



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

A7-0402/2011

24.11.2011

*****III**
REPORT

on the joint text approved by the Conciliation Committee for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1905/2006 establishing a financing instrument for development cooperation (PE-CONS 00057/2011 – C7-0377/2011 – 2009/0060A(COD))

European Parliament delegation to the Conciliation Committee

Delegation Chair: Alejo Vidal-Quadras
Rapporteur: Gay Mitchell

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.)

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the joint text approved by the Conciliation Committee for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1905/2006 establishing a financing instrument for development cooperation (PE-CONS 00057/2011 – C7-0377/2011 – 2009/0060A(COD))

(Ordinary legislative procedure: third reading)

The European Parliament,

- having regard to the joint text approved by the Conciliation Committee and the relevant Parliament and Council statement (PE-CONS 00057/2011 – C7-0377/2011),
- having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(2009)0194),
- having regard to its position at second reading² on the Council position at first reading³,
- having regard to the Commission's opinion on Parliament's amendments to the Council position at first reading (COM(2011)0178),
- having regard to the Council position at second reading,
- having regard to Article 294(13) of the Treaty on the Functioning of the European Union,
- having regard to Rule 69 of its Rules of Procedure,
- having regard to the report of its delegation to the Conciliation Committee (A7-0402/2011),

1. Approves the joint text;
2. Declares that it is ready to accept the compromise package, in a spirit of compromise, as the remaining duration of the current instruments is rather short; regrets that it was not possible to further improve the text of the DCI/BAM instrument, in particular in relation to Parliament's role in strategic decisions, where an equal footing between the co-legislators is essential; underlines that this result does not set a precedent for the future negotiations on the post-2013 external financing instruments; declares that, in accordance with the criteria defined in Article 290(1) of the Treaty on the Functioning of the European Union, it will insist on the use of delegated acts wherever strategic political decisions are involved on financing and programming with regard to those instruments;
3. Confirms the joint statement by Parliament and the Council annexed to this resolution;

¹ Texts adopted of 21.10.2010, P7_TA(2010)0379.

² Texts adopted of 3.2.2011, P7_TA(2011)0032.

³ OJ C 7 E, 12.1.2011, p. 11.

4. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
5. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication, together with the statement by Parliament and the Council thereon, in the *Official Journal of the European Union*;
6. Instructs its President to forward this legislative resolution to the Council, the Commission and the national parliaments.

EXPLANATORY STATEMENT

I. Conciliation

Following the second reading vote of 3 February and given the political will to conclude the conciliation as soon as possible the constituent meeting of the EP delegation to the conciliation committee took place in Strasbourg on 15 February 2011. The EP delegation decided to negotiate the four files (DCI, DCI/BAM, ICI+ and EIDHR) concerned as a package. On the mid-term review of the DCI and the EIDHR it was agreed that they would remain unchanged as no new strategy papers are foreseen until 2013. Therefore the negotiations continued on the ICI+ file¹ and the DCI/BAM file².

II. Procedure

Eight trilogues took place on 30 March, 11 May, 25 May, 22 June, 5 July, 6 September (1st meeting of the conciliation committee), 27 September and 19 October. Seven meetings of Parliament's delegation have taken place on 15 February, 12 May, 5 July, 6 September, 20 September, 11 October and 25 October. Political agreement was reached on 31 October 2011.

The EP delegation adopted the agreement in its meeting on 25 October (17 votes in favour, 6 votes against and 3 abstentions).

The conciliation was concluded by an exchange of letters (24 and 26 October 2011).

III. Conclusion

The European Parliament declares to be ready to accept the compromise package in a spirit of compromise as the remaining duration of the current instruments is rather short. It regrets that it was not possible to further improve the text on the DCI/BAM instrument, in particular in relation to Parliament's role in strategic decisions where equal footing between the co-legislators is essential. The Parliament underlines that this result does not set a precedent for the future negotiations on the post 2013 external financing instruments. In line with the criteria defined in Article 290, paragraph 1, the European Parliament will insist on the use of delegated acts wherever strategic political decisions are involved on financing and programming with regard to those instruments.

The delegation recommends maintaining the package approach, and that the Parliament approves the joint text at third reading.

¹ Proposal for a European Parliament and Council regulation amending Council Regulation (EC) No 1934/2006 establishing a financing instrument for cooperation with industrialised and other high-income countries and territories, 2009/0059(COD).

² Proposal for a European Parliament and Council regulation amending Regulation (EC) No 1905/2006 establishing a financing instrument for development cooperation, 2010/0059(COD).

PROCEDURE

Title	Regulation of the European parliament and of the Council amending Regulation (EC) No 1905/2006 establishing a financing instrument for development cooperation
References	PE-CONS 00057/2011 – C7-0377/2011 – 2009/0060A(COD)
Delegation Chair: Vice-President	Alejo Vidal-Quadras
Committee responsible Chair	DEVE Eva Joly
Rapporteur(s)	Gay Mitchell
Draft act considered at first reading	COM(2009)0194 – C7-0043/2009
Date of first reading – P number	21.10.2010 P7_TA(2010)0379
Amended Commission proposal	
Council position at first reading Date announced in plenary	16442/1/2010 – C7-0426/2010 16.12.2010
Commission position (Article 294(6), Treaty on the Functioning of the European Union)	COM(2011)0788
Date of second reading – P number	3.2.2011 P7_TA(2011)0032
Commission opinion (Article 294(7)(c), Treaty on the Functioning of the European Union)	COM(2011)0178
Date Council received second reading	23.3.2011
Date of Council letter on non-approval of Parliament amendments	19.7.2011
Conciliation Committee meetings	6.9.2011
Date of vote by Parliament delegation	25.10.2011
Result of vote	+: 17 -: 6 0: 3
Members present	Alejo Vidal-Quadras, Rodi Kratsa-Tsagaropoulou, Kinga Gál, Elmar Brok, Filip Kaczmarek, Godelieve Quisthoudt-Rowohl, José Ignacio Salafranca Sánchez-Neyra, Manfred Weber, Vital Moreira, Thijs, Berman, Ana Gomes, Richard Howitt, Gianluca Susta, Patrice Tirolien, Charles Goerens, Barbara Lochbihler, Eva Joly, Robert Sturdy, Helmut Scholz, Claudio Morganti
Substitute(s) present	Christofer Fjellner, Ioannis Kasoulides, Georgios Koumoutsakos, Eduard Kukan, Ria Oomen-Ruijten, Maurice Ponga, Kriton Arsenis, Ivo Vajgl, Bart Staes
Substitute(s) under Rule 187(2) present for the vote	Leonidas Donskis
Date of agreement in Conciliation Committee	
Agreement by exchange of letters	24.10.2011 26.10.2011

Date on which the co-Chairs established that the joint text had been approved and forwarded it to Parliament and the Council	31.10.2011
Date tabled	24.11.2011
Comments (available in one language only)	...

EXTENSION OF DEADLINES

Deadline for second reading by Council	23.7.2011
Deadline for convening the Committee Requesting institution – date	13.9.2011 Council – 24.08.2011
Deadline for work in the Committee Requesting institution – date	01.11.2011 Council – 6.10.2011
Deadline for adopting the act Requesting institution – date	