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2009 - 2014

Committee on Civil Liberties, Justice and Home Affairs

2011/2069(INI)

20.8.2012

AMENDMENTS

1 - 200

Draft report
Monika Flašíková Beňová
(PE489.625v01-00)

on the Situation of fundamental rights in the European Union (2010 - 2011)
(2011/2069(INI))

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United in diversity

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Amendment 1
Antigoni Papadopoulou

Motion for a resolution
Citation 4 a (new)

Motion for a resolution

Amendment

**- having regard to the UN Convention on
the Rights of Persons with Disabilities,**

Or. en

Amendment 2
Antigoni Papadopoulou

Motion for a resolution
Citation 4 b (new)

Motion for a resolution

Amendment

**- having regard to the 1949 UN
Convention for the Suppression of the
Traffic in Persons and of the Exploitation
of the Prostitution of Others,**

Or. en

Amendment 3
Valdemar Tomaševski

Motion for a resolution
Citation 5 a (new)

Motion for a resolution

Amendment

**- having regard to Article 10 of the Treaty
on the Functioning of the European
Union,**

Or. pl

Amendment 4
Valdemar Tomaševski

Motion for a resolution
Citation 5 b (new)

Motion for a resolution

Amendment

- having regard to the Council of Europe Framework Convention for the Protection of National Minorities,

Or. pl

Amendment 5
Valdemar Tomaševski

Motion for a resolution
Citation 5 c (new)

Motion for a resolution

Amendment

- having regard to the European Charter for Regional or Minority Languages,

Or. pl

Amendment 6
Livia Járóka

Motion for a resolution
Citation 6 a (new)

Motion for a resolution

Amendment

- having regard to the Commission Communication on an EU Framework for National Roma Integration Strategies up to 2020 (COM(2011)173) and on National Roma Integration Strategies: a first step in the implementation of the EU Framework (COM(2012) 226 final),

Or. en

Amendment 7
Livia Járóka

Motion for a resolution
Citation 6 b (new)

Motion for a resolution

Amendment

**- having regard to the conclusions of the
European Council of June 2011,**

Or. en

Amendment 8
Livia Járóka

Motion for a resolution
Citation 6 c (new)

Motion for a resolution

Amendment

**- having regard to its resolution of 9
March 2011 on the EU strategy on Roma
inclusion¹,**

¹ P7_TA(2011)0092

Or. en

Amendment 9
Anna Hedh, Britta Thomsen

Motion for a resolution
Citation 8 a (new)

Motion for a resolution

Amendment

**- having regard to the 1949 UN
Convention for the Suppression of the
Traffic in Persons and of the Exploitation
of the Prostitution of Others,**

Or. en

Amendment 10
Alexander Mirsky

Motion for a resolution
Citation 8 a (new)

Motion for a resolution

Amendment

**- having regard to Article 6 of Convention
on the Participation of Foreigners in
Public Life at Local Level,**

Or. en

Amendment 11
Anna Hedh, Britta Thomsen

Motion for a resolution
Citation 8 b (new)

Motion for a resolution

Amendment

**- having regard to the UN Convention on
the Rights of Persons with Disabilities,**

Or. en

Amendment 12
Alexander Mirsky

Motion for a resolution
Citation 8 b (new)

Motion for a resolution

Amendment

**- having regard to Article 79(4) of the
Lisbon Treaty,**

Or. en

Amendment 13
Alexander Mirsky

Motion for a resolution
Citation 8 c (new)

Motion for a resolution

Amendment

- having regard to its resolution of 11 March 2004 on the comprehensive monitoring report of the European Commission on the state of preparedness for EU membership,

Or. en

Amendment 14
Alexander Mirsky

Motion for a resolution
Citation 8 d (new)

Motion for a resolution

Amendment

- having regard to its resolution of 22 April 2009¹ on the deliberations of the Committee on Petitions during the year 2008,

¹ P6_TA(2009)0239

Or. en

Amendment 15
Alexander Mirsky

Motion for a resolution
Citation 8 e (new)

Motion for a resolution

Amendment

- having regard to the recommendations made by the UN Human Rights Committee, UN Committee on the Elimination of Racial Discrimination, Parliamentary Assembly of the Council of Europe, Congress of Local and Regional Authorities of the Council of Europe, Commissioner for Human Rights of the Council of Europe, European Commission against Racism and Intolerance and OSCE Parliamentary Assembly,

Or. en

Amendment 16
Tatjana Ždanoka

Motion for a resolution
Citation 9

Motion for a resolution

Amendment

– having regard to the body of United Nations conventions on human rights to which *all* Member States are party, and to the conventions and recommendations of the Council of Europe, as well as the decisions, guidance and judgments of specialised monitoring and judicial bodies,

– having regard to the body of United Nations conventions on human rights to which Member States are party, and to the conventions and recommendations of the Council of Europe, as well as the decisions, guidance and judgments of specialised monitoring and judicial bodies,

Or. en

Amendment 17
Konrad Szymański, Janusz Wojciechowski

Motion for a resolution
Citation 11

Motion for a resolution

Amendment

– having regard to the jurisprudence of the national constitutional courts, which refers to the Charter of Fundamental Rights as term of reference for interpreting national law as well,

deleted

Or. en

**Amendment 18
Mitro Repo**

**Motion for a resolution
Citation 15 a (new)**

Motion for a resolution

Amendment

- having regard to the results of Eurobarometer survey 340 on the Charter of Fundamental Rights of the European Union,

Or. fi

**Amendment 19
Tatjana Ždanoka**

**Motion for a resolution
Citation 16 a (new)**

Motion for a resolution

Amendment

- having regard to studies requested by the Committee on Civil Liberties, Justice and Home Affairs,

Or. en

**Amendment 20
Edit Bauer**

Motion for a resolution
Citation 16 a (new)

Motion for a resolution

Amendment

- having regard to its resolution on the protection of minorities and anti-discrimination policies in an enlarged Europe of 8 June 2005¹,

¹ P6_TA(2005)0228

Or. en

Amendment 21
Edit Bauer

Motion for a resolution
Citation 16 b (new)

Motion for a resolution

Amendment

- having regard to Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin,

Or. en

Amendment 22
Ioan Enciu

Motion for a resolution
Citation 18 a (new)

Motion for a resolution

Amendment

- having regard to the national Roma integration strategies presented by the Member States and the communication from the Commission concerning the evaluation of national strategies

Amendment 23

Valdemar Tomaševski

Motion for a resolution

Recital A

Motion for a resolution

A. whereas Article 2 of the Treaty on European Union (TEU) founds the Union on a community of indivisible and universal values of respect for human dignity, freedom, democracy, equality, solidarity, the rule of law and respect for human rights, for all persons on the territory of the EU, including those belonging to minorities,

Amendment

A. whereas Article 2 of the Treaty on European Union (TEU) founds the Union on a community of indivisible and universal values of respect for human dignity, freedom, democracy, equality, solidarity, the rule of law and respect for human rights, for all persons on the territory of the EU, including those belonging to minorities, ***which includes national, ethnic and linguistic minorities,***

Amendment 24

Kinga Gál

Motion for a resolution

Recital A

Motion for a resolution

A. whereas Article 2 of the Treaty on European Union (TEU) founds the Union on a community of indivisible and universal values of respect for human dignity, freedom, democracy, equality, ***solidarity***, the rule of law and respect for human rights, ***for all persons on the territory of the EU, including those*** belonging to minorities,

Amendment

A. whereas Article 2 of the Treaty on European Union (TEU) founds the Union on a community of indivisible and universal values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights ***including the rights of persons*** belonging to minorities; ***these values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between***

women and men prevail;

Or. en

Amendment 25
Marie-Christine Vergiat

Motion for a resolution
Recital A

Motion for a resolution

A. whereas Article 2 of the Treaty on European Union (TEU) founds the Union on a community of indivisible and universal values of respect for human dignity, freedom, democracy, equality, solidarity, the rule of law and respect for human rights, for all persons on the territory of the EU, **including** those belonging to minorities,

Amendment

A. whereas Article 2 of the Treaty on European Union (TEU) founds the Union on a community of indivisible and universal values of respect for human dignity, freedom, democracy, equality, solidarity, the rule of law and respect for human rights, for all persons on the territory of the EU, **particularly** those belonging to minorities,

Or. fr

Amendment 26
Mitro Repo

Motion for a resolution
Recital A

Motion for a resolution

A. whereas Article 2 of the Treaty on European Union (TEU) founds the Union on a community of indivisible and universal values of respect for human dignity, freedom, democracy, equality, solidarity, the rule of law and respect for human rights, for all persons on the territory of the EU, including those belonging to minorities,

Amendment

A. whereas Article 2 of the Treaty on European Union (TEU) founds the Union on a community of indivisible and universal values of respect for human dignity, freedom, democracy, equality, solidarity, the rule of law and respect for human rights, for all persons on the territory of the EU, including those belonging to minorities, **stateless persons and those who are temporarily or illegally on the territory of the European Union;**

Amendment 27
Mariya Gabriel

Motion for a resolution
Recital A

Motion for a resolution

A. whereas Article 2 of the Treaty on European Union (TEU) founds the Union on a community of indivisible and universal values of respect for human dignity, freedom, democracy, equality, solidarity, the rule of law and respect for human rights, for all persons on the territory of the EU, including those belonging to minorities,

Amendment

A. whereas Article 2 of the Treaty on European Union (TEU) founds the Union on a community of indivisible and universal values of respect for human dignity, freedom, democracy, **gender** equality, **non-discrimination**, solidarity, the rule of law and respect for human rights **and civil liberties**, for all persons on the territory of the EU, including those belonging to minorities,

Amendment 28
Monika Flašíková Beňová, Renate Weber

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas respecting and promoting these values is an essential element of the European Union identity and a condition to becoming an EU member and to fully preserving the member prerogatives;

Amendment 29
Kinga Göncz

Motion for a resolution

Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas respecting and promoting these values is an essential element of the European Union identity and a condition to becoming an EU member and to fully preserving the member prerogatives;

Or. en

Amendment 30

Marie-Christine Vergiat

Motion for a resolution

Recital B

Motion for a resolution

Amendment

B. whereas Article 6(3) of the TEU confirms that fundamental rights, as guaranteed by the ECHR and as arising from the constitutional ***traditions*** common to the Member States, constitute general principles of Union law,

B. whereas Article 6(3) of the TEU confirms that fundamental rights, as guaranteed by the ECHR and as arising from the constitutional ***rules*** common to the Member States, constitute general principles of Union law,

