



EUROPEAN PARLIAMENT

2009 - 2014

---

*Committee on Foreign Affairs*

---

**2011/0404(COD)**

24.5.2012

**\*\*\*|**

## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council  
on the Instrument for Pre-accession Assistance (IPA II)  
(COM(2011)0838 – C7-0491/2011 – 2011/0404(COD))

Committee on Foreign Affairs

Rapporteur: Kristian Vigenin

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

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

### ***Amendments to a draft act***

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

## CONTENTS

	<b>Page</b>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	44



## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council on the Instrument for Pre-accession Assistance (IPA II)  
(COM(2011)0838 – C7-0491/2011 – 2011/0404(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2011)0838),
  - having regard to Article 294(2) and Article 212(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0491/2011),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on International Trade, the Committee on Budgets, the Committee on Employment and Social Affairs and the Committee on Regional Development (A7-0000/2012),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

## Amendment 1

### Proposal for a regulation

#### Recital 1

*Text proposed by the Commission*

(1) In the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions “A Budget for Europe 2020”, the Commission sets the budgetary framework for the external **action** instruments of the Union, including the Instrument for Pre-accession Assistance (IPA).

*Amendment*

(1) In the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions “A Budget for Europe 2020”, the Commission sets the budgetary framework for the external **financing** instruments of the Union, including the Instrument for Pre-accession Assistance (IPA).

Or. en

## Amendment 2

### Proposal for a regulation

#### Recital 3

*Text proposed by the Commission*

(3) Article 49 of the Treaty on European Union provides that any European State which **endorses** the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights may apply to become a member of the Union.

*Amendment*

(3) Article 49 of the Treaty on European Union provides that any European State which **respects** the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, **including the rights of persons belonging to minorities**, may apply to become a member of the Union. **Those values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.**

Or. en

### Amendment 3

#### Proposal for a regulation

##### Recital 4

###### *Text proposed by the Commission*

(4) A European State which has applied to join the Union can become a member only when it has been confirmed that it meets the **membership** criteria agreed at the Copenhagen European Council in June 1993 and provided that the accession does not overstretch the capacity of the Union to integrate the new member. **These** criteria relate to the stability of institutions guaranteeing democracy, the rule of law, **respect of** human rights and respect for, and protection of, minorities, the **development of the** economy **that must be sufficient to withstand the** competitive pressure **in the internal** market, and the ability to assume not only the rights but also the obligations under the Treaties.

###### *Amendment*

(4) A European State which has applied to join the Union can become a member only when it has been confirmed that it meets the **accession** criteria agreed at the Copenhagen European Council in June 1993 and provided that the accession does not overstretch the capacity of the Union to integrate the new member. **The accession** criteria relate to the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the **existence of a functioning market** economy, **the capacity to cope with** competitive pressure **and market forces within the Union**, and the ability to assume not only the rights but also the obligations under the Treaties **including adherence to the aims of political, economic and monetary union**.

Or. en

### Amendment 4

#### Proposal for a regulation

##### Recital 5

###### *Text proposed by the Commission*

(5) The accession process is based on objective criteria and the application of the principle of equal treatment of all applicant countries. Progression towards accession depends on the capacity of the applicant country to undertake the necessary reforms to align its political, institutional, legal, administrative and economic systems with

###### *Amendment*

(5) The accession process is based on objective criteria and the application of the principle of equal treatment of all applicant countries, **which should be judged on their own merits**. Progression towards accession depends on the capacity of the applicant country to undertake the necessary reforms to align its political, institutional, legal,

the rules, standards, policies and practices in the Union.

administrative and economic systems with *the values and principles as well as* the rules, standards, policies and practices in the Union.

Or. en

## Amendment 5

### Proposal for a regulation

#### Recital 6

*Text proposed by the Commission*

(6) The European Council has granted the status of candidate country to Iceland, Montenegro, the former Yugoslav Republic of Macedonia *and* Turkey. It has confirmed the European perspective for Albania, Bosnia and Herzegovina, *Serbia* as well as Kosovo, which are considered potential candidates.

*Amendment*

(6) The European Council has granted the status of candidate country to Iceland, Montenegro, the former Yugoslav Republic of Macedonia, Turkey *and Serbia*. It has confirmed the European perspective for Albania, Bosnia and Herzegovina, as well as Kosovo, which are considered potential candidates.

Or. en

## Amendment 6

### Proposal for a regulation

#### Recital 8

*Text proposed by the Commission*

(8) Assistance under this Regulation should be provided in accordance with the enlargement policy framework defined by the Union for each beneficiary country reflected in the annual enlargement package of the Commission, which includes the Progress Reports and the Enlargement Strategy, in the Stabilisation and Association agreements and in the European or Accession Partnerships. Assistance should mainly focus on a *limited* number of policy areas that will

*Amendment*

(8) Assistance under this Regulation should be provided in accordance with the enlargement policy framework defined by the Union for each beneficiary country reflected in the annual enlargement package of the Commission, which includes the Progress Reports and the Enlargement Strategy, in the Stabilisation and Association agreements and in the European or Accession Partnerships, *as well as in the relevant resolutions of the European Parliament and conclusions of*



help beneficiary countries strengthen democratic institutions and the rule of law, reform the judiciary and public administration, respect fundamental rights and promote gender equality **and non-discrimination**. It should also enhance their economic and social development, underpinning a smart, sustainable and inclusive growth agenda in line with the Europe 2020 strategy and to align progressively with the Copenhagen criteria. **The** coherence between the financial assistance and the overall progress made in the implementation of the pre-accession strategy **should be strengthened**.

**the European Council**. Assistance should mainly focus on a **selected** number of policy areas that will help beneficiary countries strengthen democratic institutions and the rule of law, reform the judiciary and public administration, respect fundamental rights, **including the rights of persons belonging to minorities**, and promote **tolerance, non-discrimination, social inclusion, respect of workers' rights and** gender equality. It should also enhance their economic and social development, underpinning a smart, sustainable and inclusive growth agenda in line with the Europe 2020 strategy and to align progressively with the Copenhagen criteria. **There should be a strengthening of coherence** between the financial assistance and the overall progress made in the implementation of the pre-accession strategy, **measured by clear, specific and transparent performance indicators**.

Or. en

## Amendment 7

### Proposal for a regulation

#### Recital 9

*Text proposed by the Commission*

(9) Candidate countries and potential candidates need to be better prepared to withstand global challenges, such as sustainable development and climate change, and align with the Union's efforts to address these issues. Union assistance under this Regulation should also contribute to the goal of raising the **climate-related** proportion of the Union budget to at least 20 %.

*Amendment*

(9) Candidate countries and potential candidates need to be better prepared to withstand global challenges, such as sustainable development and climate change, and align with the Union's efforts to address these issues. Union assistance under this Regulation should also contribute to the goal of raising the proportion of the Union budget **related to mitigation of the effects of climate change** to at least 20 %.

