

FICHE AMENDEMENT

Proposition d'amendement à l'Article III-114

Déposée par Monsieur de Villepin

Qualité : - Membre

Sans préjudice de [l'ex-article 162], la loi ou la loi-cadre européenne définit les missions, les objectifs prioritaires et l'organisation des fonds à finalité structurelle ce qui peut comporter le regroupement des fonds, les règles générales applicables aux fonds, ainsi que les dispositions nécessaires pour assurer leur efficacité et la coordination des fonds entre eux et avec les autres instruments financiers existants.

Un Fonds de cohésion, créé par la loi européenne, contribue financièrement à la réalisation de projets dans le domaine de l'environnement et dans celui des réseaux transeuropéens en matière d'infrastructure des transports.

Dans tous les cas, la loi ou la loi-cadre européenne est adoptée par le Conseil avec l'approbation du Parlement européen, après consultation du Comité des régions et du Comité économique et social. Le Conseil statue à l'unanimité jusqu'au premier janvier 2007.

Explication éventuelle :

AMENDMENT FORM

Suggestion for : Part III

Suggestion for amendment : for a new Section 3a in Title III, Chapter III – Policies in other specific areas

By Mr : Emilio GABAGLIO

Status : Observer

Amendment : following Art. III-115b

[Competences and procedures]

(1) A service of general interest must, according to the principle of subsidiarity, be defined at the most appropriate level.

(2) In order to contribute to the achievement of the principles and objectives referred to in Article III-115a, the Council:

- acting in accordance with the procedure referred to in [ex Article 251] and after consulting the Committee of the Regions, the Economic and Social Committee and the European Social Partners shall adopt incentive measures, excluding any harmonisation of the laws and regulations of the Member States. The Council shall act unanimously throughout the procedure referred to in [ex Article 251]; acting unanimously on a proposal from the Commission, shall adopt recommendations.”

Explanation (if any) :

Please refer to Art 11a.

AMENDMENT FORM

Suggestion for : Part III

Suggestion for amendment : for a new Section 3a in Title III, Chapter III – Policies in other specific areas

By Mr : Emilio GABAGLIO

Status : Observer

Amendment : following Art. III-115a

Add a new Section after ‘Section 3 – Economic, social and territorial cohesion’:

“SECTION 3A

SERVICES OF GENERAL INTEREST

[Definition and principles]

(1) A service of general interest is a service created, organised or regulated by a public authority to ensure that the service is supplied in the manner which it considers necessary to satisfy society's needs.

Among services of general interest, services of general economic interest are services which are traded.

(2) Without prejudice to more specific provisions in this Constitution and in order to effectively guarantee fundamental rights enshrined in this Constitution and bearing in mind their task of serving citizens, and both the short and long term general interest in, as well as the objective of sustaining economic, social and environmental development, the organisation and management of services of general interest take into account the following principles and objectives, in the manner most appropriate to the specific characteristics of each service:

- high quality,
- equality of access, avoiding any discrimination,
- continuity of the service,
- universality,
- neutrality of ownership,
- safety,
- fair pricing securing affordability and where appropriate access free of charge,
- efficiency, which can be objectively verified,
- democratic control, transparency and accountability,

- concertation, particularly with workers and their unions, and with users and their representative associations,
- adaptation to necessary change.

The Union and the Member States, each within their respective powers and within the scope of application of this Chapter, have the responsibility for seeking the optimal balance between achieving the best short term and long term cost/effectiveness ratio, the tasks of the service of general interest under consideration, and other services which might be affected, and creating conditions for sustainable economic, social and environmental development.

Explanation (if any) :

In order to strengthen the services of general interest as important part the European social model and following the amendments on shared competences in respect of services of general interest (see amendment of Article I-13 para. 2) and on the horizontal clause (see Amendment of Article III-3) this amendment contains the definition, the principles and specific objectives as well as the (very limited) Union acts and procedures in this area.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : III-115 (partie III)

Déposée par Mme Pervenche Berès, Olivier Duhamel, Proinsias de Rossa, Ben Fayot, Caspar Einem, Elena Paciotti

Qualité : - Membres et Suppléants

COHESION ECONOMIQUE, SOCIALE ET TERRITORIALE

Article III-115 bis (nouveau)

1. En vue de réaliser les objectifs visés à l'article III-3 , l'Union peut définir pour chaque service d'intérêt économique général un service universel européen, susceptible d'être complété par les Etats membres, ainsi que les modalités de son financement par l'octroi de droits exclusifs proportionnés au coût de sa prestation dans l'ensemble des Etats membres ou toute autre mesure remplissant les mêmes objectifs.

