



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.05.1996  
COM(96) 239 final

95/0119 (SYN)

Re-examined proposal for a  
COUNCIL REGULATION (EC)  
ON HUMANITARIAN AID

(presented by the Commission pursuant to Article 189 c (d)  
of the EC Treaty)



## EXPLANATORY MEMORANDUM

- On 31 May 1995 the Commission presented to the Council and Parliament a proposal for a Regulation concerning humanitarian aid aimed at defining the scope of humanitarian action, the arrangements for coordination and the terms of cooperation between the Community, the Member States, international agencies and non-governmental organizations.<sup>1</sup>
- Based on Article 130w of the Treaty, the proposed Council Regulation concerning humanitarian aid is subject to the cooperation procedure laid down in Article 189c of the Treaty.
- In accordance with the cooperation procedure, Parliament delivered its opinion on a first reading on 30 November 1995, tabling 23 amendments in all.<sup>2</sup> Under Article 189a(2) of the Treaty, the Commission presented an amended proposal incorporating those amendments that it accepted.<sup>3</sup>
- On 29 January the Council adopted a common position,<sup>4</sup> which the Commission endorsed.<sup>5</sup> Parliament acknowledged receipt of the common position on 16 February.
- On 21 May, Parliament delivered its opinion on a second reading, adopting two amendments. They concern: (1) the exemption of the operations under the Regulation from taxes, charges and customs duties, and (3) the holding of an annual meeting at which the Commission and its NGO partners would study common strategies.<sup>6</sup>
- The Commission, in accordance with Article 189c(d) of the Treaty, is now presenting a revised proposal incorporating the amendments accepted.

<sup>1</sup> COM (95) 201 final, OJ No C 180, 14.7.1995.

<sup>2</sup> PE 213.938/fin.

<sup>3</sup> COM (95) 721 final, OJ No C 58, 28.2.1996.

<sup>4</sup> Document 12768/3/95, 29.1.1996.

<sup>5</sup> SEC(96) 203 final, 7.2.1996.

<sup>6</sup> PE 217.665/fin.

- The Commission has accepted amendment No 1, adding a new paragraph to Article 5 of the common position. This is a provision found in other development regulations; the difficulties often encountered by relief agencies trying to get aid to its destination make it particularly appropriate in this case.
- The Commission has not included amendment 3.
- As for amendment No 3 adding a new paragraph to Article 19 of the common position (see Annex 1), the Commission is all in favour of greater cooperation with humanitarian agencies, but does not think it wise to make such an annual meeting obligatory under the Regulation.

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Article 5 reads as follows:

- 5.1 Community financing under this Regulation shall take the form of grants.
- 5.2 **The operations referred to in this Regulation shall be exempt from tax, levies and customs duty.**

ISSN 0254-1475

COM(96) 239 final

# DOCUMENTS

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Catalogue number : CB-CO-96-249-EN-C

ISBN 92-78-04541-1

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Office for Official Publications of the European Communities

L-2985 Luxembourg