



**2020/2026(INL)**

18.10.2021

# **AMENDMENTS**

## **1 - 81**

**Draft opinion**  
**Anna Júlia Donáth**  
(PE697.637v01-00)

A statute for European cross-border associations and non-profit organisations  
(2020/2026(INL))



## Amendment 1

Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa

### Draft opinion

#### Recital A

##### *Draft opinion*

A. non-profit organisations (NPOs) are increasingly involved in economic activities and contribute to the rapid development of the social economy, bringing societal benefits in terms of citizens welfare, the fight against climate change, quality employment and the fight against social exclusion and discrimination; whereas the development of the social economy directly contributes to the strengthening of the single market;

##### *Amendment*

A. non-profit organisations (NPOs) are increasingly involved in economic activities and contribute to the rapid development of the social economy ***including by engaging with citizens to better understand their needs and empower them***, bringing societal benefits in terms of citizens welfare, the fight against climate change, quality ***and inclusive*** employment ***at local, national and European level, including for persons with disabilities and persons belonging to marginalised communities*** and the fight against social exclusion and discrimination; whereas the development of the social economy directly contributes to the strengthening of the single market;

Or. en

## Amendment 2

Jorge Buxadé Villalba

### Draft opinion

#### Recital A

##### *Draft opinion*

A. non-profit organisations (NPOs) ***are increasingly involved in economic activities and contribute to the rapid development of the*** social economy, ***bringing societal benefits in terms of citizens welfare, the fight against climate change,*** quality employment ***and*** the fight against social exclusion and discrimination; ***whereas the development of the social economy directly contributes to the strengthening of the single market;***

##### *Amendment*

A. ***There are*** non-profit organisations (NPOs) ***which make positive contributions to society in multiple areas, such as*** social economy, quality employment, the fight against social exclusion and discrimination, ***or helping persons with disabilities;***

### Amendment 3

Vasile Blaga

#### Draft opinion

##### Recital A

##### *Draft opinion*

A. non-profit organisations (NPOs) are increasingly involved in economic activities and contribute to the rapid development of the social economy, bringing societal benefits in terms of citizens welfare, the fight against climate change, quality employment and the fight against social exclusion and discrimination; whereas the development of the social economy directly contributes to the strengthening of the single market;

##### *Amendment*

A. non-profit organisations (NPOs) are increasingly involved in economic activities and contribute to the rapid development of the social economy, bringing societal benefits in terms of citizens welfare, ***education, health*** the fight against climate change, quality employment and the fight against social exclusion and discrimination; whereas the development of the social economy directly contributes to the strengthening of the single market;

Or. en

### Amendment 4

Pernando Barrena Arza

#### Draft opinion

##### Recital A

##### *Draft opinion*

A. non-profit organisations (NPOs) are increasingly involved in economic activities and contribute to the rapid development of the social economy, bringing societal benefits in terms of citizens welfare, the fight against climate change, quality employment and the fight against social exclusion and discrimination; whereas the development of the social economy directly contributes to the ***strengthening*** of the ***single market***;

##### *Amendment*

A. non-profit organisations (NPOs) are increasingly involved in economic activities and contribute to the rapid development of the social economy, bringing societal benefits in terms of citizens welfare, the fight against climate change, quality employment and the fight against social exclusion and discrimination; whereas the development of the social economy directly contributes to the ***wellbeing*** of the ***population***;

Or. en

## Amendment 5

Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa

### Draft opinion

#### Recital A a (new)

*Draft opinion*

*Amendment*

***A a. The COVID-19 pandemic demonstrated NPOs' central role in providing information and support to citizens, and highlighted their important role in providing care, including medical and social, especially to vulnerable and marginalized people and communities;***

Or. en

## Amendment 6

Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa

### Draft opinion

#### Recital B

*Draft opinion*

*Amendment*

B. NPOs play a central role in democracy by exercising public oversight over political power, articulating aspirations present in society, carrying out advocacy, contributing to informed policy-making and fostering active citizenship;

B. NPOs play a central role in democracy by exercising public oversight over political power, articulating ***and relaying*** aspirations ***and interests*** present in society, carrying out advocacy, contributing to informed policy-making ***with their expertise and knowledge of the ground*** and fostering active ***and responsible*** citizenship ***leading to increased public debate and pluralism in society; whereas, to this end, civil society organisations must benefit from an enabling environment that allows them to thrive throughout the Union;***

Or. en

## Amendment 7

**Vasile Blaga**

**Draft opinion**  
**Recital B**

*Draft opinion*

B. NPOs play a central role in democracy by exercising public oversight over political power, articulating aspirations present in society, carrying out advocacy, contributing to informed policy-making and fostering active citizenship;

*Amendment*

B. NPOs play a central role in democracy by exercising public oversight over political power, articulating aspirations present in society, carrying out advocacy, contributing to informed policy-making and fostering active citizenship ***thus promoting active public participation in the democratic process, in governance and increasing transparency at EU and member states' level***

Or. en

**Amendment 8**  
**Bettina Vollath**

**Draft opinion**  
**Recital B**

*Draft opinion*

B. NPOs play a central role in democracy by exercising public oversight over political power, articulating aspirations present in society, carrying out advocacy, contributing to informed policy-making and fostering active citizenship;

*Amendment*

B. NPOs play a central role in democracy by exercising public oversight over political power, articulating aspirations present in society ***to policymakers***, carrying out advocacy, contributing to informed policy-making and fostering active citizenship;