Or. en

## Amendment 8

### Proposal for a regulation

#### Recital 10

*Text proposed by the Commission*

(10) The Commission and the Member States should ensure the compliance, coherence, and complementarity of their assistance, in particular through regular consultations and frequent exchanges of information during the different phases of the assistance cycle.

*Amendment*

(10) The Commission and the Member States should ensure the compliance, coherence, **consistency** and complementarity of their assistance, in particular through regular consultations and frequent exchanges of information during the different phases of the assistance cycle. ***There should also be regular consultations and exchanges of information with other donors.***

Or. en

## Amendment 9

### Proposal for a regulation

#### Recital 11

*Text proposed by the Commission*

(11) In order to ensure coherence between the accession process and the financial and technical assistance provided under this Regulation and achieve the objectives of the accession agenda, a *common strategic framework* for using the Instrument for Pre-Accession Assistance should be established by the Commission. This framework should define, inter alia, the **list** of key actions which may be supported under this Regulation **and** the criteria for the allocation of funds. The *common strategic framework* should constitute the reference framework for the country and multi-country strategy papers.

*Amendment*

(11) In order to ensure coherence between the accession process and the financial and technical assistance provided under this Regulation and achieve the objectives of the accession agenda, a *Common Strategic Framework* for using the Instrument for Pre-Accession Assistance should be established by the Commission. This framework should define, inter alia, the **types** of key actions which may be supported under this Regulation **as well as** the **detailed criteria and performance indicators used** for the allocation of funds. ***Up to 5 % of the overall allocations should be set aside to incentives to improve performance.*** The *Common Strategic Framework* should constitute the

reference framework for the country and multi-country strategy papers.

Or. en

## Amendment 10

### Proposal for a regulation

#### Recital 12

##### *Text proposed by the Commission*

(12) The objectives of the assistance should be defined in indicative country and multi-country strategy papers established by the Commission for the duration of the Union's Multi-annual Financial Framework in partnership with the beneficiary countries, based on their specific needs and enlargement agenda. The strategy papers should identify the policy areas for assistance and, without prejudice to the prerogatives of the budgetary authority, lay down the indicative allocations of funds per policy area, broken down per year, including an estimate of climate **related expenditure**. Sufficient flexibility should be built in to cater for emerging needs **and to give incentives to improve performance**. The strategy papers should ensure coherence and consistency with the efforts of beneficiary countries as reflected in their national budgets and should take into account the support provided by other donors. In order to take into account internal and external developments, the multiannual indicative strategy papers should be **revised as appropriate**.

##### *Amendment*

(12) The objectives of the assistance should be defined in indicative country and multi-country strategy papers established by the Commission for the duration of the Union's Multi-annual Financial Framework in partnership with the beneficiary countries, based on their specific needs and **the** enlargement agenda **and in line with the general and specific objectives defined by this Regulation**. The strategy papers should identify the **appropriate mix of** policy areas for assistance **according to the needs and capacities of beneficiary countries** and, without prejudice to the prerogatives of the budgetary authority, lay down the indicative allocations of funds per policy area, broken down per year, including an estimate of **the expenditure related to mitigation of the effects of** climate change. Sufficient flexibility should be built in to cater for emerging needs. The strategy papers should ensure coherence and consistency with the efforts of beneficiary countries as reflected in their national budgets and should take into account the support provided by other donors. In order to take into account internal and external developments, the multiannual indicative strategy papers should be **reviewed when necessary or, at the latest, at mid-term**.

Or. en

## Amendment 11

### Proposal for a regulation

#### Recital 13

*Text proposed by the Commission*

(13) It is in the *Union's* interest to assist *beneficiary countries in their* efforts to reform *their* systems in order to align them to those of the Union. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can be better achieved at *Union's* level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve this objective.

*Amendment*

(13) It is in the *common* interest *of the Union and the beneficiary countries* to assist efforts to reform *the political, legal and economic* systems *of beneficiary countries* in order to align them to those of the Union. Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can be better achieved at *Union* level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve this objective.

Or. en

## Amendment 12

### Proposal for a regulation

#### Recital 15 a (new)

*Text proposed by the Commission*

*Amendment*

*(15a) Under this Regulation, the documents that define the objectives, priorities, expected results and financial allocations in broad terms are strategic programming documents within the meaning of Regulation (EU) No.../...of the European Parliament and of the Council of ... establishing common rules and procedures for the implementation of the Union's instruments for external action<sup>1</sup>, hereinafter referred to as 'the Common*

***Implementing Regulation'*. With a view to increasing flexibility and efficiency, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission for the purposes of the adoption and revision of those documents.**

---

<sup>1</sup> ***OJ L ...***

Or. en

### **Amendment 13**

#### **Proposal for a regulation Recital 16**

*Text proposed by the Commission*

(16) ***With regard to these delegated acts, it*** is of particular importance that the Commission ***should*** carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ***further*** ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

*Amendment*

(16) ***It*** is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and Council.

Or. en

### **Amendment 14**

#### **Proposal for a regulation Recital 17**

*Text proposed by the Commission*

(17) Assistance should continue to make use of the structures and instruments that have proved their worth in the pre-

*Amendment*

(17) Assistance should ***aim at developing and expanding local ownership and should*** continue to make use of the

accession process. The transition from direct management of pre-accession funds by the Commission to decentralised management delegated to the beneficiary countries should be progressive and in line with each beneficiary country's capacities.

structures and instruments that have proved their worth in the pre-accession process. The transition from direct management of pre-accession funds by the Commission to decentralised management delegated to the beneficiary countries should be progressive and in line with each beneficiary country's capacities.

Or. en

## Amendment 15

### Proposal for a regulation

#### Recital 18

##### *Text proposed by the Commission*

(18) *The* implementing powers *relating to the IPA common strategic framework and the strategy papers* should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers. *Taking into account the nature of those implementing acts, in particular their policy orientation nature or their financial implications, the examination procedure should in principle be used for their adoption, except for technical implementing measures of a small financial scale.*

##### *Amendment*

(18) *In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers* should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council *of 16 February 2011* laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers *and with the Common Implementing Regulation.*

Or. en

## Amendment 16

### Proposal for a regulation Recital 19 a (new)

*Text proposed by the Commission*

*Amendment*

***(19a) The Union's action on the international scene should be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world, namely democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principle of equality, and solidarity and respect for the principles of the United Nations Charter and international law.***

Or. en

## Amendment 17

### Proposal for a regulation Recital 20

*Text proposed by the Commission*

*Amendment*

(20) Where a beneficiary country violates the principles on which the Union is founded, or fails to respect the commitments contained in the relevant agreements concluded with the Union, or makes insufficient progress ***with respect to*** the accession criteria, the Council, on a proposal from the Commission, should be able to take ***appropriate*** measures to redress the situation.

