph 2 – point c

Text proposed by the Commission

(c) to address specific global and trans-regional threats having a destabilising effect, including climate change.

Amendment

(c) to address specific global and trans-regional threats having a **potentially** destabilising effect, including climate change, **inter alia by building the capacity of local actors.**

Or. en

Amendment 6

Proposal for a regulation

Article 3 – paragraph 2

Text proposed by the Commission

2. Technical and financial assistance referred to in paragraph 1 **may** cover the detailed areas specified in Annex I. The performance indicator for assistance shall be the percentage of projects adopted within 3 months of a crisis context.

Amendment

2. Technical and financial assistance referred to in paragraph 1 **shall** cover the detailed areas specified in Annex I. The performance indicator for assistance shall be the percentage of projects adopted within 3 months of a crisis context.

Or. en

Amendment 7

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

2. Technical and financial assistance referred to in paragraph 1 **may** cover the detailed areas specified in Annex II. The performance indicator for the assistance shall be the degree to which recipients' capacities to prevent conflicts address pre- and post-conflict situations and build peace have been strengthened.

Amendment

2. Technical and financial assistance referred to in paragraph 1 **shall** cover the detailed areas specified in Annex II. The performance indicator for the assistance shall be the degree to which recipients' capacities to prevent conflicts address pre- and post-conflict situations and build peace have been strengthened.

Or. en

Amendment 8

Proposal for a regulation Article 6 – paragraph 1 – introductory wording

Text proposed by the Commission

I. Union assistance shall be implemented in accordance with the Common Implementing Regulation and through the following programming documents and financial implementation measures:

Amendment

Union assistance shall be implemented in accordance with the Common Implementing Regulation and through the following programming documents and financial implementation measures:

Or. en

Amendment 9

Proposal for a regulation Article 7 – paragraph 8

Text proposed by the Commission

8. The Commission shall keep the European Parliament regularly informed about its planning of Union assistance

Amendment

8. The Commission shall keep the European Parliament regularly informed about its planning of Union assistance

under *Article 3*.

under *Articles 3, 4 and 5*.

Or. en

Amendment 10

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

1. Thematic Strategy Papers shall constitute the general basis for the implementation of assistance under Article 4 and 5. Thematic Strategy Papers shall provide a framework for cooperation between the Union and the partner country or regions concerned, consistent with the overall purpose and scope, objectives, principles and policy of the Union.

Amendment

1. Thematic Strategy Papers shall constitute the general basis for the implementation of assistance under Article 4 and 5. Thematic Strategy Papers shall provide a framework for cooperation between the Union and the partner country or regions concerned, consistent with the overall purpose and scope, objectives, principles and policy of the Union, ***and in line with the needs of the partner country or regions concerned.***

Or. en

Amendment 11

Proposal for a regulation Article 8 – paragraph 2

Text proposed by the Commission

2. The preparation and implementation of Thematic Strategy papers shall implement the principles of aid effectiveness: partnership, coordination, and harmonisation. To that end, Thematic Strategy Papers shall be consistent with, and avoid duplication of programming documents approved or adopted under other Union instruments for external assistance. Thematic Strategy Papers shall, in principle, be based on a dialogue of the EU and, where appropriate, the relevant

Amendment

2. The preparation and implementation of Thematic Strategy papers shall implement the principles of aid effectiveness: partnership, coordination, and harmonisation. To that end, Thematic Strategy Papers shall be consistent with, and avoid duplication of programming documents approved or adopted under other Union instruments for external assistance. Thematic Strategy Papers shall, in principle, be based on a dialogue of the EU and, where appropriate, the relevant

Member States, with the partner country or regions concerned involving civil society and regional and local authorities, so as to ensure that the country or regions concerned takes sufficient ownership of the process. The Union and its Member States shall consult each other at an early stage of the programming process in order to promote consistency and complementarity among their cooperation activities.

Member States **and other donors**, with the partner country or regions concerned involving civil society and regional and local authorities, so as to ensure that the country or regions concerned takes sufficient ownership of the process. The Union and its Member States shall consult each other at an early stage of the programming process in order to promote consistency and complementarity among their cooperation activities.

Or. en

Amendment 12

Proposal for a regulation Article 8 – paragraph 4

Text proposed by the Commission

4. Thematic Strategy Papers shall be approved and Multiannual Indicative Programmes shall be adopted by the Commission in accordance with the examination procedure referred to in Article 15 (3) of the Common Implementing Regulation. This procedure shall also apply to substantial reviews which have the effect of modifying significantly the strategy or its programming.

