

Príloha: znění pozměňovacích návrhů k předloze „Omnibus“ v anglickém jazyce (výňatek)

<Amend>**Amendment** <NumAm>**119**</NumAm>
<RepeatBlock-By><Members>**Cecilia Wikström, Matthijs van Miltenburg**</Members>
</RepeatBlock-By>
<DocAmend>**Proposal for a regulation**</DocAmend>
<Article>**Article 265 – paragraph 1 – point 4**</Article>
<DocAmend2>Regulation (EU) No 1303/2013</DocAmend2>
<Article2>Article 9 – subparagraph 2a</Article2>

<i>Text proposed by the Commission</i>	<i>Amendment</i>
“The priorities established for each of the ESI Funds in the Fund specific rules shall in particular cover the appropriate use of each Fund in the areas of migration and asylum.”	“The priorities established for each of the ESI Funds in the Fund specific rules shall in particular cover the appropriate use of each Fund in the areas of migration and asylum, <i>in particular in relation to the reception of asylum seekers and the participation in the corrective allocation mechanism under the Dublin Regulation.</i> ”

Or. <Original>{EN}en</Original>

<TitreJust>*Justification*</TitreJust>

Clarification with regards to the prioritising the key solidarity measures in the Common European Asylum System

</Amend>

<Amend>**Amendment** <NumAm>**120**</NumAm>
<RepeatBlock-By><Members>**Cecilia Wikström, Matthijs van Miltenburg**</Members>
</RepeatBlock-By>
<DocAmend>**Proposal for a regulation**</DocAmend>
<Article>**Article 265 – paragraph 1 – point 5 a (new)**</Article>
<DocAmend2>Regulation (EU) No 1303/2013</DocAmend2>
<Article2>Chapter IV – heading</Article2>

<i>Present text</i>	<i>Amendment</i>
	5a. The heading of Chapter IV is replaced by the following:
Measures linked to sound economic governance	“Measures linked to sound economic governance <i>and solidarity among Member States in the reception of asylum seekers</i> ”

Or. <Original>{EN}en</Original>

<TitreJust>*Justification*</TitreJust>

This amendment is a clarification in view of the proposed amendment creating a new article 23a

</Amend></Amend>

<Amend>**Amendment** <NumAm>**122**</NumAm>

<RepeatBlock-By><Members>**Cecilia Wikström, Matthijs van Miltenburg**</Members>

</RepeatBlock-By>

<DocAmend>**Proposal for a regulation**</DocAmend>

<Article>**Article 265 – paragraph 1 – point 5 b (new)**</Article>

<DocAmend2>Regulation (EU) No 1303/2013</DocAmend2>

<Article2>Article 23a</Article2>

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	5b. The following Article 23a is inserted:
	"Article 23a
	1. When a Member State does not fulfil its obligations under Chapter VII of the Dublin Regulation [Proposal for a Regulation recasting Regulation (EU) No 604/2013 of the European Parliament and of the Council], the procedure as provided for in paragraphs 2 to 14 will apply.
	2. The Commission shall make a proposal to the Council to suspend part or all of the commitments or payments for the programmes of a Member State where that Member State does not take any action to assume participation in the corrective allocation mechanism under the Dublin Regulation [Proposal for a Regulation recasting Regulation (EU) No 604/2013 of the European Parliament and of the Council] within 6 months. In making its proposal, the Commission shall take account of all relevant information in that regard, and it shall give due consideration to any elements arising from and opinions expressed by the Member State concerned.
	3. A proposal by the Commission referred to in paragraph 2 in relation to the suspension of commitments shall be deemed adopted by the Council unless the Council decides, by means of an implementing act, to reject such a proposal by qualified majority within one month of the submission of the Commission proposal. The suspension of commitments shall apply to the commitments from the ESI Funds for the Member State concerned from 1 January of the year following the decision to suspend.
	The Council shall adopt a decision, by means of an implementing act, on a proposal by the Commission referred to in paragraph 6 in relation to the suspension of payments.
	4. The scope and level of the suspension of commitments or payments to be imposed on the basis of paragraph 3, shall be proportionate. The impact of suspensions on programmes of critical importance to address adverse economic or social conditions shall be a specific factor to be taken into account.
	Detailed provisions for determining the scope and level of suspensions are set out in Annex III.
	The suspension of commitments shall be subject to the lower of the following ceilings:
	(a) A maximum of 50 % of the commitments relating to the next financial year for the ESI Funds in the first case of non-compliance with the corrective allocation mechanism under the Dublin

