



2021/2025(INI)

29.4.2021

AMENDMENTS

1 - 62

Draft opinion
Isabel García Muñoz
(PE691.220v01-00)

The Commission's 2020 Rule of law report
(2021/2025(INI))

AM_Com_NonLegOpinion

Amendment 1

Katalin Cseh, Alin Mituța, Olivier Chastel, Ramona Strugariu, Pierre Karleskind

Draft opinion

Paragraph -1 (new)

Draft opinion

Amendment

-1. Reiterates its warning that the Union is facing an unprecedented and escalating crisis of its founding values, which threatens its long-term survival as a democratic peace project; is gravely concerned by the rise and entrenchment of autocratic and illiberal tendencies, further compounded by the COVID-19 pandemic and economic recession, as well as corruption, disinformation and state capture, in several Member States; underlines the dangers of this trend for the cohesion of the Union's legal order, the protection of the fundamental rights of all its citizens, the functioning of its single market, the effectiveness of its common policies and its international credibility;

Or. en

Amendment 2

Isabel García Muñoz, Caterina Chinnici, Sándor Rónai, Lara Wolters

Draft opinion

Paragraph -1 (new)

Draft opinion

Amendment

-1. Underlines that the Union's financial interests shall be protected in accordance with the general principles embedded in the Union Treaties, in particular the values in the Article 2 TEU, and with the principle of sound financial management enshrined in the Article 317 of the TFEU;

Amendment 3

Katalin Cseh, Alin Mituța, Olivier Chastel, Ramona Strugariu, Pierre Karleskind

Draft opinion

Paragraph -1 a (new)

Draft opinion

Amendment

-1a. Recalls that the Union remains structurally ill-equipped to tackle democratic, fundamental rights and rule of law violations and backsliding in the Member States; regrets the inability of the Council to make meaningful progress in enforcing Union values in ongoing Article 7 TEU procedures; notes that the Council's failure to apply Article 7 TEU effectively is in fact enabling continued divergence from the values provided for in Article 2 TEU; notes with concern the disjointed nature of the Union's toolkit in that field and calls for it to be streamlined and properly enforced;

Or. en

Amendment 4

Jean-François Jalkh

Draft opinion

Paragraph 1

Draft opinion

Amendment

1. Highlights that the rule of law is an essential precondition for compliance with the principle of sound financial management and for the protection of the Union's financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, corruption, conflicts of interest or other breaches of the law are pursued effectively

1. Highlights that the rule of law is an essential precondition for compliance with the principle of sound financial management and for the protection of the Union's ***and Member States'*** financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, corruption, conflicts of interest or other breaches of the

by investigative and prosecution services, if national courts are independent, and if the decisions of the Court of Justice of the European Union are respected;

law are pursued effectively by ***national*** investigative and prosecution services, if national courts are independent, and if the decisions of the Court of Justice of the European Union are respected; ***condemns the fact that this has become a political weapon of the Commission to interfere with national sovereignty;***

Or. fr

Amendment 5

Katalin Cseh, Alin Mituța, Olivier Chastel, Ramona Strugariu, Pierre Karleskind

Draft opinion

Paragraph 1

Draft opinion

1. Highlights that the rule of law is an essential precondition for compliance with the principle of sound financial management and for the protection of the Union's financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, corruption, conflicts of interest or other breaches of the law are pursued effectively by investigative and prosecution services, if national courts are independent, and if the decisions of the Court of Justice of the European Union are respected;

Amendment

1. Highlights that the rule of law is an essential precondition for compliance with the principle of sound financial management and for the protection of the Union's financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, corruption, conflicts of interest or other breaches of the law are pursued effectively by investigative and prosecution services, if national courts are independent, and if the decisions of the Court of Justice of the European Union are respected; ***Stresses however, that the above institutions in the Member States have to be functional not only legally but also in practice;***

Or. en

Amendment 6

Matteo Adinolfi, Joachim Kuhs

Draft opinion

Paragraph 1

Draft opinion

1. Highlights that the rule of law is an essential precondition for compliance with the principle of sound financial management and for the protection of the Union's financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, corruption, conflicts of interest or other breaches of the law are pursued effectively by investigative and prosecution services, if national courts are independent, and if the decisions of the Court of Justice of the European Union are respected;

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Or. en

Amendment 7

Petri Sarvamaa, Monika Hohlmeier, David Lega, Michal Wiezik

Draft opinion

Paragraph 1

Draft opinion

1. Highlights that the rule of law is an essential precondition for compliance with the principle of sound financial management and for the protection of the Union's financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, corruption, conflicts of interest or other breaches of the law are pursued effectively by investigative and prosecution services, if national courts are independent, and if the decisions of the Court of Justice of the European Union are respected;

