

EUROPOS PARLAMENTAS

2004



2009

Vystymosi komitetas

NEGALUTINIS
2004/0040(COD)

2004 m. rugpjūčio 9 d.

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PRANEŠIMO PROJEKTAS

Dėl pasiūlymo dėl Europos Parlamento ir Tarybos reglamento, iš dalies keičiančio Reglamentą (EB) Nr. 2130/2001 dėl veiksmų, kuriais siekiama padėti iškeldintiems asmenims besivystančiose Azijos ir Lotynų Amerikos šalyse (KOM(2004) 126 – C5-0097/2004 – 2004/0040(COD))

Vystymosi komitetas

Pranešėjas: Luisa Morgantini

Procedūrų sutartiniai ženklai

- * Konsultacinė procedūra
balsavusių narių balsų dauguma
- **I Bendro sprendimo procedūra (pirmasis svarstymas)
balsavusių narių balsų dauguma
- **II Bendradarbiavimo procedūra (antrasis svarstymas)
balsavusių narių balsų dauguma pritariama bendrajai pozicijai, visų Parlamento narių balsų dauguma bendroji pozicija atmetama arba keičiama
- *** Pritarimo procedūra *dalyvaujančių Parlamento narių balsų dauguma, išskyrus EB Sutarties 105, 107, 161 ir 300 straipsniuose ir ES Sutarties 7 straipsnyje numatytais atvejus*
- ***I Bendro sprendimo procedūra (pirmasis svarstymas)
balsavusių narių balsų dauguma
- ***II Bendro sprendimo procedūra (antrasis svarstymas)
balsavusių narių balsų dauguma pritariama bendrajai pozicijai, visų Parlamento narių balsų dauguma bendroji pozicija atmetama arba keičiama
- ***III Bendro sprendimo procedūra (trečiasis svarstymas)
balsavusių narių balsų dauguma pritariama bendram tekstui

(Procedūra pasirenkama atsižvelgiant į Komisijos pasiūlytą teisinį pagrindą.)

Teisės akto pakeitimai

Parlamento pakeistas tekstas yra paryškinamas ***pusjuodžiu kursyvu***.
Paryškinimas *paprastu kursyvu* parodo atitinkamiems dokumentų rengusiems skyriams tas teisės akto projekto vietas, kurias siūloma taisyti rengiant galutinį tekstą (pvz., tekste tam tikra kalba paliktas akivaizdžias klaidas ar praleistas vietas). Pasiūlytiems pataisymams atliliki būtina gauti atitinkamų skyrių sutikimą.

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PROCEDŪROS EIGA

2004 m. vasario 23 d. laišku Komisija, pagal EB Sutarties 251 straipsnio 2 dalį ir 179 straipsnio 1 dalį, perdavė Parlamentui pasiūlymą dėl Europos Parlamento ir Tarybos reglamento, iš dalies keičiančio Reglamentą (EB) Nr. 2130/2001 dėl veiksmų, kuriais siekiama padėti iškeldintiems asmenims besivystančiose Azijos ir Lotynų Amerikos šalyse (KOM(2004) 126 – 2004/0040(COD)).

2004 m. kovo 8 d. posėdyje Parlamento Pirmininkas pranešé, kad jis ši pasiūlymą perdavé atsakingam Vystymosi komitetui ir Biudžeto bei Biudžeto kontrolės komitetams, kad šie pateiktų savo nuomone (C5-0097/2004).

Vystymosi komitetas 2004 m. liepos 27 d. posėdyje pranešéja patvirtino Luisą Morgantini.

Komitetas apsvarsté Komisijos pasiūlymą ir pranešimo projektą ... m. ... mén. ... d. posėdyje(-džiuose).

Pastarajame / paskutiniame posėdyje teisékūros rezoliucijos projektas buvo priimtas ... nariams(-ui) balsavus už, ... – prieš ir ... susilaikius / vienbalsiai.

Balsuojant dalyvavo: (pirmininkas(-é)/einantis(-i) pirmininko(-és) pareigas), ... (pirmininko(-és) pavaduotojas(-a)), (pirmininko(-és) pavaduotoja) Luisa Morgantini (pranešéja), ..., (pavaduojantis(-i) ...), ... (pavaduojantis(-i) ...), pagal Darbo tvarkos taisyklių 153 straipsnio 2 dalį), ... ir

Prie pranešimo pridedama(-os) ... komiteto (ir ... komiteto) nuomonè(-és). (Komitetas ... m. ... mén. ... d. nusprenđe nuomonës neteikti.)

