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*Committee on Foreign Affairs*

**2011/0405(COD)**

24.5.2012

# ***I
# DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Committee on Foreign Affairs

Rapporteur: Eduard Kukan

### *Symbols for procedures*

| | |
|---|---|
| * | Consultation procedure |
| *** | Consent procedure |
| ***I | Ordinary legislative procedure (first reading) |
| ***II | Ordinary legislative procedure (second reading) |
| ***III | Ordinary legislative procedure (third reading) |

(The type of procedure depends on the legal basis proposed by the draft act.)

### *Amendments to a draft act*

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: **[...]**.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument (COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament*,

– having regard to the Commission proposal to Parliament and the Council (COM(2011)0839),

– having regard to Article 294(2) and Articles 209(1) and 212(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0492/2011),

– having regard to Article 294(3) of the Treaty on the Functioning of the European Union,

– having regard to Rule 55 of its Rules of Procedure,

– having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Development, the Committee on International Trade, the Committee on Budgets, the Committee on Employment and Social Affairs, the Committee on Industry, Research and Energy, the Committee on Regional Development, the Committee on Culture and Education and the Committee on Women's Rights and Gender Equality (A7-0000/2012),

1. Adopts its position at first reading hereinafter set out;

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;

3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**Amendment 1**

**Proposal for a regulation**
**Recital 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (3) The ***Union seeks to promote, develop and consolidate the values of liberty, democracy, respect for*** human rights and | (3) The ***Union's action on the international scene should be guided by the principles which have inspired its own*** |

| | |
|---|---|
| fundamental freedoms, ***principles*** of equality ***and the rule of law on which it is founded through dialogue and cooperation with third countries***. | ***creation, development and enlargement, and which it seeks to advance in the wider world, namely democracy,*** the rule of law, ***the universality and indivisibility of*** human rights and fundamental freedoms, ***respect for human dignity, the principle*** of equality ***and solidarity and respect for the principles of the United Nations Charter and international law***. |

Or. en

**Amendment 2**

**Proposal for a regulation**
**Recital 3 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(3a) The Union's external action under the instrument established by this Regulation should have an impact reflected in concrete changes in the partner countries. That impact should whenever possible be monitored and assessed on the basis of pre-defined, clear, transparent and measurable indicators.*** |

Or. en

**Amendment 3**

**Proposal for a regulation**
**Recital 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (4) Since it was launched, the European Neighbourhood Policy has ***significantly*** strengthened relations with partner countries and brought tangible benefits to both the Union and its partners. | (4) Since it was launched, the European Neighbourhood Policy has strengthened relations with partner countries and brought tangible benefits to both the Union and its partners***, including the launch of regional initiatives and support to democratisation in the region. However, a*** |

***number of major developments in the Neighbourhood have shown the need for a revised policy, based on enhanced support to partners committed to democratic reforms in line with the "more for more" principle, greater flexibility, mutual accountability, partnership with societies and a more tailor-made approach towards the individual partner countries***.

Or. en

**Amendment 4**

**Proposal for a regulation**
**Recital 4 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(4a) The revised European Neighbourhood Policy was set out in 2011 following a comprehensive strategic review of the Policy. In order to achieve the objectives of the Policy, it is necessary to establish strong and clear links between the Policy framework and the support to be provided under the instrument established by this Regulation.*** |

Or. en

**Amendment 5**

**Proposal for a regulation**
**Recital 6**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (6) Two main political initiatives have shaped the regional cooperation in the European Union's Neighbourhood: the Eastern Partnership between the Union and its Eastern neighbours, and the Union for | (6) Two main political initiatives have shaped the regional cooperation in the European Union's Neighbourhood: the Eastern Partnership between the Union and its Eastern neighbours, and the Union for |

| | |
|---|---|
| the Mediterranean ***between the Union and its Southern Mediterranean neighbours***. These initiatives are meaningful political frameworks for deepening relations with and among partner countries, based on principles of shared ownership and responsibility. | the Mediterranean ***in the Southern Neighbourhood***. These initiatives are meaningful political frameworks for deepening relations with and among partner countries, based on principles of ***mutual accountability,*** shared ownership and responsibility. |

Or. en

**Amendment 6**

**Proposal for a regulation**
**Recital 7**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(7) A number of major developments have taken place since the European Neighbourhood Policy was launched and the European Neighbourhood and Partnership Instrument was set up. These include a deepening of the relationship with the partners, the launch of regional initiatives and democratic transition processes in the region. This triggered a new European Neighbourhood Policy vision set out in 2011 as a result of a comprehensive Strategic Review of the Policy. It outlines key objectives for Union cooperation with Neighbourhood countries and provides for greater support to partners committed to building democratic societies and undertaking reforms, in line with the 'more for more' and 'mutual accountability' principles.*** | ***deleted*** |

Or. en

**Amendment 7**

**Proposal for a regulation**
**Recital 7 a (new)**

| *Text proposed by the Commission* | *Amendment* |
| --- | --- |
| | ***(7a) In order to achieve the objectives of the European Neighbourhood Policy, it is necessary to ensure a fair balance between the Eastern and Southern dimensions of the Policy, while securing an adequate degree of flexibility.*** |

Or. en

**Amendment 8**

**Proposal for a regulation**
**Recital 7 b (new)**

| *Text proposed by the Commission* | *Amendment* |
| --- | --- |
| | ***(7b) Democracy and human rights have been placed at the forefront of the Union's relations with the partner countries, and to that end new structures, such as the European Endowment for Democracy, are being established. Those structures should ensure complementarity, added value and coherence and should avoid duplication with activities carried out under the instrument established by this Regulation.*** |