(20) Where a beneficiary country violates the principles ***and values*** on which the Union is founded, or fails to respect the commitments contained in the relevant agreements concluded with the Union, or makes insufficient progress ***in meeting*** the accession criteria, the Council, on a proposal from the Commission, should be able to ***adopt a decision and take the necessary*** measures to redress the situation. ***The European Parliament should be fully and promptly informed of those decisions and measures.***

Or. en

## Amendment 18

### Proposal for a regulation Recital 20 a (new)

*Text proposed by the Commission*

*Amendment*

***(20a) The Union should seek the most efficient use of available resources in order to optimise the impact of its financial assistance for the benefit of beneficiary countries and an enlarging Union. This should be achieved through a comprehensive approach for each country based on complementarity, the creation of synergies and the mutual reinforcement of the programmes devised under the Instrument for Pre-Accession Assistance and the other external financing instruments of the Union.***

Or. en

## Amendment 19

### Proposal for a regulation Article 1 – title

*Text proposed by the Commission*

*Amendment*

General ***objective***

General ***objectives***

Or. en

## Amendment 20

### Proposal for a regulation Article 1

*Text proposed by the Commission*

*Amendment*

The Instrument for Pre-accession Assistance ('IPA') ***aims to*** support candidate countries and potential candidates ('beneficiary countries') listed

The Instrument for Pre-accession Assistance ('IPA') ***shall*** support candidate countries and potential candidates ('beneficiary countries') listed in the

PE486.125v01-00

16/47

PR\897484EN.doc



in the Annex in implementing the political, institutional, legal, administrative, social and economic reforms required **to bring the** countries **closer to** Union values and to progressively align to Union rules, standards, policies and practices with a view to Union membership.

Annex in **adopting and** implementing the political, institutional, legal, administrative, social and economic reforms required **by the beneficiary** countries **to comply with the** Union values and to progressively align to Union rules, standards, policies and practices with a view to Union membership. **The IPA shall promote stability, security and prosperity in the beneficiary countries.**

Or. en

## Amendment 21

### Proposal for a regulation

#### Article 2 – paragraph 1 – introductory wording

*Text proposed by the Commission*

1. Assistance under this Regulation shall pursue the following specific objectives according to the needs of each beneficiary country **and their** individual enlargement agenda:

*Amendment*

1. Assistance under this Regulation shall pursue **the achievement of** the following specific objectives according to the needs of each beneficiary country **as well as its** individual enlargement agenda:

Or. en

## Amendment 22

### Proposal for a regulation

#### Article 2 – paragraph 1 – point a – introductory wording

*Text proposed by the Commission*

(a) Support for political reforms, inter alia:

*Amendment*

(a) Support for political reforms, inter alia **through:**

Or. en

## Amendment 23

### Proposal for a regulation

#### Article 2 – paragraph 1 – point a – point i

*Text proposed by the Commission*

(i). strengthening of democratic institutions and the rule of law, including **its implementation**;

*Amendment*

(i). **the supporting of democracy, and the** strengthening of democratic institutions and the rule of law, including **an independent and efficient judiciary**;

Or. en

## Amendment 24

### Proposal for a regulation

#### Article 2 – paragraph 1 – point a – point ii

*Text proposed by the Commission*

(ii). promotion and protection of human rights and fundamental freedoms, **enhanced** respect for minority rights, promotion of gender equality, non-discrimination and freedom of the **press, and promotion of good neighbourly relations**;

*Amendment*

(ii). **the** promotion and protection of human rights and fundamental freedoms, respect for minority rights, **the** promotion of gender equality, non-discrimination, **tolerance** and freedom of the **media**;

Or. en

## Amendment 25

### Proposal for a regulation

#### Article 2 – paragraph 1 – point a – point iv

*Text proposed by the Commission*

(iv). public administration **reform** and good governance;

*Amendment*

(iv). **the strengthening of** public administration and good governance **at national, regional and local levels**;

Or. en

## Amendment 26

### Proposal for a regulation

#### Article 2 – paragraph 1 – point a – point iv a (new)

*Text proposed by the Commission*

*Amendment*

***(iva). the fostering of an inclusive and integrated education system and the preservation of cultural heritage;***

Or. en

## Amendment 27

### Proposal for a regulation

#### Article 2 – paragraph 1 – point a – point v

*Text proposed by the Commission*

*Amendment*

(v). the development of civil society and social dialogue;

(v). the development of civil society and ***the improvement of*** social dialogue;

Or. en

## Amendment 28

### Proposal for a regulation

#### Article 2 – paragraph 1 – point a – point vi

*Text proposed by the Commission*

*Amendment*

(vi). reconciliation, ***peace building and*** confidence building measures.

(vi). ***the promotion of*** reconciliation, confidence building measures, ***regional cooperation and good neighbourly relations.***

Or. en

## Amendment 29

### Proposal for a regulation

#### Article 2 – paragraph 1 – point b – point i

*Text proposed by the Commission*

(i). the achievement of Union standards in the economy and economic governance;

*Amendment*

(i). the achievement of Union standards in the economy and *in* economic governance;

Or. en

## Amendment 30

### Proposal for a regulation

#### Article 2 – paragraph 1 – point b – point ii

*Text proposed by the Commission*

(ii). economic reforms necessary to cope with competitive pressure and market forces within the Union, while *pursuing* economic, social *and environmental goals*;

*Amendment*

(ii). *the pursuit of* economic reforms necessary to cope with competitive pressure and market forces within the Union *with particular reference to small and medium enterprises*, while *achieving* economic *and* social *progress as well as progress in the area of the protection of the environment*;

Or. en

## Amendment 31

### Proposal for a regulation

#### Article 2 – paragraph 1 – point b – point iii

*Text proposed by the Commission*

(iii). fostering employment and *developing* human capital;

*Amendment*

(iii). *the fostering of decent* employment, *the stimulation of domestic and international investment for quality job creation, the promotion of labour mobility and the development of* human capital;

Or. en

## Amendment 32

### Proposal for a regulation

#### Article 2 – paragraph 1 – point b – point iv

*Text proposed by the Commission*

(iv). social and economic inclusion, in particular of minorities **and** vulnerable groups;

*Amendment*

(iv). **the promotion of** social and economic inclusion, in particular **that** of minorities, vulnerable groups, **people living with disabilities, refugees and displaced persons**;

Or. en

## Amendment 33

### Proposal for a regulation

#### Article 2 – paragraph 1 – point b – point v

*Text proposed by the Commission*

(v). development of physical capital, the improvement of connections with Union and regional networks.

*Amendment*

(v). **the** development of physical capital, the **development and** improvement of connections with Union and regional networks **and the creation and development of infrastructure**.

Or. en

## Amendment 34

### Proposal for a regulation

#### Article 2 – paragraph 1 – point c

*Text proposed by the Commission*

(c) Strengthening of the ability of beneficiary countries to fulfil **the** obligations stemming from membership by supporting progressive alignment with and adoption, implementation and enforcement of the *acquis communautaire*, structural,

*Amendment*

(c) Strengthening of the ability, **and of the institutional and administrative capacities at national, regional and local levels**, of beneficiary countries, **in order to enable them** to fulfil **their** obligations stemming from **Union** membership by supporting

cohesion, agricultural and rural development funds and policies of the Union.

progressive alignment with and adoption, implementation and enforcement of the *acquis communautaire*, *the* structural, cohesion, agricultural and rural development funds and policies of the Union.

