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*Plenary sitting*

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**A9-0270/2020**

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# REPORT

on monitoring the application of Union law 2017, 2018 and 2019  
(2019/2132(INI))

Committee on Legal Affairs

Rapporteur: Sabrina Pignedoli

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on monitoring the application of Union law 2017, 2018 and 2019 (2019/2132(INI))

*The European Parliament,*

- having regard to the Treaty on European Union (TEU), and in particular Articles 2 and 3 thereof,
- having regard to the Commission's 2017, 2018 and 2019 reports on monitoring the application of EU law (COM(2018)0540, COM(2019)0319 and COM(2020)0350),
- having regard to the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled 'Strengthening the rule of law within the Union – A blueprint for action' (COM(2019)0343),
- having regard to its resolution of 14 June 2018 on monitoring the application of EU law in 2016<sup>1</sup>,
- having regard to its resolution of 9 June 2016 for an open, efficient and independent European Union administration<sup>2</sup>,
- having regard to its resolution of 15 January 2013 with recommendations to the Commission on a Law of Administrative Procedure of the European Union<sup>3</sup>,
- having regard to the Commission communication of 21 December 2016 entitled 'EU law: Better results through better application' (C(2016)8600),
- having regard to the Commission communication of 2 April 2012 entitled 'Updating the handling of relations with the complainant in respect of the application of Union law' (COM(2012)0154),
- having regard to the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission of 13 April 2016 on Better Law-Making,
- having regard to the communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions entitled '2020 Rule of Law Report. The rule of law situation in the European Union' (COM(2020)0580);
- having regard to the report from the Commission to the European Parliament and the

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<sup>1</sup> OJ C 28, 27.1.2020, p. 108.

<sup>2</sup> OJ C 86, 6.3.2018, p. 126.

<sup>3</sup> OJ C 440, 30.12.2015, p. 17.

Council based on Article 10 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (COM(2016)0448),

- having regard to the communication from the Commission to the European Parliament, the European Council and the Council entitled ‘Ninth progress report towards an effective and genuine Security Union’ (COM(2017)0407),
  - having regard to Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (4AMLD), as amended by Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018, amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU (5AMLD),
  - having regard to Review No. 07/2018 of the European Court of Auditors entitled ‘Putting EU law into practice: The European Commission’s oversight responsibilities under Article 17(1) of the Treaty on European Union (Landscape Review)’;
  - having regard to Review No. 02/2020 of the European Court of Auditors entitled ‘Law-making in the European Union after almost 20 years of Better Regulation’;
  - having regard to Rule 54 of its Rules of Procedure,
  - having regard to the opinions of the Committee on Constitutional Affairs and the Committee on Petitions,
  - having regard to the report of the Committee on Legal Affairs (A9-0270/2020),
- A. whereas pursuant to Article 4(3) of the TEU and Articles 288(3) and 291(1) of the TFEU, Member States have the primary responsibility for transposing, applying and implementing EU law correctly and within the time limits set, and for providing sufficient remedies to ensure effective legal protection in the fields covered by EU competences; whereas EU legislation is effective only in so far as it is, on the one hand, transposed in time, in a complete and accurate manner and, on the other hand, properly applied in national law by the Member States, which is necessary to guarantee the benefits of EU policies to all European citizens and a level playing field for businesses across the internal market; whereas EU legislation should respect the principles of sincere cooperation, conferral, subsidiarity and proportionality;
- B. whereas it is necessary to recognise the importance of the active contribution of national parliaments to the proper functioning of the EU, and to ensuring respect for the principle of subsidiarity in accordance with the procedure enshrined in Protocol 2 of the TFEU on the application of the principles of subsidiarity and proportionality; whereas we should continue to foster closer cooperation with national parliaments in the law-

making process; recalls that in 2019, 159 reports and no reasoned opinions were submitted out of a total of 4 918 reports and 439 reasoned opinions in the last nine years; whereas to date the ‘yellow card’ procedure has been activated only three times, and the ‘orange card’ has never been used;

- C. whereas dialogue between the EU Institutions and national authorities has been instrumental to resolving 90 % of infringement procedures since 2014 without the involvement of the Court of Justice; whereas infringement procedures should be used as a measure of last resort; whereas, EU legislation should be formulated in a way that facilitates its transposition into national law;
- D. whereas EU Pilot procedures have been introduced in order to quickly resolve potential breaches of EU law at an early stage in appropriate cases through a structured problem-solving dialogue between the Commission and Member States; whereas their use has declined since 2017 as it has been recognised that it added an additional bureaucratic layer to the procedure without adding real value; whereas the Commission has not yet responded to Parliament’s repeated calls to be kept informed about EU Pilot and infringements procedure initiated, especially when they result from petitions;
- E. whereas in 2016 the Commission decided to prioritise the most serious breaches of EU law significantly affecting the interests of citizens and businesses in its work on infringement cases and complaints, and whereas 2017 was the first year in which the Commission applied this new, more targeted approach;
- F. whereas infringement procedures, together with other implementation and compliance-promoting mechanisms, guarantee that EU citizens and businesses are not negatively affected by the late or incomplete transposition or incorrect application of EU law by Member States; whereas infringement procedures are unfair insofar as they make citizens bear the cost of the incomplete transposition or incorrect application of European law by Member States; whereas more effective interinstitutional cooperation is desirable, both at national and EU level, and to introduce a new mechanisms or review the existing mechanisms to guarantee the correct application of EU law;
- G. whereas respect for the rule of law is the cornerstone of democracy, and underpins fundamental rights; whereas upholding the rule of law is a prerequisite for upholding all rights and obligations deriving from the Treaties and secondary legislation; whereas the EU has a role to play in resolving rule of law issues wherever they appear; whereas national courts in Member States ensure that the rights and obligations provided for under EU law are enforced effectively; whereas independent and effective justice systems in Member States are the basis for mutual trust, which is the bedrock of the common area of freedom, security and justice , an investment-friendly environment, the sustainability of long-term growth, and the protection of EU financial interests;
- H. whereas the protection of fundamental rights and civil liberties, impartial and independent courts, freedom of expression, media pluralism and independence from political influence or pressure, the respect of legality by subnational entities, and the fight against corruption and the infiltration of the legal economy by organised crime, are essential to guaranteeing equal treatment before the law, protecting citizens’ rights, preventing abuses and ensuring accountability of public office-holders; whereas media

freedom, pluralism and independence are essential components of the right to freedom of expression, and whereas independent and free media play a crucial role in a democratic society, as specified in the Charter of Fundamental Rights of the European Union and the TEU; whereas disinformation campaigns aimed at misleading the public about the EU's activities also target the measures undertaken in order to ensure the proper application of EU law in Member States;

