



**2021/2180(INI)**

16.2.2022

# **AMENDMENTS**

## **1 - 55**

**Draft opinion**

**Petri Sarvamaa**

(PE703.024v02-00)

The Commission's 2021 Rule of Law report  
(2021/2180(INI))



**Amendment 1**  
**Isabel García Muñoz**

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

*Draft opinion*

*Amendment*

***-1. Underlines that the Union's budget and financial interests shall be implemented and 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 and in the Financial Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council; highlights that the Rule of law is both a guiding value and an essential precondition for compliance with those principles;***

Or. en

**Amendment 2**  
**Elżbieta Rafalska, Ryszard Czarnecki, Ryszard Antoni Legutko, Joachim Stanisław Brudziński**  
on behalf of the ECR Group

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

*Amendment*

***1. Recalls that Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget (the Conditionality Regulation) integrated the conditionality mechanism into a wider framework, requiring the Commission to use its own annual rule of law reports as a source for its assessments under the Regulation; calls on the Commission to implement the***

***deleted***

*Conditionality Regulation without any further delay; recalls that for budget-related measures in the event of violations of the rule of law in a Member State, the competences of parliamentary committees should be determined on the basis of Annex VI of Parliament's Rules of Procedure if the infringements under the Conditionality Regulation procedure are dealt with in Parliament;*

Or. pl

### **Amendment 3**

**Jean-François Jalkh, Joachim Kuhs**

#### **Draft opinion**

#### **Paragraph 1**

*Draft opinion*

*Amendment*

**1. Recalls that Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget (the Conditionality Regulation) integrated the conditionality mechanism into a wider framework, requiring the Commission to use its own annual rule of law reports as a source for its assessments under the Regulation; calls on the Commission to implement the Conditionality Regulation without any further delay; recalls that for budget-related measures in the event of violations of the rule of law in a Member State, the competences of parliamentary committees should be determined on the basis of Annex VI of Parliament's Rules of Procedure if the infringements under the Conditionality Regulation procedure are dealt with in Parliament;**

*deleted*

Or. en

## Amendment 4

Daniel Freund

on behalf of the Verts/ALE Group

### Draft opinion

#### Paragraph 1

##### *Draft opinion*

1. Recalls that Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget (the Conditionality Regulation) integrated the conditionality mechanism into a wider framework, requiring the Commission to use its own annual rule of law reports as a source for its assessments under the Regulation; calls on the Commission to implement the Conditionality Regulation without any further delay; recalls that for budget-related measures in the event of violations of the rule of law in a Member State, the competences of parliamentary committees should be determined on the basis of Annex VI of Parliament's Rules of Procedure if the infringements under the Conditionality Regulation procedure are dealt with in Parliament;

##### *Amendment*

1. Recalls that Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget (the Conditionality Regulation) integrated the conditionality mechanism into a wider framework, requiring the Commission to use its own annual rule of law reports as a source for its assessments under the Regulation; calls on the Commission to implement the Conditionality Regulation without any further delay ***by sending written notifications within the meaning of article 6(1) of the Regulation to concerned Member States***; recalls that for budget-related measures in the event of violations of the rule of law in a Member State, the competences of parliamentary committees should be determined on the basis of Annex VI of Parliament's Rules of Procedure if the infringements under the Conditionality Regulation procedure are dealt with in Parliament;

Or. en

## Amendment 5

Maria Grapini

### Draft opinion

#### Paragraph 1

##### *Draft opinion*

1. Recalls that Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16

##### *Amendment*

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December 2020 on a general regime of conditionality for the protection of the Union budget (the Conditionality Regulation) integrated the conditionality mechanism into a wider framework, requiring the Commission to use its own annual rule of law reports as a source for its assessments under the Regulation; calls on the Commission to implement the Conditionality Regulation without any further delay; recalls that for budget-related measures in the event of violations of the rule of law in a Member State, the competences of parliamentary committees should be determined on the basis of Annex VI of Parliament's Rules of Procedure if the infringements under the Conditionality Regulation procedure are dealt with in Parliament;

December 2020 on a general regime of conditionality for the protection of the Union budget (the Conditionality Regulation) integrated the conditionality mechanism into a wider framework, requiring the Commission to use its own annual rule of law reports as a source for its **objective** assessments under the Regulation; calls on the Commission to implement the Conditionality Regulation without any further delay **and without affecting EU citizens directly or indirectly**; recalls that for budget-related measures in the event of violations of the rule of law in a Member State, the competences of parliamentary committees should be determined on the basis of Annex VI of Parliament's Rules of Procedure if the infringements under the Conditionality Regulation procedure are dealt with in Parliament;

