



EUROPEAN PARLIAMENT

2009 - 2014

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*Committee on Civil Liberties, Justice and Home Affairs*

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**2014/2006(INI)**

29.1.2014

# **AMENDMENTS**

## **1 - 73**

**Draft report**  
**Kinga Göncz**  
(PE527.913v01-00)

on evaluation of justice in the field of criminal justice and the rule of law  
(2014/2006(INI))

AM\1017295EN.doc

PE527.947v02-00

**EN**

*United in diversity*

**EN**

AM\_Com\_NonLegReport

**Amendment 1**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Citation 1**

*Motion for a resolution*

– having regard to the Treaty on European Union, in particular Articles 2, 6 **and 7** thereof,

*Amendment*

– having regard to the Treaty on European Union, in particular Articles 2, 6, 7, **258, 259 and 260** thereof,

Or. en

**Amendment 2**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Citation 3 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to Article 6 of the European Convention on Human Rights,**

Or. en

**Amendment 3**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Citation 4 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to its resolution of 23 October 2013 on organised crime, corruption and money laundering: recommendations on action and initiatives to be taken (Final Report)**

Or. en

**Amendment 4**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Citation 5 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to positive effects of the on-going mutual evaluations within the Council (SCHEVAL and GENVAL) focused on learning from each other's' best practices through a constructive expert dialogue;**

Or. en

**Amendment 5**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Citation 5 a (new)**

*Motion for a resolution*

*Amendment*

**- having regard to its resolution of 15 September 2011 on the EU's efforts to combat corruption**

Or. en

**Amendment 6**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Citation 5 b (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the proposal for a Council Framework Decision 2002/584/JHA of 13 June 2002 on the**

***European arrest warrant and the  
surrender procedures between Member  
States,***

Or. en

**Amendment 7  
Monica Luisa Macovei**

**Motion for a resolution  
Citation 5 c (new)**

*Motion for a resolution*

*Amendment*

***- having regard to the Commission  
proposal on the establishment of the  
European Public Prosecutor's Office  
addresses the need of the creating a EU  
criminal justice area,***

Or. en

**Amendment 8  
Kinga Göncz, Frank Engel**

**Motion for a resolution  
Citation 7 a (new)**

*Motion for a resolution*

*Amendment*

***- having regard to the Memorandum of  
understanding between the Council of  
Europe and the European Union;***

Or. en

**Amendment 9  
Kinga Göncz, Frank Engel**

**Motion for a resolution  
Citation 7 b (new)**

*Motion for a resolution*

*Amendment*

**- having regard to the Revised Statute of the European Commission for Democracy through Law;**

Or. en

**Amendment 10**  
**Kinga Göncz**

**Motion for a resolution**  
**Citation 8**

*Motion for a resolution*

– having regard to the Commission Communication of **28 November 2012** entitled ‘Annual Growth Survey **2013**’ (COM(2012)0750),

*Amendment*

– having regard to the Commission Communication of **13 November 2013** entitled ‘Annual Growth Survey **2014**’ (COM(2013)800),

Or. en

**Amendment 11**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Citation 10**

*Motion for a resolution*

– having regard to its resolution of 12 December 2012 on the situation of fundamental rights in the European Union (2010 - 2011)<sup>1</sup>, **as well as to working documents I and II of the Committee on Civil Liberties, Justice and Home Affairs on the situation of fundamental rights in the European Union in 2012,**

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<sup>1</sup> Texts adopted, P7\_TA(2012)0500.

*Amendment*

– having regard to its resolution of 12 December 2012 on the situation of fundamental rights in the European Union (2010 - 2011)<sup>1</sup>,

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<sup>1</sup> Texts adopted, P7\_TA(2012)0500.

**Amendment 12**  
**Kinga Gál**

**Motion for a resolution**  
**Citation 10**

*Motion for a resolution*

– having regard to its resolution of 12 December 2012 on the situation of fundamental rights in the European Union (2010 - 2011)<sup>1</sup>, *as well as to working documents I and II of the Committee on Civil Liberties, Justice and Home Affairs on the situation of fundamental rights in the European Union in 2012,*

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<sup>1</sup> Texts adopted, P7\_TA(2012)0500.