2. En vue d'atteindre les objectifs visés au paragraphe 1, la loi ou la loi-cadre européenne établit des principes généraux communs portant notamment sur :

- Les exigences de service universel, de continuité et de qualité du service d'intérêt général ;

- Les conditions d'accessibilité du service et de protection des usagers et des consommateurs ;

- Le cas échéant, des obligations spécifiques de sécurité d'approvisionnement, de mise en réseau ou de pluralisme.

AMENDMENT FORM

Suggestion for amendment of Article : III - 114

Suggestion for protocol :

By Mr : Dick Roche

Status : - Member

Article III-114 (ex Article 161)

Without prejudice to [ex Article 162], a European law or framework law shall define the tasks, priority objectives and the organisation of the Structural Funds – which may involve grouping the Funds – the general rules applicable to them and the provisions necessary to ensure their effectiveness and the coordination of the Funds with one another and with the other existing financial instruments.

A Cohesion Fund set up by a European law shall provide a financial contribution to projects in the fields of environment and trans-European networks in the area of transport infrastructure.

In all cases, the European law or framework law shall be adopted after consulting the Committee of the Regions and the Economic and Social Committee. The Council shall act unanimously until 1 January 2007. **From 1 January 2007, the Council shall act by a qualified majority on a proposal from the Commission after obtaining the assent of the European Parliament.**

Explanation (if any) :

I am opposed to the move to the ordinary legislative procedure in this article. Since implementation of the provisions of the regulations is closely linked to national structural development plans, it should follow that responsibility for agreeing the Regulations should rest primarily with the Government of the Member States as represented by the Council of Ministers.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : 114, Partie III, Titre X

Déposée par Messieurs : Ernâni Lopes, Manuel Lobo Antunes

Qualité : - Membre et Suppléant

Sans préjudice de [l'ex-article 162], la loi ou la loi-cadre européenne définit les missions, les objectifs prioritaires et l'organisation des fonds à finalité structurelle ce qui peut comporter le regroupement des fonds, les règles générales applicables aux fonds, ainsi que les dispositions nécessaires pour assurer leur efficacité et la coordination des fonds entre eux et avec les autres instruments financiers existants.

Un Fonds de cohésion, créé par la loi européenne, contribue financièrement à la réalisation de projets dans le domaine de l'environnement et dans celui des réseaux transeuropéens en matière d'infrastructure des transports.

Dans tous les cas, la loi ou la loi-cadre européenne est adoptée après consultation du Comité des régions et du Comité économique et social. Le Conseil statue à l'unanimité jusqu'au premier janvier 2007 **dans le cas où les perspectives financières pluriannuelles applicables à partir du 1er janvier 2007 et l'accord interinstitutionnel y afférent ont été adoptés à cette date. Si tel n'est pas le cas, la majorité qualifiée est applicable à partir de la date de leurs adoptions.**

Explication éventuelle :

L'amendement présenté découle directement de la rédaction de l'article 161 TCE.

AMENDMENT FORM

Suggestion for : Part III

Suggestion for amendment : for a new Section 3a in Title III, Chapter III – Policies in other specific areas

By Mr : Emilio GABAGLIO

Status : Observer

Amendment : text follows Art. III-115a

Add a new Section after ‘Section 3 – Economic, social and territorial cohesion’:

“SECTION 3A

SERVICES OF GENERAL INTEREST

115a

(1) A service of general interest is a service created, organised or regulated by a public authority to ensure that the service is supplied in the manner, which it considers necessary to satisfy society's needs.

Among services of general interest, services of general economic interest are services, which are traded.

(2) Without prejudice to more specific provisions in this Constitution and in order to effectively guarantee fundamental rights enshrined in this Constitution and bearing in mind their task of serving citizens, and both the short and long term general interest in, as well as the objective of sustaining economic, social and environmental development, the organisation and management of services of general interest take into account the following principles and objectives, in the manner most appropriate to the specific characteristics of each service:

- high quality,
- equality of access, avoiding any discrimination,
- continuity of the service,
- universality,
- neutrality of ownership,
- safety,
- fair pricing securing affordability and where appropriate access free of charge,
- efficiency, which can be objectively verified,
- democratic control, transparency and accountability,

- concertation, particularly with workers and their unions, and with users and their representative associations,
- adaptation to necessary change.

