



2017/2273(INI)

1.3.2018

AMENDMENTS

1 - 35

Draft opinion

Marijana Petir

Monitoring the application of EU law 2016
(2017/2273(INI))

Amendment 1
Jørn Dohrmann

Draft opinion
Paragraph 1

Draft opinion

1. Maintains that effective application of EU law is essential in order to realise the benefits which EU policies bring to citizens and businesses and that uniform application of EU law in all Member States is central to the EU's success;

Amendment

1. Maintains that effective application of EU law is essential in order to realise the benefits which EU policies bring to citizens and businesses and that uniform application of EU law in all Member States is central to the EU's success; ***points out that the ineffective application of EU law creates an unfair competition among Member States;***

Or. en

Amendment 2
Luke Ming Flanagan

Draft opinion
Paragraph 1

Draft opinion

1. Maintains that effective application of EU law is essential in order to realise the benefits which EU policies bring to citizens and businesses and that uniform application of EU law in all Member States is central to the EU's success;

Amendment

1. Maintains that effective application of EU law, ***across all areas and including by the EU institutions themselves,*** is essential in order to realise the benefits which EU policies bring to citizens and businesses and that uniform application of EU law in all Member States is central to the EU's success;

Or. en

Amendment 3
Sylvie Goddyn, Jean-François Jalkh, Joëlle Mélin

Draft opinion
Paragraph 1

Draft opinion

1. Maintains that ***effective application of EU law is essential in order to realise the benefits which EU policies bring*** to citizens and businesses and that ***uniform*** application of EU law in all Member States is central to the EU's ***success***;

Amendment

1. Maintains that, ***when EU policies are implemented, EU law must apply*** to citizens and businesses and that ***the*** application of EU law in all Member States is central to the EU's ***proper functioning***;

Or. fr

Amendment 4

Claudiu Ciprian Tănăsescu

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1a. Notes that, in accordance with Article 17(1) of the Treaty on European Union, responsibility for the transposition, implementation and effective enforcement of legislation rests with the Commission, while the Member States have the primary responsibility for transposing, applying and implementing EU law correctly;

Or. ro

Amendment 5

Kateřina Konečná

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1 a. Reminds that full implementation of EU environmental legislation could save the EU economy €50 billion every year in health costs and direct costs to the environment;

Or. en

Amendment 6
Nicola Caputo

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. Emphasises that the simplicity, clarity and reliability of the European legal framework are fundamental to the effective and uniform application of EU law;

Or. it

Amendment 7
Kateřina Konečná

Draft opinion
Paragraph 1 b (new)

Draft opinion

Amendment

1 b. Stresses that the inadequate integration of environmental considerations into other policy areas is one of the root causes of poor implementation of environmental legislation and policy;

Or. en

Amendment 8
Kateřina Konečná

Draft opinion
Paragraph 1 c (new)

Draft opinion

Amendment

1 c. Recalls that on several occasions the European Parliament has called on the Commission more proactively to monitor, direct and support the

*implementation of environmental
legislation and policies;*

Or. en

Amendment 9

Sylvie Goddyn, Jean-François Jalkh, Joëlle Mélin

Draft opinion

Paragraph 2

Draft opinion

Amendment

2. *Points out that the Commission has the power and the duty to oversee the application of EU law and to institute infringement proceedings against a Member State that has failed to fulfil an obligation under the Treaties;* **deleted**

Or. fr

Amendment 10

Sylvie Goddyn, Jean-François Jalkh, Joëlle Mélin

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2a. *Points out that the Commission's supervisory powers are delegated to it by Parliament and the Member States, and that Parliament can adopt a motion of censure against the Commission or even dissolve it altogether; points out that the Commission's task is to ensure that the Treaties are upheld and serve as the EU's executive body;*

Or. fr

Amendment 11

Kateřina Konečná

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2 a. *Is concerned that that there still are significant shortcomings in the implementation and enforcement of EU environmental legislation in some Member States, particularly in waste management, waste water treatment infrastructure and compliance with air quality limit values;*

Or. en

Amendment 12
Jørn Dohrmann

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2 a. *Considers that, before introducing new legislation, the Commission should ensure the effective application of existing EU legislation throughout all the EU;*

Or. en

Amendment 13
Sylvie Goddyn, Jean-François Jalkh, Joëlle Mélin

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. *Welcomes* the Commission's *decision*¹ to respond to infringements promptly, and *supports its efforts* to resolve implementation problems *informally*; calls on the Commission to improve the EU Pilot problem-solving system;

3. *Notes* the Commission's *capacity*¹ to respond to infringements promptly, and *to negotiate informally* to resolve implementation problems; calls on the Commission to improve the EU Pilot problem-solving system; *deplores, at the same time, the Commission's lack of transparency, in particular in the process*

¹ C(2016)8600, SL C 18, 19 January 2017.