Or. fr

Amendment 31

Monika Flašíková Beňová

Motion for a resolution

Recital C

Motion for a resolution

Amendment

C. whereas, with the entry into force of the Treaty of Lisbon, the Charter has ***become legally*** binding on the institutions, bodies and agencies of the EU, as well as the Member States when implementing EU law,

C. whereas with the entry into force of the Treaty of Lisbon the Charter has ***the same value of the founding Treaties and is*** binding on the institutions, bodies and agencies of the EU, as well as the Member States when implementing EU law ***as***

described by the Charter art. 51 explanation according to which "(...) it follows unambiguously from the case-law of the Court of Justice that the requirement to respect fundamental rights defined in the context of the Union is only binding on the Member States when they act in the scope of Union law .."¹;

¹ *Judgment of 13 July 1989, Case 5/88 Wachauf [1989] ECR 2609; judgment of 18 June 1991, Case C-260/89 ERT [1991] ECR I-2925; judgment of 18 December 1997, Case C-309/96 Annibaldi [1997] ECR I-7493*

Or. en

Amendment 32
Marie-Christine Vergiat

Motion for a resolution
Recital C

Motion for a resolution

C. whereas, with the entry into force of the Treaty of Lisbon, the Charter has become legally binding on the institutions, bodies and agencies of the EU, as well as the Member States when implementing EU law,

Amendment

C. whereas, with the entry into force of the Treaty of Lisbon, the Charter *has transformed values and principles into tangible and enforceable rights and whereas, having the same value as the Treaty of Lisbon*, it has become legally binding on the institutions, bodies and agencies of the EU, as well as the Member States when implementing EU law,

Or. fr

Amendment 33
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Recital C a (new)

Motion for a resolution

Amendment

Ca. whereas accession by the EU to the ECHR, as required by the TEU, will allow the acts of the EU to be subject to review by the ECtHR, creating greater accountability for the EU and improving access to justice for individuals;

Or. en

Amendment 34
Marie-Christine Vergiat

Motion for a resolution
Recital Ca (new)

Motion for a resolution

Amendment

Ca. whereas a genuine culture of fundamental rights must be developed, promoted and reinforced in the institutions of the Union but also in Member States, especially in applying and implementing Union law, both internally and in relations with third countries,

Or. fr

Amendment 35
Kinga Göncz

Motion for a resolution
Recital C a (new)

Motion for a resolution

Amendment

Ca. whereas the EU's hitherto fragmentary approach to human rights has led to calls for a coherent EU human rights policy; whereas no mechanism bringing together the various fundamental rights actors within the EU

structure currently exists;

Or. en

Amendment 36

Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution

Recital C b (new)

Motion for a resolution

Amendment

Cb. whereas the effective safeguard and promotion of rights must constitute an overall objective of all EU policies, including their external dimension and whereas observing the duty to protect, promote and fulfil does not require new competences for the EU but rather proactive institutional engagement with human rights;

Or. en

Amendment 37

Marie-Christine Vergiat

Motion for a resolution

Recital C b (new)

Motion for a resolution

Amendment

Cb. whereas the implementation of these values and principles must also be based on effective controls on respect for the fundamental rights guaranteed in the Charter, including when legislative proposals are being drawn up; whereas other considerations may not take precedence over respecting and guaranteeing those fundamental rights, because this would risk discrediting the role and image of the European Union regarding human rights particularly in its

relations with third countries,

Or. fr

Amendment 38

Kinga Göncz

Motion for a resolution

Recital C b (new)

Motion for a resolution

Amendment

Cb. whereas citizens can enjoy their rights fully only if the fundamental values and principles, such as the rule of law, the independence of judiciary, freedom of the media and non-discrimination are respected;

Or. en

Amendment 39

Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution

Recital C c (new)

Motion for a resolution

Amendment

Cc. whereas the EU's hitherto fragmentary approach to human rights has led to calls for a coherent EU human rights policy; whereas no mechanism bringing together the various fundamental rights actors within the EU structure currently exists;

Or. en

Amendment 40

Kinga Göncz

Motion for a resolution
Recital C c (new)

Motion for a resolution

Amendment

Cc. whereas the gap between fundamental rights and their implementation undermines the credibility of the EU as well as of its Member States and the effective respect for and promotion of human rights, within its territory and throughout the world;

Or. en

Amendment 41
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Recital C d (new)

Motion for a resolution

Amendment

Cd. whereas citizens can enjoy their rights fully only if the fundamental values and principles, such as the rule of law, the independence of judiciary, freedom of the media and the lack of discrimination are respected;

Or. en

Amendment 42
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Recital C e (new)

Motion for a resolution

Amendment

Ce. whereas the gap between fundamental rights and their implementation undermines the credibility of the EU as well as of its Member States and the effective

*respect and promotion of human rights,
within its territory and throughout the
world;*

Or. en

Amendment 43
Kinga Gál

Motion for a resolution
Recital D

Motion for a resolution

D. whereas the obligations incumbent on candidate countries under the Copenhagen criteria continue to apply to the Member States after joining the EU by virtue of Article 2 of the TEU, and whereas in light of this all Member States should be assessed on an ongoing basis in order to verify their continued compliance with the EU's fundamental values of respect for *fundamental* rights, *democratic institutions* and the *rule of law*,

Amendment

D. whereas the obligations incumbent on candidate countries under the Copenhagen criteria continue to apply to the Member States after joining the EU by virtue of Article 2 of the TEU, and whereas in light of this all Member States should be assessed on an ongoing basis in order to verify their continued compliance with the EU's fundamental values of *democracy and rule of law, and the* respect for *human* rights and the *protection* of *minorities*;

Or. en

Amendment 44
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Recital D a (new)

Motion for a resolution

Da. whereas together with Article 2 TEU, Article 7 TEU grants the EU institutions the power to assess human rights in the Member States, to politically engage with the countries concerned to prevent and redress violations;

Amendment 45
Kinga Göncz

Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

Da. whereas together with Article 2 TEU, Article 7 TEU grants the EU institutions the power to assess whether there is a breach of the common values such as respect for human rights, democracy and the rule of law in the Member States, to politically engage with the countries concerned to prevent and redress violations;

Or. en

Amendment 46
Mitro Repo

Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

Da. whereas the Eurobarometer survey carried out in 2012 concerning the Charter of Fundamental Rights of the European Union found that only a small minority of EU citizens know what the Charter actually is and when it is applied, and that around two thirds were interested in finding out more;

Or. fi

Amendment 47
Marie-Christine Vergiat

Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

Da. whereas, according to some NGOs, more than 15 000 migrants trying to reach the continent of Europe have died at sea since 1988, more than 1 500 migrants having drowned at sea in 2011 alone; whereas 63 of 72 African migrants who set off in a boat from Libya in March 2011 died en route; whereas the Parliamentary Assembly of Council of Europe adopted a resolution on 24 April 2012 which identified a variety of failings at different levels, both on the part of EU Member States and of NATO, and proposed a number of recommendations that the Union, its Member States and NATO have a duty to implement by whatever means are appropriate as soon as possible,

Or. fr

Amendment 48
Alexander Mirsky

Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

Da. whereas, such EU Member States as, Belgium, Denmark, Estonia, Finland, Hungary, Ireland, Lithuania, Luxemburg, Netherlands, Portugal, Slovakia, Slovenia, Spain, Sweden, United Kingdom allow non-citizens, residing in a particular country for a certain number of years, to vote in local elections;

Amendment 49

Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution

Recital D b (new)

Motion for a resolution

Amendment

Db. whereas the effective protection and the promotion of fundamental rights calls for Member States to accept in a spirit of solidarity and of sincere cooperation with the other Member states the EU scrutiny of the respect of EU values in the legislation policies and practices;

Or. en

Amendment 50

Kinga Göncz

Motion for a resolution

Recital D b (new)

Motion for a resolution

Amendment

Db. whereas the effective protection and the promotion of fundamental rights calls on the Member States to accept, in a spirit of solidarity and of sincere cooperation with the other Member States, the EU scrutiny of the respect of EU values in legislation policies and practices,

Or. en

Amendment 51

Marie-Christine Vergiat

Motion for a resolution
Recital D b (new)

Motion for a resolution

Amendment

Db. whereas the joint study of May 2012 of the Agency for Fundamental Rights (FRA), the United Nations Development Programme (UNDP) and the World Bank on the situation of the Roma confirms that the Roma suffer discrimination throughout Europe and their situation is worse than that of all non-Roma in comparable situations; whereas the discrimination and increase in violence against them in EU Member States are rooted in latent anti-Gypsy attitudes and nourished by the public discourse of some politicians in some Member States of the Union stigmatizing the Roma,

Or. fr

Amendment 52
Edit Bauer

Motion for a resolution
Recital D b (new)

Motion for a resolution

Amendment

Db. whereas there is a difference between protection of national minorities and anti-discrimination policy;

Or. en

Amendment 53
Alexander Mirsky

Motion for a resolution
Recital D b (new)

Motion for a resolution

Amendment

Db. whereas in the Latvian Republic there exists a certain category of stateless people who account for 15% of the whole population and who live there for more than 20 years and are deprived of the right to participate in local elections while being obliged to pay taxes;

Or. en

Amendment 54

Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution

Recital D c (new)

Motion for a resolution

Amendment

Dc. whereas the current economic crisis challenges the principle of solidarity, which is an essential component of the EU history and identity, as well as the underlying bond bringing together the EU citizens as member of the same political community¹;

¹ *see notably the Charter articles on social rights as well the relevant specific Treaties articles on solidarity: art. 80 and 122 TFEU.*

Or. en

Amendment 55

Alexander Mirsky

Motion for a resolution

Recital D c (new)

Motion for a resolution

Amendment

Dc. whereas the UN Human Rights Committee, the UN Committee on the Elimination of Racial Discrimination, the Parliamentary Assembly of the Council of Europe, the Congress of Local and Regional Authorities of the Council of Europe, the Commissioner for Human Rights of the Council of Europe, the European Commission against Racism and Intolerance and the OSCE Parliamentary Assembly recommended making it possible for non-citizens to participate in local elections;

Or. en

**Amendment 56
Alexander Mirsky**

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

Motion for a resolution

Amendment

Dd. whereas, in the resolution on the comprehensive monitoring report of the European Commission on the state of preparedness for EU membership of 11 March 2004, the European Parliament proposed that the Latvian authorities envisage the possibility of allowing non-citizens who are long-time inhabitants to take part in local self-government elections;

Or. en

**Amendment 57
Alexander Mirsky**

Motion for a resolution
Recital D e (new)

