



2021/2026(INL)

15.12.2021

AMENDMENTS

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Draft report
Sophia in 't Veld
(PE697.745v01-00)

Citizenship and residence by investment schemes
(2021/2026(INL))

Amendment 1
Elena Yoncheva

Motion for a resolution
Citation 6 a (new)

Motion for a resolution

Amendment

— *having regard to Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification^{1a} (the 'Family Reunification Directive')*

^{1a} *OJ L 251, 3.10.2003, p. 12.*

Or. en

Amendment 2
Saskia Bricmont

Motion for a resolution
Citation 6 a (new)

Motion for a resolution

Amendment

— *having regard to Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification^{1a},*

^{1a} *OJ L 251, 3.10.2003, p. 12.*

Or. en

Amendment 3
Saskia Bricmont

Motion for a resolution
Citation 14

Motion for a resolution

Amendment

— *having regard to its resolution of 16 January 2014 on EU citizenship for sale⁴,*

— *having regard to its resolution of 16 January 2014 on EU citizenship for sale⁴,*

of 18 December 2019 on the Rule of Law in Malta following the recent revelations around the murder of Daphne Caruana Galizia⁵, of 10 July 2020 on a comprehensive Union policy on preventing money laundering and terrorist financing - the Commission Action Plan and other recent developments⁶, of 17 December 2020 on the EU Security Union Strategy⁷; of 29 April 2021 on the assassination of Daphne Caruana Galizia and the Rule of Law in Malta⁸,

⁴ OJ C 482, 23.12.2016, p. 117.

⁵ OJ C 255, 29.6.2021, p. 22.

⁶ OJ C 371, 15.9.2021, p. 92.

⁷ OJ C 445, 29.10.2021, p. 140.

⁸ Texts adopted, P9_TA(2021)0148

of 26 March 2019 on financial crimes, tax evasion and tax avoidance^{4a}, of 18 December 2019 on the Rule of Law in Malta following the recent revelations around the murder of Daphne Caruana Galizia⁵, of 10 July 2020 on a comprehensive Union policy on preventing money laundering and terrorist financing - the Commission Action Plan and other recent developments⁶, of 17 December 2020 on the EU Security Union Strategy⁷; of 29 April 2021 on the assassination of Daphne Caruana Galizia and the Rule of Law in Malta⁸,

⁴ OJ C 482, 23.12.2016, p. 117.

^{4a} *OJ C 108, 26.3.2021, p. 8.*

⁵ OJ C 255, 29.6.2021, p. 22.

⁶ OJ C 371, 15.9.2021, p. 92.

⁷ OJ C 445, 29.10.2021, p. 140.

⁸ Texts adopted, P9_TA(2021)0148

Or. en

Amendment 4 **Saskia Bricmont**

Motion for a resolution **Recital C**

Motion for a resolution

C. Whereas several Member States operate citizenship by investment (CBI) and residence by investment (RBI) schemes that confer citizenship or resident status upon third-country nationals in exchange for primarily financial considerations in the form of ‘passive’ capital investments; whereas CBI/RBI schemes are characterised by having minimal to no physical presence requirements and offering a ‘fast track’ to residency or citizenship status in a Member

Amendment

C. Whereas several Member States operate citizenship by investment (CBI) and residence by investment (RBI) schemes that confer citizenship or resident status upon third-country nationals in exchange for primarily financial considerations in the form of ‘passive’ capital investments; whereas CBI/RBI schemes are characterised by having minimal to no physical presence requirements and offering a ‘fast track’ to residency or citizenship status in a Member

State compared to conventional channels; whereas application processing times vary substantially between Member States¹⁰ ;

¹⁰ EPRS EAVA Study, table 9, p. 28-29.

State compared to conventional channels; whereas application processing times vary substantially between Member States¹⁰; ***whereas the ease of obtaining citizenship or residence through the use of such schemes contrasts dramatically with the obstacles for seeking international protection, legal migration or naturalisation through conventional channels;***

¹⁰ EPRS EAVA Study, table 9, p. 28-29.

Or. en

Amendment 5

Konstantinos Arvanitis

Motion for a resolution

Recital C

Motion for a resolution

C. Whereas several Member States operate citizenship by investment (CBI) and residence by investment (RBI) schemes that confer citizenship or resident status upon third-country nationals in exchange for primarily financial considerations in the form of ‘passive’ capital investments; whereas CBI/RBI schemes are characterised by having minimal to no physical presence requirements and offering a ‘fast track’ to residency or citizenship status in a Member State compared to conventional channels; whereas application processing times vary substantially between Member States¹⁰ ;

¹⁰ EPRS EAVA Study, table 9, p. 28-29.

Amendment

C. Whereas several Member States operate citizenship by investment (CBI) and residence by investment (RBI) schemes that confer citizenship or resident status upon third-country nationals in exchange for primarily financial considerations in the form of ‘passive’ capital investments; whereas ***such*** CBI/RBI schemes are characterised by having minimal to no physical presence requirements and offering a ‘fast track’ to residency or citizenship status in a Member State compared to conventional channels; whereas application processing times vary substantially between Member States¹⁰ ;

¹⁰ EPRS EAVA Study, table 9, p. 28-29.

Or. en

Amendment 6
Konstantinos Arvanitis

Motion for a resolution
Recital D

Motion for a resolution

D. Whereas the existence of CBI/RBI schemes affects all Member States; whereas the operation of a CBI/RBI scheme by an individual Member State thus generates significant externalities on other Member States; whereas those externalities warrant regulation by the Union;

Amendment

D. Whereas the existence of CBI/RBI schemes affects all Member States ***because a decision by one Member State to grant citizenship for investment automatically confers rights in relation to other Member States, in particular free movement rights, the right to vote and stand as a candidate in local and European elections, the right to consular protection, if unrepresented outside the Union, and rights of access to the internal market to exercise economic activities***; whereas the operation of a CBI/RBI scheme by an individual Member State thus generates significant externalities on other Member States; whereas those externalities warrant regulation by the Union;

Or. en

Amendment 7
Tom Vandendriessche

Motion for a resolution
Recital D

Motion for a resolution

D. Whereas the existence of CBI/RBI schemes affects all Member States; whereas the operation of a CBI/RBI scheme by an individual Member State thus generates significant externalities on other Member States; whereas those externalities warrant regulation by the Union;

Amendment

D. Whereas the existence of CBI/RBI schemes affects all Member States; whereas the operation of a CBI/RBI scheme by an individual Member State thus generates significant externalities on other Member States; whereas those externalities warrant regulation by the Union; ***whereas this does not, however, warrant any exceeding or extension of EU competence; whereas nationality law remains entirely a Member State***

competence;

Or. nl

Amendment 8
Vladimír Bilčík

Motion for a resolution
Recital D

Motion for a resolution

D. Whereas the existence of CBI/RBI schemes affects all Member States; whereas the operation of a CBI/RBI scheme by an individual Member State **thus generates significant** externalities on other Member States; whereas those externalities warrant regulation by the Union;

Amendment

D. Whereas the existence of CBI/RBI schemes affects all Member States; whereas the operation of a CBI/RBI scheme by an individual Member State **may generate adverse** externalities on other Member States; whereas those externalities warrant regulation by the Union;

Or. en

Amendment 9
Patryk Jaki

Motion for a resolution
Recital G

Motion for a resolution

G. Whereas the operation of CBI schemes **lead** to the commodification of Union citizenship; whereas such **commodification of rights is not compatible** with Union values, in particular equality;

Amendment

G. Whereas the operation of CBI schemes **without common rules leads** to the **unilateral** commodification of Union citizenship; whereas such **action may raise reasonable doubts regarding compatibility** with Union values, in particular equality;

Or. pl

Amendment 10
Elena Yoncheva, Cyrus Engerer

Motion for a resolution
Recital G

Motion for a resolution

G. Whereas the ***operation of CBI schemes lead to the commodification of Union citizenship; whereas such commodification of rights is not compatible with Union values, in particular equality;***

Amendment

G. whereas the ***Union has enacted measures to harmonise the pathways for legal migration to the Union and the rights attached to residence, such as the Long-Term Residence Directive;***

Or. en

Amendment 11
Tom Vandendriessche

Motion for a resolution
Recital G

Motion for a resolution

G. Whereas the operation of CBI schemes lead to the commodification of Union citizenship; whereas such commodification of rights is not compatible with Union values, ***in particular equality;***

Amendment

G. Whereas the operation of CBI schemes lead to the commodification of Union citizenship; whereas such commodification of rights is not compatible with Union values;

Or. nl

Amendment 12
Vladimír Bilčík

Motion for a resolution
Recital G

Motion for a resolution

G. Whereas the operation of CBI schemes lead to the commodification of Union citizenship; whereas such commodification of rights ***is not compatible with*** Union values, in particular equality;

Amendment

G. Whereas the operation of CBI schemes lead to the commodification of Union citizenship; whereas such commodification of rights ***violates*** Union values, in particular equality;

Amendment 13
Saskia Bricmont

Motion for a resolution
Recital H

Motion for a resolution

H. Whereas Malta and Cyprus operate CBI schemes; whereas Cyprus announced on 13 October 2020 that it would suspend its CBI scheme, only processing applications received before November 2020;

Amendment

H. Whereas Malta and Cyprus operate CBI schemes; whereas Cyprus announced on 13 October 2020 that it would suspend its CBI scheme, only processing applications received before November 2020; ***whereas some other Member States reward big investors with citizenship using extraordinary procedures;***

Or. en

Amendment 14
Vladimír Bilčík

Motion for a resolution
Recital I

Motion for a resolution

I. Whereas Bulgaria, Cyprus, Estonia, Greece, Ireland, Italy, Latvia, Luxembourg, Malta, the Netherlands, Portugal and Spain currently operate RBI schemes with minimum investment levels ranging from EUR 60 000 (Latvia) to EUR 1 250 000 (the Netherlands);

Amendment

I. Whereas Bulgaria, Cyprus, Estonia, Greece, Ireland, Italy, Latvia, Luxembourg, Malta, the Netherlands, Portugal and Spain currently operate RBI schemes with minimum investment levels ranging from EUR 60 000 (Latvia) to EUR 1 250 000 (the Netherlands); ***whereas attracting investment is a natural and vital method of maintaining well functioning economies of Member States, but as such should not pose legal and security risks to Union citizens;***

Or. en

Amendment 15
Elena Yoncheva, Cyrus Engerer

Motion for a resolution
Recital M

Motion for a resolution

M. Whereas CBI/RBI schemes pose a wide range of risks that include corruption, money laundering, security threats and tax avoidance; ***whereas those risks cannot be properly assessed because of a lack of transparency and are currently not sufficiently managed, resulting in weak vetting and a lack of due diligence with respect to applicants under CBI/RBI schemes in Member States;***

Amendment

M. Whereas CBI/RBI schemes pose a wide range of risks that include corruption, money laundering, security threats and tax avoidance;

Or. en

Amendment 16
Vladimír Bilčík

Motion for a resolution
Recital M

Motion for a resolution

M. Whereas CBI/RBI schemes pose a wide range of risks that include corruption, money laundering, security threats and tax avoidance; whereas those risks ***cannot be properly assessed because of a lack of transparency and*** are currently not sufficiently managed, resulting in weak vetting and a lack of due diligence with respect to applicants under CBI/RBI schemes in Member States;

Amendment

M. Whereas CBI/RBI schemes ***may*** pose a wide range of risks that include corruption, money laundering, security threats and tax avoidance; whereas those risks are currently not sufficiently managed, resulting in weak vetting and a lack of due diligence with respect to applicants under CBI/RBI schemes in Member States; ***whereas all the resulting risks should be properly assessed, and transparency with regard to the implementation and consequences of the schemes should be increased;***

Or. en

Amendment 17
Saskia Bricmont

Motion for a resolution
Recital M a (new)

Motion for a resolution

Amendment

Ma. Whereas CBI/RBI schemes have severe political, social and economic impacts, including creating macro-economic imbalances, pressuring the real estate sector, causing lack of access to housing, and eroding the security and integrity of the internal market, supplemented by impact on mobility and increased discrimination, deteriorating trust in the Union institutions, devaluating Union citizenship values and affecting the quality of evidence-based policy;

Or. en

Amendment 18
Elena Yoncheva

Motion for a resolution
Recital M a (new)

Motion for a resolution

Amendment

Ma. Whereas CBI/RBI schemes have a dual nature: the investment on the one hand and the residency/citizenship on the other, which requires a comprehensive approach when regulating that subject matter;