- I. whereas Article 21 of the European Charter of Fundamental Rights prohibits any form of discrimination, including on the basis of disability; whereas numerous legislative acts aimed at concretely implementing this fundamental principle are still not being correctly implemented in several Member States;
- G. whereas Europol found that between 0.7 % and 1.28 % of the EU's annual gross domestic product was used for suspect financial activity, such as the laundering of illicitly obtained funds, and whereas the Commission has launched infringement proceedings against most Member States for failing to properly transpose the Anti-money Laundering Directives, in particular 4AMLD and 5AMLD;
- K. whereas some Member States have introduced schemes that either directly or indirectly sell EU citizenship, and whereas there are serious concerns that such schemes could be open to abuse, giving rise to issues relating to security and transparency, undermining citizens' trust in EU values and principles, and facilitating terrorism, organised crime and money laundering;
- L. whereas, according to the Commission report, Council Framework Decision 2008/841/JHA on the fight against organised crime<sup>4</sup> does not achieve the necessary minimum degree of approximation as regards directing or participating in a criminal organisation on the basis of a single definition of such an organisation; whereas the Framework Decision enables the Member States not to introduce the concept of criminal organisation into their national law, but to continue to apply current national criminal law by having recourse to general rules on participation in and preparation of specific offences, and whereas this may have the effect of creating additional disparities in the framework decision's practical implementation;
- M. whereas the refugee crisis has demonstrated the need for urgent reform of the common European asylum system and for more effective burden sharing among Member States; whereas the mandatory schemes for the emergency relocation of asylum seekers from Italy and Greece have proved ineffective, involving, in particular, serious physical and psychological consequences on minors, and especially unaccompanied minors; whereas the Commission has launched infringement procedures against Czechia, Poland and Hungary for refusing to comply with relocation decisions;
- N. whereas the Schengen Borders Code allows internal border checks to be reinstated temporarily only in exceptional circumstances and as a last resort; whereas many Member States have breached the rules by keeping border checks in place without due justification; whereas the Commission has not seen fit to bring infringement procedures

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<sup>4</sup> Report from the Commission to the European Parliament and the Council based on Article 10 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (COM(2016)0448).

against these Member States;

- O. whereas media freedom, pluralism and independence are essential components of the right to freedom of expression, and whereas the media play a crucial role in a democratic society, as specified in the Charter of Fundamental Rights of the European Union and the TEU;
- P. whereas the aim of the Directive 2014/59/EU establishing a framework for the recovery and resolution of credit institutions and investment firms is to limit the damage caused by the impact of economic crises on public budgets, restricting through bail-ins the effects of bank defaults on shareholders, bond holders and holders of current accounts with more than EUR 100 000; whereas current account holders, and hence savers, risk having to pay for mismanagement that causes banks to default, under the provisions of the Bank Recovery and Resolution Directive (BRRD), and in particular the bail-ins provided for by it;
- Q. whereas in 2019 the Commission continued to monitor Member States' implementation of the Capital Requirements Directive IV, the Deposit Guarantee Schemes Directive, the BRRD and the Bank Creditor Hierarchy Directive; whereas in 2019 infringement procedures were launched against 12 Member States for not adopting the measures necessary for the full transposition of the Bank Creditor Hierarchy Directive;
- 1. Welcomes the Commission's 2017, 2018 and 2019 reports on monitoring the application of EU law, including the country-specific reports; recognises that these annual reports, the right of petition and the European Citizens' Initiative are valuable tools for enabling EU legislators to identify potential issues; welcomes the Commission's commitment to attaching great importance to the contribution of citizens, businesses and other stakeholders in detecting breaches of EU law; urges the Commission to enhance public debate on its annual reports;
- 2. Notes a significant number of petitions expressing citizens' concerns over alleged violations of the rule of law in the Member States, and welcomes the participation of citizens in exercising their rights; takes the view that monitoring is essential for identifying and precluding risks to the rule of law and the rights and freedoms of EU citizens before they require a formal response; welcomes, in this regard, the Commission's first yearly Rule of Law Report as a new preventive tool and as part of the new annual European Rule of Law Mechanism; reiterates its support for the establishment of an EU mechanism on democracy, the rule of law and fundamental rights, to be governed by an interinstitutional agreement;
- 3. Recalls that every year Parliament receives a significant number of petitions from concerned citizens expressing dissatisfaction with the state of implementation of EU law in the Member States; is particularly concerned about the practice of referring a significant number of petitioners to other bodies; reiterates its concern that this approach may cause citizens to believe that their voice goes unheard by the EU institutions; emphasises the important role played by civil society and other stakeholders, in particular whistleblowers, in monitoring and reporting on the application of EU law;