Amendment

1. Highlights that the rule of law is an essential precondition for compliance with the principle of sound financial management, ***as enshrined in Article 317 of the Treaty on the Functioning of the European Union (TFEU)***, and for the protection of the Union's financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, corruption, conflicts of interest or other breaches of the law are pursued effectively by investigative and prosecution services, if national courts are independent, and if the decisions of the Court of Justice of the European Union are respected;

Or. en

Amendment 8

Isabel García Muñoz, Caterina Chinnici, Sándor Rónai, Lara Wolters

Draft opinion

Paragraph 1

Draft opinion

1. Highlights that the rule of law is an essential precondition for compliance with the principle of sound financial management and for the protection of the Union's financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, corruption, conflicts of interest or other breaches of the law are pursued effectively by investigative and prosecution services, if national courts are independent, **and if** the decisions of the Court of Justice of the European Union are respected;

Amendment

1. Highlights that the Rule of Law is an essential precondition for compliance with the principle of sound financial management and for the protection of the Union's financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, corruption, conflicts of interest or other breaches of the law are pursued effectively by investigative and prosecution services, if national courts are independent **and** the decisions of the Court of Justice of the European Union are respected, **and if the public scrutiny is maintained by free, independent and pluralistic media;**

Or. en

Amendment 9

Younous Omarjee

Draft opinion

Paragraph 1

Draft opinion

1. Highlights that the rule of law is an essential precondition for compliance with the principle of sound financial management and for the protection of the Union's financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, corruption, conflicts of interest or other breaches of the law are pursued effectively by investigative and prosecution services, if national courts are independent, and if

Amendment

1. Highlights that the rule of law is an essential precondition for compliance with the principle of sound financial management and for the protection of the Union's financial interests, which can only be ensured if public authorities act in accordance with the law, if cases of fraud, **tax fraud, tax evasion**, corruption, conflicts of interest or other breaches of the law are pursued effectively by investigative and prosecution services, if national courts

the decisions of the Court of Justice of the European Union are respected;

are independent, and if the decisions of the Court of Justice of the European Union are respected;

Or. en

Amendment 10

Petri Sarvamaa, Monika Hohlmeier, David Lega, Michal Wiezik

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1a. Underlines the importance of the protection of the financial interests of the Union and the respect for the rule of law; expresses its concern over the potentially growing risk of misusing the Union's budget as means to deteriorate the rule of law by some Member States;

Or. en

Amendment 11

Younous Omarjee

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1a. Reminds that it is essential that the legitimate interests of final recipients and beneficiaries are properly safeguarded when measures are adopted in the event of breaches of the principles of the rule of law;

Or. en

Amendment 12

Jean-François Jalkh, Joachim Kuhs

Draft opinion
Paragraph 2

Draft opinion

2. *Underlines the importance of the Commission's first Rule of Law Report as a basis on which to build the new cycle of the rule of law mechanism; welcomes the inclusion among its pillars of the justice system, the anti-corruption framework and other institutional checks and balances, as these are particularly relevant for monitoring the protection of the EU budget;*

Amendment

deleted

Or. fr

Amendment 13

Katalin Cseh, Alin Mituța, Olivier Chastel, Ramona Strugariu, Pierre Karleskind

Draft opinion
Paragraph 2

Draft opinion

2. Underlines the importance of the Commission's first Rule of Law Report as a basis on which to build the new cycle of the rule of law mechanism; welcomes the inclusion among its pillars of the justice system, the anti-corruption framework and other institutional checks and balances, as these are particularly relevant for monitoring the protection of the EU budget;

Amendment

2. Underlines the importance of the Commission's first Rule of Law Report as a basis on which to build the new cycle of the rule of law mechanism; welcomes the inclusion among its pillars of the justice system, the anti-corruption framework and other institutional checks and balances, as these are particularly relevant for monitoring the protection of the EU budget; ***Is of the opinion that the annual report is lacking conclusions on the state of the Rule of Law in the Member States and in the EU in general; considers that these are essential preconditions to identify follow-up actions; encourages the Commission to propose remedial measures and tools and allocate adequate timelines to them;***

Or. en

Amendment 14

Alin Mituța, Katalin Cseh, Ramona Strugariu

Draft opinion

Paragraph 2

Draft opinion

2. Underlines the importance of the Commission's first Rule of Law Report as a basis on which to build the new cycle of the rule of law mechanism; welcomes the inclusion among its pillars of the justice system, the anti-corruption framework and other institutional checks and balances, as these are particularly relevant for monitoring the protection of the EU budget;

Amendment

2. Underlines the importance of the Commission's first Rule of Law Report as a basis on which to build the new cycle of the rule of law mechanism; welcomes the inclusion among its pillars of the justice system, the anti-corruption framework and other institutional checks and balances, as these are particularly relevant for monitoring the protection of the EU budget; ***calls on the Commission to assess any possible overlaps between the Rule of Law Mechanism and the Cooperation and Verification Mechanism for Bulgaria and Romania and ensure a streamlined evaluation process;***