Or. de

**Amendment 9**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Recital B**

*Draft opinion*

*Amendment*

B. NPOs play a central role in democracy by exercising public oversight over political power, articulating aspirations present in society, carrying out advocacy, contributing to informed policy-making and fostering active citizenship;

B. *Some* NPOs play a central role in democracy by exercising public oversight over political power, articulating aspirations present in society, carrying out advocacy, contributing to informed policy-making and fostering active citizenship;

Or. en

**Amendment 10**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Recital B a (new)**

*Draft opinion*

*Amendment*

***B a. The use of NPOs by foreign actors to interfere in the political life of the Member States needs to be regulated at national level as it poses a major risk for democracy; whereas this kind of foreign funded NPOs such as The Open Society Foundations do not seek to make positive contributions to society but to influence electoral processes for their own economic interest;***

Or. en

**Amendment 11**  
**Pernando Barrena Arza**

**Draft opinion**  
**Recital B a (new)**

*Draft opinion*

*Amendment*

***B a. NPOs they are an essential component of a strong rule of law ecosystem, and a precondition for healthy democracies;***

Or. en

**Amendment 12**  
**Pernando Barrena Arza**

**Draft opinion**  
**Recital B b (new)**

*Draft opinion*

*Amendment*

***B b. European Association statute can solve cross border issues, but not civic space issue, which are core problem for a well-functioning democracy;***

Or. en

**Amendment 13**  
**Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa**

**Draft opinion**  
**Recital C**

*Draft opinion*

*Amendment*

C. Article 11 TEU acknowledges the role of NPOs in democratic life;

C. Article 11 TEU acknowledges the role of NPOs in democratic life ***and specifies that institutions shall give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action, and that institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society;***

Or. en

**Amendment 14**  
**Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa**

**Draft opinion**  
**Recital D**

*Draft opinion*

*Amendment*

D. Article 12 of the Charter of Fundamental Rights guarantees the right to

D. Article 12 of the Charter of Fundamental Rights guarantees the right to



freedom of association at all levels;

freedom of association at all levels;  
*whereas, according to the case-law of the European Court of Human Rights, freedom of association constitutes one of the essential bases of a democratic and pluralist society, inasmuch as it allows citizens to act collectively in fields of mutual interest; whereas barriers to the development of cross-border civic action are of a nature as to significantly limit the attainment of this objective*

Or. en

**Amendment 15**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Recital D**

*Draft opinion*

D. Article 12 of the Charter of Fundamental Rights guarantees the right to freedom of association at all levels;

*Amendment*

D. Article 12 of the Charter of Fundamental Rights guarantees the right to freedom of association at all levels,  
*whereas this right is guaranteed in national legislations throughout the Union;*

Or. en

**Amendment 16**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Recital E**

*Draft opinion*

*E. Restrictions of the space in which they operate have been reported by NPOs throughout the Union, related to the regulatory environment under which they operate, their finances and funding, their right to participation and to an unsafe environment with increasing attacks,*

*Amendment*

*deleted*

*including negative discourse stigmatising NPOs;*

Or. en

#### **Amendment 17**

**Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa**

#### **Draft opinion**

##### **Recital E**

#### *Draft opinion*

E. Restrictions of *the space in which they operate* have been reported by NPOs throughout the Union, related to the regulatory environment under which they operate, their finances and funding, their right to participation and to an unsafe environment with increasing attacks, including negative discourse stigmatising NPOs;

#### *Amendment*

E. Restrictions of *civic* space have been reported by NPOs throughout the Union, related to the regulatory environment under which they operate *with (changes in) legislation that affect their work*, their finances and funding, their right to participation *with increasing difficulties in accessing decision-makers and providing input into law- and policy-making* and to an unsafe environment with increasing attacks *and harassment*, including negative discourse *aimed at delegitimising and* stigmatising NPOs;

Or. en

#### **Amendment 18**

**Bettina Vollath**

#### **Draft opinion**

##### **Recital E**

#### *Draft opinion*

E. Restrictions of the space in which they operate have been reported by NPOs throughout the Union, related to the regulatory environment under which they operate, their finances and funding, their right to participation and to an unsafe environment with increasing attacks, including negative discourse stigmatising NPOs;

#### *Amendment*

E. Restrictions of the space in which they operate have been reported by NPOs throughout the Union, related to the regulatory environment under which they operate, their finances and funding, their right to participation and to an unsafe environment with increasing attacks, including negative discourse *and strategic lawsuits against public participation*

*(SLAPPs), which contribute to stigmatising NPOs to the point where they cease their critical work;*

Or. de

**Amendment 19**  
**Vasile Blaga**

**Draft opinion**  
**Recital E**

*Draft opinion*

E. Restrictions of the space in which they operate have been reported by NPOs throughout the Union, related to the regulatory environment under which they operate, their finances and funding, their right to participation and to an unsafe environment with **increasing** attacks, including negative discourse stigmatising NPOs;

*Amendment*

E. Restrictions of the space in which they operate have been reported by NPOs throughout the Union, related to the regulatory environment under which they operate, their finances and funding, their right to participation and to an unsafe environment with **increasingly worrying** attacks, including negative discourse stigmatising NPOs;

Or. en

**Amendment 20**  
**Pernando Barrena Arza**

**Draft opinion**  
**Recital E a (new)**

*Draft opinion*

*Amendment*

***E a. While NPOs play important roles in Member States and at EU level, their activities are blocked by legal and administrative obstruction and by the limits placed on NPOs' organisational capacity to operate across borders. As a result, their contributions are below its potential, especially in cross-border regions;***

Or. en

## Amendment 21

Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa

### Draft opinion

#### Recital F

##### *Draft opinion*

F. In its judgment in Case C-78/18<sup>1</sup>, the Court of Justice held that freedom of association does not only include the ability to create or dissolve an association but also covers the possibility for that association to act in the meantime;

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<sup>1</sup> Judgment of the Court of Justice of 18 June 2020, Commission v Hungary, C-78/18, ECLI:EU:C:2020:476, paragraph 113.