*Amendment*

– having regard to its resolution of 12 December 2012 on the situation of fundamental rights in the European Union (2010 - 2011)<sup>1</sup>;

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<sup>1</sup> Texts adopted, P7\_TA(2012)0500.

**Amendment 13**  
**Kinga Gál**

**Motion for a resolution**  
**Citation 11**

*Motion for a resolution*

– *having regard to its resolution of 3 July 2013 on the situation of fundamental rights: standards and practices in Hungary (pursuant to European Parliament resolution of 16 February 2012)<sup>2</sup>,*

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<sup>2</sup> Texts adopted, P7\_TA(2013)0315.

*Amendment*

*deleted*

**Amendment 14**  
**Sarah Ludford**

**Motion for a resolution**  
**Citation 11 a (new)**

*Motion for a resolution*

*Amendment*

*- having regard to the motion for a European Parliament resolution with recommendations to the Commission on the review of the European Arrest Warrant (2013/2109(INL), Rapporteur: Sarah Ludford, A7-0039/2014);*

Or. en

**Amendment 15**  
**Cornelis de Jong**

**Motion for a resolution**  
**Recital B a (new)**

*Motion for a resolution*

*Amendment*

*Ba. whereas the Justice Scoreboard is currently dealt with in the context of the European economic semester, thus over-emphasizing the economic value of justice, whereas justice is a value in itself and should be accessible to all irrespective of economic interests;*

Or. en

**Amendment 16**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Recital B a (new)**



*Motion for a resolution*

*Amendment*

***Ba. whereas there is a need for cooperation among national authorities and a common understanding of the EU legislation in criminal law***

Or. en

**Amendment 17**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Recital C**

*Motion for a resolution*

*Amendment*

C. whereas the 2013 Justice Scoreboard focuses exclusively on civil, commercial and administrative justice, ***thereby omitting*** criminal justice;

C. whereas the 2013 Justice Scoreboard focuses exclusively on civil, commercial and administrative justice, ***which are of importance for the European Semester in order to boost competitiveness and growth, but does not cover*** criminal justice, ***which falls primarily into a national competence;***

Or. en

**Amendment 18**  
**Cornelis de Jong**

**Motion for a resolution**  
**Recital C a (new)**

*Motion for a resolution*

*Amendment*

***Ca. whereas the 2013 Justice Scoreboard bears exclusively on civil, commercial and administrative justice, which can be explained by its use in the context of the European economic semester, but should also include criminal justice, as the functioning of criminal justice has***

*important repercussions on fundamental rights and is further strongly linked with the respect for the rule of law, more so than any other area of justice;*

Or. en

**Amendment 19**  
**Kinga Göncz**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

D. whereas the functioning of criminal justice has important repercussions on fundamental rights and furthermore is strongly linked to respect for the rule of law, *more so than any other area of justice;*

*Amendment*

D. whereas the functioning of criminal justice has important repercussions on fundamental rights and furthermore is strongly linked to respect for the rule of law;

Or. en

**Amendment 20**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

D. whereas the functioning of criminal justice has important repercussions on fundamental rights and furthermore is strongly linked to respect for the rule of law, *more so than any other area of justice;*

*Amendment*

D. whereas the functioning of criminal justice has important repercussions on fundamental rights and furthermore is strongly linked to respect for the rule of law;

Or. en

**Amendment 21**  
**Kinga Gál**

**Motion for a resolution**  
**Recital D**

*Motion for a resolution*

D. whereas the functioning of criminal justice has important repercussions on fundamental rights and furthermore is ***strongly*** linked to respect for the rule of law, ***more so than any other area of justice***;

*Amendment*

D. whereas the functioning of criminal justice has important repercussions on fundamental rights and furthermore is linked to respect for the rule of law;

Or. en

**Amendment 22**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Recital D a (new)**

*Motion for a resolution*

***E. whereas the European Union Agency for Fundamental Rights' annual report (2012), in its chapter on 'access to efficient and independent justice',***

*Amendment*

***Da. whereas the harmonisation of criminal law in the EU should contribute to the achievement of a common EU culture against crime;***

Or. en

**Amendment 23**  
**Timothy Kirkhope**

**Motion for a resolution**  
**Recital E**

*Motion for a resolution*

***E. whereas the European Union Agency for Fundamental Rights' annual report (2012), in its chapter on 'access to efficient and independent justice',***

