



Plenary sitting

A9-0152/2024

25.3.2024

*****I**
REPORT

on the proposal for a decision of the European Parliament and of the Council amending Directive 2014/62/EU as regards certain reporting requirements (COM(2023)0582 – C9-0382/2023 – 2023/0355(COD))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Juan Fernando López Aguilar

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

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a decision of the European Parliament and of the Council amending Directive 2014/62/EU as regards certain reporting requirements (COM(2023)0582 – C9-0382/2023 – 2023/0355(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0582),
 - having regard to Article 294(2) and Article 83(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0382/2023),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A9-0152/2024),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a decision

Title 1

Text proposed by the Commission

Proposal for a
DECISION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
amending Directive 2014/62/EU as regards
certain reporting requirements

Amendment

Proposal for a
DIRECTIVE OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
amending Directive 2014/62/EU as regards
certain reporting requirements
*(Amendment applies throughout (with the
exception of footnotes): replace the words*

'Decision' throughout the Commission's proposal by the word 'Directive'.)

Amendment 2

Proposal for a decision Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) This Directive is based on a careful assessment of the particular circumstances of this legal instrument and limited to this area of crime. It is without prejudice to the need to ensure appropriate levels of reporting obligations in the field of EU criminal law.

Amendment 3

Proposal for a decision Recital 6

Text proposed by the Commission

Amendment

(6) *[“In accordance with Article 3 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, Ireland has notified its wish to take part in the adoption and application of this Decision ”OR “In accordance with Articles 1 and 2 of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, and without prejudice to Article 4 of that Protocol, Ireland is not taking part in the adoption of this Decision and is not bound by it or subject to its application.”]*.

(6) In accordance with Article 3 **and Article 4a (1)** of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, Ireland has notified its wish to take part in the adoption and application of this **Directive**.

Amendment 4

Proposal for a decision Recital 7

Text proposed by the Commission

(7) Directive 2014/62/EU should therefore be amended accordingly.

Amendment

(7) Directive 2014/62/EU should therefore be amended accordingly. ***Since the targeted amendment of that Directive solely concerns a deletion of a reporting obligation, there is no specific need for the Member States to transpose the amendment.***

EXPLANATORY STATEMENT

This proposal for a Decision to amend Directive 2014/62/EU on the protection of the euro is part of a package of proposals adopted by the Commission that seek to rationalise and simplify reporting requirements on companies and public administrations, in line with the Commission's Communication on the 'Long-term competitiveness of the EU: looking beyond 2030' (COM(2023)168). The rapporteur can fully support the general objective of reducing administrative burden and streamlining legislation, where this well justified and has no negative impact on policy objectives.

In this specific case, the Commission proposes to abolish the obligation for Member States' competent authorities to transmit statistical data to the Commission on the number of counterfeiting offences and on the number of persons prosecuted and convicted of the counterfeiting offences, as laid down in Article 11 of Directive 2014/62/EU. The rapporteur can support this proposal, given that it will not undermine the policy objectives of Directive 2014/62/EU nor the overview and comparability of statistical data used to monitor the phenomenon of counterfeiting. In particular, the timely exchange of full, up-to-date and comparable data at national and European level is in place via the Counterfeiting Monitoring System, a dedicated ECB platform, where Member States' authorities register data on counterfeit banknotes and coins on a regular basis, in accordance with Articles 3(3), 4(2) and 5(2) of Council Regulation (EC) No 1338/2001 laying down measures necessary for the protection of the euro against counterfeiting. This centralised information is made available to the Member States, the Commission and Europol. It is complemented by public reports and the collection of qualitative information in expert groups, and enables the Commission to have an overview of the size and trends of the counterfeiting phenomenon, to monitor the situation, and to assess the effectiveness of the overall EU legislative framework in place.

The rapporteur's support for this proposal is also based on the clear understanding that - as the Commission has itself emphasised - this proposal should in no way lead to a systematic reduction or deletion of reporting obligations provided for in other EU criminal law instruments.

