EUROPEAN PARLIAMENT 2009 - 2014

Committee on Budgets

2011/0369(COD)

27.6.2012

AMENDMENTS
9 - 28

Draft opinion
Barbara Matera
(PE491.190v01-00)

on the proposal for a regulation of the European Parliament and of the Council establishing a Justice Programme for the period 2014-2020

Proposal for a regulation
(COM(2011)0759 – C7-0439/2011 – 2011/0369(COD))

AM_Com_LegOpinion

Amendment 9
Eider Gardiazábal Rubial

Draft legislative resolution
Recital 1 b (new)

Text proposed by the Commission	*Amendment*
	1b. Recalls its resolution of 8 June 2011 on Investing in the future: a new Multiannual Financial Framework (MFF) for a competitive, sustainable and inclusive Europe[1]; reiterates that sufficient additional resources are needed in the next MFF in order to enable the Union to fulfil its existing policy priorities and the new tasks provided for in the Treaty of Lisbon, as well as to respond to unforeseen events; challenges the Council, if it does not share this approach, to clearly identify which of its political priorities or projects could be dropped altogether, despite their proven European added value; points out that even with an increase in the level of resources for the next MFF of at least 5% compared to the 2013 level only a limited contribution can be made to the achievement of the Union's agreed objectives and commitments and the principle of Union solidarity;* _____ ***[1] Texts adopted, P7_TA(2011)0266.

Or. en

Amendment 10
Jürgen Klute

Proposal for a regulation
Recital 7

Text proposed by the Commission	*Amendment*
(7) Whereas the Drug prevention and	(7) Whereas the Drug prevention and

information programme was based on a public health legal basis and therefore covered health considerations, notably the reduction of health harms associated with drug use**,** the Justice programme should approach anti-drugs policy via the angle of crime prevention. ***Illicit*** drug trafficking and other illegal activities related to drugs should be the main focus of drug-related funding under the new programme.

information programme was based on a public health legal basis and therefore covered health considerations, notably the reduction of health harms associated with drug use***;*** the Justice programme should approach ***prevention and*** anti-drugs policy via the angle of crime ***and recidivism prevention***. ***Public awareness and prevention of*** drug trafficking and other illegal activities should be the main focus of drug-related funding under the new programme**.**

Or. en

Amendment 11
Jürgen Klute, Alda Sousa

Proposal for a regulation
Recital 9

Text proposed by the Commission	*Amendment*
(9) ***In the field*** of drugs, ***demand*** and ***supply*** create a real threat that Member States cannot tackle sustainably on their own. Union intervention under this Regulation should support Member States actions to prevent and reduce ***drug demand and supply***, notably by supporting cross-border cooperation on enforcement.	(9) ***National and transnational crime, namely trafficking*** of ***human beings, particularly women and children, smuggling of arms and ammunition, traffic in*** drugs ***and nuclear material***, ***fraud, money laundering*** and ***corruption*** create a real threat that Member States cannot tackle sustainably on their own. Union intervention under this Regulation should support Member States actions to prevent and reduce ***organised crime***, notably by supporting cross-border cooperation on enforcement.

Or. en

Amendment 12
Jürgen Klute, Alda Sousa,

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission	*Amendment*
	(9a) The aim of this regulation is to prevent and reduce national and transnational crime, namely trafficking of human beings, particularly women and children, smuggling of arms and ammunition, traffic in drugs and nuclear material, fraud, money laundering and corruption.

Or. en

Amendment 13
Jürgen Klute, Alda Sousa,

Proposal for a regulation
Article 5 – subparagraph 1 – point b – introductory part

Text proposed by the Commission	*Amendment*
(b) to ***facilitate*** access to justice.	(b) to ***guarantee*** access to justice ***and to court, right to free legal aid, right to an independent trial within a reasonable time, without discrimination and regardless of administrative, economic, social, cultural and linguistic aspects***.

Or. en

Amendment 14
Jürgen Klute, Alda Sousa,

Proposal for a regulation
Article 5 – subparagraph 1 – point c – introductory part

Text proposed by the Commission	*Amendment*
(c) to prevent and reduce ***drug demand*** and ***supply***.	(c) to prevent and reduce ***national*** and ***transnational organised crime, namely traffic in human beings, particularly women and children, smuggling of arms***

and ammunition, traffic in illegal drugs and nuclear material, fraud, money laundering and corruption.

