



2020/2072(INL)

20.7.2020

AMENDMENTS

1 - 93

Draft opinion
Włodzimierz Cimoszewicz
(PE654.024v01-00)

The Establishment of an EU Mechanism on Democracy, the Rule of Law and
Fundamental Rights
(2020/2072(INL))

Amendment 1
Loránt Vincze

Draft opinion
Paragraph -1 (new)

Draft opinion

Amendment

-1. Recalls that the EU architecture on the rule of law, democracy and fundamental rights has been in continuous development ever since the creation of the European Community (EC) and that after its introduction in the EC by the jurisprudence of the Court of Justice, it was progressively anchored and strengthened in the Single European Act, the Maastricht Treaty, the Amsterdam Treaty, the Treaty of Nice and the Treaty of Lisbon and that at present respect for the rule of law, democracy and fundamental rights are recognized as the founding values of the Union; whereas this process must be further advanced;

Or. en

Amendment 2
Loránt Vincze

Draft opinion
Paragraph -1 a (new)

Draft opinion

Amendment

-1 a. Recalls that the EU has codified in its accession criteria that EU membership requires that candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights, respect for and protection of minorities; points out however that the EU lacks effective tools to enforce these criteria once a country has become part of the EU;

Or. en

Amendment 3
Gunnar Beck

Draft opinion
Paragraph 1

Draft opinion

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; recalls in particular the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, *which is* a core value of the Union as a community based on law;

Amendment

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States ***and the EU itself***; recalls in particular the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection ***against transgressions both by member states, the EU institutions or private parties or emanations of the state alike. The protection of the rule of law within the sphere of application of Union law***, a core value of the Union as a community based on ***international*** law

Or. en

Amendment 4
Jorge Buxadé Villalba

Draft opinion
Paragraph 1

Draft opinion

1. ***Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; recalls in particular*** the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, which is a core value of the Union as a community based on law;

Amendment

1. ***Stresses*** the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, which is a core value of the Union as a community based on law;

Or. en

Amendment 5
László Trócsányi

Draft opinion
Paragraph 1

Draft opinion

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in ***a number of Member States***; recalls in particular the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, which ***is a core value*** of the Union as a community based on law;

Amendment

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in ***the European Union***; recalls in particular the importance of upholding the rule of law and the obligation of ***all*** Member States ***equally*** to ensure effective judicial protection ***and of the institutions of the European Union to respect the rule of law, without prejudice to Article 5 of the Treaty on the European Union (TEU), to Article 4 TEU, and the principles of subsidiarity and proportionality***, which ***are core values*** of the Union as a community based on law;

Or. en

Amendment 6
Fabio Massimo Castaldo

Draft opinion
Paragraph 1

Draft opinion

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; recalls in particular the importance of ***upholding*** the rule of law ***and the obligation of Member States to ensure effective judicial*** protection, which ***is a core value of the*** Union as a community based on law;

Amendment

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; ***notes that the COVID-19 pandemic has been used to limit citizens' rights and fundamental freedoms as embedded in the Charter of fundamental rights of the EU, including unjustified censorship, fuelling discrimination, disinformation and hate speech***; recalls in particular the importance of ***promoting and defending*** the rule of

law as a precondition for any sound democratic systems as well as for ensuring the protection of fundamental rights and Union values and a prerequisite for upholding all rights and obligations deriving from the Treaties;

Or. en

Amendment 7

Gwendoline Delbos-Corfield

on behalf of the Greens/EFA Group

Draft opinion

Paragraph 1

Draft opinion

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; recalls *in particular* the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, which is a core value of the Union as a community based on law;

Amendment

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; *calls for the adoption of a EU mechanism on democracy, the rule of law and fundamental rights which does not create a hierarchy of values and ensures that not only the rule of law, but also other Union values, including a wider spectrum of fundamental rights, are properly assessed;* recalls the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, which is a core value of the Union as a community based on law;

Or. en

Amendment 8

Nikolaj Villumsen, Leila Chaibi, Helmut Scholz

Draft opinion

Paragraph 1

Draft opinion

1. Considers that the situation with

Amendment

1. Considers that the situation with

regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; recalls in particular the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, which is a core value of the Union as a community based on law;

regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; ***strongly believes there is a need for a monitoring mechanism that fully covers Article 2 of TEU and underlines that human rights and democracy are common values on which the European Union is founded***; recalls in particular the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, which is a core value of the Union as a community based on law;

Or. en

Amendment 9
Jacek Saryusz-Wolski

Draft opinion
Paragraph 1

Draft opinion

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; recalls in particular the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, which is a core value of the Union as a community based on law;

Amendment

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; recalls in particular the importance of upholding the rule of law, ***democracy and fundamental rights*** and the obligation of Member States to ensure effective judicial protection, which is a core value of the Union as a community based on law;

Or. en

Amendment 10
Vladimír Bilčík

Draft opinion
Paragraph 1

Draft opinion

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States; recalls in particular the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, which is a core value of the Union as a community based on law;

1. Considers that the situation with regard of the rule of law, democracy and fundamental rights has substantially deteriorated in a number of Member States, ***which is deeply regrettable; underlines that the Union is founded on a set of common principles of democracy, the rule of law, and fundamental rights, as enshrined in Article 2 TEU***; recalls in particular the importance of upholding the rule of law and the obligation of Member States to ensure effective judicial protection, which is a core value of the Union as a community based on law;

Or. en

Amendment 11
Fabio Massimo Castaldo

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1 a. Recalls that the EU still has no effective mechanisms to monitor, prevent and put an end to systemic threats to the rule of law and democracy in the Member States; welcomes, in this regard, the Commission communication on further strengthening the Rule of Law within the Union and the actions set out therein; calls on the Commission to implement the proposed rule of law framework without undue delay; considers necessary to put in place sanctions that could be effective, dissuasive and proportionate;

Or. en

Amendment 12
Vladimír Bilčík

Draft opinion
Paragraph 1 a (new)