4. Is concerned that, in 2019, the Commission launched 797 new infringement proceedings, which is more than in 2018 (644) and 2017 (716); is also worried that in 2019 the Commission sent 316 reasoned opinions, compared to 157 in 2018 and 275 in 2017; notes, however, that in 2019, 1 564 non-compliance proceedings were still open, a slight decrease compared to the 1 571 procedures still open at the end of 2018, and a slight increase compared to those still open in 2017 (1 559); welcomes the fact that the number of procedures for non-compliance with timely transposition obligations still open in 2019 has fallen to 599, 21 % fewer than the number of procedures still open at the end of 2018 (758);
5. Underlines the crucial role of the Court of Justice of the European Union (CJEU) as the sole institution in charge of ruling on the validity of EU law, thus ensuring its correct interpretation and application by EU institutions and Member States; recalls that the preliminary ruling procedure is a fundamental mechanism of EU law that helps to clarify how EU law is to be interpreted and applied; encourages national courts to refer questions to the CJEU in the event of doubt, and thereby prevent infringement proceedings;
6. Points out that, in 2019, infringement proceedings were opened in the following main policy areas, ranked from high to low according to the number of cases: environment, internal market, industry, business and SMEs, mobility and transport; notes with regret that environmental legislation generated the largest number of transposition and enforcement issues in 2019 while in comparison in 2018 the environment was in third place in terms of number of new infringement procedures;
7. Notes that, according to these reports, the fields in which the greatest number of transposition infringement proceedings were opened against Member States in those years were the environment, mobility, transport and the internal market;
8. Emphasises that a lack of enforcement not only undermines the efficiency of the internal market, but also has a direct impact on individual rights, and thus affects the credibility and image of the Union; considers that the large number of infringement procedures shows that ensuring the timely, correct and effective application of EU law in the Member States remains a serious challenge and priority; calls on the Commission to provide more information on the criteria applied under the new methodological approach applied from 2017 aiming to determine the most serious infringement cases and complaints about EU law; regrets that the growing number of procedures has led to the average time taken to investigate potential breaches of EU law to increase continuously since 2017; calls on the Commission to reduce the average time for dealing with complaints and infringement procedures; calls on the Commission, when appropriate, to drastically reduce the time taken to bring a Member States before the Court pursuant to Article 258 of the TFEU and Article 260 of the TFEU;
9. Notes with concern that the average transposition time in the EU has increased, with directives in 2019 taking three months longer to be transposed into national legislation than in 2018; calls for legislative procedures to be timed appropriately in order to provide sufficient time for transposition; underlines that EU law needs to be formulated in a clear, understandable way, respecting the principles of legal clarity, transparency and legal certainty; calls for appropriate ex-ante and ex-post impact assessments of EU



law; recalls that the legislation which gives rise to the most serious infringement proceedings is the result of directives; recalls that regulations are directly and compulsorily applicable in all the Member States; calls on the Commission, therefore, to make use of regulations as far as possible whenever it considers legislative proposals;

10. Stresses Parliament's scrutiny role in drawing the Commission's attention to shortcomings in the implementation of EU law in the Member States by means of petitions and questions; encourages the Commission to further enhance its oversight of the way EU law is applied in Member States, in line with the Landscape Review by the European Court of Auditors; stresses that a close and structured dialogue between the Commission and the Member States at an early stage is key to the effective and correct application of EU law, and also to tackling the issues related to 'gold plating' during the transposition and application of EU law; recalls the need to establish a common database and website for all parts of the legislative procedure in order to increase transparency in legislative discussions; calls on the Commission to promote compliance more consistently across different policy areas, and, where possible and appropriate, to enhance preventive instruments such as, for example, preparing implementation plans, road maps, explanatory documents, dedicated websites, and the exchange of good practices designed to help Member States identify transposition problems, address them at an early stage of the infringement procedures and help them find joined solutions and thus, enhance the effectiveness of EU legislation;
11. Acknowledges the work carried out by the European Commission and its respect for the principle of subsidiarity; highlights the crucial role of national parliaments, and, where relevant, regional parliaments, in the pre-legislative scrutiny of draft EU laws; notes that current forms of cooperation with national parliaments could be improved; regrets the current structure of the procedure for the subsidiarity control mechanism, which compels EU committees in national parliaments to dedicate excessive time to technical and legal assessments while having to comply with short deadlines; suggests a revision of these mechanisms in order to make them more functional and effective, and to allow for the development of a more political approach to subsidiarity control across the EU; suggests further involvement of the European Committee of the Regions, representing regional and local authorities, in subsidiarity control;
12. Is seriously concerned that many Member States have not yet implemented the Anti-Money Laundering Directives (4AMLD and 5AMLD); urges the Member States to urgently and duly transpose these directives; welcomes the Commission's adoption of the communication entitled 'Towards a better implementation of the EU framework on combating money laundering and terrorist financing', which, together with a series of reports, can provide support to European and national authorities in better tackling money laundering, including the risk of terrorist financing;
13. Is concerned about the implications of certain investment and citizenship schemes recently adopted by some Member States; calls on the Commission to introduce legislation banning such practices;
14. Deplores the inconsistencies and shortcomings in European legislation designed to combat cross-border organised crime including, inter alia, drug trafficking or trafficking in human beings; calls on the Commission to continue monitoring the correct

transposition of the framework decision on the fight against organised crime, using its enforcement powers under the Treaties; calls on the Commission to present a legislative proposal for a directive based on Article 83(1) of the TFEU to revise Council Framework Decision 2008/841/JHA on the fight against organised crime, including an update of the definitions of criminal offences to emphasise the cross-border nature of criminal organisations, as repeatedly highlighted in the reports of the relevant European agencies, notably Europol and Eurojust, including higher penalties and adding the offence of criminal association, which in the mafia model is characterised by intimidation tactics, association with the deliberate intent to engage in criminal activity, and the ability to influence public bodies; would welcome, in this context, general European legislation on protecting those who cooperate with law enforcement authorities;

15. Stresses the importance of legislation which enables law enforcement authorities to take effective action against illicitly obtained assets, by preventing criminals from reaping the benefit of their offences and then ploughing the proceeds back into the legal economy or using them to finance other criminal activities; notes that European legislation is lacking in this regard, despite the forthcoming entry into force of Regulation 2018/1805; welcomes, therefore, the Commission's commitment to reviewing the entire legal framework for freezing and confiscating instrumentalities and criminal proceeds in the EU, and to analysing the possible need for further common rules, with particular attention to the seizure or confiscation of criminal proceeds in the absence of a conviction, and the management of such assets;
16. Welcomes the Commission's efforts to continue monitoring the full transposition of the procedural rights directives in the European area of freedom, security and justice; underlines, however, its concern about the persistent difficulties encountered in transposing Directive 2012/29/EU establishing minimum standards on the rights, assistance and protection of victims of crime; underlines its concern in relation to the infringement procedures initiated against various Member States for failure to transpose Directive (EU) 2016/800 on procedural safeguards for children who are suspects or accused persons in criminal proceedings;
17. Highlights the need to improve EU taxation legislation in order to make tax systems more transparent, accountable and effective, as well as to curb unfair competition between Member States, and the proliferation of tax havens; considers that fair taxation and determined measures to combat tax fraud, tax evasion, aggressive tax planning and money laundering have a central role to play in EU policies; calls on the Commission and Member States to develop a competitive, fair and robust taxation system fit for the digital era and new business models;
18. Regrets that the Commission has not decided to launch infringement procedures against the Member States that have breached Schengen rules;
19. Criticises the Member States for their failure to show solidarity and share responsibility for relocating asylum seekers;