The Union and the Member States, each within their respective powers and within the scope of application of this Chapter, have the responsibility for seeking the optimal balance between achieving the best short term and long term cost/effectiveness ratio, the tasks of the service of general interest under consideration, and other services which might be affected, and creating conditions for sustainable economic, social and environmental development.

115b

(1) A service of general interest must, according to the principle of subsidiarity, be defined at the most appropriate level.

(2) In order to contribute to the achievement of the principles and objectives referred to in Article III-115a, the Council:

- acting in accordance with the procedure referred to in [ex Article 251] and after consulting the Committee of the Regions, the Economic and Social Committee and the European Social Partners shall adopt incentive measures, excluding any harmonisation of the laws and regulations of the Member States. The Council shall act unanimously throughout the procedure referred to in [ex Article 251];
- acting unanimously on a proposal from the Commission, shall adopt recommendations.”

Explanation (if any) :

In order to strengthen the services of general interest as important part the European social model and following the amendments on shared competences in respect of services of general interest and on the horizontal clause (see Article III-3) this amendment contains the definition, the principles and specific objectives as well as the (very limited) Union acts and procedures in this area.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : III-115 (partie III)

Déposée par Mme Pervenche Berès, Olivier Duhamel, Proinsias de Rossa, Ben Fayot, Caspar Einem, Elena Paciotti, Helle Thorning-Schmidt, Luis Marinho, Maria Berger, Carlos Carnero, Vytenis Andriukaitis, Adrian Severin, Anne Van Lancker, Claudio Martini, Robert Badinter

COHESION ECONOMIQUE, SOCIALE ET TERRITORIALE

Article III-115 bis (nouveau)

1. En vue de réaliser les objectifs visés à l'article III-3 , l'Union peut définir pour chaque service d'intérêt économique général un service universel européen, susceptible d'être complété par les Etats membres, ainsi que les modalités de son financement par l'octroi de droits exclusifs proportionnés au coût de sa prestation dans l'ensemble des Etats membres ou toute autre mesure remplissant les mêmes objectifs.

2. En vue d'atteindre les objectifs visés au paragraphe 1, la loi ou la loi-cadre européenne établit des principes généraux communs portant notamment sur :

- Les exigences de service universel, de continuité et de qualité du service d'intérêt général ;

- Les conditions d'accessibilité du service et de protection des usagers et des consommateurs ;

- Le cas échéant, des obligations spécifiques de sécurité d'approvisionnement, de mise en réseau ou de pluralisme.

AMENDMENT FORM

Suggestion for amendment of Article : III - 114

Suggestion for protocol :

By Mr : Dick Roche

Status : - Member

Article III-114 (ex Article 161)

Without prejudice to [ex Article 162], a European law or framework law shall define the tasks, priority objectives and the organisation of the Structural Funds – which may involve grouping the Funds – the general rules applicable to them and the provisions necessary to ensure their effectiveness and the coordination of the Funds with one another and with the other existing financial instruments.

A Cohesion Fund set up by a European law shall provide a financial contribution to projects in the fields of environment and trans-European networks in the area of transport infrastructure.

In all cases, the European law or framework law shall be adopted after consulting the Committee of the Regions and the Economic and Social Committee. The Council shall act unanimously until 1 January 2007. **From 1 January 2007, the Council shall act by a qualified majority on a proposal from the Commission after obtaining the assent of the European Parliament.**

Explanation (if any) :

I am opposed to the move to the ordinary legislative procedure in this article. Since implementation of the provisions of the regulations is closely linked to national structural development plans, it should follow that responsibility for agreeing the Regulations should rest primarily with the Government of the Member States as represented by the Council of Ministers.

FICHE AMENDEMENT

Proposition d'amendement à l'Article : Article III-114

Déposée par Madame Palacio

Qualité : - Membre - Suppléant

Article III-114 (ex-article 161)

Sans préjudice de [l'article III-115 (ex-162)], la loi européenne définit les missions, les objectifs prioritaires et l'organisation des fonds à finalité structurelle ce qui peut comporter le regroupement des fonds, les règles générales applicables aux fonds, ainsi que les dispositions nécessaires pour assurer leur efficacité et la coordination des fonds entre eux et avec les autres instruments financiers existants.

Un Fonds de cohésion, créé par la loi européenne, contribue financièrement à la réalisation de projets dans le domaine de l'environnement et dans celui des réseaux transeuropéens en matière d'infrastructure des transports.

Dans tous les cas, la loi européenne est adoptée après consultation du Comité des régions et du Comité économique et social. Le Conseil statue à l'unanimité jusqu'au premier janvier 2007, dans le cas ou le cadre financier pluriannuel applicable à partir du premier janvier 2007 a été adopté à cette date ; si tel n'est pas le cas, le Conseil statue à l'unanimité jusqu'à la date de son adoption.

Explication:

L'amendement vise à maintenir le compromis de Nice sur ce point (passage de l'unanimité à la majorité qualifiée) sans modification, tel qu'accordé au sein de la Convention. La rédaction actuelle du projet de Constitution est incomplète.

AMENDMENT FORM

Suggestion for amendment of Article III-114 (ex Article 161)

By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, national parliament representative.

Status : - Member: Hjelm-Wallén and Lekberg
- Alternate: Petersson

Without prejudice to [ex Article 162], **the Council, acting by unanimity after obtaining the assent of the European Parliament and consulting the Economic and Social Committee and the Committee of Regions,** ~~European law or framework law~~ shall define the tasks, priority objectives and the organisation of the Structural Funds – which may involve grouping the Funds – the general rules applicable to them and the provisions necessary to ensure their effectiveness and the coordination of the Funds with one another and with the other existing financial instruments.

A Cohesion Fund set up **in accordance with the same procedure** ~~by a European law~~ shall provide a financial contribution to projects in the fields of environment and trans-European networks in the area of transport infrastructure.

~~In all cases, the European law or framework law shall be adopted after consulting the Committee of the Regions and the Economic and Social Committee. The Council shall act unanimously until 1 January 2007. From 1 January 2007, the Council shall act by a qualified majority on a proposal from the Commission after obtaining the assent of the European Parliament and after consulting the Economic and Social Committee and the Committee of the Regions if, by that date, the multi-annual financial framework applicable from 1 January 2007 and the Inter-institutional Agreement relating thereto have been adopted. If such is not the case, the procedure laid down by this paragraph shall apply from the date of their adoption.¹~~

¹ The institutional balance in this aspect should not be changed. Thus, the agreement made in Nice concerning the structural funds should be maintained. The negotiations on the financial perspectives and the next structural funds programme period have also started from the assumption that the current procedure is the one to be used.

AMENDMENT FORM

Suggestion for amendment of Article: 114 (ex 161)

By Mr Hain

Status : - Member

Without prejudice to [ex Article 162], a European law or framework law of the Council shall define the tasks, priority objectives and the organisation of the Structural Funds – which may involve grouping the Funds – the general rules applicable to them and the provisions necessary to ensure their effectiveness and the coordination of the Funds with one another and with the other existing financial instruments.

A Cohesion Fund set up by a European law of the Council shall provide a financial contribution to projects in the fields of environment and trans-European networks in the area of transport infrastructure.

In all cases, the European law or framework law of the Council shall be adopted after consulting the Committee of the Regions and the Economic and Social Committee. The Council shall act unanimously until 1 January 2007, after obtaining the consent of the Parliament.

Explanation (if any) :

We oppose co-decision for the Structural Funds. Major re-distribution of resources between Member States should be a matter for Member States, and not the Union as a whole. We favour EP consent, with a move to QMV from 2007. This was agreed after extensive negotiation at the Nice European Council. Decisions on the detailed objectives for the Structural Funds and the mix of funding between objectives substantially affect the redistribution of funding between Member States and should - like the Own Resources ceiling and Multi-Annual Financial Perspective – be made predominantly by the Council. In addition, co-decision could extend the timetable for agreeing the detail of the programmes, which in turn would delay the funding reaching beneficiaries.

FICHE AMENDEMENT

Proposition d'amendement à l'Article III-114

Déposée par Monsieur de Villepin

Qualité : - Membre

Sans préjudice de [l'article III-115 (ex-article 162)], la loi européenne définit les missions, les objectifs prioritaires et l'organisation des fonds à finalité structurelle ce qui peut comporter le regroupement des fonds, les règles générales applicables aux fonds, ainsi que les dispositions nécessaires pour assurer leur efficacité et la coordination des fonds entre eux et avec les autres instruments financiers existants.

Un Fonds de cohésion, créé par la loi européenne, contribue financièrement à la réalisation de projets dans le domaine de l'environnement et dans celui des réseaux transeuropéens en matière d'infrastructure des transports.

Dans tous les cas, la loi européenne est adoptée par le Conseil avec l'approbation du Parlement européen, après consultation du Comité des régions et du Comité économique et social. Le Conseil statue à l'unanimité jusqu'au premier janvier 2007.