Motion for a resolution

Amendment

De. whereas, in the resolution on the deliberations of the Committee on Petitions during the year 2008 of 22 April 2009 the European Parliament urged the European Commission to closely monitor and encourage the regularisation of the status of non-citizens in Latvia,

Or. en

Amendment 58
Renate Weber, Sophia in 't Veld

Motion for a resolution
Subheading 1

Motion for a resolution

Amendment

General recommendations

General recommendations

-1. Calls on the Commission, the Council and the Member States to fully assume their responsibilities in relation to the proper and full application of the mandate and competences of the European Union in relation to fundamental rights, both on the basis of the Charter of Fundamental Rights and of the articles of the Treaties dealing with fundamental rights and citizens' rights issues, and notably Articles 2, 6, 7 TEU; believes that this is the only way to ensure that the EU equips itself - as it has done in other areas of common interest and importance, such as economic and budgetary matters - to deal with democratic, rule of law and fundamental rights crisis and tensions that are affecting the EU and its Member States; calls for the urgent strengthening of the European mechanisms to ensure that democracy, the rule of law and

fundamental rights are respected in the EU;

Or. en

Amendment 59

Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution

Paragraph 1

Motion for a resolution

1. While welcoming steps by the Commission to ensure that legislative proposals comply with the Charter, notes that there remains considerable room for improvement, as proposals continue to emerge that fail to consider at all, or fail to consider adequately, the impact of proposed measures on fundamental rights; urges the Commission to take tangible steps towards improving the verification of its proposals with the Charter;

Amendment

1. While welcoming steps by the Commission to ensure that legislative proposals comply with the Charter, notes that there remains considerable room for improvement, as proposals continue to emerge that fail to consider at all, or fail to consider adequately, the impact of proposed measures on fundamental rights; urges the Commission to take tangible steps towards improving the verification of its proposals with the Charter, ***including ensuring adequate expertise within the Commission's legal service, responsible for checking compliance of proposals with the Charter;***

Or. en

Amendment 60

Kinga Gál

Motion for a resolution

Paragraph 1

Motion for a resolution

1. While welcoming steps by the Commission to ensure that legislative proposals comply with the Charter, notes that there remains ***considerable*** room for improvement, as proposals continue to

Amendment

1. While welcoming steps by the Commission to ensure that ***its*** legislative proposals comply with the Charter, notes that there remains room for improvement, as proposals continue to emerge that fail to

emerge that fail to consider at all, or fail to consider adequately, the impact of proposed measures on fundamental rights; **urges** the Commission to take tangible steps towards improving the verification of its proposals with the Charter;

consider at all, or fail to consider adequately, the impact of proposed measures on fundamental rights; **calls** the Commission to take tangible steps towards improving the verification of its proposals with the Charter;

Or. en

Amendment 61
Marie-Christine Vergiat

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Urges the Commission to ensure that the impact on fundamental rights of EU legislation and its implementation by the Member States form systematically part of the Commission's evaluation reports on the implementation of EU legislation, as well as its annual report on monitoring the application of EU law;

Amendment

2. Urges the Commission to ensure that the impact on fundamental rights of EU legislation and its implementation by the Member States form systematically part of the Commission's evaluation reports on the implementation of EU legislation, as well as its annual report on monitoring the application of EU law; **regrets that the Commission still has too restrictive a vision in this area and considers that the obligation to respect the values and principles of the Charter only applies when Member States implement the EU law and that 'the provisions of the Charter shall not extend in any way the competences of the Union';**¹

¹ See Article 51(2) of the Charter of Fundamental Rights.

Or. fr

Amendment 62
Tatjana Ždanoka

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Urges the Commission to ensure that the impact on fundamental rights of EU legislation and its implementation by the Member States form systematically part of the Commission's evaluation reports on the implementation of EU legislation, as well as its annual report on monitoring the application of EU law;

Amendment

2. Urges the Commission to ensure that the impact on fundamental rights of EU legislation and its implementation by the Member States form systematically part of the Commission's evaluation reports on the implementation of EU legislation, as well as its annual report on monitoring the application of EU law; ***recommends that the Commission revise the existing Impact Assessment Guidelines to give greater prominence to human rights considerations, widening the standards to include UN and Council of Europe human rights instruments;***

Or. en

Amendment 63
Mitro Repo

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Calls on the Council to ensure effective implementation of its commitment to check both its proposed amendments to Commission proposals and proposals put forward on its own initiative with the Charter;

Amendment

3. Calls on the Council to ensure effective implementation of its commitment to check both its proposed amendments to Commission proposals and proposals put forward on its own initiative with the Charter; ***recalls that in order to ensure the effective implementation of fundamental rights the Member States too must ensure the full application of the provisions of the Charter of Fundamental Rights when implementing EU legislation;***

Or. fi

Amendment 64
Mitro Repo

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Views favourably the measures taken by the Commission, the European Ombudsman and other bodies to boost citizens' awareness about exercising their rights under the Charter of Fundamental Rights; urges the Commission to continue providing information to citizens and to assess the results of providing such information;

Or. fi

Amendment 65
Mariya Gabriel

Motion for a resolution
Paragraph 4

Motion for a resolution

Amendment

4. Highlights that the European Parliament should also strengthen its autonomous impact assessment on fundamental rights in relation to legislative proposals and amendments under examination in the legislative process ***in order to*** make it more systematic;

4. Highlights ***the fundamental role of the European Parliament in checking and controlling the drawing-up and implementation of European legislation and insists therefore on the fact*** that the European Parliament should also strengthen its autonomous impact assessment on fundamental rights in relation to legislative proposals and amendments under examination in the legislative process ***and*** make it more systematic;

Or. fr

Amendment 66
Kinga Gál

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Highlights that the European Parliament should also strengthen its *autonomous impact* assessment on fundamental rights in relation to legislative proposals and amendments under examination in the legislative process in order to make it more systematic;

Amendment

4. Highlights that the European Parliament should also strengthen its assessment on fundamental rights in relation to legislative proposals and amendments under examination in the legislative process in order to make it more systematic;

Or. en

Amendment 67
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Calls on the Commission – and Council, where it initiates legislation – to make systematic use of external independent expertise notably of the Fundamental Rights Agency during the preparation of impact assessments;

Or. en

Amendment 68
Renate Weber, Sophia in 't Veld

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Calls on the Commission to draft an

annual report on the situation of fundamental rights in the EU, on the basis inter alia of Articles 2 and 6 TEU and of the Charter of Fundamental Rights, instead of focusing only on the implementation of the Charter and adopting a minimalist approach; such a report should adopt a more balanced and self-critical analysis, to include not only positive developments but also an analysis of where it could strengthen its approach in the future; believes that such a report should include an analysis of the situation in the Member States, including on the basis of international organisations, NGOs, EP and citizens' concerns in relation to violations of fundamental rights, the rule of law and democracy; recalls that the Commission has a duty to conduct such activity both as guardian of the Treaties and of the Charter and on the basis of Articles 2, 6 and 7 TEU;

Or. en

Amendment 69
Kinga Göncz

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Calls on the Commission to ensure that its annual report on the implementation of the Charter adopts a more balanced and self-critical analysis, to include not only positive developments but also analysis of where it could strengthen its approach in the future;

Or. en

Amendment 70
Marie-Christine Vergiat

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Stresses that the promotion and effective implementation of human rights and fundamental freedoms are the cornerstone of democracy in the EU and an essential condition for the consolidation of the European area of freedom, security and justice; emphasizes also that respect for fundamental rights and freedoms implies actions at various levels (international, European, national, regional and local) and stresses the role that regional and local authorities can play in this area in connection with human rights associations;

Or. fr

Amendment 71
Tatjana Ždanoka

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

Amendment

4a. Deplores the insufficient cooperation between the Commission and Council with international organisations dealing with fundamental rights, NGOs and civil society in pre-legislative and legislative processes and calls on the EU institutions to work closely with all relevant stakeholders;

Or. en

Amendment 72
Monika Flašíková Beňová, Tatjana Ždanoka

Motion for a resolution
Paragraph 4 b (new)

Motion for a resolution

Amendment

4b. Calls on the Commission to ensure that its annual report on the implementation of the Charter adopts a more balanced and self-critical analysis, to include not only positive developments, but also analysis of where it could strengthen its approach in the future;

Or. en

Amendment 73
Marie-Christine Vergiat

Motion for a resolution
Paragraph 4 b (new)

Motion for a resolution

Amendment

4b. Condemns the worrying trends regarding violations of fundamental rights within the European Union, in particular relatively recent developments in the areas of immigration and asylum, discrimination and intolerance particularly towards certain categories and minorities, security and counter-terrorism policies, freedom of the press, freedom of movement within the Union and social and trade union rights;

Or. fr

Amendment 74
Kinga Göncz

Motion for a resolution
Paragraph 4 b (new)

Motion for a resolution

Amendment

4b. Calls on the Commission and the Council to ensure that a sufficient level of funding is ensured in funding programmes dedicated to fundamental rights and anti-discrimination during the coming Multiannual Financial Framework;

Or. en

Amendment 75
Tatjana Ždanoka

Motion for a resolution
Paragraph 4 b (new)

Motion for a resolution

Amendment

4b. Recommends that the European Parliament, the Commission and the Council jointly and formally recognise the existence of positive obligations to protect and promote human rights as part of EU law;

Or. en

Amendment 76
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Paragraph 4 c (new)

Motion for a resolution

Amendment

4c. Calls on the Council to include in its annual reports on human rights in the world an analysis of the situation in the Member States by taking also in account

the measures to be taken to implement the ECtHR judgments and adapt the internal legislation and practice accordingly;

Or. en

Amendment 77
Marie-Christine Vergiat

Motion for a resolution
Paragraph 4 c (new)

Motion for a resolution

Amendment

4c. Looks to the Union and Member States as a matter of urgency to bridge the widening gap between the principles of freedom and fundamental rights and their implementation, as this situation discredits the Union and Member States;

Or. fr

Amendment 78
Monika Flašíková Beňová, Renate Weber

Motion for a resolution
Paragraph 4 d (new)

Motion for a resolution

Amendment

4d. Deplores the insufficient cooperation between the Commission and Council with NGOs and civil society in pre-legislative and legislative processes and calls on the EU institutions to work closely with all relevant stakeholders;

Or. en

Amendment 79
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Paragraph 4 e (new)

Motion for a resolution

Amendment

4e. Calls on the Commission and the Council to ensure that a sufficient level of funding is maintained in funding programmes dedicated to fundamental rights during the coming Multiannual Financial Framework for NGOs working at the EU level to effectively represent the views of groups in society whose voices would not otherwise be heard at the EU level, such as the elderly, those living in extreme poverty, ethnic and racial minorities, children, LGBT persons, or persons with disabilities;