*Amendment*

***deleted***

*expressed concerns over the situation of the rule of law, and in particular judicial independence, in certain Member States and, in this connection, over the fundamental right of access to justice, which has been seriously affected by the financial crisis;*

Or. en

**Amendment 24**  
**Kinga Gál**

**Motion for a resolution**  
**Recital E**

*Motion for a resolution*

E. whereas the European Union Agency for Fundamental Rights' annual report (2012), in its chapter on 'access to efficient and independent justice', expressed concerns over the situation of the rule of law, ***and in particular judicial independence, in certain Member States and, in this connection, over the fundamental right of access to justice, which has been seriously affected by the financial crisis;***

*Amendment*

E. whereas the European Union Agency for Fundamental Rights' annual report (2012), in its chapter on 'access to efficient and independent justice', expressed concerns over the situation of the rule of law ***in*** Member States;

Or. en

**Amendment 25**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Recital E a (new)**

*Motion for a resolution*

***E a. whereas excessive duration of judicial proceedings remains the first reason for the European Court of Human Rights to condemn European Member States;***

*Amendment*

**Amendment 26**  
**Kinga Gál**

**Motion for a resolution**  
**Recital H**

*Motion for a resolution*

H. whereas the work of the EU institutions should be based on *close* cooperation and *interaction, and should draw on the expertise of* the various bodies of the Council of Europe *so as to avoiding overlapping activities*;

*Amendment*

H. whereas the work of the EU institutions should be based on cooperation and *should be carried out in a way that it avoids overlapping activities with* the various bodies of the Council of Europe;

**Amendment 27**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Recital H**

*Motion for a resolution*

H. whereas the work of the EU institutions should be based on close cooperation and interaction, and should draw on the expertise of the various bodies of the Council of Europe so as to avoiding overlapping activities;

*Amendment*

H. whereas the work of the EU institutions should be based on close cooperation and interaction, and should draw on *best practices and* the expertise of the various bodies of the Council of Europe so as to avoiding overlapping activities;

**Amendment 28**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Recital H**

*Motion for a resolution*

H. whereas the *work of the EU institutions* should *be based on close cooperation and interaction, and should draw on* the expertise of *the various* bodies of the Council of Europe so *as to avoiding* overlapping activities;

*Amendment*

H. whereas the *EU institutions, while acting within the powers conferred to them*, should *work together with respect to principle of loyal cooperation as well as draw* the expertise of *various international* bodies, *including* the Council of Europe so *that to avoid overlapping and duplication of activities and ensure an efficient use of resources*;

Or. en

**Amendment 29**  
**Kinga Göncz, Frank Engel**

**Motion for a resolution**  
**Recital H a (new)**

*Motion for a resolution*

*H a. Whereas the Council of Europe and the European Union reaffirmed their commitment to strengthen their cooperation in areas of common interest, in particular the promotion and protection of pluralistic democracy, the respect for human rights and fundamental freedoms and the rule of law; to make full use of the specialised bodies such as the Venice Commission; and to develop appropriate forms of co-operation in response to new challenges;*

Or. en

**Amendment 30**  
**Timothy Kirkhope**

**Motion for a resolution**  
**Recital I**

*Motion for a resolution*

*Amendment*

***I. whereas Parliament has repeatedly called for a strengthening of existing mechanisms to ensure that the values of the Union set out in Article 2 TEU are respected, protected and promoted, and for crisis situations in the Union and the Member States to be addressed; whereas a debate is under way within Parliament, the Council and the Commission on the creation of a ‘new mechanism’;***

***deleted***

Or. en

**Amendment 31**

**Monica Luisa Macovei**

**Motion for a resolution**

**Recital I**

*Motion for a resolution*

*Amendment*

I. whereas Parliament has repeatedly called for a strengthening of existing mechanisms to ensure that the values of the Union set out in Article 2 TEU are respected, protected and promoted, and for crisis situations in the Union and the Member States to be addressed; whereas a debate is under way within Parliament, the Council and the Commission on the creation of a ‘new mechanism’;