Or. ro

## Amendment 6

**Pierre Karleskind, Katalin Cseh, Olivier Chastel, Alin Mituța, Sophia in 't Veld, Ramona Strugariu, Gilles Boyer**

### Draft opinion

#### Paragraph 1

#### *Draft opinion*

1. Recalls that Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget (the Conditionality Regulation) integrated the conditionality mechanism into a wider framework, requiring the Commission to use its own annual rule of law reports as a source for its assessments under the Regulation; calls on the Commission to implement the Conditionality Regulation without any further delay; recalls that for budget-related measures in the event of violations of the

#### *Amendment*

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rule of law in a Member State, the competences of parliamentary committees should be determined on the basis of Annex VI of Parliament's Rules of Procedure if the infringements under the Conditionality Regulation procedure are dealt with in Parliament;

violations of the rule of law in a Member State, the competences of parliamentary committees should be determined on the basis of Annex VI of Parliament's Rules of Procedure if the infringements under the Conditionality Regulation procedure are dealt with in Parliament;

Or. en

#### **Amendment 7**

**Pierre Karleskind, Katalin Cseh, Olivier Chastel, Alin Mituța, Sophia in 't Veld, Ramona Strugariu, Gilles Boyer, Michal Wiezik**

#### **Draft opinion**

#### **Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1 a. Welcomes the European Court of Justice decision to reject the actions brought by Hungary and Poland against the Conditionality Regulation; deplores the time wasted since its entry into force by the European Commission, who unilaterally decided to abide by non-binding European Council conclusions, which led the European Parliament to take action under Article 265 TFEU for failure to act; highlights that the Commission's 2021 Rule of Law Report contains multiple and detailed examples of breaches of the rule of law that fall within the scope of the Conditionality regulation, which should have led the European Commission to trigger the conditionality mechanism a long time ago;***

Or. en

#### **Amendment 8**

**Pierre Karleskind, Katalin Cseh, Olivier Chastel, Alin Mituța, Sophia in 't Veld, Ramona Strugariu, Gilles Boyer**

#### **Draft opinion**

**Paragraph 1 b (new)**

*Draft opinion*

*Amendment*

***1 b. Strongly regrets the fact that the Commission's failure to act since January 2021 has let the rule of law situation to deteriorate in several Member States, as shown in the Commission's 2021 Rule of Law Report;***

Or. en

**Amendment 9**

**Elżbieta Rafalska, Ryszard Czarnecki, Ryszard Antoni Legutko, Joachim Stanisław Brudziński**

on behalf of the ECR Group

**Draft opinion**

**Paragraph 2**

*Draft opinion*

*Amendment*

***2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that the Commission include in its annual rule of law reports a section dedicated to cases where rule of law breaches in a Member State could affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way;***

***deleted***

Or. pl

**Amendment 10**

**Jean-François Jalkh**

**Draft opinion**

**Paragraph 2**

*Draft opinion*

*Amendment*



2. *Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that the Commission include in its annual rule of law reports a section dedicated to cases where rule of law breaches in a Member State could affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way;*

*deleted*

Or. en

**Amendment 11**  
**Isabel García Muñoz, Lara Wolters**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that the Commission include in its annual rule of law reports a section dedicated to cases where rule of law breaches in a Member State could affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way;

*Amendment*

2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that the Commission include in its annual Rule of law reports a section dedicated to cases where Rule of law breaches in a Member State ***have affected,*** could affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way; ***calls on the Commission to present in its future reports a summary of the actions undertaken at national or EU level to address such cases, as well as to what extent they have protected the Union's budget;***

Or. en

**Amendment 12**  
**Maria Grapini**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that the Commission include in its annual rule of law reports a section dedicated to cases where rule of law breaches in a Member State could affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way;

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2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that the Commission include in its annual rule of law reports a section dedicated to cases where rule of law breaches in a Member State could affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way;

***points out, at the same time, that EU citizens must not be unjustly punished for the wrongdoings of heads of state and government;***

Or. ro

**Amendment 13**

**Sophia in 't Veld, Michal Wiezik, Katalin Cseh, Gilles Boyer, Ramona Strugariu, Alin Mituța**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that the Commission include in its annual rule of law reports a section dedicated to cases where rule of law breaches in a Member State could affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way;

*Amendment*

2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that the Commission include in its annual rule of law reports a section dedicated to cases where rule of law breaches in a Member State could affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way; ***calls on the Commission to conclude each country chapter with a 'traffic light' assessment of the fulfilment of the conditions of the Rule of Law***

**Amendment 14**

**Pierre Karleskind, Katalin Cseh, Olivier Chastel, Alin Mituța, Sophia in 't Veld, Ramona Strugariu, Gilles Boyer**

**Draft opinion**

**Paragraph 2**

*Draft opinion*

2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that ***the Commission include in its*** annual rule of law reports a section dedicated to cases where rule of law breaches in a Member State could affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way;