Or. en

Amendment 19
Elena Yoncheva, Cyrus Engerer

Motion for a resolution

Recital N

Motion for a resolution

Amendment

N. Whereas CBI/RBI schemes *tend to be located in Member States that are particularly prone to risks related to financial secrecy, such as tax avoidance and money laundering, and corruption; whereas financial secrecy impedes the transparency of CBI/RBI schemes and disrupts trust among Member States;*

deleted

Or. en

Amendment 20 Vladimír Bilčík

Motion for a resolution Recital N

Motion for a resolution

Amendment

N. Whereas CBI/RBI schemes *tend to be* located in Member States that are particularly prone to risks related to financial secrecy, such as tax avoidance and money laundering, and corruption; whereas financial secrecy impedes the transparency of CBI/RBI schemes and disrupts trust among Member States;

N. Whereas *some* CBI/RBI schemes *are* located in Member States that are particularly prone to risks related to financial secrecy, such as tax avoidance and money laundering, and corruption; whereas financial secrecy impedes the transparency of CBI/RBI schemes and disrupts trust among Member States;

Or. en

Amendment 21 Elena Yoncheva

Motion for a resolution Recital O

Motion for a resolution

Amendment

O. Whereas *Member States do not always consult* Union *databases* for background checks on applicants under

O. Whereas *existing* Union *law does not provide for systematic consultation of the Union large-scale IT systems* for

CBI/RBI schemes; whereas Member States do not share the results of such checks and procedures *systematically*;

background checks on applicants under CBI/RBI schemes; *whereas the existing Union and national rules does not require any vetting procedures to be performed before granting citizenship or residency under a CBI/RBI scheme*; whereas Member States do not share the results of such checks and procedures *on a regular basis*;

Or. en

Amendment 22
Elena Yoncheva

Motion for a resolution
Recital Q

Motion for a resolution

Q. Whereas the Commission initiative to establish a Group of Experts on Investor Citizenship and Residence Schemes was aimed at Member States' representatives agreeing on a common set of security checks; whereas that group has not met since 2019;

Amendment

Q. Whereas the Commission initiative to establish a Group of Experts on Investor Citizenship and Residence Schemes was aimed at Member States' representatives agreeing on a common set of security checks *but did not propose such a common set of security checks*; whereas that group has not met since 2019;

Or. en

Amendment 23
Elena Yoncheva

Motion for a resolution
Recital R a (new)

Motion for a resolution

Ra. *Whereas beneficiaries of CBI/RBI schemes, once granted their new status of citizenship or residency, immediately start to enjoy freedom of movement^{1a} and of establishment within the Schengen zone;*

Amendment

1^a Residence permits issued by Bulgaria, Croatia, Cyprus, Ireland and Romania do not automatically grant freedom of movement to third country nationals holders of those permits.

Or. en

Amendment 24
Vladimír Bilčík

Motion for a resolution
Recital T a (new)

Motion for a resolution

Amendment

Ta. Whereas in 2019 the Commission concluded that clear statistics on CBI/RBI applications received, accepted and rejected are missing or insufficient;

Or. en

Amendment 25
Vladimír Bilčík

Motion for a resolution
Paragraph 1

Motion for a resolution

Amendment

1. Considers that schemes granting nationality ***or residence*** primarily on the basis of a financial investment (***CBI/RBI schemes***), also known as ‘golden passports’ ***or ‘golden visas’***, ***are objectionable from an ethical and legal point of view;***

1. Considers that schemes granting nationality primarily on the basis of a financial investment, also known as ‘golden passports’ ***pose several serious legal and security risks for Union citizens;***

Or. en

Amendment 26

Sabrina Pignedoli

**Motion for a resolution
Paragraph 1**

Motion for a resolution

1. Considers that schemes granting nationality or residence primarily on the basis of a financial investment (CBI/RBI schemes), also known as ‘golden passports’ or ‘golden visas’, are objectionable from an ethical and legal point of view;

Amendment

1. Considers that schemes granting nationality or residence primarily on the basis of a financial investment (CBI/RBI schemes), also known as ‘golden passports’ or ‘golden visas’, are objectionable from an ethical and legal point of view, ***as well as an economic point of view***;

Or. it

**Amendment 27
Charlie Weimers**

**Motion for a resolution
Paragraph 3**

Motion for a resolution

3. Holds that CBI schemes undermine the ***essence of Union citizenship, which represents one of the foremost achievements of Union integration, granting a unique and fundamental status to Union citizens and including the right to vote in European and local elections***;

Amendment

3. Holds that CBI schemes undermine the ***cohesion of and support for the*** Union;

Or. en

**Amendment 28
Tom Vandendriessche**

**Motion for a resolution
Paragraph 5**

Motion for a resolution

5. Acknowledges that regulating the

Amendment

5. Acknowledges that regulating the

acquisition of nationality is primarily a Member State competence but stresses that that competence needs to be exercised in good faith, in a spirit of mutual respect, transparently, in accordance with the principle of sincere cooperation and in full respect of Union law¹⁵; considers that where Member States do not act in full compliance with those standards and principles, a legal ground for Union action arises; ***considers that a Union competence could also arise on the basis of Article 21(1) of the Treaty on the Functioning of the European Union (TFEU) with respect to certain aspects of Member State nationality law***¹⁶;

¹⁵ See the reasoning used in the Commission infringement procedures against Malta and Cyprus with respect to their investor citizenship schemes (https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1925) and the case law of the Court of Justice of the European Union: Judgment of the Court of 7 July 1992, *Mario Vicente Micheletti and others v Delegación del Gobierno en Cantabria*, C-369/90, ECLI:EU:C:1992:295; Judgment of the Court of 11 November 1999, *Belgian State v Fatna Mesbah*, C-179/98, ECLI:EU:C:1999:549; Judgment of the Court of 20 February 2001, Judgment of the Court of 20 February 2001, *The Queen v Secretary of State for the Home Department, ex parte: Manjit Kaur*, C-192/99, ECLI:EU:C:2001:106; Judgment of the Court of 2 March 2010, *Janko Rottman v Freistaat Bayern*, C-135/08, ECLI:EU:C:2010:104; and Judgment of the Court of 12 March 2019, *M.G. Tjebbes and Others v Minister van Buitenlandse Zaken*, C-221/17, ECLI:EU:C:2019:189.

¹⁶ *EPRS EAVA Study, pp. 43-44.*

acquisition of nationality is primarily a Member State competence but stresses that that competence needs to be exercised in good faith, in a spirit of mutual respect, transparently, in accordance with the principle of sincere cooperation and in full respect of Union law¹⁵; considers that where Member States do not act in full compliance with those standards and principles, a legal ground for Union action arises;

¹⁵ See the reasoning used in the Commission infringement procedures against Malta and Cyprus with respect to their investor citizenship schemes (https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1925) and the case law of the Court of Justice of the European Union: Judgment of the Court of 7 July 1992, *Mario Vicente Micheletti and others v Delegación del Gobierno en Cantabria*, C-369/90, ECLI:EU:C:1992:295; Judgment of the Court of 11 November 1999, *Belgian State v Fatna Mesbah*, C-179/98, ECLI:EU:C:1999:549; Judgment of the Court of 20 February 2001, Judgment of the Court of 20 February 2001, *The Queen v Secretary of State for the Home Department, ex parte: Manjit Kaur*, C-192/99, ECLI:EU:C:2001:106; Judgment of the Court of 2 March 2010, *Janko Rottman v Freistaat Bayern*, C-135/08, ECLI:EU:C:2010:104; and Judgment of the Court of 12 March 2019, *M.G. Tjebbes and Others v Minister van Buitenlandse Zaken*, C-221/17, ECLI:EU:C:2019:189.

Or. nl

Amendment 29
Dragoş Tudorache

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Acknowledges that regulating the acquisition of nationality is primarily a Member State competence but stresses that that competence needs to be exercised in good faith, in a spirit of mutual respect, transparently, in accordance with the principle of sincere cooperation and in full respect of Union law¹⁵ ; considers that where Member States do not act in full compliance with those standards and principles, a legal ground for Union action arises; considers that a Union competence could also arise on the basis of Article 21(1) of the Treaty on the Functioning of the European Union (TFEU) with respect to certain aspects of Member State nationality law¹⁶ ;

¹⁵ See the reasoning used in the Commission infringement procedures against Malta and Cyprus with respect to their investor citizenship schemes (https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1925) and the case law of the Court of Justice of the European Union: Judgment of the Court of 7 July 1992, Mario Vicente Micheletti and others v Delegación del Gobierno en Cantabria, C-369/90, ECLI:EU:C:1992:295; Judgment of the Court of 11 November 1999, Belgian State v Fatna Mesbah, C-179/98, ECLI:EU:C:1999:549; Judgment of the Court of 20 February 2001, Judgment of the Court of 20 February 2001, The Queen v Secretary of State for the Home Department, ex parte: Manjit Kaur, C-192/99, ECLI:EU:C:2001:106;

Amendment

5. Acknowledges that regulating the acquisition of nationality is primarily a Member State competence but stresses that that competence needs to be exercised in good faith, in a spirit of mutual respect, transparently, ***with due diligence and proper scrutiny***, in accordance with the principle of sincere cooperation and in full respect of Union law¹⁵ ; considers that where Member States do not act in full compliance with those standards and principles, a legal ground for Union action arises; considers that a Union competence could also arise on the basis of Article 21(1) of the Treaty on the Functioning of the European Union (TFEU) with respect to certain aspects of Member State nationality law¹⁶ ;

¹⁵ See the reasoning used in the Commission infringement procedures against Malta and Cyprus with respect to their investor citizenship schemes (https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1925) and the case law of the Court of Justice of the European Union: Judgment of the Court of 7 July 1992, Mario Vicente Micheletti and others v Delegación del Gobierno en Cantabria, C-369/90, ECLI:EU:C:1992:295; Judgment of the Court of 11 November 1999, Belgian State v Fatna Mesbah, C-179/98, ECLI:EU:C:1999:549; Judgment of the Court of 20 February 2001, Judgment of the Court of 20 February 2001, The Queen v Secretary of State for the Home Department, ex parte: Manjit Kaur, C-192/99, ECLI:EU:C:2001:106;

Judgment of the Court of 2 March 2010, Janko Rottman v Freistaat Bayern, C-135/08, ECLI:EU:C:2010:104; and Judgment of the Court of 12 March 2019, M.G. Tjebbes and Others v Minister van Buitenlandse Zaken, C-221/17, ECLI:EU:C:2019:189.

¹⁶ EPRS EAVA Study, pp. 43-44.

Judgment of the Court of 2 March 2010, Janko Rottman v Freistaat Bayern, C-135/08, ECLI:EU:C:2010:104; and Judgment of the Court of 12 March 2019, M.G. Tjebbes and Others v Minister van Buitenlandse Zaken, C-221/17, ECLI:EU:C:2019:189.

¹⁶ EPRS EAVA Study, pp. 43-44.

Or. en

Amendment 30
Saskia Bricmont

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Calls on the Member States to simplify and speed up the naturalisation procedures applicable to permanently residing third country nationals, thus opening access to Union citizenship without commodification;

Or. en

Amendment 31
Tom Vandendriessche

Motion for a resolution
Paragraph 6

Motion for a resolution

Amendment

6. Believes that the advantageous conditions and fast-track procedures set for investors under CBI/RBI schemes, ***when compared to the conditions and procedures for other third-country nationals wishing to obtain international protection, residence or citizenship, are discriminatory, lack fairness and*** undermine the integrity of the Union

6. Believes that the advantageous conditions and fast-track procedures set for investors under CBI/RBI schemes undermine the integrity of the Union migration acquis;

asylum and migration acquis;

Or. nl

Amendment 32

Vladimír Bilčík

Motion for a resolution

Paragraph 6

Motion for a resolution

6. Believes that the advantageous conditions and fast-track procedures set for investors under CBI/RBI schemes, when compared to the conditions and procedures for other third-country nationals wishing to obtain international protection, residence or citizenship, ***are discriminatory, lack fairness and undermine*** the integrity of the Union asylum and migration acquis;

Amendment

6. Believes that the advantageous conditions and fast-track procedures set for investors under CBI/RBI schemes, when compared to the conditions and procedures for other third-country nationals wishing to obtain international protection, residence or citizenship ***could contribute to undermining*** the integrity of the Union asylum and migration acquis;

Or. en

Amendment 33

Patryk Jaki

Motion for a resolution

Paragraph 7

Motion for a resolution

7. Considers that CBI schemes ***need to be distinguished from*** RBI schemes ***because of the severity of the difference in the risks they pose*** and hence necessitate tailored Union legislative and policy approaches; acknowledges in ***that respect*** the link between RBI schemes and citizenship because acquired residence may ease access to citizenship;