Amendment

4. Thematic Strategy Papers shall be approved and Multiannual Indicative Programmes shall be adopted by the Commission in accordance with the examination procedure referred to in Article 15 (3) of the Common Implementing Regulation, **and in consultation, where appropriate, with the partner country or regions concerned.** This procedure shall also apply to substantial reviews which have the effect of modifying significantly the strategy or its programming.

Or. en

Amendment 13

Proposal for a regulation Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8a

Annual Action Programmes

1. Annual Action Programmes shall set out measures to be adopted on the basis of the Thematic Strategy Papers and Multi-annual Indicative Programmes referred to in Article 8.

2. Annual Action Programmes shall specify the objectives to be pursued, the fields of intervention, the expected results, the management procedures and the total amount of financial allocation. They shall contain a summary description of the operations to be financed, an indication of the amounts allocated for each operation and an indicative implementation timetable. Where relevant, they shall include the results of any lessons learned from previous assistance. Objectives shall be measurable.

3. Annual Action Programmes and any revision or extension thereof shall be adopted in accordance with the rules and procedures laid down in Article 2 of the Common Implementing Regulation.

Or. en

Amendment 14

Proposal for a regulation Article 8 b (new)

Text proposed by the Commission

Amendment

Article 8b

Special Measures

1. Notwithstanding Articles 7, 8 and 8a, in the event of unforeseen and duly justified needs, circumstances or commitments, the Commission may adopt Special Measures not provided for in the Exceptional Assistance Measures and Interim Response Programmes referred to in Article 7, Thematic Strategy Papers and Multi-annual Indicative Programmes referred to in Article 8 or the Annual Action Programmes referred to in Article 8a.

2. Special Measures shall specify the objectives, the areas of activity, the expected results, the management procedures used and the total amount of financial allocation. They shall contain a description of the operations to be financed, an indication of the amounts allocated for each operation and an indicative implementation timetable.

3. Special Measures shall be adopted in accordance with the rules and procedures laid down in Article 2 of the Common Implementing Regulation.

Or. en

Amendment 15

Proposal for a regulation Article 8 c (new)

Text proposed by the Commission

Amendment

Article 8c

Evaluation

1. The Commission shall regularly evaluate the results and efficiency of policies and programmes and the effectiveness of programming, where appropriate by means of independent external evaluations, in order to ascertain whether the objectives have been met and

to enable it to formulate recommendations with a view to improving future operations, as provided for in Article 12 of the Common Implementing Regulation.

2. In the context of those evaluations, the Commission shall, in particular, focus on further operationalising and refining of the performance indicators mentioned in Articles 3, 4 and 5.

Or. en

Amendment 16

Proposal for a regulation Article 13 – paragraph 2

Text proposed by the Commission

In the period 2014 to 2020 at least 65 percentage points of the financial envelope shall be allocated to measures falling under Article 3.

Amendment

In the period 2014 to 2020 at least 65 percentage points of the financial envelope shall be allocated to measures falling under Article 3, **and at least 20 percentage points to measures falling under Article 4.**

Or. en

Amendment 17

Proposal for a regulation Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13a

Report

The Commission shall submit to the European Parliament and the Council, by 31 December 2017, a report evaluating the implementation of this Regulation in the first four years, if appropriate with a proposal for modifications to this Regulation.

Amendment 18

Proposal for a regulation Article 14 – paragraph 2

Text proposed by the Commission

It shall apply from 1 January 2014.

Amendment

It shall apply from 1 January 2014 **to 31 December 2020**.

Or. en

Amendment 19

Proposal for a regulation Annex II – introductory wording

Text proposed by the Commission

Technical and financial assistance referred to in Article 4 **may** cover support for measures aimed at building and strengthening the capacity of the EU and its partners to prevent conflict, build peace and address pre- and post-crisis needs in close coordination with international, regional and sub-regional organisations, state and non-state actors in relation to their efforts in:

Amendment

Technical and financial assistance referred to in Article 4 **shall** cover support for measures aimed at building and strengthening the capacity of the EU and its partners to prevent conflict, build peace and address pre- and post-crisis needs in close coordination with international, regional and sub-regional organisations, state and non-state actors in relation to their efforts in:

Or. en

Amendment 20

Proposal for a regulation Annex III – point 1 – subparagraph 2 – introductory wording

Text proposed by the Commission

assistance **may** cover support for measures

Amendment

assistance **shall** cover support for measures

aimed at:

aimed at:

Or. en

Amendment 21

Proposal for a regulation

Annex III – point 2 – subparagraph 2 – introductory wording

Text proposed by the Commission

Amendment

assistance **may** cover support for measures
aimed at:

assistance **shall** cover support for measures
aimed at:

Or. en