Or. en

Amendment 80
Monika Flašíková Beňová, Renate Weber

Motion for a resolution
Paragraph 4 f (new)

Motion for a resolution

Amendment

4f. Call on the Commission to revise the EU legislative acquis by taking into account the light of the rights outlined in the EU Charter; the possible tensions between economic freedoms and fundamental rights should be addressed already at legislative level and not only by the EU judiciary;

Or. en

Amendment 81
Monika Flašíková Beňová, Renate Weber

Motion for a resolution
Paragraph 4 g (new)

Motion for a resolution

Amendment

4g. Regrets the Commission's apathy in revising the former third pillar domain (police and judicial cooperation in penal matters) in the light of the Charter; recalls its recommendation on the Stockholm Programme asking for a consistent revision of this legislation and reminds the Commission that on 1st December 2014 all that legislation adopted in a totally different constitutional framework will be applied as such in the EU and will unduly affect the rights of the individual under EU jurisdiction;

Or. en

Amendment 82
Kinga Gál

Motion for a resolution
Paragraph 5

Motion for a resolution

Amendment

5. Regrets

deleted

– the lack of transparency in the Commission's dialogue with Member States when fundamental rights or the interests of European citizens are at stake; considers that such a lack of transparency with regard to the transposition of EU law could be extremely prejudicial for the other EU countries, for EU citizens and for the other institutions, particularly when social and economic rights of the citizens are at stake;

– the lack of transparency in the EU agencies, which makes it difficult to

ascertain whether or not their actions comply with the principles of transparency, good administration, data protection and antidiscrimination, as well as of necessity and proportionality;

Or. en

Amendment 83
Marie-Christine Vergiat

Motion for a resolution
Paragraph 5 – indent 1

Motion for a resolution

the lack of transparency in the Commission's dialogue with Member States when fundamental rights or the interests of European citizens are at stake; considers that such a lack of transparency with regard to the transposition of EU law could be extremely prejudicial for the other EU countries, for EU citizens and for the other institutions, particularly when social **and** economic rights of the citizens are at stake;

Amendment

– the lack of transparency in the Commission's dialogue with Member States when fundamental rights or the interests of European citizens are at stake; << considers that such a lack of transparency with regard to the transposition of EU law could be extremely prejudicial for the other EU countries, for EU citizens and for the other institutions, particularly when social economic **and cultural** rights of the citizens are at stake;

Or. fr

Amendment 84
Monika Flašíková Beňová, Renate Weber

Motion for a resolution
Paragraph 5 – indent 1

Motion for a resolution

– the lack of transparency **in** the Commission's dialogue with Member States when fundamental rights or the interests of European citizens are at stake; considers that such a lack of transparency

Amendment

– the lack of transparency **of** the Commission dialogue with Member States when fundamental rights or the interests of European citizens are at stake; considers that such a lack of transparency **on** the

with regard to the transposition of EU law *could be* extremely prejudicial for the other EU countries, for EU citizens *and* for the other institutions, *particularly* when social and economic rights of the citizens are at stake;

transposition of EU law *is contrary to the EU rules on transparency and the principle of legal certainty, is* extremely prejudicial for the other EU countries, for *the* EU citizens *as well as* for the other institutions *notably* when social and economic rights of the citizens are at stake; *welcomes the initiatives announced by the Commission to improve transparency on Member States' action or inaction in the framework of the implementation of the internal market and considers that the transparency announced for fiscal policy should be even improved when fundamental rights are at stake;*

Or. en

Amendment 85
Monika Flašíková Beňová, Renate Weber

Motion for a resolution
Paragraph 5 – indent 2

Motion for a resolution

– the lack of transparency *in* the EU agencies, which *makes it* difficult to ascertain *whether or not* their actions comply with the principles of transparency, good administration, data protection and antidiscrimination, as well as of necessity and proportionality;

Amendment

– the lack of transparency *of* the EU agencies which *make it* difficult to ascertain *if* their actions comply with the principles of transparency, good administration, data protection and antidiscrimination as well as of necessity and proportionality; *regrets the Commission's persisting lack of interest in a legislative framework granting an open, independent and efficient administration as required by Article 41 of the Charter and by Article 298 TFEU;*

Or. en

Amendment 86
Anna Záborská

Motion for a resolution
Paragraph 5 – indent 2

Motion for a resolution

– the lack of transparency in the EU agencies, which makes it difficult to ascertain whether or not their actions comply with the principles of transparency, good administration, data protection and antidiscrimination, as well as of necessity and proportionality;

Amendment

– the lack of transparency in the EU agencies, *i.e. the Fundamental Rights Agency*¹, which makes it difficult to ascertain whether or not their actions comply with the principles of transparency, *objectivity, effective impartiality*, good administration, data protection and antidiscrimination, as well as of necessity and proportionality;

¹ A7-0344/2010, P7_TA(2010)0483, § 31.

Or. en

Amendment 87
Marie-Christine Vergiat

Motion for a resolution
Paragraph 5 – indent 2

Motion for a resolution

the lack of transparency in the EU agencies, which makes it difficult to ascertain whether or not their actions comply with the principles of transparency, good administration, data protection and antidiscrimination, as well as of necessity and proportionality;

Amendment

– the lack of transparency in the EU agencies, which makes it difficult to ascertain whether or not their actions comply with the principles of transparency, good administration, *personal* data protection and antidiscrimination, as well as of necessity and proportionality;

Or. fr

Amendment 88
Valdemar Tomaševski

Motion for a resolution
Paragraph 5 – indent 2

Motion for a resolution

– the lack of transparency in the EU agencies, which makes it difficult to ascertain whether or not their actions comply with the principles of transparency, good administration, data protection and **antidiscrimination**, as well as of necessity and proportionality;

Amendment

– the lack of transparency in the EU agencies, which makes it difficult to ascertain whether or not their actions comply with the principles of transparency, good administration, data protection and **opposing discrimination – including discrimination affecting national, ethnic and linguistic minorities** – as well as of necessity and proportionality;

Or. pl

Amendment 89
Lorenzo Fontana

Motion for a resolution
Paragraph 5 – indent 2

Motion for a resolution

– the lack of transparency in the EU agencies, which makes it difficult to ascertain whether or not their actions comply with the principles of transparency, good administration, data protection and antidiscrimination, as well as of necessity and proportionality;

Amendment

– the lack of transparency in the EU agencies **and in particular in the Fundamental Rights Agency (FRA)**, which makes it difficult to ascertain whether or not their actions comply with the principles of transparency, good administration, data protection and antidiscrimination, as well as of necessity and proportionality;

Or. en

Amendment 90
Renate Weber, Sophia in 't Veld

Motion for a resolution
Paragraph 5 – indent 2 a (new)

Motion for a resolution

Amendment

- the lack of transparency and openness,

as well as of appropriate respect, protection and promotion of fundamental rights and of democratic and parliamentary oversight, in international negotiations, which has led the EP to reject international agreements such as, inter alia, ACTA, which shall lead EU institutions and Members States to change their current practices and respect citizens' rights;

Or. en

Amendment 91
Monika Flašíková Beňová, Renate Weber

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Proposes to ensure continuous channels of information sharing on fundamental rights in the EU between the relevant bodies and within the EU institutions, and EU agencies, and to hold a yearly interinstitutional forum to discuss for assessing the situation on EU fundamental rights; considers that such a forum should be a preparatory step of the EP annual debate on fundamental rights and on the development of the European area of freedom security and justice; considers that such an interinstitutional forum should convene representatives of the Commission, the Council Working Group on Fundamental Rights, Citizens Rights and Free Movement of Persons (FREMP), of the EP's Committee of Civil Liberties, Justice and Home Affairs (LIBE) and the Committee on Petitions (PETI), the Committee on Employment and Social Affairs, the Committee on Regional Development, as well as representatives of the European Ombudsman, the Fundamental Rights

Agency (FRA), EUROFOUND, and the European Data Protection Supervisor (EDPS);

Or. en

Amendment 92
Tatjana Ždanoka

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Proposes to ensure continuous channels of information sharing on fundamental rights in the EU between the relevant bodies and within the EU institutions, and EU agencies, and to hold a yearly interinstitutional forum to discuss for assessing the situation on EU fundamental rights; considers that such a forum should be a preparatory step of the EP annual debate on fundamental rights and on the development of the European Area of Freedom, Security and Justice; believes that such an interinstitutional forum should convene representatives of the Commission, the Council Working Group on Fundamental Rights, Citizens Rights and Free Movement of Persons (FREMP), of the EP's Committee of Civil Liberties, Justice and Home Affairs (LIBE), the Committee on Petitions (PETI), the Committee on Employment and Social Affairs (EMPL), the Committee on Regional Development (REGI), the Committee on Women's Rights and Gender Equality (FEMM), the Subcommittee on Human Rights (DROI), as well as representatives of the European Ombudsman, the Fundamental Rights Agency (FRA), EUROFOUND, and the European Data Protection Supervisor (EDPS);

Amendment 93
Kinga Gál

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Suggests more transparency in the Commission's dialogue with Member States, as well as in the work of EU agencies, when fundamental rights or the interests of European citizens are at stake;

Or. en

Amendment 94
Renate Weber, Sophia in 't Veld

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Calls for the launch of a "European fundamental rights policy cycle", detailing on a multiannual and yearly basis the objectives to be achieved and the problems to be solved; such a cycle should foresee a framework for institutions and the FRA, as well as Member States, to work together by avoiding overlaps, building on each others' reports, taking common actions and organising joint events with the participation of NGOs, citizens, national parliaments, etc.;

Or. en

Amendment 95
Kinga Göncz

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5a. Urges national parliaments to enhance their role in human rights scrutiny of EU activities and national implementation of EU law and invites them to hold periodic meetings focused on the strategies to be developed to implement the Charter and the jurisprudence of the EU Courts;

Or. en

Amendment 96
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Paragraph 5 b (new)

Motion for a resolution

Amendment

5 b. Urges national parliaments to enhance their role in human rights scrutiny of EU activities and national implementation of EU law and invites them to hold periodic meetings focused on the strategies to be developed to implement the Charter and the jurisprudence of the EU Courts;

Or. en

Amendment 97
Kinga Gál

Motion for a resolution
Paragraph 6

Motion for a resolution

Amendment

6. Deplores the unacceptable delays and blockages in the EU's accession to the ECHR, which are mainly due to specific Member States, and urges the Commission to conclude the procedure;

deleted

Or. en

Amendment 98

Renate Weber, Sophia in 't Veld

**Motion for a resolution
Paragraph 6**

Motion for a resolution

Amendment

6. Deplores the unacceptable delays and blockages in the EU's accession to the ECHR, **which are** mainly due to **specific Member States**, and urges the Commission to conclude the procedure;

