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*Committee on Foreign Affairs*

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**2012/2285(INI)**

18.4.2013

# **AMENDMENTS**

## **1 - 13**

**Draft opinion**  
**Renate Weber**  
(PE504.221v01-00)

on the Annual report 2011 on the Protection of EU's financial interests – Fight  
against fraud  
(2012/2285(INI))

AM\_Com\_NonLegOpinion

**Amendment 1**  
**Michael Gahler**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. *Welcomes* the decrease in the number and financial impact of irregularities detected with regard to the pre-accession funds examined in the 2011 report; welcomes the fact that the rate of recovery of EU resources unduly paid on pre-accession assistance has improved significantly, while acknowledging that important differences exist among beneficiaries in terms of the irregularities reported, being mainly a measure of the stage of adoption and implementation of the Irregularity Management System (IMS); calls, therefore, on the Commission to continue to monitor closely the implementation of the IMS in all countries benefiting from the instrument;

*Amendment*

1. ***Takes note of*** the decrease in the number and financial impact of irregularities detected with regard to the pre-accession funds examined in the 2011 report; welcomes the fact that the rate of recovery of EU resources unduly paid on pre-accession assistance has improved significantly ***but is still reaching only a recovery rate of only 60%***, while acknowledging that important differences exist among beneficiaries in terms of the irregularities reported, being mainly a measure of the stage of adoption and implementation of the Irregularity Management System (IMS); calls, therefore, on the Commission to continue to monitor closely the implementation of the IMS in all countries benefiting from the instrument; ***supports the Commission's call especially on Croatia to fully implement the IMS system, which is still outstanding even though training and support has been provided as well as the call on the Former Yugoslav Republic of Macedonia to implement the system;***

Or. en

**Amendment 2**  
**Michael Gahler**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Notes with concern that, in chapter 7

*Amendment*

2. Notes with concern that, in chapter 7

(«External relations, aid and enlargement») of the Annual Report of the European Court of Auditors on the implementation of the budget for the year 2011, the Court pointed to errors in final payments that had not been detected by Commission controls, and concluded that controls applied by the Commission are not fully effective; calls on the Commission to improve its monitoring mechanisms in order to ensure an efficient and appropriate expenditure of funds;

(‘External relations, aid and enlargement’) of the Annual Report of the European Court of Auditors on the implementation of the budget for the year 2011, the Court pointed to errors in final payments that had not been detected by Commission controls, and concluded that controls applied by the Commission are not fully effective; calls on the Commission *to follow the recommendations of the Court of Auditors and the Discharge opinion* to improve its monitoring mechanisms in order to ensure an efficient and appropriate expenditure of funds;

Or. en

**Amendment 3**  
**Renate Weber**

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

*2a. Notes with concern that, owing to the ongoing economic crisis, the Commission does not foresee increased EU funding for law enforcement authorities in Member States, aiming at a better protection of EU financial interests, in the context of its new comprehensive EU strategy; considers that this strategy should be a coherent and comprehensive response aiming to decrease the smuggling and increase collected revenues and therefore ensure that such an investment pays off in the future;*

Or. en

**Amendment 4**  
**Pino Arlacchi**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Welcomes the initiative to reform the European Anti-Fraud Office (OLAF), which has, as one of its main objectives, to strengthen cooperation with third countries; notes that this reform will, inter alia, provide OLAF with the possibility to conclude administrative arrangements with third countries' competent authorities and international organisations, strengthening OLAF's capacity to tackle fraud in areas pertaining to the EU's external policy dimension;

*Amendment*

3. Welcomes the initiative to reform the European Anti-Fraud Office (OLAF), which has, as one of its main objectives, to strengthen cooperation with third countries; notes that this reform will, inter alia, provide OLAF with the possibility to conclude administrative arrangements with third countries' competent authorities and international organisations, strengthening OLAF's capacity to tackle fraud in areas pertaining to the EU's external policy dimension, ***and looks forward to the rapid conclusion of the current legislative procedure revising the 1999 Regulation, equipping the office with the framework it now needs to operate with maximum effectiveness;***

Or. en

**Amendment 5**  
**Michael Gahler**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Welcomes the initiative to reform the European Anti-Fraud Office (OLAF), which has, as one of its main objectives, to strengthen cooperation with third countries; notes that this reform will, inter alia, provide OLAF with the possibility to conclude administrative arrangements with third countries' competent authorities and international organisations, strengthening OLAF's capacity to tackle fraud in areas pertaining to the EU's external policy dimension;

*Amendment*

3. Welcomes the initiative to reform the European Anti-Fraud Office (OLAF), which has, as one of its main objectives, to strengthen cooperation with third countries; notes that this reform will, inter alia, provide OLAF with the possibility to conclude administrative arrangements with third countries' competent authorities and international organisations, strengthening OLAF's capacity to tackle fraud in areas pertaining to the EU's external policy dimension; ***welcomes the anti-fraud strategy (COM(2011) 376), among other***

*things with regard to the inclusion of improved anti-fraud provisions in spending programmes under the new multiannual financial framework 2014-2020; while taking note with concern of the Commission's conclusion that there are insufficient deterrents against criminal misuse of the EU budget in Member States, welcomes the Commission proposals to address this problem and recommends that beneficiary third countries should also be involved as much as possible;*

Or. en

**Amendment 6**  
**Pino Arlacchi**

**Draft opinion**  
**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

*3a. Stresses the need to further intensify the fight against custom-related fraud and welcomes the creation of the Anti-Fraud Transit Information System (ATIS), a central repository to keep all the authorities informed about the movements of goods in transit within the EU;*