Pranešimas buvo pateiktas ... m. ... mén. ... d.

EUROPOS PARLAMENTO TEISÉKŪROS REZOLIUCIJOS PROJEKTAS

**Dėl pasiūlymo dėl Europos Parlamento ir Tarybos reglamento, iš dalies keičiančio Reglamentą (EB) Nr. 2130/2001 dėl veiksmų, kuriais siekiama padėti iškeldintiems asmenims besivystančiose Azijos ir Lotynų Amerikos šalyse
(KOM(2004) 126 – C5-0097/2004 – 2004/0040(COD))**

(Bendro sprendimo procedūra: pirmasis svarstymas)

Europos Parlamentas,

- atsižvelgdamas į Komisijos pasiūlymą Europos Parlamentui ir Tarybai (KOM(2004) 126)¹,
 - atsižvelgdamas į EB Sutarties 251 straipsnio 2 dalį ir 179 straipsnio 1 dalį, pagal kurias Komisija pateikė pasiūlymą Parlamentui (C5-0097/2004),
 - atsižvelgdamas į Darbo tvarkos taisyklių 67 straipsnį,
 - atsižvelgdamas į Vystymosi komiteto pranešimą ir į Biudžeto komiteto nuomonę (A6-0000/2004),
1. Pritaria Komisijos pasiūlyme pateikiems pakeitimams.
 2. Ragina Komisiją vėl kreiptis į Parlamentą, jei ji nutars iš esmės taisyti pasiūlymą arba pakeisti jo tekstą kitu tekstu.
 3. Paveda Pirmininkui(-ei) perduoti Parlamento poziciją Tarybai ir Komisijai.

Komisijos siūlomas tekstas

Parlamento pakeitimai

1 pakeitimas
1 STRAIPSNIS, –1 PUNKTAS (naujas)

8 straipsnis, 1 dalis (Reglamentas (EB) Nr. 2130/2001)

8 straipsnio 1 pastraipos tekstas keičiamas tokiu tekstu:

1. Komisija atsako už apsisprendimą imtis šiame reglamente numatytyų veiksmų bei už jų įvertinimą ir valdymą pagal galiojančias biudžetines ir kitas procedūras, ypač nustatytas bendrajam Europos Bendrijų biudžetui taikomo Finansinio reglamento 27 straipsnyje, 43 straipsnio 2 dalyje, 241 ir 242

¹ OL C ... / Dar nepaskelbta Oficialiajame leidinyje.

straipsniuose¹.

¹ OL L 248, 2002 9 16, p. I. 2002 m. birželio 25 d. Tarybos reglamentas (EB Euratom) Nr. 1605/2002.

Pagrindimas

Pataisa atnaujina nuorodą į Finansinių reglamentų teisės akte, nes dabar turi būti nurodomas naujas 2002 m. birželio mėn. priimtas Finansinis reglamentas.

2 pakeitimas
1 STRAIPSNIS, 2 PUNKTAS (naujas)

19 straipsnis, 3 dalis (Reglamentas (EB) Nr. 2130/2001)

**2. 19 straipsnio 3 pastraipos tekstas
keičiamas tokiu tekstu:**

„3. Iki 2004 m. pabaigos Komisija Europos Parlamentui ir Tarybai pateikia nepriklausomą vertinimo ataskaitą apie šio reglamento įgyvendinimą. Joje bus nustatyta, ar jo tikslai yra pasiekti, ir apibrėžtos gairės, kaip būsimus veiksmus padaryti efektyvesnius. Šioje ataskaitoje bus įvertintas veiksmų, kurių buvo imtasi po veiklos auditu ir nepriklausomų vertinimų, efektyvumas.“

išbraukta

Pagrindimas

Šia pataisa siekiama išlaikyti originalų reglamento, kuriuo reikalaujama, kad Komisija pateiktų vertinimo ataskaitą ne vėliau kaip metai iki reglamento galiojimo pabaigos, teksta. Ši pozicija sutampa su Tarybos pozicija.