Amendment

7. Considers that CBI schemes ***are in principle similar to*** RBI schemes and hence ***both*** necessitate tailored Union legislative and policy approaches; acknowledges in ***particular*** the link between RBI schemes and citizenship because acquired residence may ease access to citizenship;

Or. pl

Amendment 34
Vladimír Bilčík

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Considers that the role of intermediaries in developing and promoting **CBI/RBI** schemes, as well as in preparing individual applications, often in the absence of transparency or accountability, represents a conflict of interest **prone to abuse** and therefore requires a strict **and binding regulation of** such intermediaries, beyond mere self-regulation and codes of conduct;

Amendment

9. Considers that the role of intermediaries in developing and promoting **RBI** schemes, as well as in preparing individual applications, often in the absence of transparency or accountability, represents a **potential** conflict of interest and therefore requires a strict **framework for** such intermediaries, beyond mere self-regulation and codes of conduct; **asks for the cessation of the services of intermediaries in case of CBI schemes;**

Or. en

Amendment 35
Konstantinos Arvanitis

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Deplores the lack of comprehensive security checks, vetting procedures and due diligence in Member States that have CBI/RBI schemes in place; regrets that Member States do not always consult the available Union databases and do not exchange information on the outcome of such checks and procedures, allowing for successive applications across the Union;

Amendment

10. Deplores the lack of comprehensive security checks, vetting procedures and due diligence in Member States that have CBI/RBI schemes in place; regrets that Member States do not always consult the available Union databases and do not exchange information on the outcome of such checks and procedures, allowing for successive applications across the Union; **considers that Member States' authorities must have in place adequate processes for vetting CBI/RBI applicants and must not rely on background checks and due diligence procedures carried out by non-state actors as granting residency and citizenship rights is the responsibility**

of the State;

Or. en

Amendment 36
Saskia Bricmont

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Deplores the lack of comprehensive security checks, vetting procedures and due diligence in Member States that have CBI/RBI schemes in place; regrets that Member States do not always consult the available Union databases and do not exchange information on the outcome of such checks and procedures, allowing for successive applications across the Union;

Amendment

10. Deplores the lack of comprehensive security checks, vetting procedures and due diligence in Member States that have CBI/RBI schemes in place; regrets that Member States do not always consult the available Union databases and do not exchange information on the outcome of such checks and procedures, allowing for successive applications across the Union; ***considers that Member States' authorities must have in place adequate processes for vetting CBI/RBI applicants and must not rely on background checks and due diligence procedures carried out by non-state actors as granting residency and citizenship rights is the responsibility of the State;***

Or. en

Amendment 37
Sabrina Pignedoli

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Deplores the lack of comprehensive security checks, vetting procedures and due diligence in Member States that have CBI/RBI schemes in place; regrets that Member States do not always consult the

Amendment

10. Deplores the lack of comprehensive security checks, vetting procedures and due diligence in Member States that have CBI/RBI schemes in place; regrets that Member States do not always consult the

available Union databases and do not exchange information on the outcome of such checks and procedures, allowing for successive applications across the Union;

available Union databases and do not exchange information on the outcome of such checks and procedures, allowing for successive applications across the Union; ***expresses concern regarding some Member States, where applications for citizenship are often accepted even though the applicants do not meet the security requirements;***

Or. it

Amendment 38
Vladimír Bilčík

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Deplores the lack of comprehensive security checks, vetting procedures and due diligence in Member States that have CBI/RBI schemes in place; ***regrets that*** Member States ***do not always*** consult the available Union databases and ***do not*** exchange information on the outcome of such checks and procedures, ***allowing for*** successive applications across the Union;

Amendment

10. Deplores the lack of comprehensive security checks, vetting procedures and due diligence in Member States that have CBI/RBI schemes in place; ***calls on the*** Member States ***to*** consult the available Union databases and ***to*** exchange information on the outcome of such checks and procedures ***in order to prevent*** successive applications ***for CBI/RBI schemes*** across the Union;

Or. en

Amendment 39
Vladimír Bilčík

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Regrets that the Group of Experts on Investor Citizenship and Residence Schemes, composed of Member State representatives, has not agreed on a

Amendment

11. Regrets that the Group of Experts on Investor Citizenship and Residence Schemes, composed of Member State representatives, has not agreed on a

common set of security checks as it was mandated to do by the end of 2019; ***finds that that shows the limits of adopting an intergovernmental approach as regards the matter and underlines the need for Union action;***

common set of security checks as it was mandated to do by the end of 2019;

Or. en

Amendment 40
Elena Yoncheva

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Deplores the fact that residency requirements to qualify under the RBI/CBI schemes of Member States do not always include continuous and effective physical presence and are difficult to monitor, thereby potentially attracting bad faith applicants who purchase national citizenship purely for the access it grants to the Union without any *e* attachment to the Member State in question;

Amendment

12. Deplores the fact that residency requirements to qualify under the RBI/CBI schemes of Member States do not always include continuous and effective physical presence and are difficult to monitor, thereby potentially attracting bad faith applicants who purchase national citizenship purely for the access it grants to the Union ***territory and its single market*** without any attachment to the Member State in question;

Or. en

Amendment 41
Vladimír Bilčík

Motion for a resolution
Paragraph 13

Motion for a resolution

13. ***Is concerned that where continuous and effective*** physical residence ***is not enforced by Member States***, third-country nationals ***could*** obtain long-term residence status under the Long-Term Residence Directive ***without five***

Amendment

13. ***Calls on the Member States to effectively enforce the necessary*** physical residence ***for*** third-country nationals ***wishing to*** obtain long-term residence status under the Long-Term Residence Directive;

years of continuous and legal residence, which is a requirement under that Directive;

Or. en

Amendment 42
Elena Yoncheva

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Highlights the fact that CBI/RBI schemes consist of two quasi-independent elements of one relationship, not as one element (investment) leading directly to a second element (residency or citizenship), and urges the Member States to treat these schemes taking that fact into account;

Or. en

Amendment 43
Sabrina Pignedoli

Motion for a resolution
Paragraph 14

Motion for a resolution

Amendment

14. Welcomes the infringement procedures launched in October 2020 by the Commission against Cyprus and Malta concerning their CBI schemes; calls on the Commission to advance those procedures and to initiate infringement procedures against Member States for RBI schemes, where justified;

14. Welcomes the infringement procedures launched in October 2020 by the Commission against Cyprus and Malta concerning their CBI schemes; calls on the Commission to advance those procedures and to initiate infringement procedures against Member States for RBI schemes, where justified; ***calls on the Commission, too, to carefully monitor Bulgaria's CBI/RBI scheme;***

Or. it

Amendment 44
Patryk Jaki

Motion for a resolution
Paragraph 14

Motion for a resolution

14. **Welcomes** the infringement procedures launched in October 2020 by the Commission against Cyprus and Malta concerning their CBI schemes; calls on the Commission **to advance those procedures and** to initiate infringement procedures against Member States for RBI schemes, where justified;

Amendment

14. **Notes** the infringement procedures launched in October 2020 by the Commission against Cyprus and Malta concerning their CBI schemes; calls on the Commission to initiate infringement procedures against Member States for RBI schemes, where justified;

Or. pl

Amendment 45
Vladimír Bilčík

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Considers that Union anti-money laundering law is a crucial element to counter the risks posed by CBI/RBI schemes; welcomes the fact that the Commission's package of legislative proposals of 20 July 2021 on anti-money laundering and on countering the financing of terrorism addresses RBI schemes, most notably by promoting the inclusion of intermediaries on the list of obliged entities; **considers, however, that gaps will still remain, such as the fact that public entities that process CBI/RBI applications will not be included on the list of obliged entities;**

Amendment

15. Considers that Union anti-money laundering law is a crucial element to counter the risks posed by CBI/RBI schemes; welcomes the fact that the Commission's package of legislative proposals of 20 July 2021 on anti-money laundering and on countering the financing of terrorism addresses RBI schemes, most notably by promoting the inclusion of intermediaries on the list of obliged entities;

Or. en

Amendment 46
Sabrina Pignedoli

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Considers that Union anti-money laundering law is **a crucial element** to counter the risks posed by CBI/RBI schemes; welcomes the fact that the Commission's package of legislative proposals of 20 July 2021 on anti-money laundering and on countering the financing of terrorism addresses RBI schemes, most notably by promoting the inclusion of intermediaries on the list of obliged entities; considers, however, that gaps will still remain, such as the fact that public entities that process CBI/RBI applications will not be included on the list of obliged entities;

Amendment

15. Considers that Union anti-money laundering law is **one of the main elements needed** to counter the risks posed by CBI/RBI schemes; welcomes the fact that the Commission's package of legislative proposals of 20 July 2021 on anti-money laundering and on countering the financing of terrorism addresses RBI schemes, most notably by promoting the inclusion of intermediaries on the list of obliged entities; considers, however, that gaps will still remain, such as the fact that public entities that process CBI/RBI applications will not be included on the list of obliged entities;

Or. it

Amendment 47
Konstantinos Arvanitis

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Notes that applications under CBI/RBI schemes are particularly difficult to monitor and assess where they concern joint applications that include different family members; notes that family reunification rights under Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification¹⁸ apply after obtaining residency status in a Member State, thus allowing family members to enter the Union without further

Amendment

16. Notes that applications under CBI/RBI schemes are particularly difficult to monitor and assess where they concern joint applications that include different family members; **notes that under certain national RBI schemes residency rights may be granted based on family, personal or other ties to the main applicants**; notes that family reunification rights under Council Directive 2003/86/EC of 22 September 2003 on the right to family

specific checks normally required under RBI schemes;

reunification¹⁸ apply after obtaining residency status in a Member State, thus allowing family members to enter the Union without further specific checks normally required under RBI schemes;

¹⁸ OJ L 251, 3.10.2003, p. 12.

¹⁸ OJ L 251, 3.10.2003, p. 12.

Or. en

Amendment 48 **Saskia Bricmont**

Motion for a resolution **Paragraph 16**

Motion for a resolution

16. Notes that applications under CBI/RBI schemes are particularly difficult to monitor and assess where they concern joint applications that include different family members; notes that family reunification rights under Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification¹⁸ apply after obtaining residency status in a Member State, thus allowing family members to enter the Union without further specific checks normally required under RBI schemes;

¹⁸ OJ L 251, 3.10.2003, p. 12.

Amendment

16. Notes that applications under CBI/RBI schemes are particularly difficult to monitor and assess where they concern joint applications that include different family members; ***notes that under certain national RBI schemes residency rights may be granted based on family, personal or other ties to the main applicants***; notes that family reunification rights under Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification¹⁸ apply after obtaining residency status in a Member State, thus allowing family members to enter the Union without further specific checks normally required under RBI schemes;

¹⁸ OJ L 251, 3.10.2003, p. 12.

Or. en

Amendment 49 **Vladimír Bilčík**

Motion for a resolution

Paragraph 17

Motion for a resolution

17. Notes that a risk stems from third countries that have CBI schemes and that benefit from visa-free travel to the Union¹⁹ because third-country nationals can purchase citizenship of that third country with the sole purpose of being able to enter the Union without any additional screening; stresses that risks are exacerbated for Union candidate countries that have CBI/RBI schemes²⁰ because the expected benefits of future Union membership may be a factor;

¹⁹ Antigua and Barbuda, Dominica, Grenada, Saint Kitts and Nevis and Saint Lucia.

²⁰ Serbia, Albania, Turkey, Montenegro and North Macedonia.

Amendment

17. Notes that a risk stems from third countries that have CBI schemes and that benefit from visa-free travel to the Union¹⁹ because third-country nationals can purchase citizenship of that third country with the sole purpose of being able to enter the Union without any additional screening; stresses that risks are exacerbated for Union candidate countries that have CBI/RBI schemes²⁰ because the expected benefits of future Union membership may be a factor; ***in this regard, welcomes the decision of the Montenegrin government to discontinue its investor citizenship scheme and underlines the importance of phasing out the investor citizenship scheme in Montenegro fully and effectively as soon as possible;***

¹⁹ Antigua and Barbuda, Dominica, Grenada, Saint Kitts and Nevis and Saint Lucia.

²⁰ Serbia, Albania, Turkey, Montenegro and North Macedonia.

Or. en

Amendment 50 **Konstantinos Arvanitis**

Motion for a resolution **Paragraph 17**

Motion for a resolution

17. Notes that a risk stems from third countries that have CBI schemes and that benefit from visa-free travel to the Union¹⁹ because third-country nationals can purchase citizenship of that third country with the sole purpose of being able to enter

Amendment

17. Notes that a risk stems from third countries that have CBI schemes and that benefit from visa-free travel to the Union¹⁹ because third-country nationals can purchase citizenship of that third country with the sole purpose of being able to enter

the Union without any additional screening; stresses that risks are exacerbated for Union candidate countries that have CBI/RBI schemes²⁰ because the expected benefits of future Union membership may be a factor;

¹⁹ Antigua and Barbuda, Dominica, Grenada, Saint Kitts and Nevis and Saint Lucia.