Or. en

### Amendment 35

#### Proposal for a regulation

#### Article 2 – paragraph 1 – point d

*Text proposed by the Commission*

(d) Regional integration **and** territorial cooperation involving beneficiary countries, Member States and, where appropriate, third countries within the scope of Regulation (EU) No [...] establishing a European Neighbourhood Instrument.

*Amendment*

(d) Regional integration, territorial cooperation **and macro-regional strategies** involving beneficiary countries, Member States and, where appropriate, third countries within the scope of Regulation (EU) No... establishing a European Neighbourhood Instrument.

Or. en

### Amendment 36

#### Proposal for a regulation

#### Article 2 – paragraph 2 – introductory wording

*Text proposed by the Commission*

2. Progress towards achievement of the specific objectives set out in paragraph 1 shall be **assessed** through indicators that **cover** inter alia:

*Amendment*

2. Progress towards *the* achievement of the specific objectives set out in paragraph 1 shall be **evaluated** through **qualitative and quantitative** indicators that **measure** inter alia:

Or. en

## Amendment 37

### Proposal for a regulation

#### Article 2 – paragraph 2 – subparagraph 1 – indent 1

##### *Text proposed by the Commission*

– Progress in the areas of democracy, the rule of law, the respect of human rights and fundamental freedoms, ***the justice system and the level of administrative capacity***;

##### *Amendment*

– ***The level of*** progress in the areas of ***strengthening*** democracy, the rule of law ***and an independent and efficient justice system***, the respect of human rights, ***including the rights of persons belonging to minorities and vulnerable groups***, and fundamental freedoms, ***the strengthening of gender equality and combating discrimination, and the fight against corruption and organised crime, as well as reconciliation, good-neighbourly relations and refugee return***;

Or. en

## Amendment 38

### Proposal for a regulation

#### Article 2 – paragraph 2 – subparagraph 1 – indent 3

##### *Text proposed by the Commission*

– The body of legislation ***aligned*** with the acquis; progress in Union-related institutional reform, including transition to decentralised management of the assistance provided under this Regulation;

##### *Amendment*

– ***The level of progress in aligning*** the body of legislation with the acquis, ***including a track record of its implementation***; ***the level of*** progress in Union-related institutional reform, including transition to decentralised management of the assistance provided under this Regulation;

Or. en

## Amendment 39

### Proposal for a regulation

#### Article 2 – paragraph 2 – subparagraph 1 – indent 3 a (new)

*Text proposed by the Commission*

*Amendment*

*– The level of progress in building-up and strengthening the administrative, institutional and absorption capacities, including adequate human resources, needed to adopt and enforce the acquis-related legislation;*

Or. en

## Amendment 40

### Proposal for a regulation

#### Article 2 – paragraph 2 – subparagraph 1 – indent 4

*Text proposed by the Commission*

*Amendment*

– The *relevance of* regional and territorial cooperation initiatives and the evolution of trade flows.

– The regional and territorial cooperation initiatives and the evolution of trade flows.

Or. en

## Amendment 41

### Proposal for a regulation

#### Article 2 – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

The indicators shall be used for monitoring, evaluation and review of performance, as appropriate.

The indicators shall be used for monitoring, evaluation and review of performance, as appropriate, *and shall be included in the Common Strategic Framework referred to in Article 5 and in the strategy papers and programmes referred to in Articles 6 and 7.*



**Amendment 42**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point a**

*Text proposed by the Commission*

(a) *the transition process towards* Union membership and *capacity* building;

*Amendment*

(a) *political and economic reforms in preparation for* Union membership and *the building of relevant capacities*;

Or. en

**Amendment 43**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) regional development;

*Amendment*

(b) regional development *and territorial cooperation*;

Or. en

**Amendment 44**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point e**

*Text proposed by the Commission*

(e) regional *and territorial* cooperation.

*Amendment*

(e) regional cooperation *and multi-country and cross-border actions*.

Or. en

## Amendment 45

### Proposal for a regulation Article 3 – paragraph 2

*Text proposed by the Commission*

2. Assistance under the policy areas referred to in paragraph 1 shall **support** the beneficiary countries **in attaining** the general and specific objectives set out in Articles 1 and 2.

*Amendment*

2. Assistance under the policy areas referred to in paragraph 1 shall **contribute to the attainment by** the beneficiary countries **of all** the general and specific objectives set out in Articles 1 and 2.

Or. en

## Amendment 46

### Proposal for a regulation Article 4 – paragraph 1

*Text proposed by the Commission*

1. Financial assistance under this Regulation shall be consistent with Union policies. It shall comply with the agreements concluded by the Union with the beneficiary countries and respect commitments under multilateral agreements to which the Union is a party.

*Amendment*

1. Financial assistance under this Regulation shall be consistent with Union policies, **including those relating to Union external action, and the other external financing instruments**. It shall comply with the agreements concluded by the Union with the beneficiary countries and respect commitments under multilateral agreements to which the Union is a party.

Or. en

## Amendment 47

### Proposal for a regulation Article 4 – paragraph 2

*Text proposed by the Commission*

2. The Commission, the Member States and the European Investment Bank shall ensure coherence between assistance provided under this Regulation and other

*Amendment*

2. The Commission, **in cooperation with** the Member States and the European Investment Bank, shall ensure coherence between assistance provided under this

assistance provided by the Union, the Member States and the European Investment Bank.

Regulation and other assistance provided by the Union, the Member States and the European Investment Bank.

Or. en

#### **Amendment 48**

##### **Proposal for a regulation Article 4 – paragraph 3**

###### *Text proposed by the Commission*

3. The Commission **and** the Member States shall ensure coordination of their respective assistance programmes to increase effectiveness and efficiency in the delivery of assistance and to prevent double funding in line with the established principles for strengthening operational coordination in the field of external assistance, and for the harmonisation of policies and procedures. Coordination shall involve regular consultations and frequent exchanges of information during the different phases of the assistance cycle, in particular at field level and shall constitute a key step in the programming processes of the Member States and the Union.

###### *Amendment*

3. The Commission, the Member States **and the European Investment Bank** shall ensure coordination of their respective assistance programmes to increase effectiveness and efficiency in the delivery of assistance and to prevent double funding in line with the established principles for strengthening operational coordination in the field of external assistance, and for the harmonisation of policies and procedures. Coordination shall involve regular consultations and frequent exchanges of information during the different phases of the assistance cycle, in particular at field level and shall constitute a key step in the programming processes of the Member States and the Union.

