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Committee on Development

17.10.2005

PE 364.715v01-00

AMENDMENTS 35-45

Draft opinion

(PE 360.022v01-00)

Pierre Schapira

Proposal for a European Parliament and Council Regulation establishing an Instrument for Stability

Proposal for a regulation (COM(2004)0630 – C6-0251/2004 – 2004/0223(COD))

Text proposed by the Commission

Amendments by Parliament

Amendment by Pierre Schapira

Amendment 35

Article 2, point (a), indent 2

- military monitoring and peace-keeping or peace-support operations (***including those*** with a civilian component) conducted by regional and sub-regional organisations and other coalitions of states operating with United Nations endorsement; measures to build the capacity of such organisations and their participating members to plan, execute and ensure effective political control over such operations;

- military monitoring and peace-keeping or peace-support operations with a civilian component conducted by regional and sub-regional organisations and other coalitions of states operating with United Nations endorsement; measures to build the capacity of such organisations and their participating members to plan, execute and ensure effective political control over such operations;

Or. fr

Justification

The term 'peace-support' has been clarified, as its meaning is ambiguous and would give rise to conflicts of interpretation. 'Peace-support' allows military action to be accompanied by

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PE 364.715v01-00

civilian components.

For an examination of the conditions for applying peace-keeping support measures and for an explanation of your rapporteur's shift in position on this point, please refer to my new amendment to Article 6 of the Commission proposal.

Amendment by Filip Andrzej Kaczmarek

Amendment 36

Article 2, point (a), indent 7

- measures *in response to crisis situations to promote and defend the respect of human rights and fundamental freedoms, democratic principles and the rule of law, and of the principles of international law (including support to special national and international criminal tribunals, truth and reconciliation commissions and mechanisms for the legal settlement of human rights claims and the assertion and adjudication of property rights), and to stimulate the development of civil society and its participation in the political process,* including measures to promote an independent and professional media;

- measures *to support the development of civil society and its participation in the political process,* including measures to promote an independent, *pluralist* and professional media;

Or. pl

Amendment by María Elena Valenciano Martínez-Orozco

Amendment 37

Article 2, point (a), indent 9 a (new)

- *the disarmament, demobilisation and reintegration of combatants (giving priority to child soldiers and the special needs of female soldiers) and measures intended to mitigate the social impact of the restructuring of the armed forces;*

Or. en

Amendment by María Elena Valenciano Martínez-Orozco

Amendment 38

Article 2, point (a), indent 9 b (new)

- measures to ensure the meaningful integration of women as active participants in crisis management, conflict resolution, post-conflict reconstruction and reconciliation, as well as measures to ensure that the specific needs of women in crisis and conflict situations, including their exposure to gender-based violence, are adequately met, as enshrined in Security Council Resolution 1325 (2000);

Or. en

Amendment by Pierre Schapira

Amendment 39

Article 2, point (b), indent 1

- strengthen the capacity of law enforcement and judicial authorities ***in the fight against terrorism and organized crime, including trafficking, the effective control of illegal trade and transit and other areas of cooperation in the field of justice and home affairs;***

- strengthen the capacity of law enforcement and judicial authorities;

Or. fr

Justification

Although the fight against terrorism and organised crime would help to create stability, Community actions limited to these areas would go far beyond the objectives of development policy. These aspects of justice and home affairs policy are not covered by the legal basis formed by Articles 179 and 181A. For this reason, they should be excluded from the scope of this regulation.

Amendment by Pierre Schapira

Amendment 40
Article 2, point (b), indent 2

- strengthen the international framework for the protection of human rights and support international action for the promotion of democracy;	deleted
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Or. fr

Justification

In deleting this indent, Parliament repeats its call for the Commission to propose a separate instrument for human rights and democracy that would allow non-state actors to receive direct Community support.