Or. en

Amendment 15
Jürgen Klute, Alda Sousa,

Proposal for a regulation
Article 5 – subparagraph 2

Text proposed by the Commission	*Amendment*
The Programme shall aim to promote equality between women and men and combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age ***or*** sexual orientation in all its activities.	The Programme shall aim to promote equality between women and men and combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age***,*** sexual orientation ***as well as discrimination based on social inequalities*** in all its activities.

Or. en

Amendment 16
Jürgen Klute, Alda Sousa,

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

Text proposed by the Commission	*Amendment*
(a) enhancing public awareness and knowledge of Union law and ***policies***;	(a) enhancing public awareness and knowledge of Union law***, policies*** and ***access to justice***;

Or. en

Amendment 17
Jürgen Klute, Alda Sousa,

Proposal for a regulation

Article 6 – paragraph 1 – point d

Text proposed by the Commission	*Amendment*
(d) improving the knowledge and understanding of potential issues affecting the smooth functioning of a European area of justice with a view to ensuring evidence-based policy making and ***legislation***.	(d) improving the knowledge and understanding of potential issues affecting the smooth functioning of a European area of justice with a view to ensuring evidence-based policy making***, legislation*** and ***access to justice***.

Or. en

Amendment 18
Jürgen Klute, Alda Sousa,

Proposal for a regulation
Article 6 – paragraph 2 – point d

Text proposed by the Commission	*Amendment*
(d) support for main actors, such as support for Member States when implementing Union law and policies; support for key European level networks whose activities are linked to the implementation of the objectives of the Programme; networking among specialised bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; funding of European level observatories.	(d) support for main actors, such as support for Member States when implementing Union law and policies; support for key European***, national, regional and local*** level networks***, social partners, non-governmental organisations,*** whose activities are linked to the implementation of the objectives of the Programme; networking among specialised bodies and organisations, national, regional and local authorities at European level; funding of experts' networks; funding of European level observatories.

Or. en

Amendment 19
Jürgen Klute, Alda Sousa,

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission	*Amendment*
2. Public and/or private bodies and entities legally established in other third countries, notably countries where the European Neighbourhood Policy applies, may be associated to actions of the Programme, if this serves the purpose of these actions.	2. Public and/or private bodies***, social partners, non-governmental organisations, local, regional*** and ***national*** entities legally established in other third countries, notably countries where the European Neighbourhood Policy applies, may be associated to actions of the Programme, if this serves the purpose of these actions.

Or. en

Amendment 20
Eider Gardiazábal Rubial

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission	*Amendment*
1. The financial envelope for the implementation of the Programme shall be EUR 472 million.	1. ***Within the meaning of point [17] of the Interinstitutional Agreement of .../.... between the European Parliament, the Council and the Commission on cooperation in budgetary matters and on sound financial management,*** The financial envelope for the implementation of the Programme ***for the period from 2014 to 2020, representing the prime reference for the budgetary authority during the annual budgetary procedure,*** shall be EUR 472 million.

Or. en

Amendment 21
Eider Gardiazábal Rubial

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The budgetary authority shall authorise the available annual appropriations within the limits of the Multiannual Financial Framework established by Council Regulation (EU, Euratom) No XX/XX of XX laying down the multiannual financial framework for the years 2014-2020.	3. The budgetary authority shall authorise the available annual appropriations ***without prejudice to the provisions of the Regulation laying down the multiannual financial framework for the years 2014-2020 and the Interinstitutional Agreement of xxx/201z between the European Parliament, the Council and the Commission on cooperation in budgetary matters and sound financial management***.