3 pakeitimas
1 STRAIPSNIS, 3 PUNKTAS (naujas)

20 straipsnis, 2 dalis (Reglamentas (EB) Nr. 2130/2001)

20 straipsnio antra pastraipa **išbraukiamā.**

20 straipsnio antros pastraipos tekstas
keičiamas tokiu tekstu:

Galioja iki 2006 m. gruodžio 31 d.

Pagrindimas

Pataisa siekiama apriboti reglamento taikymą konkrečiu laiku, kuris atitiktų finansinių nuostatų galiojimo laiką. Ši pozicija sutampa su Tarybos pozicija.

AIŠKINAMOJI DALIS

1) Background to the Proposal

The EC has supported uprooted people in Asia and Latin America since 1984, although it was only in 1997 that the Council adopted a regulation to provide a legal base for the use of the funds¹. The regulation expired at the end of 1999, was extended until December 2000 and was finally replaced by Regulation (EC) No. 2130/2001 of the European Parliament and of the Council of 29 October 2001, which expires on 31 December 2004.

The Regulation contemplated that its renewal would be "dependent on ... the possibilities for integrating this Regulation within a single framework Regulation for Asia and Latin America". On 2 July 2002, the Commission presented a proposal for a "Regulation concerning Community cooperation with Asian and Latin American countries" (ALA Regulation) which was intended to integrate operations to support uprooted people. Parliament adopted its first reading position on 6 November 2006. To date, no Common Position has been received from Council and it is understood that there is practically no possibility that this legislation could be adopted before the expiry of the Uprooted People Regulation. The Commission therefore presented, on 23 February 2004, a proposal to extend the applicability of the existing Uprooted People Regulation.

In order to prevent there being a legal void, which would prevent the implementation of operations to support uprooted people, the extension must be adopted before the end of 2004. In practical terms, this will require Parliament and Council to reach an agreement at first reading. Your rapporteur recommends that all possible efforts be made to achieve this result.

2) Support envisaged by the Regulation

The Regulation provides assistance to some of the most vulnerable groups in the world - those forced to flee their homes due to armed conflict. The groups eligible for support are defined in Article 2 of the Regulation as:

- a) "uprooted people", comprising refugees; displaced persons forced to take refuge outside their region of origin; and former refugees or displaced persons;
- b) "demobilised former soldiers", from either regular or opposition forces.

The purpose of the support is to foster the voluntary return and reintegration of these groups into their host communities, either in their places of origin or in other places chosen by them. It may also be used to prevent conflicts or reconcile parties to a conflict, and to help uprooted people or demobilised former soldiers recover belongings or property rights or receive settlement for human rights violations.

The special position of women among refugee and displaced populations is given particular attention in the guidelines for implementation of this line. Specifically, it is recognised that

¹ OJ L 068, 8.3.1997, p. 1. Regulation No. 443/97 of 3 March 1997.

women tend to bear most of the burden of providing food security and family subsistence in such circumstances, and hence require particular protection. Furthermore, attention is given to the need to give women a greater role in peace-building and national reconstruction, as well as in the rebuilding of their societies.

3) Linking relief, rehabilitation and development

The Uprooted People instrument offers valuable flexibility to cover the often-neglected period of transition between humanitarian aid and longer-term development. While able to fund over a longer period than emergency instruments, it has a shorter programming period than development aid which allows for greater flexibility in cases where circumstances can rapidly change. The value of the separate programming cycle for these operations was recognised in the Commission proposal for a new ALA Regulation to incorporate the Uprooted People Regulation, and received the support of Parliament in its first reading vote.

Further flexibility is demonstrated by the variety of partners that can participate in the implementation of these operations. Rather than channelling support through central government, this instrument allows for work to be carried out with UN agencies, local NGOs or local governments.

