



EUROPEAN PARLIAMENT

2014 - 2019

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*Committee on Civil Liberties, Justice and Home Affairs*

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*Committee on Constitutional Affairs*

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## **AGENDA**

### **LIBE - AFCO Joint Hearing on**

### ***"Respect for Democracy, Fundamental rights and the Rule of law: the role of the judiciary"***

Monday, 22 February 2016  
16h30 - 18h30

European Parliament, Brussels  
Room Altiero Spinelli (ASP) 3E2

## BACKGROUND

Respect for fundamental rights, democracy and the rule of law are essential common values of the Member States and founding principles of the Union. In its recurrent resolutions on the situation of fundamental rights in the EU, the European Parliament has repeatedly called for the Union to ensure that effective mechanisms, both at national and EU level, are in place to address relevant violations. Article 7 TEU provides for a double, preventive as well as sanctioning, mechanism in cases of (clear risk of) a serious breach by a Member State of the EU fundamental values.

Several resolutions<sup>1</sup> adopted by the European Parliament have repeatedly called for the establishment of a mechanism on democracy, rule of law and fundamental rights, in order to regularly assess Member States on their continued compliance with the fundamental values of the Union enshrined in Article 2 TEU, avoiding any double standards, and to ensure, through an early warning tool, that democracy, the rule of law and fundamental rights are respected in the EU.

In March 2014 the Commission published a Communication on "A new EU Framework to strengthen the Rule of Law", setting up an early warning tool to address systemic threats to the rule of law by entering into a dialogue with the Member State concerned. This tool has never been used so far.

Against this background, the European Parliament, in its resolution of 10 June 2015 on the situation in Hungary (P8\_TA(2015)0227)) mandated the LIBE Committee to "contribute to the development and elaboration of this proposal (cc. *the establishment of an EU mechanism on democracy, the rule of law and fundamental rights*) in the form of a legislative own-initiative report".

The current mini-hearing is organised in the frame of the preparatory process for this LIBE legislative own-initiative report (under art. 225 TFEU).

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<sup>1</sup> For instance: European Parliament resolution of 27 February 2014 on the situation of fundamental rights in the European Union (2012), European Parliament resolution of 3 July 2013 on the situation of fundamental rights: standards and practices in Hungary (pursuant to the European Parliament resolution of 16 February 2012), European Parliament resolution of 12 March 2014 on evaluation of justice in relation to criminal justice and the rule of law.

## Order of business

<b>16.30 - 16.40</b>	<b>Opening by Danuta Maria HÜBNER</b> , Chair of the Committee on Constitutional Affairs and <b>Claude MORAES</b> , Chair of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament
<b>16.40 - 16.55</b>	<b>Michal BOBEK</b> , Advocate General, Court of Justice of the European Union
<b>16.55 - 17.10</b>	<b>Angelika NUSSBERGER</b> , Judge, European Court of Human Rights
<b>17.10 - 17.20</b>	<b>Jean DE CODT</b> , First President, Court of Cassation, Belgium
<b>17.20 - 17.30</b>	<b>Miklos SZANTHO</b> , managing director and head analyst of Centre of Fundamental Rights ( <i>Alapjogokért Központ</i> )
<b>17.30 - 17.40</b>	<b>Dariusz ZAWISTOWSKI</b> , National Council of the Judiciary of Poland, Member of the European Network of Councils for the Judiciary
<b>17.40 - 18.20</b>	<b>Q&amp;A session</b>
<b>18.20 - 18.30</b>	<b>Closing remarks by György SCHÖPFLIN</b> , Rapporteur for opinion and <b>by Sophie IN'T VELD</b> , Rapporteur on legislative own-initiative report on the establishment of an EU mechanism on Democracy, the Rule of Law and Fundamental rights

## Annex

### IMPORTANT NOTICE FOR THOSE WISHING TO ATTEND THE MEETING

This meeting is open to the public. However, for security reasons, participants who do not have a European Parliament access badge must obtain a pass in advance. Those wishing to obtain such a pass should contact the secretariat ([libe-secretariat@europarl.europa.eu](mailto:libe-secretariat@europarl.europa.eu)) **before 15 February at noon**. It is essential to provide us with your **LAST NAME, First name, date of birth, nationality, type of ID (passport, identity card, driving licence, etc.), number of ID**. Without this information, the Security Service will not provide entry passes.<sup>1</sup>

#### PRACTICAL GUIDELINES FOR THE DEBATE

- During the discussion, so as to make it possible for the highest number of parliamentarians to intervene, speaking time of speakers will be limited to **ten minutes** and speaking time of other participants to **two minutes** per contribution or question.
- Members are kindly asked to fill in the sheet requesting speaking time (indicating their name and parliament) which will be distributed in the meeting room.
- Speakers wishing to supplement their speeches may do so in writing by submitting a document (preferably in English or French) in advance to the secretariat (email: [libe-secretariat@europarl.europa.eu](mailto:libe-secretariat@europarl.europa.eu)). These documents will be circulated during the meeting.
- Meeting documents will be progressively added to the Events section of the LIBE Committee pages: <http://www.europarl.europa.eu/committees/en/libe/events.html> and to the WebNP event webpage: <http://www.europarl.europa.eu/webnp/cms/lang/en/pid/1863>

#### THE MEETING IS BROADCASTED LIVE AND RECORDED

LIBE Committee pages:

<http://www.europarl.europa.eu/activities/committees/homeCom.do?language=EN&body=LIBE>

#### ADDITIONAL INFORMATION

Danai PAPADOPOULOU

Administrator

Office: SQM 08 Y 046

Phone: +32(0)2 28 42413

[danai.papadopoulou@europarl.europa.eu](mailto:danai.papadopoulou@europarl.europa.eu)

Amparo RUEDA BUESO

Administrator

Office: SQM 08 Y 047

Phone: +32(2)28 44018

[amparo.ruedabueso@europarl.europa.eu](mailto:amparo.ruedabueso@europarl.europa.eu)

Elitsa ANDREEVA

Assistant

Office: SQM 08 Y 051

Phone: +32(2)28 30441

[elitsa.andreeva@europarl.europa.eu](mailto:elitsa.andreeva@europarl.europa.eu)

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<sup>1</sup> The processing of personal data is subject to Regulation (EC) No 45/2001 of 18 December 2001 (OJ.L 8 12.1.2001, p. 1)