Or. en

Amendment 15

Isabel García Muñoz, Caterina Chinnici, Sándor Rónai, Lara Wolters

Draft opinion

Paragraph 2

Draft opinion

2. Underlines the importance of the Commission's ***first*** Rule of Law Report as ***a basis on which to build the new cycle*** of the rule of law mechanism; welcomes the inclusion among its pillars of the justice system, the anti-corruption framework and other institutional checks and balances, as these are particularly relevant for monitoring the protection of the EU budget;

Amendment

2. Underlines the importance of the Commission's Rule of Law Report as ***the reflection*** of the ***European*** Rule of Law Mechanism, ***which is designed as a yearly cycle of dialogue and assessment in order to promote this principle and to prevent problems from emerging or deepening in the Member States***; welcomes the inclusion among its pillars of the justice system, the anti-corruption framework, and other institutional checks and balances, as

these are particularly relevant for monitoring the protection of the EU budget;

Or. en

Amendment 16

Monika Hohlmeier, Markus Pieper, Marian-Jean Marinescu, Michal Wiezik, Jeroen Lenaers, Petri Sarvamaa

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2a. Welcomes that all Member States are being scrutinised along the same indicators and in accordance with the same methodology; appreciates that the Commission includes observations and findings about all Member States; regrets, however, that the current presentation of the report neither differentiates between the severity of the identified rule of law issues nor whether these are of systemic nature or individual, disconnected breaches; is of the opinion that there is a serious difference between systemic and individual, disconnected breaches of the rule of law; emphasises that this equal presentation of breaches of different nature carries the risk of trivialising the most serious rule of law breaches; urges the Commission to differentiate its reporting by distinguishing between systemic and individual, disconnected breaches of rule of law; calls on the Commission to update its methodology accordingly and keep Parliament informed without undue delay;

Or. en

Amendment 17

Daniel Freund

on behalf of the Greens/EFA Group

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Welcomes that the report assesses the state of the rule of law in every Member State; notes, however, that it fails to make a clear distinction between Member States with isolated shortcomings and those with systemic rule of law deficiencies; calls on the Commission to make this distinction in future reports to prevent the report from being misused as a tool to relativize processes seriously undermining the state of the rule of law in some Member States;

Or. en

Amendment 18
Katalin Cseh, Alin Mituța, Olivier Chastel, Ramona Strugariu, Pierre Karleskind

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Stresses that the analysis and the conclusions of the annual reports should be directly contributing to the Conditionality Mechanism; calls on the Commission to clarify in the methodology the clear link between the two mechanisms;

Or. en

Amendment 19
Monika Hohlmeier, Markus Pieper, Marian-Jean Marinescu, Michal Wiezik, Jeroen Lenaers, Petri Sarvamaa

Draft opinion

Paragraph 2 b (new)

Draft opinion

Amendment

2b. Is of the opinion that the following Rule of Law Reports should build upon the findings of the first; calls on the Commission to follow-up on its previous observations and analyse any positive or negative developments while highlighting in particular any systemic or reoccurring patterns of rule of law breaches;

Or. en

Amendment 20

Katalin Cseh, Alin Mituța, Pierre Karleskind

Draft opinion

Paragraph 2 b (new)

Draft opinion

Amendment

2b. Is of the opinion that the Commission should be making publicly available all its correspondence regarding the annual Rule of Law report with all stakeholders, including the Member States and NGOs in order to prove its impartiality;

Or. en

Amendment 21

Monika Hohlmeier, Markus Pieper, Marian-Jean Marinescu, Michal Wiezik, Jeroen Lenaers, Petri Sarvamaa

Draft opinion

Paragraph 3

Draft opinion

Amendment

3. Asks the Commission to provide information in *its* future reports about the way Member States respect the rule of law

3. Notes that the first Rule of Law Report is mostly descriptive of the situation in the Member States; calls on

and effectively protect the Union's financial interests, for both EU budget revenue and expenditure, and to highlight serious risks to the Union budget; ***insists that the reports should provide specific assessments and recommendations to the Member States;***

the Commission to make the report more analytical in the future and also include specific assessments and recommendations to the Member States on how to improve or remedy the breaches; underlines that these recommendations should include deadlines for implementation, where appropriate, and asks the Commission to include a follow-up on the implementation of its recommendations in its future reports; asks the Commission to provide information in *separate* future reports about the way Member States respect the rule of law and effectively protect the Union's financial interests, for both EU budget revenue and expenditure, and to highlight serious risks to the Union budget;