20. Urges the Member States to transpose EU legislation on fighting serious crime and terrorism; points in particular to the transposition shortcomings in several Member States identified by the Commission in relation to the Directive on Combating Terrorism (2017/541/EU); notes that most Member States against which the Commission pursued infringement procedures in 2019 for the non-transposition of the Passenger Name Record Directive (2016/681/EU) have in the meantime notified the Commission about the adoption of the measures required to successfully transpose this act;
21. Calls on the EU institutions to guarantee the full implementation of the Charter of Fundamental Rights in all their decisions, actions and policies, as a way of upholding media pluralism and media freedom; expresses concern at the media landscape in the EU; strongly condemns practices designed to intimidate or threaten journalists; reiterates, in this respect, its call on the Commission to come forward with a comprehensive proposal for a legislative act aiming to establish minimum standards against strategic lawsuits against public participation (SLAPP) across the EU; calls on the Commission to introduce measures to clamp down on the improper use of the courts to intimidate or undermine journalists;
22. Condemns the growing number of disinformation campaigns aimed at misleading the public about the EU's activities, and also targeting the measures undertaken to ensure the proper application of EU law in Member States; calls on the Commission to counter this phenomenon, as it seeks to undermine the democratic process and citizens' trust in the EU's democratic institutions; calls on the Commission to implement a clear, comprehensive and broad set of actions to tackle the spread and impact of online disinformation in Europe, and to ensure the protection of European values and democratic systems;
23. expresses concern at the serious gaps in the application of EU environmental and energy laws, particularly in the area of waste management and disposal, energy efficiency, the loss of biodiversity, the over-exploitation of natural resources and protected areas, the inadequate treatment of urban wastewater and air pollution, which also have serious impacts on human health; notes with concern that there are 19 ongoing infringement procedures for incorrect transposition of the provisions of the Environmental Liability Directive, which is essential to ensuring the correct implementation of the polluter pays principle and liability for environmental damage in general;
24. Notes, in particular, that the majority of Member States has persistently and systematically violated European standards on limit values for air pollutants; emphasises that ecosystem degradation and biodiversity loss are major issues across the EU; calls on the Commission to propose a new ecosystem restoration law that would build upon and go beyond existing obligations already in the Habitats Directive and other EU legislation; calls on the Commission to firmly guarantee the swift, complete and correct transposition of all EU environmental directives in all Member States, taking account of the priorities set out in its communication entitled 'EU law: Better results through better application';
25. Stresses that the lack of a coherent and comprehensive set of codified rules on good

administration applicable across the Union makes it difficult for citizens and businesses to easily and fully understand their rights under Union law; emphasises, therefore, that codifying rules on good administration as a regulation setting out the various aspects of administrative procedures – including notifications, binding time limits, the right to be heard and the right for every person to have access to their file – would be tantamount to reinforcing citizens' rights and transparency; believes that this regulation would increase the effectiveness, efficiency and capacity of public administrations and services, and in this regard respond to the need for investment and reform in the European Union;

26. Reiterates its call for the adoption of a regulation on an open, efficient and independent EU administration under Article 298 of the TFEU, and notes that the Commission has not come forward with a proposal following up on this request; calls on the Commission once again, therefore, to come forward with a legislative proposal on a European law of administrative procedure, taking into account the steps taken so far by Parliament in this field;
27. Takes note of the fact that there is a particular lack of transposition, implementation and supervision of EU law on the area of freedom, security and justice, despite the Commission and the Council's insistence on the great urgency of these proposals during the legislative process; calls on the Commission and national authorities to proactively and comprehensively monitor and enforce the application of EU law in this area;
28. Recognises that in order to ensure the correct application of EU law and the proper functioning of the internal market, citizens and entrepreneurs need to be informed about questions arising from the everyday application of EU law; calls for stronger cooperation in this field, including through the SOLVIT service;
29. Regrets the continuing lack of homogeneity between Member States in the effective implementation of legislation aimed at building a social and inclusive Union, and combating all forms of discrimination against vulnerable groups; is concerned about the serious shortcomings and delays in the application of EU law under the European Pillar of Social Rights, in particular in the application of legislation on the protection of workers' health and safety at work, the Working Time Directive, and legislation on equal treatment and salary between women and men; underlines the broad interpretation given by the CJEU in its judgments on the concept of equal pay for equal work, and asks the Commission to do more to tackle discrimination and the gender pay gap at European level;
30. Calls on the Commission to ensure that the COVID-19 pandemic is not used by Member States as a pretext for the incorrect application of EU law, and that any delays in transposing directives into national legal orders are duly justified;
31. Instructs its President to forward this resolution to the Council and the Commission, the Committee of the Regions, the Economic and Social Committee and the national parliaments.

28.10.2020

## **OPINION OF THE COMMITTEE ON CONSTITUTIONAL AFFAIRS**

for the Committee on Legal Affairs

on monitoring the application of European Union law 2017, 2018 and 2019  
(2019/2132(INI))

Rapporteur for opinion: Pedro Silva Pereira

### **SUGGESTIONS**

The Committee on Constitutional Affairs calls on the Committee on Legal Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Welcomes the Commission's reports on monitoring the application of EU law; believes that these reports are crucial tools to ensure democratic scrutiny of the correct transposition and implementation of EU law; considers such monitoring essential as a means to identify risks to the rule of law before they can reach a point where a formal response is required;
2. Urges the Commission to enhance public debate on its annual report on the monitoring of the application of EU law; stresses the need to open this public debate to the broadest possible participation from citizens, and notes that civil society could also be included under the auspices of the Conference on the Future of Europe;
3. Asks the Commission to further support Member States in transposing and implementing EU legislation through institutional and administrative capacity building initiatives;
4. Stresses the importance of the rule of law as a precondition for the proper monitoring and application of EU law; emphasises its grave concern regarding the generalised deficiencies in the application of the rule of law in a number of Member States, as detailed in the Commission's 2020 Rule of Law Report; calls on the Council, as a matter of urgency, to work with Parliament towards an agreement on the Commission's proposal for a regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States (COM(2018)0324);
5. Emphasises that ensuring compliance with EU law is essential in creating a level playing field; stresses the need to continuously improve the mechanisms designed to ensure that rule-making is in full compliance with the Treaties, notably the principles of

conferral, subsidiarity and proportionality, as set out in Article 5 of the Treaty on European Union (TEU), the principle of sincere cooperation, as set out in Article 13 of the TEU and the principal of equality before the law, as set out in Article 20 of the Charter of Fundamental Rights of the European Union (the Charter); underscores, furthermore, the fact that the effectiveness of the EU's legal acts – which hinges on the correctness and timeliness of their implementation – forms the cornerstone of legal certainty and the sound application of the law;

