



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.9.2007  
COM(2007) 557 final

2005/0040 (COD)

**OPINION OF THE COMMISSION**

**pursuant to Article 251 (2), third subparagraph, point (c) of the EC Treaty,  
on the European Parliament's amendments  
to the Council's common position regarding the  
proposal for a**

**DECISION OF THE EUROPEAN PARLIAMENT AND THE COUNCIL**

**establishing for 2007-2013 the specific programme "Civil Justice"  
as part of the general programme on "Fundamental Rights and Justice"**

**AMENDING THE PROPOSAL OF THE COMMISSION  
pursuant to Article 250 (2) of the EC Treaty**

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**1. INTRODUCTION**

Pursuant to point (c) of the third subparagraph of Article 251(2) of the EC Treaty, the Commission delivers opinions on amendments proposed by the European Parliament at second reading. The Commission sets out below its opinion on the sole amendment proposed by Parliament.

**2. BACKGROUND**

The proposal was adopted by the Commission on 6 April 2005 and sent to the European Parliament and the Council on 26 April 2005. The European Economic and Social Committee adopted its opinion on the Commission proposal on 19 January 2006. The European Parliament adopted seven amendments at first reading in plenary session on 14 December 2006. The Council adopted its common position on 13 June 2007. The Commission adopted its communication on the Council common position on 19 June 2007. The European Parliament adopted one amendment at second reading in plenary session on 11 July 2007.

**3. PURPOSE OF THE PROPOSAL**

The Commission proposal is to establish the specific programme "Civil Justice" with the following objectives:

- a) to promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in civil matters based on mutual recognition and mutual confidence;
- b) to promote the elimination of obstacles to the proper functioning of cross-border civil proceedings in the Member States;
- c) to improve the daily life of individuals and businesses by enabling them to assert their rights throughout the European Union, notably by fostering access to justice;
- d) to improve the contacts, exchange of information and networking between legal, judicial and administrative authorities and the legal professions, including by way of support of judicial training, with the aim of better mutual understanding among such authorities and professionals.

#### **4. THE COMMISSION'S OPINION ON THE EUROPEAN PARLIAMENT'S AMENDMENTS**

##### **4.1. Amendments accepted in their entirety by the Commission**

The Commission accepts the **sole amendment** of the European Parliament. This amendment adds a new recital to the preamble, the text of which was negotiated with the Council and the Commission, on the information to be provided to the European Parliament on the work of the management committee provided for by the Decision.

The Commission also made the following declaration when the vote was taken at the plenary session:

"As regards the measures for implementing the Decision of the European Parliament and the Council establishing for 2007-2013 the specific programme "Civil Justice", the Commission undertakes, by way of exception, to transmit as rapidly as possible to the chair of the appropriate Parliamentary Committee the draft annual work programmes relating to the abovementioned specific programme, as well as transmitting these drafts via the comitology register.

The Commission will also inform Parliament, as quickly as possible, of any amendment made following the meetings of the committee".

#### **5. CONCLUSION**

Pursuant to Article 250(2) of the EC Treaty the Commission hereby amends its proposal as set out above.