Or. en

Amendment 22

Daniel Freund

on behalf of the Greens/EFA Group

Draft opinion

Paragraph 3

Draft opinion

3. Asks the Commission to provide information in its future reports about the way Member States respect the rule of law and effectively protect the Union's financial interests, for both EU budget revenue and expenditure, and to highlight serious risks to the Union budget; insists that the reports should provide specific assessments and recommendations to the Member States;

Amendment

3. Asks the Commission to provide information in its future reports about the way Member States respect the rule of law and effectively protect the Union's financial interests, for both EU budget revenue and expenditure, and to highlight ***which specific rule of law shortcomings pose a serious risks to the sound financial management of the Union budget, which can then serve as a basis for triggering the rule of law conditionality mechanism;*** insists that the reports should ***go beyond monitoring and*** provide specific assessments and ***country-specific recommendations for preventive and corrective elements*** to the Member States

and mention potentially applicable tools for the Commission to use in case of non-compliance with the recommendations;

Or. en

Amendment 23

Isabel García Muñoz, Caterina Chinnici, Sándor Rónai, Lara Wolters

Draft opinion

Paragraph 3

Draft opinion

3. Asks the Commission to provide information in its future reports about the way Member States respect the rule of law and effectively protect the Union's financial interests, for both EU budget revenue and expenditure, ***and to highlight serious risks to the Union budget; insists*** that the reports should provide specific assessments and recommendations to the Member States;

Amendment

3. Asks the Commission to provide information in its future reports about the way Member States respect the Rule of Law and effectively protect the Union's financial interests, for both EU budget revenue and expenditure, ***as well as to put emphasis on cases where breaches of the principles of the Rule of Law in a particular Member State could affect or seriously risk affecting the Union's financial interests in a sufficiently direct way; emphasises*** that the reports should provide specific assessments and recommendations to the Member States ***in order to strengthen their preventive role;***

Or. en

Amendment 24

Lara Wolters

Draft opinion

Paragraph 3

Draft opinion

3. Asks the Commission to provide information in its future reports about the way Member States respect the rule of law and effectively protect the Union's financial interests, for both EU budget

Amendment

3. Asks the Commission to provide information in its future reports about the way Member States respect the rule of law and effectively protect the Union's financial interests, for both EU budget

revenue and expenditure, and to highlight serious risks to the Union budget; insists that the reports should provide specific assessments and recommendations to the Member States;

revenue and expenditure, and to highlight serious risks to the Union budget, ***taking into account the additional risks due to Covid-19 and the related Union funds available to Member States under the Recovery and Resilience Facility***; insists that the reports should provide specific assessments and recommendations to the Member States;

Or. en

Amendment 25
Jean-François Jalkh

Draft opinion
Paragraph 3

Draft opinion

3. Asks the Commission to provide information in its future reports about the way Member States ***respect the rule of law and*** effectively protect the Union's financial interests, for both EU budget revenue and expenditure, and to highlight serious risks to the Union budget; ***insists that the reports should provide specific assessments and recommendations to the Member States;***

Amendment

3. Asks the Commission to provide information in its future reports about the way Member States effectively protect the Union's financial interests, for both EU budget revenue and expenditure, and to highlight serious risks to the Union budget;

Or. fr

Amendment 26
Lara Wolters

Draft opinion
Paragraph 3

Draft opinion

3. Asks the Commission to provide information in its future reports about the way Member States respect the rule of law and effectively protect the Union's

Amendment

3. Asks the Commission to provide information in its future reports about the way Member States respect the rule of law and effectively protect the Union's

financial interests, for both EU budget revenue and expenditure, and to highlight serious risks to the Union budget; insists that the reports should provide specific assessments and recommendations to the Member States;

financial interests, for both EU budget revenue and expenditure, and to highlight serious risks to the Union budget; ***highlights the need for more attention to fraud related to public procurement in this regard***; insists that the reports should provide specific assessments and recommendations to the Member States;

Or. en

Amendment 27

Matteo Adinolfi, Joachim Kuhs

Draft opinion

Paragraph 3

Draft opinion

3. Asks the Commission to provide information in its future reports about the way Member States respect the rule of law and effectively protect the Union's financial interests, for both EU budget revenue and expenditure, and to highlight serious risks to the Union budget; insists that the reports should provide specific assessments ***and recommendations*** to the Member States;

Amendment

3. Asks the Commission to provide information in its future reports about the way Member States respect the rule of law and effectively protect the Union's financial interests, for both EU budget revenue and expenditure, and to highlight serious risks to the Union budget; insists that the reports should provide specific assessments to the Member States;

Or. en

Amendment 28

Isabel García Muñoz, Caterina Chinnici, Sándor Rónai, Lara Wolters

Draft opinion

Paragraph 3 a (new)