6. Underlines that the norms of the European Union need to be formulated in a clear, understandable way, respecting the principles of legal clarity, transparency and legal certainty; stresses that Union law needs to clearly define the rights and obligations it entails for its addressees, particularly the EU institutions and the Member States; suggests that non-legally binding guidance documents be examined as a potential means to assist the Member States in the implementation process; deplores inconsistencies in the application and interpretation of EU law which can be attributed to incorrect translations of legal texts; calls on the Commission, therefore, to increase its efforts to ensure that adopted EU legislation is correctly translated; calls on the Commission and the Member States to pursue and intensify dialogue and exchange of best practices in order to tackle the lack of clarity and transparency in rule-making when transposing EU law;
7. Recalls that application of EU law includes full respect for shared values, including fundamental rights, democracy and the rule of law, as set out in Article 2 of the TEU; emphasises its concerns with the deteriorating situation of the rule of law in some Member States, as outlined in the Commission's 2020 Rule of Law Report; restates its support for the establishment of an EU mechanism on democracy, the rule of law and fundamental rights, to be governed by an interinstitutional agreement between the three institutions, consisting of an annual monitoring cycle on Union values, covering all aspects of Article 2 TEU; considers that the available tools provided for by the Treaties should be enhanced and suggests that the Conference on the Future of Europe should address this issue;
8. Highlights the crucial role of national parliaments, and, where relevant, regional parliaments, in the pre-legislative scrutiny of draft EU laws, bearing in mind also that this role enables Member States to improve the quality and promptness of their implementation; notes that existing forms of cooperation with national parliaments, such as inter-parliamentary delegations or procedures involving national parliaments in information-exchange regarding the making and application of Union law, could be improved; suggests that possibilities for enhancing cooperation in the field of the application of Union law, as well as on rule-making and the implementation of the principles of proportionality and subsidiarity, should be discussed at the Conference on the Future of Europe; considers that attempts to undermine the constitutional integrity of the Member States constitute a violation of EU law;
9. Calls for improvements to the EU law-making process, which relies on transparency and accountability in legislative drafting, together with civil society participation, where appropriate;
10. Recalls the principle of transparency enshrined in the EU Treaties, as well as the right



of EU citizens to justice and good administration, as stipulated in Articles 41 and 47 of the Charter; points out that those rights and principles require citizens to be given adequate access to drafts of the legal acts that concern them; insists that those rights and principles should also be of paramount importance to the Member States when proposing draft acts aimed at implementing EU law;

11. Recalls the efforts of the EU institutions to set up a common database and website for all parts of the legislative procedure but regrets that these efforts have not yet achieved their aim; considers that the existing and future databases and websites should allow for the appropriate inputs by all parliaments involved;
12. Reiterates the view expressed in its resolution of 17 January 2019 on the Ombudsman's strategic inquiry OI/2/2017 on the transparency of legislative discussions in the preparatory bodies of the Council of the EU; urges the Council to develop clear and publicly available criteria for designating documents as 'LIMITE', in line with EU law and to systematically review the 'LIMITE' status of documents at an early stage, before the final adoption of a legislative act, including before informal negotiations in trilogues;
13. Emphasises that proper transposition and implementation of Union law, on the basis of Article 197 of the Treaty on the Functioning of the European Union (TFEU), is of the utmost importance; being the joint responsibility of Member States and the Unions institutions and bodies; calls for appropriate *ex-ante* and *ex-post* impact assessment of EU law, including on sustainability and on social, environmental and gender issues in line with the pledge of the European Parliament and the Council, as set out in the Interinstitutional Agreement (IIA) on Better Law-Making;
14. Underlines that Member States need to be able to properly transpose Union law into their own legal systems; calls, in this context, for legislative procedures to be timed appropriately in order to provide sufficient time for transposition;
15. Calls on the Commission and the Member States to act jointly and consistently to tackle the problems related to 'gold-plating' during the transposition and application of EU law, as this practice puts unnecessary burdens on citizens, businesses and administrations, leads to misconception of EU legislative activity and increases unjustified EU-scepticism among citizens; recalls, in this regard, the provisions of the IIA on Better Law-Making, which states that national measures that are not strictly related to the Union legislation in question must be clearly indicated and documented by the Member States, while elements that are in no way related to that Union legislation should be made identifiable either through the transposing act(s) or through associated documents; calls on the Commission to provide regular information on the documentation of (anti-) gold-plating measures;
16. Takes note of the particular lack of transposition, implementation and supervision of EU law in the area of freedom, security and justice, in contrast to the great urgency with which legislative proposals in this field are often pushed by the Commission and the Council during the EU legislative process; calls on the Commission and on national authorities to proactively and comprehensively monitor and enforce the application of EU law in this area;

17. Recognises that in order to ensure the correct application of EU law and the proper functioning of the internal market, citizens and entrepreneurs need to be informed about questions arising from the everyday application of EU law; calls for stronger cooperation in this field, including through the SOLVIT service;
18. Emphasises the importance of proper dialogue between the Commission and the Member States at the pre-litigation stage;
19. Underlines the important role also played by the social partners, gender equality bodies and civil society organisations in monitoring and promoting effective redress under EU law; encourages the Commission to raise awareness of the rights of citizens and businesses under EU law, and to further support complainants by improving their understanding of pre-litigation procedure; urges the Commission, as guardian of the Treaties, to open the appropriate investigations in those cases in which a possible infringement of EU law has been duly raised by citizens or civil society organisations;
20. Underlines the important role of whistleblowers in monitoring the proper application of Union law; urges Member States to implement the EU minimum protection rules agreed on in March 2019 and formally adopted in October 2019, well ahead of the deadline two years later; urges Member States to use the room left by the directive to apply it using the broadest possible scope and to offer financial compensation to those who suffer due to their reporting on breaches of Union law;
21. Takes note of the 10 % decrease in new infringement procedures opened in 2018 compared to 2017 and of the increase in the number of new infringement procedures in 2019; notes that according to the breakdown of new infringement cases open at the end of 2017, 2018 and 2019, the main policy areas in which the highest numbers of transposition infringement procedures were opened against Member States were environment, mobility and transport, internal market, financial stability, financial services and capital markets;
22. Deplores the 20 % increase in the number of infringement procedures on EU single market related legislation since December 2017 and calls on the Member States to transpose EU law quicker and more diligently; welcomes the consecutive decreases in new late transposition cases in 2017, 2018 and 2019; notes with concern, however, that the EU average transposition time has increased, with directives in 2019 taking three months longer to be transposed into national legislation than in 2018; regrets that, despite recent progress, timely and correct application of EU law remains a matter of concern in a number of Member States;
23. Calls on the Commission to regard its role as guardian of the Treaties as central and to react with infringement procedures wherever necessary to uphold the proper application of Union law in order to guarantee legal certainty for EU citizens and businesses;
24. Takes note of that the fact that the Commission no longer uses the EU Pilot as the default platform via which to engage in dialogue with Member States on alleged breaches of EU law, as it has been recognised that it added an additional bureaucratic layer to the procedure without adding real value; recalls that resolution rate for cases raised through the EU Pilot was 77 % in 2017 and 2019, and 73 % in 2018;