Or. en

**Amendment 9**

**Proposal for a regulation**
**Recital 8**

| *Text proposed by the Commission* | *Amendment* |
| --- | --- |
| (8) Support under this Instrument and the | (8) Support under this Instrument and the |

| | |
|---|---|
| European Regional Development Fund should be provided for the Cross-Border Cooperation programmes along the external borders of the ***European*** Union between partner countries and Member States to promote integrated and sustainable regional development between neighbouring border regions and harmonious territorial integration across the Union and with neighbouring countries. | European Regional Development Fund should be provided for the Cross-Border Cooperation programmes along the external borders of the Union between partner countries and Member States to promote integrated and sustainable regional development ***and cooperation*** between neighbouring border regions and harmonious territorial integration across the Union and with neighbouring countries. |

Or. en

**Amendment 10**

**Proposal for a regulation**
**Recital 9**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (9) Furthermore, it is important to foster and facilitate cooperation for the common benefit of Union and its partners, notably through pooling of contributions from internal and external instruments of the Union budget, in particular for Cross-Border Cooperation***, *infrastructure projects*** of Union interest ***that will pass through*** Neighbourhood countries ***and other areas of cooperation***. | (9) Furthermore, it is important to foster and facilitate cooperation for the common benefit of Union and its partners, notably through pooling of contributions from internal and external instruments of the Union budget, in particular for Cross-Border Cooperation ***and other areas of cooperation*** of Union interest ***in the*** Neighbourhood countries. |

Or. en

**Amendment 11**

**Proposal for a regulation**
**Recital 9 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(9a) Coherence should be maintained between support under the instrument established by this Regulation and the*** |

***external dimension of the Union's internal policies.***

Or. en

**Amendment 12**

**Proposal for a regulation**
**Recital 11**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (11) It is expected that the *EU* Member States and Partner countries taking part in Cross Border Co-operation will provide national co-financing. This will strengthen country ownership, increase the financial resources at the disposal of the programmes and facilitate the participation of local actors. | (11) It is expected that the Member States, Partner countries ***and the Russian Federation*** taking part in Cross Border Co-operation will provide national co-financing. This will strengthen country ownership, increase the financial resources at the disposal of the programmes and facilitate the participation of local actors. |

Or. en

**Amendment 13**

**Proposal for a regulation**
**Recital 12 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(12a) For the purpose of harmonising the terminology used in this Regulation with that of the European Territorial Co-operation, the implementation documents for the Cross-Border Cooperation programmes should be called joint operational programmes.*** |

Or. en

**Amendment 14**

**Proposal for a regulation**
**Recital 13**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (13) Support to be provided to neighbouring developing countries within the framework established by the European Neighbourhood Policy should be coherent with the objectives and principles of the Union's external policies and in particular ***its*** development policy***, including the 'Joint Statement on a European Development Policy: the European Consensus', 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 December 2005***. | (13) Support to be provided to neighbouring developing countries within the framework established by the European Neighbourhood Policy should be coherent with the objectives and principles of the Union's external policies, in particular ***with the Common Foreign and Security Policy, with strategies relevant to the Neighbourhood and with the Union's*** development policy. |

Or. en

**Amendment 15**

**Proposal for a regulation**
**Recital 13 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(13a) The Union should seek the most efficient use of available resources in order to optimise the impact of its external action. This should be achieved through a comprehensive approach for each country based on complementarity, the creation of synergies and the mutual reinforcement of the programmes devised under this Regulation and the other external instruments of the Union.*** |

Or. en

**Amendment 16**

**Proposal for a regulation**
**Recital 13 b (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(13b) In order to ensure the visibility of the Union's assistance towards the citizens of the partner countries and those of the Union, there should where appropriate be proper, targeted communication by adequate means. Appropriate minimum requirements should be defined in this regard by the Commission in close cooperation with beneficiaries, and respect of those requirements should be monitored.*** |

Or. en

**Amendment 17**

**Proposal for a regulation**
**Recital 14**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(14) The Joint EU – Africa Strategy is of relevance for relations with the Mediterranean neighbours from North Africa.*** | ***deleted*** |

Or. en

**Amendment 18**

**Proposal for a regulation**
**Recital 15**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (15) The Union and its Member States should improve the coherence and the complementarity of their respective | (15) The Union and its Member States should improve the coherence and the complementarity of their respective |

| | |
|---|---|
| policies on cooperation with neighbouring countries. To ensure that the Union's cooperation and that of the Member States complement and reinforce each other, it is appropriate to provide for joint programming ***which should be implemented whenever possible and relevant***. | policies on cooperation with neighbouring countries. To ensure that the Union's cooperation and that of the Member States complement and reinforce each other, it is appropriate to provide for joint programming. |

Or. en

**Amendment 19**

**Proposal for a regulation**
**Recital 18**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (18) Furthermore, since the objectives of this Regulation, namely to promote enhanced political cooperation ***and*** progressive economic integration between the European Union and neighbouring countries, cannot be sufficiently achieved by the Member States and can, by reason of the scale of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives. | (18) Furthermore, since the objectives of this Regulation, namely to promote enhanced political cooperation***,*** progressive economic integration between the European Union and neighbouring countries, ***and strengthened partnership with societies,*** cannot be sufficiently achieved by the Member States and can, by reason of the scale of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives. |

Or. en

**Amendment 20**

**Proposal for a regulation**
**Recital 20 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(20a) A stable framework of cooperation with neighbouring countries in the area of energy and resources, consistent with the Union's internal market rules, contributes to enhancing the Union's security in that area.*** |

Or. en

**Amendment 21**

**Proposal for a regulation**
**Recital 22**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (22) The Union is committed to promote in relations with its partners worldwide decent work as well as ratification and effective implementation of the internationally recognised labour standards and multilateral environment agreements***, in relations with its partners worldwide***. | (22) The Union is committed to promote in relations with its partners worldwide decent work as well as ratification and effective implementation of the internationally recognised labour standards and multilateral environment agreements. |

Or. en

**Amendment 22**

**Proposal for a regulation**
**Recital 24**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(24) For the purpose of harmonising the terminology with the European Territorial Co-operation, the implementation documents for the Cross-Border Cooperation programmes should be called*** | ***deleted*** |

