



EUROPSKI PARLAMENT

2009 - 2014

Dokument s plenarne sjednice

A7-0449/2013

6.12.2013

*****I**
IZVJEŠĆE

o prijedlogu Uredbe Europskog parlamenta i Vijeća o uspostavi Europskog instrumenta za susjedstvo
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Odbor za vanjske poslove

Izvjestitelj: Eduard Kukan

Oznake postupaka

- * Postupak savjetovanja
- *** Postupak suglasnosti
- ***I Redovni zakonodavni postupak (prvo čitanje)
- ***II Redovni zakonodavni postupak (drugo čitanje)
- ***III Redovni zakonodavni postupak (treće čitanje)

(Navedeni se postupak temelji na pravnoj osnovi predloženoj u nacrtu akta.)

Izmjene nacрта akta

Amandmani Parlamenta u obliku dvaju stupaca

Brisanja su označena *podebljanim kurzivom* u lijevom stupcu. Izmjene su označene *podebljanim kurzivom* u obama stupcima. Novi tekst označen je *podebljanim kurzivom* u desnom stupcu.

U prvom i drugom retku zaglavlja svakog amandmana naznačen je predmetni odlomak iz nacрта akta koji se razmatra. Ako se amandman odnosi na postojeći akt koji se želi izmijeniti nacrtom akta, zaglavlje sadrži i treći redak u kojem se navodi postojeći akt te četvrti redak u kojem se navodi odredba akta na koju se izmjena odnosi.

Amandmani Parlamenta u obliku pročišćenog teksta

Novi dijelovi teksta označuju se *podebljanim kurzivom*. Brisani dijelovi teksta označuju se oznakom **■** ili su precrtani. Izmjene se naznačuju tako da se novi tekst označi *podebljanim kurzivom*, a da se zamijenjeni tekst izbriše ili precrta.

Iznimno, izmjene strogo tehničke prirode koje unesu nadležne službe prilikom izrade konačnog teksta ne označuju se.

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NACRT ZAKONODAVNE REZOLUCIJE EUROPSKOG PARLAMENTA

o prijedlogu Uredbe Europskog parlamenta i Vijeća o uspostavi Europskog instrumenta za susjedstvo

(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

(Redovni zakonodavni postupak: prvo čitanje)

Europski parlament,

- uzimajući u obzir prijedlog Komisije upućen Europskom parlamentu i Vijeću (COM(2011)0839),
- uzimajući u obzir članak 294. stavak 2., članak 209. stavak 1. i članak 212. stavak 2. Ugovora o funkcioniranju Europske unije, u skladu s kojima je Komisija podnijela prijedlog Parlamentu (C7-0492/2011),
- uzimajući u obzir članak 294. stavak 3. Ugovora o funkcioniranju Europske unije,
- uzimajući u obzir mišljenje Europskog gospodarskog i socijalnog odbora od 14. studenoga 2012.¹,
- uzimajući u obzir mišljenje Odbora regija od 9. listopada 2012.²,
- uzimajući u obzir da se predstavnik Vijeća pismom od 4. prosinca 2013. obvezao prihvatiti stajalište Europskog parlamenta u skladu s člankom 294. stavkom 4. Ugovora o funkcioniranju Europske unije,
- uzimajući u obzir članak 55. Poslovnika,
- uzimajući u obzir izvješće Odbora za vanjske poslove i mišljenja Odbora za razvoj, Odbora za međunarodnu trgovinu, Odbora za proračune, Odbora za zapošljavanje i socijalna pitanja, Odbora za industriju, istraživanje i energetiku, Odbora za regionalni razvoj, Odbora za kulturu i obrazovanje i Odbora za prava žena i jednakost spolova (A7-0449/2013),

1. usvaja sljedeće stajalište u prvom čitanju;
2. odobrava izjavu Parlamenta priloženu ovoj Rezoluciji;
3. uzima na znanje izjave Komisije priložene ovoj Rezoluciji;
4. traži od Komisije da predmet ponovno uputi Parlamentu ako namjerava bitno izmijeniti svoj prijedlog ili ga zamijeniti drugim tekstom;
5. nalaže svojem predsjedniku da stajalište Parlamenta proslijedi Vijeću, Komisiji i nacionalnim parlamentima.

¹ SL C 11, 15.1.2013., str. 77.

² SL C 391, 18.12.2012., str. 110.

Amandman 1

AMANDMANI EUROPSKOG PARLAMENTA *

na prijedlog Komisije

UREDBA (EU) BR. .../2011 EUROPSKOG PARLAMENTA I VIJEĆA

od

o uspostavi Europskog instrumenta za susjedstvo

EUROPSKI PARLAMENT I VIJEĆE EUROPSKE UNIJE,

uzimajući u obzir Ugovor o funkcioniranju Europske unije, a posebno njegov članak 209. stavak 1. i članak 212. stavak 2.,

uzimajući u obzir prijedlog Europske komisije,

nakon prosljeđivanja nacrtu zakonodavnog akta nacionalnim parlamentima,

uzimajući u obzir mišljenje Europskog gospodarskog i socijalnog odbora ¹,

uzimajući u obzir mišljenje Odbora regija ²,

u skladu s redovnim zakonodavnim postupkom ¹,

* Amandmani: novi ili izmijenjeni tekst označuje se podebljanim kurzivom; a brisani tekst oznakom **■**.

¹ SL C., str. .

² SL C., str. .

¹ *Stajalište Europskog parlamenta od ... (još nije objavljeno u Službenom listu) i odluka Vijeća od*

budući da:

- (1) Ovom Uredbom ***trebalo bi uspostaviti Europski instrument za susjedstvo (ENI), kao jedan od instrumenata namijenjenih pružanju izravne potpore vanjskim politikama Europske unije. Njome će se zamijeniti Uredba (EZ) br. 1638/2006 Europskog parlamenta i Vijeća***¹ koja ističe 31. prosinca 2013.
 - (2) Člankom 8. Ugovora o Europskoj uniji predviđa se razvoj posebnog odnosa sa susjednim zemljama radi uspostave područja blagostanja i dobrosusjedskih odnosa, utemeljenog na vrijednostima Unije i obilježenog bliskim i miroljubivim odnosima koji se temelje na suradnji.
- █
- (4) Od svog pokretanja, Europska politika susjedstva █ ojačala je odnose sa zemljama partnerima i donijela vidljivu korist Uniji i njezinim partnerima, ***uključujući pokretanje regionalnih inicijativa i potporu demokratizaciji u regiji. Više važnih događaja u europskom susjedstvu pokrenulo je revidiranu viziju Europske politike susjedstva (EPS) koja je uspostavljena 2011. kao rezultat sveobuhvatne strateške revizije. Ona između ostaloga pruža veću potporu partnerima koji su usmjereni na izgradnju demokratskih društava i provođenje reformi u skladu s načelima „više za više” i „uzajamna odgovornost”, partnerstvu s društvima te različitim i prilagođenijem pristupu pojedinačnim zemljama partnerima. Ovom Uredbom uspostavlja se jasna veza između okvira Europske politike susjedstva i potpore koja će se pružiti u okviru instrumenta uspostavljenog ovom Uredbom.***

¹ Uredba (EZ) br. 1638/2006 Europskog parlamenta i Vijeća od 24. listopada 2006. o utvrđivanju općih odredaba o uspostavi Europskog instrumenta za susjedstvo i partnerstvo (SL L 310, 9.11.2006.).

- (5) Europskom politikom susjedstva Unija zemljama iz europskog susjedstva nudi privilegirani odnos, koji se temelji na zajedničkom prihvaćanju i promoviranju vrijednosti demokracije i ljudskih prava, vladavine prava, dobrog upravljanja te načela tržišnog gospodarstva i održivog **i uključivog** razvoja. **Ona nadalje pruža, prema potrebi, okvir za poboljšanu mobilnost i osobne kontakte, osobito olakšavanjem izdavanja viza i sporazumima o ponovnom prihvatu te, ovisno o slučaju, liberalizacijom viza.**
- (6) **ENI pruža podršku provedbi** političkih inicijativa koje su **doprinijele oblikovanju** Europske **politike** susjedstva: Istočnom partnerstvu između Unije i njezinih istočnih susjeda, **Partnerstvu za demokraciju i zajednički napredak** te inicijativi Unija za Mediteran **u južnom susjedstvu**. Sve su te inicijative **strateški važne i pružaju jednako** smislene političke okvire za produbljivanje odnosa sa zemljama partnerima kao i između njih, a koji se zasnivaju na načelima **uzajamne odgovornosti**, zajedničkog vlasništva i odgovornosti.
- (6a) **Ciljeve ove Uredbe trebalo bi ostvarivati uz odgovarajuće uključivanje partnera u vanjskom djelovanju, uključujući organizacije civilnog društva i lokalna tijela vlasti, u aktivnosti pripreme, provedbe i praćenja potpore Unije, uzimajući u obzir važnost njihovih uloga. ENI-jem bi se također trebalo podupirati jačanje kapaciteta organizacija civilnog društva kako bi se zajamčila učinkovita odgovornost države i lokalno vlasništvo te kako bi oni postali značajni čimbenici u procesima demokratizacije.**
- (6b) **ENI-jem se također podupire provedba regionalne suradnje diljem susjedstva, između ostalog u okviru politike Sjeverne dimenzije ili Crnomorske sinergije, kao i, ponajprije u pogledu prekogranične suradnje, u vezi s vanjskim aspektima relevantnih makroregionalnih strategija.**
- (6c) **Ovom Uredbom priznaje se posebni status Ruske Federacije kao susjeda Unije i strateškog partnera u regiji.**

- (8) Potpora u okviru ENI-ja i u okviru Europskog fonda za regionalni razvoj trebala bi se pružiti programima za prekograničnu suradnju *između država članica, s jedne strane, te s druge strane zemalja partnera i/ili Ruske Federacije („druge zemlje koje sudjeluju u prekograničnoj suradnji”)* na vanjskim granicama Unije u svrhu promicanja integriranog i održivog regionalnog razvoja i *suradnje* među susjednim graničnim područjima te skladne teritorijalne integracije diljem Unije te sa susjednim zemljama. *Kako bi se osigurala učinkovita provedba prekogranične suradnje važno je, prema potrebi, uskladiti postupke s europskom teritorijalnom suradnjom.*
- (9) Nadalje, važno je poticati i olakšavati suradnju na zajedničku korist Unije i njenih partnera, *kao i drugih zemalja sudionica*, pogotovo kroz *najbolju i najučinkovitiju koordinaciju raspoloživih resursa i* udruživanje doprinosa iz unutarnjih i vanjskih instrumenata proračuna Unije, pogotovo *u korist* prekogranične suradnje i *projekata za regionalnu suradnju*, infrastrukturne projekte od interesa za Uniju *koji uključuju susjedne zemlje i* druga područja za suradnju.
- (10) *Teritorijalne jedinice na* granicama koje pripadaju zemljama Europskog gospodarskog prostora (EGP) te relevantne *teritorijalne jedinice u korisnicima navedenima u Prilogu I.* Instrumentu za pretpristupnu pomoć također *moгу* sudjelovati u *prekograničnoj suradnji*. Sudjelovanje zemalja Europskog gospodarskog prostora u programima *prekogranične suradnje* trebalo bi se i dalje zasnivati na njihovim vlastitim resursima.

- (11) Očekuje se da [] države članice, *zemlje partneri* i druge *zemlje sudionice* koje sudjeluju u prekograničnoj [] i *regionalnoj suradnji* pruže [] sufinanciranje. To će ojačati vlasništvo zemalja, povećati financijske resurse koji su na raspolaganju za programe i olakšati sudjelovanje lokalnih *zainteresiranih strana*.

[]
(11a) *Za potrebe usklađivanja terminologije koja se koristi u ovoj Uredbi s europskom teritorijalnom suradnjom, provedbeni dokumenti za programe prekogranične suradnje trebali bi se zvati zajednički operativni programi.* []

- (13) Potpora koju treba pružiti susjednim zemljama u razvoju unutar okvira koji je uspostavila Europska politika susjedstva trebala bi biti dosljedna s ciljevima i načelima vanjskih politika Unije, a pogotovo razvojne te [] *zajedničke sigurnosne i vanjske politike Unije. Također je potrebno je osigurati usklađenost s vanjskim dimenzijama internih politika i instrumenata Unije.*

(13a) *Unija bi trebala tražiti najučinkovitiji način korištenja dostupnih resursa kako bi poboljšala učinak svojeg vanjskog djelovanja. To bi se trebalo postići kroz koherentnost i usklađenost instrumenata za vanjsko djelovanje te stvaranjem sinergija između ENI-ja, drugih instrumenata vanjskog djelovanja i drugih politika Unije. To bi trebalo također značiti uzajamno jačanje programa izrađenih na temelju tih instrumenata.*

- (14) Zajednička strategija EU-a i Afrike relevantna je za odnose s mediteranskim susjedima iz Sjeverne Afrike.

- (15) Unija i njezine države članice trebale bi poboljšati dosljednost, **učinkovitost** i **komplementarnost** svojih politika o suradnji sa susjednim zemljama. Kako bi se osiguralo da se suradnja Unije i država članica uzajamno nadopunjuje i jača, potrebno je osigurati zajedničko programiranje koje bi se trebalo provoditi kad god je to moguće i relevantno, **a istodobno je potrebno osigurati odgovarajuću suradnju i koordinaciju s drugim donatorima izvan Unije.**
- (16) Potpora Unije u sklopu ove Uredbe trebala bi u načelu biti usklađena s odgovarajućim nacionalnim **ili** lokalnim strategijama i mjerama zemalja partnera **te, prema potrebi, također s onima Ruske Federacije.**
- (17) Unija je u najboljoj poziciji da pruži tu potporu u zemljama iz europskog susjedstva u kojima je usklađivanje s pravilima i standardima Unije jedan od ključnih ciljeva politike. Određena posebna potpora može se pružiti samo na razini Unije. **Tranzicijsko iskustvo država članica također može doprinijeti uspjehu reformi u zemljama europskog susjedstva i promicanju univerzalnih vrijednosti u europskom susjedstvu.**
- (18) Budući da ciljeve ove Uredbe **ne** mogu dostatno ostvariti države članice, **nego** ih se zbog opsega ili učinaka mjera može na bolji način ostvariti na razini Unije, Unija može donijeti mjere u skladu s načelom supsidijarnosti određenim u članku 5. Ugovora **o Europskoj uniji.** U skladu s načelom proporcionalnosti kako je određeno u tom članku, ova Uredba ne prelazi okvir onoga što je nužno za postizanje tih ciljeva.

- (19) Komisija mora pronaći najučinkovitiji način korištenja raspoloživih resursa, korištenjem financijskih instrumenata s učinkom poluge. Takav učinak mogao bi se povećati omogućavanjem korištenja i ponovnog korištenja sredstava uložениh i generiranih od strane financijskih instrumenata.
- (20) Borba protiv klimatskih promjena jedan je od velikih izazova s kojima se Unija suočava te je u tom pogledu potrebno hitno djelovanje na međunarodnoj razini. U skladu s namjerom izraženom u Komunikaciji Komisije o višegodišnjem financijskom okviru iz lipnja 2011. za povećanje udjela u proračunu Unije koji je povezan s klimom na barem 20 %, ova bi Uredba trebala doprinijeti tom cilju.
- (20a) *Stabilni okvir suradnje sa susjednim zemljama u području energetike i resursa, dosljedan s pravilima unutarnjeg tržišta Unije, doprinosi poboljšanju sigurnosti Unije u tom području.*
- (21) Spolna ravnopravnost, *prava pripadnika manjina i borba protiv* diskriminacije *i nejednakosti* međusektorski su *ciljevi* u svim aktivnostima koje se poduzimaju na temelju ove Uredbe.
- (22) *U odnosima sa svojim partnerima u svijetu*, Unija je predana promicanju poštenog rada, *socijalne pravde*, kao i ratifikacije i učinkovite provedbe međunarodno priznatih standarda rada, *uključujući iskorjenjivanje dječjeg rada*, te multilateralnih sporazuma *o okolišu*.
- (22a) *Ovim se aktom određuje financijska omotnica za čitavo vrijeme trajanja instrumenta ENI koja za Europski Parlament i Vijeće tijekom godišnjeg proračunskog postupka čini glavni referentni iznos u smislu točke 17. Međuinstitucionalnog sporazuma od ... 2013. između Europskog parlamenta, Vijeća i Komisije o proračunskoj disciplini, suradnji u vezi s proračunskim pitanjima i o dobrom financijskom upravljanju.*
- (23) Financijski interesi Unije trebali bi se štititi razmjernim mjerama kroz ciklus rashoda, uključujući prevencijom, otkrivanjem i ispitivanjem nepravilnosti, povratom sredstava koja su izgubljena, pogrešno plaćena ili nepravilno korištena i, prema potrebi, kaznama. Te mjere *trebale bi* se provoditi u skladu s primjenjivim sporazumima sklopljenima s međunarodnim organizacijama i trećim zemljama.

- (25) U svrhu **prilagodbe potpore Unije**, Komisiji bi trebalo dodijeliti ovlast za donošenje akata u skladu s člankom 290. Ugovora o funkcioniranju Europske unije s obzirom na **izmjenu sadržaja Priloga II.** ovoj Uredbi. **Posebno je važno da Komisija tijekom svojeg pripremnog rada provede odgovarajuća savjetovanja, uključujući i ona na razini stručnjaka. Prilikom pripreme i izrade delegiranih akata, Komisija bi nadalje trebala osigurati da se relevantni dokumenti Europskom parlamentu i Vijeću šalju istodobno, na vrijeme i na primjeren način.**
- (26) Uredba (EU) br. .../... Europskog parlamenta i Vijeća od (dalje u tekstu „Zajednička provedbena uredba”) određuje zajednička pravila i postupke za provedbu instrumenata Unije za vanjsko djelovanje.
- (27) Radi osiguranja jedinstvenih uvjeta za provedbu ove Uredbe, provedbene ovlasti trebalo bi dodijeliti Komisiji.
- (28) Provedbene ovlasti povezane s člankom 7. stavcima 1., 2. i 3., člankom 9. stavkom 1. **te člankom 12. stavkom 1.** trebale bi se izvršavati u skladu s Uredbom (EU) br. 182/2011 ¹.
- (28a) **Za donošenje provedbenih akata trebalo bi u načelu koristiti postupak ispitivanja,** uzimajući u obzir prirodu tih provedbenih akata, osobito njihovu usmjerenost prema politikama ili njihove financijske implikacije, osim u slučaju mjera malog financijskog razmjera.
- (29) Organizacija i funkcioniranje Europske službe za vanjsko djelovanje (**ESVD**) **utvrđeni su** u Odluci Vijeća 2010/427/EU. ²
- (29a) **Primjereno je uskladiti trajanje ove Uredbe s Uredbom Vijeća o utvrđivanju višegodišnjeg financijskog okvira za razdoblje 2014. – 2020. Ova Uredba bi se stoga trebala primjenjivati od 1. siječnja 2014.**

¹ Uredba (EU) br. 182/2011 Europskog parlamenta i Vijeća od 16. veljače 2011. o utvrđivanju pravila i općih načela u vezi s mehanizmima nadzora država članica nad izvršavanjem provedbenih ovlasti Komisije (SL L 55, 28.2.2011., str. 13.).

² Odluka Vijeća 2010/427/EU od 26. srpnja 2010. o uspostavi organizacije i funkcioniranju Europske službe za vanjsko djelovanje (SL L 201, 3.8.2010., str. 30.).

GLAVA I. CILJEVI I NAČELA

Članak 1.

Sveobuhvatni cilj i područje primjene

1. **■ Ovom Uredbom uspostavlja se Europski instrument za susjedstvo (ENI) s ciljem napredovanja prema području zajedničkog prosperiteta i dobrog susjedstva koje uključuje ■ Uniju te zemlje i državna područja s popisa u Prilogu ovoj Uredbi („zemlje partneri”) razvojem posebnog odnosa koji se temelji na suradnji, miru i sigurnosti, uzajamnoj odgovornosti i zajedničkom prihvaćanju univerzalnih vrijednosti demokracije, vladavine prava i poštovanja ljudskih prava u skladu s Ugovorom o Europskoj uniji.**
2. Potpora Unije u sklopu ove Uredbe upotrebljava se u korist zemalja partnera i **područja koji su uključeni u prekograničnu suradnju. Ona** se može upotrebljavati i u zajedničku korist **Unije** i zemalja partnera.
3. Sredstva Unije mogu se također koristiti za potrebe stvaranja mogućnosti za Rusku Federaciju da sudjeluje u prekograničnoj i **regionalnoj suradnji uz sudjelovanje Unije te u** relevantnim programima koji obuhvaćaju više zemalja, **■ uključujući suradnju na području obrazovanja, osobito razmjene studenata.**

3.a Unija promiče, razvija i konsolidira vrijednosti slobode, demokracije, univerzalnosti i nedjeljivosti, kao i poštovanja ljudskih prava i temeljnih sloboda, načela jednakosti i vladavine prava na kojima se temelji, kroz dijalog i suradnju s trećim zemljama i u skladu s načelima međunarodnog prava. U skladu s time, financiranje na temelju ove Uredbe mora biti sukladno s tim vrijednostima i načelima, kao i s obvezama Unije prema međunarodnom pravu, uzimajući u obzir relevantne politike i stajališta Unije.

Članak 2.

Posebni ciljevi potpore Unije

1. Potpora na temelju ove Uredbe **usmjerena je na promicanje** bolje političke suradnje, **istinske i održive demokracije, postupne gospodarske integracije i jačeg partnerstva s društvima** između Unije i zemalja partnera te, osobito, provedbu sporazuma o partnerstvu i suradnji, sporazuma o pridruživanju ili drugih postojećih i budućih sporazuma te zajednički dogovorenih akcijskih planova **ili istovjetnih dokumenata**.
2. Potpora Unije posebno je **usmjerena** na:
 - (a) promicanje ljudskih prava i temeljnih sloboda, vladavine prava, načela jednakosti **i borbe protiv svakog oblika diskriminacije**, uspostavu istinske i održive demokracije, promicanje dobrog upravljanja, **borbu protiv korupcije, jačanje institucionalnih sposobnosti na svim razinama** i razvoj naprednog civilnog društva, uključujući socijalne partnere;
 - (b) postizanje postupnog uključivanja u unutarnje tržište Unije i poboljšanu sektorsku i međusektorsku **suradnju**, uključujući usklađivanjem propisa sa standardima Unije i drugim relevantnim međunarodnim standardima **te poboljšani pristup tržištu, uključujući putem dubokih i sveobuhvatnih slobodnih trgovinskih zona**, povezanu izgradnju institucija i ulaganja, posebno u međusobna povezivanja;

- (c) stvaranje uvjeta za **bolju organizaciju legalne migracije i poticanje** dobro organizirane mobilnosti ljudi, **za provedbu postojećih ili budućih sporazuma sklopljenih u skladu s Globalnim pristupom migraciji i mobilnosti, te za** promicanje osobnih kontakata, **osobito u vezi s kulturnim, obrazovnim, stručnim i sportskim aktivnostima;**
 - (d) **pružanje podrške pametnom,** održivom i uključivom razvoju u svim aspektima; smanjenje siromaštva, uključujući kroz razvoj privatnog sektora, **te smanjenje socijalne isključenosti; promicanje izgradnje kapaciteta u znanosti, obrazovanju, posebno u visokom obrazovanju, tehnologiji, istraživanju i inovacijama;** promicanje unutarnje gospodarske, društvene i teritorijalne kohezije; ruralni razvoj; **javno zdravlje, zaštita okoliša,** aktivnosti borbe protiv klimatskih promjena te spremnosti na katastrofe;
 - (e) promicanje izgradnje povjerenja, **dobrosusjedskih odnosa** i drugih mjera koje doprinose **svim oblicima** sigurnosti te sprečavanju i rješavanju sukoba, **uključujući dugotrajne sukobe;**
 - (f) unapređenje podregionalne i regionalne suradnje, suradnje u cijelom susjedstvu, kao i prekogranične suradnje.
3. Postizanje **tih posebnih** ciljeva mjeri se posebno putem relevantnih periodičnih izvješća **Unije** o provedbi politike, a u slučaju stavka 2. točaka (a), (d) i (e), putem relevantnih pokazatelja koje su uspostavile međunarodne organizacije i druga relevantna tijela; u slučaju stavka 2. točke (b), (c) i (d), ako je relevantno, **opsegom** korištenja regulatornog okvira **Unije** od strane zemalja partnera; u slučaju stavka 2. točaka (c) i (f), brojem relevantnih sporazuma i aktivnosti suradnje. Pokazatelji će biti **unaprijed definirani, jasni, transparentni i, prema potrebi, specifični za određenu zemlju i mjerljivi te će,** između ostalog, uključivati odgovarajuće praćene demokratske izbore, **poštovanje ljudskih prava i temeljnih sloboda, neovisno sudstvo, suradnju na pitanjima pravosuđa, slobode i sigurnosti,** razinu korupcije, trgovinske tokove, **ravnopravnost spolova** i pokazatelje koji omogućuju mjerenje unutarnjih gospodarskih razlika, uključujući razine zaposlenosti.
4. Potpora Unije može se koristiti i u drugim **relevantnim** područjima ako je to u skladu s ukupnim ciljevima Europske politike susjedstva.

Članak 3.
Okvir politike

1. Sporazumi o partnerstvu i suradnji, sporazumi o pridruživanju i drugi postojeći ili budući sporazumi kojima se uspostavlja odnos sa zemljama partnerima, odgovarajuće komunikacije, **zaključci Europskog vijeća** i zaključci Vijeća, **█** kao i relevantne **deklaracije sa sastanaka na vrhu ili zaključci sastanaka ministara sa zemljama partnerima europske politike susjedstva, uključujući u kontekstu Istočnog partnerstva i Unije za Mediteran, kao i relevantne rezolucije Europskog parlamenta, predstavljaju, uz poštovanje načela vlasništva, sveobuhvatni okvir politike █ ove Uredbe za programiranje i provođenje potpore Unije na temelju ove Uredbe.**
2. **█ Akcijski planovi ili drugi istovrsni zajednički dogovoreni dokumenti, kao što su programi o pridruživanju između zemalja partnera i Unije u bilateralnim ili multilateralnim oblicima, uključujući po potrebi unutar Istočnog partnerstva ili Južne dimenzije europske politike susjedstva, pružaju ključnu referentnu točku za postavljanje prioriteta za potporu Unije i procjenu napretka iz članka 2. stavka 3.**
3. Ako ne postoji sporazum između Unije i zemalja partnera kako je navedeno u članku 1., potpora Unije može se pružiti ako je ona korisna za postizanje ciljeva politike Unije te se programira na temelju takvih ciljeva, uzimajući u obzir potrebe dotične zemlje.