25. Reaffirms the role of the European Court of Justice (ECJ) as the sole institution in charge of ruling on the validity of Acts of the EU institutions; recalls, furthermore, the role of the ECJ in ensuring the correct interpretation and application of EU law in the context of implementation of the Withdrawal Agreement and the future relationship with the UK.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	28.10.2020
<b>Result of final vote</b>	+: 22 -: 5 0: 1
<b>Members present for the final vote</b>	Gerolf Annemans, Gabriele Bischoff, Damian Boeselager, Fabio Massimo Castaldo, Leila Chaibi, Włodzimierz Cimoszewicz, Pascal Durand, Daniel Freund, Charles Goerens, Esteban González Pons, Sandro Gozi, Brice Hortefeux, Laura Huhtasaari, Giuliano Pisapia, Paulo Rangel, Antonio Maria Rinaldi, Domènec Ruiz Devesa, Jacek Saryusz-Wolski, Helmut Scholz, Pedro Silva Pereira, Antonio Tajani, László Trócsányi, Mihai Tudose, Guy Verhofstadt, Loránt Vincze, Rainer Wieland
<b>Substitutes present for the final vote</b>	Angel Dzhambazki, Niklas Nienäb

## Final vote by roll call in committee for opinion

<b>22</b>	<b>+</b>
GUE/NGL	Leila Chaïbi, Helmut Scholz
NI	Fabio Massimo Castaldo
PPE	Esteban González Pons, Brice Hortefeux, Paulo Rangel, Antonio Tajani, Loránt Vincze, Rainer Wieland
RENEW	Pascal Durand, Charles Goerens, Sandro Gozi, Guy Verhofstadt
S&D	Gabriele Bischoff, Włodzimierz Cimoszewicz, Giuliano Pisapia, Domènec Ruiz Devesa, Pedro Silva Pereira, Mihai Tudose
VERTS/ALE	Damian Boeselager, Daniel Freund, Niklas Nienäß

<b>5</b>	<b>-</b>
ECR	Angel Dzhambazki, Jacek Saryusz Wolski
ID	Gerolf Annemans, Laura Huhtasaari, Antonio Maria Rinaldi

<b>1</b>	<b>0</b>
PPE	László Trócsányi

19.2.2020

## **OPINION OF THE COMMITTEE ON PETITIONS**

for the Committee on Legal Affairs

on monitoring the application of European Union law 2017 and 2018  
(2019/2132(INI))

Rapporteur for opinion: Domènec Ruiz Devesa

### **SUGGESTIONS**

The Committee on Petitions calls on the Committee on Legal Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Stresses that the right to petition the European Parliament is one of the fundamental rights of EU citizens, as laid down in Article 44 of the Charter of Fundamental Rights of the European Union (CFREU) and Article 227 of the Treaty on the Functioning of the European Union (TFEU); underlines the importance of petitions as a means for citizens and residents to feel involved in the activities of the Union, as it is one of the most accessible ways for citizens to address the EU institutions in order to express their concerns about possible violations of their rights, instances of misapplication or breaches of EU law, and potential lacunae within the *acquis*; recalls that the right to petition is the cornerstone of participatory democracy and European citizenship and that, as such, in due respect also of the spirit of Article 11 of the Treaty on European Union (TEU), it contributes to bridging the gap between citizens and political institutions by promoting citizens' active participation and engagement in the EU political debate and considers that the conference on the future of Europe should lead to increased public involvement; calls for the Commission's commitment to take an active role in actions required by petitioners in order to achieve real change in citizens' lives;
2. Recalls that ensuring the effective, equal and uniform application of EU law is crucial for upholding the rule of law, which is one of the founding values of the Union and its Member States, pursuant to Article 2 of the TEU; notes a significant number of petitions expressing citizens' concerns over alleged violations of the rule of law in the Member States and welcomes the participation of citizens in exercising their rights; stresses that non-compliance with the rule of law, including by sub-national entities, has a direct impact on citizens' lives, as demonstrated in petitions received and by the outcome of Special Eurobarometer 489; while respecting the subsidiarity principle, calls on the Commission to respect the commitments made in its 2019 communication entitled 'Strengthening the rule of law within the Union: A blueprint for action'

(COM(2019)0343), in order to promote a culture of respect for the rule of law, reinforce cooperation with national authorities and ensure an effective common response to actual threats within the Union; reminds the Commission that the work done to ensure the effective enforcement of existing EU law is of equal importance to the work devoted to developing new legislation; points out that Article 4 of the TEU requires the Union to respect the equality of Member States before the Treaties, as well as their fundamental structures, both political and constitutional. The same article also requires that the Union respect the Member States' essential State functions, especially those that seek to ensure their territorial integrity, maintain public order and safeguard national security;