***joint operational programmes.***

Or. en

**Amendment 23**

**Proposal for a regulation**
**Recital 25**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***(25) In order for this Regulation to be able to reflect swiftly the results of political decisions made by the Council, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission for updating the list of beneficiary countries in the Annex to this Regulation.*** | ***deleted*** |

Or. en

**Amendment 24**

**Proposal for a regulation**
**Recital 26**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (26) While Regulation (EU) No …/… of the European Parliament and of the Council of …. (hereinafter "the Common Implementing Regulation") establishes common rules and procedures for the implementation of the Union's instruments for external action, delegated powers to adopt acts in accordance with Article 290 of the Treaty of the Functioning of the European Union should be conferred to the Commission for adopting the specific implementing measures required for the Cross-Border Cooperation mechanisms established in Title III of this Regulation. It | (26) While Regulation (EU) No …/… of the European Parliament and of the Council of …. (hereinafter ***referred to as*** "the Common Implementing Regulation") establishes common rules and procedures for the implementation of the Union's instruments for external action, delegated powers to adopt acts in accordance with Article 290 of the Treaty of the Functioning of the European Union should be conferred to the Commission for ***updating the list of beneficiary countries set out in the Annex to this Regulation, for*** adopting the specific implementing |

| | |
|---|---|
| is of particular importance that the Commission should carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should further ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council. | measures required for the Cross-Border Cooperation mechanisms established in Title III of this Regulation***, and for adopting strategic programming documents defining objectives, priorities, expected results and financial allocations in broad terms***. It is of particular importance that the Commission should carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should further ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and ***to the*** Council. |

Or. en

**Amendment 25**

**Proposal for a regulation**
**Recital 27**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (27) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. | (27) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. ***Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning the mechanisms of control by Member States of the Commission's exercise of implementing powers[1], and with the Common Implementing Regulation.*** |

***[1] OJ L 55, 28.2.2011, p. 13.***

Or. en

**Amendment 26**

**Proposal for a regulation**
**Recital 28**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (***28) The implementing powers relating to Article 7(1), (2), and (3) and to Article 9(1) should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers[1]. Taking into account the nature of those implementing acts, in particular their policy orientation nature or their financial implications, the examination procedure should in principle be used for their adoption, except for measures of a small financial scale.*** | ***deleted*** |

[1] ***OJ L 55, 28.2.2011, p. 13.***

Or. en

**Amendment 27**

**Proposal for a regulation**
**Article 1 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. ***The Union aims to establish*** an area of prosperity and good neighbourliness involving the European Union and the countries and territories listed in the Annex to this Regulation (hereinafter 'the partner countries') by developing a special relationship. | 1. ***This Regulation establishes a European Neighbourhood Instrument with a view to supporting the achievement of the Union's aim of establishing*** an area of ***democracy, stability,*** prosperity and good neighbourliness involving the European Union and the countries and territories listed in the Annex to this Regulation (hereinafter 'the partner countries') by |

developing a special relationship ***founded on the values of the Union***.

Or. en

**Amendment 28**

**Proposal for a regulation**
**Article 1 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. Union support under this Regulation shall be used for the benefit of partner countries and ***can also be used*** for the common benefit of ***EU*** and partner countries. | 2. Union support under this Regulation shall be used for the benefit of partner countries and***/or*** for the common benefit of ***the Union*** and partner countries. |

Or. en

**Amendment 29**

**Proposal for a regulation**
**Article 1 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Union funding may also be used for the purpose of enabling the Russian Federation to participate in Cross-Border Cooperation and in relevant multi-country programmes***, to reflect the specific status of the Russian Federation as both a Union neighbour and a strategic partner in the region***. | 3. Union funding may also be used for the purpose of enabling the Russian Federation to participate in Cross-Border Cooperation ***for the common benefit of the Union, partner countries and Russian regions*** and in relevant multi-country programmes. |

Or. en

**Amendment 30**

**Proposal for a regulation**
**Article 2 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Support under this Regulation shall promote enhanced political cooperation and progressive economic integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, and jointly agreed action plans. | 1. Support under this Regulation shall promote enhanced political cooperation and progressive economic integration and ***shall strengthen partnership with societies*** between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, and jointly agreed action plans ***or equivalent documents***. |

Or. en

**Amendment 31**

**Proposal for a regulation**
**Article 2 – paragraph 2 – introductory wording**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. Union support should ***target*** in particular: | 2. Union support should ***aim*** in particular ***at***: |

Or. en

**Amendment 32**

**Proposal for a regulation**
**Article 2 – paragraph 2 – point a**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, ***establishing*** deep and sustainable democracy**,** promoting good governance and developing a thriving | (a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, ***and the transition to*** and ***establishment of*** deep and sustainable democracy***;*** promoting good governance, |

| | |
|---|---|
| civil society including social partners; | ***including at local and regional level;*** and developing a thriving civil society including social partners; |

Or. en

**Amendment 33**

**Proposal for a regulation**
**Article 2 – paragraph 2 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) achieving progressive integration into the Union internal market and enhanced sector and cross-sectoral co-operation including through legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in interconnections; | (b) achieving progressive integration into the Union internal market ***and increasing mutual market access (also through Deep and Comprehensive Free Trade Areas )*** and enhanced sector and cross-sectoral co-operation including through legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in interconnections; |

Or. en

**Amendment 34**

**Proposal for a regulation**
**Article 2 – paragraph 2 – point c**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (c) creating conditions for well managed mobility of people and promotion of people-to-people contacts; | (c) creating conditions for well managed mobility of people***, such as facilitating visa delivery with a possibility of eventual visa liberalisation,*** and promotion of people-to-people contacts; |

