



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Employment and Social Affairs

2011/0404(COD)

25.4.2012

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
on the Instrument for Pre-accession Assistance (IPA II)
(COM(2011)0838 – C7-0491/2011 – 2011/0404(COD))

Rapporteur: Marije Cornelissen

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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 4

Text proposed by the Commission

(4) A European State which has applied to join the Union can become a member only when it has been confirmed that it meets the membership criteria agreed at the Copenhagen European Council in June 1993 and provided that the accession does not overstretch the capacity of the Union to integrate the new member. These criteria relate to the stability of institutions guaranteeing democracy, the rule of law, respect of human rights and respect for, and protection of, minorities, the development of the economy that must be sufficient to withstand the competitive pressure in the internal market, and the ability to assume not only the rights but also the obligations under the Treaties.

Amendment

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Amendment 2

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) The European Council has granted the status of candidate country to Iceland, Montenegro, the former Yugoslav

Amendment

(6) The European Council has granted the status of candidate country to Iceland, Montenegro, the former Yugoslav

Republic of Macedonia and **Turkey**. It has confirmed the European perspective for Albania, Bosnia and Herzegovina, **Serbia** as well as Kosovo¹³, which are considered potential candidates.

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Amendment 3

Proposal for a regulation Recital 6 – footnote

Text proposed by the Commission

Amendment

¹*Under* UNSCR No 1244/1999.

¹***Without prejudice to positions on status and in line with*** UNSCR No 1244/1999 ***and the ICJ Opinion on the Kosovo Declaration of Independence.***

Amendment 4

Proposal for a regulation Recital 8

Text proposed by the Commission

Amendment

(8) Assistance under this Regulation should be provided in accordance with the enlargement policy framework defined by the Union for each beneficiary country reflected in the annual enlargement package of the Commission, which includes the Progress Reports and the Enlargement Strategy, in the Stabilisation and Association agreements and in the European or Accession Partnerships. Assistance should mainly focus on a limited number of policy areas that will help beneficiary countries strengthen democratic institutions and the rule of law, reform the judiciary and public administration, respect fundamental rights **and** promote gender equality and non-discrimination. It should also enhance their

(8) Assistance under this Regulation should be provided in accordance with the enlargement policy framework defined by the Union for each beneficiary country reflected in the annual enlargement package of the Commission, which includes the Progress Reports and the Enlargement Strategy, in the Stabilisation and Association agreements and in the European or Accession Partnerships. Assistance should mainly focus on a limited number of policy areas that will help beneficiary countries strengthen democratic institutions and the rule of law, reform the judiciary and public administration, respect fundamental rights, promote gender equality and non-discrimination, **and implement the**

economic and social development, underpinning a smart, sustainable and inclusive growth agenda in line with the Europe 2020 strategy and to align progressively with the Copenhagen criteria. The coherence between the financial assistance and the overall progress made in the implementation of the pre-accession strategy should be strengthened.

European Union Framework for national Roma integration strategies and the European framework for social and territorial cohesion. It should also enhance their economic and social development, underpinning a smart, sustainable and inclusive growth agenda in line with the Europe 2020 strategy and to align progressively with the Copenhagen criteria. The coherence between the financial assistance and the overall progress made in the implementation of the pre-accession strategy should be strengthened.

Amendment 5

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) Candidate countries and potential candidates need to be better prepared to withstand global challenges, such as sustainable development and climate change, and align with the Union's efforts to address these issues. Union assistance under this Regulation should also contribute to the goal of raising the climate-related proportion of the Union budget to at least 20 %.

Amendment

(9) Candidate countries and potential candidates need to be better prepared to withstand global challenges, such as sustainable development and climate change, and align with the Union's efforts to address these issues. ***Investment in human resources to provide new skills and competences shall be made.*** Union assistance under this Regulation should also contribute to the goal of raising the climate-related proportion of the Union budget to at least 20 %.

Amendment 6

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) The Commission and the Member States should ensure the compliance, coherence, and complementarity of their assistance, in particular through regular

Amendment

(10) The Commission and the Member States should ensure the compliance, coherence, and complementarity of their assistance ***and the assistance of other***

consultations and frequent exchanges of information during the different phases of the assistance cycle.

international institutions and donors, in particular through regular consultations and frequent exchanges of information during the different phases of the assistance cycle.

Amendment 7

Proposal for a regulation Recital 11

Text proposed by the Commission

(11) In order to ensure coherence between the accession process and the financial and technical assistance provided under this Regulation and achieve the objectives of the accession agenda, a common strategic framework for using the Instrument for Pre-Accession Assistance should be established by the Commission. This framework should define, inter alia, the list of key actions which may be supported under this Regulation and the criteria for the allocation of funds. The common strategic framework should constitute the reference framework for the country and multi-country strategy papers.

Amendment

(11) In order to ensure coherence between the accession process and the financial and technical assistance provided under this Regulation and achieve the objectives of the accession agenda, a common strategic framework for using the Instrument for Pre-Accession Assistance should be established by the Commission. ***The Commission could seek support in this exercise by its EU agencies and other relevant institutions.*** This framework should define, inter alia, the list of key actions which may be supported under this Regulation and the criteria for the allocation of funds. The common strategic framework should constitute the reference framework for the country and multi-country strategy papers.

Amendment 8

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) The objectives of the assistance should be defined in indicative country and multi-country strategy papers established by the Commission for the duration of the Union's Multi-annual Financial Framework in partnership with the beneficiary countries, based on their specific needs and

Amendment

(12) The objectives of the assistance should be defined in indicative country and multi-country strategy papers established by the Commission for the duration of the Union's Multi-annual Financial Framework in partnership with the beneficiary countries, based on their specific needs and

enlargement agenda. The strategy papers should identify the policy areas for assistance and, without prejudice to the prerogatives of the budgetary authority, lay down the indicative allocations of funds per policy area, broken down per year, including an estimate of climate related expenditure. Sufficient flexibility should be built in to cater for emerging needs and to give incentives to improve performance. The strategy papers should ensure coherence and consistency with the efforts of beneficiary countries as reflected in their national budgets and should take into account the support provided by other donors. In order to take into account internal and external developments, the multiannual indicative strategy papers should be revised as appropriate.

enlargement agenda. The strategy papers should identify the policy areas for assistance and, without prejudice to the prerogatives of the budgetary authority, lay down the indicative allocations of funds per policy area, broken down per year, including an estimate of climate related expenditure. Sufficient flexibility should be built in to cater for emerging needs and to give incentives to improve performance ***and to enhance domestic and international investment for quality job creation***. The strategy papers should ensure coherence and consistency with the efforts of beneficiary countries as reflected in their national budgets and should take into account the support provided by other donors. In order to take into account internal and external developments, the multiannual indicative strategy papers should be revised as appropriate.

Amendment 9

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) Assistance should continue to make use of the structures and instruments that have proved their worth in the pre-accession process. The transition from direct management of pre-accession funds by the Commission to ***decentralised*** management delegated to the beneficiary countries should be progressive and in line with each beneficiary country's capacities.

Amendment

(17) Assistance should continue to make use of the structures and instruments that have proved their worth in the pre-accession process. The transition from direct management of pre-accession funds by the Commission to management delegated to the beneficiary countries should be progressive and in line with each beneficiary country's capacities, ***and should be degressive if those capacities evolve negatively***.

Amendment 10

Proposal for a regulation Recital 20

Text proposed by the Commission

(20) Where a beneficiary country violates the principles on which the Union is founded, or fails to respect the commitments contained in the relevant agreements concluded with the Union, or makes insufficient progress with respect to the accession criteria, the Council, on a proposal from the Commission, should be able to take appropriate measures to redress the situation.

Amendment

(20) Where a beneficiary country violates the principles on which the Union is founded, or fails to respect the commitments contained in the relevant agreements concluded with the Union, or makes insufficient progress with respect to the accession criteria, ***or no longer complies with requirements for political decision-making on, or administrative management of the assistance,*** the Council, on a proposal from the Commission, should be able to take appropriate measures to redress the situation.

Amendment 11

Proposal for a regulation Recital 21 a (new)

Text proposed by the Commission

Amendment

(21a) Equality between men and women and the integration of the gender perspective shall be promoted during the various stages of application of the IPA, including the design, implementation, monitoring and evaluation thereof.

Amendment 12

Proposal for a regulation Article 2 – paragraph 1 – point a – point ii

Text proposed by the Commission

(ii). promotion and protection of human rights and fundamental freedoms, enhanced respect for minority rights, promotion of

Amendment

(ii). promotion and protection of human rights and fundamental freedoms, enhanced respect for minority rights ***and the rights***

gender equality, non-discrimination and freedom of the press, and promotion of good neighbourly relations;

of people with disabilities, protection of vulnerable groups, promotion of gender equality, non-discrimination and freedom of the press, and promotion of good neighbourly relations;

Amendment 13

Proposal for a regulation

Article 2 – paragraph 1 – point a – point iv a (new)

Text proposed by the Commission

Amendment

(iva) strengthening the capacities of social partners to develop social dialogue;

Amendment 14

Proposal for a regulation

Article 2 – paragraph 1 – point a – point v

Text proposed by the Commission

Amendment

(v) the development of civil society and *social dialogue*;

(v) the development of civil society and *socio-economic partnerships and the setting-up of appropriate consultative mechanisms to structure the dialogue with authorities*;

Amendment 15

Proposal for a regulation

Article 2 – paragraph 1 – point a – point vi

Text proposed by the Commission

Amendment

(vi) reconciliation, peace building and confidence building measures.

(vi) *local, national and regional* reconciliation, peace building and confidence building measures *and good neighbourly relations*.

Amendment 16

Proposal for a regulation

Article 2 – paragraph 1 – point b – introductory wording

Text proposed by the Commission

(b) Support for economic, social and territorial development, with a view to a smart, sustainable and inclusive growth, inter alia through:

Amendment

(b) Support for economic, social and territorial development, with a view to a smart, sustainable and inclusive growth ***in line with the Europe 2020 strategy***, inter alia through:

Amendment 17

Proposal for a regulation

Article 2 – paragraph 1 – point b – point ii

Text proposed by the Commission

(ii) economic reforms necessary to cope with competitive pressure and market forces within the Union, while pursuing economic, social and environmental goals;

Amendment

(ii) economic reforms necessary to cope with competitive pressure and market forces within the Union, while pursuing economic, social and environmental goals ***and adhering to the principles of corporate social responsibility and fostering job creation with particular reference to SMEs***;

Amendment 18

Proposal for a regulation

Article 2 – paragraph 1 – point b – point iii

Text proposed by the Commission

(iii). fostering employment and developing human capital;

Amendment

(iii). fostering ***decent*** employment and developing human capital ***through labour market analysis, informed education policies, quality traineeship programmes and also by promoting volunteering as a way of gaining skills***;

Amendment 19

Proposal for a regulation

Article 2 – paragraph 1 – point b – point iv

Text proposed by the Commission

(iv). social and economic inclusion, in particular of minorities and vulnerable groups;

Amendment

(iv). social and economic inclusion, in particular of minorities and vulnerable groups; ***encouraging and enabling active ageing of citizens and solidarity between generations;***

Amendment 20

Proposal for a regulation

Article 2 – paragraph 1 – point b – point iv a (new)

Text proposed by the Commission

Amendment

(iv a) promoting inclusive and integrated education by paying special emphasis on preventing ethnic-based separation in schools, narrowing the gender gap, providing early childhood education and preventing early school leaving, thus aiming at reducing ethnic, social and regional disparities;

Amendment 21

Proposal for a regulation

Article 2 – paragraph 1 – point b – point iv b (new)

Text proposed by the Commission

Amendment

(iv b) for the sake of inclusive and integrated education, raising awareness of identified problems and taking actions to tackle them to provide quality education also for marginalized children;

Amendment 22

Proposal for a regulation

Article 2 – paragraph 1 – point b – point iv c (new)

Text proposed by the Commission

Amendment

(iv c) strengthening the social protection system, implementing strategic plans for poverty reduction, and fostering social policies regarding people living with disabilities, the Roma and other socially excluded people;

Amendment 23

Proposal for a regulation

Article 2 – paragraph 1 – point b – point v a (new)

Text proposed by the Commission

Amendment

(v a) efficient anti-discrimination measures, in particular implementing Roma integration strategies;

Amendment 24

Proposal for a regulation

Article 2 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) Strengthening of the ability of beneficiary countries to fulfil the obligations stemming from membership by supporting progressive alignment with and adoption, implementation and enforcement of the *acquis communautaire*, structural, cohesion, agricultural and rural development funds and policies of the Union.

(c) Strengthening of the ability of beneficiary countries to fulfil the obligations stemming from membership by supporting progressive alignment with and adoption, implementation and enforcement of the *acquis communautaire*, structural, cohesion, agricultural and rural development funds and policies of the Union; ***actively supporting enforcement and monitoring mechanisms which ensure the implementation of the obligations under the acquis communautaire and relevant international standards and commitments.***

Amendment 25

Proposal for a regulation

Article 2 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) Enhancing economic, social and territorial cohesion by strengthening the capacities of community-based initiatives and engaging local and regional beneficiaries, as well as by supporting adequate sectoral and enterprise structures, SMEs at those levels and investment in rural areas.

Amendment 26

Proposal for a regulation

Article 2 – paragraph 2 – subparagraph 1 – indent 1

Text proposed by the Commission

Amendment

– Progress in the areas of democracy, the rule of law, the respect of human rights **and fundamental freedoms**, the justice system and the level of administrative capacity;

– Progress in the areas of democracy, the rule of law, the respect of human rights, **the protection of minority groups and the rights of vulnerable groups**, the justice system and the level of administrative capacity, **the promotion of civil society, and the quality of social and civil dialogue**;

Amendment 27

Proposal for a regulation

Article 2 – paragraph 2 – subparagraph 1 – indent 2

Text proposed by the Commission

Amendment

– Progress in **economic** reforms; the soundness **and** effectiveness **of** social and economic development strategies, progress towards smart, sustainable and inclusive growth, including through public investments supported by IPA;

– Progress in **socio-economic** reforms; the soundness, effectiveness **and social justice of** social and economic development strategies, progress towards smart, sustainable and inclusive growth **and the creation of quality education, training and employment**, including through public investments supported by IPA;

Amendment 28

Proposal for a regulation

Article 2 – paragraph 2 – indent 3

Text proposed by the Commission

– The body of legislation aligned with the acquis; progress in Union-related institutional reform, including transition to decentralised management of the assistance provided under this Regulation;

Amendment

– The body of legislation aligned with the acquis, ***including a track record of its implementation***; progress in Union-related institutional reform, including transition to decentralised management of the assistance provided under this Regulation;

Amendment 29

Proposal for a regulation

Article 3 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Possibilities of making progress towards the specific objectives through combining assistance in the different policy areas simultaneously shall be encouraged.

Amendment 30

Proposal for a regulation

Article 3 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. Assistance in all policy areas referred to in paragraph 1 shall specifically address the needs of the most vulnerable citizens and those citizens who are most at risk of poverty and/or socially excluded.