Draft opinion

Amendment

3a. Recalls that the Commission shall take into account relevant information from pertinent sources and recognised institutions as relevant, with an emphasis on the European Court of Auditors, the

***EU Justice Scoreboard, the European
Anti-Fraud Office, and the European
Public Prosecutor's Office;***

Or. en

Amendment 29

Katalin Cseh, Alin Mituța, Olivier Chastel, Ramona Strugariu, Pierre Karleskind

Draft opinion

Paragraph 3 a (new)

Draft opinion

Amendment

3a. Calls on the Member States to proactively participate in the procedure and engage themselves into meaningful dialogue and cooperation with the Commission in order to improve the state of the Rule of Law in each Member State and overall in the EU;

Or. en

Amendment 30

Petri Sarvamaa, Monika Hohlmeier, David Lega, Michal Wiezik

Draft opinion

Paragraph 3 a (new)

Draft opinion

Amendment

3a. Notes that the Rule of Law Report serves as one of the most important, but not only, source for investigating potential cases of breaches of the rule of law;

Or. en

Amendment 31

Isabel García Muñoz, Caterina Chinnici, Sándor Rónai, Lara Wolters

Draft opinion

Paragraph 4

Draft opinion

4. Calls on the Commission to assess the effectiveness of the national anti-corruption strategies and to use that knowledge to update and enhance the Union's anti-corruption framework;

Amendment

4. Calls on the Commission to assess ***not only the existence but also*** the effectiveness of the national anti-corruption strategies, and to use that knowledge to update and enhance the Union's anti-corruption framework; ***underlines that anti-corruption frameworks shall cover areas such as, inter alia, ethical rules, awareness-raising measures, rules on asset disclosures, incompatibilities and conflicts of interest, public procurement, internal control mechanisms, rules on lobbying, and revolving doors; highlights likewise that national strategies shall incorporate tools to prevent, detect risk, halt and sanction cases of corruption and fraud, as well as mechanisms to recover the profit from those cases;***

Or. en

Amendment 32

Daniel Freund

on behalf of the Greens/EFA Group

Draft opinion

Paragraph 4

Draft opinion

4. Calls on the Commission to assess the effectiveness of the national anti-corruption strategies ***and*** to use that knowledge to update and enhance the Union's anti-corruption framework;

Amendment

4. ***Welcomes that one of the four chapters of the report is dedicated to the anti-corruption framework in place in Member States; Notes, however, that the assessment of these frameworks remains mainly descriptive and*** calls on the Commission to assess the effectiveness of the national anti-corruption ***legislation, policies and*** strategies, ***outline best practices, identify areas particularly sensitive to corruption and comes up with country-specific recommendations for***

improvement and to use that knowledge to update and enhance the Union's anti-corruption framework *in future reports, similar to how this was done in the Commission's Anti-Corruption Report in 2014;*

Or. en

Amendment 33

Katalin Cseh, Alin Mituța, Olivier Chastel, Ramona Strugariu, Pierre Karleskind

Draft opinion

Paragraph 4

Draft opinion

4. Calls on the Commission to assess the effectiveness of the national anti-corruption strategies and to use that knowledge to update and enhance the Union's anti-corruption framework;

Amendment

4. Calls on the Commission to assess the effectiveness of the national anti-corruption strategies and to use that knowledge to update and enhance the Union's anti-corruption framework; ***calls on the Commission to use the information and assessments of GRECO in this process;***

Or. en

Amendment 34

Jean-François Jalkh

Draft opinion

Paragraph 4

Draft opinion

4. Calls on ***the Commission*** to assess the effectiveness of ***the*** national anti-corruption strategies and to use that knowledge to update and enhance ***the Union's*** anti-corruption ***framework;***

Amendment

4. Calls on ***Member States*** to assess the effectiveness of ***their*** national anti-corruption strategies and to use that knowledge to update and enhance ***Member States'*** anti-corruption ***frameworks;***

Or. fr

Amendment 35

Daniel Freund

on behalf of the Greens/EFA Group

Draft opinion

Paragraph 4 a (new)

Draft opinion

Amendment

4a. In the spirit of setting a good example, calls on the Commission to include in future reports an assessment of the EU Institutions' performance in the areas addressed by the Report, where applicable, and in particular as regards its anti-corruption framework;

Or. en

Amendment 36

Alin Mituța, Katalin Cseh, Ramona Strugariu

Draft opinion

Paragraph 5

Draft opinion

Amendment

5. Stresses that transparency, access to public information, the protection of whistleblowers and an overall culture of integrity in public life are key factors that enable corruption to be identified and prevented; underlines the importance of harmonising definitions and methodologies to obtain comparative data across the EU;