6. Deplores the unacceptable delays and blockages in the EU's accession to the ECHR, mainly due to **the UK objections** and urges the Commission to **remind the Member State concerned of the duty of loyal cooperation to be fulfilled in international negotiations and to** conclude the procedure; **consequently calls the Council to act under the terms of Article 265 TFUE so that the procedures for EU accession to the ECHR are concluded at least in time for the end of this legislature;**

Or. en

Amendment 99

Monika Flašíková Beňová

**Motion for a resolution
Paragraph 6**

Motion for a resolution

Amendment

6. Deplores the unacceptable delays and

6. Deplores the unacceptable delays and

blockages in the EU's accession to the ECHR, **which are** mainly due to specific Member States, and urges the Commission to conclude the procedure;

blockages in the EU's accession to the ECHR, mainly due to specific Member States and urges the Commission to ***remind the Member States concerned of the duty of loyal cooperation to be fulfilled in international negotiations and to conclude the procedure at least in time for the end of this legislature;***

Or. en

Amendment 100
Marie-Christine Vergiat

Motion for a resolution
Paragraph 6

Motion for a resolution

6. ***Deplores*** the unacceptable delays and blockages in the EU's accession to the ECHR, which are mainly due to specific Member States, and urges the Commission to conclude the procedure;

Amendment

6. ***Condemns*** the unacceptable delays and blockages in the EU's accession to the ***European Court of Human rights*** (ECHR), which are mainly due to specific Member States, and urges the Commission to conclude the procedure ***at the earliest opportunity and Member States to launch procedures for ratifying accession to the ECHR as soon as possible;***

Or. fr

Amendment 101
Philip Claeys

Motion for a resolution
Paragraph 6

Motion for a resolution

6. ***Deplores the unacceptable*** delays and blockages in the EU's accession to the ECHR, which are mainly due to specific Member States, and urges the Commission to conclude the procedure;

Amendment

6. ***Notes the*** delays and blockages in the EU's accession to the ECHR, which are mainly due to ***the legal concerns of the Court of Justice of the European Union in Luxembourg and of*** specific Member

States, and urges the Commission *to provide appropriate guarantees to address these concerns and only then* to conclude the procedure

Or. nl

Amendment 102
Edit Bauer

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Deplores the *unacceptable* delays and blockages in the EU's accession to the ECHR, which are mainly due to specific Member States, and urges the Commission to conclude the procedure;

Amendment

6. Deplores the delays and blockages in the EU's accession to the ECHR, which are mainly due to specific Member States, and urges the Commission to conclude the procedure;

Or. en

Amendment 103
Monika Flašíková Beňová

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

6a. Considers that, even before the conclusion of the negotiation for the EU accession to the ECHR, the EU and its Member States should consider transposition by the Member States of the Strasbourg jurisprudence a matter of common interest;

Or. en

Amendment 104
Kinga Gál

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Suggests that, in spite of the blockages which have occurred, the Commission should conclude the procedure of the EU's accession to the ECHR as soon as possible, as it will provide an additional mechanism for enforcing human rights of its citizens;

Or. en

Amendment 105
Renate Weber, Sophia in 't Veld

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Considers that the Commission and the Council should create a mechanism to ensure that the EU and its Member States respect, implement and transpose the ECtHR's jurisprudence, since this is a matter of common interest and an obligation in relation to the respect of fundamental rights in the EU;

Or. en

Amendment 106
Marie-Christine Vergiat

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Is deeply concerned that some Member States have attacked and called into question institutions and instruments protecting human rights or their representatives and that others have responded only feebly; reminds all Member States to comply with their obligations to respect fundamental freedoms and rights;

Or. fr

Amendment 107

Kinga Göncz

Motion for a resolution

Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Notes that participation in international treaties for the protection and promotion of human rights can only serve to strengthen the protection of fundamental rights within the EU and welcomes the fact that the EU has joined the Convention on the Rights of Persons with Disabilities and will join the ECHR; calls on the Council and Commission to take steps towards becoming party to other international human rights treaties, such as the UN Convention on the Rights of the Child;

Or. en

Amendment 108

Tatjana Ždanoka

Motion for a resolution

Paragraph 6 a (new)

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Motion for a resolution

Amendment

6a. Notes that participation in international treaties for the protection and promotion of human rights can only serve to strengthen the protection of fundamental rights within the EU and welcomes the fact that the EU has joined the Convention on the Rights of Persons with Disabilities and will join the ECHR; calls on the Council and Commission to take steps towards becoming party to other international human rights treaties;

Or. en

Amendment 109

Monika Flašíková Beňová, Renate Weber

Motion for a resolution

Paragraph 6 b (new)

Motion for a resolution

Amendment

6b. Notes that participation in international treaties for the protection and promotion of human rights can only serve to strengthen the protection of fundamental rights within the EU and welcomes the fact that the EU has joined the Convention on the Rights of Persons with Disabilities and will join the ECHR; calls on the Council and Commission to take steps towards becoming party to other international human rights treaties, such as the UN Convention on the Rights of the Child;

Or. en

Amendment 110

Mario Borghezio

Motion for a resolution
Paragraph 7

Motion for a resolution

Amendment

7. Recalls the Commission's commitment to give priority to those infringement proceedings which raise issues of principle or which have a particularly far-reaching negative impact on citizens; *deleted*

Or. it

Amendment 111
Mario Borghezio

Motion for a resolution
Paragraph 8

Motion for a resolution

Amendment

8. Regrets the weak reaction of the Commission to specific violations of fundamental rights in Member States and calls on the Commission to ensure that infringement proceedings secure the effective protection of human rights, rather than aiming for negotiated settlements with Member States; *deleted*

Or. it

Amendment 112
Kinga Gál

Motion for a resolution
Paragraph 8

Motion for a resolution

Amendment

8. Regrets the weak reaction of the Commission to specific violations of fundamental rights in Member States and calls on the Commission to ensure that *deleted*

infringement proceedings secure the effective protection of human rights, rather than aiming for negotiated settlements with Member States;

Or. en

Amendment 113
Philip Claeys

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Regrets the weak reaction of the Commission to specific violations of fundamental rights in Member States and calls on the Commission to ensure that infringement proceedings secure the effective protection of human rights, rather than aiming for negotiated settlements with Member States;

Amendment

8. Regrets the weak reaction of the Commission to specific violations of fundamental rights in Member States and calls on the Commission to ensure that infringement proceedings secure the effective protection of human rights, rather than aiming for negotiated settlements with Member States; ***stresses at the same time that not every polarised political conflict within a Member State can be raised to European level on the grounds of an alleged ‘human rights violation’; calls on the Commission to preserve the greatest possible neutrality and objectivity not only in requesting information and in speed of transmission but also as regards the content of the information transmitted;***

Or. nl

Amendment 114
Monika Flašíková Beňová, Renate Weber

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Regrets the weak reaction of the

Amendment

8. Regrets the weak reaction of the

Commission to specific violations of fundamental rights in Member States and calls on the Commission to ensure that infringement proceedings secure the effective protection of human rights, rather than aiming for negotiated settlements with Member States;

Commission to specific violations of fundamental rights in Member States and calls on the Commission to ensure that infringement proceedings secure the effective protection of human rights, rather than aiming for negotiated settlements with Member States ***following a change in national legislation, notwithstanding the possible de facto continuation of rights violations;***

Or. en

Amendment 115
Kinga Göncz

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Regrets the weak reaction of the Commission to specific violations of fundamental rights in Member States and calls on the Commission to ensure that infringement proceedings secure the effective protection of human rights, rather than aiming for negotiated settlements with Member States;

Amendment

8. Regrets the weak reaction of the Commission to specific violations of fundamental rights ***and weakening of democratic checks and balances and the rule of law*** in Member States and calls on the Commission to ensure that infringement proceedings secure the effective protection of human rights, rather than aiming for negotiated settlements with Member States;

Or. en

Amendment 116
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution

Amendment

8a. Considers that, in order to maintain the credibility of the accession conditions,

Member States should also be continuously assessed for their continued compliance with the EU's fundamental values and the fulfilment of their commitments concerning the functioning of democratic institutions and the rule of law;

Or. en

Amendment 117
Kinga Göncz

Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution

Amendment

8a. Considers that, in order to maintain the credibility of the accession conditions, Member States should also be regularly assessed for their continued compliance with the EU's fundamental values and the fulfilment of their commitments concerning the functioning of democratic institutions and the rule of law;

Or. en

Amendment 118
Kinga Gál

Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution

Amendment

8a. Calls on the Commission to ensure that infringement proceedings secure the effective protection of fundamental rights, therefore launch objective investigations and start infringement proceedings if well grounded, thus avoiding double standards, whenever a Member State

violates the rights enshrined in the Charter when implementing EU legislation;

Or. en

Amendment 119
Mario Borghezio

Motion for a resolution
Paragraph 9

Motion for a resolution

Amendment

9. Calls therefore on the Commission to come up with a detailed proposal for a monitoring mechanism and early warning system, building on the provisions of Article 7 of the TEU and Article 258 of the TFEU;

deleted

Or. it

Amendment 120
Anna Záborská

Motion for a resolution
Paragraph 9

Motion for a resolution

Amendment

9. Calls therefore on the Commission to come up with a detailed proposal for a monitoring mechanism and early warning system, building on the provisions of Article 7 of the TEU and Article 258 of the TFEU;

deleted

Or. en

Amendment 121
Lorenzo Fontana

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Calls therefore on the Commission to come up with a detailed proposal for a monitoring mechanism and early warning system, building on the provisions of Article 7 of the TEU and Article 258 of the TFEU;

Amendment

deleted

Or. en

Amendment 122
Renate Weber, Sophia in 't Veld

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Calls therefore on the Commission to **come up with** a detailed proposal for a monitoring mechanism **and** early warning system, building on the provisions of **Article 7 of the** TEU and Article 258 **of the** TFEU;

Amendment

9. Calls therefore on the Commission to **update its 2003 communication (COM(2003) 606) and repeats its call to it to issue before the end of 2012** a detailed proposal for a **clear cut** monitoring mechanism, early warning system **and a "freezing procedure" to ensure that Member States, at the request of EU institutions, suspend the adoption of laws when these are suspected of being in contrast with fundamental rights or the EU legal order, associating notably the national fundamental rights bodies created in compliance with the Paris principles and** building on the provisions of **Articles 2, 6 and 7** TEU and Article 258 TFEU;