Or. en

**Amendment 35**

**Proposal for a regulation**
**Article 2 – paragraph 2 – point e**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (e) promoting confidence building and other measures contributing to security and the prevention and settlement of conflicts; | (e) promoting confidence building and other measures contributing to security***, including energy security,*** and the prevention and settlement of conflicts; |

Or. en

**Amendment 36**

**Proposal for a regulation**
**Article 2 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. The achievement of these objectives shall be measured using ***notably the relevant EU periodic reports on the implementation of the policy, and for paragraphs 2(a), (d) and (e), the relevant*** indicators ***established by international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, adequately monitored democratic elections, level of corruption, trade flows, indicators enabling measuring internal economic disparities, including employment levels.*** | 3. The achievement of these ***specific*** objectives shall be measured using ***predefined, clear, transparent and measurable*** indicators***, while avoiding the creation of any unnecessary additional administrative burdens. The list of those indicators shall be established by the Commission.*** |

Or. en

**Amendment 37**

**Proposal for a regulation**
**Article 2 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. Union support may also be used in other areas when this is consistent with the overall objectives of the European Neighbourhood Policy. | 4. ***In duly justified cases,*** Union support may also be used in other ***relevant*** areas when this is consistent with the overall objectives of the European Neighbourhood Policy. |

Or. en

**Amendment 38**

**Proposal for a regulation**
**Article 3 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation. | 1.The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant ***documents such as summit declarations or*** conclusions of ministerial ***or interparliamentary*** meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation. |

Or. en

**Amendment 39**

**Proposal for a regulation**
**Article 3 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. ***Jointly agreed action*** plans or other equivalent documents between the partner countries and the Union shall provide the key point of reference for setting the priorities for Union support. | 2. ***Action*** plans or other equivalent ***jointly agreed*** documents between the partner countries and the Union ***in bilateral or multilateral formats*** shall provide the key point of reference for setting the priorities for Union support. |

Or. en

**Amendment 40**

**Proposal for a regulation**
**Article 3 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Where no agreements, as mentioned in paragraph 1, between the Union and partner countries exist, Union support may be provided when it proves useful to pursue Union policy objectives, and shall be programmed on the basis of such objectives taking into account the needs of the country concerned. | 3. Where no agreements, as mentioned in paragraph 1, between the Union and partner countries exist, Union support may be provided when it proves useful to pursue Union policy objectives, and shall be programmed on the basis of such objectives taking into account the needs***, commitment to reforms and performance*** of the country concerned. |

Or. en

**Amendment 41**

**Proposal for a regulation**
**Article 4 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Union support provided ***under this Regulation to each partner country*** shall | 1. Union support provided ***to each partner country under points (a) and (b) of Article*** |

| | |
|---|---|
| be differentiated in form and amounts according to the ***partner country's commitment to reforms and its progress in implementing these reforms***. Such differentiation shall reflect the level of ambition of the ***country's*** partnership with the Union***, its progress in building deep and sustainable democracy, its progress in implementing*** agreed reform objectives***, the country's needs and capacities, and the potential impact of Union support***. | ***6(1)*** shall be ***incentive-based and*** differentiated in form and amounts according to the ***needs and capacities of the partner country concerned and the potential impact of the Union support***. Such differentiation shall ***be in line with the principle of mutual accountability and shall*** reflect the level of ambition of the ***country to develop its*** partnership with the Union ***and to achieve commonly*** agreed reform objectives. |

Or. en

**Amendment 42**

**Proposal for a regulation**
**Article 4 – paragraph 1 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***1a. Enhanced support in form and amounts will be made available to those partner countries which are committed to undertaking significant reforms aimed at building or consolidating democracy and which show progress in implementing those reforms.*** |

Or. en

**Amendment 43**

**Proposal for a regulation**
**Article 4 – paragraph 1 b (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***(1b) The annual progress reports on each partner country published by the Commission shall assess the progress referred to in paragraph 1a. They shall outline trends compared to the previous*** |

***years and include recommendations on the possible enhancement of support or on its continuation.***

Or. en

**Amendment 44**

**Proposal for a regulation**
**Article 4 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. Union support under this Regulation shall***, in principle,*** be established in partnership with the beneficiaries. The partnership shall involve ***as appropriate***, ***national, regional and local authorities, other*** stakeholders, ***civil society, social partners and other non-state actors*** in preparing, implementing and monitoring Union support. | 2. Union support under this Regulation shall be established in partnership with the beneficiaries. The partnership shall***, in a transparent and verifiable way and through an institutionalised mechanism,*** involve ***the following*** stakeholders in preparing, implementing, monitoring ***and evaluating*** Union support***:***<br>***(i) national, regional and local authorities;***<br>***(ii) civil society organisations;***<br>***(iii) social partners;***<br>***(iv) other non-state actors.***<br>***The Commission, and in particular the Union's delegations in partner countries, shall ensure that appropriate steps are taken to enhance the capacities of civil society organisations and other stakeholders to play a meaningful part in that process***. |

Or. en

**Amendment 45**

**Proposal for a regulation**
**Article 4 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. Union support under this Regulation shall in principle be co-financed by the partner countries through public funds, contributions from the beneficiaries or other sources. The same principle shall be applicable to the cooperation with the Russian Federation, particularly with regard to programmes referred to in Article 6(1) (c). Co-financing requirements ***may*** be waived ***in duly justified cases and*** when this is necessary to support the development of civil society and non-state actors, without prejudice to compliance with the other conditions set out in the Financial Regulation. | 3. Union support under this Regulation shall in principle be co-financed by the partner countries through public funds, contributions from the beneficiaries or other sources. The same principle shall be applicable to the cooperation with the Russian Federation, particularly with regard to programmes referred to in Article 6(1) (c). Co-financing requirements ***shall*** be waived when this is necessary to support the development of civil society and non-state actors, ***especially small-scale civil society organisations,*** without prejudice to compliance with the other conditions set out in the Financial Regulation. |