Or. en

#### **Amendment 49**

##### **Proposal for a regulation Article 4 – paragraph 4**

###### *Text proposed by the Commission*

4. In order to increase effectiveness and efficiency in the delivery of assistance and to prevent double funding, the Commission shall, in liaison with the Member States,

###### *Amendment*

4. In order to increase effectiveness and efficiency in the delivery of assistance and to prevent double funding, the Commission shall, in liaison with the Member States,

take the necessary steps to ensure **better** coordination and complementarity with multilateral and regional organisations and entities, such as international financial institutions, United Nations agencies, funds and programmes, and non-Union donors.

take the necessary steps to ensure **coherence, consistency, efficient** coordination and complementarity with multilateral and regional organisations and entities, such as international financial institutions, United Nations agencies, funds and programmes, and non-Union donors.

Or. en

## Amendment 50

### Proposal for a regulation

#### Article 4 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

**4a. The documents referred to in Article 6(1) shall include detailed and up-to-date donor matrices and shall describe the steps to be undertaken in order to enhance donor coordination, in particular between the Union and its Member States.**

Or. en

## Amendment 51

### Proposal for a regulation

#### Article 4 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. When preparing, implementing **and** monitoring assistance under this Regulation, the Commission shall **in principle** act in partnership with the beneficiary countries. The partnership shall involve, as appropriate, competent national, regional and local authorities, economic and social partners, civil society and non-state actors.

5. When preparing, implementing, monitoring **and evaluating** assistance under this Regulation, the Commission shall act in partnership with the beneficiary countries **and shall aim at developing and expanding local ownership**. The partnership shall involve **through an institutionalised mechanism and by strengthening relevant capacities**, as appropriate, **the** competent national, regional and local authorities, economic

and social partners, civil society and non-state actors *in the beneficiary countries*. *The relevant authorities, partners and actors shall be capable of acting as proactive stakeholders in this process and shall have at their disposal the administrative, financial and human resources needed in order to manage assistance under this Regulation. The Commission shall encourage and facilitate inter-institutional coordination among relevant stakeholders including, as appropriate, inter-ministerial, central-regional, cross-sectoral and co-financing mechanisms.*

Or. en

## Amendment 52

### Proposal for a regulation Article 4 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

***5a. The Commission, and in particular the Union delegations in beneficiary countries, shall involve relevant civil society organisations at all stages of the assistance cycle, including the initiation, development and implementation of programmes, and shall ensure that appropriate steps are taken to enhance the capacities of those organisations fully to play their full in that process.***

Or. en

## Amendment 53

### Proposal for a regulation Article -5 (new)

*Text proposed by the Commission*

*Amendment*

#### *Article -5*

##### *Strategic programming documents*

*The documents referred to in Articles 5 and 6 of this Regulation shall constitute strategic programming documents within the meaning of Article 2 of the Common Implementing Regulation and shall be adopted in accordance with the procedure laid down in Articles 10 and 11 of this Regulation.*

Or. en

## Amendment 54

### Proposal for a regulation Article 5 – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. The Commission shall establish a Common Strategic Framework for the Instrument for Pre-accession Assistance. The IPA Common Strategic Framework shall translate the political priorities of the enlargement policy into key actions which can receive assistance under this Regulation.

1. The Commission shall establish a Common Strategic Framework for the Instrument for Pre-accession Assistance. The IPA Common Strategic Framework shall translate the political priorities of the *Union's* enlargement policy, *as stipulated by means as referred to in Recital 8 of this Regulation*, into key actions which can receive assistance under this Regulation.

Or. en

## Amendment 55

### Proposal for a regulation

#### Article 5 – paragraph 2 – point a

*Text proposed by the Commission*

(a) the criteria to be used for the allocation of funds to beneficiary countries as well as to multi-country and territorial cooperation actions;

*Amendment*

(a) the ***detailed criteria and performance indicators*** to be used for the allocation of funds to beneficiary countries as well as to multi-country and territorial cooperation actions;

Or. en

## Amendment 56

### Proposal for a regulation

#### Article 5 – paragraph 2 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) the performance incentive referred to in Recital 11 of this Regulation, the criteria for its distribution, the mechanisms for its use and other implementing modalities in accordance with Article 13a of this Regulation;***

Or. en

## Amendment 57

### Proposal for a regulation

#### Article 5 – paragraph 2 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) the criteria to be used for the re-allocation of funds across sectors and policy areas;***

Or. en

## Amendment 58

### Proposal for a regulation

#### Article 5 – paragraph 3

*Text proposed by the Commission*

3. The Commission shall **approve** the IPA Common Strategic Framework and any revision thereof in accordance with the **examination** procedure **referred to in Article 15(3) of the Common Implementing Regulation**.

*Amendment*

3. The Commission shall **adopt** the IPA Common Strategic Framework and any revision thereof in accordance with the procedure **laid down in Articles 10 and 11**.

Or. en

## Amendment 59

### Proposal for a regulation

#### Article 6 – paragraph 2

*Text proposed by the Commission*

2. The strategy papers shall specify the appropriate mix of policy areas as referred to in Article 3 which will receive financial assistance under this Regulation **to reflect** needs and priorities in accordance with the objectives referred to in Article 2, with the IPA Common Strategic Framework referred to in Article 5, and with the national strategies, as appropriate.

*Amendment*

2. **The strategy papers shall define the objectives of the assistance as specified in Recitals 8 and 12 of this Regulation and on the basis of the general and specific objectives referred to in Articles 1 and 2.** The strategy papers shall specify, **according to the needs, capacities and priorities of the beneficiary country or countries concerned**, the appropriate mix of policy areas as referred to in Article 3 which will receive financial assistance under this Regulation. **The relevant needs, capacities and priorities shall be reflected** in accordance with the **specific** objectives referred to in Article 2, with the IPA Common Strategic Framework referred to in Article 5, and with the national strategies, as appropriate.

Or. en



## Amendment 60

### Proposal for a regulation

#### Article 6 – paragraph 3

*Text proposed by the Commission*

3. The strategy papers shall include the indicative allocation of Union funds per policy area, as applicable, broken down per year, in line with the criteria set in the IPA Common Strategic Framework referred to in Article 5. The indicative allocation of funds shall duly take account of the needs, absorption capacity and administrative capacity of the beneficiary countries. It shall also allow for addressing emerging needs and include incentives to enhance the performance of the beneficiary countries with regard to the objectives set in the multi-annual indicative strategies.