##### *Amendment*

F. ***The European Court of Human Rights has recognized that the state has a positive obligation to secure the enjoyment of the right to freedom of association and found that “genuine and effective respect for freedom of association cannot be reduced to a mere duty on the part of the State not to interfere”, whereas*** in its judgment in Case C-78/18<sup>1</sup>, the Court of Justice held that freedom of association does not only include the ability to create or dissolve an association but also covers the possibility for that association to act in the meantime;

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<sup>1</sup> Judgment of the Court of Justice of 18 June 2020, Commission v Hungary, C-78/18, ECLI:EU:C:2020:476, paragraph 113.

Or. en

## Amendment 22

Vasile Blaga

### Draft opinion

#### Recital F

##### *Draft opinion*

F. In its judgment in Case C-78/18<sup>1</sup>, the Court of Justice held that freedom of association does not only include the ability to create or dissolve an association but also covers the possibility for that association to act in the meantime;

##### *Amendment*

F. In its judgment in Case C-78/18<sup>1</sup>, the Court of Justice ***of the European Union*** held that freedom of association does not only include the ability to create or dissolve an association but also covers the possibility for that association to act in the meantime;

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<sup>1</sup> Judgment of the Court of Justice of 18 June 2020, Commission v Hungary, C-78/18, ECLI:EU:C:2020:476, paragraph 113.

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<sup>1</sup> Judgment of the Court of Justice of 18 June 2020, Commission v Hungary, C-78/18, ECLI:EU:C:2020:476, paragraph 113.

Or. en

## **Amendment 23**

**Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa**

### **Draft opinion**

#### **Recital G**

#### *Draft opinion*

G. The Court of Justice of the European Union has produced concrete case law<sup>2</sup> on the principles of non-discrimination and free movement of capital applied to cross-border donations; whereas these principles are still not universally applied in Member States and the Commission has not put forward positive steps to address this.

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<sup>2</sup> Judgment of the Court of 14 September 2006, Centro di Musicologia Walter Stauffer v Finanzamt München für Körperschaften, C-386/04, ECLI:EU:C:2006:568, Judgment of the Court of 27 January 2009, Hein Pershe v Finanzamt Lüdenscheid, C-318/07, ECLI:EU:C:2009:33 and Judgment of the Court of 10 February 2011, Missionswerk Werner Heukelbach eV v Belgian State, C-25/10, ECLI:EU:C:2011:65.

#### *Amendment*

G. The Court of Justice of the European Union has produced concrete case law<sup>2</sup> on the principles of non-discrimination and free movement of capital applied to cross-border donations ***and organisations established in another Member State***; whereas ***despite this guidance from the Court***, these principles are still not universally applied in Member States and the Commission has not put forward positive steps to address this ***at EU level***.

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<sup>2</sup> Judgment of the Court of 14 September 2006, Centro di Musicologia Walter Stauffer v Finanzamt München für Körperschaften, C-386/04, ECLI:EU:C:2006:568, Judgment of the Court of 27 January 2009, Hein Pershe v Finanzamt Lüdenscheid, C-318/07, ECLI:EU:C:2009:33 and Judgment of the Court of 10 February 2011, Missionswerk Werner Heukelbach eV v Belgian State, C-25/10, ECLI:EU:C:2011:65.

Or. en

## **Amendment 24**

**Vasile Blaga**

**Draft opinion**  
**Recital G**

*Draft opinion*

G. The Court of Justice of the European Union has produced concrete case law<sup>2</sup> on the principles of non-discrimination and free movement of capital applied to cross-border donations; whereas these principles are still not universally applied in Member States and the Commission has not *put forward positive steps to address this*.

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<sup>2</sup> Judgment of the Court of 14 September 2006, Centro di Musicologia Walter Stauffer v Finanzamt München für Körperschaften, C-386/04, ECLI:EU:C:2006:568, Judgment of the Court of 27 January 2009, Hein Pershe v Finanzamt Lüdenscheid, C-318/07, ECLI:EU:C:2009:33 and Judgment of the Court of 10 February 2011, Missionswerk Werner Heukelbach eV v Belgian State, C-25/10, ECLI:EU:C:2011:65.

*Amendment*

G. The Court of Justice of the European Union has produced concrete case law<sup>2</sup> on the principles of non-discrimination and free movement of capital applied to cross-border donations; whereas these principles are still not universally applied in Member States and the Commission has not *yet addressed this issue*

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<sup>2</sup> Judgment of the Court of 14 September 2006, Centro di Musicologia Walter Stauffer v Finanzamt München für Körperschaften, C-386/04, ECLI:EU:C:2006:568, Judgment of the Court of 27 January 2009, Hein Pershe v Finanzamt Lüdenscheid, C-318/07, ECLI:EU:C:2009:33 and Judgment of the Court of 10 February 2011, Missionswerk Werner Heukelbach eV v Belgian State, C-25/10, ECLI:EU:C:2011:65.