Or. en

**Amendment 46**

**Proposal for a regulation**
**Article 5 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. In implementing this Regulation, coherence shall be ensured with ***other*** areas of the Union external action as well as other relevant Union policies. To this end, measures financed under this Regulation, including those managed by the European Investment Bank (EIB), shall be based on the cooperation policy documents described in Article 3(1) and (2) as well as on the Union's specific interests, policy priorities and strategies. Such measures shall respect the commitments under multilateral agreements and international conventions to which the | 1. In implementing this Regulation, coherence shall be ensured with ***all*** areas of the Union external action as well as other relevant Union policies. To this end, measures financed under this Regulation, including those managed by the European Investment Bank (EIB), shall be based on the cooperation policy documents described in Article 3(1) and (2) as w ell as on the Union's specific interests, policy priorities and strategies. Such measures shall respect the commitments under multilateral agreements and international conventions to which the Union and |

| | |
|---|---|
| Union and partner countries are parties. | partner countries are parties. |

Or. en

**Amendment 47**

**Proposal for a regulation**
**Article 5 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. The Union and the Member States shall coordinate their respective support programmes with the aim of increasing effectiveness and efficiency in the delivery of support and policy dialogue in line with the established principles for strengthening operational coordination in the field of external support, and for harmonising policies and procedures. Coordination shall involve regular consultations and frequent exchanges of relevant information during the different phases of the support cycle, in particular at field level***, and may lead to*** joint programming***, delegated co-operation and/or transfer*** arrangements. | 3. The Union and the Member States shall coordinate their respective support programmes with the aim of increasing effectiveness and efficiency in the delivery of support and policy dialogue ***and preventing overlapping of funding*** in line with the established principles for strengthening operational coordination in the field of external support, and for harmonising policies and procedures. Coordination shall involve regular consultations and frequent exchanges of relevant information during the different phases of the support cycle, in particular at field level***. Joint programming shall become a rule for the provision of assistance to all partner countries covered by this Regulation. The reports on the implementation of the instrument established by this Regulation shall contain a section on joint programming. Where no*** joint programming ***has been implemented, the reports shall set out the reasons for this and specify the alternative*** arrangements ***introduced to ensure a high level of coordination***. |

Or. en

**Amendment 48**

**Proposal for a regulation**
**Article 5 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The Union shall, in liaison with the Member States, take the necessary steps to ensure proper coordination and cooperation with multilateral and regional organisations and entities, including European financial institutions, international financial institutions, United Nations agencies, funds and programmes, private and political foundations and non-European Union donors. | 4. The Union shall, in liaison with the Member States, take the necessary steps***, including consultations at an early stage of the programming process,*** to ensure ***complementarity,*** proper coordination and cooperation with multilateral and regional organisations and entities, including European financial institutions, international financial institutions, United Nations agencies, funds and programmes, private and political foundations and non-European Union donors. |

Or. en

**Amendment 49**

**Proposal for a regulation**
**Article 5 – paragraph 4 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***4a. The documents referred to in Article 7(1) and (2) shall include detailed and up-to-date donor matrices and shall describe the steps to be taken to enhance donor coordination, in particular between the Union and Member States.*** |

Or. en

**Amendment 50**

**Proposal for a regulation**
**Article 6 – paragraph 1 – point b**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| (b) multi-country programmes which address challenges common to all or a number of partner countries, and regional and sub-regional cooperation ***between two or more partner countries, and*** which may include cooperation with the Russian Federation; | (b) multi-country programmes which address challenges common to all or a number of partner countries ***based on priorities of the European Neighbourhood Policy***, and***/or*** regional and sub-regional cooperation**,** which may include cooperation with the Russian Federation; |

Or. en

**Amendment 51**

**Proposal for a regulation**
**Article 7 – paragraph -1 (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***-1. The documents referred to in this Article shall constitute strategic programming documents within the meaning of Article 2 of the Common Implementing Regulation and shall be adopted by means of delegated acts in accordance with the procedure laid down in Articles 13 and 14 of this Regulation.*** |

Or. en

**Amendment 52**

**Proposal for a regulation**
**Article 7 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. For countries where the documents | 1. For countries where the documents |

referred to in Article 3(2) exist, a comprehensive multi-annual Single Support Framework shall be adopted in accordance with ***the examination procedure referred to in Article 15(3) of the Common Implementing Regulation***. The Single Support Framework shall ***review the progress made in relation to the policy framework and shall list*** priorities ***for Union support, mainly selected from those included*** in the documents referred to in Article 3(2) and in partner countries' strategies or plans, and for which the Union's regular assessment has shown the need for support***. It shall also*** set out ***their*** indicative level of funding. The duration of the Single Support Framework shall correspond to the duration of the relevant document referred to in Article 3(2).

referred to in Article 3(2) exist, a comprehensive multi-annual Single Support Framework shall be adopted ***by means of a delegated act*** in accordance with ***Article 13***. The Single Support Framework shall***:***

***(i) assess the achievement of previously agreed objectives as well as the state of play as regards the relations between the Union and the partner country, including that country's level of ambition for its partnership with the Union;***

***(ii) set out the objectives and*** priorities ***of the assistance, mainly selected from those included*** in the documents referred to in Article 3(2) and in partner countries' strategies or plans ***where this is consistent with the overall policy framework***, and for which the Union's regular assessment has shown the need for support***;***

***(iii) indicate expected results; and***

***(iv)*** set out ***the*** indicative level of funding ***broken down by priority***.

The duration of the Single Support Framework shall correspond to the duration of the relevant document referred to in Article 3(2).

