



2023/0355(COD)

13.2.2024

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DRAFT REPORT

on the proposal for a decision of the European Parliament and of the Council amending Directive 2014/62/EU as regards certain reporting requirements (COM(2023)0582 – C9-0382/2023 – 2023/0355(COD))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Juan Fernando López Aguilar

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a decision of the European Parliament and of the Council amending Directive 2014/62/EU as regards certain reporting requirements (COM(2023)0582 – C9-0382/2023 – 2023/0355(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0582),
 - having regard to Article 294(2) and Article 83(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0382/2023),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A9-0000/2024),
1. Adopts its position at first reading, taking over the Commission proposal;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

EXPLANATORY STATEMENT

This proposal for a Decision to amend Directive 2014/62/EU on the protection of the euro is part of a package of proposals adopted by the Commission that seek to rationalise and simplify reporting requirements on companies and public administrations, in line with the Commission's Communication on the 'Long-term competitiveness of the EU: looking beyond 2030' (COM(2023)168). The rapporteur can fully support the general objective of reducing administrative burden and streamlining legislation, where this well justified and has no negative impact on policy objectives.

In this specific case, the Commission proposes to abolish the obligation for Member States' competent authorities to transmit statistical data to the Commission on the number of counterfeiting offences and on the number of persons prosecuted and convicted of the counterfeiting offences, as laid down in Article 11 of Directive 2014/62/EU. The rapporteur can support this proposal, given that it will not undermine the policy objectives of Directive 2014/62/EU nor the overview and comparability of statistical data used to monitor the phenomenon of counterfeiting. In particular, the timely exchange of full, up-to-date and comparable data at national and European level is in place via the Counterfeiting Monitoring System, a dedicated ECB platform, where Member States' authorities register data on counterfeit banknotes and coins on a regular basis, in accordance with Articles 3(3), 4(2) and 5(2) of Council Regulation (EC) No 1338/2001 laying down measures necessary for the protection of the euro against counterfeiting. This centralised information is made available to the Member States, the Commission and Europol. It is complemented by public reports and the collection of qualitative information in expert groups, and enables the Commission to have an overview of the size and trends of the counterfeiting phenomenon, to monitor the situation, and to assess the effectiveness of the overall EU legislative framework in place.

The rapporteur's support for this proposal is also based on the clear understanding that - as the Commission has itself emphasised - this proposal should in no way lead to a systematic reduction or deletion of reporting obligations provided for in other EU criminal law instruments.

For these reasons, the rapporteur is proposing that this Commission proposal be adopted without amendments.

The rapporteur nonetheless wishes to stress that he - and the LIBE Committee as a whole - will continue to call on the Commission to effectively monitor the proper transposition and implementation by Member States of EU law, and to take prompt and adequate action where necessary, including by launching infringement procedures.