*Amendment*

2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that ***a more direct link between the Commission's annual Rule of Law Report and the triggering of the Conditionality Regulation should be established, for example by including in the*** annual rule of law reports a section dedicated to cases where rule of law breaches in a Member State could affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way ;

**Amendment 15**

**Daniel Freund**

on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 2**

*Draft opinion*

2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that the Commission include in its annual rule of law reports a section dedicated to cases where rule of

*Amendment*

2. Recalls its resolution of 8 July 2021 on the creation of guidelines for the application of the Conditionality Regulation; insists that the Commission include in its annual rule of law reports a section dedicated to cases where rule of

law breaches in a Member State *could* affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way;

law breaches in a Member State affect or seriously risk affecting the sound financial management of the Union budget or the protection of the Union's financial interests in a sufficiently direct way;

Or. en

#### **Amendment 16**

**Isabel García Muñoz, Lara Wolters**

#### **Draft opinion**

#### **Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

***2 a. Regrets that the Commission has not implemented the recommendations included in Parliament's resolution of 24 June 2021 and, as a result, that the 2021 report remains mainly descriptive and does not provide sufficient analysis or foresees remedies, which undermines its preventive role; recalls its request to the Commission to include country-specific recommendations on how to address the concerns identified or remedy Rule of law breaches, including concrete actions and deadlines for implementation, as well as to follow-up on the implementation of its recommendations and the remedial actions; reiterates that the annual reports shall assess the intensity of the Rule of Law breaches, as well as the systemic or isolated nature; believes that the Commission's recommendations shall be linked to concrete Union tools, such as the Article 7 TEU procedures or the Conditionality Regulation, for cases where Member States fail the implementation;***

Or. en

#### **Amendment 17**

**Pierre Karleskind, Katalin Cseh, Olivier Chastel, Alin Mituța, Sophia in 't Veld, Michal**

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

**2 a.    *Regrets that the Commission's 2021 Rule of Law Report is mostly descriptive and lacking clear conclusions, with precise follow-up actions and proposals of remedial measures ; regrets also the lack of prioritisation of the breaches of the rule of law listed in the report, with the same attention and tone given to systemic major breaches and to isolated minor ones; calls therefore on the Commission to address these shortcomings and improve the annual report to transform it into a comprehensive tool to be used by Member States to fix the identified rule of law breaches;***

Or. en

**Amendment 18**  
**Daniel Freund**  
on behalf of the Verts/ALE Group

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

**2 a.    *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 of autocratisation in some Member States;***

Or. en

**Amendment 19**  
**Maria Grapini**

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

**2a. Points out that the Conditionality Regulation imposes financial sanctions on a Member State, such as blocking access to European funds, in order to protect the EU budget; with this in mind, calls on the Commission to draw up a strategy which enables local authorities, as well as private entities, to access European funds directly from Brussels;**

Or. ro

**Amendment 20**  
**Ramona Strugariu, Olivier Chastel, Sophia in 't Veld, Gilles Boyer, Michal Wiezik, Alin Mituța, Pierre Karleskind**

**Draft opinion**  
**Paragraph 2 a (new)**

*Draft opinion*

*Amendment*

**2 a. Regrets the mostly descriptive nature of the Commission's 2021 Rule of Law Report and calls on the Commission to address this aspect by including country-specific recommendations with regards to problems identified; furthermore asks the Commission to include yearly follow-ups on these matters until the full implementation of such recommendations;**

Or. en

**Amendment 21**  
**Jean-François Jalkh**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. *Stresses that the four areas assessed in the 27 country chapters of the Commission's 2021 rule of law report (the justice system, the anti-corruption framework, media pluralism, and other institutional checks and balances) are key interdependent pillars for upholding the rule of law, fighting fraud and protecting the Union's financial interests; welcomes the evaluation of the effects of COVID-19 on the four issues assessed; highlights the importance of continuing this evaluation in future annual rule of law reports; points out that COVID-19 pandemic has shortened legislative processes and reduced parliamentary debate and consultation of civil society and other stakeholders;*

*Amendment*

*deleted*

Or. en

**Amendment 22**

**Katalin Cseh, Sophia in 't Veld, Olivier Chastel, Alin Mituța, Pierre Karleskind, Ramona Strugariu**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Stresses that the four areas assessed in the 27 country chapters of the Commission's 2021 rule of law report (the justice system, the anti-corruption framework, media pluralism, and other institutional checks and balances) are key interdependent pillars for upholding the rule of law, fighting fraud and protecting the Union's financial interests; welcomes the evaluation of the effects of COVID-19 on the four issues assessed; highlights the importance of continuing this evaluation in

*Amendment*

3. **3.** Stresses that the four areas assessed in the 27 country chapters of the Commission's 2021 rule of law report (the justice system, the anti-corruption framework, media pluralism, and other institutional checks and balances) are key interdependent pillars for upholding the rule of law, fighting fraud and **corruption** and protecting the Union's financial interests; **is of the opinion that other important elements of the Venice Commission's 2016 Rule of Law Checklist**

future annual rule of law reports; points out that COVID-19 pandemic has shortened legislative processes and reduced parliamentary debate and consultation of civil society and other stakeholders;

*should be included into the evaluation, particularly a chapter on shrinking civic space*; welcomes the evaluation of the effects of COVID-19 on the four issues assessed; highlights the importance of continuing this evaluation in future annual rule of law reports; points out that COVID-19 pandemic has shortened legislative processes and reduced parliamentary debate and *shortened or stopped* consultation of civil society and other stakeholders;

Or. en

**Amendment 23**  
**Isabel García Muñoz**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Stresses that the four areas assessed in the 27 country chapters of the Commission's 2021 rule of law report (the justice system, the anti-corruption framework, media pluralism, and other institutional checks and balances) are key interdependent pillars for upholding the rule of law, fighting fraud and protecting the Union's financial interests; welcomes the evaluation of the effects of COVID-19 on the four issues assessed; highlights the importance of continuing this evaluation in future annual rule of law reports; points out that COVID-19 pandemic has shortened legislative processes and reduced parliamentary debate and consultation of civil society and other stakeholders;

*Amendment*

3. Stresses that the four areas assessed in the 27 country chapters of the Commission's 2021 Rule of law report (the justice system, the anti-corruption framework, media pluralism, and other institutional checks and balances) are key interdependent pillars for upholding the Rule of law, fighting fraud and protecting the Union's financial interests; welcomes the evaluation of the effects of COVID-19 on the four issues assessed; highlights the importance of continuing this evaluation in future annual Rule of law reports *to contribute to streamlining anti-corruption measures in pandemic-related areas, such as recovery funds, emergency legislation and medical care*; points out that COVID-19 pandemic has shortened legislative processes and reduced parliamentary debate and consultation of civil society and other stakeholders;

Or. en



**Amendment 24**  
**Isabel García Muñoz**

**Draft opinion**  
**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

**3 a.** *Points out that measures taken to address the COVID-19 pandemic often involve exceptional and necessary flexibility in administrative rules and controls in the interests of rapid reaction, and welcomes that the subsequent risks for the Rule of law and for the fight against corruption were mitigated in some cases by safeguards built into the national emergency regimes; recalls in this regard Parliament's resolution of 15 December 2021 on preventive measures for avoiding corruption, irregular spending and misuse of EU and national funds in case of emergency funds and crisis-related spending areas; stresses that in emergency situations like the COVID-19 outbreak, the health sector is particularly exposed to corruption with regard to public procurement, medical-related services, and COVID-19 fraud;*

Or. en

**Amendment 25**  
**Pierre Karleskind, Katalin Cseh, Olivier Chastel, Alin Mituța, Sophia in 't Veld, Ramona Strugariu, Gilles Boyer**

**Draft opinion**  
**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

**3 a.** *Considers that the European Union should lead by example in its respect for the rule of law principles; reiterates therefore its call to the European Commission include in its annual Rule of Law Report an assessment of the EU institutions' performance in the*

*areas addressed by the report, where applicable;*

Or. en

**Amendment 26**

**Daniel Freund**

on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

**3 a. 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 27**

**Elżbieta Rafalska, Ryszard Czarnecki, Ryszard Antoni Legutko, Joachim Stanisław Brudziński**

on behalf of the ECR Group

**Draft opinion**

**Paragraph 3 a (new)**

*Draft opinion*

*Amendment*

**3 a. Calls on the Commission to present in its next reports a chapter on the compliance of the institutions of the European Union with the rule of law, in particular on the situation within the Commission itself. The EU institutions should resolve numerous internal problems, such as: lack of transparency, obstruction of access to documents, the 'revolving door' problem, and corruption;**

Or. pl

**Amendment 28**  
**Isabel García Muñoz**

**Draft opinion**  
**Paragraph 3 b (new)**

*Draft opinion*

*Amendment*

**3 b. Highlights that Rule of law breaches in Member States can undermine economic and social recovery, particularly when affecting EU instruments for structural reforms such as the Recovery and Resilience Facility and the Structural Funds; asks the Commission to inform in the annual Rule of law reports on the relevant reform priorities included in the national Recovery and Resilience Plans that contribute to protect the EU budget and the Union's financial interest in the four areas assessed;**