3. Emphasises that a lack of enforcement not only undermines the efficiency of the internal market, but also has a direct impact on individual rights and consequently affects the credibility and image of the Union; notes with concern growing populism and Euroscepticism and therefore calls on the Commission to redouble its efforts to safeguard the integrity of the EU legal order; underlines in this regard that implementation and enforcement are founded on the distribution of powers conferred by the Treaties, and that the Member States and the Commission therefore have a shared responsibility to implement and enforce European law, with the Commission as the ultimate guardian of the Treaties; points out, at the same time, that all EU institutions share the responsibility of ensuring the implementation and enforcement of EU law, as provided for in the 2016 Interinstitutional Agreement on Better Law-Making;
4. Stresses the vital importance of efficiency, transparency and accountability in the drafting and implementation of EU legislation by the EU institutions; points out that the European Parliament is the institution directly chosen by the citizens and, considering its paramount role of scrutiny, reminds the Commission of its obligation of accountability to Parliament, especially within the framework of the Committee on Petitions; stresses Parliament's important role of scrutiny in calling the Commission's attention to shortcomings in the implementation of EU law in the Member States by means of petitions and questions; reiterates its call on the Commission to act with more transparency, as well as to effectively use and further improve the existing monitoring mechanisms and periodic assessment tools; calls on the Commission in its capacity as guardian of the Treaties to use said mechanisms and tools to duly monitor and assess the correct and timely implementation of EU law, while fully observing the rights of EU citizens to justice and to good and effective administration pursuant to Articles 298 of the TFEU and Articles 41 and 47 of the CFREU; points out that, in line with these rights and principles, people with disabilities should be given accessibility to draft legislative acts;
5. Recognises the impact of effective implementation of EU law when it comes to enhancing the credibility of the European institutions; considers, therefore, that the annual report published by the Commission, the right of petition and the European Citizens' Initiative are valuable tools for enabling EU legislators to identify potential gaps;
6. Recalls that the Committee on Petitions receives a significant number of petitions each year from concerned citizens expressing dissatisfaction with the state of implementation of EU law in the Member States, and that the large majority of these petitions are

transmitted to the Commission for in-depth investigation; welcomes the Commission's involvement in the procedure and finds it important that Members of the European Parliament can question the outcomes and the recommendations, and underlines that the spheres of EU competence should be respected;

7. Welcomes the Commission's commitment, as clearly set out in its 2017 annual report on monitoring the application of EU law (COM(2018)0540), to placing great value on the contributions of citizens, businesses and other stakeholders in detecting breaches of EU law; takes notes, in this regard, of the Commission's efforts to illustrate the impact of petitions on its enforcement action in a number of policy areas, such as the environment, migration, taxation and the internal market; underlines, however, the significant number of petitions received referring to violations and misapplication of EU law in those fields, in addition to many other areas of activity; deplores the lack of figures on the number of petitions handled by the Commission and the number that lead to the initiation of EU Pilots and infringement procedures;
8. Welcomes, in this regard, the increased transparency and the disclosure of more information in the 2018 report about the number of petitions dealt with by the Commission and about its follow-up actions; regrets, however, that in the large majority of cases the Commission did not open an investigation and did not take any further action; is particularly concerned, in this respect, about the practice of referring a significant number of petitioners to other bodies at national, regional or local level; notes that this practice reflects the Commission's new enforcement policy announced in its 2016 communication entitled 'EU Law: Better Results through Better Application' (C(2016)8600), which aims to direct citizens to the national level when complaints or petitions do not raise issues of wider principle or systematic failure to comply with EU law and can satisfactorily be dealt with by other mechanisms; reiterates its persisting opposition to the approach established thereto and asks the Commission to initiate inquiries in cases where possible breaches of EU law have been detected; calls on the Commission to deal with petitions more effectively by responding promptly and comprehensively and to work collaboratively with Member States for the effective resolution of petitions in accordance with the principle of subsidiarity; encourages the Commission to work on new mechanisms to reduce the response time when processing petitions; considers insufficient the Commission's replies stating merely that it does not have competence to take further actions at EU level;
9. Reiterates its concern that this approach may cause citizens to believe that their voice goes unheard by the EU institutions and may ultimately deprive them of legal protection should a remedy at EU level prove more effective owing to national circumstances or the nature of the interests involved; stresses the disappointment that the Commission's practice causes to citizens who look up to the EU for the protection of their rights and to the Commission, in particular, as guardian of the Treaties pursuant to Article 17 TEU; calls for the above enforcement policy to be reconsidered, so as to ensure that it by no means jeopardises the handling of certain cases, the effective resolution of which might be better achieved at EU level; regards this as inadmissible and urges the Commission to clarify how it intends to address the gap between citizens' expectations and reality regarding the possibility of obtaining a remedy at EU level, and to explain how its approach fits with its role as guardian of the Treaties and its oversight responsibilities under Article 17(1) of the TEU;

10. Recalls that the Committee on Petitions receives a significant number of petitions from citizens who are disadvantaged as a result of decisions taken by national judiciaries; underlines that the right to a fair trial is a fundamental right and must be respected by judicial authorities in all Member States;
11. Calls on the Commission to examine thoroughly the petitions relating to the rights of persons with disabilities; urges the Commission to effectively implement and enforce EU environmental legislation, bearing in mind the amount of petitions received in 2018 related to non-compliant landfills, inadequate treatment of urban waste water or bad air quality in certain areas;
12. Notes that the number of new complaints registered by the Commission in 2018 and 2017 reached its highest level since 2011, with a record 3 850 new complaints in 2018; welcomes citizens' increasing empowerment as regards the process of monitoring and enforcing EU law, as evidenced by the significant flow of complaints and petitions; points out, however, that, as is the case for petitions, the number of complaints leading to investigations remained very low in 2018 and in 2017 as a proportion of the total number of complaints received; calls for a more transparent implementation of the enforcement policy; encourages the Commission to take a more active approach when collecting information and responding to citizens' concerns, and to tackle the 'Blame Brussels' culture in particular;
13. Emphasises the important role played by the social partners, NGOs, European citizens and other stakeholders in monitoring and reporting on shortcomings in the transposition and implementation of EU law by Member States; welcomes, therefore, greater public awareness regarding re-examination of EU legislation, including the crucial role of whistle-blowers in the private and public sector; stresses that EU citizens are entitled to receive prompt, clear, genuinely accessible and transparent information regarding laws adopted by Member States for the transposition of EU law into national legislation and regarding the national authorities responsible for ensuring the proper implementation thereof;
14. Recognises, in this regard, that it is essential to continue fostering closer cooperation and strengthening the links with the national parliaments in the law-making process; stresses that delays in implementation are detrimental to legal certainty; calls on the Commission and the Member States to take stronger action against any late or faulty transposition of directives to ensure the full implementation and enforcement of EU law, thus guaranteeing the rule of law and democracy; underlines the importance of petition-based fact-finding missions to Member States so as to improve the investigation of petitioners' claims, and as a unique means of getting closer to citizens and demonstrating that their concerns are taken seriously; urges the Commission, therefore, to take due consideration of Parliament's fact-finding visit reports and resolutions based on petitions;
15. Deplores the fact that despite its efforts over recent years to enhance the transparency of its monitoring and enforcement activities (e.g. through a centralised platform providing infringement-related information), the Commission has not yet responded to Parliament's repeated calls to be kept regularly informed about every EU Pilot opened