Članak 4.
Razlikovanje, partnerstvo i sufinanciranje

1. Potpora Unije pružena *svakoj zemlji partneru* na temelju članka 6. stavka 1. točke (a) temelji se na *poticajima* te se razlikuje u obliku i iznosu, *uzimajući u obzir sve dolje navedene elemente te odražavajući sljedeće elemente s obzirom na zemlje partnere:*
- a) *njihove potrebe, primjenom pokazatelja kao što su stanovništvo i razina razvoja;*
 - b) *njihovu posvećenost i napredak u provedbi dogovorenih ciljeva političkih, gospodarskih i društvenih reformi;*
 - c) *njihovu posvećenost i napredak u izgradnji istinske i održive demokracije;*
 - d) *partnerstvo s Unijom, uključujući razinu ambicija u pogledu tog partnerstva;*
 - e) *kapacitet apsorpcije i potencijalni učinak potpore Unije.*

Ta potpora odražava se u višegodišnjim programskim dokumentima navedenima u članku 7. ove Uredbe.

- 1.a *Nakon donošenja programskih dokumenata iz članka 7. ove Uredbe i ne dovodeći u pitanje druge elemente iz ovog članka stavka 1., udio raspoloživih resursa ponuđenih zemljama partnerima prilagođava se ponajprije s obzirom na njihov napredak u izgradnji i učvršćivanju istinske i održive demokracije i u provedbi dogovorenih ciljeva političkih, gospodarskih i socijalnih reformi te u skladu s pristupom koji se temelji na poticajima.*

U slučaju krovnih programa u kojima sudjeluje više zemalja, taj se udio određuje s obzirom na napredak koji su zemlje partneri ostvarile u uspostavi istinske i održive demokracije, također uzimajući u obzir njihov napredak u provedbi dogovorenih ciljeva reformi koji doprinose tom cilju.

Napredak zemalja partnera redovito se ocjenjuje, posebno u izvješćima o napretku Europske politike susjedstva koji obuhvaćaju trendove u usporedbi s prethodnim godinama.

Potpora se može razmotriti u slučaju ozbiljne ili trajne regresije.

- 1.b** *Pristup koji se temelji na poticajima ne primjenjuje se na potporu civilnom društvu, osobne kontakte, uključujući suradnju među lokalnim vlastima, potporu unapređenju ljudskih prava i mjere potpore povezane s krizom. U slučaju ozbiljne ili trajne regresije, takva potpora može se povećati.*
- 1.c** *Pristup koji se temelji na poticajima na temelju ove Uredbe bit će podložan redovitim razmjenama stajališta u Vijeću i Europskom parlamentu.*
2. Potpora Unije na temelju ove Uredbe u načelu se uspostavlja u partnerstvu s korisnicima. To partnerstvo prema potrebi uključuje **■ sljedeće** zainteresirane strane **■** u aktivnosti pripreme, provedbe i praćenja potpore Unije:
- i. nacionalna i lokalna tijela vlasti;*
 - ii. organizacije civilnog društva;*
- uključujući savjetovanjem i pravovremenim pristupom relevantnim informacijama, čime im se omogućuje značajna uloga u tom procesu.*
3. Potporu Unije na temelju ove Uredbe u načelu sufinanciraju *zemlje* partneri *i druge zemlje sudionice* putem javnih sredstava, doprinosa korisnika ili drugih izvora. **■** Može se odustati od uvjeta sufinanciranja u propisno opravdanim slučajevima i kada je to potrebno zbog potpore razvoju civilnog društva i nedržavnih subjekata, *posebno malih organizacija civilnog društva*, ne dovodeći u pitanje ispunjavanje drugih uvjeta određenih u Financijskoj uredbi.

Članak 5.
Usklađenost i koordiniranje donatora

1. Pri provedbi ove Uredbe mora se osigurati usklađenost sa *svim* područjima vanjskog djelovanja Unije, kao i s ostalim relevantnim politikama Unije. U tu svrhu, mjere koje se financiraju na temelju ove Uredbe, uključujući one kojima upravlja Europska investicijska banka (EIB), moraju se temeljiti na dokumentima o politici suradnje iz članka 3. stavaka 1. i 2., kao i na posebnim interesima, političkim prioritetima i strategijama Unije. Takve mjere moraju uvažiti obveze iz multilateralnih sporazuma i međunarodnih konvencija čiji su potpisnici Unija i zemlje partneri.
2. *Unija*, države članice i EIB dužni su osigurati usklađenost potpore koja se pruža na temelju ove Uredbe i druge potpore koju pružaju Unija, države članice i **europske financijske institucije**.
3. Unija i države članice koordiniraju svoje programe potpore u svrhu povećanja djelotvornosti i učinkovitosti dostavljanja potpore i političkog dijaloga *te sprečavanja preklapanja financiranja* u skladu s uspostavljenim načelima za jačanje operativne koordinacije na području vanjske potpore i za usklađivanje politika i postupaka. Koordiniranje uključuje redovita savjetovanja i čestu razmjenu bitnih informacija tijekom različitih faza ciklusa potpore, pogotovo na terenu. ***Kada god je to moguće i relevantno, mora se provoditi zajedničko programiranje. Ako to nije moguće, razmatraju se drugi aranžmani, kao što su delegirana suradnja i/ili aranžmani za prijenos kako bi se osigurala najveća razina koordinacije. Komisija izvješćuje o zajedničkom programiranju s državama članicama u izvješću iz članka 16. Uredbe (EU) br. .../... Europskog parlamenta i Vijeća ¹ * te također navodi preporuke u slučaju da zajedničko programiranje nije u potpunosti ostvareno.***

¹ *Uredba (EU) .../... Europskog parlamenta i Vijeća od ... o uspostavi zajedničkih pravila i postupaka za provođenje instrumenata Unije za vanjsko djelovanje (SL L...).*

* SL: molimo da u tekst umetnete broj, kao i datum te upućivanje na izdanje SL-a u bilješci Uredbe u dokumentu 2011/0415 (COD).

4. Unija, zajedno s državama članicama, poduzima potrebne korake, ***uključujući savjetovanja u ranoj fazi procesa programiranja***, kako bi osigurala ***komplementarnost***, pravilnu koordinaciju i suradnju s multilateralnim i regionalnim organizacijama i subjektima, uključujući europske financijske institucije, međunarodne financijske institucije, agencije Ujedinjenih naroda, fondove i programe, privatne i političke zaklade i donatore izvan Unije ■ .
- 4.a Dokumenti iz članka 7. stavaka 1. i 2. također u najvećoj mogućoj mjeri sadrže upućivanja na aktivnosti drugih donatora iz Unije.***

GLAVA II. OKVIRNO PROGRAMIRANJE I DODJELA SREDSTAVA

Članak 6. Vrsta programa

1. Potpora Unije na temelju ove Uredbe programira se putem:
 - (a) bilateralnih programa koji obuhvaćaju potporu za jednu zemlju partnera;
 - (b) programa koji obuhvaćaju više zemalja, a namijenjeni su rješavanju izazova koji su zajednički svima ili većem broju zemalja partnera, ***a temelje se na prioritetima Istočnog partnerstva i Južne dimenzije Europske politike susjedstva i uzimajući u obzir aktivnosti koje se provode u kontekstu Unije za Mediteran***, te regionalnu i podregionalnu suradnju, ***ponajprije između dviju ili više zemalja partnera, uključujući i u okviru Sjeverne dimenzije i Crnomorske sinergije. To može uključivati Rusku Federaciju u skladu s člankom 1. stavkom 3.***;
 - (c) programa prekogranične suradnje koji su namijenjeni suradnji između jedne ili više država članica, s jedne strane, i jedne ili više zemalja partnera i/ili Ruske Federacije (***„druge zemlje koje sudjeluju u prekograničnoj suradnji”***), s druge strane, a provode se na zajedničkom dijelu vanjske granice **■ Unije**.

Prioriteti za potporu Unije određeni su u Prilogu II.

2. Potpora Unije na temelju ove Uredbe provodi se u skladu s Uredbom (EU) br. .../...*, a u slučaju programa iz članka 6. stavka 1. točke (c) ove Uredbe, također u skladu s provedbenim pravilima ENI-a za prekograničnu suradnju.

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

Članak 7.
Programiranje i okvirna dodjela sredstava
za okvirne programe za jednu ili više zemalja

-1.a Okvirne financijske dodjele za programe za određenu zemlju određuju se na temelju kriterija određenih u članku 4. stavku 1.

1. Za zemlje *za koje* postoje dokumenti iz članka 3. stavka 2. *ove Uredbe* donosi se sveobuhvatni višegodišnji okvir za jedinstvenu potporu u skladu s postupkom ispitivanja iz članka 15. stavka 3. Uredbe (EU) br. ...*. Okvir za jedinstvenu potporu obuhvaća:

i. pregled ostvarenog napretka u odnosu na okvir politike te *ostvarenje prethodno dogovorenih ciljeva te se njima uzima u obzir postojeće stanje u vezi s odnosima između Unije i zemlje partnera, uključujući razinu ambicije zemlje partnera u partnerstvu s Unijom;*

ii. *određivanje ciljeva i prioriteta potpore*, uglavnom odabranih među onima koji su uključeni u dokumente iz članka 3. stavka 2. *ove Uredbe* te iz strategija ili planova zemalja partnera *ako je to dosljedno s cjelokupnim okvirom politike* te za koje je redovitom procjenom Unije utvrđena potreba za potporom;

iii. *očekivane rezultate te*

iv. *određivanje okvirne razine financiranja raspodijeljene po prioritetima.*

Okvirne financijske dodjele za svaki okvir za jedinstvenu potporu bit će u obliku raspona ne većeg od 20 %.

Trajanje okvira za jedinstvenu potporu *u načelu* mora odgovarati trajanju relevantnog dokumenta iz članka 3. stavka 2. *ove Uredbe*.

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

2. Za zemlje *za koje* ne postoje dokumenti iz članka 3. stavka 2. donosi se sveobuhvatni programski dokument koji uključuje *strategiju* i *višegodišnji* okvirni program, u skladu s postupkom ispitivanja iz članka 15. stavka 3. Uredbe (EU) br. ... *. U tom dokumentu:

i. mora biti definirana strategija odgovora Unije na temelju analize stanja u dotičnoj zemlji, njezinih i odnosa s Unijom te strategija ili planova zemalja partnera ako je to usklađeno s cjelokupnim okvirom politike;

ii. moraju biti određeni ciljevi i prioritete za potporu Unije;

iii. moraju biti naznačeni očekivani rezultati i

iv. mora biti određena okvirna razina financiranja raspodijeljenog po prioritetima.

Popratne okvirne financijske dodjele pružat će se u obliku raspona ne većeg od 20 %. Programski dokument ima odgovarajuće višegodišnje trajanje.

3. U slučaju programa koji obuhvaćaju više zemalja donosi se sveobuhvatni programski dokument koji uključuje *strategiju* i *višegodišnji* okvirni program, u skladu s postupkom ispitivanja iz članka 15. stavka 3. Uredbe (EU) br. ... *. U tom dokumentu:

i. moraju biti definirani ciljevi i prioritete za potporu Unije prema regiji ili podregiji, koji prema potrebi odražavaju prioritete o kojima je odlučeno u okviru Istočnog partnerstva ili Unije za Mediteran;

ii. moraju biti naznačeni očekivani rezultati i

iii. mora biti određena okvirna razina financiranja raspodijeljenog po prioritetima.

On će imati odgovarajuće višegodišnje trajanje.

Okvirne financijske dodjele za programe koji obuhvaćaju više zemalja određuju se na temelju transparentnih i objektivnih kriterija.

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

4. Dokumenti okvira za jedinstvenu potporu iz *ovog članka* stavka 1. revidiraju se prema potrebi, *uključujući s obzirom na relevantna periodična izvješća Unije i uzimajući u obzir rad zajedničkih tijela uspostavljenih na temelju sporazuma sa zemljama partnerima*, te se mogu revidirati u skladu s postupkom ispitivanja iz članka 15. stavka 3. Uredbe (EU) br. ... *. Programski dokumenti iz *ovog članka stavaka 2. i 3.* preispituju se na polovici svog trajanja ili prema potrebi te se mogu revidirati u skladu s istim postupkom.

4.a Kako bi se olakšala provedba pristupa koji se temelji na poticajima iz članka 4. stavka 1.a, raspon od 10 % proračuna ENI-ja dodijelit će se krovnim programima koji obuhvaćaju više zemalja, a koji će dopuniti financijske dodjele za zemlje iz članka 7. stavaka 1. i 2. U relevantnim odlukama Komisije o uspostavi tih krovnih programa bit će navedene zemlje koje mogu primiti dodjele, a o stvarnim dodjelama odlučit će se na temelju napretka prema istinskoj i održivoj demokraciji te provedbi dogovorenih ciljeva reformi koji doprinose tom cilju.

6. Ako je to potrebno za provedbu učinkovitijih mjera od zajedničke koristi Uniji i zemljama partnerima u područjima kao što su transnacionalna *suradnja* i međusobna povezivanja, financiranje u sklopu ove Uredbe može se udružiti s financiranjem koje pokrivaju druge relevantne uredbe Unije kojima se uspostavljaju financijski instrumenti. U tom slučaju Komisija određuje koji se jedinstveni skup pravila *odnosi* na provedbu.

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

7. **Države članice uključene su u postupak programiranja u skladu s člankom 15. stavkom 3. Uredbe (EU) br. ... *** *One države članice i drugi donatori koji su se obvezali na zajedničko programiranje svoje potpore s Unijom moraju biti osobito snažno uključeni* . Programski dokumenti mogu, prema potrebi, pokrivati i njihov doprinos.
8. **Ako** su se države članice i drugi donatori obvezali na zajedničko programiranje svoje potpore, okvir za jedinstvenu potporu iz stavka 1. i programski dokumenti iz stavaka 2. i 3. mogu se zamijeniti zajedničkim višegodišnjim programskim dokumentom ako on ispunjava uvjete navedene u tim odredbama.
9. U slučaju kriza ili prijetnji demokraciji, vladavini prava, ljudskim pravima i temeljnim slobodama ili u slučaju prirodnih katastrofa ili katastrofa uzrokovanih ljudskim djelovanjem, može se provesti *ad hoc* preispitivanje programskih dokumenata. Takvim hitnim preispitivanjem osigurava se dosljednost između *politika Unije*, potpore Unije koja se pruža na temelju ove Uredbe i potpore koja se pruža u sklopu drugih financijskih instrumenta Unije. Rezultat hitnog preispitivanja može biti usvajanje revidiranih programskih dokumenata. U takvim slučajevima Komisija šalje na znanje revidirane programske dokumente Europskom parlamentu i Vijeću *najkasnije* mjesec dana od njihova donošenja.
10. **Pri bilo kakvom programiranju ili reviziji programa nakon objave srednjoročnog izvješća iz članka 16. Uredbe (EU) br. ... *** *uzimaju se u obzir rezultati, nalazi i zaključci iz tog izvješća.*

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

GLAVA III. PREKOGRANIČNA SURADNJA

Članak 8. Zemljopisna prihvatljivost

1. Programi prekogranične suradnje iz članka 6. stavka 1. točke (c) mogu se uspostaviti:
 - (a) za kopnene granice koje pokrivaju teritorijalne jedinice koje odgovaraju razini 3 **statističke nomenklature teritorijalnih jedinica (NUTS)** ili istovjetnoj razini uzduž kopnenih granica između država članica **i drugih zemalja koje sudjeluju u prekograničnoj suradnji, ne dovodeći u pitanje moguće prilagodbe koje su potrebne za osiguravanje usklađenosti i kontinuiteta aktivnosti suradnje te u skladu s odredbama članka 9. stavka 4.;**
 - (b) za morske granice koje pokrivaju teritorijalne jedinice koje odgovaraju razini 3 NUTS-a ili istovjetnoj razini uzduž morskih granica između država članica **i drugih zemalja koje sudjeluju u prekograničnoj suradnji** **■**, odvojene najviše 150 km, ne dovodeći u pitanje moguće prilagodbe potrebne za osiguravanje usklađenosti i kontinuiteta aktivnosti suradnje;

(c) oko morskog bazena koji obuhvaća obalne teritorijalne jedinice koje odgovaraju razini 2 NUTS-a ili istovjetnoj razini, okrenute prema morskom bazenu koji je zajednički državama članicama i **drugim zemljama koje sudjeluju u prekograničnoj suradnji** .

2. Kako bi se osigurao kontinuitet postojećih programa suradnje te u drugim opravdanim slučajevima, **a u svrhu doprinosa ciljevima programa**, teritorijalnim jedinicama susjednima onima iz stavka 1. može se dopustiti sudjelovanje u prekograničnoj suradnji. **Uvjeti pod kojima susjedne teritorijalne jedinice mogu sudjelovati u suradnji utvrdit će se u zajedničkim operativnim programima.**
 3. U propisno opravdanim slučajevima mogu se uključiti veći društveni, gospodarski ili kulturni centri **iz država članica ili drugih zemalja koje sudjeluju u prekograničnoj suradnji** koje ne graniče s prihvatljivim teritorijalnim jedinicama, pod uvjetom da takvo sudjelovanje doprinosi ciljevima iz programskog dokumenta. **Uvjeti pod kojima takvi centri mogu sudjelovati u suradnji utvrdit će se u zajedničkim operativnim programima.**
 4. Ako su programi uspostavljeni u skladu sa stavkom 1. točkom (b), Komisija može, u dogovoru sa **sudionicima**, predložiti da se zemljopisna prihvatljivost proširi na cijelu teritorijalnu jedinicu razine 2 NUTS-a na čijem se području nalazi teritorijalna jedinica razine 3 NUTS-a.
- 4.a Prekogranična suradnja nastoji biti dosljedna s ciljevima postojećih i budućih makroregionalnih strategija.**

Članak 9.
Programiranje i dodjela sredstava za prekograničnu suradnju

1. Programski dokument priprema se u svrhu definiranja:
 - (a) strateških ciljeva koji se trebaju ostvariti prekograničnom suradnjom ***te prioriteta i očekivanih rezultata te suradnje;***
 - (b) popisa zajedničkih operativnih programa koje treba uspostaviti;
 - (c) okvirne raspodjele resursa između programa za kopnene i morske granice iz članka 8. stavka 1. točaka (a) i (b) i programa za morske bazene iz članka 8. stavka 1. točke (c);
 - (d) višegodišnje indikativne dodjele za svaki zajednički operativni program;
 - (e) teritorijalnih jedinica koje su prihvatljive za sudjelovanje u svakom zajedničkom operativnom programu te ***teritorijalnih jedinica*** i centara koji su navedeni u članku 8. staccima 2., 3. i 4.;
 - (f) indikativne dodjele za potporu, prema potrebi, horizontalnih aktivnosti za izgradnju kapaciteta, umrežavanje i razmjenu iskustva između programa;

- (g) doprinosa transnacionalnim programima uspostavljenim na temelju Uredbe (EU) br. ... Europskog parlamenta i Vijeća ¹*, u kojima sudjeluju zemlje partneri i/ili Ruska Federacija.

Programski dokument obuhvaća razdoblje od sedam godina te ga donosi Komisija u skladu s postupkom ispitivanja iz članka 15. stavka 3. Uredbe (EU) br. ...**. Preispituje se na polovici svog trajanja ili prema potrebi te se može revidirati u skladu s istim postupkom iz tog članka *te Uredbe*.

2. Zajednički operativni programi sufinanciraju se iz Europskog fonda za regionalni razvoj. Ukupni iznos doprinosa iz Europskog fonda za regionalni razvoj određuje se u skladu s člankom 4. stavkom 4. Uredbe (EU) br....***. Na korištenje tog doprinosa primjenjuju se odredbe iz ove Uredbe.
3. Iz Instrumenta pretpristupne pomoći mogu se sufinancirati zajednički operativni programi u kojima sudjeluju *korisnici navedeni u Prilogu I. tom instrumentu*. Na korištenje tog sufinanciranja primjenjuju se odredbe iz ove Uredbe.
4. Indikativna dodjela sredstava za zajedničke operativne programe temelji se **na objektivnim kriterijima, osobito** na stanovništvu prihvatljivih *teritorijalnih jedinica kako je definirano u članku 8. stavku 1. točkama (a), (b) i (c)*. Pri određivanju okvirnih dodjela, moguća je prilagodba kojom se odražava potreba za ravnotežom između doprinosa iz Europskog fonda za regionalni razvoj i doprinosa iz proračuna ovog Instrumenta, kao i drugih čimbenika koji utječu na intenzitet suradnje, kao što su posebne značajke graničnih područja i njihov kapacitet za upravljanje i povlačenje potpore Unije.

¹ *Uredba (EU) br. .../2013 Europskog parlamenta i Vijeća od ... o posebnim odredbama za potporu iz Europskog fonda za regionalni razvoj cilju europske teritorijalne suradnje (SL L ...).*

* SL: molimo umetnite broj u tekst, kao i datum te upućivanje na izdanje SL-a u fusnoti Uredbe u dokumentu PE-CONS 81/13.

** SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

*** SL: molimo da u tekst umetnete broj Uredbe iz dokumenta PE-CONS 81/13.

Članak 10.
Zajednički operativni programi

1. Prekogranična suradnja provodi se kroz višegodišnje zajedničke operativne programe koji pokrivaju suradnju za granicu ili skupinu granica i koji sadrže višegodišnje mjere s ciljem dosljednog skupa prioriteta, a mogu se provesti uz potporu Unije. Zajednički operativni programi temelje se na programskom dokumentu iz članka 9. Oni uključuju sažeti opis sustava upravljanja i kontrole koji obuhvaća elemente iz članka 11. stavka 2. i **članka 12. stavka 2.**
2. Zajednički operativni programi za kopnene i morske granice uspostavljaju se za svaku granicu na odgovarajućoj teritorijalnoj razini i uključuju prihvatljive teritorijalne jedinice koje su dio jedne ili više država članica i jedne ili više **drugih zemalja koje sudjeluju u prekograničnoj suradnji** .
3. Zajednički operativni programi **oko** morskih bazena moraju biti multilateralni, uspostavljeni na odgovarajućoj teritorijalnoj razini i uključivati prihvatljive teritorijalne jedinice okrenute prema zajedničkom morskom bazenu koji pripada nekoliko zemalja sudionica, uključujući barem jednu državu članicu i jednu od **drugih zemalja koje sudjeluju u prekograničnoj suradnji**. Oni mogu uključivati bilateralne aktivnosti koje podržavaju suradnju između jedne države članice i jedne od **drugih zemalja koje sudjeluju u prekograničnoj suradnji**.
4. U roku od godine dana od odobrenja programskog dokumenta iz članka 9. **te nakon donošenja provedbenih pravila o prekograničnoj suradnji** zemlje sudionice dužne su zajednički poslati Komisiji prijedloge za zajedničke operativne programe. Komisija donosi svaki zajednički operativni program nakon procjene njegove usklađenosti s ovom uredbom, programskim dokumentom i provedbenim pravilima **u roku koji je utvrđen u provedbenim pravilima. Komisija predstavlja zajedničke operativne programe na znanje Europskom parlamentu i državama članicama u roku od mjesec dana od donošenja programa.**

5. **Regije** zemalja koje nisu države članice *ili druge zemlje koje sudjeluju u prekograničnoj suradnji*, a koje graniče s prihvatljivim područjima kako je definirano u članku 8. stavku 1. točkama (a) i (b), ili su okrenute prema zajedničkom morskom bazenu u kojem je uspostavljen zajednički operativni program, mogu biti obuhvaćene zajedničkim operativnim programom i koristiti potporu Unije u skladu s uvjetima određenima u programskom dokumentu iz članka 9.
6. Komisija i zemlje sudionice poduzimaju odgovarajuće mjere kako bi se osiguralo da se *programi prekogranične suradnje, osobito za morske bazene*, uspostavljeni na temelju ove Uredbe, te programi transnacionalne suradnje uspostavljeni na temelju Uredbe (EU) br. [...]*, koji se djelomično zemljopisno preklapaju, potpuno nadopunjuju i uzajamno osnažuju.
7. Zajednički operativni programi mogu se revidirati na inicijativu zemalja sudionica ili Komisije iz razloga kao što su:
 - a) promjene u prioritetima suradnje, društveno-gospodarske promjene,
 - b) rezultati provedbe dotičnih mjera i oni koji su ishod postupka praćenja i vrednovanja;
 - c) potreba za prilagođavanjem iznosa raspoloživih sredstava i preraspodjela resursa.

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta PE-CONS 81/13

8. Komisija zaključuje sporazum o financiranju s *drugim* zemljama koje sudjeluju u *prekograničnoj suradnji* ■ **najkasnije do kraja kalendarske godine koja slijedi nakon godine** donošenja zajedničkih operativnih programa. Sporazum o financiranju uključuje pravne odredbe potrebne za provedbu zajedničkog operativnog programa te ga mogu ■ **supotpisati druge zemlje sudionice i upravno tijelo iz članka 12. stavka 2. točke (c) ili zemlja koja je domaćin upravnom tijelu.**

Prema potrebi, između zemalja sudionica i upravnog tijela sklapa se *sporazum (npr. u obliku memoranduma o razumijevanju)* kako bi se odredile ■ **posebne financijske odgovornosti i načini provedbe programa od strane dotičnih zemalja, uključujući njihove upravne i administrativne zadaće i odgovornosti.**

9. Zajednički operativni program koji uključuje više od jedne od *drugih* zemalja koje sudjeluju u *prekograničnoj suradnji* uspostavlja se ako barem jedna od *drugih* zemalja koje sudjeluju u *prekograničnoj suradnji* potpiše sporazum o financiranju. Druge zemlje koje sudjeluju u *prekograničnoj suradnji* koje su obuhvaćene uspostavljenim programom mogu mu se uvijek pridružiti ako potpišu sporazum o financiranju.
10. Ako se zemlja sudionica obveže ■ sufinancirati neki program, zajedničkim operativnim programom moraju se pojasniti dogovori i **potrebni zaštitni mehanizmi za reviziju, dostavu, korištenje i praćenje sufinanciranja.** Povezani sporazum o financiranju potpisuju sve zemlje sudionice i **upravno tijelo programa ili zemlja domaćin upravnog tijela.**
11. Zajednički operativni programi mogu također pružati financijski doprinos od instrumenata i za instrumente s kojima se mogu kombinirati bespovratna sredstva, podložno pravilima tih instrumenata, pod uvjetom da to doprinosi postizanju prioriteta programa.