Or. en

Amendment 22
Ingeborg Gräßle

Proposal for a regulation
Article 11

Text proposed by the Commission	*Amendment*
1. The Commission, in cooperation with the Member States, shall ensure overall consistency, complementarity and synergies with other Union instruments, inter alia, with the Rights and Citizenship Programme, the Instrument for financial support for police cooperation, crime prevention and the fight against cross-border, serious and organised crime, the Health for Growth Programme, the Erasmus for all Programme, the Horizon 2020 Framework Programme and the Instrument for Pre-accession Assistance.	1. The Commission, in cooperation with the Member States, shall ensure overall consistency, complementarity and synergies with other Union instruments, inter alia, with the Rights and Citizenship Programme, the Instrument for financial support for police cooperation, crime prevention and the fight against cross-border, serious and organised crime, the Health for Growth Programme, the Erasmus for all Programme, the Horizon 2020 Framework Programme and the Instrument for Pre-accession Assistance. ***The Commission shall also ensure overall consistency, complementarity and synergies with the EU agencies whose mandates cover the same domains as the programme.***

Or. en

Amendment 23
Jürgen Klute, Alda Sousa,

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission	*Amendment*
1. The Commission shall take appropriate measures ensuring that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and deterrent penalties.	1. The Commission shall take appropriate measures ensuring that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal ***and/or irregular*** activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and deterrent penalties.

Or. en

Amendment 24
Jürgen Klute, Alda Sousa,

Proposal for a regulation
Article 12 – paragraph 2 – subparagraph 1

Text proposed by the Commission	*Amendment*
2. The Commission or its representatives and the Court of Auditors ***shall*** have the power of audit, on the basis of documents and on-the-spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds under the Programme.	2. The Commission or its representatives and the Court of Auditors ***will*** have the power of audit, on the basis of documents and on-the-spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds under the Programme.

Or. en

Amendment 25
Jürgen Klute, Alda Sousa,

Proposal for a regulation
Article 12 – paragraph 2 – subparagraph 2

Text proposed by the Commission	*Amendment*
The European Anti-fraud Office (OLAF) ***may*** carry out on-the-spot checks and inspections on economic operators concerned directly or indirectly by such funding in accordance with the procedures laid down in Regulation (Euratom, EC) No 2185/96 with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a contract concerning Union funding.	The European Anti-fraud Office (OLAF) ***will*** carry out on-the-spot checks and inspections on economic operators concerned directly or indirectly by such funding in accordance with the procedures laid down in Regulation (Euratom, EC) No 2185/96 with a view to establishing whether there has been fraud, corruption or any other illegal ***or irregular*** activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a contract concerning Union funding.

Or. en

Amendment 26
Jürgen Klute, Alda Sousa,

Proposal for a regulation
Article 13 – paragraph 1

Text proposed by the Commission	*Amendment*
1. The Commission shall monitor the Programme regularly in order to follow the implementation of actions carried out under it in the areas of actions referred to in Article 6 (1) and the achievement of the specific objectives referred to in Article 5. The monitoring will also provide a means of assessing the way in which gender equality and anti-discrimination issues have been addressed across the programme's activities. Where relevant, indicators should be disaggregated by sex, age and ***disability***.	1. The Commission shall monitor the Programme regularly in order to follow the implementation of actions carried out under it in the areas of actions referred to in Article 6 (1) and the achievement of the specific objectives referred to in Article 5. The monitoring will also provide a means of assessing the way in which gender equality and anti-discrimination issues have been addressed across the programme's activities. Where relevant, indicators should be disaggregated by sex, age***, disability*** and ***social inequality***.

Or. en

Amendment 27
Jürgen Klute, Alda Sousa,

Proposal for a regulation
Article 13 – paragraph 2 – point aa (new)

Text proposed by the Commission	*Amendment*
	(aa) annual evaluation reports;

Or. en

Amendment 28
Jürgen Klute, Alda Sousa,

Proposal for a regulation
Article 13 – paragraph 3

Text proposed by the Commission	*Amendment*
3. The interim evaluation shall report on the achievement of the Programme's objectives, the efficiency of the use of resources and the Programme's European added value with a view to determining whether funding in areas covered by the Programme shall be renewed, modified or suspended after 2020. It shall also address the scope for any simplification of the Programme, its internal and external coherence, as well as the continued relevance of all objectives and actions. It shall take into account the results of the ex-post evaluations of the programmes mentioned in Article 14.	3. The ***annual and*** interim evaluation shall report on the achievement of the Programme's objectives, the efficiency of the use of resources and the Programme's European added value with a view to determining whether funding in areas covered by the Programme shall be renewed, modified or suspended after 2020. It shall also address the scope for any simplification of the Programme, its internal and external coherence, as well as the continued relevance of all objectives and actions. It shall take into account the results of the ex-post evaluations of the programmes mentioned in Article 14.

Or. en