

**Question for oral answer O-000046/2020
to the Council**

Rule 136

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Subject: State of play of the Council negotiations on the regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States.

In May 2018, the Commission put forward a proposal for a regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States ('the Regulation').

Parliament adopted its first reading position on the proposal for the regulation in April 2019, and stated it was ready to begin interinstitutional negotiations. The Council has discussed the proposal for the regulation at its meetings, but has not yet adopted its position or sufficiently informed Parliament about the current state of play of negotiations on the regulation.

Parliament has called on the Council to engage in meaningful talks about its ongoing negotiations, and has stressed that it will not simply rubber-stamp a fait accompli from the European Council without proper negotiations on all elements of the multiannual financial framework (MFF) package and sectoral legislation, including the regulation¹.

Against this background, we would like the Council to answer the following questions:

1. What are the main points of the regulation still under discussion in the Council?
2. As the Regulation is based on Article 322(1)(a) of the Treaty on the Functioning of the European Union, it is decided under the ordinary legislative procedure. Given that Article 15(1) of the Treaty on European Union states that the European Council 'shall not exercise legislative functions', can the Council confirm that European Council conclusions on the MFF will not address the substantive contents of the proposal, including on matters such as the decision-making procedure to be applied, since this would represent a clear encroachment on the legislative prerogatives of the co-legislators?
3. When does the Council intend to start negotiations with Parliament?

Submitted: 07/07/2020

Lapses: 08/10/2020

¹ See the European Parliament resolution of 10 October 2019 on the 2021-2027 multiannual financial framework and own resources: time to meet citizens' expectations (Texts adopted, P9_TA(2019)0032).