12. Prema načelu partnerstva, zemlje sudionice ***i prema potrebi njihova lokalna tijela vlasti*** zajednički odabiru aktivnosti za potporu Unije koje su dosljedne prioritetima i mjerama zajedničkog operativnog programa.
13. U posebnim i propisno opravdanim slučajevima kada:
- (a) se zajednički operativni program ne može dostaviti zbog problema u odnosima između zemalja sudionica ili između Europske unije ***i jedne od drugih zemalja koje sudjeluju u prekograničnoj suradnji ili***
 - (b) zemlje sudionice nisu dostavile Komisiji zajednički operativni program najkasnije do 30. lipnja 2017. ***ili***
 - (c) niti ***jedna od drugih*** zemalja ***koje sudjeluju u prekograničnoj suradnji u*** programu nije potpisala relevantan sporazum o financiranju do kraja godine koja slijedi nakon donošenja programa ***ili***
 - (ca) ***se zajednički operativni program ne može provesti zbog problema u odnosima između zemalja sudionica,*** Komisija, nakon savjetovanja s dotičnom državom ili državama članicama, poduzima potrebne korake kako bi dopustila dotičnoj državi članici ili državama članicama da koriste doprinose iz Europskog fonda za regionalni razvoj za zajednički operativni program u skladu s člankom 4. stavcima 7. i 8. Uredbe (EU) br. ... * . .
14. Proračunska izdvajanja za aktivnosti ili programe ***prekogranične suradnje*** koji traju duže od jedne financijske godine mogu se podijeliti tijekom nekoliko godina na godišnje rate.

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta PE-CONS 81/13.

Članak 11.
Upravljanje zajedničkim operativnim programima

1. Zajednički operativni programi **obično** se provode kroz zajedničko upravljanje s državama članicama. **Međutim**, zemlje **sudionice** ■ mogu predložiti provedbu kroz neizravno upravljanje, od strane tijela navedenog u Financijskoj uredbi i u skladu s **provedbenim pravilima** iz članka 12. stavka 2. **ove Uredbe**.
2. Komisija mora provjeriti, na temelju raspoloživih informacija, je li u slučaju zajedničkog upravljanja država članica, odnosno u slučaju neizravnog upravljanja jedna od **drugih zemalja koje sudjeluju u prekograničnoj suradnji** ili međunarodna organizacija, uspostavila i vodi li sustave za upravljanje i nadzor koji su u skladu s Financijskom uredbom, ovom Uredbom te njenim provedbenim pravilima iz članka 12. stavka 2. **ove Uredbe**.

Dotične države članice, **druge zemlje koje sudjeluju u prekograničnoj suradnji** i međunarodne organizacije dužne su osigurati učinkovito funkcioniranje svog sustava za upravljanje i nadzor, zakonitost i pravilnost transakcija te poštovanje načela dobrog financijskog upravljanja. One su odgovorne za upravljanje i nadzor nad programom.

Komisija može tražiti od dotične države članice ili **jedne od drugih zemalja koje sudjeluju u prekograničnoj suradnji** ili međunarodne organizacije da istraži pritužbu koja je dostavljena Komisiji, a tiče se odabira ili provedbe aktivnosti koje su podržane na temelju ove glave ili funkcioniranja sustava za upravljanje i nadzor.

3. Kako bi se zajednički operativni programi mogli na odgovarajući način pripremiti za provedbu, rashodi koji su nastali nakon podnošenja zajedničkih operativnih programa Komisiji prihvatljivi su ■ od 1. siječnja 2014.
4. Ako je prihvatljivost ograničena u skladu s člankom 8. stavkom 7. ■ Uredbe (EU) br. ...*, tijelo iz *ovog članka* stavka 1., koje može pokrenuti pozive za podnošenje ponuda i natječaje, ovlašteno je u takvom slučaju prihvatiti ponuditelje, podnositelje zahtjeva i natjecatelje iz zemalja koje ne ispunjavaju uvjete ili robu neprihvatljiva porijekla u skladu s *člankom 8. stavkom 2. te* člankom 9. stavkom 3. Uredbe (EU) br. ...*.

Članak 12.

Provedbena pravila za prekograničnu suradnju

1. Provedbena pravila kojima se utvrđuju posebne odredbe za provedbu ove glave donose se ■ u skladu s *postupkom ispitivanja iz članka 15. stavka 3. Uredbe (EU) br. ...**.
2. Pitanja obuhvaćena provedbenim pravilima uključuju *detaljne* odredbe o, *između ostalog*:
 - (a) stopi i načinima sufinanciranja;
 - (b) *sadržaju*, pripremi, izmjeni i zaključenju zajedničkih operativnih programa;
 - (c) ulozi i funkciji struktura programa, *npr.* zajedničkog odbora za praćenje, upravnog tijela i njegova zajedničkog tehničkog tajništva, ■ uključujući njihov položaj, djelotvornu identifikaciju, nadležnost i odgovornost, opis sustava za upravljanje i nadzor, te uvjetima za tehničko i financijsko upravljanje potporom Unije, uključujući prihvatljivost troškova;
 - (d) postupcima naplate *u svim zemljama sudionicama*; praćenju i ocjenjivanju;
 - (e) vidljivosti i aktivnostima informiranja

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

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* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

- (f) zajedničkom i neizravnom upravljanju kako je navedeno u članku 6. stavku 2. Uredbe (EU) br. ...*.

GLAVA IV. ZAVRŠNE ODREDBE

Članak 13.

■ *Delegiranje ovlasti Komisiji*

■
Komisija je ovlaštena donijeti delegirane akte u skladu s člankom 14. u svrhu izmjene Priloga II. Osobito nakon objave srednjoročnog izvješća kako je navedeno u članku 16. Uredbe (EU) br. ... te na temelju preporuka sadržanih u srednjoročnom izvješću, Komisija donosi delegirani akt o izmjeni Priloga II. do 31. ožujka 2018.*

Članak 14.

Izvršavanje ovlasti

-1.a Ovlast za donošenje delegiranih akata dodjeljuje se Komisiji podložno uvjetima utvrđenima u ovom članku.

1. Ovlast za *donošenje delegiranih akata* iz članka ■ 13. dodjeljuje se *Komisiji do 31. prosinca 2020.*
2. Europski parlament ili Vijeće u svakom trenutku mogu opozvati delegiranje ovlasti *iz članka 13.* Odlukom o opozivu prekida se delegiranje ovlasti koje je u njoj navedeno. Opoziv proizvodi učinke dan nakon objave spomenute odluke u Službenom listu Europske unije ili na kasniji dan naveden u spomenutoj odluci. On ne utječe na valjanost delegiranih akata koji su već na snazi.

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

3. Čim donese delegirani akt, Komisija ga istodobno priopćuje Europskom parlamentu i Vijeću.
4. Delegirani akt donesen *u skladu s člankom 13.* stupa na snagu samo ako Europski parlament ili Vijeće u roku od *dva* mjeseca od priopćenja *tog* akta Europskom parlamentu i Vijeću na njega ne ulože nikakav prigovor ili ako su prije isteka tog roka i Europski parlament i Vijeće obavijestili Komisiju da neće uložiti prigovore. Taj se rok produljuje za *dva* mjeseca na inicijativu Europskog parlamenta ili Vijeća.

Članak 15.

█ Odbor

Komisiji pomaže Odbor Europskog instrumenta za susjedstvo. Navedeni odbor je odbor u smislu Uredbe (EU) br. 182/2011.

Članak 16.

Sudjelovanje treće zemlje koja nije *obuhvaćena člankom 1.*

1. U propisno opravdanim slučajevima i *kako bi se* osigurala usklađenost i učinkovitost financiranja Unije ili kako bi se potaknula regionalna ili transregionalna suradnja, Komisija može odlučiti, *na osnovi pojedinačnog slučaja*, da proširi prihvatljivost *određenih* aktivnosti *u skladu s člankom 2. Uredbe (EU) br. ...** na zemlje, državna područja i █ *područja* koja u suprotnom ne bi bila prihvatljiva za financiranje. Neovisno o odredbama članka 8. stavka 1. Uredbe (EU) br. ...*, fizičke i pravne osobe iz dotičnih zemalja, državnih područja i █ *područja* mogu sudjelovati u postupcima kojima se provode takve aktivnosti.
2. Ta mogućnost može se predvidjeti u programskom dokumentu iz članka 7.

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

* SL: molimo da u tekst umetnete broj Uredbe iz dokumenta 2011/0415 (COD).

Članak 18.
Financijska *omotnica*

1. Financijska omotnica dostupna **za provedbu** ove Uredbe **za** razdoblje od 2014. do 2020. **iznosi** 15 432 634 000 EUR **po** tekućim cijenama. Programima prekogranične suradnje iz članka 6. stavka 1. točke (c) namijenjeno je do 5 % financijske omotnice.
2. Godišnja odobrena sredstva odobravaju **Europski parlament i Vijeće** u okviru **višegodišnjeg** financijskog okvira.
3. Kako je navedeno u članku 13. stavku 2. Uredbe (EU) br. ... Europskog parlamenta i Vijeća ¹*, kako bi se promicala međunarodna dimenzija visokog obrazovanja, okvirni iznos od 1 680 000 000 iz različitih vanjskih instrumenata, **pogotovo** Instrumenta za razvojnu suradnju, **ENI-ja**, Instrumenta za pretpristupnu pomoć **II** i Instrumenta za partnerstvo **III**, bit će dodijeljen aktivnostima za mobilnost učenja prema ili iz zemalja koje nisu članice EU-a te suradnju i dijalogu politike s vlastima/institucijama/organizacijama iz tih zemalja. Odredbe Uredbe (EU) br. ...** primjenjivat će se na upotrebu tih sredstava.

Financijska sredstva stavljaju se na raspolaganje u okviru **dviju** višegodišnjih dodjela pri čemu prva obuhvaća samo **prve** četiri, a druga preostale **tri** godine. Ovo financiranje odražavat će se u višegodišnjem indikativnom programiranju tih instrumenata, u skladu s uočenim potrebama i prioritetima dotičnih zemalja. Dodjele se mogu revidirati u slučaju većih nepredviđenih okolnosti ili važnih političkih promjena, u skladu s vanjskim prioritetima **Unije**.

¹ Uredba (EU) br. .../2013 Europskog parlamenta i Vijeća od ... o uspostavi programa „Erasmus+: programa Unije za obrazovanje, osposobljavanje, mlade i sport” te stavljanju izvan snage odluka br. 1719/2006/EZ, 1720/2006/EZ i 1298/2008/EZ (SL L ...).

* SL: molimo umetnite broj u tekst, kao i datum te upućivanje na izdanje SL-a u fusnoti Uredbe u dokumentu PE-CONS 63/13.

** SL: molimo da u tekst umetnete broj Uredbe iz dokumenta PE-CONS 63/13.

Članak 19.
Europska služba za vanjsko djelovanje

Ova se Uredba primjenjuje u skladu s Odlukom (EU) br. 2010/427/EU o organizaciji i funkcioniranju *ESVD-a*.

Članak 20.
Stupanje na snagu

Ova Uredba stupa na snagu ■ sljedećeg dana od dana objave u *Službenom listu Europske unije*.

Primjenjuje se od 1. siječnja **2014. do 31. prosinca 2020.**

Ova je Uredba u cijelosti obvezujuća i izravno se primjenjuje u svim državama članicama.

Sastavljeno u Bruxellesu

Za Europski parlament
Predsjednik

Za Vijeće
Predsjednik

PRILOG I.

Zemlje partneri iz članka 1. *su*:

Alžir

Armenija

Azerbajdžan

Bjelarus

Egipat

Gruzija

Izrael

Jordan

Libanon

Libija

Republika Moldova

Maroko

Okupirano Palestinsko Područje (OPP)

Sirija

Tunis

Ukrajina

■

PRILOG II.

Prioriteti za potporu Unije na temelju ove Uredbe

Financiranje Unije može se odnositi na sljedeće prioritete kako bi se pružila podrška posebnim ciljevima predviđenima u članku 2., također uzimajući u obzir zajednički dogovorene dokumente kako je određeno u članku 3. stavku 2.

Neki od prioriteta mogu biti relevantni za više od jedne vrste programa. U mogućim izmjenama tog okvirnog popisa prioriteta poštuje se načelo zajedničkog vlasništva.

U okviru tih različitih prioriteta pristupit će se rješavanju međusektorskih pitanja, uključujući pitanja istinske i održive demokracije, ljudskih prava, ravnopravnosti spolova te borbe protiv korupcije i pitanja u vezi s okolišem.

1. Potporom Unije na bilateralnoj razini prema potrebi se, između ostalog, pristupa rješavanju sljedećih prioriteta:

- *ljudska prava, dobro upravljanje i vladavina prava, uključujući reformu pravosuđa, javne uprave i sektora sigurnosti;*
- *institucionalna suradnja i razvoj kapaciteta, uključujući za potrebe provedbe sporazuma EU-a;*
- *pružanje potpore akterima civilnog društva i njihovoj ulozi u postupcima reforme i demokratske tranzicije;*
- *održivi i uključivi gospodarski razvoj, uključujući na regionalnoj i lokalnoj razini, te teritorijalna kohezija;*
- *razvoj društvenih sektora, osobito za mlade, usmjerenih na socijalnu pravdu te koheziju i zapošljavanje;*
- *razvoj trgovine i privatnog sektora, uključujući podršku malim i srednjim poduzećima, zapošljavanje i provedba dubokih i sveobuhvatnih slobodnih trgovinskih zona;*
- *poljoprivredni i ruralni razvoj, uključujući sigurnost hrane;*
- *održivo upravljanje prirodnim resursima;*
- *energetski sektor s usmjerenošću na energetske učinkovitost i obnovljivu energiju;*
- *transport i infrastruktura;*
- *obrazovanje i razvijanje vještina, uključujući strukovno obrazovanje i osposobljavanje;*
- *upravljanje mobilnošću i migracijama, uključujući zaštitu migranata;*
- *izgradnja povjerenja i druge mjere koje doprinose sprečavanju i rješavanju sukoba, uključujući potporu pogođenim populacijama i obnovu.*

Ti prioriteti mogu doprinositi većem broju ciljeva ove Uredbe.

2. Potporom Unije na razini više zemalja prema potrebi se, između ostalog, pristupa rješavanju sljedećih prioriteta:

- *ljudska prava, dobro upravljanje i vladavina prava;*

- *institucionalna suradnja i razvoj kapaciteta;*
- *regionalna suradnja, posebno u okviru Istočnog partnerstva, Unije za Mediteran i Partnerstva za demokraciju i zajednički napredak;*

- visoko obrazovanje i razvijanje vještina, studenti i mobilnost osoblja, mladi i kultura;
- održiv gospodarski razvoj, razvoj trgovine i privatnog sektora te podrška malim i srednjim poduzećima;
- energetska sektor, uključujući energetske mreže;
- transport i međupovezanost infrastruktura;
- održivo upravljanje prirodnim resursima, uključujući vodom, zeleni rast, okoliš te prilagodba klimatskim promjenama i njihovo ublažavanje;
- pružanje podrške civilnom društvu;
- upravljanje mobilnošću i migracijama;
- izgradnja povjerenja i druge mjere koje doprinose sprečavanju i rješavanju sukoba.

Ti prioriteti mogu doprinostiti većem broju ciljeva ove Uredbe.

3. Potporom Unije putem programa prekogranične suradnje prema potrebi se pristupa rješavanju sljedećih prioriteta:

- gospodarski i društveni razvoj;
- okoliš, javno zdravlje, sigurnost i zaštita;
- mobilnost osoba, robe i kapitala.

Ti prioriteti odražavaju zajedničke izazove. Oni čine okvir za prepoznavanje posebnih prioriteta sa zemljama koje sudjeluju u prekograničnoj suradnji. Organizacije civilnog društva bit će uključene u razvoj programa te će, zajedno s lokalnim i regionalnim tijelima vlasti, biti njihovi glavni korisnici.

Financijska dodjela po vrsti programa

Bilateralni programi: do 80%

Programi koji obuhvaćaju više zemalja: do 35%

Prekogranična suradnja: do 5%

ANNEX TO THE LEGISLATIVE RESOLUTION

STATEMENT BY THE EUROPEAN PARLIAMENT ON THE SUSPENSION OF ASSISTANCE GRANTED UNDER THE FINANCIAL INSTRUMENTS

The European Parliament notes that the Regulation establishing a financing instrument for development cooperation, the Regulation establishing a European Neighbourhood Instrument, the Regulation establishing a Partnership Instrument for cooperation with third countries and the Regulation on the Instrument for Pre-accession Assistance do not contain any explicit reference to the possibility of suspending assistance in cases where a beneficiary country fails to observe the basic principles enunciated in the respective instrument and notably the principles of democracy, rule of law and the respect for human rights.

The European Parliament considers that any suspension of assistance under these instruments would modify the overall financial scheme agreed under the ordinary legislative procedure. As a co-legislator and co-branch of the budgetary authority, the European Parliament is therefore entitled to fully exercise its prerogatives in that regard, if such a decision is to be taken.

COMMISSION DECLARATION ON THE STRATEGIC DIALOGUE WITH THE EUROPEAN PARLIAMENT¹

On the basis of Article 14 TEU, the Commission will conduct a strategic dialogue with the European Parliament prior to the programming of the ENI and after initial consultation of its relevant beneficiaries, where appropriate. The Commission will present to the Parliament the relevant available documents on programming with indicative allocations foreseen per country/region, and, within a country/region, priorities, possible results and indicative allocations foreseen per priority for geographic programmes, as well as the choice of assistance modalities*. The Commission will present to the Parliament the relevant available documents on programming with thematic priorities, possible results, choice of assistance modalities*, and financial allocations for such priorities foreseen in thematic programmes. The Commission will take into account the position expressed by the European Parliament on the matter.

The Commission will conduct a strategic dialogue with the European Parliament in preparing the Mid Term Review and before any substantial revision of the programming documents during the period of validity of this Regulation.

The Commission, if invited by the European Parliament, will explain where Parliament's observations have been taken into consideration in the programming documents and any other follow-up given to the strategic dialogue.

¹ The Commission will be represented at the responsible Commissioner level

*Where applicable

COMMISSION DECLARATION CONCERNING THE USE OF IMPLEMENTING ACTS FOR THE SETTING OF THE SPECIFIC PROVISIONS FOR THE IMPLEMENTATION OF CERTAIN RULES IN THE EUROPEAN NEIGHBORHOOD INSTRUMENT AND THE INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II)

The Commission considers that the rules for implementing cross-border cooperation programmes as set out in Regulation (EU) No [XXX] of the European Parliament and of the Council (CIR) and other specific, more detailed implementing rules in Regulation (EU) No [XXX] of the European Parliament and of the Council on the Instrument for Pre-accession assistance (IPA II), *aim at supplementing the basic act and should therefore be delegated acts to be adopted on the basis of article 290 TFEU. The Commission will not stand against the adoption of the text as agreed by the co-legislators. Nevertheless, the Commission recalls that the question of delimitation between Articles 290 and 291 TFEU is currently under examination by the Court of justice in the "biocides" case.*

20.6.2012

OPINION OF THE COMMITTEE ON DEVELOPMENT

for the Committee on Foreign Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Rapporteur: Nirj Deva

AMENDMENTS

The Committee on Development calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation Recital 2

Text proposed by the Commission

(2) Article 8 of the Treaty on European Union provides for the development of a special relationship with neighbouring countries, with the aim of establishing an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation.

Amendment

(2) Article 8 of the Treaty on European Union provides for the development of a special relationship with neighbouring countries, with the aim of establishing an area of prosperity and good neighbourliness, founded on the values of the Union, *as enshrined in Article 2 of the Treaty on European Union*, and characterised by close and peaceful relations based on cooperation.

Amendment 2

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) A number of major developments have taken place since the European Neighbourhood Policy was launched and the European Neighbourhood and Partnership Instrument was set up. These include a deepening of the relationship with the partners, the launch of regional initiatives and democratic transition processes ***in the region***. This triggered a new European Neighbourhood Policy vision set out in 2011 as a result of a comprehensive Strategic Review of the Policy. ***It*** outlines key objectives ***for Union cooperation with Neighbourhood countries and provides for greater support to partners committed to building democratic societies and undertaking reforms***, in line with the ‘more for more’ and ‘mutual accountability’ principles.

Amendment

(7) A number of major developments have taken place since the European Neighbourhood Policy was launched and the European Neighbourhood and Partnership Instrument was set up. These include a deepening of the relationship with the partners, the launch of regional initiatives and democratic transition processes, ***in the Eastern Partnership countries, and in particular in the countries on the southern shores of the Mediterranean following the events of the Spring of 2011***. This triggered a new European Neighbourhood Policy vision set out in 2011 as a result of a comprehensive Strategic Review of the Policy. ***This policy*** outlines ***the*** key objectives ***in favour of cooperation and substantial support to partners committed to building a more equitable and democratic society which respects human rights and freedoms***, in line with the ‘more for more’ and ‘mutual accountability’ principles.

Amendment 3

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) The scope of the instrument established by this Regulation should be such as to encourage a differentiated cross-border approach in order to facilitate the effective and swift implementation of the programmes in the countries involved in the European Neighbourhood Policy, to encourage the regional and interregional development of the projects and to promote a decentralised cooperation policy.

Amendment 4

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) European Union external support has increasing financing needs but the economic and budgetary situation of the Union limits the resources available for such support. The Commission must therefore seek the most efficient use of available resources by using financial instruments with leverage effect. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments.

Amendment

(19) European Union external support has increasing financing needs but the economic and budgetary situation of the Union limits the resources available for such support. The Commission must therefore seek the most efficient use of available resources by using financial instruments with leverage effect, ***domestic accountability and transparency, especially when providing budgetary support to third countries***. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments.

Amendment 5

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. The Union aims to establish an area of prosperity and good neighbourliness involving the European Union and the countries and territories listed in the Annex to this Regulation (hereinafter ‘the partner countries’) by developing a special relationship.

Amendment

1. The Union aims to establish an area of prosperity and good neighbourliness involving the European Union and the countries and territories listed in the Annex to this Regulation (hereinafter ‘the partner countries’) by developing a special relationship, ***thereby also contributing to the reduction of poverty in the partner countries***.

Justification

It is necessary to state clearly the EU's commitment to playing an active role in poverty reduction in its neighbourhood. In line with Article 21 of the Treaty on European Union, poverty reduction must be mentioned as a general objective of the Instrument.

Amendment 6

Proposal for a regulation

Article 2 – paragraph 1

Text proposed by the Commission

1. Support under this Regulation shall promote enhanced political cooperation and progressive economic integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, and jointly agreed action plans.

Amendment

1. Support under this Regulation shall promote enhanced political **and social** cooperation and progressive economic integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, and jointly agreed action plans.

Amendment 7

Proposal for a regulation

Article 2 – paragraph 2 – point d

Text proposed by the Commission

(d) sustainable and inclusive development in all aspects, poverty reduction, including through private-sector development; promotion of internal economic, social and territorial cohesion, rural development, climate action **and** disaster resilience;

Amendment

(d) sustainable and inclusive development in all aspects, poverty reduction, **wealth creation**, including through private-sector development, **public-private partnership**, promotion of internal economic, social and territorial cohesion, rural development, climate action, disaster **prevention and preparedness and** resilience **to crises**;

Amendment 8

Proposal for a regulation

Article 2 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) promoting, developing and consolidating the values of freedom, democracy and respect for human rights and fundamental freedoms, and the principles of equality, the rule of law and good governance on which the Union is

founded, through dialogue and cooperation with third countries;

Amendment 9

Proposal for a regulation

Article 2 – paragraph 2 - point e

Text proposed by the Commission

(e) promoting confidence building and other measures contributing to security and the prevention and settlement of conflicts;

Amendment

(e) **actively** promoting confidence building and other measures contributing to security and the prevention and settlement of conflicts, **especially frozen conflicts, including support in post-crisis situations and during the nation-building process;**

Amendment 10

Proposal for a regulation

Article 2 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) promoting the development of renewable energy (wind, hydroelectric, solar and photovoltaic) and combating global warming in order to achieve the objectives of the EU 2020 Strategy in terms of the development of interconnections and energy networks, such as the effective implementation of the Mediterranean Solar Plan or the DESERTEC programme;

Amendment 11

Proposal for a regulation

Article 2 – paragraph 3

Text proposed by the Commission

3. The achievement of these objectives shall be measured using notably the relevant EU periodic reports on the implementation of the policy, and for

Amendment

3. The achievement of these objectives shall be measured using notably the relevant EU periodic reports on the implementation of the policy, and for

paragraphs 2(a), (d) and (e), the relevant indicators established by international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, adequately monitored democratic elections, level of corruption, trade flows, indicators enabling measuring internal economic disparities, including employment levels.

paragraphs 2(a), (d) and (e), the relevant indicators established by international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, adequately monitored democratic elections **and processes, including the development of democratic political parties and the guaranteeing of political rights of candidates standing in elections**, level of corruption, trade flows, indicators enabling measuring internal economic disparities, including employment levels.

Amendment 12

Proposal for a regulation Article 3 – paragraph 1

Text proposed by the Commission

1. The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions **and** European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation.