Or. en

**Amendment 29**  
**Isabel García Muñoz**

**Draft opinion**  
**Paragraph 3 c (new)**

*Draft opinion*

*Amendment*

**3 c. Reiterates that the fight against corruption requires that breaches of the law be effectively pursued by investigative and prosecution services, that national courts be independent and that the decisions of the Court of Justice of the European Union be respected; points out that the COVID-19 pandemic has exposed the national justice systems' vulnerability to disruption in emergency situations and thus, stresses the importance of investing in human and financial resources and digitalisation, as well as addressing**

*structural obstacles, to improve significantly their efficiency and resilience;*

Or. en

**Amendment 30**  
**Jean-François Jalkh**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

**4. Underlines that corruption prevention policies cover many fields, typically including ethical rules, awareness-raising measures, rules on asset disclosures, incompatibilities and conflicts of interest, internal control mechanisms, rules on lobbying, and revolving doors; reiterates the role of national measures in preventing fraud and corruption;**

*Amendment*

**deleted**

Or. en

**Amendment 31**  
**Gilles Boyer, Olivier Chastel, Ramona Strugariu, Michal Wiezik, Pierre Karleskind**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

**4. Underlines that corruption prevention policies cover many fields, typically including ethical rules, awareness-raising measures, rules on asset disclosures, incompatibilities and conflicts of interest, internal control mechanisms, rules on lobbying, and revolving doors; reiterates the role of national measures in preventing fraud and corruption;**

*Amendment*

**4. Underlines that corruption prevention policies cover many fields, typically including ethical rules, awareness-raising measures, rules on asset disclosures, incompatibilities and conflicts of interest, internal control mechanisms, rules on lobbying, and revolving doors; ***calls for further corruption prevention measures at the European level including transparency of ownership structures, prohibition of involvement of offshore or*****

*shell companies into the spending of European funds; reiterates the role of national measures in preventing fraud and corruption but considers that the EU institutions need to be fully equipped to prevent and investigate fraud and corruption; welcomes the Commission's adoption of the anti-money laundering (AML) package of proposals; calls on the European institutions to be ambitious in their negotiations and to reach an agreement as quickly as possible, particularly on the creation of a new European AML authority with strong direct supervisory powers on the riskiest obliged financial entities and on clear rules on Beneficial Ownership transparency;*

Or. en

#### Amendment 32

Katalin Cseh, Sophia in 't Veld, Olivier Chastel, Alin Mituța, Pierre Karleskind, Ramona Strugariu

#### Draft opinion Paragraph 4

##### *Draft opinion*

4. Underlines that corruption prevention policies cover many fields, typically including ethical rules, awareness-raising measures, rules on asset disclosures, incompatibilities and conflicts of interest, internal control mechanisms, rules on lobbying, and revolving doors; reiterates the role of national measures in preventing fraud and corruption;

##### *Amendment*

4. Underlines that corruption prevention policies cover many fields, typically including ethical rules, awareness-raising measures, rules on asset disclosures, incompatibilities and conflicts of interest, internal control mechanisms, rules on lobbying, and revolving doors; ***calls on further corruption prevention measures on European level including transparency of ownership structures, prohibition of involvement of offshore or shell companies into the spending of European funds;*** reiterates the role of national measures in preventing fraud and corruption ***but considers that the EU institutions need to be fully equipped to prevent and investigate fraud and***

*corruption;*

Or. en

### Amendment 33

Isabel García Muñoz, Lara Wolters

#### Draft opinion

#### Paragraph 4

##### *Draft opinion*

4. Underlines that corruption prevention policies cover many fields, typically including ethical rules, awareness-raising measures, rules on asset disclosures, incompatibilities and conflicts of interest, internal control mechanisms, rules on lobbying, and revolving doors; reiterates the role of national measures in preventing fraud and corruption;

##### *Amendment*

4. Underlines that corruption prevention policies cover many fields, typically including 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; reiterates the role of national measures in preventing fraud and corruption, ***as well as in recovering the profit from those cases; welcomes in this regard the information included in the 2021 report about cases of corruption involving high-level officials in Member States and calls on provision of more clarification in future reports with regard to whether EU funds have been affected;***

Or. en

### Amendment 34

Matteo Adinolfi, Joachim Kuhs

#### Draft opinion

#### Paragraph 4

##### *Draft opinion*

4. Underlines ***that*** corruption prevention policies ***cover*** many fields, typically including ethical rules, awareness-raising measures, rules on asset disclosures, incompatibilities and conflicts of interest, internal control mechanisms,