PE655.681v01-00

8/48

AM\1210213EN.docx

Draft opinion

Amendment

1 a. *Notes the contradiction that whereas future Member States are vetted for their compliance with these values before they accede to the Union, no similar method exists to supervise adherence to these foundational principles after accession in the European Union;*

Or. en

Amendment 13
Fabio Massimo Castaldo

Draft opinion
Paragraph 1 b (new)

Draft opinion

Amendment

1 b. *Recalls that the accession of the European Union to the European Convention for the protection of Human Rights and Fundamental Freedoms is a legal obligation foreseen under Article 6(2) TEU; recalls that the accession to ECHR will constitute a further step in the process of European integration and will enhance the coherence between the Union and the Council of Europe's further strengthening the protection of fundamental rights and freedoms within the EU; regrets the lack of progress made so far to fulfil this Treaty obligation; calls on the Commission to step up efforts to respect the Treaties and conclude the negotiations without undue delay;*

Or. en

Amendment 14
Vladimír Bilčík

Draft opinion

Paragraph 1 b (new)

Draft opinion

Amendment

1 b. Highlights that the lack of monitoring, evaluating and supervisory mechanisms for the EU's legal founding principles would not constitute a problem if Member States adhered to these principles after their accession into the European Union;

Or. en

**Amendment 15
Vladimír Bilčík**

**Draft opinion
Paragraph 1 c (new)**

Draft opinion

Amendment

1 c. Acknowledges that the establishment of an EU Mechanism on Democracy, the Rule of Law and Fundamental Rights must be linked to strengthening democratic functioning in the Union; regrets that previous requests for dialogue with particular governments led to limited solutions only;

Or. en

**Amendment 16
Vladimír Bilčík**

**Draft opinion
Paragraph 1 d (new)**

Draft opinion

Amendment

1 d. Underlines the importance of designing an objective, evidence-based Mechanism that will assess democracy, the rule of law and respect for fundamental freedoms in a fair an

impartial manner;

Or. en

Amendment 17
Vladimír Bilčík, Sven Simon

Draft opinion
Paragraph 1 e (new)

Draft opinion

Amendment

1 e. Demands to strengthen the Court of Justice of the European Union by introducing an instrument of individual complaint for citizens; underlines the need to establish a mechanism for arbitration of constitutional matters; proposes that this topic be debated during the course of the upcoming Conference on the Future of Europe;

Or. en

Amendment 18
Gunnar Beck

Draft opinion
Paragraph 2

Draft opinion

Amendment

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should ***all*** contribute to the defence of the Union values in accordance with the procedures set out in the Treaties; ***calls for such activities to be governed by an interinstitutional agreement and for existing mechanisms to be consolidated, while setting out detailed assessments of the situations in all Member States, determining preventive and corrective actions;***

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU ***as well as observe the principles of conferral and subsidiarity in Art. 5 TEU*** and therefore should ***together with the Member States*** contribute to the defence of the Union ***and national constitutional*** values in accordance with the procedures set out in the Treaties;

Amendment 19
László Trócsányi

Draft opinion
Paragraph 2

Draft opinion

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should all contribute to the defence of the Union values in accordance with the procedures set out in the Treaties; ***calls for such activities to be governed by an interinstitutional agreement and for existing mechanisms to be consolidated***, while setting out detailed assessments of the situations in all Member States, ***determining preventive and corrective actions***;

Amendment

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should all ***pay special respect to comply with it during their functioning and*** contribute to the defence of the Union values in accordance with the procedures set out in the Treaties ***and with respect to Article 5 of the Treaty on the European Union and in respect of Article 4 TEU, with special regard to the principles of subsidiarity and proportionality***, while setting out detailed assessments of the situations in all Member States ***equally, based on sincere dialogue between Member States, while respecting the principles enshrined in the Treaties***;

Amendment 20
Jacek Saryusz-Wolski

Draft opinion
Paragraph 2

Draft opinion

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should all contribute to the defence of the Union values in accordance with the procedures set out in the Treaties; calls for such activities to be governed by an interinstitutional agreement and ***for***

Amendment

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should all contribute to the defence of the Union values in accordance with the procedures set out in the Treaties; calls for such activities to be governed by an interinstitutional agreement and ***calls***

existing *mechanisms* to be *consolidated*, while setting out detailed assessments of the situations in all Member States, determining *preventive and corrective* actions;

for the existing *mechanism* to be *reviewed in line with the division of the competences between three institutions stipulated in the Treaties*, while setting out detailed assessments of the situations in all Member States, determining *relevant* actions *to be undertaken*;

Or. en

Amendment 21 **Jorge Buxadé Villalba**

Draft opinion **Paragraph 2**

Draft opinion

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should all contribute to the defence of the Union values in accordance with the procedures set out in the Treaties; calls for such activities to be governed by an interinstitutional agreement *and for existing mechanisms to be consolidated, while setting out detailed assessments of the situations in* all Member States, *determining preventive and corrective actions*;

Amendment

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should all contribute to the defence of the Union values in accordance with the procedures set out in the Treaties; calls for such activities to be governed by an interinstitutional agreement *based on equal respect to* all Member states *and without political bias*;

Or. en

Amendment 22 **Gwendoline Delbos-Corfield** on behalf of the Greens/EFA Group

Draft opinion **Paragraph 2**

Draft opinion

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and

Amendment

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and

therefore should all contribute to the defence of the Union values in accordance with the *procedures* set out in the Treaties; calls for such activities to be governed by an interinstitutional agreement and for existing mechanisms to be consolidated, while setting out *detailed assessments* of the situations in all Member States, determining preventive and corrective actions;

therefore should all contribute to the defence of the Union values in accordance with the *provisions* set out in the Treaties; calls for such activities to be governed by an interinstitutional agreement and for existing mechanisms to be consolidated, while setting out *annual reports* of the situations in all Member States *based on the assessment of a panel of independent experts and* determining preventive and corrective actions;