Amendment

1. The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions, Resolutions **of the European Parliament, the Euro-Mediterranean Parliamentary Assembly, the Euro-Mediterranean Regional and Local Assembly and the EURONEST Parliamentary Assembly**, as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation.

Amendment 13

Proposal for a regulation Article 4 – paragraph 1

Text proposed by the Commission

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms. Such differentiation shall reflect the level of ambition of the country's partnership with the Union, its progress in building deep and sustainable democracy, its progress in implementing agreed reform objectives, the country's needs and capacities, and the potential impact of Union support.

Amendment

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms, ***provided that the division of funds between the Union for the Mediterranean and the Eastern Partnership does not hamper achievement of the objectives of each of those two projects and is not conducted in such a way as to favour one at the expense of the other.*** Such differentiation shall reflect the level of ambition of the country's partnership with the Union, its progress in building deep and sustainable democracy, its progress in implementing agreed reform objectives, the country's needs and capacities, and the potential impact of Union support.

Amendment 14

**Proposal for a regulation
Article 4 – paragraph 2**

Text proposed by the Commission

2. Union support under this Regulation shall, in principle, be established in partnership with the beneficiaries. The partnership shall involve as appropriate, national, regional and local authorities, other stakeholders, civil society, social partners and other non-state actors in preparing, implementing and monitoring Union support.

Amendment

2. Union support under this Regulation shall, in principle, be established in partnership with the beneficiaries. The partnership shall involve as appropriate, national, regional and local authorities, other stakeholders, civil society, social partners and other non-state actors in preparing, implementing and monitoring Union support ***in order to guarantee their ownership of the projects concerned.***

Amendment 15

**Proposal for a regulation
Article 5 – paragraph 1**

Text proposed by the Commission

1. In implementing this Regulation, coherence shall be ensured with other areas of the Union external action as well as other relevant Union policies. To this end, measures financed under this Regulation, including those managed by the European Investment Bank (EIB), shall be based on the cooperation policy documents described in Article 3(1) and (2) as well as on the Union's specific interests, policy priorities and strategies. Such measures shall respect the commitments under multilateral agreements and international conventions to which the Union and partner countries are parties.

Amendment

1. In implementing this Regulation, coherence shall be ensured with other areas of the Union external action as well as other relevant Union policies, ***as enshrined in Article 208 of the Treaty on the Functioning of the European Union with regard to policy coherence for development.*** To this end, measures financed under this Regulation, including those managed by the European Investment Bank (EIB), shall be based on the cooperation policy documents described in Article 3(1) and (2) as well as on the Union's specific interests, policy priorities and strategies. Such measures shall respect the commitments under multilateral agreements and international conventions to which the Union and partner countries are parties, ***and the obligations in respect of policy coherence for development, as enshrined in Article 208 of the Treaty on the Functioning of the European Union.***

Amendment 16

**Proposal for a regulation
Article 7 – paragraph 9**

Text proposed by the Commission

9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, or of natural or man-made disasters, an ad hoc review of the programming documents may be conducted. Such emergency review shall ensure that coherence between Union support provided under this Regulation and support provided under other Union financial instruments is maintained. An emergency review may lead to the adoption of revised programming documents. Where this is the case, the Commission shall send the revised programming documents to the European

Amendment

9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, or of natural or man-made disasters, an ad hoc review of the programming documents may be conducted. ***As part of such an emergency review, measures may be introduced to fund activities to facilitate the transition from emergency aid to long-term development activities, including activities intended to enhance beneficiaries' resilience to crises.*** Such emergency review shall ensure that coherence between Union support provided under this Regulation and support provided under

Parliament and to the Council for information within one month of their adoption.

other Union financial instruments, *such as the European Instrument for Democracy and Human Rights (EIDHR) or the European Endowment for Democracy*, is maintained. An emergency review may lead to the adoption of revised programming documents. Where this is the case, the Commission shall send the revised programming documents to the European Parliament and to the Council for information within one month of their adoption.

Justification

It is important to maintain the possibility, also provided under Regulation 1638/2006 of 24 October 2006, of reviewing programming documents with a view to introducing measures that aim at facilitating the transition from emergency aid to long-term development.

Amendment 17

Proposal for a regulation Article 20

Text proposed by the Commission

This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Union. It shall apply from 1 January 2014.

Amendment

This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Union. It shall apply from 1 January 2014 *to 31 December 2020*.

PROCEDURE

Title	Establishing a European Neighbourhood Instrument
References	COM(2011)0839 – C7-0492/2011 – 2011/0405(COD)
Committee responsible Date announced in plenary	AFET 17.1.2012
Opinion by Date announced in plenary	DEVE 17.1.2012
Rapporteur Date appointed	Nirj Deva 25.1.2012
Discussed in committee	14.5.2012
Date adopted	19.6.2012
Result of final vote	+: 25 -: 0 0: 1
Members present for the final vote	Thijs Berman, Michael Cashman, Véronique De Keyser, Nirj Deva, Leonidas Donskis, Charles Goerens, Catherine Grèze, Filip Kaczmarek, Michał Tomasz Kamiński, Gay Mitchell, Norbert Neuser, Jean Roatta, Birgit Schnieber-Jastram, Michèle Striffler, Keith Taylor, Eleni Theocharous, Patrice Tirolien, Ivo Vajgl, Anna Záborská, Iva Zanicchi
Substitute(s) present for the final vote	Agustín Díaz de Mera García Consuegra, Gesine Meissner, Judith Sargentini, Patrizia Toia
Substitute(s) under Rule 187(2) present for the final vote	Ioan Enciu, Gabriele Zimmer

25.6.2012

OPINION OF THE COMMITTEE ON INTERNATIONAL TRADE

for the Committee on Foreign Affairs

on the proposal for a Regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Rapporteur: María Auxiliadora Correa Zamora

SHORT JUSTIFICATION

The aim of the European Neighbourhood Policy (ENP) is to establish an area of prosperity and good relations with the EU's neighbour countries. Under the ENP, the EU offers its neighbours a privileged relationship, building upon a mutual commitment to values such as democracy and human rights, the rule of law, good governance, market economy principles and sustainable development. The policy also provides for political partnerships and deeper economic integration, increased mobility and better people-to-people contacts.

The ENP was developed in 2004 and covers 16 partners to the east and south of the EU's borders, namely Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, the Republic of Moldova, Morocco, the occupied Palestinian territory, Syria, Tunisia and Ukraine. It is funded by a dedicated Instrument, the European Neighbourhood and Partnership Instrument (ENPI), which covers these 16 partner countries and Russia.

Changes to the EU's relationship with its neighbours and developments since the ENP was set up, particularly the advent of the Arab Spring, have given the EU cause to redefine its strategic policy framework for relations with its neighbour countries. The new approach calls for greater support to partners committed to building democratic societies and undertaking reforms, in line with the 'more for more' and 'mutual accountability' principles.

The European Neighbourhood Instrument has aptly complemented the ENP, but should be adapted to suit the new realities, and set up in such a way as to ensure that the principles enshrined in the new Neighbourhood Policy – such as 'more for more' – are implemented more effectively.

More for More

The type and amount of support provided to each partner country will be determined on the basis of commitment to and progress with democratic reforms and the structural reforms

required to build the foundations of a market-based economy.

Differentiation

The funds used to finance the Instrument shall be differentiated in form and amounts according to the economic situation and the needs of each of our neighbours, as well as their commitment to reforms and the progress they have made in implementing them, in line with the ‘more for more’ principle.

Streamlining

The rapporteur endorses the Commission’s proposals to streamline procedures by simplifying the regulatory environment, making it easier for regions, partner countries, civil society organisations and SMEs to receive EU assistance, simplifying and shortening the programming process and ensuring the swifter adoption of implementing measures and swifter delivery of EU assistance.

Specific objectives of EU support

The scope of the Instrument covers the implementation of partnership and cooperation agreements, association agreements, deep and comprehensive free trade agreements (DCFTAs) or other relevant agreements, the promotion of good governance and equitable social and economic development.

The list of thematic areas of cooperation needs to be pared down to better reflect the core objectives and focus of the ENP. The rapporteur therefore endorses the Commission’s approach, and would like to put forward key objectives with a view to establishing an area of prosperity and good relations with the EU’s neighbour countries.

The rapporteur proposes for the ENI to support the principles of a market economy, the opening-up of markets in goods and services, business cooperation, private sector development, particularly by fostering SMEs and entrepreneurship, legal certainty for investment from both sides, worker employability, the fight against corruption, tax fraud and money laundering, energy and transport interconnections and the strengthening of social security networks.

Suspension

The EU must be both consistent and demanding in its approach to neighbourhood policy and in its commitment to establishing an area of prosperity and democracy. The rapporteur proposes for serious and repeated breaches of WTO rules or EU trade agreements to constitute sufficient grounds for the full or partial suspension of EU aid.

AMENDMENTS

The Committee on International Trade calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The Union seeks to promote, develop and consolidate the values of liberty, democracy, respect for human rights and fundamental freedoms, principles of equality *and* the rule of law on which it is founded through dialogue and cooperation with third countries.

Amendment

(3) The Union seeks to promote, develop and consolidate the values of liberty, democracy, respect for human rights and fundamental freedoms, principles of equality, the rule of law *and good governance* on which it is founded through dialogue and cooperation with third countries.

Amendment 2

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Article 206 of the TFEU provides that the Union shall contribute, in the common interest, to the harmonious development of world trade, the progressive abolition of restrictions on international trade and foreign direct investment, and the lowering of customs and other barriers.

Amendment 3

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) Under the European Neighbourhood Policy, the Union offers Neighbourhood countries a privileged relationship, building

Amendment

(5) Under the European Neighbourhood Policy, the Union offers Neighbourhood countries a privileged relationship, building

upon a mutual commitment to and promotion of the values of democracy and human rights, the rule of law, good governance and the principles of market economy and sustainable development.

upon a mutual commitment to and promotion of the values of democracy and human rights, the rule of law, good governance, the principles of a *well-functioning social* market economy and sustainable development, *which should facilitate the current transitional processes.*

Amendment 4

Proposal for a regulation

Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) In order to enhance sub-regional, regional and Neighbourhood-wide collaboration, as well as cross-border cooperation, a special emphasis should be placed on trade policy and the opportunities that this affords to boost the development of partner countries.

Amendment 5

Proposal for a regulation

Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) Concluding agreements on deep and comprehensive free trade areas (DCFTA) between the Union and the Neighbourhood countries is a priority that should lead to the gradual and balanced opening-up of the goods and services markets of both parties, ensure that appropriate mechanisms are in place for implementing the measures needed to achieve that end and promote the adoption of plant health and environmental standards equivalent to those of the Union, as well as minimum social and labour standards. In this respect, the European Neighbourhood Instrument could also be a useful tool in

preparations for the implementation of those agreements once adopted.

Amendment 6

Proposal for a regulation

Recital 17 b (new)

Text proposed by the Commission

Amendment

(17b) The core objectives of the Union's Neighbourhood Policy must include opening up public procurement markets and ensuring legal certainty for investments from both sides.

Amendment 7

Proposal for a regulation

Recital 19

Text proposed by the Commission

Amendment

(19) European Union external support has increasing financing needs but the economic and budgetary situation of the Union limits the resources available for such support. The Commission must therefore seek the most efficient use of available resources by using financial instruments with leverage effect. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments.

(19) European Union external support has increasing financing needs but the economic and budgetary situation of the Union limits the resources available for such support. The Commission must therefore seek the most efficient use of available resources by using financial instruments with leverage effect. Such effect could be increased ***by making better use of the leveraging capacity of the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD) and*** by enabling the use and re-use of funds invested and generated by financial instruments.

Amendment 8

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) Gender equality and anti-discrimination **should** be a cross-cutting objective in all actions undertaken under this Regulation.

Amendment

(21) Gender equality and anti-discrimination **must** be a cross-cutting objective in all actions undertaken under this Regulation.

Amendment 9

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) The Union is committed to promote in relations with its partners worldwide decent work as well as ratification and effective implementation of the internationally recognised labour standards and multilateral environment agreements, in relations with its partners worldwide.

Amendment

(22) The Union is committed to promote in relations with its partners worldwide decent work **and social justice** as well as ratification and effective implementation of the internationally recognised labour standards and multilateral environment agreements, in relations with its partners worldwide, **as well as good governance and the fight against corruption, tax fraud and money laundering**.

Amendment 10

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. The Union aims to establish an area of prosperity and good neighbourliness involving the European Union and the countries and territories listed in the Annex to this Regulation (hereinafter ‘the partner countries’) by developing a special relationship.

Amendment

1. The Union aims to establish an area of prosperity, **social justice** and good neighbourliness involving the European Union and the countries and territories listed in the Annex to this Regulation (hereinafter ‘the partner countries’) by developing a special relationship.

Amendment 11

Proposal for a regulation

Article 2 – paragraph 4

Text proposed by the Commission

4. Support under this Regulation shall promote enhanced political cooperation and progressive economic integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, and jointly agreed action plans.

Amendment

4. Support under this Regulation shall promote enhanced political cooperation and progressive economic integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements, ***deep and comprehensive free trade agreements (DCFTAs)*** or other existing and future agreements, and jointly agreed action plans.

Amendment 12

Proposal for a regulation

Article 2 – paragraph 2 – point a

Text proposed by the Commission

(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, establishing deep and sustainable democracy, promoting good governance and developing a thriving civil society including social partners;

Amendment

(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, establishing deep and sustainable democracy, ***social market economy principles***, promoting good governance, ***and fighting against corruption, tax fraud and money laundering***, and developing a thriving civil society including social partners

Amendment 13

Proposal for a regulation

Article 2 – paragraph 2 – point b

Text proposed by the Commission

(b) achieving progressive integration ***into*** the Union internal market and enhanced

Amendment

(b) achieving ***the*** progressive integration ***and the increasing of economic***

sector and cross-sectoral co-operation including through legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in interconnections;

exchanges with the Union internal market and enhanced sector and cross-sectoral co-operation, *in particular through mutual opening of markets for goods and services*, including through legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in interconnections *of energy and transport*.

Amendment 14

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

(c) creating conditions for well managed mobility of people and promotion of people-to-people contacts;

Amendment

(c) creating conditions for well managed mobility of people, *active participation of civil society and social stakeholders* and promotion of people-to-people contacts *as well as business cooperation while ensuring that resources are used more efficiently to foster a leverage effect on regional integration and contribute to the resolution of internal conflicts and a reduction in migration*;

Amendment 15

Proposal for a regulation

Article 2 – paragraph 2 – point d

Text proposed by the Commission

(d) sustainable and inclusive development in all aspects, poverty reduction, *including* through *private-sector development*; promotion of internal economic, social and territorial cohesion, rural development, climate action and disaster resilience;

Amendment

(d) sustainable and inclusive development in all aspects, poverty reduction through *strengthening social security networks, promoting decent work and the ratification and effective implementation of international labour standards, improving worker employability and training and developing public services and the private sector, particularly by fostering SMEs and entrepreneurship*; promotion of internal economic, social and

territorial cohesion, rural development, climate action and disaster resilience;

Amendment 16

Proposal for a regulation

Article 2 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) ensuring that the markets of the Neighbourhood countries are opened up to European companies;

Amendment 17

Proposal for a regulation

Article 2 – paragraph 2 – point e (new)

Text proposed by the Commission

Amendment

(e) creating a favourable climate for foreign direct investment ensuring legal certainty for investment from both sides;

Amendment 18

Proposal for a regulation

Article 2 – paragraph 6

Text proposed by the Commission

Amendment

6. The achievement of these objectives shall be measured using notably the relevant EU periodic reports on the implementation of the policy, and for paragraphs 2(a), (d) and (e), the relevant indicators established by international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the *EU* regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among

6. The achievement of these objectives shall be measured using notably the relevant EU periodic reports on the implementation of the policy, and for paragraphs 2(a), (d) and (e), the relevant indicators established by international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the *Union* regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among

others, adequately monitored democratic elections, level of corruption, trade flows, indicators enabling measuring internal economic disparities, including employment levels.

others, adequately monitored democratic elections, ***pluralism or concentration of the media***, level of corruption, trade flows ***and investments***, indicators enabling measuring ***tendencies in*** internal economic ***and social*** disparities, including employment levels.

Amendment 19

Proposal for a regulation Article 3 – paragraph 1

Text proposed by the Commission

1. The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation.

Amendment

1. The partnership and cooperation agreements, the association agreements ***deep and comprehensive free trade agreements (DCFTAs)*** and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation.

Amendment 20

Proposal for a regulation Article 4 – paragraph 1

Text proposed by the Commission

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms. Such differentiation shall reflect the level of ambition of the country's partnership with the Union, its progress in building deep and sustainable democracy, its progress in implementing agreed reform objectives, the

Amendment

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms. Such differentiation shall reflect the level of ambition of the country's partnership with the Union, its progress in building deep and sustainable democracy, ***its observance, respect for and compliance with the***

country's needs and capacities, and the potential impact of Union support.

fundamental principles of the rule of law and a social market economy, its progress in implementing agreed reform objectives, the country's needs and capacities, and the potential impact of Union support.

Amendment 21

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

2. Union support under this Regulation shall, in principle, be established in partnership with the beneficiaries. The partnership shall involve as appropriate, national, regional and local authorities, other stakeholders, civil society, social partners *and other non-state actors* in preparing, implementing and monitoring Union support.

Amendment

2. Union support under this Regulation shall, in principle, be established in partnership with the beneficiaries. The partnership shall involve as appropriate, national, regional and local authorities, other stakeholders, civil society, social partners in preparing, implementing and monitoring Union support.

Amendment 22

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. The Commission, the Member States and the European Investment Bank (EIB) shall ensure coherence between support provided under this Regulation and other support provided by the Union, the Member States *and the European Investment Bank*.

Amendment

2. The Commission, the Member States and the European Investment Bank (EIB) shall ensure coherence between support provided under this Regulation and other support provided by the Union, the Member States, *the EIB and the EBRD*.

Amendment 23

Proposal for a regulation Article 5 – paragraph 4

Text proposed by the Commission

4. The Union shall, in liaison with the

Amendment

4. The Union shall, in liaison with the

Member States, take the necessary steps to ensure proper coordination and cooperation with multilateral and regional organisations and entities, including European financial institutions, *international financial institutions*, United Nations agencies, funds and programmes, private and political foundations and non-European Union donors.

Member States, take the necessary steps to ensure proper coordination and cooperation with multilateral and regional organisations and entities, including European financial institutions, United Nations agencies, funds and programmes, private and political foundations and non-European Union donors, *fully respecting the sovereignty and the economic choices of each country*;

Amendment 24

Proposal for a regulation Article 7 – paragraph 9

Text proposed by the Commission

9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, or of natural or man-made disasters, an ad hoc review of the programming documents may be conducted. Such emergency review shall ensure that coherence between Union support provided under this Regulation and support provided under other Union financial instruments is maintained. An emergency review may lead to the adoption of revised programming documents. Where this is the case, the Commission shall send the revised programming documents to the European Parliament and to the Council for information within one month of their adoption.

Amendment

9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, *of serious and repeated breaches of World Trade Organisation (WTO) rules or EU trade agreements* or of natural or man-made disasters, an ad hoc review of the programming documents may be conducted. Such emergency review shall ensure that coherence between Union support provided under this Regulation and support provided under other Union financial instruments is maintained. An emergency review may lead to the adoption of revised programming documents. Where this is the case, the Commission shall send the revised programming documents to the European Parliament and to the Council for information within one month of their adoption.

Amendment 25

Proposal for a regulation Article 17

Text proposed by the Commission

Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support.

Amendment

Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, ***or commits serious and repeated breaches of WTO rules or EU trade agreements***, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support.

PROCEDURE

Title	Establishing a European Neighbourhood Instrument
References	COM(2011)0839 – C7-0492/2011 – 2011/0405(COD)
Committee responsible Date announced in plenary	AFET 17.1.2012
Opinion by Date announced in plenary	INTA 17.1.2012
Rapporteur Date appointed	María Auxiliadora Correa Zamora 29.2.2012
Discussed in committee	30.5.2012
Date adopted	21.6.2012
Result of final vote	+: 22 –: 3 0: 4
Members present for the final vote	William (The Earl of) Dartmouth, Laima Liucija Andrikienė, John Attard-Montalto, Maria Badia i Cutchet, Daniel Caspary, María Auxiliadora Correa Zamora, Marielle de Sarnez, Yannick Jadot, Metin Kazak, Franziska Keller, Bernd Lange, David Martin, Paul Murphy, Cristiana Muscardini, Franck Proust, Godelieve Quisthoudt-Rowohl, Niccolò Rinaldi, Helmut Scholz, Peter Šťastný, Gianluca Susta, Iuliu Winkler, Paweł Zalewski
Substitute(s) present for the final vote	Amelia Andersdotter, George Sabin Cutaş, Syed Kamall, Elisabeth Köstinger, Marietje Schaake, Konrad Szymański
Substitute(s) under Rule 187(2) present for the final vote	Françoise Castex, Marielle Gallo, Lidia Joanna Geringer de Oedenberg

7.6.2012

OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Foreign Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Rapporteur: Jan Kozłowski

SHORT JUSTIFICATION

The overall aim of EU Neighbourhood policy is to extend the area of liberty, democracy, respect for human rights and fundamental freedoms to its neighbouring countries, as stipulated by Article 8 of the TEU. It is a policy that could be considered as investment in the future of the EU and covers 16 partners to the East and South of EU's borders.

The Commission proposal for a new European Neighbourhood Instrument will benefit the EU's neighbouring countries supporting deeper political cooperation, closer economic integration with the EU and effective and sustainable transition to democracy.

Main elements of the Commission Proposal:

1. Agenda for simplification

The Commission presented its proposal for a Regulation establishing a European Neighbourhood Instrument on 7 December 2011. The proposal is in line with the overall agenda for simplification for the legislative framework in the next MFF 2014 - 2020, by focusing on the following elements:

- more efficiency through differentiation of the beneficiaries and application of the "more for more" principle - financial incentives are introduced for the most ambitious performers;

- more flexibility and easier access to funding for beneficiaries, especially through intensive use of delegated and implementing acts;

- streamline and narrow down the 29 thematic objectives to 6 specific objectives;
- a single programming tool for most neighbouring countries (single Support Framework);
- more harmonisation and simplification through the introduction of the new horizontal framework regulation, ensuring coherence of the external instruments and full use of synergies, as well as more legal certainty;
- more coordination and consistency of the aid between the EU and MS, and also other international donors;
- the possibility to transfer funds from the ENI and the relevant internal Heading of the EU budget to address cross-border challenges;
- enhanced use of financial instruments to seek the most efficient use of available resources - reinvesting funds generated by financial instruments, blending, etc.
- co-financing can be waived in duly justified cases, when it is necessary to support civil society and non-state actors.

2. Contribution towards Europe 2020 and other EU internal policies' goals

The new ENI instrument will include a stronger link with internal EU policies, notably the Europe 2020 goals, climate change, human rights and democracy.

3. Budgetary implications

The Commission proposal for overall allocation for ENI shows a 19% growth in constant 2011 prices (from EUR 13.546 mln. in the current MFF to EUR 16.097 mln. in the future MFF).

There is a provision for allocations within the framework of "Erasmus for All" programme - financing will come from the ENI instrument envelope and the other instruments benefiting from this provision. The allocations can be revised in case of major unforeseen circumstances necessitating that this money is streamlined into another direction. Your Rapporteur proposes to replace this indicative amount with a percentage of the financial allocations of the participating instruments.

Shortcomings of the proposal

Your rapporteur would like to focus this opinion on the following points in order to compensate for the existing shortcomings of the Commission proposal:

- in order to ensure their financial independence and the best conditions for attainment of their objectives, the creation of any new external instruments should not influence negatively funding from existing ones;
- full integration of the Budgetary authority in decision-making and implementation, where EU budget spending is involved;

- more coordination with the provisions of the Financial Regulation;
- further emphasis on aid coordination in order to reduce overlaps and improve consistency with EU and Member States' measures, but also other local, regional and international donors;
- respect the needs and differences of the Eastern and Southern partners when budgetary allocations are disbursed, ensuring as well a sufficient degree of flexibility to react to unforeseen circumstances;
- the "more for more principle" should be applied using transparent, objective and concrete indicators for performance, in order to avoid misuse of EU funding;
- include the concept of macro-regional strategies along the other cross-border measures, as this could create further leverage and would ensure more streamlined use of Union scarce resources.

AMENDMENTS

The Committee on Budgets calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Draft legislative resolution Paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Points out that the financial envelope specified in the legislative proposal constitutes only an indication to the legislative authority and can not be fixed until agreement is reached on the proposal for a Regulation laying down the Multiannual Financial Framework for the years 2014-2020;

Amendment 2

Draft legislative resolution Paragraph 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; 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; 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; challenges the Council, in case 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;.

Amendment 3

Proposal for a regulation

Recital -1 (new)

Text proposed by the Commission

Amendment

(-1) This Regulation should lay down, for the entire duration of the instrument which it establishes, a financial envelope constituting the prime reference, within the meaning of point [...] of the Interinstitutional Agreement of XX/201Z between the European Parliament, the Council and the Commission on cooperation in budgetary matters and on sound financial management, for the budgetary authority during the annual budgetary procedure.

Amendment 4

Proposal for a regulation

Recital -1 a (new)

Text proposed by the Commission

Amendment

(-1a) Improving the implementation and quality of spending should constitute a guiding principle for attainment of the objectives of the instrument hereby established, while ensuring optimal use of financial resources.

Amendment 5

Proposal for a regulation

Recital -1 b (new)

Text proposed by the Commission

Amendment

(-1b) It is important to ensure sound financial management of the instrument hereby established and its implementation in the most effective and user-friendly manner possible, while also ensuring legal certainty and the accessibility of the

instrument to all participants.

Amendment 6

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) Democracy and human rights have been placed at the forefront of the Union's relations with the partner countries, and to that end new structures, such as the European Endowment for Democracy, European Instrument for Democracy and Human Rights (EIDHR) or the Instrument for Stability (IFS) are being established to support civil society while acknowledging mutual complementarity.

