

EUROPEAN PARLIAMENT

2004



2009

Committee on Constitutional Affairs

2005/2169(INI)

23.11.2006

OPINION

of the Committee on Constitutional Affairs

for the Committee on Civil Liberties, Justice and Home Affairs

on compliance with the Charter of Fundamental Rights in Commission
legislative proposals: methodology for systematic and rigorous monitoring
(2005/2169(INI))

Draftsman: Riccardo Ventre

PA_NonLeg

SUGGESTIONS

The Committee on Constitutional Affairs calls upon the Committee on Civil Liberties, Justice and Home Affairs as the committee responsible to include the following suggestions in its motion for a resolution:

1. Welcomes the new approach adopted by the Commission as regards upholding fundamental rights, which constitutes an ideal starting point for efforts to ensure that the EU's fundamental rights enjoy better protection and a higher profile;
2. Hopes that specific, practical ways can be found of applying the stated methods by means of which the Commission intends to implement the EU Charter of Fundamental Rights in its legislative proposals;
3. Considers that the Commission's concern for the protection of fundamental rights at every stage of the legislative procedure should be welcomed; points, however, to the need for the European Parliament - as a democratic body *par excellence* - to be more extensively involved in the procedure for verifying that legislative proposals are compatible with the rights laid down in the Charter;
4. Considers that the European Parliament's committees should be involved to a greater extent in monitoring the compatibility of legislative proposals with fundamental rights, and suggests in particular that the European Parliament's Rules of Procedure should be amended with a view to:
 - enabling the committee responsible for protecting fundamental rights to assess the impact of any Commission legislative proposal which is likely to have a bearing on the rights laid down in the Charter;
 - ensuring that whenever in the course of a legislative procedure the European Parliament or one of its committees raises an issue relating to the protection of fundamental rights, the matter in question can be referred to the relevant committee for verification and that the necessary coordination can be carried out;
5. Points out that, even though general consultation procedures exist, independent external bodies and organisations which are specifically concerned with fundamental-rights issues must be more extensively involved; to that end, calls upon the Commission to devise a specific arrangement for enabling those bodies and organisations to be consulted during the procedure for drafting legislative proposals which have an impact on fundamental rights;
6. Considers that it must be possible for the future EU Human Rights Agency - when requested by the institutions concerned - to become involved through the issue of opinions relating to fundamental-rights issues raised when a legislative proposal is being drawn up or in the course of a specific legislative procedure;

7. Points out that systematic internal monitoring to ensure that fundamental rights are upheld when legislative proposals are being drawn up must be the subject of an explanatory report which provides legal grounds for upholding such rights;
8. Stresses the importance of establishing suitable means of communicating with and informing the general public and the EU institutions concerning the internal monitoring of the upholding of fundamental rights by ways including the drawing up of periodic reports on the subject.

PROCEDURE

Title	Compliance with the Charter of Fundamental Rights in Commission legislative proposals: methodology for systematic and rigorous monitoring			
References	2005/2169(INI)			
Committee responsible	LIBE			
Opinion by Date announced in plenary	AFCO 29.9.2005			
Enhanced cooperation – date announced in plenary				
Drafts(wo)man Date appointed	Riccardo Ventre 17.11.2005			
Previous drafts(wo)man				
Discussed in committee	21.2.2006	20.3.2006	11.7.2006	22.11.2006
Date adopted	23.11.2006			
Result of final vote	+: 11 -: 2 0: 0			
Members present for the final vote	Richard Corbett, Panayiotis Demetriou, Andrew Duff, Maria da Assunção Esteves, Ingo Friedrich, Daniel Hannan, Jo Leinen, Íñigo Méndez de Vigo, Marie-Line Reynaud, Alexander Stubb			
Substitute(s) present for the final vote	Ashley Mote, Gérard Onesta, Georgios Papastamkos			
Substitute(s) under Rule 178(2) present for the final vote				
Comments (available in one language only)				