##### *Amendment*

4. Underlines ***the importance of*** corruption prevention policies ***covering*** many fields, typically including ethical rules, awareness-raising measures, rules on asset disclosures, incompatibilities and conflicts of interest, ***public procurement***,

rules on lobbying, and revolving doors;  
reiterates the role of national measures in  
preventing fraud and corruption;

internal control mechanisms, rules on  
lobbying and revolving doors, reiterates the  
*important* role of national measures in  
preventing fraud and corruption *as well as*  
*calls for a strong focus on those cases*  
*related to the EU institutions; revolving*  
*doors cases and conflict of interest*  
*problems undermine the credibility of the*  
*EU institutions and therefore calls for a*  
*good example to be set by the EU towards*  
*citizens and nation states;*

Or. en

**Amendment 35**  
**Isabel García Muñoz**

**Draft opinion**  
**Paragraph 4 a (new)**

*Draft opinion*

*Amendment*

**4 a.** *Reiterates its call for the Commission to assess not only the existence but the effectiveness of the national anti-corruption legislation, policies and strategies, including key elements such as clear and measurable objectives, adequate budgetary resources, regular evaluations and well-defined responsibilities for specialised institutions; appreciates that the report comments on the overall good performance of Member States in the 2020 Corruption Perceptions Index and, in this regard, welcomes that ten Member States are in the top twenty of the countries perceived as least corrupt in the world and other fourteen Member States remain above the average or have improved their scores, while deeply regrets that some others have registered a significant deterioration in perceived corruption levels;*

Or. en

## **Amendment 36**

**Pierre Karleskind, Katalin Cseh, Olivier Chastel, Alin Mituța, Sophia in 't Veld, Michal Wiezik, Ramona Strugariu, Gilles Boyer**

### **Draft opinion**

#### **Paragraph 4 a (new)**

*Draft opinion*

*Amendment*

***4 a. Notes with great concern the deteriorating situation of freedom of expression, protection of the right to information, and protection of journalists in 2021 compared to 2020 according to the Media Pluralism Monitor; recalls that media pluralism and media freedom is essential for the protection of the EU's financial interests as investigative journalism is often at the source of the identification of issues such as corruption, fraud, or conflicts of interest in the use of EU funds;***

Or. en

## **Amendment 37**

**Michal Wiezik, Ramona Strugariu, Gilles Boyer, Alin Mituța, Olivier Chastel, Pierre Karleskind**

### **Draft opinion**

#### **Paragraph 4 a (new)**

*Draft opinion*

*Amendment*

***4 a. Deeply regrets the fact that the safety of journalists across the EU has been deteriorating in 2020<sup>1a</sup>; highlights the key role of investigative journalists in the fight against corruption, fraud and illegal activities that negatively impact the EU budget; reiterates in this regard the need to protect investigative journalists from strategic lawsuits against public participation (SLAPPs) through a strong EU-wide legal framework, as well as against personal harassment, intimidation and threats to life in order to assure freedom of expression and the right to***



Or. en

### **Amendment 38**

**Jean-François Jalkh, Joachim Kuhs, Matteo Adinolfi**

#### **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 to preventing and detecting corruption; ***expresses its concern about deteriorating developments in these areas in several Member States; calls on the Commission to act against the breaches it has identified in its previous annual rule of law reports;***

##### *Amendment*

5. Stresses that transparency, access to public information, the protection of whistleblowers and an overall culture of integrity in public life are key to preventing and detecting corruption;

Or. en

### **Amendment 39**

**Isabel García Muñoz**

#### **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 to preventing and detecting corruption; expresses its concern about deteriorating developments in these areas in several Member States;

##### *Amendment*

5. Stresses that transparency, access to public information, ***media freedom and pluralism***, the protection of whistleblowers and an overall culture of integrity in public life are key to preventing and detecting corruption ***as facilitate the public scrutiny and keep public trust***; expresses its

calls on the Commission to act against the breaches it has identified in its previous annual rule of law reports;

concern about deteriorating developments in these areas in several Member States; calls on the Commission, ***in coordination with the relevant EU and national institutions and bodies***, to act against the breaches it has identified in its previous annual Rule of law reports;

Or. en

**Amendment 40**  
**Maria Grapini**

**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 to preventing and detecting corruption; expresses its concern about deteriorating developments in these areas in several Member States; calls on the Commission to act against the breaches it has identified in its previous annual rule of law reports;

*Amendment*

5. Stresses that transparency, access to public information, the protection of whistleblowers and an overall culture of integrity in public life are key to preventing and detecting corruption; expresses its concern about deteriorating developments in these areas in several Member States; calls on the Commission to act against the ***specific*** breaches it has identified in its previous annual rule of law reports, ***so as not to affect citizens and businesses not guilty of acts of corruption***;