*Amendment*

3. The strategy papers shall include the indicative allocation of Union funds per policy area, as applicable, broken down per year, in line with the **detailed** criteria **and performance indicators** set in the IPA Common Strategic Framework referred to in Article 5. **On the basis of performance by the beneficiary country or countries concerned**, the indicative allocation of funds shall duly take account of the needs, absorption capacity and administrative capacity of the beneficiary **country or countries concerned and shall be subject to review whenever necessary**. It shall also allow for addressing emerging needs and include incentives to enhance the performance of the beneficiary **country or countries concerned** with regard to the objectives set in the multi-annual indicative strategies. **The strategy papers shall also include the relevant indicators referred to in Article 2(2) for assessing the performance of the beneficiary country or countries concerned towards achieving the objectives set in the strategy papers.**

Or. en

## Amendment 61

### Proposal for a regulation

#### Article 6 – paragraph 4

*Text proposed by the Commission*

4. The strategy papers shall be reviewed at mid-term and revised **as appropriate. They**

*Amendment*

4. The strategy papers shall be reviewed **whenever necessary at the initiative of the**

*may be revised at any time at the initiative of the Commission.*

*Commission, or the latest at mid-term, and revised through a delegated act adopted in accordance with the procedure laid down in Articles 10 and 11.*

Or. en

## **Amendment 62**

### **Proposal for a regulation Article 6 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

***5. The Commission shall adopt the strategy papers and any revision thereof in accordance with the examination procedure referred to in Article 15(3) of the Common Implementing Regulation.***

*deleted*

Or. en

## **Amendment 63**

### **Proposal for a regulation Article 6 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. In the event of crises or threats to democracy, the rule of law, human rights, including the rights of persons belonging to minorities, fundamental freedoms, good-neighbourly relations or reconciliation, or of natural or man-made disasters, an ad hoc review of the strategic programming documents may be conducted. Such emergency review shall ensure that coherence is maintained between support provided under the IPA and Union support provided under other Union financing instruments. An emergency review may lead to the adoption of revised strategic***

*programming documents.*

Or. en

#### **Amendment 64**

##### **Proposal for a regulation Article 7 – title**

*Text proposed by the Commission*

General **Framework**

*Amendment*

General **framework, impact and visibility  
of assistance**

Or. en

#### **Amendment 65**

##### **Proposal for a regulation Article 7 – paragraph 1**

*Text proposed by the Commission*

Union assistance under this Regulation shall be implemented through programmes and measures as referred to in Articles 2 and 3 of the Common Implementing Regulation and in accordance with specific rules establishing uniform conditions for implementing the present Regulation, in particular as regards management structures and procedures, which the Commission shall adopt in accordance with Articles 10 and 11 of the present Regulation. Implementation shall, as a rule, take the form of annual or multiannual, country specific or multi-country programmes established in accordance with the strategy papers referred to in Article 6 and drawn up by **the beneficiary countries and/or the Commission, as appropriate.**

*Amendment*

**1.** Union assistance under this Regulation shall be implemented through programmes and measures as referred to in Articles 2 and 3 of the Common Implementing Regulation and in accordance with specific rules establishing uniform conditions for implementing the present Regulation, in particular as regards management structures and procedures, which the Commission shall adopt in accordance with Articles 10 and 11 of the present Regulation. Implementation shall, as a rule, take the form of annual or multiannual, country specific or multi-country programmes established in accordance with the strategy papers referred to in Article 6 and drawn up by the Commission **in partnership with the beneficiary countries.**

Or. en

## Amendment 66

### Proposal for a regulation

#### Article 7 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. The Union's assistance under the IPA shall have an impact reflected in concrete changes in beneficiary countries. That impact shall be monitored and assessed whenever possible on the basis of pre-defined, clear, transparent and measurable indicators. The Commission shall duly inform the European Parliament and the Council about the impact of Union assistance in beneficiary countries through its annual Progress Reports on candidate and potential candidate countries.***

Or. en

## Amendment 67

### Proposal for a regulation

#### Article 7 – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

***1b. In order to ensure the visibility of the Union's assistance towards the citizens of the beneficiary countries and those of the Union, there shall where appropriate be proper, targeted communication and information via national, regional and local media, or by other adequate means, . Appropriate minimum requirements shall be defined in this regard by the Commission in close cooperation with beneficiaries, and the respect of those requirements shall be monitored.***

Or. en

## Amendment 68

### Proposal for a regulation

#### Article 9 – paragraph 1

##### *Text proposed by the Commission*

1. In duly justified circumstances and in order to ensure the coherence and effectiveness of Union financing or to foster regional cooperation, the Commission may decide to extend the eligibility of programmes and measures referred to in Article 7 to countries, territories and regions which otherwise would not be eligible for financing pursuant to Article 1, where the programme or measure to be implemented is of a global, regional or cross border nature.

##### *Amendment*

1. In duly justified circumstances and in order to ensure the coherence, **consistency** and effectiveness of **the** Union financing **of external action** or to foster **wider** regional cooperation, the Commission may decide to extend the eligibility of programmes and measures referred to in Article 7 to countries, territories and regions which otherwise would not be eligible for financing pursuant to Article 1, where the programme or measure to be implemented is of a global, regional or cross border nature. **The Commission shall ensure the effective coordination of such programmes and measures.**

Or. en

## Amendment 69

### Proposal for a regulation

#### Article 10 – paragraph 1

##### *Text proposed by the Commission*

The Commission shall be empowered to adopt delegated acts in accordance with Article 11 to amend the Annex to this Regulation and to complement the Common Implementing Regulation with specific rules establishing uniform conditions for implementing this Regulation.

##### *Amendment*

**1.** The Commission shall be empowered to adopt delegated acts in accordance with Article 11 **of this Regulation, to adopt and revise strategic programming documents within the meaning of Article 2 of the Common Implementing Regulation,** to amend the Annex to this Regulation and to complement the Common Implementing Regulation with specific rules establishing uniform conditions for implementing this Regulation.

**Amendment 70**

**Proposal for a regulation  
Article 10 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Where, in the case of the adoption and revision of the documents referred to in paragraph 1 and of amendment of the Annex, imperative grounds of urgency so require, the procedure provided for in Article 11a shall apply to delegated acts adopted pursuant to this Article.***

Or. en

**Amendment 71**

**Proposal for a regulation  
Article 11 – title**

*Text proposed by the Commission*

*Amendment*

Exercise of the ***powers delegated to the Commission***

Exercise of the ***delegation***

Or. en

**Amendment 72**

**Proposal for a regulation  
Article 11 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article ***and Article 290 of the Treaty on the***

**Amendment 73**

**Proposal for a regulation  
Article 11 – paragraph 2**

*Text proposed by the Commission*

2. The *delegation of powers* shall be conferred on the Commission *for the period of validity of this Regulation*.

*Amendment*

2. The *power to adopt delegated acts* shall be conferred on the Commission *until 31 December 2017 as laid down in Article 16 of the Common Implementing Regulation*.