For these reasons, the rapporteur is proposing that this Commission proposal be adopted without amendments.

The rapporteur nonetheless wishes to stress that he - and the LIBE Committee as a whole - will continue to call on the Commission to effectively monitor the proper transposition and implementation by Member States of EU law, and to take prompt and adequate action where necessary, including by launching infringement procedures.

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that he has received input from the following entities or persons in the preparation of the report, until the adoption thereof in committee:

Entity and/or person
Commission
Council

The list above is drawn up under the exclusive responsibility of the rapporteur.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Amending Directive 2014/62/EU as regards certain reporting requirements
References	COM(2023)0582 – C9-0382/2023 – 2023/0355(COD)
Date submitted to Parliament	17.10.2023
Committee responsible Date announced in plenary	LIBE 20.11.2023
Committees asked for opinions Date announced in plenary	ECON 20.11.2023
Not delivering opinions Date of decision	ECON 25.10.2023
Rapporteurs Date appointed	Juan Fernando López Aguilar 24.10.2023
Date adopted	19.3.2024
Result of final vote	+: 51 –: 0 0: 0
Members present for the final vote	Magdalena Adamowicz, Malik Azmani, Katarina Barley, Pietro Bartolo, Theresa Bielowski, Malin Björk, Karolin Braunsberger-Reinhold, Patrick Breyer, Annika Bruna, Patricia Chagnon, Clare Daly, Anna Júlia Donáth, Lena Düpont, Lucia Ďuriš Nicholsonová, Cornelia Ernst, Sylvie Guillaume, Andrzej Halicki, Evin Incir, Sophia in ‘t Veld, Marina Kaljurand, Assita Kanko, Fabienne Keller, Łukasz Kohut, Jeroen Lenaers, Juan Fernando López Aguilar, Lukas Mandl, Erik Marquardt, Javier Moreno Sánchez, Emil Radev, Paulo Rangel, Isabel Santos, Birgit Sippel, Tineke Strik, Milan Uhrík, Elena Yoncheva, Javier Zarzalejos
Substitutes present for the final vote	Susanna Ceccardi, Gwendoline Delbos-Corfield, José Gusmão, Matjaž Nemeč, Jan-Christoph Oetjen, Philippe Olivier
Substitutes under Rule 209(7) present for the final vote	Pablo Arias Echeverría, Gabriele Bischoff, Gilles Boyer, Carlos Coelho, Rosa D’Amato, Radan Kanev, Antonius Manders, Gabriel Mato, Henk Jan Ormel, Dennis Radtke, Antonio Maria Rinaldi
Date tabled	25.3.2024

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

51	+
ECR	Assita Kanko
ID	Annika Bruna, Susanna Ceccardi, Patricia Chagnon, Philippe Olivier, Antonio Maria Rinaldi
NI	Milan Uhrík
PPE	Pablo Arias Echeverría, Karolin Braunsberger-Reinhold, Carlos Coelho, Lena Düpont, Andrzej Halicki, Radan Kanev, Jeroen Lenaers, Antonius Manders, Lukas Mandl, Gabriel Mato, Henk Jan Ormel, Emil Radev, Dennis Radtke, Paulo Rangel, Javier Zarzalejos
Renew	Malik Azmani, Gilles Boyer, Anna Júlia Donáth, Lucia Ďuriš Nicholsonová, Sophia in 't Veld, Fabienne Keller, Jan-Christoph Oetjen
S&D	Katarina Barley, Pietro Bartolo, Theresa Bielowski, Gabriele Bischoff, Sylvie Guillaume, Evin Incir, Marina Kaljurand, Łukasz Kohut, Juan Fernando López Aguilar, Javier Moreno Sánchez, Matjaž Nemeč, Isabel Santos, Birgit Sippel, Elena Yoncheva
The Left	Malin Björk, Clare Daly, Cornelia Ernst, José Gusmão
Verts/ALE	Patrick Breyer, Rosa D'Amato, Erik Marquardt, Tineke Strik

0	-

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention