



COMMISSION OF THE EUROPEAN COMMUNITIES

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97/0151 (SYN)

COMMUNICATION FROM THE COMMISSION
TO THE EUROPEAN PARLIAMENT

pursuant to the first subparagraph of Article 189 c (b) of the EC-Treaty

Council common position
on the adoption of Council Regulation (EC) No .../98
on integrating gender issues in development cooperation

I. BACKGROUND

1. On 9 June 1997 the Commission transmitted its proposal to the Council and the European Parliament.¹
2. On 19 November 1997 the European Parliament delivered its opinion.
3. The Commission transmitted the amended proposal on 13 February 1998.
4. The Council agreed a common position on 30 March 1998.

II. AIM OF THE COMMISSION PROPOSAL

The Commission's aim is to establish a legal basis for operations under heading B7-611 of the Community budget (Integrating gender issues in development cooperation).

III. COMMENTS ON THE COMMON POSITION

1. General comments

The Council common position takes up much of the Commission's amended proposal. The Council has not, however followed the Commission's line on the duration of the Regulation, the specification of the reference amount, the committee procedure, certain aspects of the objectives of the activities to be carried out and the tasks of the Commission.

2. Amendments proposed by Parliament

At its plenary session of 19 November Parliament adopted 17 amendments at the first reading. The Commission endorsed 9 of them. These were incorporated into its amended proposal, in some cases after editorial changes.

The Commission notes that the Council's common position takes up 7 amendments: amendment 4 (in part) adding the task of coordination with other development cooperation instruments, especially intergovernmental and national instruments; amendment 5 specifying the content of the gender analysis for mainstreaming in development cooperation policies and operations; amendment 6 giving examples of fields for action under the Regulation; amendment 7 (slightly) in so far as it involves improving the wording of Article 2(1)(c); amendment 8 referring to legislative and administrative acts on equal rights for men and women; amendment 9 on training at the Commission and in the developing countries; amendment 11 (in part) in respect of the reference to public utility associations.

As for amendments figuring in the amended proposal but not in the common position (amendments 2 and 3 and most of 7), the Commission's re-examined proposal will, as far as possible, take account of amendments adopted by Parliament at the second reading.

¹ COM(97)265 final.

3. New provisions introduced by the Council

3.1 Reference amount

Confining itself to the financial statement, the Commission did not propose mentioning a financial reference amount. The Council has, however, decided to include such an amount, fixing it at ECU 25 million or ECU 5 million a year for the period 1999-2003. In a declaration concerning Article 4(1) the Commission stresses that responsibility for including such a reference amount rests with the Council alone and in no way affects the powers of the budgetary authority.

3.2 Committee procedures and threshold for submitting projects to the Committee

The Commission proposal provided for operations costing more than ECU 2 million to be submitted for the opinion of the ALA, MED and EDF Committees under the Type I (advisory committee) procedure. The Council, however, advocates a Type IIb (management committee) procedure and an ECU 1 million threshold for submitting projects to the Committee. The Commission's opposition to this change is recorded in a declaration on Articles 7(2) and 8 of the common position.

3.3 Duration of the Regulation

The Commission proposed no expiry date for the Regulation, feeling that the various types of operation to promote gender mainstreaming in development cooperation warranted a Regulation of unspecified duration. The Council disagreed (Article 11) and has specified a duration of five years (1999-2003). The Commission cannot endorse this position (see declaration on Article 11 of the common position).

3.4 Organisation of meetings with representatives of the Member States and recipient countries

In Article 5 of the common position (Article 4 of the amended proposal), the Council has inserted a new paragraph 7 allowing the Commission to organise meetings on gender issues with representatives of the Member States and the recipient countries. This point was not discussed when the amended proposal was presented. The Commission considers that the possibility provided by the new paragraph 7 is intrinsic to its powers to manage the budget heading. It cannot therefore endorse the Council's position.

IV. CONCLUSION

In view of Parliament's amendments and the new provisions introduced by the Council, the Commission has entered several declarations in the minutes.

The re-examined proposal to be presented by the Commission after the second reading in Parliament will take account of the above comments (cf. III).