Or. ro

**Amendment 41**  
**Pierre Karleskind, Katalin Cseh, Olivier Chastel, Alin Mituța, Sophia in 't Veld, Michal Wiezik, Ramona Strugariu, Gilles Boyer**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

***5 a. Is concerned about the Commission's 2021 Rule of Law Report's findings that, in some countries, the state-sponsored harassment and intimidation of***

*the LGBTI organisations is affecting their ability to access funding; calls on the Commission to take a closer look at the issue and to make sure that the non-discrimination principle governing the access to EU funds is fully complied with, everywhere in the EU; considers that these findings reinforce the long-standing position of Parliament that the scope of the Rule of Law report should be broadened to include all Article 2 TEU values;*

Or. en

**Amendment 42**  
**Isabel García Muñoz**

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

*5 a. Welcomes the fact that the 2021 report pays particular attention to the financing of political parties due to its importance in shaping a European electoral space and influence on civil society; is concerned that political party financing can be used as a conduit for corruption, and supports the importance of transparency and the rigour of regulation; calls on the Commission to maintain its focus on this issue in future reports including, where necessary, on reforms that may affect compliance with the requirements for political parties members of European political parties;*

Or. en

**Amendment 43**  
**Elżbieta Rafalska, Ryszard Czarnecki, Ryszard Antoni Legutko, Joachim Stanisław Brudziński**  
on behalf of the ECR Group

**Draft opinion**  
**Paragraph 5 a (new)**

*Draft opinion*

*Amendment*

**5 a.** *Notes with concern that the contracts signed by the Commission with pharmaceutical companies developing COVID-19 vaccines have clauses that have not been published in their entirety for over a year;*

Or. pl

**Amendment 44**

**Elżbieta Rafalska, Ryszard Czarnecki, Ryszard Antoni Legutko, Joachim Stanisław Brudziński**  
on behalf of the ECR Group

**Draft opinion**  
**Paragraph 5 b (new)**

*Draft opinion*

*Amendment*

**5 b.** *Stresses that NGOs should be obliged to disclose their sources of funding; stresses that all European bodies must disclose and publish a list of all NGOs they fund and the amount of this funding in order to be in compliance with the principle of transparency and the right of EU citizens to information;*

Or. pl

**Amendment 45**

**Pierre Karleskind, Katalin Cseh, Olivier Chastel, Alin Mituța, Sophia in 't Veld, Michal Wiezik, Ramona Strugariu, Gilles Boyer**

**Draft opinion**  
**Paragraph 5 b (new)**

*Draft opinion*

*Amendment*

**5 b.** *Welcomes the variety of sources used by the European Commission to feed*

*its assessment in the 2021 Rule of Law Report, including from civil-society organisations and NGOs; highlights, in this regard, the key role played by those grassroots organisations in identifying and reporting breaches of the Rule of Law at national and local level;*

Or. en

**Amendment 46**

**Elżbieta Rafalska, Ryszard Czarnecki, Ryszard Antoni Legutko, Joachim Stanisław Brudziński**

on behalf of the ECR Group

**Draft opinion**

**Paragraph 6**

*Draft opinion*

6. Calls on the Commission and the Member States to use the Commission's annual rule of law reports to resolutely fight against systemic corruption and devise effective instruments for preventing, combating and sanctioning corruption and fighting fraud, as well as for regularly monitoring the use of public funds, including recovery and resilience facility funds.

*Amendment*

6. Calls on the Commission and the Member States to use the Commission's annual rule of law reports to resolutely fight against systemic corruption and devise effective instruments for preventing, combating and sanctioning corruption and fighting fraud, as well as for regularly monitoring the use of public funds, including recovery and resilience facility funds. ***The Commission should focus in the coming years on the fight against corruption and organised crime, which have been fuelled by the COVID-19 pandemic. Organised crime groups are currently earning huge amounts of money from the trade in counterfeit medicines, vaccines, other medical equipment and false certificates.***

Or. pl

**Amendment 47**

**Daniel Freund**

on behalf of the Verts/ALE Group

**Draft opinion**

## Paragraph 6

### *Draft opinion*

6. Calls on the Commission and the Member States to use the Commission's annual rule of law reports to resolutely fight against systemic corruption and devise effective instruments for preventing, combating and sanctioning corruption and fighting fraud, as well as for regularly monitoring the use of public funds, including recovery and resilience facility funds.

