

Tuesday 12 March 2013

**P7\_TC1-COD(2011)0373**

**Position of the European Parliament adopted at first reading on 12 March 2013 with a view to the adoption of Directive 2013/.../EU of the European Parliament and of the Council on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR)**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive 2013/11/EU.)*

P7\_TA(2013)0067

**Association of the overseas countries and territories with the European Union \***

**European Parliament legislative resolution of 12 March 2013 on the proposal for a Council decision on the association of the overseas countries and territories with the European Union ('Overseas Association Decision') (COM(2012)0362 — C7-0285/2012 — 2012/0195(CNS))**

**(Special legislative procedure — consultation)**

(2016/C 036/31)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2012)0362),
  - having regard to Article 203 of the Treaty on the Functioning of the European Union, pursuant to which the Council consulted Parliament (C7-0285/2012),
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Development and the opinions of the Committee on Employment and Social Affairs and the Committee on Fisheries (A7-0052/2013),
1. Approves the Commission proposal as amended;
  2. Calls on the Commission to alter its proposal accordingly, in accordance with Article 293(2) of the Treaty on the Functioning of the European Union;
  3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  4. Asks the Council to consult Parliament again if it intends to substantially amend the Commission proposal;
  5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

**Amendment 1**

**Proposal for a decision**

**Recital 5 a (new)**

*Text proposed by the Commission*

*Amendment*

- (5a) *Given the importance assumed by the Overseas Countries and Territories of the European Union Association as an effective liaison body for the OCTs as a group in their dialogue with the Commission and Union Member States, that association should be recognised as an actor of cooperation whose purpose is to uphold the common interests of the OCTs belonging to it.*

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**Amendment 2**  
**Proposal for a decision**

**Recital 6**

*Text proposed by the Commission*

- (6) The contribution of civil society to OCT development can be enhanced by strengthening civil society organisations in all spheres of cooperation.

*Amendment*

- (6) The contribution of civil society to OCT development can be enhanced by strengthening civil society organisations **and giving them greater responsibility** in all spheres of cooperation.

**Amendment 3**  
**Proposal for a decision**

**Recital 10**

*Text proposed by the Commission*

- (10) The OCTs are host to wide terrestrial and marine biodiversity. Climate change can impact on OCTs' natural environment and constitutes a threat undermining their sustainable development. Actions in the fields of conservation of biodiversity and ecosystem services, disaster risk reduction, sustainable management of natural resources and promotion of sustainable energy **will contribute to adaptation and mitigation** of climate change in the **OCTs**.

*Amendment*

- (10) The OCTs are host to wide terrestrial and marine biodiversity. Climate change can impact on OCTs' natural environment and constitutes a threat undermining their sustainable development. Actions in the fields of conservation of biodiversity and ecosystem services, disaster risk reduction, sustainable management of natural resources and promotion of sustainable energy **can help the OCTs to adapt to and mitigate the impact** of climate change. **OCTs should also be able to participate** in **Union horizontal programmes, such as the Programme for the Environment and Climate Action (LIFE)**.

**Amendment 4**  
**Proposal for a decision**

**Recital 12**

*Text proposed by the Commission*

- (12) It is important to support the OCTs in their efforts in becoming less dependent on fossil fuels, with a view to reducing their vulnerability to fuels access and price volatility, thus making their economy more resilient and less vulnerable to external shocks.

*Amendment*

- (12) It is important to support the OCTs in their efforts in becoming less dependent on fossil fuels, with a view to reducing their vulnerability to fuels access and price volatility, thus making their economy more resilient and less vulnerable to external shocks, **particularly in terms of jobs**.

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**Amendment 5**  
**Proposal for a decision**

**Recital 14**

*Text proposed by the Commission*

- (14) The effects of the OCTs' remoteness constitute a **barrier** to their **competitiveness** and thus it is important to improve the accessibility of the OCTs.

*Amendment*

- (14) The effects of the OCTs' remoteness constitute a **challenge** to their **economic development** and thus it is important to improve the accessibility of the OCTs.

**Amendment 6**  
**Proposal for a decision**

**Recital 15**

*Text proposed by the Commission*

- (15) The Union and the OCTs recognise the importance of education as a lever for the OCTs' sustainable development.

*Amendment*

- (15) The Union and the OCTs recognise the importance of education **and vocational training** as a lever for the OCTs' sustainable development.

**Amendment 7**  
**Proposal for a decision**

**Recital 16 a (new)**

*Text proposed by the Commission*

*Amendment*

- (16a) **A crucial aim of cooperation should be improving working conditions, labour and trade union rights. An important role should be played in the process by trade unions and other workers' representatives.**

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**Amendment 8**  
**Proposal for a decision**

**Recital 17**

*Text proposed by the Commission*

- (17) The incidence of communicable diseases in the OCTs, such as dengue in the Caribbean and the Pacific and Chikungunya in the Indian Ocean region, can have significant negative health and economic impacts. Beyond decreasing the productivity of affected populations, epidemics in OCTs are likely to heavily impact tourism, which is a mainstay of many OCTs' economies. With large numbers of tourists and migrant workers travelling to OCTs, they are vulnerable to importation of infectious diseases. Inversely, the large flow of people travelling back from OCTs could be a vector of introduction of communicable diseases in Europe. Ensuring a 'safe tourism' is therefore a critical factor for the sustainability of the OCT economies that heavily rely on tourism.

*Amendment*

- (17) The incidence of communicable diseases in the OCTs, such as dengue in the Caribbean and the Pacific and Chikungunya in the Indian Ocean region, can have significant negative health and economic impacts. Beyond decreasing the productivity of affected populations, epidemics in OCTs are likely to heavily impact tourism, which is a mainstay of many OCTs' economies. With large numbers of tourists and migrant workers travelling to OCTs, they are vulnerable to importation of infectious diseases. ***Easy and regular access to occupational medicine could reduce the scale of epidemics.*** Inversely, the large flow of people travelling back from OCTs could be a vector of introduction of communicable diseases in Europe. Ensuring a 'safe tourism' is therefore a critical factor for the sustainability of the OCT economies that heavily rely on tourism.

**Amendment 9**  
**Proposal for a decision**

**Recital 18**

*Text proposed by the Commission*

- (18) The association between the Union and the OCTs ***shall*** take ***into*** account and contribute to the preservation of the cultural diversity and identity of OCTs.

*Amendment*

- (18) The association between the Union and the OCTs ***should*** take ***due*** account ***of*** and contribute to the preservation of the cultural diversity and identity of OCTs. ***It should therefore take due account of, and contribute to protecting and upholding, the rights of the OCTs' indigenous peoples.***

**Amendment 10**  
**Proposal for a decision**

**Recital 19**

*Text proposed by the Commission*

- (19) The Union recognises the importance to develop a more active partnership with the OCTs as regards to good governance and the fight against organised crime, trafficking in human beings, terrorism and corruption.

*Amendment*

- (19) The Union recognises the importance to develop a more active partnership with the OCTs as regards to good ***economic, social and fiscal*** governance and the fight against organised crime, trafficking in human beings, terrorism and corruption.

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**Amendment 11**  
**Proposal for a decision**

**Recital 20**

*Text proposed by the Commission*

- (20) Trade and trade-related cooperation between the Union and the OCTs should contribute to the objective of sustainable development in economic development, social development and environmental protection dimensions.

*Amendment*

- (20) Trade and trade-related cooperation between the Union and the OCTs should contribute **as a matter of course** to the objective of sustainable development in economic development, social development and environmental protection dimensions.

**Amendment 12**  
**Proposal for a decision**

**Recital 21**

*Text proposed by the Commission*

- (21) Global changes, reflected in the continuing process of trade liberalisation, **broadly implicate** the Union, the principal trading partner of the OCTs, **their ACP** neighbours **and other economic partners**.