Or. en

**Amendment 7**  
**Renate Weber**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

*Amendment*

4. Welcomes the Action plan to fight against smuggling of cigarettes and alcohol

4. Welcomes the Action plan to fight against smuggling of cigarettes and alcohol

along the EU Eastern border, and notes that this illegal activity is leading to important financial losses for the EU budget and for the budgets of the Member States (estimated at EUR 10 billion); emphasises that this activity serves as an important source of financing for internationally structured criminal organisations, and outlines, therefore, the importance of strengthening the external dimension of the aforementioned Action plan;

along the EU Eastern border, and notes that this illegal activity is leading to important financial losses for the EU budget and for the budgets of the Member States (estimated at EUR 10 billion/year); emphasises that this activity serves as an important source of financing for internationally structured criminal organisations, and outlines, therefore, the importance of strengthening the external dimension of the aforementioned Action plan, ***which foresees supporting enforcement capacity in neighbouring countries, providing technical assistance and training, raising awareness, stepping up operational cooperation, such as Joint Customs Operations (JCO), as well as sharing intelligence and enhancing international cooperation;***

Or. en

**Amendment 8**  
**Pino Arlacchi**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Welcomes the Action plan to fight against smuggling of cigarettes and alcohol along the EU Eastern border, and notes that this illegal activity is leading to important financial losses for the EU budget and for the budgets of the Member States (estimated at EUR 10 billion); emphasises that this activity serves as an important source of financing for internationally structured criminal organisations, and outlines, therefore, the importance of strengthening the external dimension of the aforementioned Action plan;

*Amendment*

4. Welcomes the Action plan to fight against smuggling of cigarettes and alcohol along the EU Eastern border, and notes that this illegal activity is leading to important financial losses for the EU budget and for the budgets of the Member States (estimated at EUR 10 billion); emphasises that this activity serves as an important source of financing for internationally structured criminal organisations, and outlines, therefore, the importance of strengthening the external dimension of the aforementioned Action plan; ***in particular, stresses the importance of the collaboration of the Member States, Russia and the Eastern Partnership***

*countries (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine) for the implementation of the targeted actions proposed by this Action plan;*

Or. en

**Amendment 9**  
**Monika Flašíková Beňová**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Welcomes the Action plan to fight against smuggling of cigarettes and alcohol along the EU Eastern border, and notes that this illegal activity is leading to important financial losses for the EU budget and for the budgets of the Member States (estimated at EUR 10 billion); emphasises that this activity serves as an important source of financing for internationally structured criminal organisations, and outlines, therefore, the importance of strengthening the external dimension of the aforementioned Action plan;

*Amendment*

4. Welcomes the Action plan to fight against smuggling of cigarettes and alcohol along the EU Eastern border, and notes that this illegal activity is leading to important financial losses for the EU budget and for the budgets of the Member States (estimated at EUR 10 billion) ***and is a potential health risk to EU citizens***; emphasises that this activity serves as an important source of financing for internationally structured criminal organisations, and outlines, therefore, the importance of strengthening the external dimension of the aforementioned Action plan;

Or. en

**Amendment 10**  
**Renate Weber**

**Draft opinion**  
**Paragraph 4 a (new)**

*Draft opinion*

*Amendment*

***4a. Welcomes anti-fraud policies at EU level that include a higher degree of cooperation with third countries, such as***

*the Anti-fraud Transit Information System, which grants access to EFTA countries, the Mutual Administrative Assistance (MAA) and related anti-fraud provisions with third countries, the Joint Customs Operations (JCO) that took place in 2011, such as Fireblade with Croatia, Ukraine and Moldova and Barrel, with Croatia, Turkey, Norway and Switzerland; welcomes the results of these actions and their financial impact;*

Or. en

**Amendment 11**  
**Pino Arlacchi**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Welcomes the inclusion of anti-fraud provisions in new or renegotiated bilateral agreements, and calls on the Commission and the European External Action Service (EEAS) to extend the inclusion of these provisions to other bilateral agreements with third countries;

*Amendment*

***5. Bearing in mind that, in a globalised world, fraud is increasingly being committed across international borders, stresses the importance of having a strong legal framework, with clear commitments from the partner countries and*** welcomes the inclusion of anti-fraud provisions in new or renegotiated bilateral agreements, and calls on the Commission and the European External Action Service (EEAS) to extend the inclusion of these provisions to other bilateral agreements with third countries;

Or. en

**Amendment 12**  
**Michael Gahler**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

5. Welcomes the inclusion of anti-fraud provisions in new or renegotiated bilateral agreements, and calls on the Commission and the European External Action Service (EEAS) to ***extend the inclusion of*** these provisions ***to other bilateral*** agreements with third countries;

*Amendment*

5. Welcomes the inclusion of anti-fraud provisions in new or renegotiated bilateral agreements, ***including the draft agreements with Afghanistan, Kazakhstan, Armenia, Azerbaijan and Georgia and in a more streamlined version with Australia,*** and calls on the Commission and the European External Action Service (EEAS) to ***develop a standard clause to include*** these provisions ***into all new or renegotiated bi- and multilateral*** agreements with third countries;

Or. en

**Amendment 13**  
**Michael Gahler**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Suggests that the findings and recommendations of the Court of Auditors pertaining to EU external actions, and in particular to EU missions, be taken into account when reviewing their progress against set objectives and when considering the extension of their mandate, in order to ensure effective and the appropriate use of the resources given;

*Amendment*

6. Suggests that the findings and recommendations of the Court of Auditors pertaining to EU external actions, and in particular to EU missions, be taken into account when reviewing their progress against set objectives and when considering the extension of their mandate, in order to ensure effective and the appropriate use of the resources given; ***notes the observation on some weaknesses relating to the procurement procedures and tendering in EEAS actions and calls on the EEAS to correct them in due time;***

Or. en