Or. en

Amendment 23 **Victor Negrescu**

Draft opinion **Paragraph 2**

Draft opinion

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should all contribute to the defence of the Union values in accordance with the procedures set out in the Treaties; calls for such activities to be governed by an interinstitutional agreement and for existing mechanisms to be consolidated, while setting out detailed assessments of the situations in all Member States, determining preventive and corrective actions;

Amendment

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should all contribute, *without political bias*, to the defence of the Union values in accordance with the procedures set out in the Treaties; calls for such activities to be governed by an interinstitutional agreement and for existing mechanisms to be consolidated, while setting out detailed assessments of the situations in all Member States, determining preventive and corrective actions;

Or. en

Amendment 24 **Nikolaj Villumsen, Leila Chaibi, Helmut Scholz**

Draft opinion **Paragraph 2**

Draft opinion

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should all contribute to the defence of the Union values in accordance with the procedures set out in the Treaties; calls for such activities to be governed by an interinstitutional agreement and for existing mechanisms to be consolidated, while setting out detailed assessments of the situations in all Member States, determining preventive and corrective actions;

Amendment

2. Insists that the Union institutions are to practise mutual sincere cooperation in line with Article 13(2) TEU and therefore should all contribute to the defence of the Union values in accordance with the procedures set out in the Treaties; calls for such activities to be governed by an interinstitutional agreement and for existing mechanisms to be consolidated, while setting out detailed ***independent*** assessments of the situations in all Member States, determining preventive and corrective actions;

Or. en

Amendment 25
László Trócsányi

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2 a. Points out that the principle of rule of law is not only bidding for the Member States, but for the institutions of the European Union as well as stated in Article 263 TFEU and in the preamble of the Charter of Fundamental Rights of the European Union, legal certainty, access to justice together with non-discrimination and equality before the law are indispensable cornerstones of rule of law,

Or. en

Amendment 26
Gwendoline Delbos-Corfield
on behalf of the Greens/EFA Group

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2 a. *Proposes that the panel of independent experts consists of one expert appointed by each Member State's parliament among former constitutional court or supreme court judges, as well as ten experts nominated by academia, civil society and international organisations and appointed by the European Parliament;*

Or. en

Amendment 27
László Trócsányi

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2 b. *Underlines that the system of requirements laid down in the context of the rule of law and based on the principle of democracy was originally created and incorporated into the Treaties in order to improve the democratic and efficient functioning of the EU institutions and thus enable them to perform their tasks within a single institutional framework.*

Or. en

Amendment 28
László Trócsányi

Draft opinion
Paragraph 2 c (new)

Draft opinion

Amendment

2 c. *Emphasises that the European Union should fulfil its role of examining its institutions to see whether their functioning is in compliance with the*

principle of democracy and the rule of law;

Or. en

Amendment 29
Jorge Buxadé Villalba

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. *Believes that for effective implementation, in accordance with Article 295 TFEU and their power of self-organisation, the three institutions should establish a joint body responsible for coordinating their cooperation in this field;*

deleted

Or. en

Amendment 30
László Trócsányi

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Believes that for effective implementation, in accordance with Article 295 TFEU and their power of self-organisation, the three institutions should *establish a joint body responsible for coordinating their* cooperation in this field;

3. Believes that for effective implementation, in accordance with Article 295 TFEU and their power of self-organisation *is necessary in all Member States*, the three institutions should *assess possibilities for better* cooperation *and coordination* in this field;

Or. en

Amendment 31
Gwendoline Delbos-Corfield
on behalf of the Greens/EFA Group

Draft opinion
Paragraph 3

Draft opinion

3. Believes that for effective implementation, in accordance with Article 295 TFEU **and their power of self-organisation, the three institutions** should establish **a joint body responsible** for coordinating **their** cooperation in this field;

Amendment

3. Believes that for effective implementation, in accordance with Article 295 TFEU, **the future Interinstitutional Agreement on an EU mechanism on democracy, rule of law and fundamental rights** should **also** establish **clear procedures** for coordinating cooperation **between institutions** in this field; **calls for the inclusion of a debate on the conclusions of the annual report in the Council and in an inter-parliamentary conference organised by the Parliament in an Annual Monitoring Cycle;**

Or. en

Amendment 32
Fabio Massimo Castaldo

Draft opinion
Paragraph 3

Draft opinion

3. Believes that for effective implementation, in accordance with Article 295 TFEU and their power of self-organisation, the three institutions should establish a joint body responsible for coordinating their cooperation in this field;

Amendment

3. Believes that for effective implementation, in accordance with Article 295 TFEU and their power of self-organisation, the three institutions should establish a joint body responsible for coordinating their cooperation in this field; **notes, however, that unnecessary creation of new structures or duplication should be avoided and integration and incorporation of existing instruments should be the preferred option;**

Or. en

Amendment 33
Jacek Saryusz-Wolski

**Draft opinion
Paragraph 3**

Draft opinion

3. Believes that for effective implementation, in accordance with Article 295 TFEU and their power of self-organisation, the three institutions should establish a joint body responsible for *coordinating their cooperation* in this field;

Amendment

3. Believes that for effective implementation, in accordance with Article 295 TFEU and their power of self-organisation, the three institutions should establish a joint *advisory* body responsible for *facilitating dialogue among them* in this field;

Or. en

**Amendment 34
Gunnar Beck**

**Draft opinion
Paragraph 3**

Draft opinion

3. Believes that for effective *implementation*, in accordance with Article 295 TFEU *and their power of self-organisation*, the three institutions should *establish a joint body responsible for coordinating their cooperation in this field*;

Amendment

3. Believes that for effective *observance of all treaty obligations including all imitations on the EUs powers*, in accordance with Article 295 TFEU, the three institutions should *continue to proceed by way of inter-institutional agreements*;

Or. en

**Amendment 35
Gunnar Beck**

**Draft opinion
Paragraph 4**

Draft opinion

4. Insists that *the Annual Monitoring Cycle* should be governed by the principles of transparency, impartiality, and equality between Member States, be based on

