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Committee on Civil Liberties, Justice and Home Affairs

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DRAFT REPORT

on the proposal for a Council decision amending and extending Decision 2001/923/EC establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting (the 'Pericles' programme) (COM(2006)0243 – C6-0179/2006 – 2006/0078(CNS))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Agustín Díaz de Mera García Consuegra

Symbols for procedures

*	Consultation procedure *majority of the votes cast*
**I	Cooperation procedure (first reading) *majority of the votes cast*
**II	Cooperation procedure (second reading) *majority of the votes cast, to approve the common position* *majority of Parliament's component Members, to reject or amend the common position*
***	Assent procedure *majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty*
***I	Codecision procedure (first reading) *majority of the votes cast*
***II	Codecision procedure (second reading) *majority of the votes cast, to approve the common position* *majority of Parliament's component Members, to reject or amend the common position*
***III	Codecision procedure (third reading) *majority of the votes cast, to approve the joint text*

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

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council decision amending and extending Decision 2001/923/EC establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting (the 'Pericles' programme (COM(2006)0243 – C6-0179/2006 – 2006/0078(CNS))

(Consultation procedure)

The European Parliament,

– having regard to the Commission proposal to the Council (COM(2006)0243)[1],

– having regard to Article 123(4), third sentence of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0179/2006),

– having regard to Rule 51 of its Rules of Procedure,

– having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinions of the Committee on Budgets and the Committee on Economic and Monetary Affairs (A6-0000/2006),

1. Approves the Commission proposal;

2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;

3. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;

4. Instructs its President to forward its position to the Council and Commission.

[1] Not yet published in OJ.

EXPLANATORY STATEMENT

The Pericles programme - the Community's exchange, assistance and training programme for the protection of the euro against counterfeiting - was established by a Council decision of 17 December 2001. Its objectives are to support and complement the actions initiated by the Member States and the existing programmes for protecting Europe's single currency against counterfeiting. These include exchanges of information (seminars, meetings, workshops and conferences), internships and exchanges of personnel, and technical, scientific and operational assistance.

Under Article 13(3)(a) of the Pericles decision, an evaluation report on the programme should be presented, together with a suitable proposal regarding the programme's continuation or adaptation. This first report was produced, and was submitted to Parliament and the Council on 30 November 2004. On 8 April 2005, the Commission submitted a proposal on the basis of which the Council extended the programme for the 2006 financial year, accompanying it with funding to the total of EUR 1 m, pending a final agreement on the financial perspective for 2007-2013.

The above-mentioned article also requires that a detailed report be submitted to Parliament and the Council, no later than 30 June 2006, on the implementation and results of the programme. The Commission fulfilled this obligation in its document of 23 May 2006, in which it stated that the results were generally positive: the counterfeiting rate has been minimal, thanks to the committed training and high standards of cooperation characterising the services concerned.

There is no doubt that this programme is making a vital contribution to the protection of the euro and the fight against counterfeiting: it should therefore continue in its present form. It has, notably, improved perceptions of the Community-wide nature of the euro, and has enabled participants to obtain a better understanding of the related legislation and instruments, such as the relevant elements of Community law and of European law in general. Nonetheless, a number of minor modifications - based on the recommendations of the evaluation report - could be in order, with a view to increasing the participation (steadily rising but still insufficient) of sectors other than the law enforcement authorities (banks, chambers of commerce, specialist lawyers).

However, with a global commitment level of 80% of the reference sum for 2002-2006, broken down into 64 projects covering as many as 76 countries, whose detailed examination highlights the complementarity of the national and Community levels (48 initiatives emanated from the Member States and 16 from the Commission and/or OLAF), Pericles has fully achieved the objectives assigned to it: it may be stressed, notably, that outside the Member States and accession countries (Bulgaria and Romania), it has also made it possible to identify sensitive geographical areas for the production of counterfeit notes, such as Colombia. This international projection of the programme has resulted in notable structural improvements, particularly as regards the creation in various countries of central national anti-counterfeiting offices.

Also to be welcomed is the systematic involvement of the ECB, Europol and other European organisations in the actions under Pericles, be it at the programme's evaluation and execution

stages (Europol and OLAF) or in its coordination with other training actions guaranteed by the expert group on euro counterfeiting which brings together specialists from all the Member States and candidate countries (Europol, Interpol and OLAF).

The Council, having adopted a final agreement on the financial perspective for 2007-2013 at its meeting of 15 and 16 December 2005, now proposes that its 'Pericles' decision of 17 December 2001 should be extended up to 31 December 2013, thus aligning it with the period of validity of the financial perspective and making it possible to adopt the programmes in a coordinated fashion and avoid resort to stopgap measures. The annual allocation of EUR 1 m remains unchanged; the extension implies a total budget of EUR 7 m to cover requirements up to the end of 2013.

Given these circumstances, your rapporteur proposes that Parliament should approve the Commission's proposals for the adoption by the Council of the decisions amending and extending Decision 2001/923/EC establishing an exchange, assistance and training programme for the protection of the euro against counterfeiting (the 'Pericles' programme) and extending it to the non-participating Member States.