I. whereas Parliament has repeatedly called for a strengthening of existing mechanisms to ensure that the values of the Union set out in Article 2 TEU are respected, protected and promoted, and for crisis situations in the Union and the Member States to be addressed ***in a rapid and efficient way***; whereas a debate is under way within Parliament, the Council and the Commission on the creation of a ‘new mechanism’;

Or. en

**Amendment 32**

**Monica Luisa Macovei**

**Motion for a resolution**

**Recital I a (new)**

*Motion for a resolution*

*Amendment*

***I a. whereas the independence of the judiciary as well as of judges and public prosecutors in Member States must be protected from any political interferences,***

Or. en

**Amendment 33**  
**Timothy Kirkhope**

**Motion for a resolution**  
**Recital J**

*Motion for a resolution*

*Amendment*

***J. whereas any decision on the matter should guarantee, as soon as possible, the proper application of Article 2 TEU and ensure that every decision is taken on the basis of objective criteria and an objective evaluation, in order to address criticisms of a lack of indicators and evaluation criteria, differential treatment and political bias;***

***deleted***

Or. en

**Amendment 34**  
**Kinga Göncz**

**Motion for a resolution**  
**Recital J**

*Motion for a resolution*

*Amendment*

J. whereas any decision on the matter should guarantee, as soon as possible, the proper application of Article 2 TEU and ensure that every decision is taken on the basis of objective criteria and an objective

J. whereas any decision on the matter should guarantee, as soon as possible, the proper application of Article 2 TEU and ensure that every decision is taken on the basis of objective criteria and an objective



evaluation, in order to address criticisms of *a lack of indicators and evaluation criteria*, differential treatment and political bias;

evaluation, in order to address criticisms of differential treatment and political bias;

Or. en

**Amendment 35**  
**Kinga Gál**

**Motion for a resolution**  
**Recital J**

*Motion for a resolution*

J. whereas any decision on the matter should guarantee, as soon as possible, the proper application of Article 2 TEU and ensure that every decision is taken on the basis of objective criteria and an objective evaluation, *in order to address criticisms of a lack of indicators and evaluation criteria, differential treatment and political bias*;

*Amendment*

J. whereas any decision on the matter should guarantee, as soon as possible, the proper application of Article 2 TEU and ensure that every decision is taken on the basis of objective criteria and an objective evaluation *without applying double standards*;

Or. en

**Amendment 36**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Recital K a (new)**

*Motion for a resolution*

*K a. whereas, there is a need for a coherent and comprehensive administration of justice as differences between the Member States criminal systems must not be exploited by criminals crossing borders*;

Or. en

**Amendment 37**  
**Kinga Gál**

**Motion for a resolution**  
**Subheading 1**

*Motion for a resolution*

*Amendment*

***Development of the Justice Scoreboard in criminal law matters***

***deleted***

Or. en

**Amendment 38**  
**Cornelis de Jong**

**Motion for a resolution**  
**Paragraph -1 a (new)**

*Motion for a resolution*

*Amendment*

***-1a. Considers that the Justice Scoreboard should be extended to the field of criminal justice, provided that it is lifted out of the framework of the European economic semester and becomes a fully separate instrument;***

Or. en

**Amendment 39**  
**Timothy Kirkhope**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

*Amendment*

***1. Welcomes the EU Justice Scoreboard drawn up by the Commission; calls for the justice scoreboard exercise to assess all areas of justice, including criminal justice***

***1. Calls*** on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European

***and all justice-related horizontal issues, such as independence and the career of judges;*** calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights;

Union Agency for Fundamental Rights;

Or. en

**Amendment 40**  
**Cornelis de Jong**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

1. ***Welcomes the EU Justice Scoreboard drawn up by the Commission; calls for the justice scoreboard exercise to assess all areas of justice, including criminal justice and all justice-related horizontal issues, such as independence and the career of judges; calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights;***

*Amendment*

1. ***Calls on the Commission to draft a broad and encompassing justice scoreboard which assesses, through the use of objective indicators, all justice areas including criminal justice and all justice-related horizontal issues (e.g. independence and career of judges), independent from any economic policies; calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights;***

Or. en

**Amendment 41**  
**Kinga Göncz**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

1. Welcomes the EU Justice Scoreboard

*Amendment*

1. Welcomes the EU Justice Scoreboard

drawn up by the Commission; calls for the justice scoreboard exercise to *assess* all areas of justice, including criminal justice and all justice-related horizontal issues, such as independence and the career of judges; calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights;

drawn up by the Commission; calls for the justice scoreboard exercise to *gradually expand its scope to* all areas of justice, including criminal justice and all justice-related horizontal issues, such as independence and the career of judges; calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights;

Or. en

**Amendment 42**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 1 – introductory part**

*Motion for a resolution*

1. Welcomes the EU Justice Scoreboard drawn up by the Commission; calls for the justice scoreboard exercise to assess all areas of justice, including criminal justice and all justice-related horizontal issues, such as independence and the career of judges; calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights;

*Amendment*

1. Welcomes the EU Justice Scoreboard drawn up by the Commission; *deeply regrets that the EU Justice Scoreboard only focuses on civil, commercial and administrative Justice ; therefore* calls for the justice scoreboard exercise to assess all areas of justice, including criminal justice and all justice-related horizontal issues, such as independence, *respect of procedural rights* and the career of judges; calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights;

Or. en

**Amendment 43**  
**Jean Lambert**  
on behalf of the Verts/ALE Group

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

1. Welcomes the EU Justice Scoreboard drawn up by the Commission; calls for the justice scoreboard exercise to assess all areas of justice, including criminal justice and all justice-related horizontal issues, such as independence and the career of judges; calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights;

*Amendment*

1. Welcomes the EU Justice Scoreboard drawn up by the Commission; calls for the justice scoreboard exercise to assess all areas of justice, including criminal justice and all justice-related horizontal issues, such as independence and the career of judges; ***stresses that the quality of criminal justice should be measured in terms of its just outcome and not the speed of proceedings***; calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights ***regarding measuring the rule of law and assessing Justice systems***;

Or. en

**Amendment 44**  
**Kinga Gál**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

1. Welcomes the EU Justice Scoreboard drawn up by the Commission; calls for the justice scoreboard exercise to assess all areas of justice, ***including criminal justice and all justice-related horizontal issues, such as independence and the career of judges***; ***calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights***;

*Amendment*

1. Welcomes the EU Justice Scoreboard drawn up by the Commission; calls for the justice scoreboard exercise to assess all areas of justice ***within the competence*** of the European Union;

**Amendment 45**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Paragraph 1**

*Motion for a resolution*

1. Welcomes the EU Justice Scoreboard drawn up by the Commission; calls for the justice scoreboard exercise to ***assess all areas of justice, including criminal justice and all justice-related horizontal issues, such as independence and the career of judges***; calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights;

*Amendment*

1. Welcomes the EU Justice Scoreboard drawn up by the Commission; calls for the justice scoreboard exercise to ***be brought forward within the competence of the European Union***; calls on the Commission to draw from the work already carried out by the bodies of the Council of Europe in this field, as well as that carried out by the European Union Agency for Fundamental Rights;

**Amendment 46**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Paragraph 1 a (new)**

*Motion for a resolution*

***1 a. Calls on the Commission to build on experience and lessons learnt and involve all institutional actors, researchers and practitioners such as judges, defence lawyers, prosecutors, police officers in promoting awareness and exchange of expertise;***

*Amendment*

**Amendment 47**  
**Kinga Gál**

**Motion for a resolution**  
**Subheading 2**

*Motion for a resolution*

*Amendment*

***Role of the National Parliaments and of  
the European Parliament***

***deleted***

Or. en

**Amendment 48**  
**Timothy Kirkhope**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

*Amendment*

***2. Calls on the Commission and the  
Council to ensure that the European  
Parliament and the national parliaments  
are fully involved in the procedure, that  
the scoreboard is regularly presented to  
them and that it is subject to a debate at  
an inter-parliamentary meeting on a  
regular basis;***

***deleted***

Or. en

**Amendment 49**  
**Kinga Gál**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

*Amendment*

**2. Calls on the Commission and the  
Council to ensure that the European  
Parliament and the national parliaments are  
fully involved in the procedure, *that the***

**2. Calls on the Commission and the  
Council to ensure that the European  
Parliament and the national parliaments are  
fully involved in the procedure *in***

*scoreboard is regularly presented to them and that it is subject to a debate at an inter-parliamentary meeting on a regular basis;*

*accordance with the Treaties;*

Or. en

**Amendment 50**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

2. Calls on the Commission and the Council to ensure that the European Parliament and the national parliaments are *fully* involved in the *procedure, that the scoreboard is regularly presented to them* and that *it is subject to a debate at an inter-parliamentary meeting on a regular basis;*

*Amendment*

2. Calls on the Commission and the Council to ensure that the European Parliament and the national parliaments are involved in the *process as provided by the Treaties* and that *results of evaluations are regularly presented to them;*

Or. en

**Amendment 51**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Subheading 2 a (new)**

*Motion for a resolution*

*Member States' participation*

*Regrets the lack of available data on national justice systems and therefore calls the Member States to cooperate fully with the European Union's and Council of Europe's institutions and to collect and provide on a regular basis impartial, reliable, objective, and comparable data on their justice systems;*



**Amendment 52**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

***2 a. Calls on national parliaments to exercise an active role in their contribution to EU criminal law and policies is essential issue of EU democratic deficit;***

**Amendment 53**  
**Kinga Gál**

**Motion for a resolution**  
**Subheading 3**

*Motion for a resolution*

*Amendment*

***Rule of law and fundamental rights***

***deleted***

**Amendment 54**  
**Timothy Kirkhope**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

*Amendment*

***3. Calls on the Commission to address Parliament's repeated request and propose a mechanism for the regular assessment of Member States' compliance***

***deleted***

*with the fundamental values of the EU, as set out in Article 2 TEU, providing a basis for an early warning tool with appropriate interventions should systematic breaches of the principles of democracy and rule of law occur, and should the appropriate checks and balances fail to function in a Member State;*

Or. en

#### **Amendment 55**

**Inese Vaidere**

#### **Motion for a resolution**

#### **Paragraph 3**

*Motion for a resolution*

*Amendment*

**3. Calls on the Commission to address Parliament's repeated request and propose a mechanism for the regular assessment of Member States' compliance with the fundamental values of the EU, as set out in Article 2 TEU, providing a basis for an early warning tool with appropriate interventions should systematic breaches of the principles of democracy and rule of law occur, and should the appropriate checks and balances fail to function in a Member State;**

*deleted*

Or. en

#### **Amendment 56**

**Nathalie Griesbeck**

#### **Motion for a resolution**

#### **Paragraph 3**

*Motion for a resolution*

*Amendment*

**3. Calls on the Commission to address Parliament's repeated request and propose**

**3. Calls on the Commission to address Parliament's repeated request and propose**

a mechanism for the regular assessment of Member States' compliance with the fundamental values of the EU, as set out in Article 2 TEU, providing a basis for an early warning tool with appropriate interventions should systematic breaches of the principles of democracy and rule of law occur, and should the appropriate checks and balances fail to function in a Member State;

a mechanism for the regular assessment of Member States' compliance with the fundamental values of the EU, as set out in Article 2 TEU, providing a basis for an early warning tool with appropriate interventions, ***infringement proceedings and sanctions*** should systematic breaches of the principles of democracy and rule of law occur, and should the appropriate checks and balances fail to function in a Member State;

Or. en

**Amendment 57**  
**Kinga Göncz, Frank Engel**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

3. Calls on the Commission to address ***Parliament's*** repeated request and propose ***a*** mechanism for ***the regular assessment of Member States' compliance with the fundamental values of the EU, as set out in Article 2 TEU, providing a basis for an early warning tool with appropriate interventions should systematic breaches of the principles of democracy and rule of law occur, and should the appropriate checks and balances fail to function in a Member State;***

*Amendment*

3. Calls on the Commission to address ***Parliament's*** repeated request and propose ***an effective*** mechanism for ***crisis situations with appropriate interventions should systematic breaches of the principles of democracy and rule of law occur, and should the appropriate checks and balances fail to function in a Member State; as well as a regular assessment of Member States' compliance with the fundamental values of the EU, as set out in Article 2 TEU, providing a basis for an early warning tool;***

Or. en

**Amendment 58**  
**Kinga Gál**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

3. Calls on the Commission to address Parliament's *repeated* request **and propose a mechanism for the regular assessment of** Member States' compliance with the fundamental values of the EU, as set out in Article 2 TEU, **providing a basis for an early warning tool with appropriate interventions should systematic breaches of the principles of democracy and rule of law occur, and should the appropriate checks and balances fail to function in a Member State;**

*Amendment*

3. Calls on the Commission to address Parliament's request **on a mechanism for assessment on an equal footing, under the same conditions of all the** Member States' compliance with the fundamental values of the EU, as set out in Article 2 TEU, **thus avoiding double standards;**

Or. en

**Amendment 59**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

3. Calls on the Commission **to address Parliament's repeated request and propose a mechanism for the regular assessment of** Member States' compliance with the fundamental values of the EU, as set out in Article 2 TEU, **providing a basis for an early warning tool with appropriate interventions should systematic breaches of the principles of democracy and rule of law occur, and should the appropriate checks and balances fail to function in a Member State;**

*Amendment*

3. Calls on the Commission **and the EU Fundamental Rights Agency to address Parliament's concerns by systematic and thorough monitoring of the** Member States' compliance with the fundamental values of the EU, as set out in Article 2 TEU;

Or. en

**Amendment 60**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

3. Calls on the Commission to address **Parliament's** repeated request and propose a mechanism for **the** regular assessment of Member States' compliance with **the** fundamental values of the EU, as set out in Article 2 TEU, providing a basis for an early warning tool with appropriate interventions **should** systematic breaches of the principles of democracy and rule of law occur, **and should** the appropriate checks and balances fail to function in a Member State;

*Amendment*

3. Calls on the Commission to address **the** repeated request **of the European Parliament** and propose a mechanism for regular assessment of Member States' compliance with fundamental values of the EU as set out in Article 2 TEU, providing a basis for an early warning tool, with appropriate **and efficient** interventions, **which include the possibility of sanctions in case** systematic breaches of the principles of democracy and rule of law occur **and** the appropriate checks and balances fail to function in a Member State;

Or. en

**Amendment 61**  
**Inese Vaidere**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

**4. Reiterates that such a mechanism should be applied to all Member States on a uniform and equal footing, and should seek complementarity with the work of other international institutions, such as the Council of Europe and, in particular, its Venice Commission;**

*Amendment*

**deleted**

Or. en

**Amendment 62**  
**Kinga Gál**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

**4. Reiterates that such a mechanism should be applied to all Member States on a uniform and equal footing, and should seek complementarity with the work of other international institutions, such as the Council of Europe and, in particular, its Venice Commission;**

*Amendment*

**deleted**

Or. en

**Amendment 63**  
**Timothy Kirkhope**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

4. Reiterates that such a mechanism should be applied to all Member States on a uniform and equal footing, and should seek **complementarity with** the work of other international institutions, such as the Council of Europe and, in particular, its Venice Commission;

*Amendment*

4. Reiterates that such a mechanism should be applied to all Member States on a uniform and equal footing, and should seek **to replace** the work of other international institutions, such as the Council of Europe and, in particular, its Venice Commission;

Or. en

**Amendment 64**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

4. Reiterates that such **a mechanism should be** applied to all Member States on a uniform and equal footing, and should

*Amendment*

4. Reiterates that such **monitoring is** applied to all Member States on a uniform and equal footing, and should seek

seek complementarity with the work of other international institutions, such as the Council of Europe and, in particular, its Venice Commission;

complementarity with the work of other international institutions, such as the Council of Europe and, in particular, its Venice Commission;

Or. en

**Amendment 65**  
**Kinga Göncz, Frank Engel**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

4. Reiterates that **such a** mechanism should be applied to all Member States on a uniform and equal footing, and should seek complementarity with the work of other international institutions, such as the Council of Europe and, in particular, its Venice Commission;

*Amendment*

4. Reiterates that **any such** mechanism should be applied to all Member States on a uniform and equal footing, and should seek complementarity with the work of other international institutions, such as the Council of Europe and, in particular, its Venice Commission; ***calls for a role for the European Union Agency for Fundamental Rights in the assessment;***

Or. en

**Amendment 66**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Paragraph 4**

*Motion for a resolution*

4. Reiterates that such **a** mechanism **should** be applied to all Member States on **a** uniform and equal footing, and **should** seek complementarity with the work of other international institutions, such as the Council of Europe and, in particular, its Venice Commission;