Amendment

4. Insists that *any criticism of alleged violations of the rule of law* should be governed by the principles of transparency, impartiality, and equality between Member

objective evidence and lead to effective and realistic measures;

States, be based on objective evidence and ***throughout respect the wording of the EU Treaties in accordance with the standards set by generally accepted methods of treaty interpretation such as the Vienna Convention on the Laws of Treaties and*** lead to effective and realistic measures;

Or. en

Amendment 36
Jorge Buxadé Villalba

Draft opinion
Paragraph 4

Draft opinion

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective and realistic measures;

Amendment

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective and realistic measures; ***stresses that if the Commission fails to follow these principles and this tool ends up being used to put pressure on Member states to join the political agenda of the main European political parties, it will lose its credibility;***

Or. en

Amendment 37
Victor Negrescu

Draft opinion
Paragraph 4

Draft opinion

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective

Amendment

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective

and realistic measures;

and realistic measures; *Stresses the need for a monitoring system that will follow the situations up close in all Member States, without political bias, in order to tackle the issues that have arisen as soon as possible before they evolve and become more complicated to manage at European level;*

Or. en

Amendment 38

Nikolaj Villumsen, Leila Chaibi, Helmut Scholz

Draft opinion

Paragraph 4

Draft opinion

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective and realistic measures;

Amendment

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective and realistic measures; *believes in this regard, that the assessment should be carried out by an independent panel of experts and that its findings should be made public;*

Or. en

Amendment 39

Gwendoline Delbos-Corfield

on behalf of the Greens/EFA Group

Draft opinion

Paragraph 4

Draft opinion

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective

Amendment

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence *from the assessment of*

and realistic measures;

the panel of independent experts and lead to effective and realistic measures *such as infringement procedures or sanctions where relevant*;

Or. en

Amendment 40

Maite Pagazaurtundúa, Charles Goerens, Sophia in 't Veld, Sandro Gozi, Pascal Durand, Gilles Boyer

Draft opinion Paragraph 4

Draft opinion

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective and realistic measures;

Amendment

4. Insists that the Annual Monitoring Cycle should be governed, *at all its stages*, by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence, *protected from any malicious disinformation strategy* and lead to effective and realistic measures;

Or. en

Amendment 41

Jacek Saryusz-Wolski

Draft opinion Paragraph 4

Draft opinion

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective and realistic *measures*;

Amendment

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective and realistic *recommendations prepared by independent experts designated by the Member States*;

Or. en

Amendment 42
Fabio Massimo Castaldo

Draft opinion
Paragraph 4

Draft opinion

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective and *realistic* measures;

Amendment

4. Insists that the Annual Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and *measurable indicators and criteria and* lead to effective and *proportionate* measures;

Or. en

Amendment 43
László Trócsányi

Draft opinion
Paragraph 4

Draft opinion

4. Insists that *the Annual* Monitoring Cycle should be governed by the principles of transparency, impartiality, and equality between Member States, be based on objective evidence and lead to effective and realistic measures;

Amendment

4. Insists that *any* monitoring *of rule of law* should be governed by the principles of transparency, impartiality, and equality between *all* Member States, be based on objective evidence and lead to effective and realistic measures;

Or. en

Amendment 44
Loránt Vincze

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4 a. Recalls that while in the EU legal framework the rule of law is explicitly

mentioned as a value which is common to the EU and its Member States (Article 2 TEU), the EU Treaties do not provide a definition of the notion; points out that the rule of law is a complex and in many aspects vague concept and therefore the setup of the Annual Monitoring Cycle would require a consensus on the principles of the rule of law common to all Member States; considers that the strict minimum of the meaning of the rule of law is a system where laws are applied and enforced and that in the definition of the concept the Commission should use a broad definition, drawing on principles set out in the case law of the European Court of Justice and the European Court of Human Rights as well as the principles expressed by the Venice Commission;

Or. en

Amendment 45
László Trócsányi

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4 a. Notes that any monitoring of rule of law should respect the national identity and constitutional structure of the Member States as endorsed by the Treaties (Article 4 (2) TEU);

Or. en

Amendment 46
Loránt Vincze

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4 b. Stresses that the rule of law is intrinsically linked to respect for democracy and for fundamental rights and that therefore the three principles must be jointly monitored;

Or. en

Amendment 47
Jorge Buxadé Villalba

Draft opinion
Paragraph 5

Draft opinion

Amendment

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with representative stakeholders; the Annual Monitoring Cycle should therefore provide for compulsory consultations with organised civil society, and their views and contributions should be made public in that process;

deleted

Or. en

Amendment 48
László Trócsányi

Draft opinion
Paragraph 5

Draft opinion

Amendment

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with representative stakeholders; *the Annual*

5. Believes that the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with representative stakeholders;

Monitoring Cycle should therefore provide for compulsory consultations with organised civil society, and their views and contributions should be made public in that process;

Or. en

**Amendment 49
Gunnar Beck**

**Draft opinion
Paragraph 5**

Draft opinion

5. Believes that, both in the process of establishment of the Interinstitutional Agreement ***and in the operation of the Annual Monitoring Cycle***, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with ***representative stakeholders; the Annual Monitoring Cycle should therefore provide for compulsory consultations with organised civil society, and their views and contributions should be made public in that process;***

Amendment

5. Believes that, both in the process of establishment of the Interinstitutional Agreement, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with ***the member states and international courts including the International Court of Justice and constitutional courts of the Member States to arrive at a general, widely accepted legal methodology for assessing alleged treaty violations;***

Or. en

**Amendment 50
Brice Hortefeux**

**Draft opinion
Paragraph 5**

Draft opinion

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with ***representative stakeholders; the Annual***

Amendment

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with ***representatives of Member States as well***

Monitoring Cycle should therefore provide for compulsory consultations with organised civil society, and their views and contributions should be made public in that process;

as other relevant stakeholders such as EU institutions and bodies, international organisations, judicial networks and associations, NGOs, academia and think tanks;

