



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Civil Liberties, Justice and Home Affairs

2012/2223(INI)

3.10.2012

AMENDMENTS

1 - 20

Draft opinion
Simon Busuttil
(PE496.413v01-00)

on the EU's mutual defence and solidarity clauses: political and operational dimensions
(2012/2223(INI))

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PE496.574v01-00

EN

United in diversity

EN

AM_Com_NonLegOpinion

Amendment 1
Marco Scurria, Salvatore Iacolino

Draft opinion
Paragraph -A (new)

Draft opinion

Amendment

-A. Whereas the progressive development and fortification of a common defence policy aiming at reinforcing the strategic autonomy of the EU is a primary purpose for the Union;

Or. en

Amendment 2
Cecilia Wikström

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1 a. Points out the need for monitoring relationships and improving coordination between Member States and between existing instruments as well as identifying gaps and overlaps;

Or. en

Amendment 3
Kyriacos Triantaphyllides, Josef Weidenholzer

Draft opinion
Paragraph 2

Draft opinion

Amendment

2. Points out that many useful instruments already exist at an EU level and that ***these***

2. Points out that many useful instruments already exist at an EU level and that,

instruments include the EU Crisis and Coordination Arrangements, Civil Protection, EEAS Crisis Response and Operational Coordination, EU Intelligence Analysis Centre, First Response Network, CBRN Action Plan, ARGUS and agencies such as Frontex; notes that the Solidarity Clause should avoid creating new instruments and opt for the coordination or strengthening of these instruments for the purposes of preventing and responding to disasters and attacks;

*rather than creating yet new instruments, the Solidarity Clause should opt for the coordination or strengthening of these instruments for the purposes of preventing and responding to disasters and attacks **in accordance with the principles of necessity and proportionality;***

Or. en

Amendment 4
Simon Busuttil

Draft opinion
Paragraph 2

Draft opinion

2. Points out that many useful instruments already exist at an EU level and that these instruments include the EU Crisis and Coordination Arrangements, Civil Protection, EEAS Crisis Response and Operational Coordination, EU Intelligence Analysis Centre, First Response Network, CBRN Action Plan, ARGUS and agencies such as Frontex; notes that the Solidarity Clause should avoid creating new instruments and opt for the coordination or strengthening of these instruments for the purposes of preventing and responding to disasters and attacks;

Amendment

2. Points out that many useful instruments already exist at an EU level and that these instruments include the EU Crisis and Coordination Arrangements, Civil Protection, EEAS Crisis Response and Operational Coordination, EU Intelligence Analysis Centre, **Strategic Analysis and Response Capability, Europol's** First Response Network, CBRN Action Plan, **Atlas Network**, ARGUS and agencies such as Frontex; notes that the Solidarity Clause should avoid creating new instruments and opt for the coordination or strengthening of these instruments for the purposes of preventing and responding to disasters and attacks;

Or. en

Amendment 5
Jean Lambert

Draft opinion
Paragraph 2

Draft opinion

2. Points out that many useful instruments already exist at an EU level and that these instruments include the EU Crisis and Coordination Arrangements, Civil Protection, EEAS Crisis Response and Operational Coordination, EU Intelligence Analysis Centre, First Response Network, CBRN Action Plan, ARGUS and agencies such as Frontex; notes that the Solidarity Clause should avoid creating new instruments and opt for the coordination or strengthening of these instruments for the purposes of preventing and responding to disasters and attacks;

Amendment

2. Points out that many useful instruments already exist at an EU level and that these instruments include the EU Crisis and Coordination Arrangements, Civil Protection, EEAS Crisis Response and Operational Coordination, EU Intelligence Analysis Centre, First Response Network, CBRN Action Plan, ARGUS and agencies such as Frontex; notes that the Solidarity Clause should avoid creating new instruments and opt for the coordination, ***adaptation*** or strengthening of these instruments for the purposes of preventing and responding to disasters and attacks ***in accordance with the principles of necessity and proportionality***;

Or. en

Amendment 6
Marco Scurria, Salvatore Iacolino

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2 a. Calls the Commission to detail the situation which will trigger the mutual defence clause, as well as the procedure for it to be applied; points out that in case that a Member State is under external threat the response by the other Member States should be established within the Council; believes that this should not prejudice the security and defence policy of the Member States directly involved.

Amendment 7

Kyriacos Triantaphyllides, Josef Weidenholzer

Draft opinion

Paragraph 3

Draft opinion

3. Calls on the Commission to detail the situations which will trigger the Solidarity Clause, as well as the procedure for it to be applied; encourages the Commission to outline a fair system laying out how Member States should pool in the necessary equipment or resources in the spirit of solidarity if the need arises;

Amendment

3. Calls on the Commission to detail the situations which will trigger the Solidarity Clause, as well as the procedure for it to be applied, ***including the proper involvement of the national parliaments and the European Parliament***; encourages the Commission to outline a fair system laying out how Member States should pool in the necessary equipment or resources in the spirit of solidarity if the need arises;

Or. en

Amendment 8

Jean Lambert

Draft opinion

Paragraph 3

Draft opinion

3. Calls on the Commission to detail the situations which will trigger the Solidarity Clause, as well as the procedure for it to be applied; encourages the Commission to outline a fair system laying out how Member States should pool in the necessary equipment or resources in the spirit of solidarity if the need arises;

Amendment

3. Calls on the Commission to detail the situations which will trigger the Solidarity Clause, as well as the ***democratic*** procedure for it to be applied, ***which should also ensure accountability for decisions taken***; encourages the Commission to outline a fair system laying out how Member States should pool in the necessary equipment or resources in the spirit of solidarity if the need arises;

Or. en

Amendment 9
Cecilia Wikström, Renate Weber

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3 a. Calls on Member States to increase their capacities to respond to the obligations under the Solidarity Clause to "act jointly" and to "assist";

Or. en

Amendment 10
Marco Scurria, Salvatore Iacolino

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3 a. Underlines that the Solidarity Clause should be triggered under the same structures and procedures envisaged for the mutual defence clause and notes that the Council should take the decision within 5 days.