Amendment 7

Proposal for a regulation Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) Support provided under the European Neighbourhood Instrument to neighbouring developing countries and partner countries should be separate from the aid provided to those countries under the financing instrument for development cooperation (DCI). There should be separated scheduling of the various financial instruments provided for under the new multiannual financial framework (MFF) 2014-2020.

Amendment 8

Proposal for a regulation Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) The Union should promote sustainable industry policy and provide know-how through capacity building on various levels. Environmentally responsible business should be reflected in the Union's and other donors' business related aid.

Amendment 9

Proposal for a regulation

Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. In order to achieve the objectives of the European Neighbourhood Policy, a fair balance shall be ensured between the Eastern and Southern dimensions, while securing an adequate degree of flexibility with a performance driven approach centred on commitments and progress as regards reforms in partner countries taking into account historical key, financial and political situation in the European neighbourhood .

Amendment 10

Proposal for a regulation

Article 1 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. The beneficiaries of the European Neighbourhood Instrument shall also be involved in the attainment of the goals of the Europe 2020 strategy for smart, sustainable and inclusive growth, and shall respect the principles of democracy, the rule of law, the universality and the indivisibility of human rights, environmental protection, the rights of workers, social justice and

entrepreneurship. Special attention shall also be given to measures aiming at poverty reduction and promoting social protection for the most vulnerable citizens at risk of poverty and social exclusion. Furthermore, they shall be supported with a view to developing the institutional and absorption capacity needed to use Union funding in the most appropriate ways.

Amendment 11

Proposal for a regulation Article 2 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Support under this Regulation shall reflect the goals of the Europe 2020 strategy goals, given the need for coherence between the Union's external and internal policies.

Amendment 12

Proposal for a regulation Article 2 – paragraph 1

Text proposed by the Commission

Amendment

1. Support under this Regulation shall promote enhanced political cooperation and progressive economic integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, and jointly agreed action plans.

1. Support under this Regulation shall promote enhanced political cooperation and progressive economic integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, *declarations by multilateral and parliamentary summits under the Eastern and the Southern dimensions of the European Neighbourhood Policy*, and jointly agreed action plans.

Amendment 13

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

Text proposed by the Commission

(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, establishing deep and sustainable democracy, promoting good governance and developing a thriving civil society including social partners;

Amendment

(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, establishing deep and sustainable democracy ***strengthened at regional and local level***, promoting good governance, ***fighting against corruption, contributing to institution and capacity building with a special focus on regional and local authorities that shall be empowered for the delivery of basic services, supporting democratic decentralization and*** developing a thriving ***accountability-enhancing*** civil society including social partners;

Amendment 14

Proposal for a regulation
Article 2 – paragraph 2 – point b

Text proposed by the Commission

(b) achieving progressive integration into the Union internal market and enhanced sector and cross-sectoral co-operation including through legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in interconnections;

Amendment

(b) achieving progressive integration into the Union internal market and enhanced sector and cross-sectoral co-operation including through legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments ***in line with sustainable industry policy***, notably in interconnections;

Amendment 15

Proposal for a regulation
Article 2 – paragraph 2 – point c

Text proposed by the Commission

(c) creating conditions for well managed mobility of people and promotion of

Amendment

(c) creating conditions for well managed mobility of people and promotion of

people-to-people contacts;

people-to-people contacts; *facilitating legal migration and establishing a framework for support to asylum seekers and reintegration of refugees;*

Amendment 16

Proposal for a regulation

Article 2 – paragraph 2 – point d

Text proposed by the Commission

(d) sustainable and inclusive development in all aspects, poverty reduction, including through private-sector development; promotion of internal economic, social and territorial cohesion, rural development, climate action and disaster resilience;

Amendment

(d) sustainable and inclusive development in all aspects, poverty reduction *and social justice*, including through private-sector development; promotion of internal economic, social and territorial cohesion, rural development, climate action, *energy efficiency* and disaster resilience;

Amendment 17

Proposal for a regulation

Article 2 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) encouraging the active participation of partner countries and civil society actors in the attainment of the Europe 2020 goals of smart, sustainable and inclusive growth, including the development of policies to help small and medium-sized enterprises.

Amendment 18

Proposal for a regulation

Article 2 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

In addition to periodic reports, there shall be a comprehensive evaluation of past and ongoing programmes along with enhanced monitoring of assistance in

order to obtain additional feedback for altering programme design and deciding on resource allocation.

Amendment 19

Proposal for a regulation

Article 2 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The European Neighbourhood Instrument shall also serve as an instrument for the establishment or enhancement of sufficient institutional and administrative capacity in order to ensure the correct utilisation of Union funds.

Amendment 20

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

Amendment

1. The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation.

1. The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant ***documents such as summit declarations or conclusions of ministerial meetings with the partner countries, notably within the framework of the Eastern and Southern dimensions of the European Neighbourhood Policy***, shall constitute the overall policy framework for programming and implementing Union support under this Regulation.

Amendment 21

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms. Such differentiation shall reflect the level of ambition of the country's partnership with the Union, its progress in building deep and sustainable democracy, its progress in implementing agreed reform objectives, the country's needs and capacities, and the potential impact of Union support.

Amendment

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms, ***as well as the needs and capacities of the partner country in question and the potential impact of Union support, which shall be measured using specific performance indicators established by the Commission.*** Such differentiation shall ***also*** reflect the level of ambition of the country's partnership with the Union, its progress in building deep and sustainable democracy, its progress in implementing agreed reform objectives, the country's needs and capacities, and the potential impact of Union support.

Amendment 22

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms. ***Such differentiation shall reflect the level of ambition of the country's partnership with the Union, its progress in building deep and sustainable democracy, its progress in implementing agreed reform objectives, the country's needs and capacities, and the potential impact of Union support.***

Amendment

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms. ***This approach implies therefore that, without a clear commitment from the partner country in a sector aimed at building deep and sustainable democracy, it shall be decided in full transparency with all EU institutions to remove any Union support in this area of reform instead of keeping on supporting a project which does not***

comply with the spirit of the new ENP objectives.

Amendment 23

Proposal for a regulation

Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The progress of reforms shall be measured using clear, transparent and objective, measurable and achievable indicators, without creating an excessive administrative burden.

Amendment 24

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. Union support under this Regulation shall, in principle, be established in partnership with the beneficiaries. The partnership shall involve as appropriate, national, regional and local authorities, other stakeholders, civil society, social partners and other non-state actors in preparing, implementing and monitoring Union support.

2. Union support under this Regulation shall, in principle, be established in partnership with the beneficiaries. The partnership shall involve as appropriate, national, regional and local authorities, other stakeholders, civil society, social partners and other non-state actors in preparing, implementing and monitoring Union support. ***In this regard, favourable conditions for participation of non-state actors in the Union's support programmes shall be established, in order to improve their involvement in these programmes. Furthermore, the Commission shall establish eligibility criteria for participation of regional and local authorities in funding programmes and ensure that there are no administrative obstacles for their involvement. Consultation and monitoring mechanism shall be set up so as to further involve civil society actors in the process of good governance of each partner country. Therefore civil society shall be***

permanently encouraged to participate in funding programmes; such participation shall be ensured, inter-alia, through simplification of funding rules. When establishing partnerships with beneficiaries, the Union shall respect concepts of decentralization and local democracy, social mobilization and building of accountable-civil society.

Amendment 25

Proposal for a regulation Article 4 – paragraph 3

Text proposed by the Commission

3. Union support under this Regulation shall in principle be co-financed by the partner countries through public funds, contributions from the beneficiaries or other sources. The same principle shall be applicable to the cooperation with the Russian Federation, particularly with regard to programmes referred to in Article 6(1) (c). Co-financing requirements may be waived in duly justified cases and when this is necessary to support the development of civil society and non-state actors, without prejudice to compliance with the other conditions set out in the Financial Regulation.

Amendment

3. Union support under this Regulation shall in principle be co-financed by the partner countries through public funds, contributions from the beneficiaries or other sources. The same principle shall be applicable to the cooperation with the Russian Federation, particularly with regard to programmes referred to in Article 6(1) (c). Co-financing requirements may be waived in duly justified cases and when this is necessary to support the development of civil society, **local and regional authorities and** non-state actors, without prejudice to compliance with the other conditions set out in the Financial Regulation. **Moreover, full financing shall be enabled when the Union has an interest in being the sole donor of action, enabling the engagement of local and regional actors.**

Amendment 26

Proposal for a regulation Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The support provided by the Union support under this Regulation shall

include, where appropriate ,funding for the external dimension of the EU's macro-regional strategies, such as the Strategy for the Baltic Sea Region, the Strategy for Danube Region and the strategy for the Adriatic-Ionian Initiative .

Amendment 27

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. The Commission, the Member States and the European Investment Bank (EIB) shall ensure coherence between support provided under this Regulation and other support provided by the Union, the Member States and the European Investment Bank.

Amendment

2. The Commission, the Member States and the European Investment Bank (EIB) shall ensure coherence between support provided under this Regulation, *as well as under other financial instruments provided for in the 2014-2020 MFF, such as the financing instrument for development cooperation (DCI)*, and other support provided by the Union, the Member States and the European Investment Bank.

Amendment 28

Proposal for a regulation Article 5 – paragraph 3

Text proposed by the Commission

3. The Union and the Member States shall coordinate their respective support programmes with the aim of increasing effectiveness and efficiency in the delivery of support and policy dialogue in line with the established principles for strengthening operational coordination in the field of external support, and for harmonising policies and procedures. Coordination shall involve regular consultations and frequent exchanges of relevant information during the different phases of the support cycle, in particular at field level, and may lead to joint programming, delegated co-operation

Amendment

3. The Union and the Member States shall coordinate their respective support programmes with the aim of increasing effectiveness and efficiency in the delivery of support and policy dialogue *and preventing overlapping of funding* in line with the established principles for strengthening operational coordination in the field of external support, and for harmonising policies and procedures. Coordination shall involve regular consultations and frequent exchanges of relevant information during the different phases of the support cycle, in particular at

and/or transfer arrangements.

field level, and may lead to joint programming, delegated co-operation and/or transfer arrangements. ***The coordination shall also involve financing under different internal and external instruments.***

Amendment 29

Proposal for a regulation Article 5 – paragraph 4

Text proposed by the Commission

4. The Union shall, in liaison with the Member States, take the necessary steps to ensure proper coordination and cooperation with multilateral and regional organisations and entities, including European financial institutions, international financial institutions, United Nations agencies, funds and programmes, private and political foundations and non-European Union donors.

Amendment

4. The Union shall, in liaison with the Member States, take the necessary steps to ensure proper coordination and cooperation with multilateral and regional organisations and entities, including European financial institutions, international financial institutions, United Nations agencies, funds and programmes, private and political foundations and non-European Union donors. ***A comprehensive framework for improved interaction between ENI and other instruments shall be established.***

Amendment 30

Proposal for a regulation Article 5 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Coherent implementation of neighbourhood policies depends on highly competent EU Delegation staff for whom additional educational measures and knowledge sharing in the form of follow-ups, monitoring, auditing and evaluation shall be ensured. Moreover, there is a need for education and training of local, regional and national beneficiaries where instruments of Twinning and Taiex shall be used.

Amendment 31

Proposal for a regulation

Article 6 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) inter-regional cooperation programmes addressing cooperation between regional entities of the Union's Member states and corresponding regional entities of the partner countries.

Amendment 32

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. For multi-country programmes, a comprehensive programming document including a Strategy and a Multi-annual indicative programme shall be adopted in accordance with the examination procedure referred to in Article 15(3) of the Common Implementing Regulation. It shall define the priorities for Union support towards the region or the sub-region and the indicative level of funding broken down by priority. It shall have an appropriate multi-annual duration.

3. For multi-country programmes, a comprehensive programming document including a Strategy and a Multi-annual indicative programme shall be adopted in accordance with the examination procedure referred to in Article 15(3) of the Common Implementing Regulation. It shall define the priorities for Union support towards the region or the sub-region, ***based where applicable on the priorities included in the multilateral documents referred to in Article 3(2)***, and the indicative level of funding broken down by priority. It shall have an appropriate multi-annual duration.

Amendment 33

Proposal for a regulation

Article 7 – paragraph 5

Text proposed by the Commission

Amendment

5. Financial allocations for country and multi-country programmes shall be determined using transparent and objective criteria reflecting the differentiation principle referred to in Article 4(1).

5. Financial allocations for country and multi-country programmes shall be determined using transparent and objective criteria, ***clearly established and assessed, and*** reflecting the differentiation principle

referred to in Article 4(1).

Amendment 34

Proposal for a regulation

Article 7 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. In order to maximise EU added value, duplication of efforts and resources shall be avoided and the role of financial bodies such as the European Investment Bank and the European Bank for Reconstruction and Development shall be enhanced.

Amendment 35

Proposal for a regulation

Article 7 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States and other donors that have committed to jointly programme their support with the EU shall be involved in the programming process. The programming documents may also cover their contribution as appropriate.

7. Member States and other donors that have committed to jointly programme their support with the EU shall be involved in the programming process. The programming documents may also cover their contribution as appropriate. ***The European Parliament and the Council shall be duly informed at all stages of the programming process, especially when Union budgetary spending is involved.***

Amendment 36

Proposal for a regulation

Article 7 – paragraph 9

Text proposed by the Commission

Amendment

9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, or of natural or man-made disasters, an ad hoc review of

9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, or of natural or man-made disasters, an ad hoc review of

the programming documents may be conducted. Such emergency review shall ensure that coherence between Union support provided under this Regulation and support provided under other Union financial instruments is maintained. An emergency review may lead to the adoption of revised programming documents. Where this is the case, the Commission shall send the revised programming documents to the European Parliament and to the Council for information within one month of their adoption.

the programming documents may be conducted. Such emergency review shall ensure that coherence between Union support provided under this Regulation and support provided under other Union financial instruments is maintained. An emergency review may lead to the adoption of revised programming documents *facilitating support to civil society organisations, including through the European Endowment for Democracy*. Where this is the case, the Commission shall send the revised programming documents to the European Parliament and to the Council for information within one month of their adoption.

Amendment 37

Proposal for a regulation Article 16 – paragraph 1

Text proposed by the Commission

1. In duly justified circumstances and to ensure the coherence and effectiveness of Union financing or to foster regional or trans-regional cooperation, *the Commission may decide* to extend the eligibility of actions to countries, territories and regions which otherwise would not be eligible for financing. Notwithstanding the provisions of Article 8(1) of the Common Implementing Regulation, natural and legal persons from countries, territories and regions concerned may participate in the procedures implementing such actions.

Amendment

1. In duly justified circumstances and to ensure the coherence and effectiveness of Union financing or to foster regional or trans-regional cooperation, *it may be decided to* extend the eligibility of actions to countries, territories and regions which otherwise would not be eligible for financing. *The decision shall be taken by the Commission through a delegated act in accordance with Article 14.* Notwithstanding the provisions of Article 8(1) of the Common Implementing Regulation, natural and legal persons from countries, territories and regions concerned may participate in the procedures implementing such actions.

Amendment 38

Proposal for a regulation Article 17

Text proposed by the Commission

Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support.

Amendment

Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support. ***The European Parliament shall be fully and immediately informed of any decision taken in this regard.***

Amendment 39

Proposal for a regulation Article 18 – paragraph 3 – subparagraph 1

Text proposed by the Commission

3. As referred to in Article 13, paragraph 2 of the "Erasmus for All" Regulation, in order to promote the international dimension of higher education, an indicative amount ***of EUR 1 812 100 000 from the different external*** instruments (Development Cooperation Instrument, European Neighbourhood Instrument, Instrument for Pre-accession Assistance, Partnership Instrument and the European

Amendment

3. As referred to in Article 13, paragraph 2 of the "Erasmus for All" Regulation, in order to promote the international dimension of higher education, an indicative amount ***corresponding to 2 % of the financial allocations available for the participating*** instruments (Development Cooperation Instrument, European Neighbourhood Instrument, Instrument for Pre-accession Assistance, Partnership

Development Fund), will be allocated to actions of learning mobility to or from non EU countries and to cooperation and policy dialogue with authorities/institutions/organisations from these countries. The provisions of the "Erasmus for All" Regulation will apply to the use of those funds.

Instrument and the European Development Fund), will be allocated to actions of learning mobility to or from non EU countries and to cooperation and policy dialogue with authorities/institutions/organisations from these countries. The provisions of the "Erasmus for All" Regulation will apply to the use of those funds.

PROCEDURE

Title	Establishing a European Neighbourhood Instrument
References	COM(2011)0839 – C7-0492/2011 – 2011/0405(COD)
Committee responsible Date announced in plenary	AFET 17.1.2012
Opinion by Date announced in plenary	BUDG 17.1.2012
Rapporteur Date appointed	Jan Kozłowski 29.2.2012
Date adopted	31.5.2012
Result of final vote	+: 30 -: 6 0: 2
Members present for the final vote	Marta Andreasen, Richard Ashworth, Francesca Balzani, Zuzana Brzobohatá, Jean-Luc Dehaene, James Elles, Göran Färm, José Manuel Fernandes, Eider Gardiazábal Rubial, Salvador Garriga Polledo, Jens Geier, Ivars Godmanis, Lucas Hartong, Jutta Haug, Sidonia Elżbieta Jędrzejewska, Anne E. Jensen, Ivailo Kalfin, Sergej Kozlík, Jan Kozłowski, Alain Lamassoure, Claudio Morganti, Juan Andrés Naranjo Escobar, Nadezhda Neynsky, Dominique Riquet, Alda Sousa, László Surján, Jacek Włosowicz
Substitute(s) present for the final vote	François Alfonsi, Alexander Alvaro, Frédéric Daerden, Charles Goerens, Edit Herczog, Jürgen Klute, María Muñoz De Urquiza, Jan Olbrycht, Paul Rübig, Peter Šťastný, Gianluca Susta

1.6.2012

OPINION OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS

for the Committee on Foreign Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Rapporteur: Sylvana Rapti

SHORT JUSTIFICATION

Since there is a shared interest in a democratic, stable, prosperous and peaceful wider area around Europe, the European Neighbourhood Policy (ENP) is essential for the stability of the neighbouring countries of the EU and contributes to the security and progress of all. The European Neighbourhood Instrument (ENI) as the means to implement the EU's policy towards its neighbours should build upon fundamental values like democracy and the rule of law but at the same time ought to provide the means for the realisation of specific goals such as creating employment and ensuring social protection that promise the empowerment and inclusive growth of these countries in the future. The EU, globally famous for its social model, has a unique expertise to share and to offer.

The ENI must be remodelled and set conditions - in a more effective way than the previous instrument - for the allocation of its funds to adequately and flexibly address developments and historical challenges in the partner countries. If conditionality and the 'more for more' principles are to be applied, progress on social issues that reflect the dignity and substantial progress of the societies should be prioritised.

As a consequence, a number of amendments setting social targets as prerequisites for financial aid are proposed to this regulation to reflect the spirit and the letter of the Lisbon Treaty and especially its famous social clause (Art. 9 TFEU, which states that "In defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health").

AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The Union seeks to promote, develop and consolidate the values of liberty, democracy, respect for human rights and fundamental freedoms, principles of equality and the rule of law on which it is founded through dialogue and cooperation with third countries.

Amendment

(3) The Union seeks to promote, develop and consolidate the values of liberty, democracy, respect for human rights and fundamental freedoms, principles of equality, ***fundamental social rights with special attention being paid to the rights of vulnerable groups*** and the rule of law on which it is founded through dialogue and cooperation with third countries.

Amendment 2

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) Since it was launched, the European Neighbourhood Policy has significantly strengthened relations with partner countries and brought tangible benefits to both the Union and its partners.

Amendment

(4) Since it was launched, the European Neighbourhood Policy has significantly strengthened relations with partner countries and brought tangible benefits to both the Union and its partners. ***At the same time, bearing in mind the 2011 social and political crisis in which North Africa was involved and that many of the countries concerned are still affected by the resultant state of instability, action under the neighbourhood policy, notably in regard to its democratic development objectives, needs to be stepped up.***

Amendment 3

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) Under the European Neighbourhood Policy, the Union offers Neighbourhood countries a privileged relationship, building upon a mutual commitment to and promotion of the values of democracy and human rights, the rule of law, good governance and the principles of market economy and sustainable development.

Amendment

(5) Under the European Neighbourhood Policy, the Union offers Neighbourhood countries a privileged relationship, building upon a mutual commitment to and promotion of the values of democracy and human rights, the rule of law, good governance, ***employment, the development of human capital, social protection*** and the principles of market economy and sustainable development ***with a special focus on strengthening civil society.***

Amendment 4

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Furthermore, it is important to foster and facilitate cooperation for the common benefit of Union and its partners, notably through pooling of contributions from internal and external instruments of the Union budget, in particular for Cross-Border Cooperation, infrastructure projects of Union interest that will pass through Neighbourhood countries and other areas of cooperation.

Amendment

(9) Furthermore, it is important to foster and facilitate, ***inter alia with the support of the Union's agencies,*** cooperation for the common benefit of Union and its partners, notably through ***the best and most effective coordination of resources provided and the*** pooling of contributions from internal and external instruments of the Union budget, in particular for Cross-Border Cooperation, infrastructure projects of Union interest that will pass through Neighbourhood countries, ***mechanisms promoting and monitoring employment*** and other areas of cooperation.

Amendment 5

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) European Union external support has increasing financing needs but the economic and budgetary situation of the Union limits the resources available for such support. The Commission must therefore seek the most efficient use of available resources by using financial instruments with leverage effect. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments.

Amendment

(19) European Union external support has increasing financing needs but the economic and budgetary situation of the Union limits the resources available for such support. The Commission must therefore seek the most efficient **and transparent** use of available resources by using financial instruments with leverage effect. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments. ***It should also define clearly the priorities of the European Neighbourhood Policy, thereby setting criteria for the evaluation of achievements.***

Amendment 6

**Proposal for a regulation
Recital 21**

Text proposed by the Commission

(21) Gender equality **and** anti-discrimination should be a cross-cutting objective in all actions undertaken under this Regulation.

Amendment

(21) Gender equality, anti-discrimination, ***social justice, social inclusion and the workers' rights*** should be a cross-cutting objective in all actions undertaken under this Regulation.

Amendment 7

**Proposal for a regulation
Recital 22**

Text proposed by the Commission

(22) The Union is committed to promote in relations with its partners worldwide decent work as well as ratification and effective implementation of the internationally recognised labour standards and multilateral environment agreements,

Amendment

(22) The Union is committed to promote in relations with its partners worldwide decent work **and social dialogue**, as well as ratification and effective implementation of the internationally recognised labour standards and multilateral environment agreements, in relations with its partners

in relations with its partners worldwide.

worldwide.

Amendment 8

Proposal for a regulation Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) The Union should support partner countries in their efforts to create employment and improve employability, tackle labour market issues and develop social policies.

Amendment 9

Proposal for a regulation Recital 22 b (new)

Text proposed by the Commission

Amendment

(22b) The Union should support partner countries in establishing stronger labour laws in order to protect children from abusive working conditions and in taking immediate action to eradicate illegal child labour.

Amendment 10

Proposal for a regulation Recital 22 c (new)

Text proposed by the Commission

Amendment

(22c) Cooperation in controlled circular mobility ensuring fair migration and the fight against trafficking and exploitation are essential to both the Union and its partners.

Amendment 11

Proposal for a regulation Recital 22 d (new)

Text proposed by the Commission

Amendment

(22d) Enhancing civil society and dialogue with the social partners as well as supporting the necessary structural economic, social and territorial cohesion and educational improvements in the partner countries should be among the objectives of this Regulation.

Amendment 12

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

Text proposed by the Commission

Amendment

(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, establishing deep and sustainable democracy, promoting good governance ***and*** developing a thriving civil society including social partners;

(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, ***social justice***, establishing deep and sustainable democracy, ***freedom of the media***, promoting good governance ***and transparent procedures***, developing a thriving civil society including social partners ***and enhancing social dialogue***;

Amendment 13

Motion for a resolution Article 2 – paragraph 2 – point aa(new)

Motion for a resolution

Amendment

(aa) targeting decent sustainable job creation, social protection, the appropriate improvement of job quality and labour policies including educational and training programmes, and the protection of workers' rights, and dealing with abuses in the labour market to that end, partner countries should be urged to

ratify all core labour conventions of the International Labour Organization and to align national legislation with those conventions;

Amendment 14

Proposal for a regulation

Article 2 – paragraph 2 – point b

Text proposed by the Commission

(b) achieving progressive integration into the Union internal market and enhanced sector and cross-sectoral co-operation including through legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in interconnections;

Amendment

(b) achieving progressive integration into the Union internal market ***with special support for small and medium-sized enterprises*** and enhanced sector and cross-sectoral co-operation including through ***social investment***, legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in interconnections ***and skills development***. ***It is imperative however that economic integration does not bring about unfair competition on the internal market;***

Amendment 15

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

(c) creating conditions for well managed mobility of people and promotion of people-to-people contacts;

Amendment

(c) creating conditions ***in accordance with the law*** for well managed mobility of people and promotion of people-to-people contacts, ***including student and vocational training exchange initiatives with adequate financial support;***

Amendment 16

Proposal for a regulation

Article 2 – paragraph 2 – point d

Text proposed by the Commission

(d) sustainable and inclusive development in all aspects, **poverty** reduction, including through private-sector development; promotion of internal economic, social and territorial cohesion, rural development, climate action and disaster resilience;

Amendment

(d) sustainable and inclusive development in all aspects, reduction **and prevention of poverty, unemployment and social exclusion with specific attention being paid to vulnerable groups**, including through private-sector development; promotion of internal economic, social and territorial cohesion, **sustainable** rural development, climate action and disaster resilience;

Amendment 17

Proposal for a regulation

Article 2 – paragraph 2 – point e

Text proposed by the Commission

(e) promoting confidence building and other measures contributing to security and the prevention and settlement of conflicts;

Amendment

(e) promoting **cultural, ethnic and religious awareness and tolerance**, confidence building, **the control of irregular migration to prevent migrants from being exposed to the risks of, inter alia, illegal behaviour and poor living conditions** and other measures contributing to security and the prevention and settlement of conflicts;

Amendment 18

Proposal for a regulation

Article 2 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) ensuring the economic competitiveness of the European Union and its partner countries by including projects and procedures that best suit SMEs, thereby helping them integrate

better into the European Union's internal market.