5. Stresses that transparency, access to public information, the protection of whistleblowers and an overall culture of integrity in public life are key factors that enable corruption to be identified and prevented; underlines the importance of harmonising definitions and methodologies to obtain comparative data across the EU; ***underlines that there are ongoing challenges to collect information on the persons benefiting directly or indirectly most from the CAP and cohesion funds;***

Or. en

Amendment 37

Jean-François Jalkh, Joachim Kuhs

Draft opinion
Paragraph 5

Draft opinion

5. Stresses that transparency, access to public information, the protection of whistleblowers and an overall culture of integrity in public life are key factors that enable corruption to be identified and prevented; ***underlines the importance of harmonising definitions and methodologies to obtain comparative data across the EU;***

Amendment

5. Stresses that transparency, access to public information, the protection of whistleblowers and an overall culture of integrity in public life are key factors that enable corruption to be identified and prevented;

Or. fr

Amendment 38

Isabel García Muñoz, Caterina Chinnici, Sándor Rónai, Lara Wolters

Draft opinion
Paragraph 5

Draft opinion

5. Stresses that transparency, access to public information, ***the*** protection of whistleblowers and an overall culture of integrity in public life are ***key factors that enable*** corruption ***to be identified and prevented; underlines the importance of harmonising definitions and methodologies to obtain comparative data across the EU;***

Amendment

5. Stresses that transparency, access to public information, protection of whistleblowers and an overall culture of integrity in public life are ***indispensable to identify and to prevented*** corruption;

Or. en

Amendment 39

Katalin Cseh, Alin Mituța, Olivier Chastel, Ramona Strugariu, Pierre Karleskind

Draft opinion
Paragraph 5

Draft opinion

Amendment

5. Stresses that transparency, access to public information, the protection of whistleblowers and an overall culture of integrity in public life are key factors that enable corruption to be identified and prevented; underlines the importance of harmonising definitions and methodologies to obtain comparative data across the EU;

5. Stresses that transparency, access to public information, ***media freedom and pluralism, investigative journalism*** the protection of whistleblowers, ***the protection of journalists against SLAPP*** and an overall culture of integrity in public life are key factors that enable corruption to be identified and prevented; underlines the importance of harmonising definitions and methodologies to obtain comparative data across the EU;

Or. en

Amendment 40

Isabel García Muñoz, Caterina Chinnici, Sándor Rónai, Lara Wolters

Draft opinion

Paragraph 5 a (new)

Draft opinion

Amendment

5a. Warns that the lack of uniform, up to date and consolidated statistics across all Member States hinder the assessment and comparison of data about the investigation and prosecution of corruption offences; calls, therefore, on the Commission to support and to promote the Union-wide harmonisation of definitions of such offences, as well as a better use of the existing data sets and the methodology to develop new ones in order to obtain comparative data across the EU on the treatment of corruption cases;

Or. en

Amendment 41

Jean-François Jalkh, Joachim Kuhs

Draft opinion

Paragraph 6

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States and, in particular, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO) in the fight against corruption;

deleted

Or. fr

Amendment 42

Katalin Cseh, Alin Mituța, Olivier Chastel, Ramona Strugariu, Pierre Karleskind

**Draft opinion
Paragraph 6**

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States **and, in particular,** the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO) **in the fight against corruption;**

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States **in the fight against corruption; is of the opinion that fighting corruption requires not only a strong mandate but a further increased budget to** the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO); **Is of the opinion that OLAF should be focusing more on those Member States in its activity, which did not join to EPPO; recalls that Member States receiving grants from the EU budget should be required to join the EPPO, or, for those Member States availing of the JHA opt-out in accordance with the Lisbon Treaty, to have a relevant, independent national equivalent, working in close cooperation with the EPPO;**

Or. en

**Amendment 43
Younous Omarjee**

Draft opinion
Paragraph 6

Draft opinion

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States and, in particular, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO) in the fight against corruption;

Amendment

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States and, in particular, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO) in the fight against corruption; ***welcomes in this regard that the revised OLAF regulation promotes a better follow-up of OLAF's recommendations by the Member States as well as an enhanced admissibility of OLAF reports in national judicial and administrative proceedings;***

Or. en

Amendment 44
Isabel García Muñoz, Caterina Chinnici, Sándor Rónai, Lara Wolters

Draft opinion
Paragraph 6

Draft opinion

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States and, in particular, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO) in the fight against corruption;

Amendment

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States and, in particular, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO) in the fight against corruption; ***calls on the Commission to propose the provision of adequate budget, resources and or any kind of support necessary for the aforementioned institutions and bodies;***

Or. en

Amendment 45

Alin Mituța, Katalin Cseh, Ramona Strugariu, Olivier Chastel

Draft opinion

Paragraph 6

Draft opinion

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States and, in particular, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO) in the fight against corruption;