**Amendment 74**

**Proposal for a regulation  
Article 11 a (new)**

*Text proposed by the Commission*

*Amendment*

*Article 11a*

*Urgency procedure*

*1. In exceptional circumstances, such as crises or threats to democracy, the rule of law, human rights or fundamental freedoms, or of natural or man-made disasters, delegated acts adopted under this Article shall enter into force without delay and shall apply as long as no objection is expressed in accordance with paragraph 2. The notification of a delegated act to the European Parliament and to the Council shall state the reasons for the use of the urgency procedure.*

*2. Either the European Parliament or the Council may object to a delegated act in accordance with the procedure referred to*

*in Article 10(1a). In such a case, the Commission shall repeal the act without delay following the notification of the decision to object by the European Parliament or by the Council.*

Or. en

## Amendment 75

### Proposal for a regulation Article 13 – paragraph 1

#### *Text proposed by the Commission*

Without prejudice to the provisions on suspension of aid in partnership and cooperation agreements with partner countries and regions, where a beneficiary country fails to respect the principles of democracy, the rule of law, human rights, **minority rights** and fundamental freedoms, or the commitments contained in the relevant agreements concluded with the Union, or where progress towards **fulfilment of** the accession criteria is insufficient, the Union shall invite the beneficiary country to hold consultations with a view to finding a solution acceptable to both parties, except in cases of special urgency. Where consultations with the beneficiary country do not lead to a solution acceptable to both parties, or if consultations are refused or in cases of special urgency, the Council may take **appropriate** measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union assistance. The European Parliament shall be fully and **immediately** informed of any decisions taken in this respect.

#### *Amendment*

Without prejudice to the provisions on suspension of aid in partnership and cooperation agreements with partner countries and regions, where a beneficiary country fails to respect the principles **and values** of democracy, the rule of law, human rights, **including the rights of persons belonging to minorities**, and fundamental freedoms, or the commitments contained in the relevant agreements concluded with the Union, or where progress towards **meeting** the accession criteria is insufficient, the Union shall invite the beneficiary country to hold consultations with a view to finding a solution acceptable to both parties, except in cases of special urgency. Where consultations with the beneficiary country do not lead to a solution acceptable to both parties, or if consultations are refused or in cases of special urgency, the Council may take **a decision and adopt the necessary** measures in accordance with Article 215(1) of the Treaty on the Functioning of the European Union, which may include full or partial suspension of Union assistance. The European Parliament shall be fully and **promptly** informed of any decisions **and measures** taken in this respect. **Any consequent revision of relevant strategic programming document shall be done in**



*accordance with the urgency procedure referred to in Article 11a.*

Or. en

## **Amendment 76**

### **Proposal for a regulation Article 13 a (new)**

*Text proposed by the Commission*

*Amendment*

#### *Article 13a*

##### *Performance Reserve*

*1. A Performance Reserve shall be provided for in the Common Strategic Framework referred to in Article 5. An indicative amount, corresponding to up to 5 % of the overall financial allocation, shall be earmarked to the Performance Reserve. That amount shall not be pre-allocated.*

*2. The allocation of the funds from the Performance Reserve shall be decided in accordance with the IPA Common Strategic Framework, the strategy papers and the Common Implementing Regulation. In cases to be specified in full in the IPA Common Strategic Framework, where exceptional progress is made in meeting the objectives specified in the strategy papers, funds shall be disbursed from the Performance Reserve. Progress shall be assessed on the basis of the performance indicators referred to in Article 2(2) of this Regulation and specified in the strategy papers.*

*3. The decision on disbursement of funds from the Performance Reserve shall be taken following a revision of the strategy paper relating to the beneficiary concerned, in accordance with Article 6.*

Or. en

## Amendment 77

### Proposal for a regulation Article 14 – paragraph 1

#### *Text proposed by the Commission*

1. The financial reference amount for the implementation of this Regulation for the period from 2014 to 2020 shall be EUR **14 110 100 000** (current prices). Up to **3%** of the financial reference amount shall be allocated to cross-border cooperation programmes between beneficiary countries and EU Member States.

#### *Amendment*

1. The financial reference amount for the implementation of this Regulation for the period from 2014 to 2020 shall be EUR (...) (current prices). Up to **7 %** of the financial reference amount, **and in line with the needs and priorities of the beneficiary countries**, shall be allocated to cross-border cooperation programmes between beneficiary countries and EU Member States.

Or. en

## Amendment 78

### Proposal for a regulation Article 14 – paragraph 3 – subparagraph 1

#### *Text proposed by the Commission*

3. As referred to in Article 13, paragraph 2 of the "Erasmus for All" Regulation, in order to promote the international dimension of higher education, an indicative amount of EUR **1 812 100 000** **from the different external** instruments (Development Cooperation Instrument, European Neighbourhood Instrument, Instrument for Pre-accession Assistance, Partnership Instrument and the European Development Fund), will be allocated to actions of learning mobility to or from non EU countries and to cooperation and policy dialogue with authorities/institutions/organisations from these countries. The provisions of the "Erasmus for All" Regulation will apply to

#### *Amendment*

3. As referred to in Article 13, paragraph 2 of the "Erasmus for All" Regulation, in order to promote the international dimension of higher education, an indicative amount of EUR (...) **corresponding to 2 % of the financial allocations available for the participating** instruments (Development Cooperation Instrument, European Neighbourhood Instrument, Instrument for Pre-accession Assistance, Partnership Instrument and the European Development Fund), will be allocated to actions of learning mobility to or from non EU countries and to cooperation and policy dialogue with **the relevant** authorities/institutions/organisations from

the use of those funds.

these countries. The provisions of the "Erasmus for All" Regulation will apply to the use of those funds.

Or. en

#### **Amendment 79**

##### **Proposal for a regulation**

##### **Article 14 – paragraph 3 – subparagraph 2**

###### *Text proposed by the Commission*

The funding will be made available through 2 multiannual allocations only covering the first 4 years and the remaining 3 years respectively. This funding will be reflected in the multiannual indicative programming of these instruments, in line with the identified needs and priorities of the countries concerned. ***The allocations can be revised in case of major unforeseen circumstances or important political changes in line with the EU external priorities.***

###### *Amendment*

The funding will be made available through *two* multiannual allocations only covering the first *four* years and the remaining *three* years respectively. This funding will be reflected in the multiannual indicative programming of these instruments, in line with the identified needs and priorities of the countries concerned.

Or. en

#### **Amendment 80**

##### **Proposal for a regulation**

##### **Article 15 – paragraph 2**

###### *Text proposed by the Commission*

It shall apply from 1 January 2014.

###### *Amendment*

It shall apply from 1 January 2014 ***to 31 December 2020.***

Or. en

## EXPLANATORY STATEMENT

### **The horizontal elements of the External Financial Instruments**

The European Parliament, as a strong proponent of an ambitious, comprehensive and consistent Union foreign policy, calls for a set of coherent financing instruments for EU external action. This should ensure the promotion of the Union's objectives and values in the world based upon democracy, rule of law and human rights, in order to bring peace, security, stability and economic prosperity. The geographic and thematic financing instruments proposed by the Commission for the period 2014-2020 are essential tools for implementing this approach.

The European Parliament acts in the spirit of responsibility based on the fundamental principle of accountability of the Union towards its citizens as to the allocation of resources and the choice of objectives and strategies. The new framework for the external action should be not only resource efficient and effective, but democratically legitimate. It is therefore crucial to make future generation of financing instruments both properly funded under the next Multiannual Financial Framework as well as designed to reflect and support the political ambitions and priorities with respect of the specificity of each of the instruments and the related policies.

