EUROPEAN PARLIAMENT

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Committee on Civil Liberties, Justice and Home Affairs

6.3.2006 PE 370.204v02-00

AMENDMENTS 1-12

Draft opinion **(PE 360.352v02-00)**
Johannes Blokland
Transatlantic relations
(COM(2005)0196 - 2005/2056 (INI))

Amendment by Johannes Blokland

Amendment 1
Paragraph 1

1. Recalls that as far as free movement of persons is concerned (the visa exemption for travellers), a reciprocity clause has been invoked by 10 Member States because their citizens are required to have a visa; calls urgently for the EU-US discussions to be continued ***on a more result-oriented basis*** to solve this problem for Member States to which the Visa Waiver Programme does not apply,

Or. en

Amendment by Antonio Masip Hidalgo and Javier Moreno Sánchez

Amendment 2
Paragraph 1 a (new)

1a. ***Recalling their attachment to the principles of liberty, democracy and respect for human rights and fundamental freedoms and of the rule of law, calls on the US to respect those principles and to cooperate with the EU in order, in accordance with the objectives of the common foreign and security policy, to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms, to preserve peace and strengthen international security and to promote***

international cooperation;

Or. en

Amendment by Johannes Blokland

Amendment 3
Paragraph 2

2. Calls on the US to take into consideration the legal developments in the EU when devising its own laws and policies; recalls that, for instance, ***short-stay*** visa policy is now mainly a policy of Community competence; brings to the attention of the US petition Nr. 413/2005, which calls for US immigration law to be interpreted in such a way as to take into account legal developments in the EU, so that work in any Member State falls underthe "home residency requirement" as regards J-1 visas;

Or. en

Amendment by Martine Roure

Amendment 4
Paragraph 2

2. Calls on the US to take into consideration the legal developments in the EU when devising its own laws and policies; ***recalls that visa matters have been brought into the Community framework and that henceforth the United States' primary interlocutor in this area must be the Commission and not the consulates of the Member States, which does not seem to have been taken into account in the current wording of point 5.1 of the Joint EU-US Work Programme of November 2005; in other words, the choice of a bilateral negotiating framework does not correspond to the distribution of powers between the Member States and the Union; henceforth it would be useful to draw the attention of our partners to the respect due to the specific negotiating rules when the latter come under the first pillar;*** brings to the US's attention petition Nr. 413/2005, which calls for US immigration law to be interpreted in such a way as to take into account the legal developments in the EU, so that work in any Member State falls under the "home residency requirement" as regards J-1 visas;

Or. fr

Amendment by Bogusław Sonik

Amendment 5
Paragraph 2 a (new)

2a. Points to the need for the United States' visa policy to be reformulated to reflect the European Union's current socio-political situation, with 10 new Member States having joined the single market and work on the implementation of the Schengen system constantly advancing, in view of which the grounds for differing treatment are becoming irrelevant;

Or. pl

Amendment by Martine Roure

Amendment 6
Paragraph 4

4. Considers that the "Trusted Person" initiative is a voluntary initiative; notes, however, that it could raise data protection difficulties for the EU, in particular for citizens travelling to the USA on business or for tourism; ***considers further that the creation of a database of persons with 'facilitated access' to Community or US territory brings with it the risk of hindering the free movement of persons; considers that this would be problematic in relation to the rights of other citizens not enjoying this form of privileged status, the granting of which would, in all probability, be relatively limited;***

Or. fr

Amendment by Martine Roure

Amendment 7
Paragraph 5

5. Stresses the need for increased cooperation on a Border Security Initiative so as to: develop a specific enforcement initiative to help build networks among border security agencies, facilitate sharing and concrete application of effective border enforcement techniques and ***sharing of*** information ***(deletion)***, generate lessons learned, and provide measurable results of reducing counterfeiting through enforcement;

Or. fr

Amendment by Kathalijne Maria Buitenweg

Amendment 8
Paragraph 8 a (new)

8a. Calls on the US to lay down effective procedures for persons to challenge their inclusion in the list of terror suspects compiled by the US, have their names deleted from the list once it has been proven that they are innocent and ensure that those bearing the same name (or a similar name) as persons on the list are not adversely affected as a result;

Or. en

Amendment by Johannes Blokland

Amendment 9
Paragraaf 10

10. Calls for operational cooperation in the fight against terrorism ***based on equivalence and reciprocity*** (in particular as regards the establishment of common watch-lists), organised crime, drug trafficking, corruption and and the exchange of DNA data via Interpol, cyber-security and cyber-crime policy, including issues relating to the importance of industry-government cooperation, protection of critical information infrastructure, use of the internet by terrorists, identity theft, admissibility of electronic evidence and combating online child pornography.

Or. nl

Amendment by Martine Roure

Amendment 10
Paragraph 10

10. Calls for operational cooperation in the fight against terrorism, (in particular as regards the establishment of common watch-lists), organised crime, drug trafficking, corruption and the exchange of DNA data via ***Europol***, cyber-security and cyber-crime policy, including issues relating to the importance of industry-government cooperation, protection of critical information infrastructure, use of the internet by terrorists, identity theft, admissibility of electronic evidence and combating online child pornography.

Or. fr

Amendment by Kathalijne Maria Buitenweg

Amendment 11
Paragraph 10 a (new)

10a. Recalls, however, that any cooperation between the EU and the US should always be carried out in full respect of human rights, including the right to a fair trial, and that, before anyone is extradited to the US, guarantees should be obtained from the US that he or she will not receive the death penalty;

Or. en

Amendment by Kathalijne Maria Buitenweg

Amendment 12
Paragraph 10 b (new)

10b. Calls on the transatlantic partners to respect the principle of reciprocity in judicial and police cooperation between them.

Or. en