



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Budgets

2011/0369(COD)

12.7.2012

OPINION

of the Committee on Budgets

for the Committee on Legal Affairs and the Committee on Civil Liberties,
Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council
establishing for the period 2014 to 2020 the Justice Programme
(COM(2011)0759 – C7-0439/2011 – 2011/0369(COD))

Rapporteur: Barbara Matera

PA_Legam

SHORT JUSTIFICATION

The Commission has submitted a proposal for Justice Programme 2014-2020 as part of the forthcoming multiannual financial framework (MFF), with the general objective of creating a European area of justice by promoting judicial cooperation in civil and criminal matters.

Aiming at simplification and rationalisation, the Justice Programme is the successor of three current programmes: Civil Justice (JCIV), Criminal Justice (JPEN), and Drug Prevention and Information Programme (DPIP). The Commission, following an impact assessment, has concluded that the merger of these programmes will allow for a comprehensive funding approach in the area of justice.

The Justice Programme focuses three specific objectives :

- promotion of effective, comprehensive and consistent application of Union legislation in the areas of judicial cooperation in civil and criminal matters;
- facilitation of access to justice;
- prevention and reduction of drug demand and supply.

While the Rapporteur agrees with this Commission approach, she is concerned that drug issues might receive less attention in the new setup.

The Commission proposal states that the main indicator to measure the achievement of these objectives shall be, *inter alia*, the number of cases of trans-border cooperation and perception to the access of justice. The Rapporteur reminds that cases of trans-border cooperation and perception are not ideal indicators to measure progress, as they are influenced by a multitude of factors, many lying outside the remit of the Justice Programme.

The financial appropriations for implementing the programme over the period from 1 January 2014 to 31 December 2020 will amount to **EUR 472 million** (in current prices). Discounting inflation and adjusting for program adjustments, the volume of funds devoted to creation of the area of justice in the European Union in future is comparable with the funding in the current MFF.

The Justice Programme proposed by the Commission for the period 2014-2020 should be approved with the following amendments.

AMENDMENTS

The Committee on Budgets calls on the Committee on Legal Affairs and the Committee on Civil Liberties, Justice and Home Affairs as the committees responsible, to incorporate the following amendments in their 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 on 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 Europe¹; 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; challenges the Council, if 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; 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

Amendment 3

Proposal for a regulation Recital 7

Text proposed by the Commission

(7) Whereas the Drug prevention and information programme was based on a public health legal basis and therefore covered health considerations, notably the reduction of health harms associated with drug use, the Justice programme should approach anti-drugs policy via the angle of crime prevention. ***Illicit*** drug trafficking and other illegal activities related to drugs should be the main focus of drug-related funding under the new programme.

Amendment

(7) Whereas the Drug prevention and information programme was based on a public health legal basis and therefore covered health considerations, notably the reduction of health harms associated with drug use; the Justice programme should approach ***prevention and*** anti-drugs policy via the angle of crime ***and recidivism prevention. Public awareness, prevention of*** drug trafficking, ***illicit drug trafficking and other illegal activities related to drugs*** should be the main focus of drug-related funding under the new programme.

Amendment 4

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) In order to implement the principle of sound financial management, this Regulation should provide for appropriate tools to assess its performance. To that end, it should define general and specific objectives. To measure the achievement of those specific objectives, a set of indicators should be established which should remain valid for the whole duration of the Programme.

Amendment

(10) In order to implement the principle of sound financial management, this Regulation should provide for appropriate tools to assess its performance. To that end, it should define general and specific objectives. To measure the achievement of those specific objectives, a set of ***concrete and quantifiable*** indicators should be established which should remain valid for the whole duration of the Programme. ***The Commission should report to the***

European Parliament on an annual basis about the progress towards the objectives, using indicators as benchmarks.

Amendment 5

Proposal for a regulation Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) It is important to ensure sound financial management of the programme and its implementation in the most effective and user-friendly manner possible, while also ensuring legal certainty and the accessibility of the programme to all participants.

Amendment 6

Proposal for a regulation Recital 10 b (new)

Text proposed by the Commission

Amendment

(10b) Improving implementation and quality of spending should constitute guiding principles for achieving the objectives of the programme while ensuring optimal use of the financial resources;

Amendment 7

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

Amendment

To achieve the general objective set out in Article 4, the Programme shall have the following specific objectives:

(a) to promote effective, comprehensive

To achieve the general objective set out in Article 4, the Programme shall have the following specific objectives:

(a) to promote effective, comprehensive

and consistent application of Union legislation in the areas of judicial cooperation in civil and criminal matters.

The indicator to measure the achievement of this objective shall be, *inter alia*, the number of cases of trans-border cooperation.

(b) to facilitate access to justice.

The indicator to measure the achievement of this objective shall be, *inter alia*, the European perception of access to justice.

(c) to prevent and reduce drug demand and supply.

The indicator to measure the achievement of this objective shall be, *inter alia*, the number of cases of trans-border cooperation.

and consistent application of Union legislation in the areas of judicial cooperation in civil and criminal matters.

The indicator to measure the achievement of this objective shall be, *inter alia*, the number of **successful** cases of trans-border cooperation.

(b) to facilitate access to justice.

The indicator to measure the achievement of this objective shall be, *inter alia*, the European perception of access to justice.

(c) to **substantially** prevent and reduce drug demand and supply.

The indicator to measure the achievement of this objective shall be, *inter alia*, the number of **successful** cases of trans-border cooperation.