Using its prerogatives and powers granted under the Lisbon Treaty, as co-legislator for these instruments and as budgetary authority, the European Parliament wishes these instruments:

- to deliver clear impact and visible results on the ground, in order to achieve clear objectives agreed at political level;
- to be prepared, implemented, monitored and assessed in a transparent and inclusive way, involving as far as possible, where applicable and appropriate, partner countries at national, regional and local level, as well as civil society;
- to be construed on a logic of coordination and synergies amongst each other and with other policy lines of the EU for its external action, but also with programmes of EU Member States and international donors addressing the same thematic or geographic areas behind shared policy objectives, thus avoiding overlaps and a waste of resources and efforts, and on the contrary increasing the positive impact of the Union's programmes;
- to provide mechanisms which allow for a rapid reaction to unforeseen developments such as political transitions in third countries or the emergence of new global challenges requesting adequate and timely responses by the EU, while ensuring an adequate degree of predictability for the benefit of the partner countries.

This general approach is reflected in the amendments proposed in the draft reports. In particular, the reports propose that the two co-legislators, the European Parliament and the

Council, delegate their powers to the Commission for preparing all the strategic programming documents defining objectives, priorities, expected results and financial allocations in broad terms, and adopt these documents as delegated acts, so as to allow for flexibility while ensuring democratic legitimacy and transparency through the equal involvement of both co-legislators at this strategic level. These Instruments should remain in force for seven years, which makes democratic control over their implementation even more important. As co-legislator, the European Parliament has the duty to ensure that these instruments are implemented in line with the spirit of the basic act. This does not mean being involved in micro-management, since the Parliament trusts the professionalism and the expertise of the Commission and the European External Action Service. However, in order to achieve one of the main goals of the Lisbon Treaty, which is to overcome the democratic deficit of the EU, delegated acts constitute an absolute necessity.

### **Background to the present financing of enlargement**

On 1 January 2007, the Council Regulation of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA) entered into force for the current seven-years financial perspective. This new external financial instrument meant a substantial change in the financing of EU enlargement by replacing with one single instrument the various programmes (PHARE, CARDS, SAPARD etc.) targeting various needs of the beneficiary countries.

At present, the Union's financial assistance is provided on the basis of Accession Partnerships in the case of candidate countries and European Partnerships targeting potential candidate countries. It is based on multi-annual planning established in accordance with the Commission's broad political guidelines as set out in the annual enlargement package/strategy. Implementation of assistance is primarily carried out through 3-year multiannual programming documents, medium-term strategies renewed annually and annual action programmes.

When establishing IPA (2007-2013), the instrument was subject to the consultation procedure and only a few amendments proposed by the European Parliament were accepted by the Council in the final Regulation. Democratic scrutiny of the European Parliament is primarily exercised via the AFET Working Group on the Western Balkans, which holds regular annual dialogues with the Commission on the draft country, regional and thematic strategy papers of the instrument.

### **The Commission proposal on the future Instrument for Pre-Accession Assistance**

While retaining the main elements of enlargement financing for the period 2014-2020, the Commission proposed a number of changes to the new IPA-2 in order to better respond to the needs of beneficiary countries. They cover the following main changes:

- more flexibility - For instance, access to policy areas would not be subject to status anymore (candidate country or potential candidate country) but to the readiness and available capacities of the beneficiary countries to implement assistance. Consequently, the allocation of assistance between policy areas would be made more flexible and easier.

- more simplification - The previous structure of 5 main components would be replaced by 5 policy areas. Also, no detailed description would be provided on what the policy areas entail in order to make the access to funding simpler and more flexible according to the needs and capacities of the beneficiaries.
- more strategic - The Commission proposes to revise the multi-country strategy papers once at mid-term instead of their annual revision under the current IPA.
- more conditional - Assistance is proposed to be more conditional on, for instance, improved governance and ownership.
- more reduction of the administrative burden - Fewer processes of accreditation, less administration and quicker delivery of assistance are foreseen by the Commission.
- more budget - The Commission proposes to increase the total budget of IPA-2 by some 23% for the financial framework 2014-2020 i.e. from the current EUR 11.5 billion to EUR 14.1 billion.

### **Rapporteur's comments**

When examining the Commission's proposal, your Rapporteur considered primarily whether the Commission is proposing sufficiently transparent and efficient tools for the allocation of EU budgetary resources and to what extent could EU financing under IPA-2 contribute to the stability, security and prosperity of beneficiary countries as well as assist their EU accession process.

With respect to the new role of the European Parliament as a co-legislator in the financing of enlargement, as introduced by the Lisbon Treaty, your Rapporteur suggests to reflect its increased rights and responsibilities by better involvement into decision-making and reporting mechanisms. It is suggested among others to include the Parliament's relevant resolutions on the beneficiary countries under the Union's enlargement policy framework and assistance should be provided in accordance with this framework. Also, the Commission would be obliged to duly inform the Parliament and the Council about the impact of Union assistance in beneficiary countries through its annual Progress Reports on candidate and potential candidate countries.

While the Commission proposal forms a good basis for further considerations, the text appears to be too general and therefore your Rapporteur sees the need to make it stronger, more specific and align it with the treaty language. This particularly applies to more concrete references to the values and principles on which Union action is founded. In addition, the scope of both the general and specific objectives of IPA assistance has to be widened in order to better reflect the needs and capacities of beneficiary countries: new provisions, in particular under the specific objectives, are suggested inter alia on the support to democracy, the judiciary, good governance/institutional capacities on national, regional and local levels, labour mobility and refugee return. Similarly, the proposed performance indicators, which are to evaluate the level of progress in achieving the specific objectives, need to better link up with those objectives, especially as regards the creation and strengthening of institutional capacities. In this context, your Rapporteur suggests to set aside a performance reserve of up

to 5% of the overall financial allocations to reward exceptional progress and as an incentive for the beneficiary countries to improve their performance in using IPA funds.

An important element of the draft report relates to the role of donors and stakeholders in this process. While the Commission and EU Member States are called on to ensure coherence, consistency and efficient coordination with other donors, stakeholders - including authorities on all levels as well as civil society actors and social partners - are to be enabled to take an active part in the assistance process. Your Rapporteur invites the Commission to involve in particular civil society organisations in all stages of the assistance cycle in order to strengthen their positive role in the functioning of democracy.

Other important elements of the draft report are the following: increased local ownership of the beneficiaries to enhance their responsibilities in managing assistance, the creation of more consistency and coherence between IPA and other external financial instruments aimed at more efficient European external action and the ensuring by the Commission of IPA assistance to become more visible vis-a-vis the citizens of the EU and the beneficiaries. All these elements serve the interest of a more transparent and efficient financing of the pre-accession needs of beneficiary countries on their path towards EU membership.