Amendment 3
Andrew Duff, Stanimir Ilchev
on behalf of the ALDE Group

Report
Ramón Jáuregui Atondo
Institutional aspects of accession by the European Union to the European Convention for the Protection of Human Rights and Fundamental Freedoms
2009/2241(INI)

Motion for a resolution
Paragraph 2

2. Recalls that, pursuant to Article 6 of the Treaty on European Union and Protocol No 8, accession does not entail any extension of the powers of the Union and in particular does not create a general human rights competence for the Union, and that, pursuant to Article 4(2) and Article 6(3) of the Treaty on European Union, the Member States’ traditions and constitutional identities must be respected;
Motion for a resolution
Paragraph 7, first indent

Motion for a resolution

– the right to submit a list of three candidates for the post of judge, one of whom is elected by the Parliamentary Assembly of the Council of Europe on behalf of the Union and participates in the work of the Court on a footing of equality with the other judges, pursuant to Article 27(2) of the ECHR; the European Parliament being involved either in drawing up the list of candidates in line with a procedure similar to that provided for in Article 255 of the Treaty on the Functioning of the European Union for candidates for the position of judge at the Court of Justice of the European Union, or under a procedure similar to the hearings of candidates-designate of the European Commission,

Amendment

– the right to submit a list of three candidates for the post of judge, one of whom is elected by the Parliamentary Assembly of the Council of Europe on behalf of the Union and participates in the work of the Court on a footing of equality with the other judges, pursuant to Article 27(2) of the ECHR; the European Parliament being involved either in drawing up the list of candidates in line with a procedure similar to that provided for in Article 255 of the Treaty on the Functioning of the European Union for candidates for the position of judge at the Court of Justice of the European Union,
Amendment 5
Andrew Duff, Stanimir Ilchev
on behalf of the ALDE Group

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Motion for a resolution
Paragraph 8

Motion for a resolution

8. Considers that the Member States should undertake, at the time of accession to the ECHR, with respect to one another and in their mutual relations with the Union, not to bring interstate applications concerning an alleged failure of compliance pursuant to Article 33 of the ECHR when the act or omission in dispute falls within the scope of Union law, as this would be contrary to Article 344 of the Treaty on the Functioning of the European Union;

Amendment

8. Considers that the Member States should undertake not to submit a dispute concerning the interpretation or application of the EU Treaties to the European Court of Human Rights under the provisions of Article 33 of the ECHR when the act or omission in dispute falls within the scope of Union law, as this would be contrary to Article 344 of the Treaty on the Functioning of the European Union;