²⁰ Serbia, Albania, Turkey, Montenegro and North Macedonia.

the Union without any additional screening; stresses that risks are exacerbated for Union candidate countries that have CBI/RBI schemes²⁰ because the expected benefits of future Union membership *and visa-free travel within Schengen* may be a factor;

¹⁹ Antigua and Barbuda, Dominica, Grenada, Saint Kitts and Nevis and Saint Lucia.

²⁰ Serbia, Albania, Turkey, Montenegro and North Macedonia.

Or. en

Amendment 51 **Elena Yoncheva**

Motion for a resolution **Paragraph 17 a (new)**

Motion for a resolution

Amendment

17a. Notes with concern that the lack of common standards and harmonised rules governing CBI/RBI schemes may negatively affect the Union internal security and the free movement of persons within the Schengen area;

Or. en

Amendment 52 **Patryk Jaki**

Motion for a resolution **Paragraph 18**

Motion for a resolution

Amendment

18. Considers that, in light of the particular risks posed by CBI schemes and their inherent incompatibility with the

deleted

principle of sincere cooperation, CBI schemes should be phased out fully across the Member States and requests that the Commission submit, in 2022, on the basis of Article 21(2), Article 79(2) and Article 114 TFEU, a proposal for an act to that end;

Or. pl

Amendment 53
Patryk Jaki

Motion for a resolution
Paragraph 19

Motion for a resolution

Amendment

19. *Believes that, as CBI/RBI schemes constitute free riding and produce severe consequences for the Union and the Member States, a financial contribution to the Union budget is warranted, also as a concrete expression of solidarity following from, inter alia, Article 80 TFEU; requests, therefore, that the Commission, in 2022, on the basis of Article 311 TFEU, submit a proposal for the establishment of a new category of the Union's own resources, consisting of a 'CBI & RBI Adjustment Mechanism' that would place a levy of 50 % on the investments made in Member States as part of CBI/RBI schemes;*

deleted

Or. pl

Amendment 54
Elena Yoncheva

Motion for a resolution
Paragraph 19

Motion for a resolution

Amendment

19. Believes that, as CBI/RBI schemes constitute free riding and produce severe consequences for the Union and the Member States, a financial contribution to the Union budget is warranted, also as a concrete expression of solidarity following from, inter alia, Article 80 TFEU; ***requests, therefore, that the Commission, in 2022, on the basis of Article 311 TFEU, submit a proposal for the establishment of a new category of the Union's own resources, consisting of a 'CBI & RBI Adjustment Mechanism' that would place a levy of 50 % on the investments made in Member States as part of CBI/RBI schemes;***

19. Believes that, as CBI/RBI schemes constitute free riding and produce severe consequences for the Union and the Member States, a financial contribution to the Union budget is warranted, also as a concrete expression of solidarity following from, inter alia, Article 80 TFEU;

Or. en

Amendment 55
Konstantinos Arvanitis

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Believes that, as CBI/RBI schemes constitute free riding and produce severe consequences for the Union and the Member States, a financial contribution to the Union budget is warranted, ***also*** as a concrete expression of solidarity following from, inter alia, Article 80 TFEU; requests, therefore, that the Commission, in 2022, on the basis of Article 311 TFEU, submit a proposal for the establishment of a new category of the Union's own resources, consisting of a 'CBI & RBI Adjustment Mechanism' that would place a levy of 50 % on the investments made in Member States as part of CBI/RBI schemes;

Amendment

19. ***Considers that the phasing out of CBI schemes will require a transition period and*** believes that, as CBI/RBI schemes constitute free riding and produce severe consequences for the Union and the Member States, a financial contribution to the Union budget is warranted, ***for both schemes until all CBI schemes are completely phased out,*** as a concrete expression of solidarity following from, inter alia, Article 80 TFEU; requests, therefore, that the Commission, in 2022, on the basis of Article 311 TFEU, submit a proposal for the establishment of a new category of the Union's own resources, consisting of a 'CBI & RBI Adjustment Mechanism' that would place a levy of 50 % on the investments made in Member States as part of CBI/RBI schemes;

Or. en

Amendment 56
Saskia Bricmont

Motion for a resolution
Paragraph 19

Motion for a resolution

19. **Believes** that, as CBI/RBI schemes constitute free riding and produce severe consequences for the Union and the Member States, a financial contribution to the Union budget is warranted, **also** as a concrete expression of solidarity following from, inter alia, Article 80 TFEU; requests, therefore, that the Commission, in 2022, on the basis of Article 311 TFEU, submit a proposal for the establishment of a new category of the Union's own resources, consisting of a 'CBI & RBI Adjustment Mechanism' that would place a levy of 50 % on the investments made in Member States as part of CBI/RBI schemes;

Amendment

19. **Considers that the phasing out of CBI schemes will require a transition period and believing** that, as CBI/RBI schemes constitute free riding and produce severe consequences for the Union and the Member States, a financial contribution to the Union budget is warranted, **for both schemes until all CBI schemes are completely phased out**, as a concrete expression of solidarity following from, inter alia, Article 80 TFEU; requests, therefore, that the Commission, in 2022, on the basis of Article 311 TFEU, submit a proposal for the establishment of a new category of the Union's own resources, consisting of a 'CBI & RBI Adjustment Mechanism' that would place a levy of 50 % on the investments made in Member States as part of CBI/RBI schemes;

Or. en

Amendment 57
Vladimír Bilčík

Motion for a resolution
Paragraph 19

Motion for a resolution

19. Believes that, as CBI/RBI schemes **constitute free riding and** produce **severe** consequences for the Union and the Member States, a financial contribution to the Union budget **is** warranted, also as a concrete expression of solidarity following from, inter alia, Article 80 TFEU; **requests**,

Amendment

19. Believes that, as CBI/RBI schemes produce **serious** consequences for the Union and the Member States, a financial contribution to the Union budget **could be** warranted, also as a concrete expression of solidarity following from, inter alia, Article 80 TFEU; **asks** the Commission **to**

therefore, that the Commission, in 2022, on the basis of Article 311 TFEU, submit a proposal for the establishment of a new category of the Union's own resources, consisting of a 'CBI & RBI Adjustment Mechanism' that would place a levy of 50 % on the investments made in Member States as part of CBI/RBI schemes;

consider a proposal for the establishment of a new category of the Union's own resources, consisting of a mechanism that would place a levy on the investments made in Member States as part of CBI/RBI schemes;

Or. en

Amendment 58
Patryk Jaki

Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. *Considers that the contribution of the CBI/RBI schemes to the Member States' real economy is limited and does not sufficiently add to job creation and growth because considerable amounts of investment are made directly into the real estate market or into funds; considers that the large investments associated with CBI/RBI schemes could impact financial stability, particularly in small Member States where inflows could represent a large share of GDP or foreign investment²¹; requests that the Commission submit, in 2022, on the basis of Article 79(2) and Articles 80, 82, 87 and 114 TFEU, a proposal for an act that would include Union-level rules on investments under RBI schemes in order to strengthen their added value to the real economy and provide links to the priorities for the economic recovery of the Union;*

deleted

²¹*EPRS EAVA Study, pp. 36-39.*

Or. pl

Amendment 59
Vladimír Bilčík

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Considers that ***the contribution of the CBI/RBI schemes to the Member States' real economy is limited and does not sufficiently add to job creation and growth because considerable amounts of investment are made directly into the real estate market or into funds***; considers that the large investments associated with CBI/RBI schemes could impact financial stability, particularly in small Member States where inflows could represent a large share of GDP or foreign investment²¹ ; ***requests that the Commission submit, in 2022, on the basis of Article 79(2) and Articles 80, 82, 87 and 114 TFEU, a proposal for an act that would include Union-level rules on investments under RBI schemes in order to strengthen their added value to the real economy and provide links to the priorities for the economic recovery of the Union***;

²¹ EPRS EAVA Study, p. 36-39.

Amendment

20. Considers that the CBI/RBI schemes ***should seek to bring greater and measurable added value*** to the Member States' economy ***in terms of*** job creation, ***innovation*** and growth; considers that the large investments associated with CBI/RBI schemes could impact financial stability, particularly in small Member States where inflows could represent a large share of GDP or foreign investment²¹ ;

²¹ EPRS EAVA Study, p. 36-39.

Or. en

Amendment 60
Konstantinos Arvanitis

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution

20a. Requests the Commission to ensure and uphold the high regulatory

Amendment

standards for both CBI and RBI schemes in case a comprehensive regulation would apply to RBI schemes before the complete phasing out of CBI schemes;

Or. en

Amendment 61
Elena Yoncheva

Motion for a resolution
Paragraph 21 – introductory part

Motion for a resolution

21. *Requests that* the Commission submit, in 2022, on the basis of Article 79(2) and Articles 80, 82, 87 and 114 TFEU a proposal for *an act* that would comprehensively regulate various aspects of *RBI* schemes with the aim of harmonising standards and procedures and strengthening the fight against organised crime, money laundering, corruption and tax evasion, covering, inter alia, the following elements:

Amendment

21. *Calls on* the Commission *to* submit, in 2022, on the basis of Article 79(2) and Articles 80, 82, 87 and 114 TFEU a proposal for *a legislative package* that would comprehensively regulate various aspects of *CBI/RBI* schemes with the aim of harmonising standards and procedures and strengthening the fight against organised crime, money laundering, corruption and tax evasion, covering, inter alia, the following elements:

Or. en

Amendment 62
Patryk Jaki

Motion for a resolution
Paragraph 21 – introductory part

Motion for a resolution

21. Requests that the Commission submit, in 2022, on the basis of Article 79(2) and Articles 80, 82, 87 and 114 TFEU a proposal for an act that would comprehensively regulate various aspects of *RBI* schemes with the aim of harmonising standards and procedures and strengthening the fight against organised

Amendment

21. Requests that the Commission submit, in 2022, on the basis of Article 79(2) and Articles 80, 82, 87 and 114 TFEU a proposal for an act that would comprehensively regulate various aspects of *CBI/RBI* schemes with the aim of harmonising standards and procedures and strengthening the fight against organised

crime, money laundering, corruption and tax evasion, covering, inter alia, the following elements:

crime, money laundering, corruption and tax evasion, covering, inter alia, the following elements:

Or. pl

Amendment 63
Vladimír Bilčík

Motion for a resolution
Paragraph 21 – introductory part

Motion for a resolution

21. **Requests** that the Commission submit, in 2022, on the basis of Article 79(2) and Articles 80, 82, 87 and 114 TFEU a proposal for an act that would comprehensively regulate various aspects of RBI schemes with the aim of harmonising standards and procedures and strengthening the fight against organised crime, money laundering, corruption and tax evasion, covering, inter alia, the following elements:

Amendment

21. **Asks** that the Commission submit, in 2022, on the basis of Article 79(2) and Articles 80, 82, 87 and 114 TFEU a proposal for an act that would comprehensively regulate various aspects of RBI schemes with the aim of harmonising standards and procedures and strengthening the fight against organised crime, money laundering, corruption and tax evasion, covering, inter alia, the following elements:

Or. en

Amendment 64
Elena Yoncheva

Motion for a resolution
Paragraph 21 – point a

Motion for a resolution

(a) increased due diligence and rigorous background checks;

Amendment

(a) increased due diligence and rigorous background checks ***on the applicants and, where necessary, their family members, including mandatory checks against the Union large-scale justice and home affairs IT systems and vetting procedures in third countries;***

Or. en

Amendment 65
Dragoş Tudorache

Motion for a resolution
Paragraph 21 – point a

Motion for a resolution

(a) increased due diligence and rigorous background checks;

Amendment

(a) increased due diligence and rigorous background checks ***of the applicant and the sources of their funds;***

Or. en

Amendment 66
Vladimír Bilčík

Motion for a resolution
Paragraph 21 – point a

Motion for a resolution

(a) increased due diligence and rigorous background checks;

Amendment

(a) increased due diligence and rigorous background checks, ***including of the family members of applicants;***

Or. en

Amendment 67
Elena Yoncheva

Motion for a resolution
Paragraph 21 – point a a (new)

Motion for a resolution

Amendment

(aa) increased due diligence and rigorous checks of the capital of the applicants and, where necessary, of the capital of their family members;

Or. en

Amendment 68
Vladimír Bilčík

Motion for a resolution
Paragraph 21 – point b

Motion for a resolution

(b) the regulation and limitation of the activities of intermediaries;