Or. en

Amendment 51
Nikolaj Villumsen, Leila Chaibi, Helmut Scholz

Draft opinion
Paragraph 5

Draft opinion

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with representative stakeholders; the Annual Monitoring Cycle should therefore provide for compulsory consultations with organised civil society, and their views and contributions should be made public in that process;

Amendment

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with representative stakeholders; the Annual Monitoring Cycle should therefore provide for compulsory consultations with organised civil society *at all stages of the Annual Monitoring Cycle*, and their views and contributions should be made public in that process; *suggests the European Ombudsman and other EU bodies contribute with input to the independent panel of experts where relevant;*

Or. en

Amendment 52
Fabio Massimo Castaldo

Draft opinion
Paragraph 5

Draft opinion

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the

Amendment

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the

Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with **representative** stakeholders; the Annual Monitoring Cycle should therefore provide for compulsory consultations with **organised** civil society, and their views and contributions should be made public in that process;

Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with **relevant** stakeholders; the Annual Monitoring Cycle should therefore provide for compulsory consultations with **representatives of the national parliaments of the Member States and** civil society **organisations**, and their views and contributions should be made public **and taken in due account** in that process;

Or. en

Amendment 53

Gwendoline Delbos-Corfield

on behalf of the Greens/EFA Group

Draft opinion

Paragraph 5

Draft opinion

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with representative stakeholders; the Annual Monitoring Cycle should therefore provide for compulsory consultations with organised civil society, and their views and contributions should be **made public in that process**;

Amendment

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with representative stakeholders; the Annual Monitoring Cycle should therefore provide for compulsory consultations with organised civil society, and their views and contributions should be **included in the annual reports**;

Or. en

Amendment 54

Victor Negrescu

Draft opinion

Paragraph 5

Draft opinion

Amendment

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with representative stakeholders; the Annual Monitoring Cycle should therefore provide for compulsory consultations with organised civil society, and their views and contributions should be made public in that process;

5. Believes that, both in the process of establishment of the Interinstitutional Agreement and in the operation of the Annual Monitoring Cycle, the institutions should, in accordance with Article 11 TEU, maintain an open dialogue with representative **and impartial** stakeholders; the Annual Monitoring Cycle should therefore provide for compulsory **and open** consultations with organised civil society, and their views and contributions should be made public in that process;

Or. en

Amendment 55

Charles Goerens, Sandro Gozi, Sophia in 't Veld, Gilles Boyer, Pascal Durand

Draft opinion

Paragraph 5 – subparagraph 1 (new)

Draft opinion

Amendment

Stresses that the Council of Europe plays a crucial role in monitoring the respect of fundamental rights and the rule of law in Europe. Insists therefore that consultations with the Council and foremost the Venice Commission should take place on a regular basis and that their assessment should inform the evaluations and recommendations of the new joint monitoring mechanism.

Or. en

Amendment 56

Loránt Vincze

Draft opinion

Paragraph 5 a (new)

Draft opinion

Amendment

5 a. Points out that in the case of Romania and Bulgaria a Cooperation and

Verification Mechanism (CVM) was set up when they joined the EU on 1 January 2007 as a transitional measure to assist the two countries to remedy shortcomings in the fields of judicial reform, corruption and organised crime and that 13 years after their accession the mechanism is still applied in case of both countries; considers that the Annual Monitoring Cycle, which would apply equally to all member States of the European Union should replace the CVM; considers that the benchmarks set up by the European Commission for assessing progress within the CVM could be used within the framework of the Annual Monitoring Cycle;

Or. en

Amendment 57
Gunnar Beck

Draft opinion
Paragraph 6

Draft opinion

6. Recognises that in *the Annual Monitoring Cycle*, the Member States should be given an opportunity to present their positions in full, while not hampering the efficiency of the procedure;

Amendment

6. Recognises that in *any information gathering exercise related to alleged treaty violations*, the Member States should be given an opportunity to present their positions in full, while not hampering the efficiency of the procedure;

Or. en

Amendment 58
Victor Negrescu

Draft opinion
Paragraph 6

Draft opinion

6. Recognises that in the Annual

Amendment

6. Recognises that in the Annual

Monitoring Cycle, the Member States should be given an opportunity to present their positions in full, while not hampering the efficiency of the procedure;

Monitoring Cycle, the Member States should be given an opportunity to present their positions in full, while not hampering the efficiency of the procedure; ***Considers that all alternative mechanisms applied to member states should be replaced by this unique instrument that will allow a transparent and accepted evaluation for everyone.***

Or. en

Amendment 59
Vladimír Bilčík

Draft opinion
Paragraph 6

Draft opinion

6. Recognises that in the Annual Monitoring Cycle, the Member States should be given an opportunity to present their positions in full, while not hampering the efficiency of the procedure;

Amendment

6. Recognises that in the Annual Monitoring Cycle, the Member States should be given an opportunity to present their positions in full, while not hampering the efficiency of the procedure; ***underlines the importance of Member States' active and responsible approach to the Annual Monitoring Cycle;***

Or. en

Amendment 60
László Trócsányi

Draft opinion
Paragraph 6

Draft opinion

6. Recognises that ***in the Annual Monitoring Cycle, the*** Member States should be given an opportunity to present their positions in full, while not hampering the efficiency of the procedure;

Amendment

6. Recognises that Member States should be given an opportunity to present their positions in full, ***with regard to the equality of all Member States,*** while not hampering the efficiency of the procedure;

Or. en

Amendment 61
Brice Hortefeux

Draft opinion
Paragraph 6

Draft opinion

6. Recognises that in the Annual Monitoring Cycle, the Member States should be given *an* opportunity to present their positions in full, while not hampering the efficiency of the procedure;

Amendment

6. Recognises that in the Annual Monitoring Cycle, the Member States should be given *the* opportunity to present their positions in full, while not hampering the efficiency of the procedure;

Or. en

Amendment 62
László Trócsányi

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6 a. Notes that the Member States are the Masters of the Treaties, any debate regarding the reform of the monitoring mechanisms should only be conducted during the Conference on the Future of Europe, monitoring of rule of law should be negotiated with the Member States accordingly, takes the view that the Article 7 TEU procedure is the only procedure available under the Treaties to safeguard the rule of law and no complementary and preventive Union mechanism can be put forward by the EU institutions; underlines that any monitoring of rule of law shall respect the principles of objectivity, non-discrimination, equal treatment, with a non-partisan and evidence-based approach;

Or. en

Amendment 63
Włodzimierz Cimoszewicz

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6 a. Highlights that in order to ensure success in defence of EU values, appropriate financial support should be established to civil society organisations which defend the democracy, rule of law and fundamental rights both at national and regional levels, as provided in the proposal of the Regulation on the Rights and Values programme, as well as overall support be given to individuals reporting breaches of the EU values.