Or. en

**Amendment 53**

**Proposal for a regulation**
**Article 7 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. For countries where the documents referred to in Article 3(2) do not exist, a comprehensive programming document including a Strategy and a Multi-annual indicative programme shall be adopted in accordance ***with the examination*** | 2. For countries where the documents referred to in Article 3(2) do not exist, a comprehensive programming document including a Strategy and a Multi-annual indicative programme shall be adopted ***by means of a delegated act*** in accordance |

***procedure referred to in Article 15(3) of the Common Implementing Regulation***. It shall define a Union response strategy on the basis of an analysis of situation of the country concerned, ***and*** of its relations with the Union, the partner countries' strategies or plans***, the*** priorities ***for Union support and*** the indicative level of funding broken down by priority. It shall have an appropriate multi-annual duration

***with Article 13***. It shall***:***

***(i)*** define a Union response strategy on the basis of an analysis of ***the*** situation of the country concerned, of its relations with the Union, ***and of*** the partner countries' strategies or plans ***where this is consistent with the overall policy framework;***

***(ii) set out the objectives and*** priorities ***of the assistance;***

***(iii) indicate expected results; and***

***(iv) set out*** the indicative level of funding broken down by priority.

It shall have an appropriate multi-annual duration.

Or. en

**Amendment 54**

**Proposal for a regulation**
**Article 7 – paragraph 3**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. For multi-country programmes, a comprehensive programming document including a Strategy and a Multi-annual indicative programme shall be adopted in accordance with ***the examination procedure referred to in Article 15(3) of the Common Implementing Regulation***. It shall define the priorities for Union support towards the region or the sub-region and the indicative level of funding broken down by priority. It shall have an appropriate multi-annual duration | 3. For multi-country programmes, a comprehensive programming document including a Strategy and a Multi-annual indicative programme shall be adopted ***by means of a delegated act*** in accordance ***with Article 13***. It shall***:***<br><br>***(i)*** define the ***objectives and*** priorities for Union support towards the region or the sub-region***, reflecting where applicable the priorities decided upon within the framework of the Eastern Partnership or the Union for the Mediterranean;***<br><br>***(ii***) *indicate expected results; and*<br><br>***(iii)*** *set out* the indicative level of funding broken down by priority. |

It shall have an appropriate multi-annual duration.

Or. en

**Amendment 55**

**Proposal for a regulation**
**Article 7 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The Single Support Framework documents referred to in paragraph 1 shall be reviewed when necessary and may be revised in accordance with ***the examination procedure referred to in Article 15(3) of the Common Implementing Regulation***. The programming documents referred to in paragraphs 2 and 3 shall be reviewed at their mid-term or whenever necessary and may be revised in accordance with the same procedure. | 4. The Single Support Framework documents referred to in paragraph 1 shall be reviewed when necessary and may be revised ***by means of a delegated act*** in accordance with ***Article 13***. The programming documents referred to in paragraphs 2 and 3 shall be reviewed at their mid-term or whenever necessary and may be revised in accordance with the same procedure. |

Or. en

**Amendment 56**

**Proposal for a regulation**
**Article 7 – paragraph 8**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 8. When Member States and other donors have committed to jointly programme their support, a joint multi-annual programming document may replace the Single Support Framework referred to in paragraph (1) and the programming documents referred to in paragraphs (2) and (3), on condition that it meets the requirements set out in these provisions. | 8. When Member States and other donors have committed to jointly programme their support, a joint multi-annual programming document may replace the Single Support Framework referred to in paragraph (1) and the programming documents referred to in paragraphs (2) and (3), on condition that it meets the requirements set out in these provisions. ***The parts of that document covering the Union budget shall be*** |

***deemed to constitute strategic programming documents and shall be adopted by means of a delegated act in accordance with Article 13.***

Or. en

**Amendment 57**

**Proposal for a regulation**
**Article 7 – paragraph 9**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, or of natural or man-made disasters, an ad hoc review of the programming documents may be conducted. Such emergency review ***shall ensure that coherence between Union support provided under this Regulation and support provided under other Union financial instruments is maintained. An emergency review*** may lead to the adoption of revised programming documents. ***Where this is the case, the Commission shall send the revised programming documents to the European Parliament and to the Council for information within one month of their adoption.*** | 9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, or of natural or man-made disasters, an ad hoc review of the ***strategic*** programming documents may be conducted. Such emergency review may lead to the adoption of revised ***strategic*** programming documents ***in accordance with the procedure referred to in Article 14a***. |

Or. en

**Amendment 58**

**Proposal for a regulation**
**Article 8 – paragraph 2**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 2. In order to ensure the continuation of existing cooperation schemes and in other | 2. In order to ensure the continuation of existing cooperation schemes and in other |

justified cases, territorial units adjoining *to* those referred to in paragraph 1 may be allowed to participate in Cross-Border Cooperation.

justified cases, territorial units adjoining those referred to in paragraph 1 may be allowed to participate in Cross-Border Cooperation***, on condition that such participation contributes to the objectives laid down in the programming documents***.

Or. en

**Amendment 59**

**Proposal for a regulation**
**Article 9 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. A programming document shall be prepared for the purpose of defining the: | 1. A programming document shall be prepared for the purpose of defining the: |
| (a) strategic objectives to be pursued by Cross-Border Cooperation; | (a) strategic objectives to be pursued by Cross-Border Cooperation***, and the*** *priorities and expected results of that cooperation***;** |
| (b) list of the joint operational programmes to be established; | (b) list of the joint operational programmes to be established; |
| (c) indicative breakdown of resources between land and maritime border programmes referred to in Article 8 (1) (a) and (b) and sea basin programmes referred to in Article 8(1)(c); | (c) indicative breakdown of resources between land and maritime border programmes referred to in Article 8 (1) (a) and (b) and sea basin programmes referred to in Article 8(1)(c); |
| (d) indicative multi-annual allocations to each joint operational programme; | (d) indicative multi-annual allocations to each joint operational programme; |
| (e) territorial units eligible to participate in each joint operational programme, and the regions and centres indicated in Article 8(2), 8(3) and 8(4); | (e) territorial units eligible to participate in each joint operational programme, and the regions and centres indicated in Article 8(2), 8(3) and 8(4); |
| (f) indicative allocation to support, as appropriate, horizontal capacity building actions, networking and exchange of experiences among programmes; | (f) indicative allocation to support, as appropriate, horizontal capacity building actions, networking and exchange of experiences among programmes; |
| (g) contributions to the transnational programmes established under Regulation (EU) No […] of the European Parliament | |