Amendment

(b) the regulation and limitation of the activities of intermediaries ***and, in the case of CBI schemes, the cessation of their services;***

Or. en

Amendment 69
Dragoş Tudorache

Motion for a resolution
Paragraph 21 – point b

Motion for a resolution

(b) the regulation ***and*** limitation of the activities of intermediaries;

Amendment

(b) the regulation, ***proper certification and scrutiny as well as*** limitation of the activities of intermediaries;

Or. en

Amendment 70
Dragoş Tudorache

Motion for a resolution
Paragraph 21 – point c

Motion for a resolution

(c) obligations on Member States to report to the Commission regarding their RBI schemes and applications thereunder;

Amendment

(c) ***harmonised rules and*** obligations on Member States to report to the Commission regarding their RBI schemes and applications thereunder;

Or. en

Amendment 71
Elena Yoncheva

Motion for a resolution
Paragraph 21 – point c

Motion for a resolution

(c) obligations on Member States to report to the Commission regarding their **RBI** schemes and applications thereunder;

Amendment

(c) obligations on Member States to report to the Commission regarding their **CBI/RBI** schemes and applications thereunder;

Or. en

Amendment 72
Elena Yoncheva

Motion for a resolution
Paragraph 21 – point c a (new)

Motion for a resolution

Amendment

(ca) setting up a mechanism for exchange of information and coordination among the Member States on granted and rejected CBI/RBI applications;

Or. en

Amendment 73
Elena Yoncheva

Motion for a resolution
Paragraph 21 – point d

Motion for a resolution

(d) minimum physical residence requirements as a condition for acquiring residence under RBI schemes;

Amendment

(d) minimum physical residence requirements as a condition for acquiring residence under RBI schemes **as well as a monitoring mechanism at Union level;**

Amendment 74
Dragoş Tudorache

Motion for a resolution
Paragraph 21 – point d

Motion for a resolution

(d) minimum physical residence requirements **as a condition** for acquiring residence under RBI schemes;

Amendment

(d) minimum physical residence requirements **and minimum active involvement in the investment as conditions** for acquiring residence under RBI schemes;

Or. en

Amendment 75
Elena Yoncheva

Motion for a resolution
Paragraph 21 – point d a (new)

Motion for a resolution

Amendment

(da) monitoring mechanism for post-control of the compliance with the requirements of the schemes as well as regular reports on the added value of the schemes used by Member States;

Or. en

Amendment 76
Saskia Bricmont

Motion for a resolution
Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. Requests the Commission to ensure and uphold high regulatory

standards for both CBI and RBI schemes in case a comprehensive regulation would apply to RBI schemes before the complete phase-out of CBI schemes;

Or. en

Amendment 77
Vladimír Bilčík

Motion for a resolution
Paragraph 22

Motion for a resolution

22. *Requests that the Commission include in its proposal targeted revisions of existing Union legal acts that could help to dissuade Member States from establishing harmful RBI schemes, such as further strengthening legal acts in the field of anti-money laundering, and targeted changes to the Long-Term Residence Directive;*

Amendment

22. *Asks the Commission to help to dissuade Member States from establishing harmful RBI schemes by strengthening legal acts in the field of anti-money laundering and in the Long-Term Residence Directive;*

Or. en

Amendment 78
Patryk Jaki

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Requests that the Commission include in its proposal targeted revisions of existing Union legal acts that could help to dissuade Member States from establishing harmful **RBI** schemes, such as further strengthening legal acts in the field of anti-money laundering, and targeted changes to the Long-Term Residence Directive;

Amendment

22. Requests that the Commission include in its proposal targeted revisions of existing Union legal acts that could help to dissuade Member States from establishing harmful **CBI/RBI** schemes, such as further strengthening legal acts in the field of anti-money laundering, and targeted changes to the Long-Term Residence Directive;

Or. pl

Amendment 79
Elena Yoncheva

Motion for a resolution
Paragraph 22 a (new)

Motion for a resolution

Amendment

22a. Highlights the specific nature of RBI schemes and underlines that any changes to Union legislation introduced for those applying under RBI schemes should be targeted to that specific type of residency and should not adversely affect the rights of applicants for other types of residency such as students, workers and family members; notes that higher levels of security checks for applicants under RBI/CBI schemes should not be applicable to those who apply for residency under the existing residency schemes at Union level;

Or. en

Amendment 80
Vladimír Bilčík

Motion for a resolution
Paragraph 23

Motion for a resolution

Amendment

23. Requests that the Commission exert as much pressure as possible to ensure that third countries that have CBI/RBI schemes in place and that benefit from visa free travel under Annex II to Regulation (EU) 2018/1806 abolish their CBI schemes and reform their RBI schemes to bring them in line with Union law and standards and that the Commission submit, in 2022, on the basis of Article 77(2), point (a), TFEU, a proposal for an act that would amend Regulation (EU)

23. Urges the Commission to ensure that third countries that have CBI/RBI schemes in place and that benefit from visa free travel under Annex II to Regulation (EU) 2018/1806 abolish their CBI schemes and reform their RBI schemes to bring them in line with Union law and standards and that the Commission submit, in 2022, on the basis of Article 77(2), point (a), TFEU, a proposal for an act that would amend Regulation (EU) 2018/1806 in that regard; notes that under the revised Union

2018/1806 in that regard; *requests that specific attention in that regard be paid to candidate countries and proposes that it be included in the accession criteria;*

enlargement methodology issues linked to CBI/RBI schemes are considered to be complex and dealt with across various negotiating clusters and chapters; underlines the importance of gradual and diligent alignment to Union law applicable to such schemes by candidate and potential candidate countries; stresses that continuous monitoring under the visa liberalisation process is key;

Or. en

Amendment 81 **Saskia Bricmont**

Motion for a resolution **Paragraph 23**

Motion for a resolution

23. Requests that the Commission exert as much pressure as possible to ensure that third countries that have CBI/RBI schemes in place and that benefit from visa free travel under Annex II to Regulation (EU) 2018/1806 abolish their CBI schemes and reform their RBI schemes to bring them in line with Union law and standards and that the Commission submit, in 2022, on the basis of Article 77(2), point (a), TFEU, a proposal for an act that would amend Regulation (EU) 2018/1806 in that regard; requests that specific attention in that regard be paid to candidate countries and proposes that it be included in the accession criteria;

Amendment

23. Requests that the Commission exert as much pressure as possible to ensure that third countries that have CBI/RBI schemes in place and that benefit from visa free travel under Annex II to Regulation (EU) 2018/1806 abolish their CBI schemes and reform their RBI schemes to bring them in line with Union law and standards and that the Commission submit, in 2022, on the basis of Article 77(2), point (a), TFEU, a proposal for an act that would amend Regulation (EU) 2018/1806 in that regard; requests that specific attention in that regard be paid to candidate countries and ***potential candidate countries, and*** proposes that it be included in the accession criteria;

Or. en

Amendment 82 **Patryk Jaki**

Motion for a resolution

Paragraph 23

Motion for a resolution

23. Requests that the Commission exert as much pressure as possible to ensure that third countries that have CBI/RBI schemes in place and that benefit from visa free travel under Annex II to Regulation (EU) 2018/1806 **abolish their CBI schemes and reform their RBI schemes** to bring them in line with Union law and standards and that the Commission submit, in 2022, on the basis of Article 77(2), point (a), TFEU, a proposal for an act that would amend Regulation (EU) 2018/1806 in that regard; requests that specific attention in that regard be paid to candidate countries and proposes that it be included in the accession criteria;

Amendment

23. Requests that the Commission exert as much pressure as possible to ensure that third countries that have CBI/RBI schemes in place and that benefit from visa free travel under Annex II to Regulation (EU) 2018/1806 reform their **CBI/RBI** schemes to bring them in line with Union law and standards and that the Commission submit, in 2022, on the basis of Article 77(2), point (a), TFEU, a proposal for an act that would amend Regulation (EU) 2018/1806 in that regard; requests that specific attention in that regard be paid to candidate countries and proposes that it be included in the accession criteria;

Or. pl

Amendment 83

Vladimír Bilčík

Motion for a resolution

Paragraph 24

Motion for a resolution

24. Reminds the Commission **President of her** commitment **to Parliament's right of initiative and of her pledge** to follow up on Parliament's own-initiative legislative reports, contained in the Political Guidelines for the next European Commission 2019-2024; **expects, therefore, the Commission to follow up on this resolution with concrete legislative proposals;**

Amendment

24. Reminds the Commission **of the repeated** commitment to follow up on Parliament's own-initiative legislative reports, contained in the Political Guidelines for the next European Commission 2019-2024;

Or. en

Amendment 84

Vladimír Bilčík

Motion for a resolution
Paragraph 25

Motion for a resolution

Amendment

25. *Considers that any financial implications of the requested proposals will be positive;*

deleted

Or. en

Amendment 85
Patryk Jaki

Motion for a resolution
Annex I – subheading 1

Motion for a resolution

Amendment

Proposal 1: *a Union-wide gradual phasing out of CBI schemes by 2025*

Proposal 1: Union-wide *action on* CBI schemes

Or. pl

Amendment 86
Patryk Jaki

Motion for a resolution
Annex I – indent 1

Motion for a resolution

Amendment

— A Union-wide notification and quota system for the maximum number of citizenships to be acquired under CBI schemes across the Member States should be established *with the number to be gradually lowered each year, reaching zero in 2025, thereby leading to the complete phasing out of CBI schemes. Such a gradual phasing out will allow those Member States maintaining CBI schemes to find alternative means to*

— A Union-wide notification and quota system for the maximum number of citizenships to be acquired under CBI schemes across the Member States should be established.

attract investment and sustain their public finances. Such a phasing out is in line with the previous position of Parliament expressed in several resolutions and is necessary in light of the profound challenge that CBI schemes pose to the principle of sincere cooperation under the Treaties (Article 4(3) TEU).

Or. pl

Amendment 87
Konstantinos Arvanitis

Motion for a resolution
Annex I – indent 1

Motion for a resolution

— A Union-wide notification and quota system for the maximum number of citizenships to be acquired under CBI schemes across the Member States should be established with the number to be gradually lowered each year, reaching zero in 2025, thereby leading to the complete phasing out of CBI schemes. Such a gradual phasing out will allow those Member States maintaining CBI schemes to find alternative means to attract investment and sustain their public finances. Such a phasing out is in line with the previous position of Parliament expressed in several resolutions and is necessary in light of the profound challenge that CBI schemes pose to the principle of sincere cooperation under the Treaties (Article 4(3) TEU).

Amendment

— A Union-wide notification and quota system, ***strictly applicable only for the existing programmes***, for the maximum number of citizenships to be acquired under CBI schemes across the Member States should be established with the number to be gradually lowered each year, reaching zero in 2025, thereby leading to the complete phasing out of CBI schemes. Such a gradual phasing out will allow those Member States maintaining CBI schemes to find alternative means to attract investment and sustain their public finances. Such a phasing out is in line with the previous position of Parliament expressed in several resolutions and is necessary in light of the profound challenge that CBI schemes pose to the principle of sincere cooperation under the Treaties (Article 4(3) TEU).

Or. en

Amendment 88
Vladimír Bilčík

Motion for a resolution
Annex I – indent 1

Motion for a resolution

— A Union-wide **notification and quota** system for the **maximum** number of citizenships to be acquired under CBI schemes across the Member States should be established with the **number** to be gradually lowered each year, reaching zero in 2025, thereby leading to the complete phasing out of CBI schemes. Such a gradual phasing out will allow those Member States maintaining CBI schemes to find alternative means to attract investment and sustain their public finances. Such a phasing out is in line with the previous position of Parliament expressed in several resolutions and is necessary in light of the profound challenge that CBI schemes pose to the principle of sincere cooperation under the Treaties (Article 4(3) TEU).

Amendment

— A Union-wide **monitoring** system for the number of citizenships to be acquired under CBI schemes across the Member States should be established with the **numbers** to be gradually lowered each year, reaching zero in 2025, thereby leading to the complete phasing out of CBI schemes. Such a gradual phasing out will allow those Member States maintaining CBI schemes to find alternative means to attract investment and sustain their public finances. Such a phasing out is in line with the previous position of Parliament expressed in several resolutions and is necessary in light of the profound challenge that CBI schemes pose to the principle of sincere cooperation under the Treaties (Article 4(3) TEU).

Or. en

Amendment 89
Vladimír Bilčík

Motion for a resolution
Annex I – subheading 2

Motion for a resolution

Proposal 2: a comprehensive **regulation** covering all RBI schemes in the Union

Amendment

Proposal 2: a comprehensive **legal framework** covering all RBI schemes in the Union

Or. en

Amendment 90
Patryk Jaki

Motion for a resolution

Annex I – subheading 2

Motion for a resolution

Proposal 2: a comprehensive regulation covering all **RBI** schemes in the Union

Amendment

Proposal 2: a comprehensive regulation covering all **CBI/RBI** schemes in the Union

Or. pl

Amendment 91

Patryk Jaki

Motion for a resolution

Annex I – indent 3

Motion for a resolution

— To address the specificities and widespread occurrence of **RBI** schemes across the Member States, a dedicated Union legal framework in the form of a regulation is necessary. Such a regulation will ensure Union harmonisation, limit the risks posed by **RBI** schemes and make **RBI** schemes subject to Union monitoring, thereby enhancing transparency and governance. The regulation is also meant to discourage Member States from establishing harmful **RBI** schemes.

Amendment

— To address the specificities and widespread occurrence of **CBI/RBI** schemes across the Member States, a dedicated Union legal framework in the form of a regulation is necessary. Such a regulation will ensure Union harmonisation, limit the risks posed by **CBI/RBI** schemes and make **CBI/RBI** schemes subject to Union monitoring, thereby enhancing transparency and governance. The regulation is also meant to discourage Member States from establishing harmful **CBI/RBI** schemes.

Or. pl

Amendment 92

Vladimír Bilčík

Motion for a resolution

Annex I – indent 3

Motion for a resolution

— To address the specificities and widespread occurrence of **RBI** schemes across the Member States, a dedicated

Amendment

— To address the specificities and widespread occurrence of **RBI** schemes across the Member States, a dedicated

Union legal framework *in the form of a regulation is necessary*. Such a *regulation* will ensure *Union harmonisation*, limit the risks posed by RBI schemes and make RBI schemes subject to Union monitoring, thereby enhancing transparency and governance. *The regulation* is also meant to discourage Member States from establishing harmful RBI schemes.

Union legal framework *is needed*. Such a *legal framework* will ensure *proper data and information collection on RBI schemes*, limit the risks posed by RBI schemes and make RBI schemes subject to Union monitoring, thereby enhancing transparency and governance. *That legal framework* is also meant to discourage Member States from establishing harmful RBI schemes.

Or. en

Amendment 93
Vladimír Bilčík

Motion for a resolution
Annex I – indent 4

Motion for a resolution

— The *regulation* should contain Union-level standards and procedures for increased due diligence and rigorous background checks for applicants. *A proposal for a regulation is more than warranted, especially in light of the fact that the Group of Experts on Investor Citizenship and Residence Schemes never made any progress as regards those elements*. In particular, all applicants must be structurally crosschecked against all relevant national, *Union (SIS, VIS, ECRIS-TCN, ETIAS)* and international (*Interpol*) databases by the Member State authorities. There should also be an independent verification of documents submitted, a full background check of all police records and involvement in previous and current civil and criminal litigation, *in-person interviews with the applicants* and a thorough verification of how the applicant's wealth was accumulated and its relation to the reported income.

Amendment

— The *legal framework* should contain Union-level standards and procedures for increased due diligence and rigorous background checks for applicants. In particular, all applicants must be structurally crosschecked against all relevant national and international databases by the Member State authorities. There should also be an independent verification of documents submitted, a full background check of all police records and involvement in previous and current civil and criminal litigation and a thorough verification of how the applicant's wealth was accumulated and its relation to the reported income.

Or. en

Amendment 94
Saskia Bricmont

Motion for a resolution
Annex I – indent 4

Motion for a resolution

— The regulation should contain Union-level standards and procedures for increased due diligence and rigorous background checks for applicants. A proposal for a regulation is more than warranted, especially in light of the fact that the Group of Experts on Investor Citizenship and Residence Schemes never made any progress as regards those elements. In particular, all applicants must be structurally crosschecked against all relevant national, Union (SIS, VIS, ECRIS-TCN, ETIAS) and international (Interpol) databases by the Member State authorities. There should also be an independent verification of documents submitted, a full background check of all police records and involvement in previous and current civil and criminal litigation, in-person interviews with the applicants and a thorough verification of how the applicant's wealth was accumulated and its relation to the reported income.

Amendment

— The regulation should contain Union-level standards and procedures for increased due diligence and rigorous background checks for applicants. A proposal for a regulation is more than warranted, especially in light of the fact that the Group of Experts on Investor Citizenship and Residence Schemes never made any progress as regards those elements. In particular, all applicants must be structurally crosschecked against all relevant national, Union (SIS, VIS, ECRIS-TCN, ETIAS) and international (Interpol) databases by the Member State authorities ***while respecting fundamental rights standards***. There should also be an independent verification of documents submitted, a full background check of all police records and involvement in previous and current civil and criminal litigation, in-person interviews with the applicants and a thorough verification of how the applicant's wealth was accumulated and its relation to the reported income. ***It should be allowed to extend time limits for the proper due diligence process and to annul positive decisions retroactively in cases of misrepresentation or fraud.***

Or. en

Amendment 95
Dragoş Tudorache

Motion for a resolution
Annex I – indent 4

Motion for a resolution

— The regulation should contain Union-level standards and procedures for increased due diligence and rigorous background checks for applicants. A proposal for a regulation is more than warranted, especially in light of the fact that the Group of Experts on Investor Citizenship and Residence Schemes never made any progress as regards those elements. In particular, all applicants must be structurally crosschecked against all relevant national, Union (SIS, VIS, ECRIS-TCN, ETIAS) and international (Interpol) databases by the Member State authorities. There should also be an independent verification of documents submitted, a full background check of all police records and involvement in previous and current civil and criminal litigation, in-person interviews with the applicants and a thorough verification of how the applicant's wealth was accumulated and its relation to the reported income.

Amendment

— The regulation should contain Union-level standards and procedures for increased due diligence and rigorous background checks for applicants ***and their source of wealth***. A proposal for a regulation is more than warranted, especially in light of the fact that the Group of Experts on Investor Citizenship and Residence Schemes never made any progress as regards those elements. In particular, all applicants must be structurally crosschecked against all relevant national, Union (SIS, VIS, ECRIS-TCN, ETIAS) and international (Interpol) databases by the Member State authorities. There should also be an independent verification of documents submitted, a full background check of all police records and involvement in previous and current civil and criminal litigation, in-person interviews with the applicants and a thorough verification of how the applicant's wealth was accumulated and its relation to the reported income.

Or. en

Amendment 96
Saskia Bricmont

Motion for a resolution
Annex I – indent 5

Motion for a resolution

— The practice of joint applications, where a main applicant and family members can be part of the same application, should be forbidden: only individual applications subject to individual and rigorous checks should be allowed, while taking into account the links between applicants.

Amendment

— The practice of joint applications, where a main applicant and family members can be part of the same application, should be forbidden: only individual applications subject to individual and rigorous checks should be allowed, while taking into account the links between applicants. ***Rigorous checks should also apply when residency rights can be pursued by family members of***

successful applicants under family reunification rules or other similar provisions.

Or. en

Amendment 97
Vladimír Bilčík

Motion for a resolution
Annex I – indent 6 – introductory part

Motion for a resolution

— An important element of the **regulation** should be the **regulation of** intermediaries. The following should be included:

Amendment

— An important element of the **legal framework** should be the **requirements for** intermediaries. The following should be included:

Or. en

Amendment 98
Vladimír Bilčík

Motion for a resolution
Annex I – indent 6 – point a

Motion for a resolution

(a) a Union-level licensing procedure for intermediaries containing a thorough procedure with due diligence and auditing of the intermediary company, its owners and its related companies. The license should be subject to renewal **every second year** and be featured in a public Union register for intermediaries. **Where intermediaries are involved in applications, Member States should only be allowed to process such applications when prepared by Union-licensed intermediaries. Applications for licensing should be made to the Commission, to be supported by the relevant Union agencies, in particular the European Border and**

Amendment

(a) a Union-level licensing procedure for intermediaries containing a thorough procedure with due diligence and auditing of the intermediary company, its owners and its related companies **should be considered**. The license should be subject to renewal and be featured in a public Union register for intermediaries.

Coast Guard Agency (Frontex) and the European Union Agency for Law Enforcement Cooperation (Europol), in carrying out the checks and procedure.

Or. en

Amendment 99
Saskia Bricmont

Motion for a resolution
Annex I – indent 6 – point a

Motion for a resolution

(a) a Union-level licensing procedure for intermediaries containing a thorough procedure with due diligence and auditing of the intermediary company, its owners and its related companies. The license should be subject to renewal every second year and be featured in a public Union register for intermediaries. Where intermediaries are involved in applications, Member States should only be allowed to process such applications when prepared by Union-licensed intermediaries. Applications for licensing should be made to the Commission, to be supported by the relevant Union agencies, ***in particular the European Border and Coast Guard Agency (Frontex) and the European Union Agency for Law Enforcement Cooperation (Europol), in carrying out the checks and procedure.***

Amendment

(a) a Union-level licensing procedure for intermediaries containing a thorough procedure with due diligence and auditing of the intermediary company, its owners and its related companies. The license should be subject to renewal every second year and be featured in a public Union register for intermediaries. Where intermediaries are involved in applications, Member States should only be allowed to process such applications when prepared by Union-licensed intermediaries. Applications for licensing should be made to the Commission, to be supported by the relevant Union agencies.

Or. en

Amendment 100
Konstantinos Arvanitis

Motion for a resolution
Annex I – indent 6 – point a

Motion for a resolution

(a) a Union-level licensing procedure for intermediaries containing a thorough procedure with due diligence and auditing of the intermediary company, its owners and its related companies. The license should be subject to renewal every second year and be featured in a public Union register for intermediaries. Where intermediaries are involved in applications, Member States should only be allowed to process such applications when prepared by Union-licensed intermediaries. Applications for licensing should be made to the Commission, to be supported by the relevant Union agencies, *in particular the European Border and Coast Guard Agency (Frontex) and the European Union Agency for Law Enforcement Cooperation (Europol)*, in carrying out the checks and procedure.

Amendment

(a) a Union-level licensing procedure for intermediaries containing a thorough procedure with due diligence and auditing of the intermediary company, its owners and its related companies. The license should be subject to renewal every second year and be featured in a public Union register for intermediaries. Where intermediaries are involved in applications, Member States should only be allowed to process such applications when prepared by Union-licensed intermediaries. Applications for licensing should be made to the Commission, to be supported by the relevant Union agencies in carrying out the checks and procedure.

Or. en

Amendment 101
Vladimír Bilčík

Motion for a resolution
Annex I – indent 6 – point b

Motion for a resolution

(b) specific rules for the activities of intermediaries. That should include detailed rules concerning the background checks, due diligence and security checks that the intermediaries are to carry out on applicants, *including the obligation for them to contract independent third parties to verify those checks.*

Amendment

(b) specific rules for the activities of intermediaries. That should include detailed rules concerning the background checks, due diligence and security checks that the intermediaries are to carry out on applicants.

Or. en

Amendment 102

Vladimír Bilčík

Motion for a resolution
Annex I – indent 6 – point c

Motion for a resolution

Amendment

(c) a Union-wide ban on marketing practices for RBI schemes. That should include prohibiting intermediaries processing applications under RBI schemes from using the Union flag on any materials, website or documents.

deleted

Or. en

Amendment 103
Konstantinos Arvanitis

Motion for a resolution
Annex I – indent 6 – point c

Motion for a resolution

Amendment

(c) a Union-wide ban on marketing practices for RBI schemes. That should include prohibiting intermediaries processing applications under RBI schemes from using the Union flag on any materials, website or documents.

(c) a Union-wide ban on marketing practices for RBI schemes. That should include prohibiting intermediaries processing applications under RBI schemes from using the Union flag on any materials, website or documents *and from associating the RBI to any benefits linked to the Treaties and to the rights under the acquis.*

Or. en

Amendment 104
Patryk Jaki

Motion for a resolution
Annex I – indent 6 – point c

Motion for a resolution

Amendment

(c) a Union-wide ban on *marketing*

(c) a Union-wide ban on intermediaries

practices for RBI schemes. That should include prohibiting intermediaries processing applications under **RBI** schemes from using the Union flag on any materials, website or documents.

processing applications under **CBI/RBI** schemes from using the Union flag on any materials, website or documents.