Or. en

Amendment 64
Jacek Saryusz-Wolski

Draft opinion
Paragraph 7

Draft opinion

Amendment

7. Insists that the Annual Monitoring Cycle be fully integrated with the Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States¹, linking budget transfers to the results of the monitoring process, while protecting the legitimate interests of the final recipients and beneficiaries of Union funds;

deleted

¹ *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/2018/324 final*

Amendment 65
László Trócsányi

Draft opinion
Paragraph 7

Draft opinion

Amendment

7. *Insists that the Annual Monitoring Cycle be fully integrated with the Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States¹, linking budget transfers to the results of the monitoring process, while protecting the legitimate interests of the final recipients and beneficiaries of Union funds;* **deleted**

*¹ 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/2018/324 final*

Amendment 66
Gunnar Beck

Draft opinion
Paragraph 7

Draft opinion

Amendment

7. *Insists that the Annual Monitoring Cycle be fully integrated with the Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States¹, linking budget transfers to the results of the monitoring process, while protecting the legitimate interests of the final recipients and* **deleted**

beneficiaries of Union funds;

*¹ 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/2018/324 final*

Or. en

Amendment 67
Jorge Buxadé Villalba

Draft opinion
Paragraph 7

Draft opinion

Amendment

7. *Insists that the Annual Monitoring Cycle be fully integrated with the Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States¹, linking budget transfers to the results of the monitoring process, while protecting the legitimate interests of the final recipients and beneficiaries of Union funds;* **deleted**

*¹ 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/2018/324 final*

Or. en

Amendment 68
Fabio Massimo Castaldo

Draft opinion
Paragraph 7

Draft opinion

7. Insists that the Annual Monitoring Cycle be fully integrated with the Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States¹, linking budget transfers to the results of the monitoring process, while protecting the legitimate interests of the final recipients and beneficiaries of Union funds;

¹ 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/2018/324 final

Amendment

7. Insists that the Annual Monitoring Cycle be fully integrated with the Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States¹, linking budget transfers to the results of the monitoring process, while protecting the legitimate interests of the final recipients and beneficiaries of Union funds; ***considers necessary that, the aforementioned Regulation, includes sufficiently defined and measurable criteria and indicators to assess breaches of the rule of law and trigger sanctions;***

¹ 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/2018/324 final

Or. en

Amendment 69
László Trócsányi

Draft opinion
Paragraph 8

Draft opinion

8. Considers that the assessment carried out in the context of the Annual Monitoring Cycle should inform Commission decisions about whether to launch systemic infringement procedures;

Amendment

deleted

Or. en

Amendment 70
Gunnar Beck

Draft opinion

Paragraph 8

Draft opinion

8. Considers that ***the assessment carried out in the context of the Annual Monitoring Cycle*** should inform Commission decisions about whether to launch ***systemic*** infringement procedures;

Amendment

8. Considers that ***assessments based on a generally accepted international legal methodology for assessing alleged treaty violations*** should inform Commission decisions about whether to launch infringement procedures ***in those cases where a treaty violation is more likely than not on the balance of probabilities***;

Or. en

Amendment 71 Brice Hortefeux

Draft opinion Paragraph 8

Draft opinion

8. Considers that the assessment carried out in the context of the Annual Monitoring Cycle should ***inform*** Commission ***decisions*** about whether to launch systemic infringement procedures;

Amendment

8. Considers that the assessment carried out in the context of the Annual Monitoring Cycle should ***contain non-binding recommendations to the*** Commission about whether to launch systemic infringement procedures;

Or. en

Amendment 72 Fabio Massimo Castaldo

Draft opinion Paragraph 8

Draft opinion

8. Considers that the assessment carried out in the context of the Annual Monitoring Cycle should inform Commission decisions about whether to launch systemic infringement procedures;

Amendment

8. Considers that the assessment carried out in the context of the Annual Monitoring Cycle should inform Commission decisions about whether to launch systemic infringement procedures;

calls on the Commission to make full use of its power in this regard;

Or. en

Amendment 73
László Trócsányi

Draft opinion
Paragraph 9

Draft opinion

Amendment

9. *Insist that, regardless of the annual cycle, while considering the gravity of the possible consequences of rule of law violations and the scale of its effects, a special procedure for urgent cases of violation of Union values should be considered;*

deleted

Or. en

Amendment 74
Vladimír Bilčík

Draft opinion
Paragraph 9

Draft opinion

Amendment

9. *Insist that, regardless of the annual cycle, while considering the gravity of the possible consequences of rule of law violations and the scale of its effects, a special procedure for urgent cases of violation of Union values should be considered;*

deleted

Or. en

Amendment 75
Gunnar Beck

Draft opinion
Paragraph 9

Draft opinion

9. Insist that, regardless of the annual cycle, while considering the gravity of the possible consequences of rule of law violations and the scale of its effects, a special procedure for urgent cases of violation of Union values should be considered;

Amendment

9. Insist that, regardless of the annual cycle, while considering the gravity of the possible consequences of rule of law violations and the scale of its effects, a special procedure for urgent cases of violation of Union values should be considered ***in case where the EU institutions have disregarded the limits of their powers under the EU Treaties***;

