Cooperation, third countries: democracy, rule of law, respect of human rights and fundamental freedoms

1997/0191B(CNS) - 29/04/1999 - Modified legislative proposal

The current proposal amended by the Commission has been drafted in strict correspondance with the text of the proposal SYN970191A, based on Article 130w of the Treaty and covering the actions concerning the developing countries. In view of the need to ensure that the two texts strictly correspond, the Commission's position on the amendments presented by Parliament on the draft Regulation are the same as those set out in the first and second reading of the draft Regulation based on Article 130w. Consequently, the Commission considers that all amendments incorporated in the common position of the draft Regulation based on Article 130w must be included in the draft Regulation based on Article 235. Regarding the amendments approved by the Parliament on 14 April 1999, the Commission has decided to incorporate the following amendments : - the replacement of a type IIIa regulatory committee with an advisory committee; - the deletion of the limit on the Regulation's application (31/12/2004); - the deletion of the amount of financial reference; - information to the European Parliament about urgent interventions; - reinforce the visibility of Community action; - involvement of recipient organisations to disseminate, respect and promote through their actions democratic principles and human rights without any discrimination; - strict limits on administrative and technical assistance. On the other hand, the Commission refuses to keep the Parliament informed about the work of the Committee or to allow for an excessive transparency of the Committee's debates. In addition, the Commission also refuses the procedure asked for by the Parliament concerning emergency operations (that is, prior consultation of the Parliament). Other amendments are refused because they are considered unnecessary or for specific reasons such as : - the introduction of an interinstitutional advisory working party to be systematically consulted beforehand on any measures within the brief of the Committee; - stiffening the requirements relating to the programming of measures; - the notion of good management of public affairs in terms of the fundamental objective of the Regulation (for reasons of the legal system, since this notion can only be put on the same footing as human rights and fundamental freedoms; - the excessive evaluation of projects; - the addition of coordination between the Member States and the European Parliament.