Or. en

Amendment 11
Josef Weidenholzer

Draft opinion
Paragraph 4

Draft opinion

Amendment

4. Calls on the Commission to ***use a broad definition of*** disasters and attacks, ***also***

4. Calls on the Commission to ***define clearly the terms*** disasters and attacks ***and***

taking into account cyber terrorism, emergencies emanating from sudden migration flows or from serious incidents happening outside the Union with a direct and substantial impact on a Member State;

to indicate in which cases the clause is not suitable as well, in order for this clause to be workable in practice and to prevent disproportionate use at the expense of fundamental rights.

Or. en

Amendment 12
Kyriacos Triantaphyllides

Draft opinion
Paragraph 4

Draft opinion

4. Calls on the Commission to *use a broad definition of* disasters and attacks, *also taking into account cyber terrorism, emergencies emanating from sudden migration flows or from serious incidents happening outside the Union with a direct and substantial impact on a Member State;*

Amendment

4. Calls on the Commission to *define clearly the terms* disasters and attacks *in order for this clause to be workable in practice;*

Or. en

Amendment 13
Marco Scurria

Draft opinion
Paragraph 4

Draft opinion

4. Calls on the Commission to use a broad definition of disasters and attacks, also taking into account cyber terrorism, emergencies emanating from sudden migration flows or from serious incidents happening outside the Union with a direct and substantial impact on a Member State;

Amendment

4. Calls on the Commission to use a broad definition of disasters and attacks, also taking into account cyber terrorism, emergencies emanating from sudden migration flows *generated by any kind of phenomenon* or from serious incidents happening outside the Union with a direct and substantial impact on a Member State;

Amendment 14
Anna Maria Corazza Bildt

Draft opinion
Paragraph 4

Draft opinion

4. Calls on the Commission to use a **broad** definition of disasters and attacks, also taking into account cyber terrorism, emergencies emanating **from sudden migration flows or** from serious incidents happening outside the Union with a direct and substantial impact on a Member State;

Amendment

4. Calls on the Commission to use a **clear** definition of disasters and attacks, also taking into account cyber terrorism **and** emergencies emanating from serious incidents happening outside the Union with a direct and substantial impact on a Member State;

Amendment 15
Cecilia Wikström, Renate Weber

Draft opinion
Paragraph 4

Draft opinion

4. Calls on the Commission to use a broad definition of disasters and attacks, also taking into account cyber terrorism, emergencies emanating **from sudden migration flows or** from serious incidents happening outside the Union with a direct and substantial impact on a Member State;

Amendment

4. Calls on the Commission to use a broad definition of disasters and attacks, also taking into account cyber terrorism **and** emergencies emanating from serious incidents happening outside the Union with a direct and substantial impact on a Member State;

Amendment 16
Kyriacos Triantaphyllides, Josef Weidenholzer

**Draft opinion
Paragraph 5**

Draft opinion

Amendment

5. Draws attention to the fact that Article 222 TFEU specifically refers to the prevention of terrorist threats and the protection of society against them; believes therefore that the Commission's proposal should not only deal with the response to an attack or a disaster, but also include concrete measures to enhance the cooperation in the prevention and protection against these threats; in this respect, stresses the importance of having strong links between the Solidarity Clause and the Internal Security Strategy and full involvement of Europol, Eurojust and Frontex;

deleted

Or. en

**Amendment 17
Jean Lambert**

**Draft opinion
Paragraph 5**

Draft opinion

Amendment

5. Draws attention to the fact that Article 222 TFEU specifically refers to the prevention of terrorist threats and the protection of society against them; believes therefore that the Commission's proposal should not only deal with the response to an attack or a disaster, but also include concrete measures to enhance the cooperation in the prevention and protection against these threats; in this respect, stresses the importance of having strong links between the Solidarity Clause and the Internal Security Strategy and full involvement of Europol, Eurojust and Frontex;

5. Draws attention to the fact that Article 222 TFEU specifically refers to the prevention of terrorist threats and the protection of society against them **and thus recalls the importance of the EU counter terrorism strategy;**

Amendment 18
Marco Scurria

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5 a. Notes that, due to the unpredictable nature of situations and events that could represent a threat to Member States, the abovementioned list of situations which merit a response is not exhaustive.

Or. en

Amendment 19
Cecilia Wikström, Renate Weber

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5 a. Points out that all responses to a terrorist attack or a natural or man-made disaster as well as actions to prevent them must be proportionate and respect the fundamental rights of EU citizens, including the protection of their personal data;

Or. en

Amendment 20
Kyriacos Triantaphyllides, Josef Weidenholzer

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6 a. Believes that the European Parliament and the Council, as the EU legislators and budgetary authorities, should be kept informed of the situation "on the ground" in the case of a disaster or attack that triggers the Solidarity Clause, as well as of its origins and possible consequences so that a thorough and unbiased assessment based on up-to-date and concrete information can be carried out for future reference.

Or. en