Amendment

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States and, in particular, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO) in the fight against corruption; ***calls on the Commission and the Member States to provide the EPPO with all necessary support in order to ensure its successful launch of activities;***

Or. en

Amendment 46

Matteo Adinolfi, Joachim Kuhs

Draft opinion

Paragraph 6

Draft opinion

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States and, in particular, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO) in the fight against corruption;

Amendment

6. Highlights the importance of supporting and strengthening cooperation between the EU institutions, the Member States and, in particular, the European Anti-Fraud Office (OLAF) and the European Public Prosecutor's Office (EPPO) in the fight against corruption; ***but never to go beyond the limits of the treaties;***

Or. en

Amendment 47

Jean-François Jalkh, Joachim Kuhs

Draft opinion
Paragraph 7

Draft opinion

Amendment

7. *Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force since 1 January 2021 and is not subject to the adoption of any guidelines or judicial interpretation.*

deleted

Or. fr

Amendment 48

Isabel García Muñoz, Caterina Chinnici, Sándor Rónai, Lara Wolters

Draft opinion
Paragraph 7

Draft opinion

Amendment

7. Reiterates that **Regulation (EU, Euratom) 2020/2092 has been** in force since 1 January 2021 and is not **subject** to the adoption of any guidelines or judicial interpretation.

7. *Believes that the situation as regards the respect of the principles of the Rule of Law in some Member States is extremely worrying and seriously risks affecting the sound financial management of the Union budget; reiterates that the general regime of conditionality as defined in the Regulation 2020/2092 is in force since 1 January 2021 and is not subjected to the adoption of any guidelines or judicial interpretation; calls on the Commission for an immediate action under the aforementioned Regulation, using the existing investigation tools, without any further delay; insists in the role and competences of the Parliament, in particular the right to be duly informed by the Commission, in the procedures of the Rule of Law instruments;*

Or. en

Amendment 49

Draft opinion
Paragraph 7

Draft opinion

7. Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force since 1 January 2021 and is not subject to the adoption of any guidelines or judicial interpretation.

Amendment

7. Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force since 1 January 2021 and is not subject to the adoption of any guidelines or judicial interpretation; ***reiterates its call on the Commission to fulfil its obligations under this Regulation and provide Parliament with information as mentioned above by 1 June 2021, otherwise Parliament will have to consider that the Commission failed to act and subsequently shall take action under Article 265 of the TFEU.***

Or. en

Amendment 50
Daniel Freund
on behalf of the Greens/EFA Group

Draft opinion
Paragraph 7

Draft opinion

7. Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force since 1 ***January 2021*** and is not subject to the adoption of any guidelines or judicial interpretation.

Amendment

7. Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force since 1 ***January2021*** and is not subject to the adoption of any guidelines or judicial interpretation; ***regrets that the Commission has not yet made use of this tool despite many breaches of the rule of law identified in the Report which have an impact on the sound financial management of the budget; calls on the Commission to make use of the mechanism immediately to address these deficiencies;***

Or. en

Amendment 51
Lara Wolters

Draft opinion
Paragraph 7

Draft opinion

7. Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force since 1 January 2021 and is not subject to the adoption of any guidelines or judicial interpretation.

Amendment

7. Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force since 1 January 2021 and is not subject to the adoption of any guidelines or judicial interpretation; ***urges the Commission to strengthen the link between the Regulation and the Rule of Law Reports, since the latter could serve as an additional source of information to identify and act on breaches of the Regulation.***

Or. en

Amendment 52
Matteo Adinolfi, Joachim Kuhs

Draft opinion
Paragraph 7

Draft opinion

7. Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force since 1 January 2021 and is not subject to the adoption of any guidelines or judicial interpretation.

Amendment

7. Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force since 1 January 2021 and is not subject to the adoption of any guidelines or judicial interpretation, ***but it cannot be a weapon of political blackmail.***

Or. en

Amendment 53
Younous Omarjee

Draft opinion

Paragraph 7

Draft opinion

7. Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force since 1 January 2021 and is not subject to the adoption of any guidelines or judicial interpretation.

Amendment

7. Reiterates that Regulation (EU, Euratom) 2020/2092 has been in force ***and applicable*** since 1 January 2021 and is not subject to the adoption of any guidelines or judicial interpretation.