*Amendment*

- (21) Global changes, reflected in the continuing process of trade liberalisation, **which brings too few benefits to small island territories, make it necessary for** the Union, the principal trading partner of the OCTs, **to take better account of OCT interests in the trade agreements it concludes with the OCTs'** neighbours. **This implies a shared responsibility for including, as a matter of course, minimum social clauses in any negotiated partnership or trade agreement.**

**Amendment 13**  
**Proposal for a decision**

**Recital 21 a (new)**

*Text proposed by the Commission*

*Amendment*

- (21a) **As austerity policies have had detrimental effects on employment, there is a need for cooperation between OCTs and the Union to move away from those policies and advance ambitious programmes of public investment, which are the only way of ensuring decent living and working conditions for the majority of the population in both OCTs and the Union.**

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**Amendment 14**  
**Proposal for a decision**

**Recital 22**

*Text proposed by the Commission*

- (22) The OCTs are fragile island environments requiring adequate protection, including in respect of waste management. In respect of radioactive waste, Article 198 of the Euratom Treaty and the related secondary legislation provide for this, except with regard to Greenland, to which the Euratom Treaty does not apply. For other waste, it should be specified which Union rules are to apply in respect of the OCTs.

*Amendment*

- (22) The OCTs are fragile island environments requiring adequate protection, including in respect of waste management **and the containment of radioactive contamination**. In respect of radioactive waste, Article 198 of the Euratom Treaty and the related secondary legislation provide for this, except with regard to Greenland, to which the Euratom Treaty does not apply. For other waste, it should be specified which Union rules are to apply in respect of the OCTs. **Regarding radioactive contamination, particularly from nuclear testing it is necessary to specify which Union rules could apply to the OCTs, so as to provide lasting protection for biodiversity and populations from such forms of contamination.**

**Amendment 15**  
**Proposal for a decision**

**Recital 26**

*Text proposed by the Commission*

- (26) Taking into account the aims of integration and the developments of global trade in the area of services and establishment, it is necessary to support the development of services markets and investment possibilities by improving the market access of OCT services and investment to the Union market. In this regard the Union should offer to OCTs the best possible treatment offered to any other trading partner through comprehensive most favoured nation clauses, while ensuring more flexible possibilities for trade relations for OCTs by limiting the treatment offered by OCTs to the Union to what has been offered to other major trading economies.

*Amendment*

- (26) Taking into account the aims of integration and the developments of global trade in the area of services and establishment, it is necessary to support the development of services markets and investment possibilities by improving the market access of OCT services and investment to the Union market **and facilitating their access to public procurement contracts**. In this regard the Union should offer to OCTs the best possible treatment offered to any other trading partner through comprehensive most favoured nation clauses, while ensuring more flexible possibilities for trade relations for OCTs by limiting the treatment offered by OCTs to the Union to what has been offered to other major trading economies.

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**Amendment 16**  
**Proposal for a decision**

**Recital 28**

*Text proposed by the Commission*

(28) Sanitary and phyto-sanitary measures and technical barriers to trade may have an impact on trade and require cooperation. Trade and trade-related cooperation also should address competition policies and intellectual property rights, which affect the equitable distribution of the gains of trade.

*Amendment*

(28) Sanitary and phyto-sanitary measures and technical barriers to trade may have an impact on trade **and on the employment situation** and require cooperation. Trade and trade-related cooperation also should address **employment policies, particularly those concerning young people**, competition policies and intellectual property rights, which affect the equitable distribution of the gains of trade.

**Amendment 17**  
**Proposal for a decision**

**Recital 29**

*Text proposed by the Commission*

(29) To ensure that OCTs may participate under the best conditions in the Union's internal market as well as regional, sub-regional and international markets, it is important to develop the capacity of OCTs in relevant areas. These include the development of human resources and their skills, the development of small and medium enterprises, the diversification of economic sectors and the implementation of an appropriate legal framework in order to achieve a business climate conducive to investment.

*Amendment*

(29) To ensure that OCTs may participate under the best conditions in the Union's internal market as well as regional, sub-regional and international markets, it is important to develop the capacity of OCTs in relevant areas. These include the development of human resources and their skills **by: offering appropriate vocational and continuing training; facilitating** the development of small and medium enterprises; **facilitating access to micro-funding instruments and loans**; the diversification of economic sectors; and the implementation of an appropriate legal framework in order to achieve a business climate conducive to investment. **To that end, combining EDF funds with programmes and instruments under the Union's general budget for which OCTs are eligible would make it possible to leverage and rationalise proposed investments.**

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**Amendment 18**  
**Proposal for a decision**  
**Recital 30 a (new)**

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*Text proposed by the Commission*

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*Amendment*

- (30a) *OCTs can play a crucial role in the fight against tax havens. In this regard, the need to move towards genuine transparency of the financial sector should be underlined.*

**Amendment 19**  
**Proposal for a decision**  
**Recital 33**

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*Text proposed by the Commission*

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*Amendment*

- (33) The procedures regarding financial assistance provided for in Articles 9 and 82 delegate the main responsibility for 11th EDF programming and implementing cooperation to the OCTs in particular. Cooperation will be conducted predominantly in conformity with OCT territorial regulations and will underpin support for the monitoring, evaluation and audit of the operations programmed. In addition, it is necessary to clarify that OCTs are eligible to different sources of funding provided for in Article 76.

- (33) The procedures regarding financial assistance provided for in Articles 9 and 82 delegate the main responsibility for 11th EDF programming and implementing cooperation to the OCTs in particular. Cooperation will be conducted predominantly in conformity with OCT territorial regulations and will underpin support for the monitoring, evaluation and audit of the operations programmed. In addition, it is necessary to clarify that OCTs are eligible to different sources of funding provided for in Article 76 **and that the Commission has a duty to facilitate OCT access to horizontal programmes by means of an ‘OCT strategy’ such as that provided for under Article 88(2a).**



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**Amendment 20**  
**Proposal for a decision**

**Recital 34**

*Text proposed by the Commission*

- (34) In order to adopt detailed rules for the preparation of the programming documents, their follow-up, audit, evaluation, review and implementation, as well as for reporting and financial corrections, 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 in respect of Part IV of this Decision. In order to take into account technological developments and changes in customs legislation, the power to adopt acts amending the Appendices to Annex VI, in accordance with Article 290 of the Treaty on the Functioning of the European Union, should also be delegated to the Commission. 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 a simultaneous, timely and appropriate transmission of relevant documents to the Council.

*Amendment*

- (34) In order to adopt detailed rules for the preparation of the programming documents, their follow-up, audit, evaluation, review and implementation, as well as for reporting and financial corrections, 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 in respect of Part IV of this Decision. ***In order to adopt decisions concerning the granting of cumulation of origin between an OCT and a country with which the Union has concluded and is applying a free trade agreement, derogations from the registered exporters system and temporary derogations from the provisions of Annex VI, 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 in respect of Annex VI to this Decision.*** In order to take into account technological developments and changes in customs legislation, the power to adopt acts amending the Appendices to Annex VI in accordance with Article 290 of the Treaty on the Functioning of the European Union should also be delegated to the Commission. ***In order to adopt decisions concerning temporary withdrawal of preferential treatment, prior surveillance measures as provided for in Annex VII, and temporary and permanent safeguard measures as provided for in Annex VIII, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should also be delegated to the Commission in respect of Annexes VII and VIII to this Decision, respectively.*** 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 a simultaneous, timely and appropriate transmission of relevant documents to the ***European Parliament and to the Council.***

**Amendment 21**

**Proposal for a decision**

**Article 2 — paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

- 2a. In order to ensure that those objectives are met, the identity and geographical position of each OCT shall be taken into account, together with its political, economic and social situation.***

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**Amendment 22****Proposal for a decision****Article 5 — paragraph 2 — point b***Text proposed by the Commission*

(b) the promotion of green growth;

*Amendment*(b) the promotion of green growth **and green jobs in all green-growth industries;****Amendment 23****Proposal for a decision****Article 6 — paragraph 1***Text proposed by the Commission*

1. With an aim to strengthen the relations between themselves, the Union and the OCTs endeavour to make the association known among their citizens, in particular by promoting the development of the links and cooperation between the authorities, academic community, civil society and businesses of OCTs on the one hand and their interlocutors within the Union on the other.

