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REPORT

on the proposal for a Council decision enabling countries eligible for the future European Neighbourhood and Partnership Instrument (ENPI) to benefit from the Technical Assistance and Information Exchange Programme (TAIEX) (COM(2005)0321 – C6-0283/2005 – 2005/0133(CNS))

Committee on Foreign Affairs

Rapporteur: Cecilia Malmström

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend the common position
- *** Assent procedure
majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend the common position
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

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

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council decision enabling countries eligible for the future European Neighbourhood and Partnership Instrument (ENPI) to benefit from the Technical Assistance and Information Exchange Programme (TAIEX)
(COM(2005)0321 – C6-0283/2005 – 2005/0133(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2005)0321)¹,
 - having regard to Article 181a(2) of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0283/2005),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs (A6-0388/2005),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1
Recital -1 (new)

(-1) It is an objective of the common and foreign security policy of the Union to develop and consolidate democracy, the rule of law and respect for human rights and fundamental freedoms.

¹ Not yet published in OJ.

Justification

This emphasises first principles underlying the activities supported by this instrument. The promotion and strengthening of democratic institutions, the rule of law, and sound public administration have long been priorities of the European Union.

Amendment 2 Article 2

2. For the purposes of implementing Council Regulation (EC) 1488/1996 of 23 July 1996 concerning financial and technical measures to accompany the reform of economic and social structures in the framework of the Euro-Mediterranean partnership (MEDA) and Council Regulation (EC, *EURATOM*) 99/2000 of 29 December 1999 concerning the provision of assistance to the partner States in Eastern Europe and Central Asia (Takis), the Commission may, in accordance with Article 54 (2) of the Financial Regulation, decide to entrust tasks of public authority, and in particular budget implementation tasks following from this Decision, to the body implementing the TAIEX programme implemented under Council Regulation (EEC) 3906/1989 of 18 December 1989 on economic aid to certain countries of Central and Eastern Europe (PHARE), Council Regulation (EC) 2666/2000 of 5 December 2000 on assistance for Albania, Bosnia and Herzegovina, Croatia, the Federal *republic* of Yugoslavia and the Former Yugoslav Republic of Macedonia (CARDS), and Council Regulation (EC) 2500/2001 of 17 December 2001 concerning pre-accession financial assistance for Turkey. This Decision does not apply to actions implemented under Regulation 99/2000 that fall within the scope of the *EURATOM* Treaty.

2. For the purposes of implementing Council Regulation (EC) *No* 1488/1996 of 23 July 1996 concerning financial and technical measures to accompany the reform of economic and social structures in the framework of the Euro-Mediterranean partnership (MEDA) and Council Regulation (EC, *Euratom*) *No* 99/2000 of 29 December 1999 concerning the provision of assistance to the partner States in Eastern Europe and Central Asia (Takis), the Commission may, in accordance with Article 54 (2) of the Financial Regulation, decide to entrust tasks of public authority, and in particular budget implementation tasks following from this Decision, to the body implementing the TAIEX programme implemented under Council Regulation (EEC) *No* 3906/89 of 18 December 1989 on economic aid to certain countries of Central and Eastern Europe (PHARE), Council Regulation (EC) *No* 2666/2000 of 5 December 2000 on assistance for Albania, Bosnia and Herzegovina, Croatia, the Federal *Republic* of Yugoslavia and the Former Yugoslav Republic of Macedonia (CARDS), and Council Regulation (EC) *No* 2500/2001 of 17 December 2001 concerning pre-accession financial assistance for Turkey. This Decision does not apply to actions implemented under Regulation (EC) *No* 99/2000 that fall within the scope of the *Euratom* Treaty.
Due regard shall be paid to the need to avoid the disproportionate allocation of funding to any individual country, to the

detriment of the legitimate needs of other partners.

Justification

Russia is included as a partner country in this instrument, on the basis that it is included in the forthcoming ENPI regulation. This raises the question of how resources are to be distributed among partner countries. It is not desirable that any one country would absorb the bulk of the available funding, to the detriment of others. All partners deserve equal treatment and a fair share of the resources available. The Foreign Affairs Committee favours the adoption of clear criteria for the distribution of funds by country and by region.

Amendment 3
Article 2 a (new)

Article 2a

The Commission shall forward relevant evaluations to the European Parliament for consideration. Evaluations shall address the effectiveness, transparency and accountability both of management structures and of funded activities.

Justification

Regular independent professional evaluation of a programme's effectiveness is essential in the continuing effort to improve performance across the board. Experience suggests that project management in EU affairs is too often beset with excessive delays and with lack of transparency. Work to redress these deficiencies should continue also in the context of the present proposal. Evaluations should be provided to the Parliament in a timely fashion, given the Parliament's role in the development of future policy priorities, as well as its status as the joint budgetary authority.

EXPLANATORY STATEMENT

The promotion and strengthening of democratic institutions, the rule of law, and sound public administration, both around the world and among the countries neighbouring the Union, have long been priorities of the European Parliament. The TAIEX Programme, which dates from 1995, is designed to assist partner countries to implement appropriate EU-related legislation. It provides funding for different kinds of technical assistance for this purpose. The present proposal will enable more countries to have access to the TAIEX Programme. From 2007, the legal framework for funding will be the ENPI Regulation currently in the process of being adopted. This proposal is therefore a transitional measure, designed to allow funding of suitable activities in the period up to the entry into force of the new framework regulation.

The proposed Decision will continue work on activities related to longstanding priorities of the Parliament and of the Union, and as such is to be welcomed.

As to the substance of the proposed Decision, the Foreign Affairs Committee reiterates the importance of good management of EU funding operations, on the one hand, and of EU funded activities, on the other. It follows that the management structures that have the best track record of effectiveness, transparency and accountability should replace structures which have not been as successful. At the same time, there must be sufficient flexibility to allow adaptation to local circumstances; in particular there must be a capacity to promote worthwhile initiatives and programmes also in the absence of consent from a host country government.

Experience also suggests that the existing mechanisms for project management are too often beset with delays and with lack of transparency. Work to redress these deficiencies should continue also in the context of the present proposal.

Regular independent professional evaluation of a programme's effectiveness is essential in the continuing effort to improve performance across the board. Evaluations should address both project management in general and the impact of individual projects. It is obvious that such evaluations should be provided to the Parliament in a timely fashion, given the Parliament's role in the development of future policy priorities, as well as its status as the joint budgetary authority.

The Foreign Affairs Committee notes that this proposal will allow European Neighbourhood Policy partner countries to have access to TAIEX in the same way as PHARE and CARDS countries and Turkey. It also notes the inclusion of Russia in this regard, which mirrors the inclusion of Russia in the forthcoming ENPI regulation.

Given this new geographical scope, there is a particular need to prevent a situation where one country would absorb the bulk of the available funding, to the detriment of the legitimate needs of others. All partners deserve equal treatment and a fair share of the resources available for the task at hand. The Foreign Affairs Committee calls for clear criteria for the distribution of funds by country and by region.

The existence of an Action Plan in a given partner countries should continue to be a key

guideline in the allocation of funding under this programme.

The Foreign Affairs Committee calls on the Council and Commission to take account of the concerns identified above, and to take appropriate steps to address them.

PROCEDURE

Title	Proposal for a Council decision enabling countries eligible for the future European Neighbourhood and Partnership Instrument (ENPI) to benefit from the Technical Assistance and Information Exchange Programme (TAIEX)	
References	COM(2005)0321– C6-0283/2005 – 2005/0133(CNS)	
Date of consulting Parliament	20.9.2005	
Committee responsible Date announced in plenary	AFET 27.9.2005	
Committee(s) asked for opinion(s) Date announced in plenary	BUDG 27.9.2005	INTA 27.9.2005
Not delivering opinion(s) Date of decision	BUDG 15.11.2005	INTA 12.9.2005
Enhanced cooperation Date announced in plenary		
Rapporteur(s) Date appointed	Cecilia Malmström 29.8.2005	
Previous rapporteur(s)		
Simplified procedure – date of decision Date of decision		
Legal basis disputed Date of JURI opinion	/	
Financial endowment amended Date of BUDG opinion	/	
Parliament to consult European Economic and Social Committee – date decided in plenary		
Parliament to consult Committee of the Regions – date decided in plenary		
Discussed in committee	11.10.2005	
Date adopted	29.11.2005	
Result of final vote	+: 55 –: 0 0: 0	
Members present for the final vote	Panagiotis Beglitis, Monika Beňová, André Brie, Elmar Brok, Simon Coveney, Véronique De Keyser, Giorgos Dimitrakopoulos, Camiel Eurlings, Jas Gawronski, Ana Maria Gomes, Alfred Gomolka, Klaus Hänsch, Richard Howitt, Jana Hybášková, Anna Ibrisagic, Toomas Hendrik Ilves, Georgios Karatzaferis, Helmut Kuhne, Vytautas Landsbergis, Joost Lagendijk, Cecilia Malmström, Francisco José Millán Mon, Pasqualina Napoletano, Annemie Neyts-Uyttebroeck, Baroness Nicholson of Winterbourne, Cem Özdemir, Justas Vincas Paleckis, João de Deus Pinheiro, Mirosław Mariusz Piotrowski, Poul Nyrup Rasmussen, Michel Rocard, Libor Rouček, José Ignacio Salafranca Sánchez-Neyra, Jacek Emil Saryusz-Wolski, Marek Maciej Siwiec, István Szent-Iványi, Konrad Szymański, Charles Tannock, Inese Vaidere, Geoffrey Van Orden, Luis Yañez-Barnuevo García, Josef Zieleniec	

Substitute(s) present for the final vote	Alexandra Dobolyi, Árpád Duka-Zólyomi, Glyn Ford, Milan Horáček, Marie Anne Isler Béguin, Tunne Kelam, Jaromír Kohlíček, Eija-Riitta Korhola, Yiannakis Matsis, Janusz Onyszkiewicz, Doris Pack, Csaba Sándor Tabajdi	
Substitute(s) under Rule 178(2) present for the final vote	Tadeusz Zwiefka	
Date tabled	1.12.2005	A6-0388/2005
Comments (available in one language only)		