Explication éventuelle :

AMENDMENT FORM

Suggestion for amendment of Article : III-114

By Ms / Mr : Mr Bonde

Status : X - Member - Alternate

Article III-114 (ex Article 161)

Without prejudice to [ex Article 162], a European law or framework law shall define the tasks, priority objectives and the organisation of the Structural Funds – which may involve grouping the Funds – the general rules applicable to them and the provisions necessary to ensure their effectiveness and the coordination of the Funds with one another and with the other existing financial instruments.

A Cohesion Fund set up by a European law shall provide a financial contribution to projects in the fields of environment and trans-European networks in the area of transport infrastructure.

In all cases, the European law or framework law shall be adopted after consulting the Committee of the Regions and the Economic and Social Committee. The Council shall act unanimously until 1 January 2007.

THE EUROPEAN STRUCTURAL FUND CAN ONLY GIVE MONEY TO THE POOREST HALF OF THE MEMBER STATES.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article : Article 113 (ex Article 160)

By Ms / Mr : Voggenhuber, Lichtenberger, Nagy

Status : - Member - Alternate

Article 113 (ex Article 160)

The European Regional Development Fund is intended to help to redress the main regional imbalances in the Union through participation in the *sustainable* development and structural adjustment of regions whose development is lagging behind, and in the *sustainable* conversion of declining industrial, *rural, urban and fishing* regions.

Explanation if any :

The European Regional Development Fund operates in different types of regions in conversion. The only reference to industrial regions is not correct.

AMENDMENT FORM

Suggestion for amendment of Article : 113 (ex Article 160), part III of the Constitution

By Ms / Mr : Teija Tiilikainen, Antti Peltomäki, Kimmo Kiljunen, Jari Vilén, Hannu Takkula and Esko Helle

**Status : Tiilikainen, Kiljunen, Vilén - Members
 Peltomäki, Takkula and Helle - Alternates**

Article III-113 (ex Article 160)

The European Regional Development Fund is intended to help to redress the main regional imbalances in the Union **and between the Union and neighbouring regions** through participation in the development and structural adjustment of regions whose development is lagging behind and in the conversion of declining industrial regions **and in the promotion of co-operation between the regions of both the Union and neighbouring countries.**

Explanation (if any) :

There is a broad agreement between the Member States that cross-border cooperation has a high level of added value for the Union as a whole. However, within current legal framework co-funding of joint projects across the external borders is cumbersome and requires huge effort of co-ordination from several financial sources and Commission services. The enlargement requires an extra emphasis on external border co-operation as has been pointed out under the Wider Europe initiative. We therefore suggest to amend the Treaty in order to provide a sustainable legal solution for co-funding of joint projects across the external borders of the Union. A similar change is required to Article III-111.

AMENDMENT FORM

Suggestion for amendment of Article : III-113

By Ms / ~~Mr~~ : Dr. Sylvia-Yvonne Kaufmann

Status : - Member - ~~Alternate~~

Artikel III-113 (ex-Artikel 160)

Aufgabe des Europäischen Fonds für regionale Entwicklung ist es, durch Beteiligung an der *nachhaltigen* Entwicklung und an der strukturellen Anpassung der rückständigen Gebiete und an der Umstellung der Industriegebiete mit rückläufiger Entwicklung zum Ausgleich der wichtigsten regionalen Ungleichgewichte in der Union beizutragen.

Explanation (if any) :

Anpassung an Artikel I-3 Absatz 3.

AMENDMENT FORM

Suggestion for amendment of Article III-113

By : Mr. Henrik Hololei

Status : Alternate

Article III-113 (ex Article 160)

The European Regional Development Fund is intended to help to redress the main regional imbalances in the Union **and between the Union and the neighbouring regions** through participation in the development and structural adjustment of regions whose development is lagging behind and in the conversion of declining industrial regions **and in the promotion of co-operation between the regions of both the Union and the neighbouring countries.**

Explanation:

There is a broad agreement between the Member States that cross-border co-operation has a high level of added value for the Union as a whole. However, within the current legal framework co-funding of joint projects across the external borders is cumbersome and requires huge effort of co-ordination from several financial sources and Commission services. The enlargement requires an extra emphasis on external border co-operation as has been pointed out under the Wider Europe initiative. We therefore suggest to amend the Treaty in order to provide a sustainable legal solution for co-funding of joint projects across the external borders of the Union. A similar change is required in article III-111.