[1] OJ L

| | |
|---|---|
| and the Council of [….] on specific provisions for the support from the European Regional Development Fund to the European Territorial Co-operation goal[1], to which partner countries and/or the Russian Federation participate. | (g) contributions to the transnational programmes established under Regulation (EU) No […] of the European Parliament and the Council of [….] on specific provisions for the support from the European Regional Development Fund to the European Territorial Co-operation goal1, to which partner countries and/or the Russian Federation participate. |
| ***The*** programming document shall cover a period of seven years and shall be adopted by the Commission in accordance with ***the examination procedure referred to in Article 15(3) of the Common Implementing Regulation***. It shall be reviewed at mid-term or whenever necessary and may be revised in accordance with the same procedure referred to in that Article. | ***That document shall constitute a strategic*** programming document ***within the meaning of Article 2 of the Common Implementation Regulation. It*** shall cover a period of seven years and shall be adopted by the Commission ***by means of a delegated act*** in accordance with ***Article 13 of this Regulation***. It shall be reviewed at mid-term or whenever necessary and may be revised in accordance with the same procedure referred to in that Article. |

Or. en

**Amendment 60**

**Proposal for a regulation**
**Article 9 – paragraph 4**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 4. The indicative allocations of funds to the joint operational programmes shall ***be based primarily on the population of the eligible areas. When determining the indicative allocations, adjustments may be made to*** reflect the need for a balance between the contributions from the European Regional Development Fund and the contributions provided under the budget of this Instrument as well as other factors affecting the intensity of cooperation, such as the specific characteristics of border areas ***and*** their capacity to manage and absorb Union | 4. The indicative allocations of funds to the joint operational programmes shall reflect the need for a balance between the contributions from the European Regional Development Fund and the contributions provided under the budget of this Instrument as well as other factors affecting the intensity of cooperation, such as the specific characteristics of border areas**,** their capacity to manage and absorb Union support ***and the nature of the projects envisaged***. |

[1] OJ L

support.

Or. en

**Amendment 61**

**Proposal for a regulation**
**Article 12 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. Implementing rules laying down specific provisions for the implementation of this Title shall be adopted through a delegated act in accordance with ***Article 14***. | 1. Implementing rules laying down specific provisions for the implementation of this Title shall be adopted through a delegated act in accordance with ***Article 13***. |

Or. en

**Amendment 62**

**Proposal for a regulation**
**Article 13**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| ***Updating of the Annex*** | ***Delegation of powers to the Commission*** |
| ***The list of beneficiary countries in the Annex to this Regulation may be updated following political decisions made by the Council on the scope of the Neighbourhood policy. A modification of the Annex shall be adopted through a delegated act in accordance with Article 14.*** | ***1. The Commission shall be empowered to adopt delegated acts in accordance with Article 14 for the purposes of adopting and revising strategic programming documents within the meaning of Article 2 of the Common Implementing Regulation, updating the list of beneficiary countries in the Annex to this Regulation and adopting the implementing rules for Cross Border Cooperation as referred to in Article 12 of this Regulation.*** |
| | ***2. Where, in the case of adoption or revision of the strategic programming documents referred to in paragraph 1,*** |

***imperative grounds of urgency so require, the procedure provided for in Article 14a shall apply to delegated acts adopted pursuant to this Article.***

Or. en

**Amendment 63**

**Proposal for a regulation**
**Article 14 –paragraph -1 (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***-1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.*** |

Or. en

**Amendment 64**

**Proposal for a regulation**
**Article 14 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The ***delegation of powers*** referred to in ***Article*** 12 and 13 shall be conferred ***for the period of validity of this Regulation***. | 1. The power to adopt delegated acts referred to in ***Articles*** 12 and 13 shall be conferred ***on the Commission until 31 December 2017***. |

Or. en

**Amendment 65**

**Proposal for a regulation**
**Article 14 a (new)**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| | ***Article 14a*** |
| | ***Urgency procedure*** |
| | ***1. In exceptional circumstances, such as crises or threats to democracy, the rule of law, human rights or fundamental freedoms, or natural or man-made disasters, delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.*** |
| | ***2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to in Article 14. In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or by the Council.*** |

Or. en

**Amendment 66**

**Proposal for a regulation**
**Article 17**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| Suspension of Union support | Suspension of Union support |
| Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association | Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association |

| | |
|---|---|
| agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support. | agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support. ***The European Parliament shall be fully and promptly informed of any decisions and measures taken by the Council in this respect. Any consequent revision of relevant strategic programming documents shall be done in accordance with the urgency procedure provided for in Article 14a.*** |

Or. en

**Amendment 67**

**Proposal for a regulation**
**Article 18 – paragraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 1. The financial envelope available for implementing this Regulation over the period 2014 to 2020 shall be ***EUR 18 182 300 000 (current prices)***. Up to 5% of the financial envelope shall be allocated to the Cross-Border Cooperation programmes referred to in Article 6(1) (c). | 1. The financial envelope available for implementing this Regulation over the period 2014 to 2020 shall be ***EUR (...)***. Up to 5% of the financial envelope shall be allocated to the Cross-Border Cooperation programmes referred to in Article 6(1) (c). |