Amendment 8

Proposal for a regulation

Article 6 – paragraph 2 – point c

Text proposed by the Commission

(c) mutual learning, cooperation, awareness raising and dissemination activities, such as identification of, and exchanges on, good practices, innovative approaches and experiences, organisation of peer review and mutual learning; organisation of conferences and seminars; organisation of awareness-raising and information campaigns, media campaigns and events, including **corporate** communication of the political priorities of the European Union; compilation and publication of materials to disseminate information as well as results of the Programme; development, operation and maintenance of systems and tools using information and communication technologies;

Amendment

(c) mutual learning, cooperation, awareness raising and dissemination activities, such as identification of, and exchanges on, good practices, innovative approaches and experiences, organisation of peer review and mutual learning; organisation of conferences and seminars; organisation of awareness-raising and information campaigns, media campaigns and events; including communication of the political priorities of the European Union, compilation and publication of materials to disseminate information as well as results of the Programme; development, operation and maintenance of systems and tools using information and communication technologies;

Amendment 9

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

1. The financial envelope for the implementation of the Programme shall be EUR 472 million.

Amendment

1. Within the meaning of point [17] of the Interinstitutional Agreement of .../.... between the European Parliament, the Council and the Commission on cooperation in budgetary matters and on sound financial management, the financial envelope for the implementation of the Programme *for the period from 2014 to 2020, representing the prime reference for the budgetary authority during the annual budgetary procedure,* shall be EUR 472 million.

Amendment 10

Proposal for a regulation Article 8 – paragraph 3

Text proposed by the Commission

3. The budgetary authority shall authorise the available annual appropriations ***within the limits of the Multiannual Financial Framework established by Council Regulation (EU, Euratom) No XX/XX of XX laying down the multiannual financial framework for the years 2014-2020.***

Amendment

3. The budgetary authority shall authorise the available annual appropriations *without prejudice to the provisions of the Regulation* laying down the multiannual financial framework for the years 2014-2020 *and the Interinstitutional Agreement of xxx/201z between the European Parliament, the Council and the Commission on cooperation in budgetary matters and sound financial management.*

Amendment 11

Proposal for a regulation Article 11 – paragraph 1

Text proposed by the Commission

1. The Commission, in cooperation with

Amendment

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the Member States, shall ensure overall consistency, complementarity and synergies with other Union instruments, inter alia, with the Rights and Citizenship Programme, the Instrument for financial support for police cooperation, crime prevention and the fight against cross-border, serious and organised crime, the Health for Growth Programme, the Erasmus for all Programme, the Horizon 2020 Framework Programme and the Instrument for Pre-accession Assistance.

the Member States, shall ensure overall consistency, complementarity and synergies with other Union instruments, inter alia, with the Rights and Citizenship Programme, the Instrument for financial support for police cooperation, crime prevention and the fight against cross-border, serious and organised crime, the Health for Growth Programme, the Erasmus for all Programme, the Horizon 2020 Framework Programme and the Instrument for Pre-accession Assistance. ***The Commission shall also ensure overall consistency, complementarity and synergies with the EU agencies whose mandates cover the same domains as the programme.***

Amendment 12

Proposal for a regulation Article 11 – paragraph 2

Text proposed by the Commission

2. The programme may share resources with other Union instruments, in particular the Rights and Citizenship Programme, in order to implement actions meeting the objectives of both programmes. An action for which funding has been awarded from the Programme may also give rise to the award of funding from the Rights and Citizenship Programme, provided that the funding does not cover the same cost items.

Amendment

2. The programme may share resources with other Union instruments, in particular the Rights and Citizenship Programme, in order to implement actions meeting the objectives of both programmes. An action for which funding has been awarded from the Programme may also give rise to the award of funding from the Rights and Citizenship Programme, provided that the funding does not cover the same cost items, ***and double-sourcing of funds is avoided by clearly indicating the sources of funding for each category of expenditure, in line with the principle of sound financial management.***

PROCEDURE

Title	Justice Programme for 2014-2020	
References	COM(2011)0759 – C7-0439/2011 – 2011/0369(COD)	
Committees responsible Date announced in plenary	JURI 14.12.2011	LIBE 14.12.2011
Opinion by Date announced in plenary	BUDG 14.12.2011	
Rapporteur Date appointed	Barbara Matera 6.2.2012	
Rule 51 – joint committee meetings Date announced in plenary	15.3.2012	
Date adopted	12.7.2012	
Result of final vote	+: –: 0:	28 3 2
Members present for the final vote	Marta Andreasen, Richard Ashworth, Jean Louis Cottigny, Jean-Luc Dehaene, Isabelle Durant, James Elles, Göran Färm, José Manuel Fernandes, Eider Gardiazábal Rubial, Salvador Garriga Polledo, Lucas Hartong, Jutta Haug, Monika Hohlmeier, Anne E. Jensen, Jan Kozłowski, Alain Lamassoure, Giovanni La Via, Barbara Matera, Claudio Morganti, Juan Andrés Naranjo Escobar, Nadezhda Neynsky, Dominique Riquet, Alda Sousa, Helga Trüpel	
Substitute(s) present for the final vote	Alexander Alvaro, Bendt Bendtsen, Frédéric Daerden, Gerben-Jan Gerbrandy, Lidia Joanna Geringer de Oedenberg, Jutta Steinruck, Theodor Dumitru Stolojan, Nils Torvalds	
Substitute(s) under Rule 187(2) present for the final vote	Leonardo Domenici	