AMENDMENT FORM

Suggestion for amendment of Article : Article III-112

By Ms / Mr : Ms Helle THORNING-SCHMIDT

Status : Alternate

Article III-112 (ex Article 158)

Member States shall conduct their economic policies and shall coordinate them in such a way as, in addition, to attain the objectives set out in [Article III-111 (ex 158)] ***and the objectives and principles set out in [Article 124 (ex 174)] and the Union's sustainable development objectives.*** The formulation and implementation of the Union's policies and actions and the implementation of the internal market shall take into account those the objectives and shall contribute to their achievement. The Union shall also support the achievement of these objectives by the action it takes through the Structural Funds (European Agricultural Guidance and Guarantee Fund, Guidance Section; European Social Fund; European Regional Development Fund), the European Investment Bank and the other existing Financial Instruments. ***The Union shall ensure that the requirements of the protection and improvement of the environment are incorporated into the definition and implementation of the operations of the Funds.***

The Commission shall submit a report to the European Parliament, the Council, the Committee of the Regions and the Economic and Social Committee every three years on the progress made towards achieving economic ***growth***, social-cohesion ***and the protection and improvement of the environment*** and on the manner in which the various means provided for in this Article have contributed to it. This report shall, if necessary, be accompanied by appropriate proposals.

A European law or framework law may establish any specific measure outside the Funds, without prejudice to measures adopted within the framework of the Union's other policies. It shall be adopted after consulting the Committee of the Regions and the Economic and Social Committee.

Explanation (if any) :

In order to ensure the sustainable use of Structural Funds, and in the interest of having a Treaty which is coherent, with no internal contradictions, policies must be fully consistent with the objectives set out in [Article 158/Article III-111] and the objectives and principles of [Article 174/Article III-124]. This is especially important given the well-documented damage to nature and natural resources often contributed to by Structural Funds.

FICHE AMENDEMENT 22

III ÈME PARTIE : LES POLITIQUES ET LE FONCTIONNEMENT DE L'UNION

TITRE III : POLITIQUES ET ACTIONS INTERNES

CHAPITRE III : POLITIQUES DANS D'AUTRES DOMAINES SPECIFIQUES

SECTION 3 : COHÉSION ÉCONOMIQUE, SOCIALE ET TERRITORIALE

Proposition d'amendement pour l'article III-112

Déposée par: **M.J.CHABERT**
 M.M.DAMMEYER
 M.P.DEWAEL
 Mme C. du GRANRUT
 M.C.MARTINI
 M.R.VALCARCEL SISO

Qualité : **- Membre** **-Suppléant** **- Observateur**

Ajouter au paragraphe 1 :

Les États membres conduisent leur politique économique et la coordonnent en vue également d'atteindre les objectifs visés à [l'article III-111 (ex-158)]. La formulation et la mise en œuvre des politiques et actions de l'Union ainsi que la mise en œuvre du marché intérieur prennent en compte ces objectifs et participent à leur réalisation. L'Union soutient aussi cette réalisation par l'action qu'elle mène au travers des fonds à finalité structurelle (Fonds européen d'orientation et de garantie agricole, section «orientation»; Fonds social européen; Fonds européen de développement régional **et initiatives communautaires**), de la Banque européenne d'investissement et des autres instruments financiers existants.

Ajouter au paragraphe 2 :

La Commission présente un rapport au Parlement européen, au Conseil, au Comité des régions et au Comité économique et social, tous les trois ans, sur les progrès accomplis dans la réalisation de la cohésion économique, ~~et~~ sociale **et territoriale** et sur la façon dont les divers moyens prévus au présent article y ont contribué. Ce rapport est, le cas échéant, assorti des propositions appropriées.

Ajouter à la fin du paragraphe 3 :

La loi ou la loi-cadre européenne peut établir toute mesure spécifique en dehors des fonds, sans préjudice des mesures adoptées dans le cadre des autres politiques de l'Union. Elle est adoptée après consultation du Comité des régions et du Comité économique et social. **Pour les mesures relatives à la coopération transfrontalière et interrégionale, la loi ou la loi cadre est adoptée après approbation du Comité des régions.**

Explication éventuelle :

Conformément à l'amendement sur l'Article III-111 et aux dispositions de l'Article III-290, il convient de confier au Comité des régions une responsabilité accrue vis-à-vis de la coopération transfrontalière et interrégionale

AMENDMENT FORM

Suggestion for amendment of Article 111

Suggestion for Part: III

By Ms / Mr : **G.M. de Vries**
 T.J.A.M. de Bruijn

Status : **Member** **Alternate**

Chapeau of Section 3 (Title III, Chapter III):
Economic and, social ~~and territorial~~ cohesion

In order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic and, social ~~and territorial~~ cohesion.

In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, including rural areas.