Or. en

**Amendment 25**  
**Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa**

**Draft opinion**  
**Recital G a (new)**

*Draft opinion*

*Amendment*

***G a. One third of the EU population lives in regions close to internal borders between Member States with an increasing number of cross-border initiatives however often hampered by discrepancies in the regulatory environment and development of the nonprofit sector on both sides of a border;***

**Amendment 26**  
**Charlie Weimers**

**Draft opinion**  
**Recital G a (new)**

*Draft opinion*

*Amendment*

***G a. Whereas several member states have banned or are planning to ban third country funding of mosques;***

Or. en

**Amendment 27**  
**Jorge Buxadé Villalba**

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

*Draft opinion*

*Amendment*

***1. Calls on the Commission to put forward a legislative package creating a Statute for European Associations and laying down common rules and minimum standards for NPOs to exercise the right to freedom of assembly and to remove the barriers precluding NPOs from playing their fundamental role in society and contributing to the strengthening of the single market;***

***deleted***

Or. en

**Amendment 28**  
**Charlie Weimers**

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

*Draft opinion*

*Amendment*

**1. Calls on the Commission to put forward a legislative package creating a Statute for European Associations and laying down common rules and minimum standards for NPOs to exercise the right to freedom of assembly and to remove the barriers precluding NPOs from playing their fundamental role in society and contributing to the strengthening of the single market;**

*deleted*

Or. en

**Amendment 29**  
**Pernando Barrena Arza**

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

*Draft opinion*

1. Calls on the Commission to put forward a legislative package creating a Statute for European Associations and laying down common rules and minimum standards for NPOs to exercise the right to freedom of assembly and to remove the barriers precluding NPOs from playing their fundamental role in society **and contributing to the strengthening of the single market;**

*Amendment*

1. Calls on the Commission to put forward a legislative package creating a Statute for European Associations and laying down common rules and minimum standards for NPOs to exercise the right to freedom of assembly and to remove the barriers precluding NPOs from playing their fundamental role in society;

Or. en

**Amendment 30**  
**Jorge Buxadé Villalba**

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

*Draft opinion*

*Amendment*

**1 a. Stresses that is up to the Member States to decide the legal framework under which the NPOs can operate in their territory to ensure the citizens' rights**



*and to avoid foreign interferences,  
including the review of the NPOs statutes  
to ensure that they comply with the  
national legislation and their actions are  
not against public order;*

Or. en

**Amendment 31**  
**Jorge Buxadé Villalba**

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

*Draft opinion*

*Amendment*

*1 b. Calls on the Commission to ensure  
by legislative means that NPOs operating  
in the Member States only receive EU  
public funding if it counts with the  
approval of the Member State concerned;*

Or. en

**Amendment 32**  
**Jorge Buxadé Villalba**

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

*Draft opinion*

*Amendment*

*1 c. Highlights that the EU was  
conceived as a union of independent  
nations, working together for mutual  
gain; stresses in this regard that the EU  
should refrain from any action seeking  
political interference in the Member  
states;*

Or. en

**Amendment 33**  
**Jorge Buxadé Villalba**

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

*Draft opinion*

2. *Highlights that the definition of common measures for NPOs will enable coherent judicial review at Union level and lay down the foundations for future case law that will help strengthen Union-wide standards;*

*Amendment*

*deleted*

Or. en

**Amendment 34**  
**Pernando Barrena Arza**

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

*Draft opinion*

2. Highlights that the definition of common measures for NPOs will enable coherent judicial review at Union level and lay down the foundations for future case law that will help strengthen *Union-wide standards*;

*Amendment*

2. Highlights that the definition of common measures for NPOs will enable coherent judicial review at Union level and lay down the foundations for future case law that will help strengthen *the protection of fundamental rights which are an essential part of Union law*;

Or. en

**Amendment 35**  
**Vasile Blaga**

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

*Draft opinion*

2. Highlights that the definition of common measures for NPOs will enable coherent judicial review at Union level and lay down the foundations for future case law that will help strengthen Union-wide

*Amendment*

2. Highlights that the definition of common measures for NPOs will enable coherent judicial review at Union level and lay down the foundations for *potential* future case law that will help

standards;

strengthen Union-wide standards;

Or. en

**Amendment 36**  
**Jorge Buxadé Villalba**

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

*Draft opinion*

3. *Considers that the long-overdue creation of a Statute for European Associations is a crucial step in fostering civic space at Union level, cross-border cooperation and dialogue; points out that such a Statute would help European civil society to structure itself; considers that European Associations could be instrumental in enhancing civic participation in Union policy-making;*

*Amendment*

*deleted*

Or. en

**Amendment 37**  
**Charlie Weimers**

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

*Draft opinion*

3. Considers that the *long-overdue* creation of a Statute for European Associations is *a crucial step in fostering civic space at Union level, cross-border cooperation and dialogue; points out that such a Statute would help European civil society to structure itself; considers that European Associations could be instrumental in enhancing civic participation in Union policy-making;*

*Amendment*

3. Considers that the creation of a Statute for European Associations is *not highly prioritized by citizens;*

Or. en

### Amendment 38

Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa

#### Draft opinion

##### Paragraph 3

###### *Draft opinion*

3. Considers that the long-overdue creation of a Statute for European Associations is a crucial step in fostering civic space at Union level, cross-border cooperation and dialogue; points out that such a Statute would help European civil society to structure itself; considers that European Associations could be instrumental in enhancing civic participation in Union policy-making;

###### *Amendment*

3. Considers that the long-overdue creation of a Statute for European Associations is a crucial step in fostering civic space at Union level, cross-border cooperation and dialogue, ***exchanges between citizens and reflection on common history and values***; points out that such a Statute would help European civil society to structure itself, ***in particular by facilitating the development of European networks***; considers that European Associations could be instrumental in enhancing civic participation in Union policy-making;