Or. en

Amendment 76
Gwendoline Delbos-Corfield
on behalf of the Greens/EFA Group

Draft opinion
Paragraph 9

Draft opinion

9. Insist that, regardless of the annual cycle, while considering the gravity of the possible consequences of rule of law violations and the scale of its effects, ***a special*** procedure for urgent cases of violation of Union values should be considered;

Amendment

9. Insist that, regardless of the annual cycle, while considering the gravity of the possible consequences of ***democracy***, rule of law ***and fundamental rights*** violations and the scale of its effects, ***an ad-hoc*** procedure for urgent cases of violation of Union values should be considered;

Or. en

Amendment 77
Nikolaj Villumsen, Leila Chaibi, Helmut Scholz

Draft opinion
Paragraph 9

Draft opinion

9. Insist that, regardless of the annual cycle, while considering the gravity of the

Amendment

9. Insist that, regardless of the annual cycle, while considering the gravity of the

possible consequences of rule of law violations and the scale of its effects, a special procedure for urgent cases of violation of Union values should be considered;

possible consequences of rule of law violations and the scale of its effects, a special procedure for urgent cases of violation of Union values ***as set-out in Article 2 TEU*** should be considered;

Or. en

Amendment 78
Jorge Buxadé Villalba

Draft opinion
Paragraph 9

Draft opinion

9. Insist that, regardless of the annual cycle, ***while considering the gravity of the possible consequences of rule of law violations and the scale of its effects, a special procedure for urgent cases of violation of Union values should be considered;***

Amendment

9. Insist that, regardless of the annual cycle, ***if the European Council, acting by unanimity with the exception of the State concerned, determines the existence of urgent cases of violation of Union values, a swift decision should be taken in accordance with Article 7 TEU;***

Or. en

Amendment 79
Jacek Saryusz-Wolski

Draft opinion
Paragraph 9

Draft opinion

9. Insist that, regardless of the annual cycle, while considering the gravity of the possible consequences of rule of law violations and the scale of its effects, ***a special procedure for urgent cases of violation of Union values should be considered;***

Amendment

9. Insist that, regardless of the annual cycle, while considering the gravity of the possible consequences of rule of law, ***democracy and fundamental rights*** violations and the scale of its effects, ***the regular procedure, foreseen in he Art. 7 TUE*** should be ***applied***

Or. en

Amendment 80
Jorge Buxadé Villalba

Draft opinion
Paragraph 10

Draft opinion

Amendment

10. Underlines furthermore that while considerable delay in rendering judgments, in particular in the rule of law-related cases, may result in irreversible and severe harm caused by rule of law backsliding, more consideration should be given to strengthening the Court of Justice of the European Union's potential and role in defending the rule of law; considers that such an option could be to provide for an accelerated procedure in all such cases, systematically applying interim relief; **deleted**

Or. en

Amendment 81
Jacek Saryusz-Wolski

Draft opinion
Paragraph 10

Draft opinion

Amendment

10. Underlines furthermore that while considerable delay in rendering judgments, in particular in the rule of law-related cases, may result in irreversible and severe harm caused by rule of law backsliding, more consideration should be given to strengthening the Court of Justice of the European Union's potential and role in defending the rule of law; considers that such an option could be to provide for an accelerated procedure in all such cases, systematically applying interim relief; **deleted**

Or. en

Amendment 82

Nikolaj Villumsen, Leila Chaibi, Helmut Scholz

Draft opinion

Paragraph 10

Draft opinion

10. Underlines furthermore that while considerable delay in rendering judgments, in particular in the rule of law-related cases, may result in irreversible and severe harm caused by rule of law backsliding, more consideration should be given to strengthening the Court of Justice of the European Union's potential and role in defending the rule of law; considers that such an option could be to provide for an accelerated procedure in all such cases, systematically applying interim relief;

Amendment

10. Underlines furthermore that while considerable delay in rendering judgments, in particular in the rule of law-related cases, may result in irreversible and severe harm caused by rule of law backsliding, more consideration should be given to strengthening the Court of Justice of the European Union's potential and role in defending the rule of law; considers that such an option could be to provide for an accelerated procedure in all such cases, systematically applying interim relief; ***further recalls the Union has a legal obligation under Article 6(2) TEU to access the European Convention on Human Rights; reiterates the need for a swift conclusion of the process in order to ensure a consistent framework for human rights protection throughout Europe and achieve coherence between the European Union and the Council of Europe's human rights system;***

Or. en

Amendment 83

Gwendoline Delbos-Corfield

on behalf of the Greens/EFA Group

Draft opinion

Paragraph 10

Draft opinion

10. Underlines furthermore that while considerable delay in rendering judgments, in particular in the rule of law-related cases, may result in irreversible and severe

Amendment

10. Underlines furthermore that while considerable delay in rendering judgments, in particular in the rule of law-related cases, may result in irreversible and severe

harm caused by rule of law backsliding, more consideration should be given to strengthening the Court of Justice of the European Union's potential and role in defending the rule of law; considers that such an option could be to provide for an accelerated procedure in all such cases, systematically applying interim *relief*;

harm caused by rule of law backsliding, more consideration should be given to strengthening the Court of Justice of the European Union's potential and role in defending the rule of law; considers that such an option could be to provide for an accelerated procedure in all such cases, systematically applying interim *measures*; ***calls on the Commission to systematically request interim measures in the cases related to the Union values and to submit requests seeking that payment of a fine be ordered in cases of non-compliance with the interim measures***;

Or. en

Amendment 84
Gwendoline Delbos-Corfield
on behalf of the Greens/EFA Group

Draft opinion
Paragraph 10 a (new)

Draft opinion

Amendment

10 a. Stresses that any mechanism is incomplete without positive incentives such as concrete funding to support civil society organisations working on advancing fundamental rights, the rule of law and democratic principles; emphasises the importance of upholding the Union Values Strand in the Rights and Values programme in the MFF 2021-2027;