Or. en

**Amendment 68**

**Proposal for a regulation**
**Article 18 – paragraph 3 – subparagraph 1**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| 3. As referred to in Article 13, paragraph 2 of the "Erasmus for All" Regulation, in order to promote the international dimension of higher education, an indicative amount ***of EUR 1 812 100 000 from the different external*** instruments (Development Cooperation Instrument, European Neighbourhood Instrument, Instrument for Pre-accession Assistance, Partnership Instrument and the European Development Fund), will be allocated to actions of learning mobility to or from non EU countries and to cooperation and policy dialogue with authorities/institutions/organisations from these countries. The provisions of the "Erasmus for All" Regulation will apply to the use of those funds. | 3. As referred to in Article 13, paragraph 2 of the "Erasmus for All" Regulation, in order to promote the international dimension of higher education, an indicative amount ***corresponding to 2 % of the financial allocations available for the participating*** instruments (Development Cooperation Instrument, European Neighbourhood Instrument, Instrument for Pre-accession Assistance, Partnership Instrument and the European Development Fund), will be allocated to actions of learning mobility to or from non EU countries and to cooperation and policy dialogue with authorities/institutions/organisations from these countries. The provisions of the "Erasmus for All" Regulation will apply to the use of those funds. |

Or. en

**Amendment 69**

**Proposal for a regulation**
**Article 20**

| *Text proposed by the Commission* | *Amendment* |
|---|---|
| This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Union. It shall apply from 1 January 2014. | This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Union. It shall apply from 1 January 2014 ***to 31 December 2020***. |

Or. en

## EXPLANATORY STATEMENT

## EXPLANATORY STATEMENT

### General approach

The European Parliament, as strong proponent of an ambitious, comprehensive and consistent Union foreign policy calls on for a set of coherent financing instruments for EU external action. This should ensure the promotion of the Union's objectives and values in the world based upon democracy, rule of law and human rights, in order to bring peace, security, stability and economic prosperity. The geographic and thematic financing instruments proposed by the Commission for the period 2014-2020 are essential tools for implementing this approach.

The European Parliament acts in the spirit of responsibility based on the fundamental principle of accountability of the Union towards its citizens as to the allocation of resources and the choice of objectives and strategies. The new framework for the external action should be not only resource efficient and effective, but democratically legitimate. It is therefore crucial to make future generation of financing instruments both properly funded under the next Multiannual Financial Framework as well as designed to reflect and support the political ambitions and priorities with respect of the specificity of each of the instruments and the related policies.

Using its prerogatives and powers granted under the Lisbon Treaty, as co-legislator for these instruments and as budgetary authority, the European Parliament wishes these instruments:

- to deliver clear impact and visible results on the ground, in order to achieve clear objectives agreed at political level;
- to be prepared, implemented, monitored and assessed in a transparent and inclusive way, involving as far as possible, where applicable and appropriate, partner countries at national, regional and local level, as well as civil society;
- to be construed on a logic of coordination and synergies amongst each other and with other policy lines of the EU for its external action, but also with programmes of EU Member States and international donors addressing the same thematic or geographic areas behind shared policy objectives, thus avoiding overlaps and a waste of resources and efforts, and on the contrary increasing the positive impact of Union's programmes;
- to provide mechanisms which allow for a rapid reaction to unforeseen developments such as political transitions in third countries or the emergence of new global challenges requesting adequate and timely responses by the EU, while ensuring an adequate degree of predictability for the benefit of the partner countries.

This general approach is reflected in the amendments proposed in the draft reports. In particular, the reports propose that the two co-legislators, European Parliament and Council, delegate their powers to the Commission for preparing all the strategic programming documents defining objectives, priorities, expected results and financial allocations in broad terms, and adopt these documents as delegated acts, so as to allow for flexibility while ensuring democratic legitimacy and transparency through the equal involvement of both co-

legislators at this strategic level.
These Instruments should remain in force for seven years, which makes democratic control over their implementation even more important. As co-legislator, the European Parliament has the duty to ensure that these instruments are implemented in line with the spirit of the basic act. This does not mean being involved in micro-management, since the Parliament trusts the professionalism and the expertise of the Commission and the European External Action Service. However, in order to achieve one of the main goals of the Lisbon Treaty, which is to overcome the democratic deficit of the EU, delegated acts constitute an absolute necessity.

**ENI-specific elements**

The European Neighbourhood Instrument (ENI) will constitute the key tool of the Union to provide support to the 16 partner countries located East and South of its external borders for the period 2014-2020, as the successor instrument of the European Neighbourhood and Partnership Instrument (ENPI). It will provide the bulk of funding to the neighbourhood countries through bilateral, regional and cross-border cooperation programmes and will contribute to strengthening partnership relations between the Union and the neighbouring countries.

The Commission proposal reflects the recent changes and major challenges in the EU´s Neighbourhood and the overhaul of the European Neighbourhood Policy (ENP) undertaken since 2011. The Rapporteur welcomes especially:

- the increased coherence between the Neighbourhood policy and the instrument, inter alia through the linkage between action plans and programming documents and through the streamlining of the scope of the instrument compared to the current one;
- the strengthened tailor-made approach to the partnership with each partner country of the Neighbourhood, through a higher degree of differentiation ensuring that each partner country develop its links with the EU as far as its own inspirations, needs and capacities allow;
- the promotion of greater support to those partners committed to building democratic societies and undertaking reforms, in line with the “more for more” and "mutual accountability" principles.

While the general approach is therefore considered satisfactory, the report aims at addressing shortcomings through a focus on following elements:

- The values-based approach and the need to stress that the European Neighbourhood Policy and the supporting Instrument should first of all promote human rights and fundamental freedoms, strengthening of democracy, good governance and rule of law;
- The necessity to clarify the "differentiation" and the "more for more" principles through the inclusion, in the text of the Regulation, of clear mechanisms for this implementation;
- The practical implementation of the "partnership with societies", which constitutes a cornerstone of the revised European Neighbourhood Policy and requires more specific provisions, especially for the involvement of civil society and other stakeholders in the preparation, implementation, monitoring and evaluation of the Instrument;
- The willingness to ensure the most efficient use of available resources in order to

optimise the impact of EU external action, while avoiding overlaps and promoting synergies with the assistance provided by Member States and international organisations.