Or. en

### Amendment 39

Pernando Barrena Arza

#### Draft opinion

##### Paragraph 3

###### *Draft opinion*

3. Considers that the ***long-overdue*** creation of a Statute for European Associations ***is*** a crucial step in fostering civic space at Union level, cross-border cooperation and dialogue; points out that such a Statute would help European civil society to structure itself; considers that European Associations ***could be instrumental*** in enhancing civic participation in Union policy-making;

###### *Amendment*

3. Considers that the creation of a Statute for European Associations ***can be*** a crucial step in fostering civic space at Union level, cross-border cooperation and dialogue; points out that such a Statute would help European civil society to structure itself; considers that European Associations ***play an important role*** in enhancing civic participation in Union policy-making;

Or. en

**Amendment 40**  
**Jorge Buxadé Villalba**

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

*Draft opinion*

**4. Stresses that, in light of the growing number of threats which transcend national boundaries such as environmental damages, pandemics or the misuse of digital technologies, the potential of cross-border NPO activities should be unlocked; emphasises that cross-border activities should both mean activities or cooperation carried out in more than one Member State and activities furthering the Union's objectives or contributing to the promotion and safeguarding of its values;**

*Amendment*

*deleted*

Or. en

**Amendment 41**  
**Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituța**

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

*Draft opinion*

**4. Stresses that, in light of the growing number of threats which transcend national boundaries such as environmental damages, pandemics or the misuse of digital technologies, the potential of cross-border NPO activities should be unlocked; emphasises that cross-border activities should both mean activities or cooperation carried out in more than one Member State and activities furthering the Union's objectives or contributing to the promotion and safeguarding of its values;**

*Amendment*

**4. Stresses that, in light of the growing number of threats which transcend national boundaries such as environmental damages, pandemics or the misuse of digital technologies, the potential of cross-border NPO activities should be unlocked *in order for them to best harness their local, national and EU-level expertise so as to further strengthen their role in the protection and promotion of fundamental rights, the fight against discrimination and the support of citizens, especially marginalized and vulnerable people*; emphasises that cross-border activities**

should both mean activities or cooperation carried out in more than one Member State and activities furthering the Union's objectives or contributing to the promotion and safeguarding of its values;

Or. en

**Amendment 42**  
**Sergey Lagodinsky**

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

*Draft opinion*

4. Stresses that, in light of the growing number of threats which transcend national boundaries such as environmental damages, pandemics or the misuse of digital technologies, the potential of cross-border NPO activities should be unlocked; emphasises that cross-border activities should both mean activities or cooperation carried out in more than one Member State and activities furthering the Union's objectives or contributing to the promotion and safeguarding of its values;

*Amendment*

4. Stresses that, in light of the growing number of threats which transcend national boundaries such as ***the climate emergency***, environmental damages, pandemics or the misuse of digital technologies, ***but also with regards to the many successful cross-border projects***, the potential of cross-border NPO activities should be unlocked; emphasises that cross-border activities should both mean activities or cooperation carried out in more than one Member State and activities furthering the Union's objectives or contributing to the promotion and safeguarding of its values;

Or. en

**Amendment 43**  
**Bettina Vollath**

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

*Draft opinion*

4. Stresses that, in light of the growing number of threats which transcend national boundaries such as environmental damages, pandemics ***or*** the misuse of digital technologies, the potential of cross-

*Amendment*

4. Stresses that, in light of the growing number of threats which transcend national boundaries such as environmental damages, pandemics, the misuse of digital technologies ***and the dismantling of the***

border NPO activities should be unlocked; emphasises that cross-border activities should both mean activities or cooperation carried out in more than one Member State and activities furthering the Union's objectives or contributing to the promotion and safeguarding of its values;

***rule of law which is happening in several Member States***, the potential of cross-border NPO activities should be unlocked; emphasises that cross-border activities should both mean activities or cooperation carried out in more than one Member State and activities furthering the Union's objectives or contributing to the promotion and safeguarding of its values;

Or. de

#### **Amendment 44** **Pernando Barrena Arza**

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

###### *Draft opinion*

4. Stresses that, in light of the growing number of threats which transcend national boundaries such as environmental damages, pandemics or the misuse of digital technologies, the potential of cross-border NPO activities should be ***unlocked***; emphasises that cross-border activities should both mean activities or cooperation carried out in more than one Member State and activities furthering the Union's objectives or contributing to the promotion and safeguarding of ***its values***;

###### *Amendment*

4. Stresses that, in light of the growing number of threats which transcend national boundaries such as environmental damages, pandemics or the misuse of digital technologies, the potential of cross-border NPO activities should be ***displayed to the general public***; emphasises that cross-border activities should both mean activities or cooperation carried out in more than one Member State and activities furthering the Union's objectives or contributing to the promotion and safeguarding of ***fundamental rights and freedoms***;

Or. en

#### **Amendment 45** **Charlie Weimers**

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

###### *Draft opinion*

4. Stresses that, in light of the growing

###### *Amendment*

4. Stresses that, in light of the growing

number of threats which transcend national boundaries such as environmental damages, pandemics or the misuse of digital technologies, the potential of cross-border NPO activities should be unlocked; emphasises that cross-border activities should both mean activities or cooperation carried out in more than one Member State **and activities furthering the Union's objectives** or contributing to the promotion and safeguarding of its values;

number of threats which transcend national boundaries such as environmental damages, pandemics or the misuse of digital technologies, the potential of cross-border NPO activities should be unlocked; emphasises that cross-border activities should both mean activities or cooperation carried out in more than one Member State or contributing to the promotion and safeguarding of its **European** values;