¹ C(2016)8600, SL C 18, 19 January 2017.

Or. fr

Amendment 14

Sylvie Goddyn, Jean-François Jalkh, Joëlle Mélin

Draft opinion

Paragraph 4

Draft opinion

4. Expresses its concern at the increase in the total number of infringement procedures in 2016, making the figure for such cases the highest to have been recorded in the last five years;

Amendment

4. Expresses its concern at the increase in the total number of infringement procedures in 2016, making the figure for such cases the highest to have been recorded in the last five years; ***stresses that the increase in the total number of infringement procedures is partly due to disagreements between the EU Member States and the EU and partly due to the growing conflict between the citizens of sovereign states and Commission decisions;***

Or. fr

Amendment 15

Urszula Krupa

Draft opinion

Paragraph 4

Draft opinion

4. Expresses its concern at the increase in the total number of infringement procedures in 2016, making the figure for such cases the highest to have been recorded in the last five years;

Amendment

4. Expresses its concern at the increase in the total number of infringement procedures in 2016, making the figure for such cases the highest to have been recorded in the last five years; ***notes that this is connected with the increasing number of legal acts of the European Union; calls for prudent use of the legislative initiative by the***

Commission;

Or. pl

Amendment 16
Daciana Octavia Sârbu, Tiemo Wölken

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4 a. Notes the increase in the number of complaints over the period 2012-2016; underlines that access to environmental information, as required by the Aarhus Convention, is necessary to allow the public and civil society to effectively bring complaints against Member States.

Or. en

Amendment 17
Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Stresses that effective enforcement of EU rules in the field of health, food safety and the environment is important for European citizens, since it influences their day-to-day lives and serves the general interest;

Or. ro

Amendment 18
Tiemo Wölken, Daciana Octavia Sârbu

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4 a. *Underlines that access to environmental justice is necessary to allow civil society to effectively bring complaints against inter alia Member States and should be fostered through means of collective redress.*

Or. en

Amendment 19
Marijana Petir

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4 a. *Underlines the need to maintain a high level of environmental protection as well as of health and food safety;*

Or. en

Amendment 20
Marijana Petir

Draft opinion
Paragraph 5

Draft opinion

Amendment

5. Calls on the Commission closely to monitor environment-related infringement cases with a cross-border dimension, including correct transposition and application of EU law in future Member States;

5. Calls on the Commission closely to monitor environment-related infringement cases with a cross-border dimension, including correct transposition and application of EU law in future Member States; *calls, furthermore, on the Commission to inform complainants in an appropriate, transparent and timely manner of the arguments provided by the states concerned in reaction to the complaint;*

Or. hr

Amendment 21
Kateřina Konečná

Draft opinion
Paragraph 5

Draft opinion

5. Calls on the Commission closely to monitor environment-related infringement cases with a cross-border dimension, including correct transposition and application of EU law in future Member States;

Amendment

5. Calls on the Commission closely to monitor environment-related infringement cases with a cross-border dimension, ***especially in the area of clean air legislation***, including correct transposition and application of EU law in future Member States;

Or. en

Amendment 22
Sylvie Goddyn, Jean-François Jalkh, Joëlle Mélin

Draft opinion
Paragraph 5

Draft opinion

5. Calls on the Commission closely to monitor environment-related infringement cases with a cross-border dimension, including correct transposition and application of EU law in future Member States;

Amendment

5. Calls on the ***Member States concerned and the*** Commission closely to monitor environment-related infringement cases with a cross-border dimension, including correct transposition and application of EU law in future Member States;

Or. fr

Amendment 23
Luke Ming Flanagan

Draft opinion
Paragraph 5

Draft opinion

5. Calls on the Commission ***closely*** to

Amendment

5. Calls on the Commission to

monitor environment-related infringement cases with a cross-border dimension, including correct transposition and application of EU law in future Member States;

monitor ***closely any and all*** environment-related infringement cases with a cross-border dimension, including correct transposition and application of EU law in future Member States;

Or. en

Amendment 24

Sylvie Goddyn, Jean-François Jalkh, Joëlle Mélin

Draft opinion

Paragraph 6

Draft opinion

6. Notes that the number of infringement proceedings concerning the environment fell in 2016 compared with 2015, but that there was an increase in the number of procedures in the area of health and food safety, and calls on the Commission to bring particular attention to bear on that point;

Amendment

6. Notes that the number of infringement proceedings concerning the environment fell in 2016 compared with 2015, but that there was an increase in the number of procedures in the area of health and food safety, and calls on the Commission to bring particular attention to bear on that point; ***notes, in that connection, that the free-trade agreements signed between the EU and third countries are a long way from meeting the EU's environmental standards, and that the lack of traceability of imported products will increase the number of violations in the EU;***