	<i>Regulation [Proposal for a Regulation recasting Regulation (EU) No 604/2013 of the European Parliament and of the Council].</i>
	<i>(b) a maximum of 0,5 % of nominal GDP applying in the first case of non-compliance with the corrective allocation mechanism under the Dublin Regulation [Proposal for a Regulation recasting Regulation (EU) No 604/2013 of the European Parliament and of the Council].</i>
	<i>If non-compliance relating to the corrective allocation mechanism persists, the percentage of that GDP cap shall be gradually increased up to a maximum of 1 % of nominal GDP applying in the event of persistent non-compliance with the corrective allocation mechanism in line with the seriousness of the non-compliance.</i>
	<i>In determining the level of the suspension and whether to suspend commitments or payments, the stage of the programme cycle shall be taken into account having regard in particular to the period remaining for using the funds following the re-budgeting of suspended commitments.</i>
	<i>5. Without prejudice to de-commitment rules set out in Articles 86 to 88 the Commission shall lift the suspension of commitments, without delay, as soon as the Member State concerned starts participation in the corrective allocation mechanism as set out in Chapter VII of the Dublin Regulation [Proposal for a Regulation recasting Regulation (EU) No 604/2013 of the European Parliament and of the Council] and notifies this to the European Commission. The Commission shall inform the Council and the Parliament immediately.</i>
	<i>6. When lifting the suspension of commitments, the Commission shall re-budget the suspended commitments in accordance with Article 8 of Council Regulation (EU, Euratom) No 1311/2013.</i>
	<i>7. A decision concerning the lifting of the suspension of payments shall be taken by the Council on a proposal from the Commission where the applicable conditions set out in paragraph 5 are fulfilled.</i>
	<i>8. This Article shall not apply to programmes under the European territorial cooperation goal.</i>
	<i>9. The Commission shall keep the European Parliament informed of the implementation of this Article. In particular the Commission shall, when a Member State is not fully assuming its responsibility under the corrective allocation mechanism under the Dublin Regulation [Proposal for a Regulation recasting Regulation (EU) No 604/2013 of the European Parliament and of the Council], immediately inform the European Parliament and provide details of the ESI Funds and programmes which could be subject to a suspension of commitments or payments.</i>
	<i>10. The European Parliament may invite the Commission for a structured dialogue on the application of this Article.</i>
	<i>11. The Commission shall transmit the proposal for suspension of commitments or payments or the proposal to lift such a suspension to the European Parliament and the Council immediately after its</i>

	<i>adoption. The European Parliament may invite the Commission to explain the reasons for its proposal.</i>
	<i>12. In 2019, the Commission shall carry out a review of the application of this Article. To this end, the Commission shall prepare a report which it shall transmit to the European Parliament and the Council, accompanied where necessary by a legislative proposal.</i>
	<i>13. Where there are major changes in the social and economic situation in the Union, the Commission may submit a proposal to review the application of this Article, or the European Parliament or the Council, acting in accordance with Articles 225 or 241 TFEU respectively, may request the Commission to submit such a proposal."</i>

Or. <Original>{EN}en</Original>

<TitreJust>Justification</TitreJust>

A conditionality should be created within the framework of this regulation which would condition solidarity support through the funds with proper participation in the key solidarity measures of the Common European Asylum System.