Or. en

**Amendment 46**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

**5. Deplores the number of legal and administrative barriers faced by NPOs when engaging in cross-border activities which may dissuade them from expanding their activities beyond national borders; emphasises that a Union-level definition of minimum standards for NPOs is key for accompanying the development of the third sector across the Union and create a level playing field harnessing the power of the single market;**

*Amendment*

**deleted**

Or. en

**Amendment 47**  
**Pernando Barrena Arza**

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

*Draft opinion*

*Amendment*

**5 a. Deplores that civil society was completely left out of pandemic-response**



*relief schemes;*

Or. en

**Amendment 48**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

**6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being restricted in a number of Member States; considers therefore that the setting of common minimum standards will also help to provide a minimum level of protection throughout the Union and to spread best practices;**

*Amendment*

**deleted**

Or. en

**Amendment 49**  
**Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

**6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being restricted in a number of Member States; considers therefore that the setting of common minimum standards will also help to provide a minimum level of protection throughout the Union and to spread best practices;**

*Amendment*

**6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being *eroded or deliberately* restricted in a number of Member States; considers therefore that the setting of common minimum standards *for rules and procedures applying to NPOs* will also help to provide a minimum level of protection throughout the Union *from national regulations or practices which affect freedom of association* and to spread best practices; *calls in particular for ensuring that reporting and transparency requirements imposed on NPOs respect the principles of necessity***

*and proportionality so as to enable public scrutiny without imposing unduly burdensome requirements;*

Or. en

**Amendment 50**  
**Sergey Lagodinsky**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being restricted in *a* number of Member States; considers therefore that the setting of common minimum standards will also help to provide a minimum level of protection throughout the Union and to spread best practices;

*Amendment*

6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being restricted in *any* number of Member States; ***emphasizes that public interest advocacy and political activism should be recognised as in the public interest, as long as it is not systematically and directly aimed to benefit the structures of a specific political party;*** considers therefore that the setting of common minimum standards will also help to provide a minimum level of protection throughout the Union and to spread best practices;

Or. en

**Amendment 51**  
**Bettina Vollath**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being restricted in a number of Member States; considers therefore that the setting of common minimum standards will also help to provide a minimum level of protection throughout the Union and to

*Amendment*

6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being restricted in a number of Member States; ***is aware that the framework for action currently available to independent civil society in some Member States is seriously limited;***

spread best practices;

considers therefore that the setting of common minimum standards will also help to provide a minimum level of protection throughout the Union and to spread best practices;

Or. de

**Amendment 52**  
**Charlie Weimers**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being restricted in a number of Member States; ***considers therefore that the setting of common minimum standards will also help to provide a minimum level of protection throughout the Union and to spread best practices;***

*Amendment*

6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being restricted in a number of Member States;

Or. en

**Amendment 53**  
**Pernando Barrena Arza**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being restricted in a number of Member States; considers therefore that the setting of common minimum standards will also help to provide a minimum level of protection throughout the Union and to spread best practices;

*Amendment*

6. Considers that NPOs cannot thrive at Union level if the space in which they operate is being restricted in a number of Member States, ***being of outmost importance in cross-border regions and Euroregions***; considers therefore that the setting of common minimum standards will also help to provide a minimum level of protection throughout the Union and to spread best practices;

**Amendment 54**  
**Pernando Barrena Arza**

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

*Draft opinion*

*Amendment*

**6 a. Highlights that whereas many cross-border regions involve connections with civil society facilitated by NPOs and there is a growing number of NPOs operations across borders, legal and fiscal barriers remain;**

Or. en

**Amendment 55**  
**Charlie Weimers**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

*Amendment*

**7. Suggests that where relevant, the Commission should complement the legislative acts called for in this report with guidelines to assist Member States in their implementation;**

**deleted**

Or. en

**Amendment 56**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

*Amendment*

**7. Suggests that where relevant, the Commission should complement the**

**deleted**

*legislative acts called for in this report  
with guidelines to assist Member States in  
their implementation;*

Or. en

**Amendment 57**  
**Sergey Lagodinsky**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

7. Suggests that where relevant, the Commission should complement the legislative acts called for in this report with guidelines to assist Member States in their implementation;

*Amendment*

7. ***Urges the Commission to develop a dedicated, comprehensive strategy to strengthen civil society in Europe, including by introducing measures to facilitate the operations of associations and non-profit organisations on all levels;***  
Suggests that where relevant, the Commission should complement the legislative acts called for in this report with guidelines to assist Member States in their implementation;

Or. en

**Amendment 58**  
**Pernando Barrena Arza**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

7. Suggests that ***where relevant***, the Commission should complement the legislative acts called for in this report ***with*** guidelines ***to assist Member States in their implementation;***

*Amendment*

7. Suggests that the Commission should complement the legislative acts called for in this report ***a proposal for an interinstitutional agreement on civil dialogue that should include*** guidelines ***on civil dialogue as well as a proposal for a participatory status for not for profit associations taking example from the Council of Europe and the United Nations;***

**Amendment 59**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Paragraph 8**

*Draft opinion*

*Amendment*

**8. Stresses that under no circumstances should the definition of minimum standards at Union level result in a lowering of standards in any Member State; calls on the Commission to ensure that the proper avenues to obtain legal redress are available and that any abusive practice on behalf of Member State authorities can be effectively addressed;**