Or. fr

Amendment 25

Luke Ming Flanagan

Draft opinion

Paragraph 6

Draft opinion

6. Notes that the number of infringement proceedings concerning the environment fell in 2016 compared with 2015, but that there was an increase in the number of procedures in the area of health

Amendment

6. Notes that the number of infringement proceedings concerning the environment fell in 2016 compared with 2015, but ***is concerned*** that there was an increase in the number of procedures in the

and food safety, and calls on the Commission to bring particular attention to bear on that point;

area of health and food safety, and calls on the Commission to bring particular attention to bear on that point;

Or. en

Amendment 26
Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Stresses that the general public, businesses and civil society make a decisive contribution to monitoring the way in which EU legislation is transposed and implemented, through the information forwarded to the Commission on the difficulties that arise in Member States' application of EU legislation;

Or. ro

Amendment 27
Marijana Petir

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Considers it necessary to stress that an increase in the number of complaints concerning the ineffective application of European law does not necessarily indicate worse implementation of EU law in the Member States, but it may also be a sign that citizens and businesses are better informed regarding their rights deriving from the EU law;

Or. hr

Amendment 28
Marijana Petir

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6 a. *Highlights the important role played by the Parliament, through petitions and questions, in drawing attention to shortcomings in the application of EU law by the Member States;*

Or. en

Amendment 29
Claudiu Ciprian Tănăsescu

Draft opinion
Paragraph 6 b (new)

Draft opinion

Amendment

6b. *Considers it necessary, with a view to ensuring better application of EU law for the benefit of all, to adopt a strategic approach to application, combined with timely and efficient action by the Commission;*

Or. ro

Amendment 30
Marijana Petir

Draft opinion
Paragraph 7

Draft opinion

Amendment

7. Calls on the Commission, when drafting and assessing legislation, to take greater account of the need to reduce the administrative burden for SMEs;

7. Calls on the Commission, when drafting and assessing legislation, to take greater account of the need to reduce the administrative burden for SMEs; ***stresses, that when it comes to the transposition of***

EU rules on public procurement and concessions, SMEs should be able to bid easier and cheaper for public contracts, in full respect of the EU's principles of transparency and competition;

Or. en

Amendment 31

Sylvie Goddyn, Jean-François Jalkh, Joëlle Mélin

Draft opinion

Paragraph 7

Draft opinion

7. Calls on the Commission, when drafting and assessing legislation, to take **greater** account of the need to reduce the administrative burden for SMEs;

Amendment

7. Calls on the Commission, when drafting and assessing legislation, to take account of the need to reduce the administrative burden for ***SMEs in an effort to maintain their competitiveness and halt the collapse of the economic fabric made up of European SMEs;***

Or. fr

Amendment 32

Arne Gericke

Draft opinion

Paragraph 7 a (new)

Draft opinion

Amendment

7a. Calls on the Commission and Council, taking their cue from the successful appointment of the Special Adviser for Better Regulation, to name before the end of this year a Special Adviser for the more effective, citizen-friendly implementation of EU law in the Member States, who would be attached to the office of the European Ombudsman in Strasbourg and whose task it would be to compile examples of the over-zealous or distorted implementation of EU law in the Member States and provide details of

them in annual activity reports;

Or. de

Amendment 33
Kateřina Konečná

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7 a. Welcomes the Environmental Implementation Review (EIR) as a tool to help deliver the benefits of EU environmental law and policies for businesses and citizens through better implementation;

Or. en

Amendment 34
Urszula Krupa

Draft opinion
Paragraph 8

Draft opinion

Amendment

8. Considers that, in line with the Commission's efforts to produce better and more effective EU legislation², the application of the subsidiarity and proportionality principles should always be taken into account.

8. Considers that, in line with the Commission's efforts to produce better and more effective EU legislation², the application of the subsidiarity and proportionality principles, ***which should recognise that lower decision-making levels can better adapt measures to local needs and possibilities***, should always be taken into account.

² COM(2017)0651, 24 October 2017.

² COM(2017)0651, 24 October 2017.

Or. pl

Amendment 35

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Draft opinion
Paragraph 8

Draft opinion

8. Considers that, in line with the Commission's efforts to produce better and more effective EU legislation², the application of the subsidiarity and proportionality principles should ***always be taken into account***.

² COM(2017)0651, 24 October 2017.

Amendment

8. Considers that, in line with the Commission's efforts to produce better and more effective EU legislation², the application of the subsidiarity and proportionality principles should ***be stepped up and made more systematic***.

² COM(2017)0651, 24 October 2017.

Or. fr