

P5_TA(2003)0095

Restrictive measures directed against terrorism *

European Parliament legislative resolution on the proposal for a Council regulation amending, as regards the exemptions to the freezing of funds and economic resources and for the tenth time, Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban (COM(2003) 41 – C5-0048/2003 – 2003/0015(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003) 41)¹,
 - having regard to Article 308 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0048/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0036/2003),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
 5. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 6. Instructs its President to forward its position to the Council and Commission.

¹ OJ not yet published.

Amendment 1
RECITAL 4a (new)

(4a) Furthermore, Regulation (EC) No 881/2002 should introduce a procedure, based on existing UN procedures¹ and respecting the spirit of Article 19 of the EU Treaty, for the deletion of persons, groups and entities from the list in Annex I.

¹ ***UN Press Release of 16/8/2002 (SC/7487, AFG/203)***

Amendment 7
ARTICLE 1, POINT 1a (new)
Article 5, paragraph 1a (new) (Regulation (EC) No 881/2002)

1a. In Article 5, the following paragraph 1a is inserted:

"1a. Reasons shall be given for any freezing of assets under this Regulation by the competent authorities of the Member States listed in Annex II."

Amendment 2
ARTICLE 1, POINT 1b (new)
Article 5, paragraph 1b (new) (Regulation (EC) No 881/2002)

1b. In Article 5, the following paragraph 1b is inserted:

"1b. In addition, natural and legal persons, entities and bodies may submit a petition requesting that persons, groups and entities be deleted from the list in Annex I ("de-listing") to the competent authorities of the Member States listed in Annex II where they are resident or located or of which they are citizens and, directly or through these competent authorities, to the Commission.

Such a petition shall include a justification of the request, all relevant information and a request for support for de-listing."

Amendment 3

ARTICLE 1, POINT 1c (new)
Article 8a (new) (Regulation (EC) No 881/2002)

1c. The following Article 8a is inserted:

"Article 8a

Any Member State which receives a petition as referred to in Article 5(1b) shall, with the support of the Presidency and the Commission, maintain contacts with the government which proposed designation and may communicate to the Sanctions Committee any request for the deletion of persons, groups and entities from the list in Annex I."

Amendment 4

ARTICLE 1, POINT 1d (new)
Article 10a (new) (Regulation (EC) No 881/2002)

1d. The following Article 10a is inserted:

"Article 10a

The Presidency and the Commission shall inform the European Parliament regularly on the implementation of this Regulation."

Amendment 9

ARTICLE 1, POINT 1e (new)
Article 13a (new) (Regulation (EC) No 881/2002)

1e. The following Article 13a is inserted:

"Article 13a

Within two years of its entry into force, Member States shall assess the legality and effectiveness of this Regulation."

Amendment 5

ARTICLE 1, POINT 1f (new)

Article 13b (new) (Regulation (EC) No 881/2002)

If. The following Article 13b is added:

"Article 13b

This Regulation shall expire on the same day as UN Security Council Resolutions 1267(1999), 1390(2002) and 1452(2002) are revoked or annulled."