Explanation (if any):

Territorial cohesion should not be applied as a criterion for allocation of funds.

AMENDMENT FORM

Suggestion for amendment of Article : Article III-111 (ex Article 158)

By Ms / Mr : Voggenhuber, Lichtenberger, Nagy,

Status : - Member - Alternate

Article III-111 (ex Article 158)

In order to promote its overall harmonious, *balanced and sustainable* development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion *and environmental protection and improvement in keeping with the objectives set out in [Article I-3]*.

In particular, the Union shall aim at reducing disparities between the levels of development of the various regions, and the backwardness of the least favoured regions ~~or islands (delete)~~, including rural areas, *and at promoting environmental protection and improvement in the various regions*.

Explanation if any :

This chapter needs to be brought into line with the preamble of the Council Regulation laying down general provisions on the structural funds (1260/1999/EC, 21 June 1999), which refers to 'harmonious, balanced and sustainable development of economic activities' and the EU Sustainable Development Strategy, adopted by the European Council in Göteborg (June 2001), is an integral part of the Lisbon Strategy. This recognises that, now and in the future, economic growth, social cohesion, and environmental protection must go hand in hand. Reference to islands is superfluous as the word "region" includes islands as well as many other disadvantages areas.

AMENDMENT FORM

Suggestion for amendment of Article : 111 (ex Article 158), part III of the Constitution

By Ms / Mr : Teija Tiilikainen, Antti Peltomäki, Kimmo Kiljunen, Jari Vilén, Hannu Takkula and Esko Helle

**Status : Tiilikainen, Kiljunen, Vilén - Members
Peltomäki, Takkula and Helle - Alternates**

Article III-111 (ex Article 158)

In order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion.

In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, including rural areas.

The Union and the Member States shall foster co-operation with neighbouring third countries and international organisations in order to encourage the harmonious, sustainable and balanced development of the territory of the Union and its border areas.

Explanation (if any):

There is a broad agreement between the Member States that cross-border cooperation has a high level of added value for the Union as a whole. However, within current legal framework co-funding of joint projects across the external borders is cumbersome and requires huge effort of co-ordination from several financial sources and Commission services. The enlargement requires an extra emphasis on external border co-operation as has been pointed out under the Wider Europe initiative. We therefore suggest to amend the Treaty in order to provide a sustainable legal solution for co-funding of joint projects across the external borders of the Union. A similar change is required in Article III-113.

AMENDMENT FORM

Suggestion for amendment of Article : Article III-111

By Ms / Mr : Ms Helle THORNING-SCHMIDT

Status : Alternate

Article III-111 (ex Article 158)

In order to promote its overall harmonious, *balanced and sustainable* development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion *and environmental protection and improvement in keeping with the objectives set out in [Article I-3]*.

Explanation (if any) :

- This chapter needs to be brought into line with the preamble of the Council Regulation laying down general provisions on the structural funds (1260/1999/EC, 21 June 1999), which refers to ‘harmonious, balanced and sustainable development of economic activities’. The preamble refers explicitly to the need for the structural funds to achieve a high level of environmental protection in the need ‘in particular to integrate the requirements of environmental protection into the design and implementation of the operations of the structural funds’ (preamble, paragraph 5).
- The EU Sustainable Development Strategy, adopted by the European Council in Göteborg (June 2001), is an integral part of the Lisbon Strategy. This recognises that, now and in the future, economic growth, social cohesion, and environmental protection must go hand in hand.
- EU Heads of State recently reiterated their commitment to sustainable development at the Spring Summit (21 March 2003). Their declaration included calls to strengthen the EU’s Cardiff Process of integrating the environment into sectoral policies. Objectives were to be developed that ‘decoupled’ economic growth from environmental degradation and resource use
- In Cardiff in June 1998 the European Council called upon the first round of Councils (Transport, Energy, and Agriculture) to each develop environmental integration strategies.

AMENDMENT FORM

Suggestion for amendment of Part III, Chapter III, Article III-111

By Mr. Henrik Hololei

Status : Alternate

Article III-111 (ex Article 158)

In order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion.

In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, including rural areas.

The Union and the Member States shall foster co-operation with neighbouring third countries and international organisations in order to encourage the harmonious, sustainable and balance development of the territory of the Union and its border areas.

Explanation:

There is a broad agreement between the Member States that cross-border co-operation has a high level of added value for the Union as a whole. However, within the current legal framework co-funding of joint projects across the external borders is cumbersome and requires huge effort of co-ordination from several financial sources and Commission services. The enlargement requires an extra emphasis on external border co-operation as has been pointed out under the Wider Europe initiative. We therefore suggest to amend the Treaty in order to provide a sustainable legal solution for co-funding of joint projects across the external borders of the Union. A similar change is required in article III-113.