4) How funding corresponds to operations

The financial framework in the expiring Regulation is €200 million covering the period from 2001 to 2004. The proposed financial provision for the years 2005 and 2006 is €141 million. This represents an increase in the annual average of €20 million. However, the appropriations were not evenly distributed during the four years of the initial period, and the proposed figure fits in with the trend of increasing commitments year-on-year:

Year	Appropriations				Proposed Appropriations	
	2001 (million €)	2002	2003	2004	2005	2006
39.3	40.4	57	60	70	71	

Broken down using the same geographical distribution as the main development budget lines, this gives the following table:

Year	Regional allocations (million €)				Proposed allocations (million €)	
	2001	2002	2003	2004	2005	2006
Asia	13.9	12.1	23	25	26	27
Afghanistan	25.4	24	24	24	24	24
Latin America	-	4.3	10	11	20	20
Total	39.3	40.4	57	60	70	71

Proposed funding levels can be explained by reference to the regions concerned.

a) Asia

For Asia, small annual increases are foreseen for the years 2005 and 2006 above the funding level for 2004 which are intended to assure the continuation of programmes currently in implementation.

During the period 2001-2003, the greatest proportion of funds for Asia (42.8%) were provided for Burmese uprooted people. This covered support to refugees in Bangladesh and Thailand, where concentration was on basic needs and social services, and on protection, food security and other assistance for returnees in Burma/Myanmar. As Burmese uprooted people continue to number hundreds of thousands, including refugees and internally displaced people (IDPs), the Commission's decision to continue these operations in 2005 and 2006 is very much to be welcomed.

The other areas of recent intervention under this Regulation in Asia have been Sri Lanka, (23.9%) Indonesia (17.6%), the Philippines (13.3%) and Bhutan/Nepal (3.8%). The level of need remains high in all these crises, with particular problems in certain countries, such as the increasing risk of forced returns of IDPs in the Philippines, demobilised Tamil Tiger child soldiers needing support in Sri Lanka and a solution to be found for the resettlement of Bhutanese refugees in camps in Nepal. Continued funding is very much justified for these programmes.

b) Afghanistan

Since a separate budget-line was created in the 2003 budget for rehabilitation and reconstruction in Afghanistan, allocations for operations in this country are listed separately. Funding is envisaged to remain at the same level as in recent years.

With 3.5 million Afghans living as refugees in other countries¹, post-conflict reconstruction dogged by problems of insecurity and weak central government, and human development indicators at a persistently low level, Afghanistan is rightly one of the priorities under the Uprooted People Regulation. Operations in the past have concentrated on providing refugees with basic services but also helping them prepare to return to Afghanistan and removing obstacles which may impede their return. Within Afghanistan, multi-sector support has been given to areas with high returnee populations to help provide sustainable prospects for their reintegration.

c) Latin America

The only Latin American country to receive funding from the Uprooted People line is Colombia, where it has been used since mid-2002 to support internally displaced people. The Commission programming for 2005-2006 indicates their intention to expand operations in Colombia to include assistance to demobilised combatants and former child soldiers. There is also a need to supplement funding due to the forthcoming withdrawal of the EC Humanitarian Office (ECHO) from the country. These factors explain the proposed increase in funding to almost double the 2003-4 level.

5) Independent Assessment

¹ Figure dates from the beginning of 2003 and is divided between 2 million in Iran and 1.5 million in Pakistan.

The current Regulation provides in Article 19(3) for the Commission to submit to Parliament and Council an independent overall assessment report "at the latest one year before the expiry of this Regulation". Furthermore, Article 20 makes the renewal of the Regulation dependent on the results of this assessment.

The Commission has not submitted this report. Your rapporteur is informed that work to draw up the report is in progress, but it will not be available in time to influence decisions on the proposal to extend the regulation.

The explanation offered by the Commission is that there has been little change since the 2000 evaluation of the previous Regulation. Furthermore, the first actions under the existing Regulation did not start until late 2002/early 2003 and it would be difficult to make a meaningful evaluation based on just 18 months of ongoing activities.

While accepting these justifications, your rapporteur still considers it regrettable that the Commission did not meet its obligation set out in the Regulation.

Duration of the Regulation

The Commission proposes extending the Regulation for an indefinite period, but only includes a financial framework running to the end of the current Financial Perspectives in 2006. Such an extension would leave uncertainty as to the level of subsequent appropriations for this purpose, which would have to be determined by the annual budgetary procedure. This inconvenience may be averted by reducing the period of validity to two years - 2005 and 2006. This approach is favoured by Council and appears also to be acceptable to the Commission. At the expiry of this period, the Regulation can be renewed or incorporated into more general legislation, relating either to the regions of Asia and Latin America or to global development cooperation. At that time, your rapporteur expects the independent assessment report to be available to inform Parliament's decision.