Or. en

Amendment 85
Gwendoline Delbos-Corfield
on behalf of the Greens/EFA Group

Draft opinion
Paragraph 10 b (new)

10 b. *Calls to use the revision of the mandate of the Fundamental Rights Agency with a view to strengthening its ability to act in defence of the values enshrined in Article 2 TEU, such as providing assistance and expertise on draft EU legislation on its own initiative and not only when it is formally requested;*

Or. en

Amendment 86
Jorge Buxadé Villalba

Draft opinion
Paragraph 11

Draft opinion

11. Highlights that the Conference on the Future of Europe provides a momentum *for better understanding the need to protect Union values in this context*; therefore, in the event of Treaty changes *being made in the future, the effectiveness of the Article 7 procedure* should be enhanced *by removing the requirement for unanimity and reinforcing the sanction mechanism*;

Amendment

11. Highlights that the Conference on the Future of Europe provides a momentum *to learn from our mistakes*; therefore, in the event of Treaty changes, *sovereignty and independence of the Member states' highest judicial bodies* should be enhanced *as they are the main guarantors of the citizens rights and the rule of law*;

Or. en

Amendment 87
Gunnar Beck

Draft opinion
Paragraph 11

Draft opinion

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the

Amendment

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the

need to protect Union *values in this context*; therefore, in the event of Treaty changes being made in the future, the effectiveness of the Article 7 procedure should be enhanced by *removing the requirement for unanimity and reinforcing the sanction mechanism*;

need to protect *the EU legal order against transgressions by both the Union institutions and member states*; therefore, in the event of Treaty changes being made in the future, the effectiveness of the Article 7 procedure should be enhanced by *ensuring the procedure observes generally accepted international standards of enquiry and is monitored by judicial panels*;

Or. en

Amendment 88
Jacek Saryusz-Wolski

Draft opinion
Paragraph 11

Draft opinion

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the need to protect Union values in this context; *therefore, in the event of Treaty changes being made in the future, the effectiveness of the Article 7 procedure should be enhanced by removing the requirement for unanimity and reinforcing the sanction mechanism*;

Amendment

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the need to protect Union values in this context *while taking into account the principle of proportionality and subsidiarity guaranteed by the Treaties*.

Or. en

Amendment 89
László Trócsányi

Draft opinion
Paragraph 11

Draft opinion

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the need to protect Union values in this

Amendment

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the need to protect Union values in this

context; therefore, in the event of Treaty changes being made in the future, the effectiveness of the Article 7 procedure should be ***enhanced by removing the requirement for unanimity and reinforcing the sanction mechanism***;

context; therefore, in the event of Treaty changes being made in the future, the effectiveness of the Article 7 procedure should be ***evaluated***;

Or. en

Amendment 90
Fabio Massimo Castaldo

Draft opinion
Paragraph 11

Draft opinion

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the need to protect Union values in this context; ***therefore, in the event of Treaty changes being made in the future***, the effectiveness of the Article 7 procedure ***should be enhanced*** by removing the requirement for unanimity and reinforcing the sanction mechanism;

Amendment

11. ***Regrets that the Article 7 procedure will never be used to its full potential as the unanimity requirement in the European Council - de facto - hampers its application; regrets in this regard, the lack of progress made in the European Council on the current Article 7 procedures against Hungary and Poland; notes that without a Treaty change, the Union will hardly be able to impose sanctions on those Member States who do not respect the rule of law***; highlights that the Conference on the Future of Europe provides a momentum for better understanding the need to protect Union values in this context; ***stresses that only a mechanism that has broad support of Union citizens and allows them to take ownership of the process can be effective***; ***calls for a Treaty change to enhance the effectiveness of the Article 7 procedure by removing the requirement for unanimity and reinforcing the sanction mechanism***;

Or. en

Amendment 91
Maite Pagazaurtundúa, Charles Goerens, Sophia in 't Veld, Sandro Gozi, Pascal Durand, Gilles Boyer

Draft opinion
Paragraph 11

Draft opinion

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the need to protect Union values in this context; *therefore*, in the event of Treaty changes being made in the future, *the effectiveness of the Article 7 procedure should be enhanced* by removing the requirement for unanimity and reinforcing the sanction mechanism;

Amendment

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the need to protect *and address the crisis of the Union founding* values in this context; *proposes to enhance the effectiveness of the Article 7 by ensuring the presence of the Parliament in Article 7 hearings, and* in the event of Treaty changes being made in the future, by removing the requirement for unanimity and reinforcing the sanction mechanism;

Or. en

Amendment 92
Vladimír Bilčík

Draft opinion
Paragraph 11

Draft opinion

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the need to protect Union values in this context; therefore, in the event of Treaty changes being made in the future, the effectiveness of the Article 7 procedure should be enhanced by removing the requirement for unanimity and reinforcing the sanction mechanism;

Amendment

11. Highlights that the Conference on the Future of Europe provides a momentum for better understanding the need to protect Union values in this context; *underlines that the Conference on the Future of Europe will bring new impetus to European discussion on strengthening European democracy*; therefore, in the event of Treaty changes being made in the future, the effectiveness of the Article 7 procedure should be enhanced by removing the requirement for unanimity and reinforcing the sanction mechanism;

Or. en

Amendment 93
Loránt Vincze

Draft opinion
Paragraph 11

Draft opinion

11. ***Highlights*** that the Conference on the Future of Europe ***provides a momentum for better understanding the need to protect*** Union values ***in this context; therefore***, in the event of Treaty changes being made in the future, the effectiveness of the Article 7 procedure should be enhanced by removing the requirement for unanimity and reinforcing the sanction mechanism;

Amendment

11. ***Considers*** that the Conference on the Future of Europe ***could provide the opportunity to discuss embedding in the Treaties a more effective enforcement of*** Union values ***and that***, in the event of Treaty changes being made in the future, the effectiveness of the Article 7 procedure should be enhanced by removing the requirement for unanimity and reinforcing the sanction mechanism;

Or. en