Or. en

Amendment 54

Monika Hohlmeier, Markus Pieper, Marian-Jean Marinescu, Michal Wiezik, Jeroen Lenaers, Petri Sarvamaa

Draft opinion

Paragraph 7 c (new)

Draft opinion

Amendment

7c. Underlines that the annual Rule of Law report is an independent and separate tool from the Regulation (EU, Euratom) 2020/2092 on the general regime of conditionality for the protection of the Union budget, which both serve different purposes: while the annual Rule of Law reporting has a preventive and informative character aimed at providing a broader overview of the situation and possible breaches regarding the rule of law in all Member States independent of any link to the budget of the Union, Regulation (EU, Euratom) 2020/2092 is a conditionality mechanism aimed at sanctioning breaches or the risk of a breach with a sufficiently direct link to the budget or financial interests of the Union;

Or. en

Amendment 55

Monika Hohlmeier, Markus Pieper, Marian-Jean Marinescu, Michal Wiezik, Jeroen Lenaers, Petri Sarvamaa

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. *Emphasises the importance of keeping these two distinct legal tools clearly separated to avoid any kind of unlawful interference; acknowledges that the Commission can use the annual Rule of Law report as an important source of information when building cases for the application of Regulation (EU, Euratom) 2020/2092; is however, of the opinion that concrete information relevant specifically for the application of Regulation (EU, Euratom) 2020/2092 shall not merely be included as a chapter of the annual Rule of Law report, but shall be presented as a separate report under the auspices of the responsible Commissioner, as this report would include information drawn from a variety of different sources besides the annual Rule of Law report, including but not limited to reports by the ECA, OLAF and EPPO, audit reports by the Commission and national audit authorities, judgments by the CJEU and national Courts; analyses by the FRA, information from different systems such as EDES and ARACHNE; calls therefore on the Commission to provide a distinct report with information and analyses of actual and potential cases where breaches of the principles of rule of law in Member States could affect or seriously risk affecting the sound financial management of the Union budget in a sufficiently direct way; asks the Commission to discuss and agree with Parliament whether this report should be presented annually, or on a continuous semi-annual or quarterly basis;*

Or. en

Amendment 56
Daniel Freund
on behalf of the Greens/EFA Group

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Welcomes that civil society was consulted during the drafting process; stresses that civil society actors can provide valuable input for the assessment of country-specific situations and provide a more critical view than the concerned government; notes, however, that the consultation can be improved by ensuring, among others, a follow-up with civil society actors to their input given, sufficiently long timeframes for providing input and reconsidering the format of a one-size-fits-all questionnaire for providing input; encourages the Commission to seek further input from civil society on how to optimise the consultation process for future reports;

Or. en

Amendment 57
Petri Sarvamaa, Monika Hohlmeier, David Lega, Michal Wiezik

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Believes that the situation as regards the respect of the principles of the rule of law in some Member States demands urgent attention; urges the Commission to make full use of its power of investigation for each case of a potential breach of the principles of the rule of law by a Member State which could affect or seriously risk affecting the sound financial management of the

Union budget in a sufficiently direct way;

Or. en

Amendment 58

Daniel Freund

on behalf of the Greens/EFA Group

Draft opinion

Paragraph 7 b (new)

Draft opinion

Amendment

7b. *Regrets that the draft country chapters were only shared with the respective Member State's government, giving members of national parliaments the chance to provide input only after the final report was published; stresses the importance of consulting a comprehensive spectrum of all democratic parties in assessing a country-specific situation as governments naturally have an interest in a less critical assessment of the situation; calls on the Commission to provide national parliaments with the draft country chapter at the same time as they are provided to governments;*

Or. en

Amendment 59

Petri Sarvamaa, Monika Hohlmeier, David Lega, Michal Wiezik

Draft opinion

Paragraph 7 b (new)

Draft opinion

Amendment

7b. *Emphasises the clear relationship between the respect for the rule of law and the efficient implementation of the Union budget in accordance with the principles of sound financial management as laid down in the Financial Regulation*

Amendment 60

Monika Hohlmeier, Markus Pieper, Marian-Jean Marinescu, Michal Wiezik, Jeroen Lenaers, Petri Sarvamaa

Draft opinion

Paragraph 7 b (new)

Draft opinion

Amendment

7b. *Calls on Parliament to establish a Working Group to closely scrutinise developments in relation to Regulation (EU, Euratom) 2020/2092 consisting of Members from the responsible lead Committees;*

Or. en

Amendment 61

Petri Sarvamaa, Monika Hohlmeier, David Lega, Michal Wiezik

Draft opinion

Paragraph 7 c (new)

Draft opinion

Amendment

7c. *Reminds that the revised OLAF Regulation strengthens the way OLAF can conduct its own investigations, notably by reinforcing rules on the anti-fraud coordination services in the Member States and on the cooperation between OLAF and national competent authorities before, during and after an investigation;*

Or. en

Amendment 62

Petri Sarvamaa, Monika Hohlmeier, David Lega, Michal Wiezik

Draft opinion

Paragraph 7 d (new)

Draft opinion

Amendment

7d. Calls for a systemic and structural mechanism for the Parliament to introduce its findings to the Commission concerning deficits and breaches as regards the rule of law in the Member States; suggests such a mechanism to be proposed to the Commission by the Parliament at the earliest convenience;

Or. en