*Amendment*

1. With an aim to strengthen the relations between themselves, the Union and the OCTs endeavour to make the association **and the shared benefits accruing from it** known among their citizens, in particular by promoting the development of the links and cooperation between the authorities, academic community, civil society, **the social partners** and businesses of OCTs on the one hand and their interlocutors within the Union on the other. **To this end, the Union shall ensure effective OCT participation in information and communication programmes, with particular reference to the 'Europe Direct' information centres, in order to bring Europe closer to its citizens in the OCTs.**

**Amendment 24****Proposal for a decision****Article 6 — paragraph 2 a (new)***Text proposed by the Commission**Amendment*

**2a. The Commission shall ensure that partnerships with OCTs are promoted under all the Union programmes and instruments entered in the general budget of the Union referred to in Article 88.**

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**Amendment 25****Proposal for a decision****Article 7 — paragraph 3***Text proposed by the Commission*

3. The association aims at supporting cooperation between the OCTs and other partners in the areas of cooperation set out in Parts Two and Three of this Decision. In that respect, the objective of the association is to promote the cooperation between the OCTs and the outermost regions, referred to in Article 349 of the Treaty, their neighbouring African, Caribbean and Pacific (ACP) and non-ACP States. In order to achieve that objective, the Union shall improve coordination and synergies between cooperation programmes supported by different EU financial instruments.

*Amendment*

3. The association aims at supporting cooperation between the OCTs and other partners in the areas of cooperation set out in Parts Two and Three of this Decision. In that respect, the objective of the association is to promote the cooperation between the OCTs and the outermost regions, referred to in Article 349 of the Treaty, their neighbouring African, Caribbean and Pacific (ACP) and non-ACP States. In order to achieve that objective, the Union shall improve coordination and synergies between cooperation programmes supported by different EU financial instruments, *including the territorial cooperation programmes implemented under the Union's cohesion policy. The Union shall also involve the OCTs in its political dialogue with OCT neighbours, and shall inform them of the agendas and resolutions or recommendations of the ACP-EU Joint Parliamentary Assembly. Member States and the Commission shall support any request by OCT authorities to participate as observers at the plenary sessions of the ACP-EU Joint Parliamentary Assembly, subject to the Assembly's own rules of procedure.*

**Amendment 26****Proposal for a decision****Article 7 — paragraph 4 — point d***Text proposed by the Commission*

(d) OCT participation in the development of regional markets within the context of regional integration organisations;

*Amendment*

(d) OCT participation in the development of **regional organisations and** regional markets within the context of regional integration organisations;

**Amendment 27****Proposal for a decision****Article 9 — paragraph 2 — introductory part***Text proposed by the Commission*

2. The OCTs shall organise, where appropriate, a dialogue and consultations with authorities and bodies such as:

*Amendment*

2. The OCTs shall organise, where appropriate, a dialogue and consultations with authorities, **members of parliament** and bodies such as:

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**Amendment 28****Proposal for a decision****Article 9 — paragraph 2 — point a a (new)**

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*Text proposed by the Commission*

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*Amendment*

*(aa) members of parliament representing OCTs at national and Union level;*

**Amendment 29****Proposal for a decision****Article 9 — paragraph 2 — point c a (new)**

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*Text proposed by the Commission*

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*Amendment*

*(ca) OCT organisations, for example the Overseas Countries and Territories Association (OCTA);*

**Amendment 30****Proposal for a decision****Article 10 — paragraph 1 — point b a (new)**

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*Text proposed by the Commission*

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*Amendment*

*(ba) members of parliament representing OCTs at national and Union level;*

**Amendment 31****Proposal for a decision****Article 12 — paragraph 4 a (new)**

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*Text proposed by the Commission*

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*Amendment*

*(4a) The dialogue shall enable OCTs to obtain information on the various regional horizontal programmes and EDF regional projects that are under way, so that they have an opportunity to take part in them.*

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**Amendment 32****Proposal for a decision****Article 13 — paragraph 1 — point a***Text proposed by the Commission*

(a) an OCT-EU forum for dialogue (the OCT-EU Forum), shall meet annually to bring together OCT authorities, representatives of the Member States and the Commission. Members of the European Parliament, **representatives** of the EIB, and representatives of the outermost regions shall be associated with the OCT-EU Forum, where appropriate;

*Amendment*

(a) an OCT-EU forum for dialogue (the OCT-EU Forum), shall meet annually to bring together OCT authorities, **members of parliament representing OCTs**, representatives of the Member States and the Commission. Members of the European Parliament **shall be associated with it. Representatives** of the EIB, and representatives of the outermost regions, **neighbouring ACP and non-ACP States** shall be associated with the OCT-EU Forum, where appropriate;

**Amendment 33****Proposal for a decision****Article 13 — paragraph 1 — point b***Text proposed by the Commission*

(b) on a regular basis, the Commission, the OCTs and the Member States to which they are linked shall hold trilateral consultations. These consultations shall be organised **as a rule** four times a year on the initiative of the Commission or at the request of **the** OCTs and of the Member States to which they are linked.

*Amendment*

(b) on a regular basis, the Commission, the OCTs and the Member States to which they are linked shall hold trilateral consultations. These consultations shall be organised **at least** four times a year **and whenever necessary** on the initiative of the Commission or at the request of **one or more** OCTs and of the Member States to which they are linked;

**Amendment 34****Proposal for a decision****Article 15 — paragraph 1 — point c a (new)***Text proposed by the Commission**Amendment*

(ca) **aid to SMEs engaged in sustainable economic activities, particularly in the research, farming, crafts and tourism sectors, which draw on the resources of local ecosystems;**

**Amendment 35****Proposal for a decision****Article 17 — point b***Text proposed by the Commission**Amendment*

(b) conciliation of economic and social activities such as fisheries and aquaculture, tourism, maritime transports with the potential of marine and coastal zones in terms of renewable energy, raw materials, whilst taking into account impacts of climate change and human activities.

(b) conciliation of economic and social activities such as fisheries and aquaculture, **agriculture**, tourism, maritime **and air** transports, **industry, mining activities and regional planning** with the potential of marine and coastal zones in terms of renewable energy, raw materials, whilst taking into account impacts of climate change and **land pollution from** human **and animal** activities.

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**Amendment 36****Proposal for a decision****Article 19 — paragraph 1 — point c***Text proposed by the Commission*

(c) without prejudice to existing or future **bilateral** fisheries partnership agreements **between** the Union **and the OCTs**, the Union and the OCTs shall aim to regularly consult each other on the conservation and management of the living marine resources and to exchange information on the ongoing state of resources within the context of the relevant instances of the association provided for in Article 13.

*Amendment*

(c) without prejudice to existing or future fisheries partnership agreements **concluded by** the Union, the Union and the OCTs shall aim to regularly consult each other on the conservation and management of the living marine resources and to exchange information on the ongoing state of resources within the context of the relevant instances of the association provided for in Article 13.

**Amendment 37****Draft decision****Article 19 — paragraph 2 — point b***Text proposed by the Commission*

(b) dialogue and cooperation regarding the conservation of fish stocks including measures to fight illegal, unreported and unregulated fishing and effectively cooperating with and within regional fisheries management organisations. Dialogue and cooperation shall include control and inspection schemes, incentives and obligations for a more effective management of fisheries and coastal environments in the long term.

*Amendment*

(b) dialogue and cooperation regarding the conservation of fish stocks including measures to fight illegal, unreported and unregulated fishing and effectively cooperating with and within regional fisheries management organisations. Dialogue and cooperation shall include control and inspection schemes, incentives and obligations for a more effective management of fisheries and coastal environments in the long term. **Dialogue and cooperation shall be accompanied by an increase, on the part of the Commission, in efforts to promote sustainable fisheries management by supporting local systems of monitoring, and surveillance by means of partnership agreements with the OCTs associated with the Union.**

**Amendment 38****Proposal for a decision****Article 20 — paragraph 2***Text proposed by the Commission*

2. In the field of water supply and sanitation sector, particular attention shall be given to access in under-served areas to drinking water supply and sanitation services, which contribute directly to human resources development by improving the state of health and increasing productivity.

*Amendment*

2. In the field of water supply and sanitation sector, particular attention shall be given to access in under-served **or natural disaster-prone** areas to drinking water supply and sanitation services, which contribute directly to human resources development by improving the state of health and increasing productivity.

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**Amendment 39**  
**Proposal for a decision**

**Article 21**

*Text proposed by the Commission*

In the context of the association, cooperation in the field of waste management may concern the promotion of the use of the best environmental practice in all operations related to waste management, including the reduction of waste, recycling or other processes for the extraction of secondary raw materials and the disposal of the waste.

*Amendment*

In the context of the association, cooperation in the field of waste management may concern the promotion of the use of the best environmental practice in all operations related to **human or animal** waste management, including the reduction of waste, recycling or other processes for the extraction of secondary raw materials and the disposal of the waste.

**Amendment 40**

**Proposal for a decision**

**Article 25 — paragraph 2 — point b**

*Text proposed by the Commission*

(b) transport by road, rail, air, sea or inland waterway;

*Amendment*

(b) **public and other sustainable modes of** transport by road **and transport by** rail, air, sea or inland waterway;

**Amendment 41**

**Proposal for a decision**

**Article 29**

*Text proposed by the Commission*

In the context of the association, cooperation in the field of information and communication technology (ICT) services aims at spurring, in the OCTs, innovation, economic growth and improvements in daily life for both citizens and businesses, including the promotion of accessibility for persons with disabilities. Cooperation shall, in particular, be directed at enhancing OCTs' regulatory capacity and may support the expansion of ICT networks and services through the following measures:

- (a) creation of a predictable regulatory environment that keeps pace with technological developments, stimulates growth and innovation and fosters competition and consumer protection;
- (b) dialogue on the various policy aspects regarding the promotion and monitoring of the information society;
- (c) exchange of information on standards and interoperability issues;

*Amendment*

In the context of the association, cooperation in the field of information and communication technology (ICT) services aims at spurring, in the OCTs, innovation, economic growth, **cooperation, freedom of expression, creation of new jobs** and improvements in daily life for both citizens and businesses, including the promotion of accessibility for persons with disabilities. Cooperation shall, in particular, be directed at enhancing OCTs' regulatory capacity and may support the expansion of ICT networks and services through the following measures:

- (a) creation of a predictable regulatory environment that keeps pace with technological developments, stimulates growth and innovation and fosters competition and consumer protection;
- (b) dialogue on the various policy aspects regarding the promotion and monitoring of the information society;
- (c) exchange of information on standards and interoperability issues;

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*Text proposed by the Commission**Amendment*

- (d) promotion of cooperation in the field of ICT research and in the field of ICT-based research infrastructures;
- (e) development of services and applications in domains of high societal impact.

- (d) promotion of cooperation in the field of ICT research and in the field of ICT-based research infrastructures;
- (e) development of services and applications in domains of high societal impact **such as education and vocational training**.

**Amendment 42****Proposal for a decision****Article 30 — introductory part***Text proposed by the Commission**Amendment*

In the context of the association, cooperation in the field of research and innovation may cover science, technology, including information and communication technologies, with the aim to contribute to the OCTs' sustainable development and to promote excellence and **industrial** competitiveness within OCTs. In particular, cooperation may concern:

In the context of the association, cooperation in the field of research and innovation may cover science, **education**, technology, including information and communication technologies, with the aim to contribute to the OCTs' sustainable development and to promote excellence and **the** competitiveness **of businesses, in particular SMEs**, within OCTs. In particular, cooperation may concern:

**Amendment 43****Proposal for a decision****Article 30 — point b***Text proposed by the Commission**Amendment*

- (b) policy and institutional building within OCTs and concerted actions at local, national or regional level, with a view to developing science, technology and innovation activities and their application;

- (b) policy and institutional building within OCTs and concerted actions at local, national or regional level, with a view to developing science, **education**, technology and innovation activities and their application;

**Amendment 44****Proposal for a decision****Article 30 — point d***Text proposed by the Commission**Amendment*

- (d) participation of individual OCT researchers, research bodies and legal entities from OCTs in the framework for cooperation related to research and innovation programmes **within the Union**;

- (d) participation of individual OCT researchers, research bodies, **SMEs** and legal entities from OCTs in the framework for cooperation related to **Union** research and innovation programmes **and the competitiveness of undertakings, especially SMEs**;



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**Amendment 45**  
**Proposal for a decision**  
**Article 30 — point e**

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*Text proposed by the Commission*

(e) training and international mobility of OCT researchers and **exchange**.

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*Amendment*

(e) training and international mobility of OCT researchers **and students** and **exchanges of researchers and students**.

**Amendment 46**  
**Proposal for a decision**  
**Article 31 — paragraph 1**

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*Text proposed by the Commission*

1. The Union shall ensure that natural persons from OCTs, as defined in Article 49, **can** participate in initiatives of the Union concerning youth on the same basis as nationals of Member States.

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*Amendment*

1. The Union shall ensure that natural persons from OCTs, as defined in Article 49, participate in **the** initiatives **and programmes** of the Union concerning youth on the same basis as nationals of Member States.

**Amendment 47**  
**Proposal for a decision**  
**Article 31 — paragraph 2**

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*Text proposed by the Commission*

2. The association aims at strengthening the ties between young people living in the OCTs and the Union, among others by promoting **learning** mobility of OCT youth and by fostering mutual understanding between young people.

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*Amendment*

2. The association aims at strengthening the ties between young people living in the OCTs and the Union, among others by promoting **educational and initial, vocational or continuing training, learning exchanges and** mobility of OCT youth and by fostering **intercultural learning and** mutual understanding between young people.

**Amendment 48**  
**Proposal for a decision**  
**Article 31 — paragraph 2 a (new)**

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*Text proposed by the Commission*

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*Amendment*

**2a. The Union and OCTs shall cooperate in order to ensure that young people are actively engaged on the labour market in order to avoid youth unemployment.**

Tuesday 12 March 2013

**Amendment 49****Proposal for a decision****Article 32 — paragraph 1 — point a a (new)***Text proposed by the Commission**Amendment*

(aa) **the provision of work experience opportunities to enable students to develop useful skills for the labour market;**

**Amendment 50****Proposal for a decision****Article 32 — paragraph 1 — point b***Text proposed by the Commission**Amendment*

(b) the support to the OCTs in defining and implementing education policies.

(b) the support to the OCTs in defining and implementing education **and formal and informal vocational training** policies;

**Amendment 51****Proposal for a decision****Article 32 — paragraph 2***Text proposed by the Commission**Amendment*

2. The Union shall ensure that natural persons from the OCTs, as defined in Article 49, **can** participate in education initiatives of the Union **on the same basis as nationals of Member States**.

2. The Union shall ensure that natural persons from the OCTs, as defined in Article 49, participate in education **and professional training** initiatives of the Union, **in particular the Erasmus for All programme**.

**Amendment 52****Proposal for a decision****Article 32 — paragraph 3***Text proposed by the Commission**Amendment*

3. The Union shall ensure that educational bodies and institutes from OCTs can take part in education related cooperation initiatives of the Union on the same basis as the educational bodies and institutes of the Member States.

3. The Union shall ensure that educational **and vocational training** bodies and institutes from OCTs can take part in education **and professional training** related cooperation initiatives of the Union on the same basis as the educational **and vocational training** bodies and institutes of the Member States.

Tuesday 12 March 2013

### Amendment 53

#### Proposal for a decision

#### Article 33 — paragraph 1

*Text proposed by the Commission*

1. The Union and the OCTs shall maintain dialogue in the area of employment and social policy in order to contribute to the economic and social development of the OCTs and the promotion of decent work in the OCTs and regions where they are located. Such a dialogue shall also aim at supporting the efforts of the OCTs' authorities to develop policies and legislation in this area.

*Amendment*

1. The Union and the OCTs shall maintain dialogue in the area of employment and social policy in order to contribute to the economic and social development of the OCTs and the promotion of decent work **and social inclusion in a green economy** in the OCTs and regions where they are located. Such a dialogue shall also aim at supporting the efforts of the OCTs' authorities to develop policies and legislation in this area.

### Amendment 54

#### Proposal for a decision

#### Article 33 — paragraph 2

*Text proposed by the Commission*

2. The dialogue shall mainly consist of exchange of information and best practices relating to policies and legislation in the area of employment and social policy that are of mutual interest to the Union and the OCTs. In this regard, areas such as skills development, social protection, social dialogue, equal opportunities, non-discrimination and accessibility for persons with disabilities, health and safety at work and other labour standards shall be taken into consideration.

*Amendment*

2. The dialogue shall mainly consist of exchange of information and best practices relating to policies and legislation in the area of employment and social policy that are of mutual interest to the Union and the OCTs. **Job creation, particularly in SMEs, shall be boosted by promoting ambitious social standards. The dialogue shall encourage all innovative measures which protect the environment and the health of workers and citizens, aimed at enabling job creation in areas where OCTs have an asset such as biodiversity, mineral resources and new technology, as well as in areas related to improving accessibility.** In this regard, areas such as **anticipating future skills requirements**, skills development, **the training of a qualified workforce to meet labour market needs**, social protection, social dialogue, equal opportunities, non-discrimination and accessibility for persons with disabilities, health and safety at work and other labour standards shall be taken into consideration.

### Amendment 55

#### Proposal for a decision

#### Article 33 — paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**2a. The Union and the OCTs shall cooperate in order to exchange best practices for active labour market policies, a strong social dialogue, labour standards and social protection in order to safeguard the rights of workers.**

Tuesday 12 March 2013

**Amendment 56****Proposal for a decision****Article 33 — paragraph 2 b (new)**

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*Text proposed by the Commission*

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*Amendment*

**2b.** *The Union and OCTs shall cooperate in order to provide a good balance between security and flexibility in the labour market through comprehensive implementation of flexicurity principles, and to address labour market segmentation, by providing both adequate social protection coverage for people in periods of transition, or on temporary or part-time employment contracts, and access to training, career development and full-time work opportunities.*

**Amendment 57****Proposal for a decision****Article 33 — paragraph 2 c (new)**

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*Text proposed by the Commission*

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*Amendment*

**2c.** *Depopulation, including the ‘brain drain’ and emigration of young persons for work, is a challenge for many OCTs and for this reason the Union and OCTs shall cooperate to protect the rights of migrant workers on the labour market.*

**Amendment 58****Proposal for a decision****Article 33 a (new)**

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*Text proposed by the Commission*

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*Amendment***Article 33a*****Free movement of workers***

**1.** *Without prejudice to provisions governing public health, public safety and public order, the Member States of the Union shall not discriminate in any way against workers from OCTs as regards employment, pay and working conditions.*

Tuesday 12 March 2013

Text proposed by the Commission

Amendment

2. OCT authorities shall afford workers from Member States treatment that is no less favourable than that which they extend to nationals of third countries and shall not discriminate between nationals of Member States. Notwithstanding this, the authorities of an OCT may, with a view to promoting local employment, adopt regulations to aid local workers. In that event, the OCT authorities shall notify the Commission of the regulations they adopt, in order to enable it inform the Member States.

3. This Article shall not apply to jobs in the civil service.

#### Amendment 59

#### Proposal for a decision

#### Article 33 b (new)

Text proposed by the Commission

Amendment

#### Article 33b

#### *Social dialogue and development of social democracy*

*In the context of the association, the promotion of social dialogue and the development of social democracy may be supported through measures including:*

- *actions to provide training for the social partners,*
- *actions to permit communication and the creation of spaces devoted to promoting and developing social dialogue and social democracy,*
- *actions to enable the exchange of best social practices at regional and local level.*

Tuesday 12 March 2013

**Amendment 60**  
**Proposal for a decision**  
**Article 34 — point a**

*Text proposed by the Commission*

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- (a) actions to strengthen preparedness and response capacity against cross-border health threats such as infectious diseases which should be built on existing structures and should target unusual events;

*Amendment*

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- (a) actions to strengthen preparedness and response capacity against cross-border health threats such as infectious diseases which should be built on existing structures **and occupational medicine** and should target unusual events;

**Amendment 61**  
**Proposal for a decision**  
**Article 34 — point a a (new)**

*Text proposed by the Commission*

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- (a) actions to strengthen preparedness and response capacity against cross-border health threats such as infectious diseases which should be built on existing structures and should target unusual events;

*Amendment*

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- (aa) **the Union and OCTs shall organise exchanges of best practice with a view to improving workplace effectiveness. It is important to ensure that all workers are covered by prevention policies and enjoy effective respect for their fundamental right to health;**

**Amendment 62**  
**Proposal for a decision**  
**Article 34 — point b**

*Text proposed by the Commission*

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- (b) capacity building through strengthening public health networks at regional level, facilitating exchange of information among experts and promoting adequate training;

*Amendment*

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- (b) capacity building through strengthening public health networks at regional level, facilitating exchange of information among experts and promoting adequate training **and the introduction of telemedicine;**

**Amendment 63**  
**Proposal for a decision**  
**Article 34 a (new)**

*Text proposed by the Commission*

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- (a) actions to strengthen preparedness and response capacity against cross-border health threats such as infectious diseases which should be built on existing structures and should target unusual events;

*Amendment*

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**Article 34a**

**Health and safety at work**

**In the context of the association, cooperation in the field of health and safety at work shall aim to strengthen the OCTs' capacity for preventing occupational diseases and work-related accidents through measures including:**

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Text proposed by the Commission

Amendment

- *actions seeking to conduct studies and develop expertise on health and safety at work concerning risks specific to the territory in question,*
- *assistance for the modernisation of regulations on health and safety at work,*
- *support for actions to encourage prevention of work-related risks.*

**Amendment 64****Proposal for a decision****Article 38 — title**

Text proposed by the Commission

Amendment

**Protection of** cultural heritage **sites** and historic monuments

Cultural heritage and historic monuments

**Amendment 65****Proposal for a decision****Article 38 — introductory part**

Text proposed by the Commission

Amendment

In the context of the association, cooperation in the field of cultural heritage sites and historic monuments aims at allowing the promotion of exchanges of expertise and best practices through:

In the context of the association, cooperation in the field of cultural heritage sites and historic monuments aims at allowing the promotion of exchanges of expertise and best practices **and optimising the potential of such sites on a sustainable basis** through:

**Amendment 66****Proposal for a decision****Article 38 — paragraph 1 a (new)**

Text proposed by the Commission

Amendment

**Cooperation may also seek to enhance knowledge, conservation and the status of OCTs' tangible and intangible cultural heritage.**

**Amendment 67****Proposal for a decision****Article 44 a (new)**

Text proposed by the Commission

Amendment

**Article 44a****Negotiation of trade agreements with third countries**

**When negotiating a trade agreement with a third country, the Union shall strive to provide for the extension of the tariff preferences granted to Union products to products originating in OCTs.**

Tuesday 12 March 2013

**Amendment 68****Proposal for a decision****Article 54 — paragraph 3 a (new)***Text proposed by the Commission**Amendment*

**3a.** *Where trade agreements currently being negotiated with third countries risk endangering the traditional trade sectors characteristic of OCTs, the Commission shall carry out prior impact assessments of the potential consequences in accordance with the criteria defined by the International Labour Organisation and the UN. When completed, those prior impact assessments shall be forwarded by the Commission to the European Parliament, the Council and the governmental and local authorities of the OCTs before the conclusion of the international agreements in question.*

**Amendment 69****Proposal for a decision****Article 57 — paragraph 1 — point b***Text proposed by the Commission**Amendment*

(b) facilitating the removal of obstacles to trade or investment regarding goods and services of particular relevance for climate change mitigation, such as sustainable renewable energy and energy efficient products and services, including through the adoption of policy frameworks conducive to the deployment of best available technologies and through the promotion of standards that respond to environmental and economic needs and minimise technical obstacles to trade;

(b) facilitating the removal of obstacles to trade or investment regarding goods and services of particular relevance for climate change mitigation, such as sustainable renewable energy and energy efficient products and services, including through the adoption of policy frameworks conducive to the deployment of best available technologies and through the promotion of standards that respond to environmental, **social** and economic needs and minimise technical obstacles to trade;

**Amendment 70****Proposal for a decision****Article 57 — paragraph 1 — point c***Text proposed by the Commission**Amendment*

(c) promoting trade in goods that contribute to social conditions and environmentally sound practices, including goods that are the subject of voluntary sustainability assurance schemes such as fair and ethical trade schemes, eco-labels, and certification schemes for natural resource-based products;

(c) promoting trade in goods that contribute to social conditions and environmentally sound practices, including goods that are the subject of voluntary sustainability assurance schemes such as fair and ethical trade schemes, eco-labels, **social labels** and certification schemes for natural resource-based products;



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**Amendment 71**  
**Proposal for a decision**

**Article 62**

*Text proposed by the Commission*

In the context of the association, cooperation in the field of consumer policy, consumer health protection and trade may include the preparation of laws and regulations in the area of consumer policy and consumer health protection, with a view to avoiding unnecessary barriers to trade.