Amendment 31

Proposal for a regulation Article 4 – paragraph 4

Text proposed by the Commission

4. In order to increase effectiveness and efficiency in the delivery of assistance and to prevent double funding, the Commission shall, in liaison with the Member States, take the necessary steps to ensure better coordination and complementarity with multilateral and regional organisations and entities, such as international financial institutions, United Nations agencies, funds and programmes, and non-Union donors.

Amendment

4. In order to increase effectiveness and efficiency in the delivery of assistance and to prevent double funding, the Commission shall, in liaison with the Member States, take the necessary steps to ensure better coordination and complementarity with multilateral and regional organisations and entities, such as international financial institutions, ***the Council of Europe***, United Nations agencies, funds and programmes, and non-Union donors, ***and with private-sector initiatives***.

Amendment 32

Proposal for a regulation Article 5 – paragraph 1

Text proposed by the Commission

1. The Commission shall establish a Common Strategic Framework for the Instrument for Pre-accession Assistance. The IPA Common Strategic Framework shall translate the political priorities of the enlargement policy into key actions which can receive assistance under this Regulation.

Amendment

1. The Commission shall establish a Common Strategic Framework for the Instrument for Pre-accession Assistance. The IPA Common Strategic Framework shall translate the political priorities of the enlargement policy ***and the Europe 2020 strategy*** into key actions which can receive assistance under this Regulation.

Amendment 33

Proposal for a regulation Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall involve civil society, social partners and the European Parliament in the drafting and revision of

Amendment 34

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. Assistance under this Regulation shall be provided on the basis of country or multi-country indicative strategy papers (hereinafter "strategy papers"), established for the duration of the Union's Multi-annual Financial Framework, by the Commission in partnership with the beneficiary country or countries concerned.

Amendment

1. Assistance under this Regulation shall be provided on the basis of country or multi-country indicative strategy papers (hereinafter "strategy papers"), established for the duration of the Union's Multi-annual Financial Framework, by the Commission in partnership with the beneficiary country or countries concerned ***and after consultation of civil society and social partners in the country or countries concerned.***

Amendment 35

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

2. The strategy papers shall specify the appropriate mix of policy areas as referred to in Article 3 which will receive financial assistance under this Regulation to reflect needs and priorities in accordance with the objectives referred to in Article 2, with the IPA Common Strategic Framework referred to in Article 5, and with the national strategies, as appropriate.

Amendment

2. The strategy papers shall specify the appropriate mix of policy areas as referred to in Article 3 which will receive financial assistance under this Regulation to reflect needs and priorities in accordance with the objectives referred to in Article 2, with the IPA Common Strategic Framework referred to in Article 5, and with the national strategies, as appropriate. ***The Strategy Papers should include feasible country-specific targets for each of the EU2020 goals for smart, sustainable and inclusive growth.***

Amendment 36

Proposal for a regulation Article 6 – paragraph 3

Text proposed by the Commission

3. The strategy papers shall include the indicative allocation of Union funds per policy area, as applicable, broken down per year, in line with the criteria set in the IPA Common Strategic Framework referred to in Article 5. The indicative allocation of funds shall duly take account of the needs, absorption capacity and administrative capacity of the beneficiary countries. It shall also allow for addressing emerging needs and include incentives to enhance the performance of the beneficiary countries with regard to the objectives set in the multi-annual indicative strategies.

Amendment

3. The strategy papers shall include the indicative allocation of Union funds per policy area, as applicable, broken down per year, in line with the criteria set in the IPA Common Strategic Framework referred to in Article 5, ***without prejudice to the possibility of combining assistance in different policy areas***. The indicative allocation of funds shall duly take account of the needs, absorption capacity and administrative capacity of the beneficiary countries. It shall also allow for addressing emerging needs and include incentives to enhance the performance of the beneficiary countries with regard to the objectives set in the multi-annual indicative strategies.

Amendment 37

Proposal for a regulation Article 6 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. The Commission shall take account, when drafting and revising the strategy papers, of the most recent European Parliament resolutions on the European integration of each country progressing toward accession. The strategy papers shall be made available to the European Parliament at its request.

Amendment 38

Proposal for a regulation Article 13

Text proposed by the Commission

Without prejudice to the provisions on suspension of aid in partnership and cooperation agreements with partner countries and regions, where a beneficiary country fails to respect the principles of democracy, the rule of law, human rights, minority rights and fundamental freedoms, or the commitments contained in the relevant agreements concluded with the Union, or where progress towards fulfilment of the accession criteria is insufficient, the Union shall invite the beneficiary country to hold consultations with a view to finding a solution acceptable to both parties, except in cases of special urgency. Where consultations with the beneficiary country do not lead to a solution acceptable to both parties, or if consultations are refused or in cases 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 assistance. The European Parliament shall be fully and immediately informed of any decisions taken in this respect.

Amendment

Without prejudice to the provisions on suspension of aid in partnership and cooperation agreements with partner countries and regions, where a beneficiary country fails to respect the principles of democracy, the rule of law, human rights, minority rights and fundamental freedoms, or the commitments contained in the relevant agreements concluded with the Union, or where progress towards fulfilment of the accession criteria **and transparency are** insufficient, **or where the political or administrative circumstances negatively affect the management of the assistance or decision-making concerning it**, the Union shall invite the beneficiary country to hold consultations with a view to finding a solution acceptable to both parties, except in cases of special urgency. Where consultations with the beneficiary country do not lead to a solution acceptable to both parties, or if consultations are refused or in cases 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 assistance. The European Parliament shall be fully and immediately informed of any decisions taken in this respect.

Amendment 39

Proposal for a regulation Article 14 – paragraph 1

Text proposed by the Commission

1. The financial reference amount for the

Amendment

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implementation of this Regulation for the period from 2014 to 2020 shall be EUR 14 110 100 000 (current prices). Up to 3% of the financial reference amount shall be allocated to cross-border cooperation programmes between beneficiary countries and EU Member States.

implementation of this Regulation for the period from 2014 to 2020 shall be EUR 14 110 100 000 (current prices). Up to 3% of the financial reference amount shall be allocated to cross-border cooperation programmes between beneficiary countries and EU Member States ***and 1,5% of the financial reference shall be reserved for civil society and social partner organizations including the Civil Society Facility.***

PROCEDURE

Title	Instrument for Pre-accession Assistance (IPA II)
References	COM(2011)0838 – C7-0491/2011 – 2011/0404(COD)
Committee responsible Date announced in plenary	AFET 17.1.2012
Committee(s) asked for opinion(s) Date announced in plenary	EMPL 17.1.2012
Rapporteur(s) Date appointed	Marije Cornelissen 19.1.2012
Discussed in committee	27.3.2012
Date adopted	24.4.2012
Result of final vote	+: 39 –: 2 0: 2
Members present for the final vote	Edit Bauer, Heinz K. Becker, Phil Bennion, Vilija Blinkevičiūtė, Philippe Boulland, David Casa, Alejandro Cercas, Ole Christensen, Derek Roland Clark, Marije Cornelissen, Emer Costello, Andrea Cozzolino, Frédéric Daerden, Karima Delli, Sari Essayah, Richard Falbr, Thomas Händel, Nadja Hirsch, Stephen Hughes, Danuta Jazłowiecka, Martin Kastler, Ádám Kósa, Veronica Lope Fontagné, Olle Ludvigsson, Thomas Mann, Elisabeth Morin-Chartier, Csaba Óry, Siiri Oviir, Rovana Plumb, Konstantinos Poupakis, Sylvana Rapti, Licia Ronzulli, Elisabeth Schroedter, Nicole Sinclair, Joanna Katarzyna Skrzydlewska, Jutta Steinruck
Substitute(s) present for the final vote	Georges Bach, Sergio Gutiérrez Prieto, Filiz Hakaeva Hyusmenova, Jelko Kacin, Svetoslav Hristov Malinov, Ramona Nicole Mănescu, Emilie Turunen