### *Amendment*

6. Calls on the Commission and the Member States to use the Commission's annual rule of law reports to resolutely fight against systemic corruption and devise effective instruments for preventing, combating and sanctioning corruption and fighting fraud, as well as for regularly monitoring the use of public funds, including recovery and resilience facility funds; ***reiterates that in Member States with identified systemic corruption, where national preventive measures are not effective, the Commission must make full use of all tools available to protect the EU budget, including through suspensions of funds where necessary***

Or. en

## Amendment 48

**Michał Wieszik, Ramona Strugariu, Gilles Boyer, Pierre Karleskind, Alin Mituța, Olivier Chastel**

### **Draft opinion Paragraph 6**

### *Draft opinion*

6. Calls on the Commission and the Member States to use the Commission's annual rule of law reports to resolutely fight against systemic corruption and devise effective instruments for preventing, combating and sanctioning corruption and fighting fraud, as well as for regularly monitoring the use of public funds, including recovery and resilience facility funds.

### *Amendment*

6. Calls on the Commission and the Member States to use the Commission's annual rule of law reports ***and its findings*** to resolutely fight against systemic corruption and devise ***all*** effective instruments ***available under EU financial legislation and the applicable sector-specific and financial rules*** for preventing, combating and sanctioning corruption and fighting fraud, as well as for regularly monitoring the use of public funds, including recovery and resilience facility funds.

Or. en

## Amendment 49

Maria Grapini

### Draft opinion

#### Paragraph 6

##### *Draft opinion*

6. Calls on the Commission and the Member States to use the Commission's annual rule of law reports to resolutely fight against systemic corruption and devise effective instruments for preventing, combating and sanctioning corruption and fighting fraud, as well as for regularly monitoring the use of public funds, including recovery and resilience facility funds.

##### *Amendment*

6. Calls on the Commission and the Member States to use the Commission's annual rule of law reports to resolutely fight against systemic corruption and devise effective instruments for preventing, combating and sanctioning corruption and fighting fraud, as well as for regularly monitoring the use of public funds, including recovery and resilience facility funds ***with a view to increasing the competitiveness of businesses and to enhancing citizens' quality of life.***

Or. ro

## Amendment 50

Jean-François Jalkh, Joachim Kuhs

### Draft opinion

#### Paragraph 6

##### *Draft opinion*

6. Calls on the Commission and the Member States to ***use the Commission's annual rule of law reports to resolutely*** fight against systemic corruption and devise effective instruments for preventing, combating and sanctioning corruption and fighting fraud, as well as for regularly monitoring the use of public funds, including recovery and resilience facility funds.

##### *Amendment*

6. Calls on the Commission and the Member States to fight against systemic corruption and devise effective instruments for preventing, combating and sanctioning corruption and fighting fraud, as well as for regularly monitoring the use of public funds, including recovery and resilience facility funds.

Or. en

**Amendment 51**  
**Isabel García Muñoz**

**Draft opinion**  
**Paragraph 6 a (new)**

*Draft opinion*

*Amendment*

**6 a.** *Is concerned that in many Member States, the lack of adequate resources allocated for investigating corruption and prosecution authorities have created particular difficulties in hiring or retaining highly specialised personnel; points out that public officials need appropriate support, particularly in emergency situations, in order to secure the quality of the public administration, and how authorities apply the law and implement court decisions; reiterates that uniform, up to date and consolidated statistics across all Member States are instrumental to track the comparative success of the investigation and prosecution of corruption offences; calls, therefore, on the Commission to use its annual reports to support the Union-wide harmonisation of definitions of such offences, as well as a better use of data sets in order to obtain comparative data across the EU on the treatment of corruption cases;*

Or. en

**Amendment 52**  
**Maria Grapini**

**Draft opinion**  
**Paragraph 6 a (new)**

*Draft opinion*

*Amendment*

**6a.** *Emphasises that during the state of emergency direct public procurement was possible, especially for health material and equipment, without a great deal of transparency and without regard*



*for legal limits in the field of public procurement; calls on the Commission and the competent European and national institutions to investigate potential mistakes in procurement made during the state of emergency;*

Or. ro

**Amendment 53**

**Katalin Cseh, Sophia in 't Veld, Olivier Chastel, Alin Mituța**

**Draft opinion**

**Paragraph 6 a (new)**

*Draft opinion*

*Amendment*

*6 a. Regrets the fact that the report fails to clearly recognise the deliberate process of the rule of law backsliding in Poland and Hungary which can result in further backsliding not only in the above mentioned Member States but it seriously risk affecting other Member States in the Union as well;*

Or. en

**Amendment 54**

**Daniel Freund**

on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 6 a (new)**

*Draft opinion*

*Amendment*

*6 a. 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 a coherent annual publication cycle, as well as 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 55**

**Daniel Freund**

on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 6 b (new)**

*Draft opinion*

*Amendment*

**6 b.** *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