*Amendment*

In the context of the association, cooperation in the field of consumer policy, consumer health protection and trade may include ***the option of temporary recognition of rules and procedures established in the OCTs as well as*** the preparation of laws and regulations in the area of consumer policy and consumer health protection, with a view to avoiding unnecessary barriers to trade.

**Amendment 72**  
**Proposal for a decision**

**Article 68 — point a**

*Text proposed by the Commission*

(a) strengthening the OCTs' capacities to define and implement policies necessary for the development of trade in goods and services;

*Amendment*

(a) strengthening the OCTs' capacities to define and implement policies necessary for the development of trade in goods and services, ***particularly by means of new information and communications technologies;***

**Amendment 73**  
**Proposal for a decision**

**Article 68 — point b**

*Text proposed by the Commission*

(b) encouraging the efforts of OCTs to put into place appropriate legal, regulatory and institutional frameworks as well as the necessary administrative procedures;

*Amendment*

(b) encouraging the efforts of OCTs to put into place appropriate legal, regulatory and institutional frameworks as well as the necessary administrative procedures, ***particularly so as to help improve social standards and create a social climate favourable to growth;***

**Amendment 74**  
**Proposal for a decision**

**Article 68 — point d**

*Text proposed by the Commission*

(d) facilitating market and product development, including product quality improvement;

*Amendment*

(d) facilitating market and product development ***and diversification,*** including product quality improvement;

Tuesday 12 March 2013

**Amendment 75**  
**Proposal for a decision**  
**Article 68 — point e**

*Text proposed by the Commission*

(e) contributing to the development of human resources and professional skills relevant to trade in goods and services;

*Amendment*

(e) contributing to the development of human resources and professional skills **by offering adequate training courses** relevant to trade in goods and services;

**Amendment 76**  
**Proposal for a decision**  
**Article 68 — point f**

*Text proposed by the Commission*

(f) enhancing the capacity of business intermediaries to provide OCT enterprises services pertinent to their exporting activities, such as market intelligence;

*Amendment*

(f) enhancing the capacity of business intermediaries to provide OCT enterprises services pertinent to their exporting activities, such as market intelligence, **through more effective use of new technology**;

**Amendment 77**  
**Proposal for a decision**  
**Article 79 — paragraph 2**

*Text proposed by the Commission*

2. The Union shall support the efforts of the OCTs in developing reliable statistical data regarding those areas.

*Amendment*

2. The Union shall support the efforts of the OCTs in developing reliable statistical data regarding those areas. **It shall also support the OCTs in their efforts to make their macroeconomic indicators more readily comparable, including through the calculation of purchasing power parities.**

**Amendment 78**  
**Proposal for a decision**  
**Article 80 — paragraph 2**

*Text proposed by the Commission*

2. On the initiative of the OCTs, studies or technical assistance measures may be financed in relation to the implementation of the activities scheduled **in the programming documents**. The Commission may decide to finance such action either from the programmable aid or from the envelope earmarked for technical cooperation measures.

*Amendment*

2. On the initiative of the OCTs, studies or technical assistance measures may be financed in relation to the implementation of the activities scheduled **under this Decision**. The Commission may decide to finance such action either from the programmable aid or from the envelope earmarked for technical cooperation measures.

Tuesday 12 March 2013

**Amendment 79**

**Proposal for a decision**

**Article 80 — paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a.** *The Commission shall organise at least once a year, preferably in connection with the EU-OCT Forum, a technical meeting of regional authorising officers and authorising officers by delegation with a view to strengthening the institutionalised technical dialogue and streamlining the programming and implementation of funds;*

**Amendment 80**

**Proposal for a decision**

**Article 82 — paragraph 4 — subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*The Commission shall ensure that the programming rules take account of the OCTs' limited human and administrative resources and their institutional ties with the Member State to which they are linked.*

**Amendment 81**

**Proposal for a decision**

**Article 82 — paragraph 5**

*Text proposed by the Commission*

*Amendment*

5. The OCT authorities and the Commission shall be jointly responsible for approving the programming document.

5. The OCT authorities and the Commission shall be jointly responsible for approving the programming document. ***In this connection, the programming document shall be the subject of an exchange of views between the OCT, the Member State concerned and the Commission. As part of that exchange of views, technical meetings shall be held between the regional authorising officers and all representatives of the Commission and of the offices and delegations involved in the programming, if possible as an extension of the OCT-EU Forum dialogue.***

Tuesday 12 March 2013

**Amendment 82**  
**Proposal for a decision**  
**Article 83 — paragraph 1**

*Text proposed by the Commission*

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1. The Commission shall implement OCT 11th EDF resources in any of the ways set out in the 11th EDF financial regulation and in accordance with the conditions set out in this Decision and in the measures implementing that Decision. To this end, it shall conclude financing agreements with the relevant authorities of the OCTs.

*Amendment*

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1. The Commission shall implement OCT 11th EDF resources in any of the ways set out in the 11th EDF financial regulation and in accordance with the conditions set out in this Decision and in the measures implementing that Decision. To this end, it shall conclude financing agreements with the relevant authorities of the OCTs **and hold technical meetings with the regional authorising officers and all representatives of the Commission and of the offices and delegations involved in implementing programming arrangements, if possible as an extension of the OCT-EU Forum dialogue.**

**Amendment 83**  
**Proposal for a decision**  
**Article 84 — paragraph 8**

*Text proposed by the Commission*

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8. The Commission shall inform the Committee of the follow-up, evaluation and audit of Programming documents.

*Amendment*

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8. The Commission shall inform the Committee **and the European Parliament simultaneously** of the follow-up, evaluation and audit of Programming documents.

**Amendment 84**  
**Proposal for a decision**  
**Article 88 — paragraph 2**

*Text proposed by the Commission*

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2. OCTs shall also **be eligible for** support under programmes of the Union for cooperation with other countries, **notably developing countries**, subject to the rules, objectives and arrangements of these programmes.

*Amendment*

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2. OCTs shall also **receive** support under programmes of the Union for cooperation with other countries, subject to the rules, objectives and arrangements of these programmes.

Tuesday 12 March 2013

### Amendment 85

#### Proposal for a decision

#### Article 88 — paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

*2a. In order to ensure proper and effective involvement of the OCTs in the various horizontal programmes of the Union, the Commission shall launch a fully-fledged ‘OCT strategy’ designating an ‘OCT officer’ in each directorate-general to take part in the formulation of annual action plans in respect of each programme, for example through inter-service consultations, to ensure that due account is taken of the needs and specific nature of the OCTs. The Commission shall also notify the OCTs as soon as possible of the publication of calls for proposals under the various horizontal programmes.*

### Amendment 86

#### Proposal for a decision

#### Article 89 — paragraph 1

*Text proposed by the Commission*

*Amendment*

1. The Commission shall be empowered to adopt delegated acts complementing the rules in this Decision within **12** months of its entry into force, and amending the Appendices of Annex VI for the purpose of taking into account technological development and changes in customs legislation, in accordance with the procedure laid down in Article 90.

1. The Commission shall be empowered to adopt delegated acts complementing the rules in this Decision within ~~six~~ months of its entry into force, and amending the Appendices of Annex VI for the purpose of taking into account technological development and changes in customs legislation, in accordance with the procedure laid down in Article 90.

Tuesday 12 March 2013

**Amendment 87**  
**Proposal for a decision**  
**Article 90 — paragraph 3**

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*Text proposed by the Commission*

3. The delegation of power referred to in Article 89 may be revoked at any time by the Council. A decision of revocation shall put an end to the delegation of power specified in that Decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

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*Amendment*

3. The delegation of power referred to in Article 89 may be revoked at any time by the Council. A decision of revocation shall put an end to the delegation of power specified in that Decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

*Where the Council has commenced an internal procedure for deciding whether to revoke the delegation of powers, it shall inform the European Parliament and the Commission within a reasonable time before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.*

**Amendment 88**  
**Proposal for a decision**  
**Article 90 — paragraph 4**

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*Text proposed by the Commission*

4. As soon as it adopts a delegated act, the Commission shall notify it to the Council.

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*Amendment*

4. As soon as the Commission adopts a delegated act, it shall notify it ***simultaneously to the European Parliament and to the Council.***

Tuesday 12 March 2013

**Amendment 89****Proposal for a decision****Article 90 — paragraph 5 — subparagraph 1 a (new)***Text proposed by the Commission**Amendment*

*If it intends to object, the Council shall inform the European Parliament within a reasonable time before it takes the final decision, indicating the delegated act to which it intends to object and the reasons for its objection.*

**Amendment 90****Proposal for a decision****Article 90 a (new)***Text proposed by the Commission**Amendment***Article 90a****Urgency procedure**

**1.** *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 emergency procedure.*

**2.** *The Council may object to a delegated act in accordance with the procedure referred to in Article 90(5). In such case, the Commission shall repeal the act without delay following the notification of the decision to object by the Council.*

**Amendment 91****Proposal for a decision****Article 91 — paragraph 1 — introductory part***Text proposed by the Commission**Amendment*

The Council, acting according to the Treaty, shall decide on any necessary adjustments to this Decision when:

The Council, acting according to the Treaty, shall decide, **after consulting the European Parliament**, on any necessary adjustments to this Decision when:

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**Amendment 92**  
**Proposal for a decision**

**Annex I**

*Text proposed by the Commission*

*Amendment*

LIST OF THE ISOLATED OCTs

LIST OF THE ISOLATED OCTs

- Falkland Islands
  
- Saint Helena, Ascension Island, Tristan da Cunha
  
- St Pierre and Miquelon

- Falkland Islands
  
- Saint Helena, Ascension Island, Tristan da Cunha
  
- St Pierre and Miquelon
  
- **Wallis and Futuna**

**Amendment 93**

**Proposal for a decision**

**ANNEX II — Article 1 — paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. For the purposes of this Decision, for the seven-year period from 1 January 2014 to 31 December 2020, the overall amount of the EU financial assistance of EUR [343,4 million] under the 11th EDF fixed by the Internal Agreement establishing the 11th EDF shall be allocated as follows:

1. For the purposes of this Decision, for the seven-year period from 1 January 2014 to 31 December 2020, the overall amount of the EU financial assistance of EUR [360,57 million] under the 11th EDF fixed by the Internal Agreement establishing the 11th EDF shall be allocated as follows:

- (a) EUR [330,4 million] in the form of grants for programmable support for long-term development, humanitarian aid, emergency aid, refugee aid and additional support in the event of fluctuations in export earnings as well as for support for regional cooperation and integration;
  
- (b) EUR [5 million] to finance interest subsidies and technical assistance in the context of the OCT Investment Facility referred to in Annex IV;
  
- (c) EUR [8 million] to studies or technical assistance measures in accordance with Article 79 of this Decision, and to an overall evaluation of the Decision to be made four years before it expires at the latest.

- (a) EUR [345,57 million] in the form of grants for programmable support for long-term development, humanitarian aid, emergency aid, refugee aid and additional support in the event of fluctuations in export earnings as well as for support for regional cooperation and integration;
  
- (b) EUR [5 million] to finance interest subsidies and technical assistance in the context of the OCT Investment Facility referred to in Annex IV;
  
- (c) EUR [10 million] to studies or technical assistance measures in accordance with Article 79 of this Decision, and to an overall evaluation of the Decision to be made four years before it expires at the latest.



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**Amendment 94****Proposal for a decision****ANNEX II — Article 3 — introductory part***Text proposed by the Commission*

The amount of EUR [330,4 million] mentioned in Article 1(1)(a) shall be allocated on the basis of the needs and performance of the OCTs in accordance with the following criteria:

*Amendment*

The amount of EUR [345,57 million] mentioned in Article 1(1)(a) shall be allocated on the basis of the needs and performance of the OCTs in accordance with the following criteria:

**Amendment 95****Proposal for a decision****ANNEX II — Article 3 — paragraph 2***Text proposed by the Commission*

2. EUR [105 million] shall be allocated to support regional cooperation and integration in accordance with Article 7 of this Decision, in particular regarding the priorities and areas of mutual interests mentioned in Article 5 and through consultation via the instances of the EU-OCT partnership mentioned in Article 13. It shall seek coordination with other Union financial instruments, cooperation between the OCTs and the outermost regions referred to in Article 349 of the Treaty.

*Amendment*

2. EUR [120,17 million] shall be allocated to support regional cooperation and integration in accordance with Article 7 of this Decision, in particular regarding the priorities and areas of mutual interests mentioned in Article 5 and through consultation via the instances of the EU-OCT partnership mentioned in Article 13. It shall seek coordination with other Union financial instruments, cooperation between the OCTs and the outermost regions referred to in Article 349 of the Treaty.

**Amendment 96****Proposal for a decision****ANNEX VI — Article 3 — paragraph 1 — point g***Text proposed by the Commission*

(g) products of aquaculture where the fish, crustaceans and molluscs are **born and** raised there;

*Amendment*

(g) products of aquaculture where the fish, crustaceans and molluscs are raised there;

**Amendment 97****Proposal for a decision****Annex VI — Article 10 — paragraph 6***Text proposed by the Commission*

6. The Commission shall adopt a measure granting the cumulation referred to in paragraph 1 **by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 64(2.)**

*Amendment*

6. The Commission shall **be empowered to** adopt **delegated acts in accordance with Article 90 concerning** a measure granting the cumulation referred to in paragraph 1.

Tuesday 12 March 2013

**Amendment 98****Proposal for a decision****ANNEX VI — Article 16 — paragraph 6 a (new)***Text proposed by the Commission**Amendment*

**6a. Derogations shall be granted to OCTs in respect of fisheries products within the limit of an annual quota of 2 500 tonnes for fisheries products falling within CN codes 030471, 030483, 030532, 030562, 030614, 0307299010 and 160510.**

**Applications for such derogations shall be submitted by the OCTs or a Member State in accordance with the above-mentioned quota to the Committee, which shall grant them automatically and put them into force by means of a decision.**

**Amendment 99****Proposal for a decision****Annex VI — Article 16 — paragraph 8***Text proposed by the Commission**Amendment*

8. The Commission shall adopt a measure granting a temporary derogation referred to in paragraph 1 **by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 64(2).**

8. The Commission shall **be empowered to** adopt **delegated acts in accordance with Article 90 concerning** a measure granting a temporary derogation referred to in paragraph 1.

**Amendment 100****Proposal for a decision****Annex VI — Article 63 — paragraph 3***Text proposed by the Commission**Amendment*

3. The Commission shall adopt a measure granting a temporary derogation referred to in paragraph 1 **by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 64(2).**

3. The Commission shall **be empowered to** adopt **delegated acts in accordance with Article 90 concerning** a measure granting a temporary derogation referred to in paragraph 1.