***deleted***

**Amendment 60**  
**Charlie Weimers**

**Draft opinion**  
**Paragraph 8**

*Draft opinion*

*Amendment*

**8. Stresses that under no circumstances should the definition of minimum standards at Union level result in a lowering of standards in any Member State; *calls on the Commission to ensure that the proper avenues to obtain legal redress are available and that any abusive practice on behalf of Member State authorities can be effectively addressed;***

**8. Stresses that under no circumstances should the definition of minimum standards at Union level result in a lowering of standards in any Member State;**

**Amendment 61**  
**Pernando Barrena Arza**

**Draft opinion**  
**Paragraph 8**

*Draft opinion*

8. Stresses that under no circumstances should the definition of minimum standards at Union level result in a lowering of standards in any Member State; ***calls on*** the Commission to ***ensure that the proper avenues to obtain*** legal redress ***are available and that any abusive practice on behalf of Member State authorities can be effectively addressed;***

*Amendment*

8. Stresses that under no circumstances should the definition of minimum standards at Union level result in a lowering of standards in any Member State; ***asks*** the Commission to ***present a clear proposal for*** legal redress ***for NPOs***

Or. en

**Amendment 62**  
**Sergey Lagodinsky**

**Draft opinion**  
**Paragraph 8 a (new)**

*Draft opinion*

*Amendment*

***8 a. Maintains that Member States should not introduce or apply criminal law provisions restricting or otherwise adversely affecting the registration, operations, financing and cross-border movements of NPOs; is concerned in that respect by the interpretation of EU provisions in the field of migration in some Member States which lead to criminalisation of NPOs' activities in the field of search and rescue and assisting asylum seekers;***

Or. en

**Amendment 63**  
**Sergey Lagodinsky**

**Draft opinion**  
**Paragraph 8 b (new)**

*Draft opinion*

*Amendment*

**8 b. *Recognises the importance of compliance with national rules in the field of taxation and fight against money laundering; reminds nevertheless that such rules and transparency of funding in general cannot be abused to obstruct activities of NGOs and create a chilling effect affecting their members and donors;***

Or. en

**Amendment 64  
Sergey Lagodinsky**

**Draft opinion  
Paragraph 8 c (new)**

*Draft opinion*

*Amendment*

**8 c. *Highlights that arbitrary and politically motivated discrimination based on the objectives and activities of organisations, as well as based on the sources of funding hinders the freedom of association and therefore is a threat to the freedom of expression; notes in this respect that creation and registration of NPOs at Union and national level must not be hindered by such discrimination;***

Or. en

**Amendment 65  
Sergey Lagodinsky**

**Draft opinion  
Paragraph 8 d (new)**

*Draft opinion*

*Amendment*

**8 d. *Recalls the importance of adequate and objective information on the***



*activities of NPOs in media, especially public media; is concerned by smear campaigns and abusive litigation against NPOs in some Member States, often instigated by leading politicians; highlights that the European Parliament is currently working on an own-initiative report on the subject of SLAPPs;*

Or. en

**Amendment 66**  
**Sergey Lagodinsky**

**Draft opinion**  
**Paragraph 8 e (new)**

*Draft opinion*

*Amendment*

*8 e. Asks the Commission to provide adequate and enabling funding for NPOs at Union level, and to facilitate NPOs' access to such funding; calls in this respect for unlocking the full potential of the Citizens, Equality, Rights and Values programme and other sources of EU funding; underlines that funding should be made available at all levels, from local to Union level; notes that often funds available for NPOs require co-financing, which in turn means that the beneficiary needs to raise a share of the required funds from other sources which can be detrimental to the organisation; therefore believes that the share of required co-financing should be limited and that different means need to be taken into account which could be monetarised such as volunteer time or contributions in kind;*

Or. en

**Amendment 67**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Paragraph 9**

*Draft opinion*

*Amendment*

9. *Emphasises that national bodies designated for the oversight of NPOs must be legally distinct and functionally independent of their respective governments.*

*deleted*

Or. en

**Amendment 68**  
**Pernando Barrena Arza**

**Draft opinion**  
**Paragraph 9**

*Draft opinion*

*Amendment*

9. Emphasises that national bodies designated for the **oversight** of NPOs must be legally distinct and functionally independent of their respective governments.

9. Emphasises that national bodies designated for the **registration** of NPOs must be legally distinct and functionally independent of their respective governments; **considers that any European legislation must provide for the same independency.**

Or. en

**Amendment 69**  
**Anna Júlia Donáth, Dragoş Tudorache, Ramona Strugariu, Alin Mituţa**

**Draft opinion**  
**Paragraph 9**

*Draft opinion*

*Amendment*

9. Emphasises that national bodies designated for the oversight of NPOs must be legally distinct and functionally independent of their respective governments.