Amendment 19

Proposal for a regulation

Article 2 – paragraph 2 – point e b (new)

Text proposed by the Commission

Amendment

(eb) coordinating EU support for SMEs, and promoting the creation of businesses between SMEs in partner countries and in the Union; encouraging development of SME projects and investments in partner countries, thereby releasing the resources needed to promote transnational cooperation.

Amendment 20

Proposal for a regulation

Article 2 – paragraph 3

Text proposed by the Commission

Amendment

3. The achievement of these objectives shall be measured using notably the relevant EU periodic reports on the implementation of the policy, and for paragraphs 2(a), (d) and (e), the relevant indicators established by international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, adequately monitored democratic elections, level of corruption, trade flows, indicators enabling measuring internal economic disparities, including employment levels.

3. The achievement of these objectives shall be measured using notably the relevant EU periodic reports, *including reports by the Union's Agencies*, on the implementation of the policy, and for paragraphs 2(a), *(aa)*, (d) and (e), the relevant indicators established by international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, *the regulatory framework for social protection issues*, adequately monitored democratic elections, level of corruption, trade flows, indicators enabling measuring internal economic disparities, including employment levels, *quality of employment human capital*

development, poverty levels, income distribution, respect for human rights and minority rights, independence of the judiciary and the obligation of the social partners and civil society to participate in social dialogue and their right to be consulted before legislation is introduced.

Amendment 21

Proposal for a regulation Article 3 – paragraph 1

Text proposed by the Commission

1. The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation.

Amendment

1. The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation, *actively linked with existing internal instruments and policies of the Union regarding infrastructure, energy, transport, ICT, employment and social policy, migration, education, culture, research and innovation.*

Amendment 22

Proposal for a regulation Article 17

Text proposed by the Commission

Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights

Amendment

Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human *and*

and fundamental freedoms, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support.

social rights and fundamental freedoms **and social justice**, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support.

PROCEDURE

Title	Establishing a European Neighbourhood Instrument	
References	COM(2011)0839 – C7-0492/2011 – 2011/0405(COD)	
Committee responsible Date announced in plenary	AFET 17.1.2012	
Opinion by Date announced in plenary	EMPL 17.1.2012	
Rapporteur Date appointed	Sylvana Rapti 19.1.2012	
Discussed in committee	24.4.2012	30.5.2012
Date adopted	31.5.2012	
Result of final vote	+: 31 -: 1 0: 2	
Members present for the final vote	Regina Bastos, Heinz K. Becker, Jean-Luc Bennahmias, Phil Bennion, Pervenche Berès, Vilija Blinkevičiūtė, Philippe Boulland, Alejandro Cercas, Ole Christensen, Derek Roland Clark, Minodora Cliveti, Marije Cornelissen, Frédéric Daerden, Karima Delli, Sari Essayah, Richard Falbr, Thomas Händel, Marian Harkin, Nadja Hirsch, Adam Kósa, Jean Lambert, Thomas Mann, Csaba Óry, Sylvana Rapti, Elisabeth Schroedter, Joanna Katarzyna Skrzydlewska, Jutta Steinruck, Inês Cristina Zuber	
Substitute(s) present for the final vote	Sergio Gutiérrez Prieto, Sidonia Elżbieta Jędrzejewska, Anthea McIntyre, Ria Oomen-Ruijten, Csaba Sógor	
Substitute(s) under Rule 187(2) present for the final vote	Jens Nilsson	

1.6.2012

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on Foreign Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Rapporteur: Konrad Szymański

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Two main political initiatives have shaped the regional cooperation in the European Union's Neighbourhood: the Eastern Partnership between the Union and its Eastern neighbours, and the Union for the Mediterranean between the Union and its Southern Mediterranean neighbours. These initiatives are meaningful political frameworks for deepening relations with and among partner countries, based on principles of shared ownership and responsibility.

Amendment

(6) Two main political initiatives have shaped the regional cooperation in the European Union's Neighbourhood: the Eastern Partnership between the Union and its Eastern neighbours, and the Union for the Mediterranean, ***along with ARLEM (the Euro-Mediterranean Regional and Local Assembly)***, between the Union and its Southern Mediterranean neighbours. These initiatives are meaningful political frameworks for deepening relations with and among partner countries, based on principles of shared ownership and responsibility.

Amendment 2

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) A number of major ***developments*** have ***taken place*** since the European Neighbourhood Policy was launched and the European Neighbourhood and Partnership Instrument was set up. These include a deepening of the relationship with the partners, the launch of regional initiatives and democratic transition processes in the ***region***. This triggered a new European Neighbourhood Policy vision set out in 2011 as a result of a comprehensive Strategic Review of the Policy. ***It*** outlines key objectives for ***Union*** cooperation ***with Neighbourhood countries and provides for greater*** support to partners committed to building democratic societies ***and undertaking reforms***, in line with the ‘more for more’ and ‘mutual accountability’ principles.

Amendment

(7) A number of major ***political changes*** have ***occurred in both the southern and eastern neighbouring countries*** since the European Neighbourhood Policy was launched and the European Neighbourhood and Partnership Instrument was set up. These include a deepening of the relationship with the partners, the launch of regional initiatives and democratic transition processes, ***particularly*** in the ***countries on the southern shore of the Mediterranean following the events of spring 2011***. This triggered a new European Neighbourhood Policy vision set out in 2011 as a result of a comprehensive Strategic Review of the Policy. ***This policy*** outlines key objectives for ***promoting cooperation and*** support to partners committed to building ***more equitable and democratic societies which respect human rights and fundamental freedoms***, in line with the ‘more for more’ and ‘mutual accountability’ principles.

Amendment 3

Proposal for a regulation

Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) The scope of this instrument should promote a cross-border and differentiated approach in order to facilitate swift and effective implementation of the programmes in the countries covered by the European Neighbourhood Policy, so as to encourage the regional and inter-regional development of projects

and foster a policy of decentralised cooperation.

Amendment 4

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) Furthermore, it is important to foster and facilitate cooperation for the common benefit of Union and its partners, notably through pooling of contributions from internal and external instruments of the Union budget, in particular for Cross-Border Cooperation, infrastructure projects of Union interest that will pass through Neighbourhood countries and other areas of cooperation.

Amendment

(9) Furthermore, it is important to foster and facilitate cooperation for the common benefit of *the* Union and its partners, notably through pooling of contributions from internal and external instruments of the Union budget, in particular for Cross-Border Cooperation, infrastructure projects of Union interest that will pass through Neighbourhood countries, *in particular those concerning energy production and transport*, and other areas of cooperation *such as RDI and knowledge transfer and technology in the field of low carbon technologies and energy efficiency*.

Amendment 5

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) Cross-Border Co-operation will contribute as appropriate to the implementation of existing and future macro-regional strategies.

Amendment

(12) Cross-Border Co-operation will contribute as appropriate to the implementation of existing and future macro-regional strategies. *Most notably by prioritising gas, electricity and oil corridors, and natural gas storage infrastructure.*

Amendment 6

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Support to be provided should also be coherent with the Union's long-term climate and energy goals, and in particular with the Climate and Energy 2050 Roadmaps and the goal of decarbonisation and achieving emissions reductions by 2050.

Amendment 7

Proposal for a regulation Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) The European Neighbourhood Policy should enhance synergies with multilateral projects initiated through the Union for the Mediterranean.

Amendment 8

Proposal for a regulation Recital 15

Text proposed by the Commission

Amendment

(15) The Union and its Member States should improve the coherence and the complementarity of their respective policies on cooperation with neighbouring countries. To ensure that the Union's cooperation and that of the Member States complement and reinforce each other, it is appropriate to provide for joint programming which should be implemented whenever possible and relevant.

(15) The Union and its Member States should improve the coherence and the complementarity of their respective policies on cooperation with neighbouring countries, ***taking also into account the priorities laid down in the Europe 2020 Strategy***. To ensure that the Union's cooperation and that of the Member States complement and reinforce each other, it is appropriate to provide for joint programming which should be implemented whenever possible and relevant.

Amendment 9

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) Union support under this Regulation should ***in principle*** be aligned to corresponding national, regional or local strategies and measures of partner countries.

Amendment

(16) Union support under this Regulation should be aligned to corresponding national, regional or local strategies and measures of partner countries.

Amendment 10

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) In Neighbourhood countries where alignment to Union rules and standards is one of the key policy objectives, the Union ***is best placed to deliver this support***. Certain specific support can only be provided at Union level.

Amendment

(17) In Neighbourhood countries where alignment to Union rules and standards is one of the key policy objectives, the Union ***should commit to delivering timely and cost-effective assistance***. Certain specific support can only be provided at Union level.

Amendment 11

Proposal for a regulation
Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) Security of energy supply is the key element of European energy policy, wherein cooperation with neighbouring countries, based on market regulatory integration, diversification of resources and transit routes, are of the utmost importance. In accordance with Article 194 of the Treaty on the Functioning of the European Union, the Energy Community Treaty, the Energy Charter Treaty and its Transit Protocol, the rules of the Third Package for Electricity and Gas Markets and the Commission Communication on security of energy

supply and international cooperation, this Regulation should support the achievement of those goals which, in the long term, will ensure transparency and cost-effectiveness for the functioning of the gas and electricity markets.

Amendment 12

Proposal for a regulation Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) Support provided under the European Neighbourhood Instrument to developing neighbouring countries should be separated from the aid provided to those countries under the financing instrument for development cooperation (DCI). There should be separated scheduling of the various financial instruments provided for under the new Multiannual Financial Framework (MFF) 2014-2020.

Amendment 13

Proposal for a regulation Recital 19 b (new)

Text proposed by the Commission

Amendment

(19b) Union action beyond its borders is needed to secure a stable framework of energy and resource cooperation with neighbouring countries, consistent with the Union's internal market rules, contributes to enhancing the Union's energy and resource security.

Amendment 14

Proposal for a regulation Recital 19 c (new)

Text proposed by the Commission

Amendment

(19c) Taking into account the fact that the European Council set 2014 as the deadline for completion of the internal market for electricity and gas, the external dimensions of these policies need to be fully and consistently developed, and partnership agreements with neighbouring countries are the most appropriate instruments for achieving this.

Amendment 15

Proposal for a regulation Recital 20

Text proposed by the Commission

Amendment

Fighting climate change *is one* of the *great* challenges which *the Union faces and urgent* international action is needed. *In accordance with the intent stated in the Commission June 2011 MFF Communication of increasing the climate related proportion of the Union budget to at least 20%, this* Regulation should contribute to that goal.

Fighting climate change *and securing safe energy supplies are two* of the challenges *in respect of* which *genuine* international action is needed. *This* Regulation should contribute to that goal *as part of a broader policy aimed at crossborder promotion of all kinds of energy solutions which have the potential to reduce greenhouse gas emissions, e.g. by promoting renewable energies. Initiatives such as the Mediterranean Solar Plan should strengthen this aim.*

Amendment 16

Proposal for a regulation Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) The Union's relationship with its neighbouring countries should take into account existing economic structures and their industrial fabric, in order to facilitate policies that promote SMEs and job creation.

Amendment 17

Proposal for a regulation Article 2 – paragraph 1

Text proposed by the Commission

1. Support under this Regulation shall promote enhanced political cooperation and progressive economic integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, and jointly agreed action plans.

Amendment

1. Support under this Regulation shall promote enhanced political cooperation and progressive economic integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, and jointly agreed ***macro-regional strategies and*** action plans.

Amendment 18

Proposal for a regulation Article 2 – paragraph 2 – point b

Text proposed by the Commission

(b) achieving progressive integration into the Union internal market and enhanced sector and cross-sectoral co-operation including through legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in interconnections;

Amendment

(b) achieving progressive integration into the Union internal market and enhanced sector and cross-sectoral co-operation including through legislative approximation and regulatory convergence towards Union and other relevant international standards, related institution building and investments, notably in ***infrastructure*** interconnections ***aimed at***

strengthening the diversification of energy supply chains, reliability of transit routes and further liberalisation of energy markets;

Amendment 19

Proposal for a regulation

Article 2 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) enhancing the objectives of the Energy Community Treaty and the Energy Charter Treaty and its Transit Protocol by pursuing the accession of the Eastern partner countries to the former and the ratification by all partner countries and the Russian Federation of the latter;

Amendment 20

Proposal for a regulation

Article 2 – paragraph 2 – point b b (new)

Text proposed by the Commission

Amendment

(bb) implementing the EU's macro-regional strategies covering states neighbouring the EU, as well as the action plans relating to these;

Amendment 21

Proposal for a regulation

Article 2 – paragraph 2 – point d

Text proposed by the Commission

Amendment

d) sustainable and inclusive development *in all aspects*, poverty reduction, including through private-sector development; promotion of internal economic, social and

d) sustainable, *equitable* and inclusive development, *hunger and* poverty reduction, including through private-sector development; promotion of internal

territorial cohesion, rural development, climate **action and** disaster resilience;

economic, social and territorial cohesion, rural development, **energy cooperation, combating** climate **change**, disaster resilience **and promotion of R&D**;

Amendment 22

Proposal for a regulation Article 2 – paragraph 2 – point e

Text proposed by the Commission

(e) promoting confidence building **and other** measures contributing to security and the prevention and settlement of conflicts;

Amendment

(e) promoting confidence building **through concrete** measures contributing to security and the prevention and settlement of conflicts;

Amendment 23

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

Text proposed by the Commission

Amendment

(ea) promoting the development of renewable forms of energy , and hence attaining the objectives of the Europe 2020 Strategy as regards the development of energy interconnections and networks, such as the practical implementation of the Mediterranean Solar Plan;

Amendment 24

Proposal for a regulation Article 2 – paragraph 2 – point e b (new)

Text proposed by the Commission

Amendment

(eb) ensuring the economic competitiveness of the Union and its partner countries by incorporating projects and procedures that best respond to the needs of SMEs, thereby making it easier for SMEs to participate on the

internal market of the Union;

Amendment 25

Proposal for a regulation

Article 2 – paragraph 2 – point e c (new)

Text proposed by the Commission

Amendment

(ec) coordinating European support for SMEs and encouraging the creation of joint enterprises between SMEs in the partner countries and those in the Union; promoting the development of SME projects and investments in the partner countries, and hence mobilising the resources needed to promote transnational cooperation;

Amendment 26

Proposal for a regulation

Article 2 – paragraph 2 – point f

Text proposed by the Commission

Amendment

(f) enhancing sub-regional, regional and Neighbourhood wide collaboration as well as Cross-Border Cooperation.

(f) enhancing sub-regional, regional and Neighbourhood wide collaboration, as well as Cross-Border *and Territorial* Cooperation, *by fostering regional synergies and networks in fields such as the environment, climate change, energy, research, ICT, culture and mobility;*

Amendment 27

Proposal for a regulation

Article 2 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) using the Union's research and development policies, such as the Seventh Framework Programme of the European Community for research, technological development and demonstration activities

(2007-2013) and Horizon 2020, as a key means of cooperation and incorporating the partner countries into the European Research Area; approaching these framework programmes as constituting a vital contribution to economic growth, job creation and innovation.

Amendment 28

Proposal for a regulation

Article 2 – paragraph 3

Text proposed by the Commission

3. The achievement of these objectives shall be measured using notably the relevant EU periodic reports on the implementation of the policy, and for paragraphs 2(a), (d) and (e), the relevant indicators established by international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, adequately monitored democratic elections, level of corruption, trade flows, indicators enabling measuring internal economic disparities, *including* employment levels.

Amendment

3. The achievement of these objectives shall be measured using notably the relevant EU periodic reports on the implementation of the policy, and for paragraphs 2(a), (d) and (e), the relevant indicators established by international organisations and other relevant bodies; for paragraphs 2(b), (*ba*), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, adequately monitored democratic elections, level of corruption, *state of play of implementation of relevant Union legislation and international treaties*, trade flows, indicators enabling measuring internal economic disparities, *such as differences in income and employment levels, access to electricity and other forms of energy, to water and to sanitation*.

Amendment 29

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation.

Amendment

1. The partnership and cooperation agreements, the association agreements and other existing or future agreements that establish a relationship with partner countries, ***with particular emphasis on the Energy Community Treaty and the Energy Charter Treaty and its Transit Protocol***, corresponding Communications, Council conclusions and European Parliament Resolutions as well as relevant conclusions of ministerial meetings with the partner countries shall constitute the overall policy framework for programming and implementing Union support under this Regulation.

Amendment 30

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. The Commission, the Member States and the European Investment Bank (EIB) shall ensure coherence between support provided under this Regulation and other support provided by the Union, the Member States and the *European Investment Bank*.

Amendment

2. The Commission, the Member States and the European Investment Bank (EIB) shall ensure coherence between support provided under this Regulation and other support ***and financial instruments, such as the financing instrument for development cooperation (DCI)***, provided by the Union, the Member States and the *EIB*.

Amendment 31

Proposal for a regulation

Article 6 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) programmes concerning the macro-regional strategies of the Union and the action plans relating to these;

Amendment 32

Proposal for a regulation

Article 6 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) cross-border regional programmes aimed at fostering joint regional synergies and networks with neighbouring countries in fields such as the environment, climate change, energy, research, ICT, culture, transport and mobility between neighbouring countries, by means of cooperation between one or more regions of the Member States with one or more regions of the partner countries.

Amendment 33

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. For multi-country programmes, a comprehensive programming document including a Strategy and a Multi-annual indicative programme shall be adopted in accordance with the examination procedure referred to in Article 15(3) of the Common Implementing Regulation. It shall define the priorities for Union support towards the region or the sub-region and the indicative level of funding broken down by priority. It shall have an appropriate multi-annual duration.

3. For multi-country ***macro-regional*** programmes ***and strategies***, a comprehensive programming document including a Strategy and a Multi-annual indicative programme shall be adopted in accordance with the examination procedure referred to in Article 15(3) of the Common Implementing Regulation. It shall define the priorities for Union support towards the region or the sub-region and the indicative level of funding broken down by priority. It shall have an appropriate multi-annual duration.

Amendment 34

Proposal for a regulation Article 7 – paragraph 6

Text proposed by the Commission

6. When it is necessary to implement more effectively measures for the common benefit of the Union and partner countries, in areas such as transnational co-operation and inter-connections, funding under this Regulation can be pooled together with funding covered by other relevant Union Regulations establishing financial instruments. In this case, the Commission shall decide which single set of rules should apply to implementation.

Amendment

6. When it is necessary to implement more effectively measures for the common benefit of the Union and partner countries, in areas such as transnational co-operation and inter-connections, funding under this Regulation can be pooled together with funding covered by other relevant Union Regulations establishing financial instruments, ***such as the Connecting Europe Facility***. In this case, the Commission shall decide which single set of rules should apply to implementation.

Amendment 35

Proposal for a regulation Article 7 – paragraph 9

Text proposed by the Commission

9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, or of natural or man-made disasters, an ad hoc review of the programming documents may be conducted. Such emergency review shall ensure that coherence between Union support provided under this Regulation and support provided under other Union financial instruments is maintained. An emergency review may lead to the adoption of revised programming documents. Where this is the case, the Commission shall send the revised programming documents to the European Parliament and to the Council for information within one month of their adoption.

Amendment

9. In the event of ***economic, political or energy*** crises or threats to democracy, the rule of law, human rights and fundamental freedoms, or of natural or man-made disasters, an ad hoc review of the programming documents may be conducted. Such emergency review shall ensure that coherence between Union support provided under this Regulation and support provided under other Union financial instruments is maintained. An emergency review may lead to the adoption of revised programming documents. Where this is the case, the Commission shall send the revised programming documents to the European Parliament and to the Council for information within one month of their adoption.

Amendment 36

Proposal for a regulation

Article 8 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) around a river basin, covering the territorial units corresponding to NUTS level 2 or equivalent facing a river basin common to Member States and partner countries and/or the Russian Federation;

Amendment 37

Proposal for a regulation

Article 8 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(cb) macro-regions already covered by Union strategies or synergies;

Amendment 38

Proposal for a regulation

Article 9 – paragraph 4

Text proposed by the Commission

Amendment

4. The indicative allocations of funds to the joint operational programmes shall be based primarily on the population of the eligible areas. When determining the indicative allocations, adjustments may be made to reflect the need for a balance between the contributions from the European Regional Development Fund and the contributions provided under the budget of this Instrument as well as other factors affecting the intensity of cooperation, such as the specific characteristics of border areas and their capacity to manage and absorb Union support.

4. When determining the indicative allocations ***of funds***, adjustments may be made to reflect the need for a balance between the contributions from the European Regional Development Fund and the contributions provided under the budget of this Instrument as well as other factors affecting the intensity of cooperation, such as the specific characteristics of border areas and their capacity to manage and absorb Union support.

Amendment 39

Proposal for a regulation Article 18 – paragraph 1

Text proposed by the Commission

1. The financial envelope available for implementing this Regulation over the period 2014 to 2020 shall be EUR 18 182 300 000 (current prices). Up to **5%** of the financial envelope shall be allocated to the Cross-Border Cooperation programmes referred to in Article 6(1) (c).

Amendment

1. The financial envelope available for implementing this Regulation over the period 2014 to 2020 shall be EUR 18 182 300 000 (current prices). Up to **15%** of the financial envelope shall be allocated to the Cross-Border Cooperation programmes referred to in Article 6(1) **(aa), (c) and (ca)**.

PROCEDURE

Title	Establishing a European Neighbourhood Instrument
References	COM(2011)0839 – C7-0492/2011 – 2011/0405(COD)
Committee responsible Date announced in plenary	AFET 17.1.2012
Opinion by Date announced in plenary	ITRE 17.1.2012
Rapporteur Date appointed	Konrad Szymański 7.3.2012
Discussed in committee	24.4.2012
Date adopted	31.5.2012
Result of final vote	+: 41 –: 1 0: 6
Members present for the final vote	Amelia Andersdotter, Josefa Andrés Barea, Jean-Pierre Audy, Zigmantas Balčytis, Ivo Belet, Reinhard Bütikofer, Giles Chichester, Jürgen Creutzmann, Pilar del Castillo Vera, Dimitrios Droutsas, Ioan Enciu, Gaston Franco, Adam Gierek, Norbert Glante, András Gyürk, Fiona Hall, Kent Johansson, Romana Jordan, Krišjānis Kariņš, Lena Kolarska-Bobińska, Marisa Matias, Angelika Niebler, Jaroslav Paška, Vittorio Prodi, Miloslav Ransdorf, Herbert Reul, Teresa Riera Madurell, Jens Rohde, Paul Rübig, Salvador Sedó i Alabart, Patrizia Toia, Marita Ulvskog, Vladimir Urutchev, Adina-Ioana Vălean, Kathleen Van Brempt, Alejo Vidal-Quadras, Henri Weber
Substitute(s) present for the final vote	Francesco De Angelis, Vicente Miguel Garcés Ramón, Françoise Grossetête, Satu Hassi, Roger Helmer, Jolanta Emilia Hibner, Ivailo Kalfin, Seán Kelly, Holger Krahmer, Zofija Mazej Kukovič, Vladimír Remek

5.6.2012

OPINION OF THE COMMITTEE ON REGIONAL DEVELOPMENT

for the Committee on Foreign Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Rapporteur: Joachim Zeller

SHORT JUSTIFICATION

The European Neighbourhood Policy (ENP) was developed in 2004 and covers 16 partners to the East and South of the EU's borders, namely Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, the Republic of Moldova, Morocco, the occupied Palestinian territory, Syria, Tunisia and Ukraine. Under the ENP the EU offers its neighbours a privileged relationship, building upon a mutual commitment to values and principles such as democracy and human rights, the rule of law, good governance, market economy principles and sustainable development, including climate action. The policy also provides for political association and deeper economic integration, increased mobility and enhanced people-to-people contacts. In the forthcoming Multiannual Financial Framework 2014-2020 the ENP is to be funded by a dedicated instrument, the European Neighbourhood Instrument (ENI), which covers the 16 above-mentioned partner countries and Russia. The Commission proposal acknowledges many of the changes that have proven to be necessary in the hitherto implementation of the European Neighbourhood Policy. Your draftsman is sharing this approach in principle.

Nevertheless, it may be observed, that certain specific adjustments need to be made in the regulation, especially as far as the point of view of the regional development policy is concerned. This pertains in the first place to the Cross-Border Co-operation (CBC) programmes foreseen, and especially to the scope of funding proposed in this respect, to the point that it might even be prudent to ponder an idea of a separate regulation on the CBC. Your draftsman is therefore proposing an alignment (to the level of 7%) in the proportion of the ENI funding of these programmes, based on the approach consistently taken by the European Parliament across the entire territorial co-operation objective. In the same vein, a specific reference to the European Grouping of Territorial Cooperation is put forward, reflecting the role this instrument is supposed to play following its reform now under consideration with a view to the future cohesion policy implementation both inside and outside the EU borders.

The European Neighbourhood Policy, just like the cohesion policy, has to be firmly based on the principles of partnership and multilevel governance, so as to involve as many partners as possible, which in particular refer to the local and regional authorities in the neighbourhood countries. Similarly, the non-governmental organisations (civil society organisations) need to be included. All thus defined partners have to be involved in the planning, implementation and monitoring of the ENI joint operational programmes. For this purpose, these programmes ought also to be equipped with a mandatory review in mid-term of the Union's Multiannual Financial Framework application period, as practised in other European Union policies. Your draftsman has therefore proposed a comprehensive solution to this issue.

More generally speaking, the above-mentioned efforts are a part of the strife for democracy and human rights, into which the European Union policies ought to be engaged. An additional recital is therefore proposed in order to point to the new solutions in this respect. As European Neighbourhood Policy aims at supporting the build-up of democratic and civil society institutions in the area surrounding the European Union, ENI funding ought to be allocated on the varied and balanced basis, reflecting the diversity of the states and regions encompassed by the policy in question. Furthermore, bearing in mind that such criteria can only to an extent be defined *ex ante*, your draftsman submits that at least some of the issues related to them can be defined in the delegated act implementing the regulation in question, provided this is unambiguously demanded in the regulation itself. However, should it turn out to be possible to define them, with enough precision, in the regulation, such a development would be welcome.

AMENDMENTS

The Committee on Regional Development calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The EU should also foster the territorial cooperation between outermost regions and neighbouring states, as without outermost regions the EU would lack these vantage points with other continents and thus the EU policies would be much more restrained;

Amendment 2

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) Support under this Instrument and the European Regional Development Fund should be provided for the Cross-Border Cooperation programmes along the external borders of the European Union between partner countries and Member States to promote integrated and sustainable regional development between neighbouring border regions and harmonious territorial integration across the Union and with neighbouring countries.

Amendment

(8) In order to guarantee a clear, flexible and efficient application of the Cross-Border Cooperation along external borders a separate inclusive legal package on this issue should be adopted.

Amendment 3

Proposal for a regulation Recital 9 a (new)

Text proposed by the Commission

(9a) The importance of strengthening democracy and human rights should be emphasised, and initiatives should be undertaken to create sound new mechanisms in this respect, such as the European Endowment for Democracy.

Amendment

(9a) The importance of strengthening democracy and human rights should be emphasised, and initiatives should be undertaken to create sound new mechanisms in this respect, such as the European Endowment for Democracy.

Amendment 4

Proposal for a regulation Recital 9 a (new)

Text proposed by the Commission

(9a) The starting point should be shared management and harmonisation with the European Territorial Cooperation practices, and genuine cooperation. The regulatory basis should create room for

Amendment

(9a) The starting point should be shared management and harmonisation with the European Territorial Cooperation practices, and genuine cooperation. The regulatory basis should create room for

different management modes to be agreed by the participating countries.

Justification

ENPI CBC Programmes along the external border operate in very different environments: some are more cooperation-minded with substantial participation of partner country; some are closer to technical assistance programmes.

Amendment 5

Proposal for a regulation

Recital 9 b (new)

Text proposed by the Commission

Amendment

(9b) Striving to achieve economic, social and territorial cohesion is an important feature of the Union and should also be projected, to the extent possible, into its neighbourhood, as part of a mutually beneficial process of multi-level governance, involving, in particular, regional and local authorities. Whilst including transnational and transregional strands, the territorial dimension of this cooperation is most pronounced in the Union neighbourhood in the form of cross-border cooperation.

Amendment 6

Proposal for a regulation

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The European Union has committed itself to the Northern Dimension and therefore has a duty to develop means of participation in this sphere of cooperation. To enable continued funding for the Northern Dimension to be set out in detail for the next programming period, the relevant provisions should be grouped together in this Regulation.

Justification

The Northern Dimension has a strongly regional character, and the participating countries, moreover, are involved in cooperation under ENI CBC programmes.

Amendment 7

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) The Union and its Member States should improve the coherence **and the** complementarity of their respective policies on cooperation with neighbouring countries. To ensure that the Union's cooperation and that of the Member States complement and reinforce each other, it is appropriate to provide for joint programming which should be implemented whenever possible and relevant.

Amendment

(15) The Union and its Member States should improve the coherence, **effectiveness and** complementarity of their respective policies on cooperation with neighbouring countries. To ensure that the Union's cooperation and that of the Member States complement and reinforce each other, **particularly in fields such as energy, transport, education and research,** it is appropriate to provide for joint programming **and financing,** which should be implemented whenever possible and relevant.

Amendment 8

Proposal for a regulation

Recital 26

Text proposed by the Commission

(26) While Regulation (EU) No .../... of the European Parliament and of the Council of (hereinafter "the Common Implementing Regulation") establishes common rules and procedures for the implementation of the Union's instruments for external action, delegated powers to adopt acts in accordance with Article 290 of the Treaty of the Functioning of the European Union should be conferred to the Commission for adopting the specific implementing measures required for the Cross-Border Cooperation mechanisms established in Title III of this Regulation. It

Amendment

(26) While Regulation (EU) No .../... of the European Parliament and of the Council of(hereinafter "the Common Implementing Regulation") establishes common rules and procedures for the implementation of the Union's instruments for external action, delegated powers to adopt acts in accordance with Article 290 of the Treaty of the Functioning of the European Union should be conferred to the Commission for adopting **the modalities of revision of the joint operational programmes and** the specific implementing measures required for the

is of particular importance that the Commission should carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should further ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Cross-Border Cooperation mechanisms established in Title III of this Regulation, ***for updating of the list of beneficiary countries in the Annex as well as for deciding to extend the eligibility of actions to countries not listed in the Annex.*** It is of particular importance that the Commission should carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should further ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Amendment 9

Proposal for a regulation Article 1 – paragraph 2

Text proposed by the Commission

2. Union support under this Regulation shall be used for the benefit of partner countries and ***can*** also be used for the common benefit of EU and partner countries.

Amendment

2. Union support under this Regulation shall be used for the benefit of partner countries and ***shall*** also be used for the common benefit of EU and partner countries.

Amendment 10

Proposal for a regulation Article 2 – paragraph 1

Text proposed by the Commission

1. Support under this Regulation shall promote enhanced political cooperation and progressive economic integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, and jointly agreed action plans.

Amendment

1. Support under this Regulation shall promote enhanced political cooperation and progressive economic ***and social*** integration between the Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements, and jointly agreed action plans.

Amendment 11

Proposal for a regulation

Article 2 – paragraph 2 – point a

Text proposed by the Commission

(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, establishing deep and sustainable democracy, promoting good governance and developing a thriving civil society including social partners;

Amendment

(a) promoting human rights, **minority rights** and fundamental freedoms, the rule of law, principles of equality, establishing deep and sustainable democracy, promoting good governance and developing a thriving civil society including social partners;

Amendment 12

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

(c) creating conditions for well managed mobility of people and promotion of people-to-people contacts;

Amendment

(c) creating conditions for well managed mobility of people and promotion of people-to-people contacts, **including, in particular, through cultural and sporting activities**;

Amendment 13

Proposal for a regulation

Article 2 – paragraph 2 – point d

Text proposed by the Commission

(d) sustainable and inclusive development in all aspects, poverty reduction, including through private-sector development; promotion of internal economic, social and territorial cohesion, rural development, climate action and disaster resilience;

Amendment

(d) sustainable and inclusive development in all aspects, poverty reduction, including through private-sector development; promotion of internal economic, social and territorial cohesion, **refinement of cooperation between Member States and partner countries and between partner countries strengthening the pursuit for the common benefit of the participating countries**, rural development, climate

action and disaster resilience;

Justification

There are various advantages and benefits of this institutional building tool. The most important ones are: development of modern and efficient administration on central, local and regional level, direct exchange of experiences and knowledge as far as the EU legislation is concerned, implementation of best practices of the EU administration, training and improving professional capacity, changes in organisational practices and culture, better communication and coordination etc.

Amendment 14

Proposal for a regulation

Article 2 – paragraph 2 – point f

Text proposed by the Commission

(f) enhancing sub-regional, regional and Neighbourhood wide collaboration as well as Cross-Border-Cooperation.

Amendment

(f) enhancing sub-regional, regional and Neighbourhood-wide collaboration as well as Cross-Border Cooperation; ***it is especially important to develop the Trans-European Networks, transport infrastructure and, in particular, the ‘Motorways of the Sea’, with a view to increasing trade and facilitating mobility and exchanges between European and neighbouring regions;***

Amendment 15

Proposal for a regulation

Article 2 – paragraph 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) the development of civil society organisations and non-governmental organisations and support for their democratic society-building activities.

Justification

In some countries civil society is treated as an administrative capacity building tool. It needs to be emphasised that what is also needed, is the civil society involvement in democratic values building and supporting their activity not dependent of the government.

Amendment 16

Proposal for a regulation

Article 2 – paragraph 2 – point f b (new)

Text proposed by the Commission

Amendment

(fb) encouraging the establishment of synergies and strengthening coordination among the various Pre-Accession Facility and Neighbourhood Policy funds and programmes.

Amendment 17

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms. Such differentiation shall reflect the level of ambition of the country's partnership with the Union, its progress in building deep and sustainable democracy, its progress in implementing agreed reform objectives, the country's needs and capacities, and the potential impact of Union support.

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to ***development and*** reforms and its progress in implementing these reforms. Such differentiation shall reflect the level of ambition of the country's partnership with the Union, its progress in building deep and sustainable democracy, its progress in implementing agreed reform objectives, the country's needs and capacities, and the potential impact of Union support.

Amendment 18

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. Union support under this Regulation shall, in principle, be established in partnership with the beneficiaries. The partnership shall involve ***as appropriate, national, regional and local authorities, other stakeholders,***

2. Union support under this Regulation shall, in principle, be established in partnership with the beneficiaries. The partnership shall involve ***the following*** partners:

civil society, social partners and other non-state actors in preparing, implementing and monitoring Union support.

(i) competent regional, local, urban and other public authorities;

(ii) economic and social partners;

(iii) bodies representing civil society, nongovernmental organisations, and bodies responsible for promoting equality and non-discrimination; and

(iv) non-state actors.

The partners shall participate in the monitoring committees for programmes.

The involvement of those partners shall be in accordance with the European code of conduct.

Justification

Civil society involvement is an important element of democracy-building and strengthening. Development of modern and efficient administration on central, local and regional level, direct exchange of experiences and knowledge, implementation of best practices, training and improving professional capacity, changes in organisational practices and culture, better communication and coordination as well as - last but not least - implementation of structural policies all require a firm, clear and detailed recognition of the partnership principle.

Amendment 19

Proposal for a regulation

Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The smooth implementation of the partnership principle referred to in paragraph 2 requires support for capacity building and improvement of the situation of the relevant partners, which may be provided through institutional capacity-building measures, supported by this Instrument.

Amendment 20

Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission

2. The Commission, the Member States and the European Investment Bank (EIB) shall ensure coherence between support provided under this Regulation and other support provided by the Union, the Member States and the European Investment Bank.

Amendment

2. The Commission, the Member States and the European Investment Bank (EIB) shall ensure coherence between support provided under this Regulation and other support provided by the Union, the Member States and the European Investment Bank. ***Synergy between these programmes is essential in order to mutually reinforce and achieve regional and cross-border objectives.***

Amendment 21

Proposal for a regulation
Article 9 – paragraph 1 – subparagraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) contributions to present and future macro-regional strategies oriented towards Union neighbouring countries and/or the Russian Federation.

Amendment 22

Proposal for a regulation
Article 9 – paragraph 4

Text proposed by the Commission

Amendment

4. ***The indicative allocations of funds to the joint operational programmes shall be based primarily on the population of the eligible areas.*** When determining the indicative allocations, adjustments may be made to reflect the need for a balance between the contributions from the European Regional Development Fund and the contributions provided under the budget of this Instrument as well as other factors affecting the intensity of cooperation, such as the specific

4. When determining the indicative allocations ***of funds to the joint operational programmes based on relevant criteria for the eligible areas,*** adjustments may be made to reflect the need for a balance between the contributions from the European Regional Development Fund and the contributions provided under the budget of this Instrument as well as other factors affecting the intensity of cooperation, such as the specific characteristics of border

characteristics of border areas and their capacity to manage and absorb Union support.

areas and their capacity to manage and absorb Union support. ***The criteria shall be adopted through a delegated act.***

Justification

The natural wide variety of countries and regions in the neighbourhood of the European Union necessitates an approach that in a balanced manner takes generally into account the differences occurring among them.

Amendment 23

Proposal for a regulation Article 10 – paragraph 4

Text proposed by the Commission

4. Within one year of approval of the programming document referred to in Article 9, the participating countries shall jointly submit proposals for joint operational programmes to the Commission. The Commission shall adopt each joint operational programme after assessing its consistency with this regulation, the programming document and the implementing rules.

Amendment

4. Within one year of approval of the programming document referred to in Article 9, the participating countries shall jointly submit proposals for joint operational programmes to the Commission. The Commission shall adopt each joint operational programme after assessing its consistency with this regulation, the programming document and the implementing rules ***within three months after its submission by the participating countries.***

Amendment 24

Proposal for a regulation Article 10 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Joint operational programmes shall be revised mid-term through the Multiannual Financial Framework in order to take into account factors occurring in the implementation process, such as:

- changes in cooperation priorities, and socio-economic developments,***
- the results of implementing the***

measures concerned and matters arising from the monitoring and implementation process,

– the need to adjust the amounts of available funds and to reallocate the resources.

Justification

The possibilities for revision of joint operational programmes provided for in the Commission proposal seem insufficient, as they are to a great extent dependent on the will of the high level participating actors, while neglecting the fact, that local and regional authorities and other non-state actors might be better positioned to know the challenges arising during implementation. There should therefore an opportunity be created for a thorough analysis of the programmes running, as it is already practised in other EU policy areas.

Amendment 25

Proposal for a regulation Article 10 – paragraph 10

Text proposed by the Commission

10. If a participating country undertakes to jointly co-finance a programme, the joint operational programme shall clarify the arrangements for providing, using and monitoring the co-financing. ***The related financing agreement shall be signed by all participating countries.***

Amendment

10. If a participating country undertakes to jointly co-finance a programme, the joint operational programme shall clarify the arrangements for providing, using and monitoring the co-financing.

Amendment 26

Proposal for a regulation Article 11 – paragraph 3

Text proposed by the Commission

3. In order to allow the joint operational programmes to prepare adequately for implementation, expenditure incurred ***after the submission of the joint operational programmes to the Commission shall be eligible at the earliest*** from 1 January 2014.

Amendment

3. In order to allow the joint operational programmes to prepare adequately for implementation, expenditure incurred ***shall be eligible from the date of submission of the operational programme to the Commission or*** from 1 January 2014, ***whichever is earlier.***

Amendment 27

Proposal for a regulation

Article 12 – paragraph 2 – introductory part

Text proposed by the Commission

2. Matters covered by the Implementing Rules shall include provisions on:

Amendment

2. Matters covered by the Implementing Rules shall include provisions on, *inter alia*:

Amendment 28

Proposal for a regulation

Article 12 – paragraph 2 – point b

Text proposed by the Commission

(b) the preparation, modification and closure of joint operational programmes;

Amendment

(b) the *content*, preparation, modification and closure of joint operational programmes;

Amendment 29

Proposal for a regulation

Article 12 – paragraph 2 – point c

Text proposed by the Commission

(c) the role and function of the programme structures: Joint Monitoring Committee, Managing Authority and its Joint Technical Secretariat, *Joint Selection committees*, including *their* standing, effective identification, accountability and responsibility, description of Management and Control Systems, and conditions on the technical and financial management of Union support, including eligibility of expenditure;

Amendment

(c) the role and function of the programme structures: Joint Monitoring Committee, Managing Authority and its Joint Technical Secretariat, *project selection committee*, including *its* standing, effective identification, accountability and responsibility, description of Management and Control Systems, and conditions on the technical and financial management of Union support, including eligibility of expenditure;

Amendment 30

Proposal for a regulation

Article 12 – paragraph 2a (new)

Text proposed by the Commission

Amendment

2a. Cross-border cooperation shall be implemented in accordance with paragraphs 1 and 2, with the assistance of appropriate instruments. Those instruments shall specifically include the European grouping of territorial cooperation in accordance with Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006¹.

¹ OJ L 210, 31.7.2006, p. 19.

Justification

European Grouping of Territorial Cooperation (EGTC) has already proven itself to be indispensable as the territorial cooperation (cross-border, transregional and transnational) inside the European Union. It is therefore only befitting, that with the extension of its scope of application with the amendments to the Regulation no. 1082/2006 now being considered to the parties not established in a Member State, EGTC is applied to the European Neighbourhood Policy in its "external cohesion" aspect.

Amendment 31

Proposal for a regulation

Article 14 – paragraph 1

Text proposed by the Commission

Amendment

1. The delegation of powers referred to in **Article 12 and 13** shall be conferred for the period of validity of this Regulation.

1. The delegation of powers referred to in **Articles 12, 13 and 16** shall be conferred for the period of validity of this Regulation.

Justification

The amendment in question recognises new references proposed to the delegated act.

Amendment 32

Proposal for a regulation Article 16 – paragraph 1

Text proposed by the Commission

1. In duly justified circumstances and to ensure the coherence and effectiveness of Union financing or to foster regional or trans-regional cooperation, the Commission may decide to extend the eligibility of actions to countries, territories and regions which otherwise would not be eligible for financing. Notwithstanding the provisions of Article 8(1) of the Common Implementing Regulation, natural and legal persons from countries, territories and regions concerned may participate in the procedures implementing such actions.

Amendment

1. In duly justified circumstances, ***as defined in a delegated act adopted in accordance with Article 14***, and to ensure the coherence and effectiveness of Union financing or to foster regional or trans-regional cooperation, the Commission may decide to extend the eligibility of actions to countries, territories and regions which otherwise would not be eligible for financing. Notwithstanding the provisions of Article 8(1) of the Common Implementing Regulation, natural and legal persons from countries, territories and regions concerned may participate in the procedures implementing such actions.

Justification

According to draftsman the definition of the phrase "duly justified circumstances", which under the current text allows for involvement of various types of EU funds for external use (ENPI, IPA, EED, development funds for the "Third World") almost exquisitely at the discretion of the implementing authorities, required retyping and making things more specific.

Amendment 33

Proposal for a regulation Article 18 – paragraph 1

Text proposed by the Commission

1. The financial envelope available for implementing this Regulation over the period 2014 to 2020 shall be EUR 18 182 300 000 (current prices). Up to **5%** of the financial envelope shall be allocated to the Cross-Border Cooperation programmes referred to in **Article 6(1) (c)**.

Amendment

1. The financial envelope available for implementing this Regulation over the period 2014 to 2020 shall be EUR 18 182 300 000 (current prices). Up to **7 %** of the financial envelope shall be allocated to the Cross-Border Cooperation programmes referred to in ***point (c) of Article 6(1)***.

Justification

As the cross-border cooperation is a key priority in the EU policy and is intended to help promote economic and social development in regions on both sides of common borders, address challenges in areas such as environment, public health and prevention of and fight against organized crime, ensure efficient and secure borders and promote local cross-border people to people actions, it is essential more substantive appropriations should be allocated to this instrument.

PROCEDURE

Title	Establishing a European Neighbourhood Instrument
References	COM(2011)0839 – C7-0492/2011 – 2011/0405(COD)
Committee responsible Date announced in plenary	AFET 17.1.2012
Opinion by Date announced in plenary	REGI 17.1.2012
Rapporteur Date appointed	Joachim Zeller 26.1.2012
Discussed in committee	26.4.2012
Date adopted	29.5.2012
Result of final vote	+: 39 –: 1 0: 0
Members present for the final vote	François Alfonsi, Luís Paulo Alves, Jean-Paul Basset, Victor Boștinaru, Alain Cadec, Nikos Chrysogelos, Tamás Deutsch, Rosa Estaràs Ferragut, Danuta Maria Hübner, Vincenzo Iovine, María Irigoyen Pérez, Seán Kelly, Mojca Kleva, Constanze Angela Krehl, Petru Constantin Luhan, Elżbieta Katarzyna Łukacijewska, Ramona Nicole Mănescu, Vladimír Maňka, Riikka Manner, Iosif Matula, Erminia Mazzoni, Ana Miranda, Jens Nilsson, Lambert van Nistelrooij, Jan Olbrycht, Wojciech Michał Olejniczak, Markus Pieper, Monika Smolková, Ewald Stadler, Georgios Stavrakakis, Nuno Teixeira, Oldřich Vlasák, Kerstin Westphal, Hermann Winkler, Joachim Zeller
Substitute(s) present for the final vote	Ivars Godmanis, Lena Kolarska-Bobińska, Ivari Padar, László Surján, Giommaria Uggias

20.6.2012

OPINION OF THE COMMITTEE ON CULTURE AND EDUCATION

for the Committee on Foreign Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Rapporteur: Iosif Matula

SHORT JUSTIFICATION

The European Neighbourhood and Partnership Instrument (ENPI) is the financial instrument of the European Neighbourhood Policy (ENP), which aims to establish an area of prosperity and neighbourliness between the EU and its partners.

EU financial support provides substantial added value in the main policy areas funded by the instruments for external action.

Higher education, culture, research and innovation are areas where there is scope for strengthening the links between internal policies and the European Neighbourhood Instrument.

Taking into account the importance and the specificity of cultural and educational exchanges as diplomatic instruments, the ENPI should aim at promoting mobility and people-to-people contacts, especially in these areas. It should furthermore support wide-ranging development in all aspects, including through sound education and training programs in the partner countries.

Moreover, in order to preserve the links with the civil society in the ENP countries, allocations through "Erasmus for all" should be maintained even in cases where EU external priorities change due to unforeseen events or political changes in the partner countries.

AMENDMENTS

The Committee on Culture and Education calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) In keeping with the UNESCO Convention of 20 October 2005 on the Protection and Promotion of the Diversity of Cultural Expressions and in particular Article 12 thereof, the Union and its Member States undertake to strengthen bilateral, regional and international cooperation and solidarity in order to protect and show regard for the diversity of cultural expressions and thereby promote dialogue and mutual understanding among cultures.

Amendment 2

Proposal for a regulation

Recital 3 b (new)

Text proposed by the Commission

Amendment

(3b) In accordance with the Conclusions of the Council and of the Representatives of the Governments of the Member States of 20 November 2008 on the promotion of cultural diversity and intercultural dialogue in the external relations of the Union and its Member States¹, the Member States and the Commission are asked to strengthen the place and role of culture in external relations policies and programmes and to strive for cooperation with third countries and the international organisations competent in the field of culture, notably UNESCO and the Council of Europe. Development agencies and cultural institutions in the Member States can play an important role here.

¹ OJ C 320, 16.12.2008, p. 10.

Amendment 3

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) As cross-border cooperation is a key priority of Union policy, and since it is intended to help promote economic and social development in regions on both sides of common borders, to address challenges in areas such as the environment, culture, public health and the prevention of and fight against organised crime, to ensure efficient and secure borders and to promote local cross-border people-to-people actions and mutual understanding, more substantial appropriations should be allocated to the instrument established by this Regulation.

Amendment 4

Proposal for a regulation Recital 9

Text proposed by the Commission

Amendment

(9) Furthermore, it is important to foster and facilitate cooperation for the common benefit of Union and its partners, notably through pooling of contributions from internal and external instruments of the Union budget, in particular for Cross-Border Cooperation, infrastructure projects of Union interest that will pass through Neighbourhood countries and other areas of cooperation.

(9) Furthermore, it is important to foster and facilitate cooperation for the common benefit of Union and its partners, notably through pooling of contributions from internal and external instruments of the Union budget, in particular for Cross-Border Cooperation, infrastructure projects of Union interest that will pass through Neighbourhood countries and other areas of cooperation, ***such as education and cultural exchanges.***

Amendment 5

Proposal for a regulation Recital 13

Text proposed by the Commission

(13) Support to be provided to neighbouring developing countries within the framework established by the European Neighbourhood Policy should be coherent with the objectives and principles of the Union's external policies and in particular its development policy, including the 'Joint Statement on a European Development Policy: the European Consensus', adopted by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission, on 22 December 2005.

Amendment

(13) Support to be provided to neighbouring developing countries within the framework established by the European Neighbourhood Policy should be coherent with the objectives and principles of the Union's external policies and in particular its development policy, including the 'Joint Statement on a European Development Policy: the European Consensus', adopted by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission, on 22 December 2005, ***as well as with the Conclusions of the Council and of the Representatives of the Governments of the Member States of 20 November 2008 on the promotion of cultural diversity and intercultural dialogue in the external relations of the Union and its Member States.***

Amendment 6

**Proposal for a regulation
Recital 13 a (new)**

Text proposed by the Commission

Amendment

(13a) As a signatory to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, the Union should seek to ensure that respect for the Convention by partner countries informs all decisions taken by the Union under this Regulation.

Amendment 7

**Proposal for a regulation
Recital 14**

Text proposed by the Commission

(14) The Joint EU – Africa Strategy is of relevance for relations with the Mediterranean neighbours from North Africa.

Amendment

(14) The Joint EU – Africa Strategy is of relevance for relations with the Mediterranean neighbours from North Africa, *especially in the current state of the post-Arab Spring development.*

Amendment 8

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) European Union external support has increasing financing needs but the economic and budgetary situation of the Union limits the resources available for such support. The Commission must therefore seek the most efficient use of available resources by using financial instruments with leverage effect. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments.

Amendment

(19) European Union external support has increasing financing needs but the economic and budgetary situation of the Union limits the resources available for such support. The Commission must therefore seek the most efficient use of available resources by using financial instruments with leverage effect. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments. *It should be borne in mind in this regard that the Union has at its disposal a limited number of "soft power" instruments with leverage effect and that financial instruments are one of them.*

Amendment 9

Proposal for a regulation

Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) In cases of major unforeseen circumstances, or important political changes, in partner countries which bring about changes in the Union's external priorities, the financial allocations in the framework of education, namely the "Erasmus for All" programme, should be maintained or increased so that the link

with those countries is preserved at the educational level.

Amendment 10

Proposal for a regulation

Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) The Union recognises the importance of cooperation in the fields of culture and education and its vital role in strengthening civil society, promoting democratisation and encouraging both mutual understanding amongst people and social cohesion.

Amendment 11

Proposal for a regulation

Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) The Union, in its relations with third countries, promotes the values set out in the UNESCO Universal Declaration on Cultural Diversity of 2 November 2001, the latter being regarded as a common heritage and a source of innovation and creativity, in addition to being a powerful driver of the economic, civil and moral development of society.

Amendment 12

Proposal for a regulation

Recital 21 b (new)

Text proposed by the Commission

Amendment

(21b) Education, culture, cultural diversity and its promotion should be fully integrated into the objectives of this Regulation, as cultural cooperation plays

a fundamental role in partner countries taking ownership of democratic processes and adhering to their own priorities.

Amendment 13

Proposal for a regulation Recital 21 c (new)

Text proposed by the Commission

Amendment

(21c) In its relations with its partners the Union commits itself to furthering the protection and promotion of cultural diversity, and encouraging ratification of the UNESCO Convention of 20 October 2005 on the Protection and Promotion of the Diversity of Cultural Expressions.

Amendment 14

Proposal for a regulation Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) The Union recognises the importance and the specificity of cultural and educational exchanges as diplomatic instruments and as a tool for promoting mobility and people-to-people contacts.

Amendment 15

Proposal for a regulation Recital 23 a (new)

Text proposed by the Commission

Amendment

(23a) A balance needs to be maintained between the southern and eastern dimensions of the European Neighbourhood Policy.

Amendment 16

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) While Regulation (EU) No .../... of the European Parliament and of the Council of (hereinafter "the Common Implementing Regulation") establishes common rules and procedures for the implementation of the Union's instruments for external action, delegated powers to adopt acts in accordance with Article 290 of the Treaty of the Functioning of the European Union should be conferred to the Commission for adopting the specific implementing measures required for the Cross-Border Cooperation mechanisms established in Title III of this Regulation. It is of particular importance that the Commission should carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should further ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Amendment

(26) While Regulation (EU) No .../... of the European Parliament and of the Council of (hereinafter "the Common Implementing Regulation") establishes common rules and procedures for the implementation of the Union's instruments for external action, delegated powers to adopt acts in accordance with Article 290 of the Treaty *on* the Functioning of the European Union should be conferred to the Commission for adopting the specific implementing measures required for the Cross-Border Cooperation mechanisms established in Title III of this Regulation. It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert *and civil society* level. The Commission, when preparing and drawing-up delegated acts, should further ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Amendment 17

Proposal for a regulation
Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) Union financial instruments for external action should support the conditionality based on respect for human rights and the rights of minorities, good governance and diversity of cultural expressions, or alternatively on the quality of beneficiaries' policies and the ability and willingness of the beneficiaries concerned to implement them.

Amendment 18

Proposal for a regulation

Article 2 – paragraph 2 – point a

Text proposed by the Commission

(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, establishing deep and sustainable democracy, promoting good governance and developing a thriving civil society including social partners;

Amendment

(a) promoting human rights and fundamental freedoms, ***cultural diversity***, the rule of law, principles of equality, establishing deep and sustainable democracy, promoting good governance and developing a thriving civil society including social partners;

Amendment 19

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

(c) creating conditions for ***well managed*** mobility of people and promotion of people-to-people contacts;

Amendment

(c) creating conditions for ***inclusive*** mobility of people and promotion of people-to-people contacts ***furthering mutual understanding, notably in the fields of culture, education, sport and youth, in addition to exchanging cultural values with a view to ensuring cultural diversity***;

Amendment 20

Proposal for a regulation

Article 2 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) promoting the protection of shared tangible and intangible cultural heritage, also by guaranteeing adequate funding and resources for projects such as Euromed Heritage; encouraging the development of joint education and training programmes with partner countries, which should take into greater account the right to equitable access to

education for all and aim to combat the serious problem of the high drop-out rate among young people;

Amendment 21

Proposal for a regulation

Article 2 – paragraph 2 – point d

Text proposed by the Commission

(d) sustainable and inclusive development in all aspects, poverty reduction, including through private-sector development; promotion of internal economic, social and territorial cohesion, rural development, climate action and disaster resilience;

Amendment

(d) sustainable and inclusive development in all aspects, poverty reduction, including through private-sector development ***and sound education and training programmes***, promotion of internal economic, social and territorial cohesion, rural development, climate action, ***development of cultural heritage*** and disaster resilience ***and various aspects of civil security, in addition to protection of the historical, artistic, archaeological, cultural and environmental heritage;***

Amendment 22

Proposal for a regulation

Article 2 – paragraph 2 – point e

Text proposed by the Commission

(e) promoting confidence building and other measures contributing to security and the prevention and settlement of conflicts;

Amendment

(e) promoting confidence building and other measures contributing to security and the prevention and settlement of conflicts, ***in particular by contributing to respect for freedom of association;***

Amendment 23

Proposal for a regulation

Article 2 – paragraph 4

Text proposed by the Commission

4. Union support may also be used in other areas when this is consistent with the overall objectives of the European

Amendment

4. Union support may also be used in other areas when this is consistent with the overall objectives of the European

Neighbourhood Policy.

Neighbourhood Policy, *and particularly in the fields of culture, the cultural and creative industries, tourism, education and training.*

Amendment 24

Proposal for a regulation Article 4 – paragraph 3

Text proposed by the Commission

3. Union support under this Regulation shall in principle be co-financed by the partner countries through public funds, contributions from the beneficiaries or other sources. The same principle shall be applicable to the cooperation with the Russian Federation, particularly with regard to programmes referred to in Article 6(1) (c). Co-financing requirements may be waived in duly justified cases and when this is necessary to support the development of civil society and non-state actors, without prejudice to compliance with the other conditions set out in the Financial Regulation.

Amendment

3. Union support under this Regulation shall in principle be co-financed by the partner countries, *in accordance with the rules of good governance and transparently*, through public funds, contributions from the beneficiaries or other sources. The same principle shall be applicable to the cooperation with the Russian Federation, particularly with regard to programmes referred to in Article 6(1) (c). Co-financing requirements may be waived in duly justified cases and when this is necessary to support the development of civil society and non-state actors, without prejudice to compliance with the other conditions set out in the Financial Regulation.

Amendment 25

Proposal for a regulation Article 9 – paragraph 1 – point g

Text proposed by the Commission

(g) contributions to the transnational programmes established under Regulation (EU) No [...] of the European Parliament and the Council of [...] on specific provisions for the support from the European Regional Development Fund to the European Territorial Co-operation goal, to which partner countries and/or the Russian Federation participate.

Amendment

(g) contributions to *current and future macro-regional strategies and to* the transnational programmes established under Regulation (EU) No [...] of the European Parliament and the Council of [...] on specific provisions for the support from the European Regional Development Fund to the European Territorial Co-operation goal, to which partner countries

and/or the Russian Federation participate.

Amendment 26

Proposal for a regulation Article 17

Text proposed by the Commission

Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support.

Amendment

Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support. ***In all such cases, it is necessary to ensure that any suspension of support does not affect civil society organisations that operate in accordance with democratic principles and human rights standards.***

Amendment 27

Proposal for a regulation Article 18 – paragraph 1

Text proposed by the Commission

1. The financial envelope available for implementing this Regulation over the period 2014 to 2020 shall be EUR 18 182 300 000 (current prices). Up

Amendment

1. The financial envelope available for implementing this Regulation over the period 2014 to 2020 shall be EUR 18 182 300 000 (current prices). Up

to 5% of the financial envelope shall be allocated to the Cross-Border Cooperation programmes referred to in Article 6(1) (c).

to 7% of the financial envelope shall be allocated to the Cross-Border Cooperation programmes referred to in Article 6(1) (c).

Justification

As cross-border cooperation is a key priority of Union policy and since it is intended to help promote economic and social development in regions on both sides of common borders, address challenges in areas such as the environment, culture, public health and the prevention of and fight against organised crime, ensure efficient and secure borders and promote local cross-border people-to-people actions and mutual understanding, more substantive appropriations should be allocated to the instrument established by this Regulation.

Amendment 28

Proposal for a regulation

Article 18 – paragraph 3 – subparagraph 1

Text proposed by the Commission

3. As referred to in Article 13, paragraph 2 of the ‘Erasmus for All’ Regulation, in order to promote the international dimension of higher education, an indicative amount of EUR 1 812 100 000 from the different external instruments (Development Cooperation Instrument, European Neighbourhood Instrument, Instrument for Pre-accession Assistance, Partnership Instrument and the European Development Fund), will be allocated to actions of learning mobility to or from non EU countries and to cooperation and policy dialogue with authorities/institutions/organisations from these countries. The provisions of the ‘Erasmus for All’ Regulation will apply to the use of those funds.

Amendment

3. As referred to in Article 13, paragraph 2 of the ‘Erasmus for All’ Regulation, in order to promote the international dimension of higher education, an indicative amount of EUR 1 812 100 000 from the different external instruments (Development Cooperation Instrument, European Neighbourhood Instrument, Instrument for Pre-accession Assistance, Partnership Instrument and the European Development Fund), will be allocated to actions of learning mobility to or from non EU countries and to cooperation and policy dialogue with authorities/institutions/organisations from these countries. The provisions of the ‘Erasmus for All’ Regulation will apply to the use of those funds, *especially if education as such can act as one of the most important catalysts in the democratic process.*

Amendment 29

Proposal for a regulation

Article 18 – paragraph 3 – subparagraph 2

Text proposed by the Commission

The funding will be made available through 2 multiannual allocations only covering the first 4 years and the remaining 3 years respectively. This funding will be reflected in the multiannual indicative programming of these instruments, in line with the identified needs and priorities of the countries concerned. ***The allocations can be revised in case of major unforeseen circumstances or important political changes in line with the EU external priorities.***

Amendment

The funding will be made available through 2 multiannual allocations only covering the first 4 years and the remaining 3 years respectively. This funding will be reflected in the multiannual indicative programming of these instruments, in line with the identified needs and priorities of the countries concerned.

PROCEDURE

Title	Establishing a European Neighbourhood Instrument	
References	COM(2011)0839 – C7-0492/2011 – 2011/0405(COD)	
Committee responsible Date announced in plenary	AFET 17.1.2012	
Opinion by Date announced in plenary	CULT 17.1.2012	
Rapporteur Date appointed	Iosif Matula 2.2.2012	
Discussed in committee	27.3.2012	25.4.2012
Date adopted	19.6.2012	
Result of final vote	+: 25 –: 0 0: 1	
Members present for the final vote	Zoltán Bagó, Malika Benarab-Attou, Lothar Bisky, Piotr Borys, Santiago Fisas Ayxela, Lorenzo Fontana, Petra Kammerevert, Morten Løkkegaard, Emma McClarkin, Emilio Menéndez del Valle, Marek Henryk Migalski, Katarína Neveďalová, Doris Pack, Chrysoula Paliadeli, Gianni Pittella, Marie-Thérèse Sanchez-Schmid, Marietje Schaake, Marco Scurria, Hannu Takkula, László Tőkés, Gianni Vattimo, Sabine Verheyen, Milan Zver	
Substitute(s) present for the final vote	François Alfonsi, Ivo Belet, Seán Kelly, Iosif Matula, Rui Tavares	
Substitute(s) under Rule 187(2) present for the final vote	Luigi Berlinguer, Mario Pirillo	

5.6.2012

OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY

for the Committee on Foreign Affairs

on the proposal for a regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument
(COM(2011)0839 – C7-0492/2011 – 2011/0405(COD))

Rapporteur: Emine Bozkurt

AMENDMENTS

The Committee on Women's Rights and Gender Equality calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) The Union seeks to promote, develop and consolidate the values of liberty, democracy, respect for human rights and fundamental freedoms, principles of equality and the rule of law on which it is founded through dialogue and cooperation with third countries.

Amendment

(3) The Union seeks to promote, develop and consolidate the values of liberty, democracy, respect for human rights and fundamental freedoms, ***respect for women's rights, principles of equality and diversity, particularly equality between men and women, non-discrimination and*** the rule of law on which it is founded through dialogue and cooperation with third countries.

Amendment 2

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Women in partner countries face particular problems and discrimination in both the labour market and in private and public life.

Amendment 3

Proposal for a regulation
Recital 5

Text proposed by the Commission

Amendment

(5) Under the European Neighbourhood Policy, the Union offers Neighbourhood countries a privileged relationship, building upon a mutual commitment to and promotion of the values of democracy and human rights, the rule of law, good governance and the principles of market economy and sustainable development.

(5) Under the European Neighbourhood Policy, the Union offers Neighbourhood countries a privileged relationship, building upon a mutual commitment to and promotion of the values of democracy ***and human rights, equality between men and women***, the rule of law, good governance and the principles of market economy and sustainable development.

Amendment 4

Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) Specific programming objectives and actions for gender equality and anti-discrimination should be supported under this Regulation. In addition, gender equality and anti-discrimination should also be integrated as a cross-cutting objective in all actions undertaken under this Regulation.

Amendment 5

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) The Joint EU – Africa Strategy *is* of relevance for relations with the Mediterranean neighbours from North Africa.

Amendment

(14) The Joint EU – Africa Strategy ***and the Istanbul Framework for Action are*** of relevance for relations with the Mediterranean neighbours from North Africa.

Amendment 6

Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) European Union external support has increasing financing needs but the economic and budgetary *situation* of the Union limits the resources available for such support. The Commission must therefore seek the most efficient use of available resources by using financial instruments with leverage effect. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments.

Amendment

(19) European Union external support has increasing financing needs but the ***ongoing*** economic and budgetary ***austerity crisis*** of the Union limits the resources available for such support. The Commission must therefore seek the most efficient ***and practical*** use of available resources by using financial instruments with leverage effect. Such effect could be increased by enabling the use and re-use of funds invested and generated by financial instruments.

Amendment 7

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) Gender equality and anti-discrimination should be a cross-cutting objective in all actions undertaken under this Regulation.

Amendment

(21) Gender equality and anti-discrimination should be a cross-cutting objective in all actions undertaken under this Regulation, ***taking into account the role of women in democratic transitions in the partner countries and promoting women's rights and actions to combat acts of violence against women and gender-based discrimination. The place and the***

role of women should also be promoted through special measures and programmes to enhance the role of women in political and economic decision-making positions and in civil society. In order to strengthen the position of women in the partner countries, specific attention should be paid in supporting women's organisations and civil society, capacity-building, building cooperation between women's organisations in the Union and their counterparts in the partner countries, sharing of best practices and training.

Amendment 8

Proposal for a regulation Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) The changes taking place in the European neighbourhood of North Africa and the Middle-East must contribute towards the end of discrimination of women and their full participation in society on equal terms with men. The Union is committed to strongly oppose the use of sexual violence and the intimidation and targeting of women in particular with regard to the specific problems of human trafficking and Female Genital Mutilation.

The Union places at the top of its agenda the need to end the discrimination and persecution of Lesbian, Gay, Bi-sexual and Transgender (LGBT) people in the European neighbourhood region, and that countries which discriminate against LGBT people, in particular those countries which still criminalise homosexuality, and are in receipt of Union financial aid should have such funds frozen or withdrawn.

Amendment 9

Proposal for a regulation Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) Training courses should be promoted in European neighbourhood policy partner countries, targeting in particular those classes of people who are most vulnerable and at higher risk of poverty, such as elderly women and single mothers, in order to increase their involvement in all activities of society and thereby strengthen the role of women in political and economic decision-making processes, in education and the labour market thereby contributing towards their genuine emancipation for the benefit of society as a whole, and in relations with major partner countries.

Amendment 10

Proposal for a regulation Recital 22

Text proposed by the Commission

Amendment

(22) The Union is committed to promote in relations with its partners worldwide decent work as well as ratification and effective implementation of the internationally recognised labour standards and multilateral environment agreements, in relations with its partners worldwide.

(22) The Union is committed to promote in relations with its partners worldwide decent work as well as ratification and effective implementation of the internationally recognised labour standards and multilateral environment agreements, in relations with its partners worldwide. ***Special attention should be paid to the services sector and the informal sector where women are most often employed, in order to ensure that their rights are respected and to promote their participation in the labour market and in national economies.***

Amendment 11

Proposal for a regulation
Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Civil society organisations have a key role to play in improving governance and shaping the future of the good neighbourliness, in collaboration with national parliaments. Women and young people should effectively be involved and contribute to this direction.

Amendment 12

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

Text proposed by the Commission

Amendment

(a) promoting human rights and fundamental freedoms, the rule of law, principles of equality, establishing deep and sustainable democracy, ***promoting good governance*** and developing a thriving civil society including social partners;

(a) promoting human rights and ***particularly women's rights and*** fundamental freedoms, the rule of law, principles of equality ***and non-discrimination, equality between men and women, consolidating good governance,*** establishing deep and sustainable democracy and developing a ***free, independent, thriving and proactive*** civil society, including ***through close cooperation with*** social partners ***and women's organisations in order to identify areas for support and cooperation in regard to the implementation of gender policies in the partner countries;***

Amendment 13

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

Text proposed by the Commission

Amendment

(aa) promoting women's rights and equality between men and women, increasing the presence of women in political and economic decision-making,

in education and in the labour market so as to contribute to the empowerment of women, ensuring zero tolerance of violence against women and protection of women who are victims of violence, tackling impunity, combating trafficking in human beings and forced marriages, respecting sexual and reproductive health and rights and promoting the involvement of civil society in achieving these aims as well as in the gender mainstreaming process, in order to achieve true democracy;

Amendment 14

Proposal for a regulation

Article 2 – paragraph 2 – point d

Text proposed by the Commission

(d) sustainable and inclusive development in all aspects, poverty reduction, including through private-sector development; promotion of internal economic, social and territorial cohesion, rural development, climate action and disaster resilience;

Amendment

(d) sustainable and inclusive development in all aspects, poverty reduction, including through private-sector development; promotion of internal economic, social and territorial cohesion, rural development, climate action, *equality between men and women and* disaster resilience, *paying special attention to promoting the role women play in these spheres as efficient managers of change and progress, also using the MDG indicators and empowerment indications;*

Amendment 15

Proposal for a regulation

Article 2 – paragraph 3

Text proposed by the Commission

3. The achievement of these objectives shall be measured using notably the relevant EU periodic reports on the implementation of the policy, and for paragraphs 2(a), (d) and (e), the relevant indicators established by international

Amendment

3. The achievement of these objectives shall be measured using notably the relevant EU periodic reports on the implementation of the policy, and for paragraphs 2(a), *(aa)*, (d) and (e), the relevant indicators established by

organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, adequately monitored democratic elections, level of corruption, trade flows, indicators enabling measuring internal economic disparities, including employment levels.

international organisations and other relevant bodies; for paragraphs 2(b), (c) and (d) the uptake of the EU regulatory framework by the partner countries as relevant; for paragraphs 2(c) and (f), the number of relevant agreements and cooperation actions. The indicators will include, among others, adequately monitored democratic elections, level of corruption, trade flows, indicators enabling measuring internal economic disparities, including employment levels.

Amendment 16

Proposal for a regulation

Article 2 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Gender equality and anti-discrimination is a cross-cutting objective of the Union support and within the programming, implementation and evaluation stages of the European Neighbourhood Policy Instrument, gender inequalities shall be consistently and systematically addressed, namely through special measures and programmes and through mainstreaming across all other activities.

Amendment 17

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms. Such differentiation shall reflect the level of ambition of the country's partnership with

1. Union support provided under this Regulation to each partner country shall be differentiated in form and amounts according to the partner country's commitment to reforms and its progress in implementing these reforms. Such differentiation shall reflect the level of ambition of the country's partnership with

the Union, its progress in building deep and sustainable democracy, its progress in implementing agreed reform objectives, the country's needs and capacities, and the potential impact of Union support.

the Union, its progress in building deep and sustainable democracy ***based on respect for human rights, fundamental freedoms, women's rights, principles of equality between men and women, non-discrimination and the rule of law, its progress in establishing good governance, and*** its progress in implementing agreed reform objectives, the country's needs and capacities, and the potential impact of Union support.

Amendment 18

Proposal for a regulation

Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In view of the large changes of the Arab Spring in the partner countries of the Southern Mediterranean and the role that women could play to the democratic efforts, special programmes and funding for the promotion of women's participation are needed.

Amendment 19

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. Union support under this Regulation shall, in principle, be established in partnership with the beneficiaries. The partnership shall involve as appropriate, national, regional and local authorities, other stakeholders, civil society, social partners and other non-state actors, in preparing, implementing and monitoring Union support.

2. Union support under this Regulation shall, in principle, be established in partnership with the beneficiaries. The partnership shall involve as appropriate, national, regional and local authorities, other stakeholders, civil society, social partners and other non-state actors, ***including representatives from women's organisations and youth organisations***, in preparing, implementing and monitoring Union support.

Amendment 20

Proposal for a regulation Article 7 – paragraph 5

Text proposed by the Commission

5. Financial allocations for country and multi-country programmes shall be determined using transparent and objective criteria reflecting the differentiation principle referred to in Article 4(1).

Amendment

5. Financial allocations for country and multi-country programmes shall be determined using transparent and objective criteria reflecting the differentiation principle referred to in Article 4(1) ***and taking due account of progress made on equality between men and women.***

Amendment 21

Proposal for a regulation Article 7 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. For countries eligible for the financial support under this Regulation, the Commission shall create a gender mainstreaming "infrastructure"; in particular permanent support structures shall be developed at both national and Union level in order to support the implementation of gender mainstreaming.

Amendment 22

Proposal for a regulation Article 7 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. In programming, specific regard shall be had to capacity-building in civil society, especially for women's organisations and youth organisations in the partner countries, including the facilitation of contact and cooperation with their counterparts in the Union and the sharing of best practices.

Amendment 23

Proposal for a regulation

Article 7 – paragraph 9

Text proposed by the Commission

9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, or of natural or man-made disasters, an ad hoc review of the programming documents may be conducted. Such emergency review shall ensure that coherence between Union support provided under this Regulation and support provided under other Union financial instruments is maintained. An emergency review may lead to the adoption of revised programming documents. Where this is the case, the Commission shall send the revised programming documents to the European Parliament and to the Council for information within one month of their adoption.

Amendment

9. In the event of crises or threats to democracy, the rule of law, human rights and fundamental freedoms, ***including women's rights***, or of natural or man-made disasters, an ad hoc review of the programming documents may be conducted. Such emergency review shall ensure that coherence between Union support provided under this Regulation and support provided under other Union financial instruments is maintained. An emergency review may lead to the adoption of revised programming documents. Where this is the case, the Commission shall send the revised programming documents to the European Parliament and to the Council for information within one month of their adoption.

Amendment 24

Proposal for a regulation

Article 7 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

9a. In the event of changes in the political, legal, economic or social context, an assessment of the project shall be carried out by the Commission whether these changes affect the assumptions about gender roles and relationships made at the beginning of the project and may require adjustments to the project.

Amendment 25

Proposal for a regulation Article 17

Text proposed by the Commission

Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support.

Amendment

Without prejudice to the provisions on the suspension of aid in partnership and cooperation agreements and association agreements with partner countries and regions, where a partner country fails to observe the principles of democracy, the rule of law and respect for human rights and fundamental freedoms, ***including women's rights and equality between men and women***, the Union shall invite the country concerned to hold consultations in view of finding a solution acceptable to both parties, except in cases of special urgency. Where consultation with the country concerned does not lead to a solution acceptable to both parties, or if consultations are refused or in case of special urgency, the Council may take appropriate measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union support.

PROCEDURE

Title	Establishing a European Neighbourhood Instrument
References	COM(2011)0839 – C7-0492/2011 – 2011/0405(COD)
Committee responsible Date announced in plenary	AFET 17.1.2012
Opinion by Date announced in plenary	FEMM 16.2.2012
Rapporteur Date appointed	Emine Bozkurt 25.1.2012
Discussed in committee	23.4.2012
Date adopted	30.5.2012
Result of final vote	+: 23 –: 0 0: 1
Members present for the final vote	Regina Bastos, Andrea Češková, Iratxe García Pérez, Mikael Gustafsson, Mary Honeyball, Lívia Járóka, Teresa Jiménez-Becerril Barrio, Nicole Kiil-Nielsen, Silvana Koch-Mehrin, Rodi Kratsa-Tsagaropoulou, Astrid Lulling, Elisabeth Morin-Chartier, Siiri Oviir, Antonyia Parvanova, Joanna Senyszyn, Joanna Katarzyna Skrzydlewska, Britta Thomsen, Angelika Werthmann, Inês Cristina Zuber
Substitute(s) present for the final vote	Izaskun Bilbao Barandica, Vilija Blinkevičiūtė, Franziska Katharina Brantner, Minodora Cliveti, Mojca Kleva, Ana Miranda, Norica Nicolai, Antigoni Papadopoulou

POSTUPAK

Naslov	Uspostava Europskog instrumenta za susjedstvo			
Referentni dokumenti	COM(2011)0839 – C7-0492/2011 – 2011/0405(COD)			
Datum podnošenja EP-u	7.12.2011			
Nadležni odbor Datum objave na plenarnoj sjednici	AFET 17.1.2012			
Odbor(i) čije se mišljenje traži Datum objave na plenarnoj sjednici	DEVE 17.1.2012	INTA 17.1.2012	BUDG 17.1.2012	EMPL 17.1.2012
	ENVI 17.1.2012	ITRE 17.1.2012	TRAN 17.1.2012	REGI 17.1.2012
	CULT 17.1.2012	LIBE 17.1.2012	FEMM 16.2.2012	
Odbori koji nisu dali mišljenje Datum odluke	ENVI 24.1.2012	TRAN 23.1.2012	LIBE 26.1.2012	
Izvjestitelj(i) Datum imenovanja	Eduard Kukan 5.10.2011			
Razmatranje u odboru	9.7.2012			
Datum usvajanja	5.12.2013			
Rezultat konačnog glasovanja	+: –: 0:	46 1 1		
Zastupnici nazočni na konačnom glasovanju	Elmar Brok, Jerzy Buzek, Mark Demesmaeker, Michael Gahler, Marietta Giannakou, Ana Gomes, Andrzej Grzyb, Anna Ibrisagic, Anneli Jäätteenmäki, Jelko Kacin, Tunne Kelam, Nicole Kiil-Nielsen, Andrey Kovatchev, Eduard Kukan, Alexander Graf Lambsdorff, Vytautas Landsbergis, Marusya Lyubcheva, Willy Meyer, María Muñiz De Urquiza, Annemie Neyts-Uyttebroeck, Norica Nicolai, Raimon Obiols, Kristiina Ojuland, Ria Oomen-Ruijten, Ioan Mircea Pașcu, Alojz Peterle, Bernd Posselt, Hans-Gert Pöttering, Cristian Dan Preda, Libor Rouček, Tokia Saïfi, José Ignacio Salafranca Sánchez-Neyra, György Schöpflin, Werner Schulz, Marek Siwiec, Charles Tannock, Inese Vaidere, Geoffrey Van Orden, Nikola Vuljanić, Sir Graham Watson, Boris Zala			
Zamjenici nazočni na konačnom glasovanju	Marije Cornelissen, Kinga Gál, Barbara Lochbihler, Antonio López-Istúriz White, Doris Pack, Ivo Vajgl			
Zamjenici nazočni na konačnom glasovanju prema čl. 187. st. 2.	Hiltrud Breyer			
Datum podnošenja	6.12.2013			