**Amendment 101****Proposal for a decision****Annex VI — Article 64***Text proposed by the Commission**Amendment***Committee procedures****deleted**

**1. The Commission shall be assisted by the Customs Code Committee established by Article 247a of Regulation (EEC) No 2913/92.**

Tuesday 12 March 2013

Text proposed by the Commission

Amendment

2. **Where reference is made to this paragraph, Article 5 of regulation (EU) No 182/2011 shall apply.**

### Amendment 102

#### Proposal for a decision

#### Annex VII — Article 2 — paragraph 1

Text proposed by the Commission

Amendment

1. The Commission may temporarily withdraw the preferential arrangements provided for in this Decision, in respect of all or of certain products originating in a beneficiary country, where it considers that there is sufficient evidence that a temporary withdrawal would be justified for the reasons referred to in paragraphs 1 and 2 of Article 1 of this Annex, provided that it has first:

(a) **consulted the Committee referred to in Article 10 of Annex VIII in accordance with the procedure referred to in Article 3 paragraph 2;**

(b) called on the Member States to take such precautionary measures as are necessary, in order to safeguard the Union's financial interests and/or secure compliance by the beneficiary country with its obligations; and

(c) published a notice in the Official Journal of the European Union stating that there are grounds for reasonable doubt about the application of the preferential arrangements and/or compliance by the beneficiary country with its obligations, which may call into question its right to continue to enjoy the benefits granted by this Decision.

The Commission shall inform the OCT(s) concerned of any decision taken in accordance with this paragraph, before it becomes effective. **The Commission shall also notify the Committee referred to in Article 10 of Annex VIII.**

1. The Commission may temporarily withdraw the preferential arrangements provided for in this Decision, **by means of delegated acts in accordance with Article 90**, in respect of all or of certain products originating in a beneficiary country, where it considers that there is sufficient evidence that a temporary withdrawal would be justified for the reasons referred to in paragraphs 1 and 2 of Article 1 of this Annex, provided that it has first:

(b) called on the Member States to take such precautionary measures as are necessary, in order to safeguard the Union's financial interests and/or secure compliance by the beneficiary country with its obligations; and

(c) published a notice in the Official Journal of the European Union stating that there are grounds for reasonable doubt about the application of the preferential arrangements and/or compliance by the beneficiary country with its obligations, which may call into question its right to continue to enjoy the benefits granted by this Decision.

The Commission shall inform the OCT(s) concerned of any decision taken in accordance with this paragraph, before it becomes effective.

### Amendment 103

#### Proposal for a decision

#### Annex VII — Article 2 — paragraph 2

Text proposed by the Commission

Amendment

2. The period of temporary withdrawal shall not exceed six months. On conclusion of the period, the Commission shall decide either to terminate the temporary withdrawal **after informing the Committee referred to in Article 10 of Annex VIII** or to extend the period of temporary withdrawal in accordance with the procedure referred to in paragraph 1 of this Article.

2. The period of temporary withdrawal shall not exceed six months. On conclusion of the period, the Commission shall decide either to terminate the temporary withdrawal or to extend the period of temporary withdrawal in accordance with the procedure referred to in paragraph 1 of this Article.

Tuesday 12 March 2013

**Amendment 104**  
**Proposal for a decision**  
**Annex VII — Article 3**

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*Text proposed by the Commission*

**Committee procedure**

**1. For the purpose of the implementation of Article 2, the Commission shall be assisted by the Committee referred to in Article 10 of Annex VIII.**

**2. When reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.**

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*Amendment*

**deleted**

**Amendment 105**  
**Proposal for a decision**  
**Annex VIII — Article 5 — paragraph 2**

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*Text proposed by the Commission*

**2. Prior surveillance measures shall be adopted by the Commission in accordance with the *advisory* procedure referred to in Article 6 of this Annex.**

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*Amendment*

**2. Prior surveillance measures shall be adopted by the Commission in accordance with the procedure referred to in Article 6 of this Annex.**

**Amendment 106**  
**Proposal for a decision**  
**Annex VIII — Article 6 — paragraph 1**

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*Text proposed by the Commission*

**1. On duly justified grounds of urgency relating to deterioration of the economic and/or financial situation of Union producers which would be difficult to repair, provisional measures may be imposed. Provisional measures shall be shall not apply for more than 200 days. Provisional measures shall be adopted by the Commission in accordance with *the advisory procedure referred to in Article 10 of this Annex*. In cases of imperative grounds of urgency, the Commission shall adopt immediately applicable provisional safeguard measures in accordance with *the procedure referred to in Article 10 of this Annex*.**

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*Amendment*

**1. On duly justified grounds of urgency relating to deterioration of the economic and/or financial situation of Union producers which would be difficult to repair, provisional measures may be imposed. Provisional measures shall be shall not apply for more than 200 days. Provisional measures shall be adopted by the Commission *by means of delegated acts* in accordance with Article **90**. In cases of imperative grounds of urgency, the Commission shall adopt immediately applicable provisional safeguard measures *by means of delegated acts* in accordance with Article **90a**.**

Tuesday 12 March 2013

**Amendment 107****Proposal for a decision****Annex VIII — Article 7 — paragraph 1***Text proposed by the Commission*

1. Where the facts as finally established show that the conditions set out in Article 2 of this Annex are not met, the Commission shall adopt a decision terminating the investigation **and proceeding in accordance with the examination procedure referred to in Article 4 of this Annex**. The Commission shall make public, with due regard to the protection of confidential information within the meaning of Article 9 of this Annex, a report setting forth its findings and reasoned conclusions reached on all pertinent issues of fact and law.

*Amendment*

1. Where the facts as finally established show that the conditions set out in Article 2 of this Annex are not met, the Commission shall adopt a decision terminating the investigation. The Commission shall make public, with due regard to the protection of confidential information within the meaning of Article 9 of this Annex, a report setting forth its findings and reasoned conclusions reached on all pertinent issues of fact and law.

**Amendment 108****Proposal for a decision****Annex VIII — Article 7 — paragraph 2***Text proposed by the Commission*

2. Where the facts as finally established show that the conditions set out in Article 2 of this Annex are met, the Commission shall adopt a decision imposing definitive safeguard measures in accordance with **the examination procedure referred to in Article 4 of this Annex**. The Commission shall make public, with due regard to the protection of confidential information within the meaning of Article 9 of this Annex, a report containing a summary of the material facts and considerations relevant to the determination, and notify the OCT authorities immediately of the decision to take the necessary safeguard measures.

*Amendment*

2. Where the facts as finally established show that the conditions set out in Article 2 of this Annex are met, the Commission shall adopt a decision imposing definitive safeguard measures **by means of delegated acts** in accordance with Article 90. The Commission shall make public, with due regard to the protection of confidential information within the meaning of Article 9 of this Annex, a report containing a summary of the material facts and considerations relevant to the determination, and notify the OCT authorities immediately of the decision to take the necessary safeguard measures.

**Amendment 109****Proposal for a decision****Annex VIII — Article 10***Text proposed by the Commission***Committee procedure**

1. **The Commission shall be assisted by the Committee established by Article 4(1) of Council Regulation (EC) No 260/2009 of 26 February 2009 on the common rules for imports. That Committee shall be a Committee within the meaning of Regulation (EU) No 182/2011.**

2. **Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.**

*Amendment***deleted**

Tuesday 12 March 2013

Text proposed by the Commission

Amendment

3. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

4. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 4 thereof, shall apply.

P7\_TA(2013)0068

### **Radioactive substances in water intended for human consumption \*\*\*I**

**European Parliament legislative resolution of 12 March 2013 on the proposal for a Council directive laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption (COM(2012)0147 — C7-0105/2012 — 2012/0074(COD))**

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

(2016/C 036/32)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2012)0147),
  - having regard to Articles 31 and 32 of the Treaty establishing the European Atomic Energy Community, pursuant to which the Council consulted Parliament (C7-0105/2012),
  - having regard to the opinion of the Committee on Legal Affairs on the proposed legal basis,
  - having regard to Article 294(3) and Article 192(1) of the Treaty on the Functioning of the European Union,
  - having regard to the opinion of the European Economic and Social Committee of 23 May 2012 <sup>(1)</sup>,
  - having regard to Rules 55 and 37 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety and the opinion of the Committee on Industry, Research and Energy (A7-0033/2013),
1. Adopts its position at first reading hereinafter set out;
  2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 293(2) of the Treaty on the Functioning of the European Union;
  3. Instructs its President to forward its position to the Council and the Commission.

<sup>(1)</sup> OJ C 229, 31.7.2012, p. 145.