Or. en

Amendment 123
Monika Flašíková Beňová

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Calls therefore on the Commission to **come up with** a detailed proposal for a monitoring mechanism and early warning system, building on the provisions of Article 7 **of the** TEU and Article 258 **of the** TFEU;

Amendment

9. Calls therefore on the Commission to **update its 2003 communication (COM(2003) 606) and work out before the end of 2012** a detailed proposal for a **clear cut** monitoring mechanism and early warning system, **associating notably the national fundamental rights bodies created in compliance with the Paris principles and** building on the provisions of Article 7 TEU and Article 258 TFEU;

Or. en

Amendment 124
Marie-Christine Vergiat

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Calls therefore on the Commission to come up with a detailed proposal for a monitoring mechanism and early warning system, building on the provisions of Article 7 of the TEU and Article 258 of the TFEU

Amendment

9. Calls therefore on the Commission to come up with a detailed proposal for a monitoring mechanism and early warning system, building on the provisions of Article 7 of the TEU and Article 258 of the TFEU; **calls on the Commission to provide a detailed assessment of infringement procedures based on the new provisions of the Lisbon Treaty, particularly with regard to violations of fundamental rights, and to report back to the European Parliament and the Council; calls on the Commission to include in this report an assessment of effective controls on respect for fundamental rights including when legislative proposals of the Union are being drawn up;**

Amendment 125

Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution

Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. Underlines its commitment to use its powers to act as a human rights litigant, in particular to ensure that EU acts respect, protect, promote and fulfil human rights;

Or. en

Amendment 126

Marie-Christine Vergiat

Motion for a resolution

Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. Is deeply concerned at the increasingly repressive direction taken by judicial and police cooperation which is characterised by an increasing number of attacks on personal freedoms under various policies going beyond the fight against terrorism; condemns the measures taken recently to reinstate temporarily checks at internal borders of the Union and is deeply concerned that the free movement of persons is increasingly conditional upon the provision of personal data or the electronic surveillance of public places;

Or. fr

Amendment 127
Mariya Gabriel

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. Calls on the Commission to provide a detailed action and work plan of the implications of the appointment of a Special Representative of the Union for Human Rights in analyzing the human rights situation in Union and his or her role in checking the implementation of EU legislation by Member States and the application of international conventions and treaties;

Or. fr

Amendment 128
Kinga Göncz

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. Stresses that the mandate of the European Union Agency for Fundamental Rights should be enhanced to include regular monitoring of Member States' compliance with Article 2 TEU, publishing annual reports on the findings and presenting them in the European Parliament;

Or. en

Amendment 129
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Paragraph 9 b (new)

Motion for a resolution

Amendment

9b. Calls for the revision of the procedural rules of the CJEU and General Court to facilitate third-party interventions, by human rights NGOs in particular;

Or. en

Amendment 130
Kinga Göncz

Motion for a resolution
Paragraph 9 b (new)

Motion for a resolution

Amendment

9b. Calls for a closer cooperation between Union institutions and other international bodies particularly with the Council of Europe and its European Commission for Democracy through Law (Venice Commission) to make use of its expertise in upholding the principles of democracy, human rights and the rule of law and to make their recommendations enforceable;

Or. en

Amendment 131
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Paragraph 9 c (new)

Motion for a resolution

Amendment

9c. Calls for the setting-up of appropriate National Human Rights Institutions in all Member States and for measures

facilitating the networking of these bodies across the EU with the support of the FRA; invites the EU institutions and the Member States to develop the capacity of Equality Bodies and Data Protection Bodies, of NHRIs and of FRA as human rights litigants;

Or. en

Amendment 132
Kinga Göncz

Motion for a resolution
Paragraph 9 c (new)

Motion for a resolution

Amendment

9c. Calls for the setting-up of appropriate National Human Rights Institutions in all Member States and for measures facilitating the networking of these bodies across the EU with the support of the FRA; invites the EU institutions and the Member States to develop the capacity and guarantee the independence of Equality Bodies and Data Protection Bodies, of NHRIs and of FRA as human rights litigants;

Or. en

Amendment 133
Kinga Göncz

Motion for a resolution
Paragraph 9 d (new)

Motion for a resolution

Amendment

9d. Regrets the worsening situation of media freedom in various Member States; calls on the Member States to respect and the Commission to take appropriate

actions to monitor and enforce the freedom of media and media pluralism; welcomes the initiative of the European Parliament to draft a report on standard settings for media freedom across EU;

Or. en

Amendment 134
Mario Borghezio

Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. Calls for the parliamentary evaluation of FSJA-related policies in compliance with Article 70 of the TFEU through the creation of a permanent link between the EP's LIBE Committee and national parliamentary committees dealing with fundamental rights in order to assess the relevant legislation at EU and national level;

deleted

Or. it

Amendment 135
Tatjana Ždanoka

Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. Calls for the parliamentary evaluation of FSJA-related policies ***in compliance with Article 70 of the TFEU*** through the creation of a permanent link between the EP's LIBE Committee and national parliamentary committees dealing with fundamental rights in order to assess the relevant legislation at EU and national

11. Calls for the parliamentary evaluation of FSJA-related policies through the creation of a permanent link between the EP's LIBE Committee, ***the Council Working Group on Fundamental Rights, Citizens Rights and Free Movement of Persons (FREMP)*** and national parliamentary committees dealing with

level;

fundamental rights in order to assess the relevant legislation at EU and national level;

Or. en

Amendment 136
Marie-Christine Vergiat

Motion for a resolution
Paragraph 12

Motion for a resolution

12. ***Calls on the*** Member States to properly fulfil their obligations under international law, which they have so far failed to do, to investigate serious human rights violations carried out in the context of ***cooperation with*** the CIA counter-terrorism programme, and to afford full redress to victims;

Amendment

12. ***Looks to*** Member States to properly fulfil their obligations under international law, which they have so far failed to do, ***namely:***

- to investigate ***on the basis of the new evidence*** serious human rights violations carried out in the context of ***allegations of the illegal transport and detention of prisoners by the CIA in European countries under the*** counter-terrorism programme, ***to explain their involvement in these actions, to prosecute persons who have taken part in these actions*** and to afford full redress to victims;

- ***to investigate violations of the right to life caused by the 'refoulement' of migrants and asylum seekers in the Mediterranean or the late despatch of sea rescue operations by some Member States;***

Or. fr

Amendment 137
Mariya Gabriel

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Motion for a resolution
Paragraph 12

Motion for a resolution

12. Calls on the Member States to properly fulfil their obligations under international law, which they have so far failed to do, to investigate serious human rights violations carried out in the context of cooperation with the CIA counter-terrorism programme, and to afford full redress to victims;

Amendment

12. Calls on the Member States to properly fulfil their obligations under international law, which they have so far failed to do, to investigate serious human rights violations carried out in the context of cooperation with the CIA counter-terrorism programme, ***to step up the fight against trafficking in human beings and organised crime*** and to afford full redress to victims;

Or. fr

Amendment 138
Mariya Gabriel

Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

12a. Encourages the Commission and Member States to intensify their cooperation, including with the European Parliament and national parliaments, to improve the implementation of EU human rights legislation and the follow-up of complaints and the correction of any irregularities;

Or. fr

Amendment 139
Philip Claeys

Motion for a resolution
Paragraph 13 – indent 2

Motion for a resolution

Amendment

– that police and judicial cooperation in criminal matters, which has become standard EU policy, as well as social and economic rights, which are essential elements of the Charter, are still excluded from the mandate of the FRA; asks the Council to include the above matters in the next multi-annual framework of the FRA;

deleted

Or. nl

Amendment 140
Tatjana Ždanoka

Motion for a resolution
Paragraph 13 – indent 2

Motion for a resolution

Amendment

– that police and judicial cooperation in criminal matters, which has become standard EU policy, as well as social and economic rights, which are essential elements of the Charter, are still **excluded from** the mandate of the FRA; asks the Council to include the above matters in the next multi-annual framework of the FRA;

– that police and judicial cooperation in criminal matters, which has become standard EU policy, as well as social and economic rights, which are essential elements of the Charter, are still **not explicitly included into** the mandate of the FRA; asks the Council to include the above matters in the next multi-annual framework of the FRA;

Or. en

Amendment 141
Kinga Göncz

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Points to shortcomings in the current

mandate of the FRA, notably the limited number of comparative evaluation between Member States and the lack of assessments of the whole human rights, rule of law and democracy landscape of Member States;

Or. en

Amendment 142

Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution

Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Points to shortcomings in the current multi-annual framework of the FRA, notably the limited number of comparative evaluation between Member States;

Or. en

Amendment 143

Renate Weber, Sophia in 't Veld

Motion for a resolution

Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Points out that the Paris Principles on NHRIs should be used as a model for reforming the national institutions as well the FRA and calls for the FRA Regulation to be urgently reviewed so that the remit of the FRA is enlarged and aligned following an ordinary legislative procedure by the European Parliament and by the Council to the full scope covered by Articles 2, 6 and 7 TEU and notably to the European Charter

implementation by the EU Institutions Agencies offices and bodies as well to the Member State activities; considers that the independence of the FRA should be strengthened, as well as its powers and competences; considers that the FRA Scientific Committee and the FRANET network should submit to the European and national parliaments and publish annually a thematic and more focused report assessing the situation in the EU Member State, as was done until 2006 by the former Network of Experts on Fundamental Rights; calls on the FRA to fully respect Article 15 of the TFEU by making its proceedings open and by giving access to its documents via a publicly accessible register as foreseen by Regulation 1049/2001;

Or. en

Amendment 144
Tatjana Ždanoka

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Calls on the Commission and Council to revise, together with the European Parliament, the founding regulation of the FRA in order to widen the scope of its mandate, including a monitoring role;

Or. en

Amendment 145
Monika Flašíková Beňová, Renate Weber

Motion for a resolution
Paragraph 13 b (new)

Motion for a resolution

Amendment

13b. Considers that the FRA scientific committee should be composed of former members of the European and national constitutional Courts, appointed by designation, as follows: a third by the EP, a third by the Council and a third by the Commission; considers that it should play an independent and neutral role in the interest of the EU institutions, as is done by the Council of Europe Venice Commission;

Or. en

**Amendment 146
Kinga Göncz**

**Motion for a resolution
Paragraph 13 b (new)**

Motion for a resolution

Amendment

13b. Considers that the FRA scientific committee should be composed of former members of the European and national constitutional Courts, appointed by designation, as follows: a third by the EP, a third by the Council and a third by the Commission; considers that it should play an independent and neutral role in the interest of the EU institutions, as is done by the Council of Europe Venice Commission;