9. Emphasises that national bodies designated for the oversight of NPOs must be legally distinct and functionally independent of their respective governments **and of any other public or private body.**

**Amendment 70**  
**Pernando Barrena Arza**

**Draft opinion**  
**Paragraph 9 a (new)**

*Draft opinion*

*Amendment*

**9 a. Considers that the proposal should respect the diversity, plurality and independence of the NPO sector, not replace national frameworks but complement these by promoting civic participation at European level;**

Or. en

**Amendment 71**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Paragraph 10**

*Draft opinion*

*Amendment*

**10. Calls for the creation of a European Associations' Authority, tasked with ensuring the implementation of the Statute for European Associations and monitoring the transposition of minimum rules for NPOs as called for in this report; suggests that it could also be the focal point for NPOs that report violations of the minimum standards and rights conferred upon NPOs by Union law;**

**deleted**

Or. en

**Amendment 72**  
**Vasile Blaga**

**Draft opinion**

## Paragraph 10

### *Draft opinion*

10. ***Calls for the creation of a European Associations' Authority, tasked with ensuring the implementation of the Statute for European Associations and monitoring the transposition of minimum rules for NPOs as called for in this report; suggests that it could also be the focal point for NPOs that report violations of the minimum standards and rights conferred upon NPOs by Union law;***

### *Amendment*

10. ***Suggests looking into meaningful options for supervising*** the implementation of the ***Status***

Or. en

## Amendment 73

**Pernando Barrena Arza**

### **Draft opinion**

#### **Paragraph 10**

### *Draft opinion*

10. ***Calls for the creation of a European Associations' Authority, tasked with ensuring the implementation of the Statute for European Associations and monitoring the transposition of minimum rules for NPOs as called for in this report; suggests that it could also*** be the focal point for NPOs that report violations of the minimum standards and rights conferred upon NPOs by Union law;

### *Amendment*

10. ***Calls on the European Commission to*** be the focal point for NPOs that report violations of the minimum standards and rights conferred upon NPOs by Union law;

Or. en

## Amendment 74

**Bettina Vollath**

### **Draft opinion**

#### **Paragraph 10**

### *Draft opinion*

### *Amendment*

10. Calls for the creation of a European Associations' Authority, tasked with ensuring the implementation of the Statute for European Associations and monitoring the transposition of minimum rules for NPOs as called for in this report; suggests that it could also be the focal point for NPOs that report violations of the minimum standards and rights conferred upon NPOs by Union law;

10. Calls for the creation of a European Associations' Authority, tasked with ensuring the implementation of the Statute for European Associations and monitoring the transposition of minimum rules for NPOs as called for in this report; suggests that it could also be the focal point for NPOs that report violations of the minimum standards and rights conferred upon NPOs by Union law; ***underlines the importance of transparency for this authority and its modus operandi;***

Or. de

**Amendment 75**  
**Charlie Weimers**

**Draft opinion**  
**Paragraph 10**

*Draft opinion*

10. Calls for ***the*** creation of a European Associations' Authority, tasked with ensuring the implementation of the Statute for European Associations and monitoring the transposition of minimum rules for NPOs as called for in this report; suggests that it could also be the focal point for NPOs that report violations of the minimum standards and rights conferred upon NPOs by Union law;

*Amendment*

10. Calls for ***a thorough cost benefit analysis to be carried out ahead of any*** creation of a European Associations' Authority, tasked with ensuring the implementation of the Statute for European Associations and monitoring the transposition of minimum rules for NPOs as called for in this report; suggests that it could also be the focal point for NPOs that report violations of the minimum standards and rights conferred upon NPOs by Union law;

Or. en

**Amendment 76**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Paragraph 11**

*Draft opinion*

*Amendment*

**11. Considers that the definition at Union level of minimum standards for NPOs to receive public benefit status should enable mutual recognition across Member States and facilitate equal treatment in terms of benefits awarded; emphasises that donors to public benefit NPOs who received public benefit status in another Member State should enjoy the same benefits as if they were donating to a domestic organisation;**

*deleted*

Or. en

**Amendment 77  
Pernando Barrena Arza**

**Draft opinion  
Paragraph 11**

*Draft opinion*

11. Considers that the **definition at Union level of minimum standards for NPOs to receive public benefit status** should enable mutual recognition across Member States and facilitate equal treatment in **terms of benefits** awarded; **emphasises that donors to public benefit NPOs who received public benefit status in another Member State should enjoy the same benefits as if they were donating to a domestic organisation;**

*Amendment*

11. Considers that the **proposal and complementary measures** should enable mutual recognition across Member States and facilitate equal treatment in awarded **donations and access to donations as well as regards tax incentive measures inline with European Court of Justice rulings**

Or. en

**Amendment 78  
Bettina Vollath**

**Draft opinion  
Paragraph 11 a (new)**

*Draft opinion*

*Amendment*

**11a. Underlines the importance of having a unified EU definition of 'public**

*benefit', which would enable all NPOs operating under the statute equally to enjoy the concomitant advantages.*

Or. de

**Amendment 79**  
**Charlie Weimers**

**Draft opinion**  
**Paragraph 11 a (new)**

*Draft opinion*

*Amendment*

*11 a. Call on the commission to start the process of investigating and designing a complete ban on third country funding of mosques;*

Or. en

**Amendment 80**  
**Jorge Buxadé Villalba**

**Draft opinion**  
**Paragraph 12**

*Draft opinion*

*Amendment*

*12. Suggests the use of carefully calibrated definitions to clarify the meaning of key concepts that otherwise risk remaining too vague and lead to uneven transposition.*

*deleted*

Or. en

**Amendment 81**  
**Pernando Barrena Arza**

**Draft opinion**  
**Paragraph 12**

*Draft opinion*

12. Suggests the use of carefully calibrated definitions to clarify the meaning of key concepts that otherwise risk remaining too vague and ***lead to uneven transposition.***

*Amendment*

12. Suggests the use of carefully calibrated definitions to clarify the meaning of key concepts that otherwise risk remaining too vague and ***which are in compliance with Union law. Underlines the need for clarity on which types or associations will be covered and which ones will fall out of scope.***

Or. en