Or. pl

Amendment 105
Vladimír Bilčík

Motion for a resolution
Annex I – indent 6 – point e

Motion for a resolution

(e) anti-corruption measures to be ***adopted within the intermediary, including on appropriate staff remuneration, the two-person rule (that every step is checked by at least two persons) and provisions for a second opinion when preparing applications and carrying out checks on applications, and a rotation of staff members across the countries of origin of applicants under RBI schemes.***

Amendment

(e) anti-corruption measures ***and best due diligence practices*** to be ***followed by the intermediaries;***

Or. en

Amendment 106
Patryk Jaki

Motion for a resolution
Annex I – indent 6 – point e

Motion for a resolution

(e) anti-corruption measures to be adopted within the intermediary, including on appropriate staff remuneration, the two-person rule (that every step is checked by at least two persons) and provisions for a second opinion when preparing applications and carrying out checks on

Amendment

(e) anti-corruption measures to be adopted within the intermediary, including on appropriate staff remuneration, the two-person rule (that every step is checked by at least two persons) and provisions for a second opinion when preparing applications and carrying out checks on

applications, and a rotation of staff members across the countries of origin of applicants under **RBI** schemes.

applications, and a rotation of staff members across the countries of origin of applicants under **CBI/RBI** schemes.

Or. pl

Amendment 107
Vladimír Bilčík

Motion for a resolution
Annex I – indent 6 – point f

Motion for a resolution

(f) **a ban** on combining the consultation of governments on the establishment and maintenance of RBI schemes with their involvement in the preparation of applications. Such a combination **creates** a conflict of interest and **provides** the wrong incentives. Consequently, a **ban** on public affairs lobbying or consulting is required for intermediaries and for affiliated industry representation organisations. **Furthermore, intermediaries should not be allowed themselves to implement RBI schemes for Member State authorities. Intermediaries should only be allowed to act as intermediaries in individual applications and only when being approached by individual applicants.**

Amendment

(f) **clear and transparent rules** on combining the consultation of governments on the establishment and maintenance of RBI schemes with their involvement in the preparation of applications. Such a combination **may create** a conflict of interest and **provide** the wrong incentives. Consequently, a **regulation** on public affairs lobbying or consulting is required for intermediaries and for affiliated industry representation organisations.

Or. en

Amendment 108
Patryk Jaki

Motion for a resolution
Annex I – indent 6 – point f

Motion for a resolution

(f) a ban on combining the consultation of governments on the

Amendment

(f) a ban on combining the consultation of governments on the

establishment and maintenance of **RBI** schemes with their involvement in the preparation of applications. Such a combination creates a conflict of interest and provides the wrong incentives. Consequently, a ban on public affairs lobbying or consulting is required for intermediaries and for affiliated industry representation organisations. Furthermore, intermediaries should not be allowed themselves to implement **RBI** schemes for Member State authorities. Intermediaries should only be allowed to act as intermediaries in individual applications and only when being approached by individual applicants.

establishment and maintenance of **CBI/RBI** schemes with their involvement in the preparation of applications. Such a combination creates a conflict of interest and provides the wrong incentives. Consequently, a ban on public affairs lobbying or consulting is required for intermediaries and for affiliated industry representation organisations. Furthermore, intermediaries should not be allowed themselves to implement **CBI/RBI** schemes for Member State authorities. Intermediaries should only be allowed to act as intermediaries in individual applications and only when being approached by individual applicants.

Or. pl

Amendment 109
Vladimír Bilčík

Motion for a resolution
Annex I – indent 6 – point g

Motion for a resolution

(g) a monitoring, investigations and sanctions framework to ensure that intermediaries comply with the **regulation**. **The Commission, Union agencies and Member State authorities should be able to conduct undercover investigations, posing as potential applicants. Sanctions should include fines of up to 25 % of revenue and should, where infringements are established twice, lead to the revocation of the Union licence to operate.**

Amendment

(g) a monitoring, investigations and sanctions framework to ensure that intermediaries comply with the **requirements**.

Or. en

Amendment 110
Vladimír Bilčík

Motion for a resolution
Annex I – indent 7

Motion for a resolution

— A duty for Member States to report to the Commission regarding their RBI schemes should be introduced. The Member States should submit a detailed annual report to the Commission on the overall institutional and governance elements of their schemes. They should also report on ***individual applications and on*** rejections and approvals of applications. ***The Commission should carry out, in cooperation with Europol (including through its liaison officers in third countries) and Frontex, Union-level final checks of applications against the relevant Union and international databases and should also carry out further security and background checks. On that basis, the Commission should issue an opinion to the Member State.*** The competence to grant residence or not under RBI schemes should remain with the Member States. ***The Union-level final check will also help to highlight several unsuccessful applications by the same individuals.***

Amendment

— A duty for Member States to report to the Commission regarding their RBI schemes should be introduced. The Member States should submit a detailed annual report to the Commission on the overall institutional and governance elements of their schemes. They should also report on rejections and approvals of applications. The competence to grant residence or not under RBI schemes should remain with the Member States.

Or. en

Amendment 111
Saskia Bricmont

Motion for a resolution
Annex I – indent 7

Motion for a resolution

— A duty for Member States to report to the Commission regarding their RBI schemes should be introduced. The Member States should submit ***a*** detailed annual ***report*** to the Commission on the overall institutional and governance elements of their schemes. They should

Amendment

— A duty for Member States to report to the Commission regarding their RBI schemes should be introduced. The Member States should submit detailed annual ***reports*** to the Commission on the overall institutional and governance elements of their schemes. ***These annual***

also report on individual applications and on rejections and approvals of applications. The Commission should carry out, in cooperation with Europol (including through its liaison officers in third countries) and Frontex, Union-level final checks of applications against the relevant Union and international databases and should also carry out further security and background checks. On that basis, the Commission should issue an opinion to the Member State. The competence to grant residence or not under RBI schemes should remain with the Member States. The Union-level final check will also help to highlight several unsuccessful applications by the same individuals.

reports should be made publicly available with due respect for data protection regulations. They should also report on individual applications and on rejections and approvals of applications, ***including the number of instances in which citizenship or residency is denied due to lack of compliance with anti-money laundering provisions. Statistics should include a breakdown of the applicants by the country of origin and data on family members and dependents, who have gained rights via an RBI applicant.*** The Commission should carry out, in cooperation with Europol (including through its liaison officers in third countries) and Frontex, Union-level final checks of applications against the relevant Union and international databases and should also carry out further security and background checks. On that basis, the Commission should issue an opinion to the Member State. The competence to grant residence or not under RBI schemes should remain with the Member States. The Union-level final check will also help to highlight several unsuccessful applications by the same individuals.

Or. en

Amendment 112
Konstantinos Arvanitis

Motion for a resolution
Annex I – indent 7

Motion for a resolution

— A duty for Member States to report to the Commission regarding their RBI schemes should be introduced. The Member States should submit ***a*** detailed annual ***report*** to the Commission on the overall institutional and governance elements of their schemes. They should also report on individual applications and

Amendment

— A duty for Member States to report to the Commission regarding their RBI schemes should be introduced. The Member States should submit detailed annual ***reports*** to the Commission on the overall institutional and governance elements of their schemes. ***These annual reports should be made publicly available***

on rejections and approvals of applications. The Commission should carry out, in cooperation with Europol (including through its liaison officers in third countries) **and Frontex**, Union-level final checks of applications against the relevant Union and international databases and should also carry out further security and background checks. On that basis, the Commission should issue an opinion to the Member State. The competence to grant residence or not under RBI schemes should remain with the Member States. The Union-level final check will also help to highlight several unsuccessful applications by the same individuals.

with due respect for data protection regulations. They should also report on individual applications and on rejections and approvals of applications ***as well as on monitoring mechanisms while having clear monitoring periods***. The Commission should carry out, in cooperation with Europol (including through its liaison officers in third countries), Union-level final checks of applications against the relevant Union and international databases and should also carry out further security and background checks. On that basis, the Commission should issue an opinion to the Member State. The competence to grant residence or not under RBI schemes should remain with the Member States. The Union-level final check will also help to highlight several unsuccessful applications by the same individuals.

Or. en

Amendment 113 **Patryk Jaki**

Motion for a resolution **Annex I – indent 7**

Motion for a resolution

— A duty for Member States to report to the Commission regarding their **RBI** schemes should be introduced. The Member States should submit a detailed annual report to the Commission on the overall institutional and governance elements of their schemes. They should also report on individual applications and on rejections and approvals of applications. The Commission should carry out, in cooperation with Europol (including through its liaison officers in third countries) and Frontex, Union-level final checks of applications against the relevant Union and international databases and

Amendment

— A duty for Member States to report to the Commission regarding their **CBI/RBI** schemes should be introduced. The Member States should submit a detailed annual report to the Commission on the overall institutional and governance elements of their schemes. They should also report on individual applications and on rejections and approvals of applications. The Commission should carry out, in cooperation with Europol (including through its liaison officers in third countries) and Frontex, Union-level final checks of applications against the relevant Union and international databases and

should also carry out further security and background checks. On that basis, the Commission should issue an opinion to the Member State. The competence to grant residence or not under **RBI** schemes should remain with the Member States. The Union-level final check will also help to highlight several unsuccessful applications by the same individuals.

should also carry out further security and background checks. On that basis, the Commission should issue an opinion to the Member State. The competence to grant residence or not under **CBI/RBI** schemes should remain with the Member States. The Union-level final check will also help to highlight several unsuccessful applications by the same individuals.

Or. pl

Amendment 114
Vladimír Bilčík

Motion for a resolution
Annex I – indent 8

Motion for a resolution

— A system for prior notification *to* and consultation *with all other Member States prior to granting residence under an RBI scheme should be set up. If a Member State does not object within 14 days, that will mean they have no objection to the granting of residence¹. That will allow Member States to detect double or subsequent applications and will allow Member States to conduct checks in national databases that might not be available at Union level.*

¹ *Similar to the system set out in Article 22 of Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) (OJ L 243, 15.9.2009, p. 1).*

Amendment

— A system for prior notification and consultation to detect double or subsequent applications *should be set up among* Member States.

Or. en

Amendment 115
Patryk Jaki

Motion for a resolution
Annex I – indent 8

Motion for a resolution

— A system for prior notification to and consultation with all other Member States prior to granting residence under **an RBI** scheme should be set up. If a Member State does not object within 14 days, that will mean they have no objection to the granting of residence¹. That will allow Member States to detect double or subsequent applications and will allow Member States to conduct checks in national databases that might not be available at Union level.

¹ Similar to the system set out in Article 22 of Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) (OJ L 243, 15.9.2009, p. 1).

Amendment

— A system for prior notification to and consultation with all other Member States prior to granting residence under **a CBI/RBI** scheme should be set up. If a Member State does not object within 14 days, that will mean they have no objection to the granting of residence¹. That will allow Member States to detect double or subsequent applications and will allow Member States to conduct checks in national databases that might not be available at Union level.

¹ Similar to the system set out in Article 22 of Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) (OJ L 243, 15.9.2009, p. 1).

Or. pl

Amendment 116
Vladimír Bilčík

Motion for a resolution
Annex I – indent 9

Motion for a resolution

— Member States should be required to effectively check physical residence on their territory and to keep a record of it, which the Commission and Union agencies can consult. ***That should include at least biannual in-person reporting appointments and on-site visits to the domicile of the individuals concerned.***

Amendment

— Member States should be required to effectively check physical residence on their territory and to keep a record of it, which the Commission and Union agencies can consult.

Or. en

Amendment 117
Konstantinos Arvanitis

Motion for a resolution
Annex I – indent 9

Motion for a resolution

— Member States should be required to effectively check physical residence on their territory and to keep a record of it, which the Commission and Union agencies can consult. That should include at least biannual in-person reporting appointments and on-site visits to the domicile of the individuals concerned.

Amendment

— Member States should be required to effectively check physical residence, ***preferably by establishing maximum periods of absence***, on their territory and to keep a record of it, which the Commission and Union agencies can consult. That should include at least biannual in-person reporting appointments and on-site visits to the domicile of the individuals concerned.

Or. en

Amendment 118
Patryk Jaki

Motion for a resolution
Annex I – indent 10

Motion for a resolution

— To combat tax avoidance, specific Union measures to prevent and tackle the circumvention of the Common Reporting Standard through ***RBI*** schemes, in particular the enhanced exchange of information between tax authorities, should be introduced².

Amendment

— To combat tax avoidance, specific Union measures to prevent and tackle the circumvention of the Common Reporting Standard through ***CBI/RBI*** schemes, in particular the enhanced exchange of information between tax authorities, should be introduced².

² See: Preventing abuse of residence by investment schemes to circumvent the CRS, OECD, 19 February 2018; Council Directive 2014/107/EU of 9 December 2014 amending Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation (OJ L 359, 16.12.2014, p. 1).

² See: Preventing abuse of residence by investment schemes to circumvent the CRS, OECD, 19 February 2018; Council Directive 2014/107/EU of 9 December 2014 amending Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation (OJ L 359, 16.12.2014, p. 1).