Or. en

**Amendment 147
Renate Weber, Sophia in 't Veld, Gianni Vattimo**

**Motion for a resolution
Paragraph 13 b (new)**

Motion for a resolution

Amendment

13b. Calls on the Commission to fully respect the independence and the competences of the FRA and to refrain from exerting undue pressures on the FRA in relation to its opinions on the Commission proposals, as happened recently in relation to the opinion on jurisdiction and applicable law for the property effects of marriages and registered partnerships;

Or. en

Amendment 148

Monika Flašíková Beňová

Motion for a resolution

Paragraph 13 c (new)

Motion for a resolution

Amendment

13c. Points out that the Paris Principles on NHRIs should be used as a model for reforming the national institutions as well as the FRA and calls for the remit of the FRA to be aligned following an ordinary legislative procedure by the European Parliament and by the Council to the full scope covered by Article 6 TEU and notably to the European Charter implementation by the EU Institutions Agencies offices and bodies as well to the Member State activities falling in the EU policies; considers that the FRA Scientific Committee and the FRANET network should submit to the European and national parliaments and publish annually a thematic and more focused report assessing the situation in the EU Member States, as was done until 2006 by the former Network of Experts on Fundamental Rights; calls on the FRA to fully respect Article 15 of the TFEU by

making its proceedings open and by giving access to its documents via a publicly accessible register as foreseen by Regulation 1049/2001;

Or. en

Amendment 149
Renate Weber, Sophia in 't Veld, Gianni Vattimo

Motion for a resolution
Paragraph 13 c (new)

Motion for a resolution

Amendment

13c. Calls on the FRA to ensure that NGOs that do not respect fundamental rights, tolerance, equality and non-discrimination and promote intolerance and discrimination are excluded from the FRA fundamental rights platform and believes that transparency should be required in relation to the way these organizations are funded and on their activities;

Or. en

Amendment 150
Mario Borghezio

Motion for a resolution
Paragraph 14

Motion for a resolution

Amendment

14. Is concerned about the opt-outs of some Member States, which will risk affecting the rights of their citizens who will suffer more from discrimination than other EU citizens;

deleted

Or. it

Amendment 151
Tatjana Ždanoka

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Is concerned about the opt-outs of some Member States, which will risk affecting the rights of their citizens who will suffer more from discrimination than other EU citizens;

Amendment

14. Is concerned about the *so-called* "opt-outs" of some Member States, which will risk affecting the rights of their citizens who will suffer more from discrimination than other EU citizens *and recalls that, in accordance with case-law of the ECJ, the "opt-outs" do not intend to exempt the Member States from the obligation to comply with the provisions of the Charter or to prevent a court of one of those Member States from ensuring compliance with those provisions;*

Or. en

Amendment 152
Philip Claeys

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Freedom of expression

Is concerned about the increasing pressure on freedom of expression exerted by extremist tendencies within Islam, particularly Salafism; stresses that freedom of expression must apply throughout the EU, including for those who wish to express a critical opinion of Islam; condemns, therefore, the situation whereby politicians and artists are the victims of murder plots and attacks and have to be constantly guarded; condemns the disturbance of readings, the

destruction of works of art, and the threats to writers and artists; stresses that criticism of any religion and its doctrines, thus including those of Islam, does not show a lack of respect but forms an essential part of the common European legal order which holds that religion, religious texts, religious doctrines, institutions and ministers are also legitimate subjects for debate;

Or. nl

Amendment 153
Renate Weber, Sophia in 't Veld

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Believes that the Commission should stop stating that "citizens knock at the wrong door", minimizing the competence of the EU in relation to fundamental rights and turning down requests of citizens; stresses that the Commission must take note of citizens' concerns on violation of fundamental rights, make them aware of how to exercise their right of access to justice and enforce their rights in the most appropriate, relevant or competent fora; calls on the Commission to inform those citizens contacting it in relation to fundamental rights violations of these additional or more appropriate possibilities in detail, to keep record of these indications and to report on this in full detail in its annual reports on fundamental rights in the EU and on the implementation of the Charter; underlines that citizens' correspondence is extremely relevant in revealing possible structural, systemic, serious violations of fundamental rights in the EU and its Member States and consequently relevant

to ensure the real application of Articles 2, 6 and 7 TEU by the Commission; considers that informal networks, such as those successfully developed for the internal market (SOLVIT), should be established at national and regional level to assist and advise people whose rights risk being violated (such as migrants, asylum seekers, vulnerable people); considers that these support structures for rights restoration and economic and social integration should be a priority for regional funds;

Or. en

Amendment 154
Monika Flašíková Beňová, Tatjana Ždanoka

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Stresses that, beyond informing individuals of their Charter rights, the Commission must ensure they are aware of how to exercise their right of access to justice and enforce their rights in relevant fora; considers that informal networks, such as those successfully developed for the internal market (SOLVIT), should be established at national and regional level to assist and advise people whose rights risk being violated (such as migrants, asylum seekers, vulnerable people); considers that these support structures for right restoration and economic and social integration should be a priority for regional funds;

Or. en

Amendment 155
Konrad Szymański, Janusz Wojciechowski

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Acknowledges the need to protect Member States from any undue pressure in the area of family law;

Or. en

Amendment 156
Kinga Göncz

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution

Amendment

14a. Calls on Member States to collect disaggregated data for all grounds of discrimination, as well as to develop fundamental rights indicators in cooperation with the FRA, in order to ensure properly informed and targeted legislation and policies, particularly in the field of non-discrimination and in the context of national Roma integration strategies;

Or. en

Amendment 157
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. Calls on Member States to collect

disaggregated data for all grounds of discrimination, as well as to develop fundamental rights indicators in cooperation with the FRA, in order to ensure properly informed and targeted legislation and policies, particularly in the field of non-discrimination and in the context of national Roma integration strategies;

Or. en

Amendment 158
Philip Claeys

Motion for a resolution
Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. Is concerned about the increasing pressure placed on the freedom of expression in the context of the debate on immigration, asylum and illegal residence; stresses that the important difference must be respected between unacceptable incitement to hatred or violence on the one hand and acceptable political criticism of real problems in society that relate to immigration, asylum and illegal residence on the other; recalls the consistent case law of the European Court of Human Rights whereby freedom of expression also applies to disturbing, shocking or offensive opinions;

Or. nl

Amendment 159
Renate Weber, Sophia in 't Veld, Gianni Vattimo

Motion for a resolution
Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. Calls on the Commission to propose a review of the Framework Decision to include other forms of bias-motivated crime, including on grounds of sexual orientation, gender identity and gender expression;

Or. en

Amendment 160
Kinga Göncz

Motion for a resolution
Paragraph 14 b (new)

Motion for a resolution

Amendment

14b. Deplores the fact that not all Member States have properly transposed the Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law; calls on Member States to prosecute xenophobia, racism, anti-gypsyism, and other forms of violence and hatred against any minority groups, including hate speech;

Or. en

Amendment 161
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Paragraph 14 c (new)

Motion for a resolution

Amendment

14c. Deplores the fact that not all Member States have properly transposed the Council Framework Decision on

combating certain forms and expressions of racism and xenophobia by means of criminal law¹; calls on Member States to prosecute xenophobia, racism, and hate speech; recalls that on December 1st 2014 this framework decision will become fully enforceable as well as all the FD into force at that time;

¹ OJ 2008 L 328 of 12.5.2008, p. 55.

Or. en

Amendment 162
Kinga Göncz

Motion for a resolution
Paragraph 14 c (new)

Motion for a resolution

Amendment

14c. Calls on the Commission to propose a recast of the Framework Decision to include other forms of bias-motivated crime, including on grounds of sexual orientation, gender identity and gender expression;

Or. en

Amendment 163
Monika Flašíková Beňová

Motion for a resolution
Paragraph 14 d (new)

Motion for a resolution

Amendment

14d. Calls on the Commission to propose a recast of the Framework Decision to include other forms of bias-motivated crime, including on grounds of sexual orientation, gender identity and gender

expression;

Or. en

Amendment 164
Kinga Göncz

Motion for a resolution
Paragraph 14 d (new)

Motion for a resolution

Amendment

14d. Calls on the Member States to ensure that bias-motivated offences, such as of racist, xenophobic, anti-Semitic, islamophobic, homophobic or transphobic intent are punishable within the criminal law system, and that these crimes are investigated effectively, prosecuted and punished, that victims are offered proper assistance, protection and compensation, and that such offences are properly registered;

Or. en

Amendment 165
Monika Flašíková Beňová, Tatjana Ždanoka, Renate Weber

Motion for a resolution
Paragraph 14 e (new)

Motion for a resolution

Amendment

14e. Calls on the Member States to ensure that offences motivated by racist, xenophobic, homophobic or transphobic intent are punishable within the criminal law system, and that these crimes are investigated effectively, prosecuted and punished, that victims are offered proper assistance, protection and compensation, and that such offences are properly registered;

Amendment 166
Philip Claeys

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; ***deems incomprehensible the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible;***

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society;

Or. nl

Amendment 167
Mario Borghezio

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; ***deems incomprehensible the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon***

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society;

as possible;

Or. it

Amendment 168
Lorenzo Fontana

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; ***deems incomprehensible the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible;***

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society;

Or. en

Amendment 169
Anna Záborská

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; ***deems incomprehensible the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to***

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; ***invites therefore the Member States to implement the large number of already existing instruments of the *acquis communautaire* and to evaluate the real need of improvement through new EU legislative acts before launching new legislative acts;***

ensure adoption as soon as possible;

Or. en

Amendment 170

Renate Weber, Sophia in 't Veld

Motion for a resolution

Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems ***incomprehensible*** the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption ***as soon as possible***;

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems ***regrettable and contrary to the spirit and the letter of the Treaty*** the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption; ***calls on the Council and the Member States which are currently blocking the negotiations to make public their arguments, proposals and positions in the Council in general and notably in the competent Council Working Group so that EU citizens can better understand why no progress is made and judge in full conscience the positions of the governments, Ministers and political parties on discrimination of persons on the basis of religion or belief, disability, age or sexual orientation; calls for the launch of a European campaign and launches an appeal to NGOs, citizens, political parties and leaders, civil society, economic actors, to join together in it so to reach the adoption of the directive; consequently calls on the Council to act, on the basis of Article 265 TFUE, and to adopt the directive before the end of the year;***

Amendment 171
Kinga Göncz

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems ***incomprehensible*** the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age ***or*** sexual orientation, and urges efforts to ensure adoption as soon as possible;

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems ***regrettable and contrary to the spirit and the letter of the Treaty the*** current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age, sexual orientation ***or gender identity*** and urges efforts to ensure adoption as soon as possible; ***calls on the Member States which are currently blocking the negotiations to make public their arguments so that EU citizens can better understand why no progress is made;***

Amendment 172
Monika Flašíková Beňová

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems ***incomprehensible*** the current blockage of Council negotiations on the Commission's

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems ***regrettable and contrary to the spirit and the letter of the Treaty the*** current

proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible;

blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible; ***calls on the Member States which are currently blocking the negotiations to make public their arguments so that EU citizens can better understand why no progress is made;***

Or. en

Amendment 173
Tatjana Ždanoka

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems incomprehensible the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible;

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems incomprehensible the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible; ***regrets the lack of proper implementation of the existing equality directives by some Member States and calls on the Commission to examine it as a matter of priority, starting infringement proceedings immediately, if necessary;***

Or. en

Amendment 174
Antigoni Papadopoulou

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems incomprehensible the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible;

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems incomprehensible the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including ***sex, race, colour, ethnic or social origin, genetic features, language,*** religion or belief, ***political or any other opinion, membership of a national minority, property, birth,*** disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible;

Or. en

Amendment 175
Marie-Christine Vergiat

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems ***incomprehensible*** the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible;

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems ***inadmissible*** the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible;

Amendment 176
Valdemar Tomaševski

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems incomprehensible the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age or sexual orientation, and urges efforts to ensure adoption as soon as possible;

Amendment

15. Stresses that the principles of human dignity and equality before the law are foundations of democratic society; deems incomprehensible the current blockage of Council negotiations on the Commission's proposal for a horizontal directive extending comprehensive protection against discrimination on all grounds, including religion or belief, disability, age, **membership of national or ethnic minorities**, or sexual orientation, and urges efforts to ensure adoption as soon as possible;

Or. pl

Amendment 177
Ramon Tremosa i Balcells

Motion for a resolution
Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Stresses that, in accordance with the Charter of Fundamental Rights of the EU, European citizens should also be protected from discrimination on linguistic grounds;

Or. en

Amendment 178
Sergio Gaetano Coffferati, Rita Borsellino

Motion for a resolution
Paragraph 15 a (new)

Motion for a resolution

Amendment

15a. Regards it as important for the European Union to designate a ‘European Capital of Rights’ from among Member State cities each year in order to highlight the role cities can play in promoting fundamental rights and civil rights, including minority rights; believes that this would help to establish shared values such as human dignity, freedom, democracy, equality, the rule of law and human rights as the foundation for a society based on pluralism, tolerance, solidarity and gender equality;

Or. it

Amendment 179
Philip Claeys

Motion for a resolution
Paragraph 16

Motion for a resolution

Amendment

16. Calls on Member States to establish complaints procedures that ensure that a victim of multiple discrimination can lodge a single complaint addressing more than one ground of discrimination; ***considers appropriate to support the activities of human rights defenders and the development of collective actions by marginalised people and communities;***

16. Calls on Member States to establish complaints procedures that ensure that a victim of multiple discrimination can lodge a single complaint addressing more than one ground of discrimination;

Or. nl

Amendment 180

Mikael Gustafsson

on behalf of the Committee on Women's Rights and Gender Equality

Livia Járóka, Mariya Gabriel

Motion for a resolution

Paragraph 16

Motion for a resolution

16. Calls on Member States to establish complaints procedures that ensure that a victim of multiple discrimination can lodge a single complaint addressing more than one ground of discrimination; considers appropriate to support the activities of human rights defenders and the development of collective actions by marginalised people and communities;

Amendment

16. Calls on Member States to establish complaints procedures that ensure that a victim of multiple discrimination, ***taking into account that women are specially targeted by these***, can lodge a single complaint addressing more than one ground of discrimination; considers appropriate to support the activities of human rights defenders and the development of collective actions by marginalised people and communities;

Or. en

Amendment 181

Marie-Christine Vergiat

Motion for a resolution

Paragraph 16

16. Calls on Member States to establish complaints procedures that ensure that a victim of multiple discrimination can lodge a single complaint addressing more than one ground of discrimination; considers appropriate to support the activities of human rights defenders and the development of collective actions by marginalised people and communities;

Amendment

(Does not affect English version.)

Or. fr

Amendment 182
Konrad Szymański, Janusz Wojciechowski

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Recalls that discriminating also means to treat equally intrinsically different situations; invites avoidance of instrumentalisation, forced interpretations or privileged treatment for any of the grounds of discrimination;

Or. en

Amendment 183
Sylvie Guillaume

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Is particularly concerned about the rise of political parties which are openly racist, xenophobic, Islamophobic and anti-Semitic, owing to an economic and social crisis which encourages a frantic search for scapegoats, and whose violent practices should be condemned;

Or. fr

Amendment 184
Anna Záborská

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Underlines the need to avoid

unilateral interpretations of the principle of non-discrimination and rejects the attempt to grant Article 21 of the Charter of Fundamental Rights a pre-eminent role compared with other (equally important) provisions of the Charter;

Or. en

Amendment 185
Lorenzo Fontana

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Underlines the need to avoid unilateral interpretations of the principle of non-discrimination and rejects the attempt to grant Article 21 of the Charter of Fundamental Rights a pre-eminent role compared with other (equally important) provisions contained in it;

Or. en

Amendment 186
Sophia in 't Veld, Renate Weber, Gianni Vattimo

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Calls on Member States to protect freedom of religion or belief, including the freedom of those without a religion not to suffer discrimination as a result of excessive exemptions for religions from laws on equality and non-discrimination;

Or. en

Amendment 187
Valdemar Tomaševski

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. urges the Member States not to discriminate against persons belonging to national or ethnic minorities, and to ensure that such people enjoy the rights conferred on them by international and EU law;

Or. pl

Amendment 188
Konrad Szymański, Janusz Wojciechowski

Motion for a resolution
Paragraph 16 b (new)

Motion for a resolution

Amendment

16b. Underlines that, in the area of the fight against discrimination, it is necessary to take fully into account the specificity of discrimination on grounds of disability;

Or. en

Amendment 189
Sylvie Guillaume

Motion for a resolution
Paragraph 16 b (new)

Motion for a resolution

Amendment

16b. is concerned at the adoption of

repressive measures against the homeless in a context in which the economic and financial crisis is making a growing number of families homeless;

Or. fr

Amendment 190
Anna Záborská

Motion for a resolution
Paragraph 16 b (new)

Motion for a resolution

Amendment

16b. Is alarmed by the fact that the concept of 'hate speech' (including in relation with the term 'homophobia'), whilst not yet defined within the acquis communautaire, is instrumentalised to restrict legitimate manifestation of freedom of expression, freedom of religion and of freedom of conscience which are also guaranteed in international human rights instruments and the EU Charter of Fundamental Rights;

Or. en

Amendment 191
Lorenzo Fontana

Motion for a resolution
Paragraph 16 b (new)

Motion for a resolution

Amendment

16b. Is alarmed by the fact that the concept of 'hate speech' (including the use of the term 'homophobia') is increasingly being invoked and instrumentalised by some minority groups to put unacceptable restrictions on

legitimate manifestations of freedom of expression, freedom of religion and of freedom of conscience;

Or. en

Amendment 192
Anna Záborská

Motion for a resolution
Paragraph 16 c (new)

Motion for a resolution

Amendment

16c. Recalls that the fundamental right to conscientious objection is enshrined in Article 10 (2) of the EU Charter of Fundamental Rights and that the practice of conscientious objection is adequately regulated in the EU Member States by a comprehensive and clear legal and policy framework governing the practice of conscientious objection;

Or. en

Amendment 193
Mario Borghezio

Motion for a resolution
Paragraph 17

Motion for a resolution

Amendment

17. Stresses that the situation of stateless persons permanently resident in Member States needs to be addressed *and calls on all the Member States concerned to ratify the relevant United Nations conventions;*

17. Stresses that the situation of stateless persons permanently resident in Member States needs to be addressed;

Or. it

Amendment 194
Marie-Christine Vergiat

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Stresses that the situation of stateless persons **permanently** resident in Member States **needs to be addressed** and calls on all the Member States concerned to ratify the relevant United Nations conventions;

Amendment

17. Stresses that ***it is essential to address*** the situation of stateless persons stably resident in Member States and calls on all the Member States concerned to ratify ***and apply*** the relevant United Nations conventions; ***recalls that incomplete citizenship in a Member State should not deprive stateless persons of their fundamental rights;***

Or. fr

Amendment 195
Tatjana Ždanoka

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Stresses that the situation of stateless persons permanently resident in Member States needs to be addressed and calls on all the Member States concerned to ratify the relevant United Nations conventions;

Amendment

17. Stresses that the situation of stateless persons permanently resident in Member States needs to be addressed and calls on all the Member States concerned to ratify the relevant United Nations conventions ***and to systematically bring about just solutions, based on the recommendations of international organisations; believes that stateless persons permanently resident in the Member States should have the right to vote in local elections;***

Or. en

Amendment 196
Marco Scurria, Roberta Angelilli, Salvatore Iacolino

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Stresses the importance of protecting national minorities and the rights and freedoms of their members, as laid down in the Council of Europe Framework Convention for the Protection of National Minorities;

Or. it

Amendment 197
Tatjana Ždanoka

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. Underlines the importance of the respect for the rights of persons belonging to minorities; encourages the Member States that have not yet done so to ratify the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages without further delay and, where relevant, to withdraw reservations and restrictive declarations, as well as to implement the treaties in good faith; recalls also the need to implement the principles developed in the framework of the OSCE;

Or. en

Amendment 198
Mario Borghezio

**Motion for a resolution
Paragraph 18**

Motion for a resolution

Amendment

18. Underlines that, owing to divergences in the implementation of EU law and complex administrative procedures, some categories of persons encounter discriminatory obstacles in the exercise of their right to free movement and residence; calls on the Commission to bring infringement procedures against Member States violating Directive 2004/38/EC;

deleted

Or. it

**Amendment 199
Monika Flašíková Beňová, Renate Weber**

**Motion for a resolution
Paragraph 18 a (new)**

Motion for a resolution

Amendment

18a. Calls on Member States to address racial and ethnic discrimination in employment, housing, education, health, access to goods and services;

Or. en

**Amendment 200
Kinga Göncz**

**Motion for a resolution
Paragraph 18 a (new)**

Motion for a resolution

Amendment

18a. Calls on Member States to address racial and ethnic discrimination in employment, housing, education, health,

access to goods and services;

Or. en