Amendment by María Elena Valenciano Martínez-Orozco

Amendment 41
Article 2, point (b), indent 2

- strengthen the international framework for the protection of human rights and support international action for the promotion of democracy;	- strengthen the international framework for the protection of human rights, especially women's rights , and support international action for the promotion of democracy and gender equality ;
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Or. en

Amendment by Filip Andrzej Kaczmarek

Amendment 42
Article 5, paragraph 1

1. The Commission shall maintain a constant dialogue with the Council on its planning of exceptional assistance measures under this Regulation. It shall take account of the approach adopted by the Council both in its planning and subsequent implementation of such measures, in the interests of the coherence of EU external action. Where the	1. Following the adoption of exceptional assistance measures, the Commission may adopt an 'interim response programme' based on the exceptional assistance measures adopted and serving to re-establish the conditions which are essential to normal cooperation. Such programmes may also be implemented in situations of prolonged political instability, situations
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Commission adopts exceptional assistance measures in accordance with Article 4(2) above it shall inform the Council forthwith of the nature, objectives and financial amounts of the measures adopted.

stemming from unresolved conflicts, major post-conflict challenges and situations in which the Community has invoked the 'essential elements' clauses of international agreements with third countries or other basic acts governing external assistance, provided that this is compatible with appropriate measures adopted by the Council.

Or. pl

Amendment by Pierre Schapira

Amendment 43
Article 6, title

Special provisions applicable to peace-
support operations

Special provisions applicable to peace-
keeping operations

Or. fr

Amendment by Pierre Schapira

Amendment 44
Article 6, paragraph 1

1. indirect centralised management by Member-State bodies (paragraph 3), in accordance with Article 54(2)(c)(i) of the Financial Regulation that authorises this option where the basic act provides for it. Measures providing support for the deployment of peace keeping forces and peace support operations as provided for under article 2 above, and any accompanying measures, shall be adopted as exceptional assistance measures.

Before adopting such measures the Commission shall *at an early stage seek the views of Member States in the competent bodies of the Council, also indicating any complementary measures that it may*

1. In accordance with the principles of responsibility and appropriateness regarding development cooperation policies, the initiative for requesting support measures for peace-keeping operations shall belong solely to regional and subregional organisations and other coalitions of beneficiary countries.

Before adopting such measures the Commission shall *establish that operations are consistent with the principles and objectives of the United Nations, and in particular that any deployment of peace-keeping forces or peace-support operations has received a UN endorsement defined in broad terms.*

consider useful for adoption by the Council.

The Commission shall establish that operations *are consistent with the principles and objectives of the United Nations, and in particular that any deployment of peace-keeping forces or peace-support operations has received a UN endorsement defined in broad terms. Peace enforcement operations shall require a UN mandate.*

The Commission shall establish procedures to ensure the effective independent monitoring of the conduct of forces engaged in military monitoring or peace-keeping operations financed by the Community and shall ensure regular reporting to the Council.

The Commission shall *also* establish that operations *aim solely to re-establish conditions of stability essential for the resumption of human and social development in the conflict zone and that financial and technical resources provided by the Community are used only in keeping with the objectives of European development policy.*

Or. fr

Justification

If the Community is to be awarded responsibility for supporting peace-keeping operations, then the conditions for providing Community support should be clearly set out. The objectives pursued in peace-keeping operations receiving Community financial support should concern only the resumption of development in the area affected by conflict. The only interest in intervening militarily should be the development of the destabilised population. Parliament and the Council will ensure that the operations funded comply with this aim.

Amendment by Pierre Schapira

Amendment 45
Article 6, paragraph 2

The Commission may on its own initiative adopt preparatory measures relating to peace-support operations, including fact-finding missions. The Commission shall inform the Council at an early stage before financing any such preparatory measures and shall take account of the views of the Council in the subsequent implementation of such measures.

As soon as possible and, in any case, before adopting such measures, the Commission will consult Parliament and the Council on the appropriateness of granting Community support. When taking its decision, the Commission will take the utmost account of the political will voiced by Parliament and the Council in their respective resolutions and conclusions.

Measures providing support for the

deployment of peace keeping forces and peace support operations as provided for under article 2 above, and any accompanying measures, shall be adopted as exceptional assistance measures.

The Commission shall establish procedures to ensure the effective independent monitoring of the conduct of forces engaged in military monitoring or peace-keeping operations financed by the Community and shall ensure regular reporting to the Council. The Council shall undertake to make available to the Commission all useful resources that its members can offer to assist the Commission in this task.

Or. fr

Justification

See justification for amendment to Article 6(1).