Amendment 119
Patryk Jaki

Motion for a resolution
Annex I – indent 11

Motion for a resolution

Amendment

— ***Rules on the types of investments required under RBI schemes should be introduced. 75 % of the required investment should consist of productive investments in the real economy, in line with the priority areas of green and digital growth under the Recovery and Resilience Facility. Investment in real estate, investment or trust funds or in government bonds or payments directly into the Member State budget should not represent more than 25 % of the invested amount. Furthermore, any payments directly into the Member State budget should not be eligible as revenue for the purposes of the Stability and Growth Pact.*** ***deleted***

Amendment 120
Vladimír Bilčík

Motion for a resolution
Annex I – indent 11

Motion for a resolution

Amendment

— ***Rules on the types of investments required under RBI schemes should be introduced. 75 % of the required investment should consist of productive investments in the real economy, in line with the priority areas of green and digital growth under the Recovery and Resilience Facility. Investment in real estate,*** ***deleted***

investment or trust funds or in government bonds or payments directly into the Member State budget should not represent more than 25 % of the invested amount. Furthermore, any payments directly into the Member State budget should not be eligible as revenue for the purposes of the Stability and Growth Pact.

Or. en

Amendment 121
Charlie Weimers

Motion for a resolution
Annex I – subheading 3

Motion for a resolution

Amendment

Proposal 3: a new category of the Union's own resources, consisting of a 'CBI and RBI adjustment mechanism' *deleted*

Or. en

Amendment 122
Patryk Jaki

Motion for a resolution
Annex I – subheading 3

Motion for a resolution

Amendment

Proposal 3: a new category of the Union's own resources, consisting of a 'CBI and RBI adjustment mechanism' *deleted*

Or. pl

Amendment 123
Patryk Jaki

Motion for a resolution

Annex I – indent 13

Motion for a resolution

Amendment

— *As all Member States and the Union institutions are confronted with the risks and costs of the CBI and RBI schemes operated by some Member States, a common mechanism to offset the negative consequences of CBI and RBI schemes is justified. Moreover, the value of selling Member State citizenship or visas is inherently linked to the Union rights and freedoms that come with it. By establishing a CBI and RBI adjustment mechanism, the negative consequences borne by all Member States are compensated through that contribution to the Union budget. It is a matter of solidarity between the Member States having CBI and RBI schemes, the other Member States and the Union institutions. In order for that mechanism to be effective, the levy payable to the Union should be set at a minimum of 50 % of the investment made.*

deleted

Or. pl

Amendment 124
Charlie Weimers

Motion for a resolution
Annex I – indent 13

Motion for a resolution

Amendment

— *As all Member States and the Union institutions are confronted with the risks and costs of the CBI and RBI schemes operated by some Member States, a common mechanism to offset the negative consequences of CBI and RBI schemes is justified. Moreover, the value of selling Member State citizenship or visas is inherently linked to the Union rights and freedoms that come with it. By*

deleted

establishing a CBI and RBI adjustment mechanism, the negative consequences borne by all Member States are compensated through that contribution to the Union budget. It is a matter of solidarity between the Member States having CBI and RBI schemes, the other Member States and the Union institutions. In order for that mechanism to be effective, the levy payable to the Union should be set at a minimum of 50 % of the investment made.

Or. en

Amendment 125
Vladimír Bilčík

Motion for a resolution
Annex I – indent 13

Motion for a resolution

— As all Member States and the Union institutions are confronted with the risks and costs of the CBI and RBI schemes operated by some Member States, a common mechanism to offset the negative consequences of CBI and RBI schemes is justified. Moreover, the value of selling Member State citizenship or visas is inherently linked to the Union rights and freedoms that come with it. By establishing a CBI and RBI adjustment mechanism, the negative consequences borne by all Member States are compensated through *that* contribution to the Union budget. It is a matter of solidarity between the Member States *having* CBI and RBI schemes, the other Member States and *the* Union institutions. *In order for that mechanism to be effective, the levy payable to the Union should be set at a minimum of 50 % of the investment made.*

Amendment

— As all Member States and the Union institutions are confronted with the risks and costs of the CBI and RBI schemes operated by some Member States, a common mechanism to offset the negative consequences of CBI and RBI schemes, *based on appropriate data and information*, is justified. Moreover, the value of selling Member State citizenship or visas is inherently linked to the Union rights and freedoms that come with it. By establishing a CBI and RBI adjustment mechanism, the negative consequences borne by all Member States are compensated through *a fair* contribution to the Union budget. It is a matter of solidarity between the Member States *operating* CBI and RBI schemes *and* the other Member States and Union institutions.

Or. en

Amendment 126
Patryk Jaki

Motion for a resolution
Annex I – indent 14

Motion for a resolution

Amendment

— ***The mechanism could be established under Article 311 TFEU, which stipulates that “the Union shall provide itself with the means necessary to attain its objectives and carry through its policies”, including the possibility to “establish new categories of own resources or abolish an existing category”. Further implementing measures could be adopted in the form of a regulation. Something similar was done for the Plastics Own Resource that has been in place since 1 January 2021. That option does involve a rather lengthy process of formal adoption of an own resources decision, linked to the respective national constitutional requirements for approving it. This could be combined with the legal basis of Article 80 TFEU which stipulates “the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States”, including in the area of immigration.***

deleted

Or. pl

Amendment 127
Charlie Weimers

Motion for a resolution
Annex I – indent 14

Motion for a resolution

Amendment

— ***The mechanism could be***

deleted

established under Article 311 TFEU, which stipulates that “the Union shall provide itself with the means necessary to attain its objectives and carry through its policies”, including the possibility to “establish new categories of own resources or abolish an existing category”. Further implementing measures could be adopted in the form of a regulation. Something similar was done for the Plastics Own Resource that has been in place since 1 January 2021. That option does involve a rather lengthy process of formal adoption of an own resources decision, linked to the respective national constitutional requirements for approving it. This could be combined with the legal basis of Article 80 TFEU which stipulates “the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States”, including in the area of immigration.

Or. en

Amendment 128
Vladimír Bilčík

Motion for a resolution
Annex I – indent 14

Motion for a resolution

Amendment

— *The mechanism could be established under Article 311 TFEU, which stipulates that “the Union shall provide itself with the means necessary to attain its objectives and carry through its policies”, including the possibility to “establish new categories of own resources or abolish an existing category”. Further implementing measures could be adopted in the form of a regulation. Something similar was done for the Plastics Own Resource that has*

deleted

been in place since 1 January 2021. That option does involve a rather lengthy process of formal adoption of an own resources decision, linked to the respective national constitutional requirements for approving it. This could be combined with the legal basis of Article 80 TFEU which stipulates “the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States”, including in the area of immigration.

Or. en

Amendment 129
Saskia Bricmont

Motion for a resolution
Annex I – indent 15 – introductory part

Motion for a resolution

— The Commission has made a welcome step by including RBI schemes prominently in its package of legislative proposals of 20 July 2021 to revise legal acts in the area of anti-money laundering and countering the financing of terrorism, especially where it concerns intermediaries. **Two** further elements should be included:

Amendment

— The Commission has made a welcome step by including RBI schemes prominently in its package of legislative proposals of 20 July 2021 to revise legal acts in the area of anti-money laundering and countering the financing of terrorism, especially where it concerns intermediaries. **Three** further elements should be included:

Or. en

Amendment 130
Patryk Jaki

Motion for a resolution
Annex I – indent 15 – point a

Motion for a resolution

(a) public authorities engaged in

Amendment

(a) public authorities engaged in

processing applications under **RBI** schemes to be included on the list of obliged entities under legal acts in the area of anti-money laundering and countering the financing of terrorism, specifically in Article 3, point (3), of the proposal for a regulation on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing (2021/0239(COD));

processing applications under **CBI/RBI** schemes to be included on the list of obliged entities under legal acts in the area of anti-money laundering and countering the financing of terrorism, specifically in Article 3, point (3), of the proposal for a regulation on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing (2021/0239(COD));

Or. pl

Amendment 131
Patryk Jaki

Motion for a resolution
Annex I – indent 15 – point b

Motion for a resolution

(b) greater exchange of information on applicants under **RBI** schemes between the Member State authorities under legal acts in the area of anti-money laundering and countering the financing of terrorism, specifically between the Financial Intelligence Units.

Amendment

(b) greater exchange of information on applicants under **CBI/RBI** schemes between the Member State authorities under legal acts in the area of anti-money laundering and countering the financing of terrorism, specifically between the Financial Intelligence Units.

Or. pl

Amendment 132
Saskia Bricmont

Motion for a resolution
Annex I – indent 15 – point b a (new)

Motion for a resolution

(ba) enhanced due diligence measures recommended by the OECD to mitigate the risk posed by the RBI schemes to be foreseen for all obliged entities involved into the process.

Amendment

Amendment 133
Saskia Bricmont

Motion for a resolution
Annex I – indent 15 a (new)

Motion for a resolution

Amendment

- *In case a new regulation or any other legislative act concerning RBI schemes comes into force before the complete phase-out of CBI schemes, all rules shall apply to CBI schemes in order to avoid less strict controls for CBI schemes than for RBI schemes.*

Or. en

Amendment 134
Patryk Jaki

Motion for a resolution
Annex I – indent 16

Motion for a resolution

Amendment

— The Commission should, when it comes forward with its expected proposals for the revisions of the Long-Term Residence Directive, limit the possibility of third-country nationals who have obtained residence under *an RBI* scheme from benefitting from more favourable treatment under that Directive. That could be achieved by amending Article 13 of the current Long-Term Residence Directive to narrow its scope of application by expressly excluding beneficiaries of *RBI* schemes.

— The Commission should, when it comes forward with its expected proposals for the revisions of the Long-Term Residence Directive, limit the possibility of third-country nationals who have obtained residence under *a CBI/RBI* scheme from benefitting from more favourable treatment under that Directive. That could be achieved by amending Article 13 of the current Long-Term Residence Directive to narrow its scope of application by expressly excluding beneficiaries of *CBI/RBI* schemes.

Or. pl

Amendment 135
Saskia Bricmont

Motion for a resolution
Annex I – indent 19

Motion for a resolution

— A new article should be added to Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)³ on cooperation with third countries on phasing out their CBI schemes and bringing their RBI schemes in line with the new Regulation proposed under proposal 2 above. ***Such a new article could follow the logic of Article 25a of the current Visa Code, providing for positive and negative incentives for third countries, aiming to limit the risks of third-country CBI and RBI schemes.***

³ OJ L 243, 15.9.2009, p. 1.

Amendment

— A new article should be added to Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)³ on cooperation with third countries on phasing out their CBI schemes and bringing their RBI schemes in line with the new Regulation proposed under proposal 2 above.

³ OJ L 243, 15.9.2009, p. 1.

Or. en

Amendment 136
Patryk Jaki

Motion for a resolution
Annex I – indent 19

Motion for a resolution

— A new article should be added to Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)³ on cooperation with third countries on ***phasing out their CBI schemes and bringing their RBI schemes*** in line with the new Regulation proposed under proposal 2 above. Such a new article could follow the

logic of Article 25a of the current Visa Code, providing for positive and negative incentives for third countries, aiming to limit the risks of third-country CBI and RBI schemes.

³ OJ L 243, 15.9.2009, p. 1.

current Visa Code, providing for positive and negative incentives for third countries, aiming to limit the risks of third-country CBI and RBI schemes.

³ OJ L 243, 15.9.2009, p. 1.

Or. pl

Amendment 137
Saskia Bricmont

Motion for a resolution
Annex I – indent 20

Motion for a resolution

— For candidate countries, the complete phase-out of CBI schemes and the strict regulation of RBI schemes should be a prominent part of the accession criteria.

Amendment

— For *candidate countries and potential* candidate countries, the complete phase-out of CBI schemes and the strict regulation of RBI schemes should be a prominent part of the accession criteria.

Or. en

Amendment 138
Vladimír Bilčík

Motion for a resolution
Annex I – indent 20

Motion for a resolution

— For candidate countries, *the* complete phase-out of CBI schemes and *the* strict regulation of RBI schemes should be *a prominent* part of the accession *criteria*.

Amendment

— For *candidate and potential* candidate countries, *their* complete phase-out of CBI schemes and *their* strict regulation of RBI schemes should be *an integral* part of the accession *negotiations*.

Or. en

Amendment 139
Patryk Jaki

Motion for a resolution
Annex I – indent 20

Motion for a resolution

— For candidate countries, *the complete phase-out of CBI schemes and* the strict regulation of *RBI* schemes should be a prominent part of the accession criteria.

Amendment

— For candidate countries, the strict regulation of *CBI/RBI* schemes should be a prominent part of the accession criteria.

Or. pl