AMENDMENT FORM

Suggestion for amendment of Article III-111

By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, national parliament representative.

Status : - **Member: Hjelm-Wallén and Lekberg**
 - **Alternate: Petersson**

Article III-111 (ex Article 158)

In order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic and social ~~and territorial~~ Cohesion.

In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, including rural areas.

AMENDMENT FORM

Suggestion for amendment of Article: 111 (ex 158)

By Mr Hain

Status : - Member

SECTION 3 ECONOMIC, AND SOCIAL ~~AND TERRITORIAL~~ COHESION

In order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic, and social ~~and territorial~~ cohesion.

In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions or islands, including rural areas.

Explanation (if any) :

Title

Inclusion of territorial cohesion could distort the scope of the structural and cohesion funds by attaching importance to geographic rather than economic concerns. As in Article I – 3, we are concerned about the implications of adding ‘territorial cohesion’ to the objectives of the Union. It could have implications for [Gibraltar or] defence policy; and may distort the scope of the Structural and Cohesion Funds by attaching importance to solely geographic concerns rather than economic concerns of which geography may be a factor.

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As in Article I-3, we are concerned about the implications of adding ‘territorial cohesion’ to the objectives of the Union. As well as the concerns noted above, it could also result in an extension of Union competence into planning, change the nature of SFs from funding to transform regions into a mechanism for compensating regions for unchangeable circumstances ie. their island status or peripherality, and be used as an argument to block market liberalisation & the assessment criteria is less clear than for economic concerns – not the same established set of agreed statistics]

AMENDMENT FORM

Suggestion for amendment of Article : III-111

By Mr Fischer

Status : Member

ABSCHNITT 3

WIRTSCHAFTLICHER, UND SOZIALER ~~UND TERRITORIALER~~ ZUSAMMENHALT

Artikel III-111 (ex-Artikel 158)

Die Union entwickelt und verfolgt weiterhin ihre Politik zur Stärkung ihres wirtschaftlichen, und sozialen ~~und territorialen~~ Zusammenhalts, um eine harmonische Entwicklung der Union als Ganzes zu fördern.

Die Union setzt sich insbesondere zum Ziel, die Unterschiede im Entwicklungsstand der verschiedenen Regionen und den Rückstand der am stärksten benachteiligten Gebiete oder Inseln, einschließlich der ländlichen Gebiete, zu verringern.

Explanation (if any) :

Wie bei Art. I-3 sollte auch hier die territoriale Dimension gestrichen werden. Sie entspricht nicht dem gemeinsamen Besitzstand (Art. 3 Abs. 1 Buchstabe k EGV). Die Aufnahme könnte als Zieländerung dahingehend verstanden werden, dass die regionalpolitischen Anstrengungen der Gemeinschaft nicht mehr konsequent auf die strukturschwachen Räume auszulegen wären. Dies käme einer Verwässerung der EU-Strukturpolitik gleich.

FICHE AMENDEMENT

Proposition d'amendement à l'article III - 59

Déposée par Monsieur Ben Fayot (Chambre des Députés, Luxembourg)

Qualité : - Membre

Article III-111 (ex Article 158)

(...)

In order to promote its overall harmonious and sustainable development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion.

(...)

Explication éventuelle :

The EU Sustainable Development Strategy, adopted by the European Council in Göteborg (June 2001), is an integral part of the Lisbon Strategy. This recognises that, now and in the future, economic growth, social cohesion, and environmental protection must go hand in hand.

FICHE AMENDEMENT

Proposition d'amendement à l'Article III-111 (Cohésion territoriale)

Déposée par Monsieur de Villepin

Qualité : - Membre

Afin de promouvoir le développement harmonieux de l'ensemble de la l'Union, celle-ci développe et poursuit son action tendant au renforcement de sa cohésion économique, sociale et territoriale.

En particulier, l'Union vise à réduire l'écart entre les niveaux de développement des diverses régions, ainsi que et le retard des régions ~~ou îles~~ les moins favorisées et des îles présentant des handicaps naturels et des disparités de densité démographique, y compris les zones rurales.

Afin d'intégrer les régions insulaires visées à l'alinéa précédent au marché intérieur dans des conditions équitables, elle met en oeuvre des mesures spécifiques proportionnelles à l'intensité des contraintes subies.

Explication éventuelle :