and infringement procedure initiated, especially when they result from petitions; stresses the importance of receiving regular updates on developments in infringement procedures related to open petitions, while respecting the confidentiality requirements laid down in the case-law of the Court of Justice of the European Union (CJEU); regrets the continued lack of commitment shown by the Commission when responding to the concerns raised in EU Pilot procedures; reminds the Commission about citizens' high expectations of transparency with respect to its oversight activities; urges the Commission, therefore, to share this information with Parliament in a timely manner and in a spirit of sincere cooperation in order to enable Parliament to exercise its scrutiny over the executive under Article 14 of the TEU and, ultimately, to enhance the legitimacy and accountability of the Commission's enforcement action, build trust in the EU project and, ultimately, enhance the legitimacy of the EU Pilot procedure;

16. Stresses that a close and structured dialogue between the Commission and the Member States at an early stage is key to the effective and correct application of EU law); calls on the Commission in this regard to improve the EU Pilot problem-solving system and to re-establish a wider use thereof intended to swiftly and informally resolve potential breaches of EU law at an early stage without having to have recourse to a formal infringement process in a significant number of cases; notes that, under the new policies adopted by the Commission to ensure compliance with EU law, the aim of the EU Pilot is not to prolong the infringement procedure but, on the contrary, to help to solve the problems effectively;
17. Recalls that both the European Court of Auditors' 2018 Landscape Review entitled 'Putting EU law into practice: The European Commission's oversight responsibilities under Article 17(1) of the Treaty on European Union', and the 2017 decision of the European Ombudsman setting out suggestions following her strategic inquiry OI/5/2016/AB on timeliness and transparency in the European Commission's handling of infringement complaints, invite the Commission to ensure that pre-infringement cases are dealt with in a more timely, transparent and equitable way, taking into account the principle of subsidiarity and equal treatment;
18. Calls on the Commission to examine the discrimination practised on the basis of the official language(s) of a Member State in schools and public administration within territories that have more than one official language, thereby hampering free movement and breaching the provisions of the internal market (Article 26(2) TFEU).



## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	19.2.2020
<b>Result of final vote</b>	+: 27 -: 0 0: 2
<b>Members present for the final vote</b>	Alex Agius Saliba, Andris Ameriks, Anna-Michelle Asimakopoulou, Alexander Bernhuber, Ryszard Czarnecki, Eleonora Evi, Agnès Evren, Mario Furore, Gianna Gancia, Radan Kanev, Frédérique Ries, Alfred Sant, Massimiliano Smeriglio, Yana Toom, Loránt Vincze, Thomas Waitz, Tatjana Ždanoka
<b>Substitutes present for the final vote</b>	Isabel Benjumea Benjumea, Jarosław Duda, Angel Dzhambazki, Ádám Kósa, Maite Pagazaurtundúa, Anne-Sophie Pelletier, Andrey Slabakov, Ramona Strugariu, Rainer Wieland
<b>Substitutes under Rule 209(7) present for the final vote</b>	Clara Aguilera, Estrella Durá Ferrandis, Mounir Satouri

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

27	+
ECR	Ryszard Czarnecki, Angel Dzhambazki, Andrey Slabakov
NI	Eleonora Evi, Mario Furore
PPE	Anna-Michelle Asimakopoulou, Isabel Benjumea Benjumea, Alexander Bernhuber, Jarosław Duda, Agnès Evren, Radan Kanev, Ádám Kósa, Loránt Vincze, Rainer Wieland
RENEW	Maite Pagazaurtundúa, Frédérique Ries, Ramona Strugariu, Yana Toom
S&D	Alex Agius Saliba, Clara Aguilera, Andris Ameriks, Estrella Durá Ferrandis, Alfred Sant, Massimiliano Smeriglio
VERTS/ALE	Mounir Satouri, Thomas Waitz, Tatjana Ždanoka

0	-

2	0
GUE/NGL	Anne-Sophie Pelletier
ID	Gianna Gancia

Key to symbols:

+ : in favour

- : against

0 : abstention

## INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	10.12.2020
<b>Result of final vote</b>	+: 20 -: 5 0: 0
<b>Members present for the final vote</b>	Gunnar Beck, Geoffroy Didier, Angel Dzhambazki, Ibán García Del Blanco, Jean-Paul Garraud, Esteban González Pons, Sergey Lagodinsky, Gilles Lebreton, Karen Melchior, Jiří Pospíšil, Franco Roberti, Marcos Ros Sempere, Stéphane Séjourné, Raffaele Stancanelli, Adrián Vázquez Lázara, Axel Voss, Marion Walsmann, Tiemo Wölken
<b>Substitutes present for the final vote</b>	Daniel Buda, Pascal Durand, Heidi Hautala, Emmanuel Maurel, Sabrina Pignedoli, Bettina Vollath
<b>Substitutes under Rule 209(7) present for the final vote</b>	Juan Ignacio Zoido Álvarez

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

20	+
EPP	Daniel Buda, Geoffroy Didier, Esteban González Pons, Jiří Pospíšil, Axel Voss, Marion Walsmann, Juan Ignacio Zoido Álvarez
S&D	Ibán García Del Blanco, Franco Roberti, Marcos Ros Sempere, Tiemo Wölken, Bettina Vollath
RENEW	Pascal Durand, Karen Melchior, Stéphane Séjourné, Adrián Vázquez Lázara
VERTS/ALE	Heidi Hautala, Sergey Lagodinsky
GUE/NGL	Emmanuel Maurel
NI	Sabrina Pignedoli

5	-
ID	Gunnar Beck, Jean-Paul Garraud, Gilles Lebreton
ECR	Angel Dzhambazki, Raffaele Stancanelli

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention