

EUROPEAN PARLIAMENT

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2009

Committee on Budgets

2007/0172(CNS)

15.10.2007

OPINION

of the Committee on Budgets

for the Committee on International Trade

on the proposal for a Council decision providing Community macro-financial assistance to Lebanon
(COM(2007)0476 – C6-0290/2007 – 2007/0172(CNS))

Draftsman: Esko Seppänen

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SHORT JUSTIFICATION

1. The appropriations necessary to implement the proposal are not available on the budget line in question (macro-financial aid, 01 03 02). Implementation will therefore be dependent on the outcome of the budgetary transfer request presented by the Commission (DEC 30 - 2007). The draftsman considers that this is appropriately reflected in the 9th preamble of the proposal, which reads: *"The release of the Community assistance is without prejudice to the powers of the budgetary authority"*.
2. The loan component of the assistance (EUR 50 million) seem to be in line with the provisions in force and the rapporteur points out that this amount will be covered by the Guarantee Fund for external actions. The provisioning of this Fund is no longer made on the basis of the entire amount at the time of the decision but, instead, calculated once a year relative to its "target amount" and included in the Preliminary Draft Budget (PDB) for the following year.
3. The legal base proposed is doubtful. Firstly, Lebanon is considered both a neighbouring country to the EU and is classified as a developing country. It could therefore first be examined whether Article 179 (development cooperation) could be used or, if this is not possible, whether Article 181a could be used, i.e. economic and financial cooperation.
4. The Commission has introduced a new concept which it calls "the availability period" of the assistance. This period could be prolonged through a simple comitology procedure with the Council. The draftsman recommends that this be examined carefully by the lead committee. Surely it cannot mean that the validity of the legal act could be prolonged simply through comitology committee procedure? That would be unheard of and unacceptable. If not, does it then mean that the Commission could take decisions on payment tranches even after the legal act has expired?
5. The rapporteur has introduced the Budget Committee's traditional amendments in these areas and asks the committee responsible to examine them, if necessary in cooperation with the Legal Service.

AMENDMENTS

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

Text proposed by the Commission

Amendments by Parliament

Amendment 1
Article 1, paragraph 3

3. The Community financial assistance shall

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PE 394.234v03-00

be made available for two years starting from the first day after the entry into force of this Decision. ***However, if circumstances so require, the Commission, after consultation of the Economic and Financial Committee, may decide to extend the availability period by a maximum of one year.***

be made available for two years starting from the first day after the entry into force of this Decision.

Justification

The validity of this decision (the legal base) cannot be prolonged through a simple committee procedure. It must involve both branches of the legislative authority. Alternatively, if the so-called "availability period", in the Commission's opinion, does not actually concern the validity of the legal base, it would then mean that assistance tranches could be decided without a legal base in force, which seems equally unacceptable.

Amendment 2

Article 6

This Decision shall take effect on the day of its publication in the Official Journal of the European Union.

This Decision shall take effect on the day of its publication in the Official Journal of the European Union ***and be valid for a period of two years thereafter.***

Justification

See amendment 3 above.

PROCEDURE

Title	Proposal for a Council decision on Macro-financial assistance for Lebanon
References	COM(2007)0476 - C6-0290/2007 - 2007/0172(CNS)
Committee responsible	INTA
Opinion by Date announced in plenary	BUDG 24.9.2007
Drafts(wo)man Date appointed	Esko Seppänen 20.9.2007
Date adopted	11.10.2007
Result of final vote	+: 27 -: 0:
Members present for the final vote	Reimer Böge, Simon Busuttil, Paulo Casaca, Gérard Deprez, Brigitte Douay, Bárbara Dührkop Dührkop, James Elles, Göran Färm, Szabolcs Fazakas, Salvador Garriga Polledo, Louis Grech, Catherine Guy-Quint, Jutta Haug, Ville Itälä, Anne E. Jensen, Janusz Lewandowski, Nils Lundgren, Marusya Ivanova Lyubcheva, Vladimír Maňka, Jan Mulder, Gérard Onesta, Paul Rübig, Esko Seppänen, László Surján, Helga Trüpel, Kyösti Virrankoski, Ralf Walter.