*Amendment*

4. Reiterates that such mechanism **shall** be applied to all Member States on **an efficient, transparent and** uniform and equal footing **and shall** seek complementarity with the work of other international institutions, such as the Council of Europe and in particular its Venice Commission;

**Amendment 67**  
**Kinga Göncz, Frank Engel**

**Motion for a resolution**  
**Paragraph 4 a (new)**

*Motion for a resolution*

*Amendment*

***4 a. Calls for an increased, institutionalized cooperation between the European Parliament and the Venice Commission, invites the Parliament and the Council of Europe to develop an appropriate mechanism for submitting requests for opinion of particular concern to the Venice Commission and to ensure its participation in the work of the Venice Commission;***

**Amendment 68**  
**Kinga Göncz, Frank Engel**

**Motion for a resolution**  
**Paragraph 4 b (new)**

*Motion for a resolution*

*Amendment*

***4 b. Deems it necessary to strengthen cooperation between the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament and the Committee on Legal Affairs and Human Rights of the Council of Europe in the forms of regular and ad hoc meetings as well as to appoint focal points on both sides;***



**Amendment 69**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. Calls on the Council and the Member States to assume fully their responsibilities in relation to fundamental rights, as enshrined in the Charter and the relevant articles of the Treaties, in particular Articles 2, 6 and 7 TEU; believes that this is a pre-condition if the EU is to deal effectively with situations where the principles of democracy, rule of law and fundamental rights are curbed by Member States; ***calls for a role for the European Union Agency for Fundamental Rights in this mechanism, as well as for guidance to be drawn from the existing work of the various bodies of the Council of Europe;***

*Amendment*

5. Calls on the Council and the Member States to assume fully their responsibilities in relation to fundamental rights, as enshrined in the Charter and the relevant articles of the Treaties, in particular Articles 2, 6 and 7 TEU; believes that this is a pre-condition if the EU is to deal effectively with situations where the principles of democracy, rule of law and fundamental rights are curbed by Member States;

Or. en

**Amendment 70**  
**Kinga Göncz, Frank Engel**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. Calls on the Council and the Member States to assume fully their responsibilities in relation to fundamental rights, as enshrined in the Charter and the relevant articles of the Treaties, in particular Articles 2, 6 and 7 TEU; believes that this is a pre-condition if the EU is to deal effectively with situations where the principles of democracy, rule of law and fundamental rights are curbed by Member States; ***calls for a role for the European Union Agency for Fundamental Rights in***

*Amendment*

5. Calls on the Council and the Member States to assume fully their responsibilities in relation to fundamental rights, as enshrined in the Charter and the relevant articles of the Treaties, in particular Articles 2, 6 and 7 TEU; believes that this is a pre-condition if the EU is to deal effectively with situations where the principles of democracy, rule of law and fundamental rights are curbed by Member States;

*this mechanism, as well as for guidance to be drawn from the existing work of the various bodies of the Council of Europe;*

Or. en

**Amendment 71**  
**Kinga Gál**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

5. Calls on the Council and the Member States to assume fully their responsibilities in relation to fundamental rights, as enshrined in the Charter and the relevant articles of the Treaties, in particular Articles 2, 6 and 7 TEU; ***believes that this is a pre-condition if the EU is to deal effectively with situations where the principles of democracy, rule of law and fundamental rights are curbed by Member States; calls for a role for the European Union Agency for Fundamental Rights in this mechanism, as well as for guidance to be drawn from the existing work of the various bodies of the Council of Europe;***

*Amendment*

5. Calls on the Council and the Member States to assume fully their responsibilities in relation to fundamental rights, as enshrined in the Charter and the relevant articles of the Treaties, in particular Articles 2, 6 and 7 TEU;

Or. en

**Amendment 72**  
**Jacek Protasiewicz**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

***5 a. Underlines that the Commission is empowered to bring the Member State which does not fulfil an obligation under the Treaties before the Court of Justice of***

*Amendment*

*the European Union;*

Or. en

**Amendment 73**  
**Monica Luisa Macovei**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

***5 a. Emphasises that the Justice scoreboard in criminal matters will serve in the future as a fundament for continuous harmonization of laws and practices in all EU Member States and understanding on how criminal sanctions provide extra benefits for people and businesses;***

Or. en