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441.2(4)

Amended proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND THE COUNCIL**

**on operations to aid uprooted people in Asian and Latin American developing countries**

(presented by the Commission pursuant to Article 250 (2)  
of the EC Treaty)



## **REGULATION OF THE EUROPEAN PARLIAMENT AND THE COUNCIL**

### **on operations to aid uprooted people in Asian and Latin American developing countries**

#### **1. BACKGROUND**

In 1984, the European Parliament created two budget lines (B7-302 and B7-312) to aid uprooted people, but it was only in 1997 that the Commission proposed a regulation (n. 443/97) in line with the obligation to provide each budget line with a legal basis.

This regulation was due to expire at the end of 1999. The Commission began work on a new regulation in 1999, but it was finally decided to seek an extension of Regulation 443 (Regulation 1880/2000 of 17 July 2000) and prepare, in parallel, a new regulation. This extension was published on the OJ on September 7<sup>th</sup>, 2000. The European Parliament and the Council requested an independent evaluation, which was completed by the Commission in September 2000.

In December 2000, the Commission transmitted to the Council and the Parliament a proposal for a new regulation to aid uprooted people (COM(2000)831 final – 2000/0338 COD). The proposal aims at helping uprooted people (refugees, displaced persons and returnees) and demobilised soldiers in Asia and Latin America developing countries by creating the best possible conditions for their integration or reintegration.

The Parliament adopted its opinion (first reading) at its plenary session on July 5<sup>th</sup>, 2001. The Commission declared, during the session, that it accepts all the amendments proposed.

#### **2. ANALYSIS OF THE AMENDMENTS**

The Commission accepts the integration into its amended proposal of all amendments (1 to 32) adopted by the Parliament during its plenary session of July 5<sup>th</sup>, 2001.

##### **2.1. Recitals (amendments 1 to 12)**

Overall, the text of the recitals proposed by the Parliament further clarifies and details the objectives of the regulation. Amendment 11 is a consequence of Amendment 31, which fixes a limited duration to the Regulation.

## **2.2. Chapter I (Art. 1-6 and amendments 13-20)**

The amendments proposed make the definitions more precise, improve the overall readability of the text, underline the importance of democratisation and human rights, make explicit the importance attached to helping vulnerable groups and further clarify the role of the regulation in the relief-rehabilitation-development continuum.

Amendment 20 makes explicit the limitations to financing of real estate purchase. While this is not, as a general rule, an eligible cost, the financial provisions attached to the standard contracts for external aid foresee exceptions where it is considered necessary for the direct implementation of the operation. The text proposed by the Parliament reproduces the wording of the financial provisions.

## **2.3. Chapter II (Art. 7-14 and amendments 21-26)**

Overall, the amendments reinforce the control and monitoring provisions of the regulation.

Amendment 22 strengthens the human rights dimension of the regulation in selecting partners.

Amendment 26 updates the text taking into account the recent reform of EC external aid and makes reference to the country strategy process as the key instrument for co-ordination.

## **2.4. Chapter III (Art. 15-18 and amendments 27 and 27a)**

Amendment 27 fixes the financial framework for the duration of the regulation, as foreseen in the Inter-institutional agreement of 6 May 1999 (Section E, Art.33). The Commission takes note of the desire of the Parliament to earmark to the operations to be financed under this regulation financial resources beyond the amount already programmed.

Amendment 28 simplifies the procedure for supplementary commitments.

## **2.5. Chapter IV (Art. 19-20 and amendments 28-31)**

Overall, amendments 28-30 improve the reporting provisions of the regulation by taking into account the multiannual nature of the programming exercise and by better defining the information to be provided.

In addition, the Parliament proposes a fixed duration for the regulation (Amendment 31). The Commission originally proposed that the Regulation should be valid for an indefinite period of time, in order to avoid periodic discussion on a question that seems unlikely to go away and to change in nature in any significant way. However, it considers that December 2004 is a reasonable compromise, particularly in the light of the on-going revision of the ALA regulation, which will examine the possibility of incorporating the "uprooted people" question into a single geographical instrument.

### **3. CONCLUSIONS**

Pursuant to Article 250 (2) of the EC Treaty, the Commission amends its proposal according to the above comments.

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# DOCUMENTS

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