



2021/2180(INI)

8.2.2022

AMENDMENTS

1 - 109

Draft opinion
Isabel Benjumea Benjumea
(PE703.215v01-00)

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

Amendment 1
Radan Kanev

Draft opinion
Paragraph 1

Draft opinion

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law ***in several Member States***; strongly believes that full protection of all EU citizens can only be ensured throughout the Union if all Member States comply with all principles of the rule of law;

Amendment

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law; strongly believes that full protection of all EU citizens can only be ensured throughout the Union if all Member States comply with all principles of the rule of law;

Or. en

Amendment 2
Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion
Paragraph 1

Draft opinion

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all ***EU*** citizens can only be ensured throughout the Union if ***all*** Member States comply with all principles of the rule of law;

Amendment

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all citizens can only be ensured throughout the Union if ***the*** Member States comply with all principles of the rule of law;

Or. en

Amendment 3

Sira Rego

Draft opinion
Paragraph 1

Draft opinion

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all **EU** citizens can only be ensured throughout the Union if all Member States comply with all principles of the rule of law;

Amendment

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all citizens can only be ensured throughout the Union if all Member States comply with all principles of the rule of law ***and the other values enshrined in Article 2 TEU.***

Or. en

Amendment 4

Angel Dzhambazki, Kosma Złotowski, Jorge Buxadé Villalba, Emmanouil Fragkos, Cristian Terheş, Andrey Slabakov

Draft opinion
Paragraph 1

Draft opinion

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all EU citizens can only be ensured throughout the Union if all Member States comply with all principles of the rule of law;

Amendment

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law ***by both national and Union administrations,*** taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all EU citizens can only be ensured throughout the Union if all Member States ***and EU institutions*** comply with all principles of the rule of law ***and the division of competences as granted in the Treaties;***

Or. en

Amendment 5

Maite Pagazaurtundúa, Jordi Cañas, Frédérique Ries, Yana Toom, Ramona Strugariu, Michal Wiezik, Vlad Gheorghe

Draft opinion

Paragraph 1

Draft opinion

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all EU citizens can only be ensured throughout the Union if all Member States comply with all principles of the rule of law;

Amendment

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all EU citizens can only be ensured throughout the Union if all Member States comply with all principles of the rule of law; ***stresses that the Rule of Law Report must be objective and assess all Member States according to the same criteria;***

Or. en

Amendment 6

Margrete Auken

Draft opinion

Paragraph 1

Draft opinion

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all EU citizens can only be ensured throughout the Union if all Member States comply with all principles of the rule of law;

Amendment

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all EU citizens can only be ensured throughout the Union if all Member States comply with all principles of the rule of law, ***as deficiencies in one Member State impact other Member***

Amendment 7

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Cristina Maestre Martín De Almagro, Sylvie Guillaume

Draft opinion

Paragraph 1

Draft opinion

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all EU citizens can only be ensured throughout the Union if all Member States comply with all principles of the rule of law;

Amendment

1. Emphasises the important role of the Committee on Petitions in identifying and flagging possible breaches of the rule of law, taking into account the numerous petitions received from citizens concerned about breaches of the rule of law in several Member States; strongly believes that full protection of all EU citizens ***and their fundamental rights*** can only be ensured throughout the Union if all Member States ***fully*** comply with all principles of the rule of law;

Amendment 8

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Cristina Maestre Martín De Almagro, Sylvie Guillaume

Draft opinion

Paragraph 1 – subparagraph 1 (new)

Draft opinion

Amendment

Stresses that the rule of law is among the common values of the Union and thus essential to achieve its objectives; points out that its promotion and upholding is a shared responsibility between the EU and the Member States;

Amendment 9

Maite Pagazaurtundúa, Jordi Cañas, Frédérique Ries, Yana Toom, Ramona Strugariu, Michal Wiezik, Marie-Pierre Vedrenne, Vlad Gheorghe

Draft opinion

Paragraph 2

Draft opinion

2. Highlights that the rule of law includes principles such as legality, legal certainty, the separation of powers, the prohibition of the arbitrary exercise of executive power, effective judicial protection by independent and impartial courts in full respect of fundamental rights, the enforcement of judgments including the permanent subjection of all public authorities to established laws and procedures, **and** equality before the law;

Amendment

2. Highlights that the rule of law includes principles such as legality, legal certainty, the separation of powers, the prohibition of the arbitrary exercise of executive power, effective judicial protection by independent and impartial courts in full respect of fundamental rights, **the *fight against impunity, the*** enforcement of judgments including the permanent subjection of all public authorities to established laws and procedures, equality before the law;

Or. en

Amendment 10

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Cristina Maestre Martín De Almagro, Sylvie Guillaume

Draft opinion

Paragraph 2

Draft opinion

2. Highlights that the rule of law includes principles such as legality, legal certainty, the separation of powers, the prohibition of the arbitrary exercise of executive power, effective judicial protection by independent and impartial courts in full respect of fundamental rights, the enforcement of judgments including the permanent subjection of all public authorities to established laws and procedures, and equality before the law;

Amendment

2. Highlights that the rule of law includes principles such as legality, legal certainty, the separation of powers, the prohibition of the arbitrary exercise of executive power, effective judicial protection by independent and impartial courts in full respect of fundamental rights, the enforcement of judgments including the permanent subjection of all public authorities to established laws and procedures, and equality before the law; ***underlines that such principles are common to all Member States regardless***

of their distinct legal systems;

Or. en

Amendment 11
Emil Radev

Draft opinion
Paragraph 2

Draft opinion

2. Highlights that the rule of law includes principles such as legality, legal certainty, the separation of powers, the prohibition of the arbitrary exercise of executive **power**, effective judicial protection by independent and impartial courts in full respect of fundamental rights, the enforcement of judgments including the permanent subjection of all public authorities to established laws and procedures, and equality before the law;

Amendment

2. Highlights that the rule of law includes principles such as legality, legal certainty, the separation of powers, the prohibition of the arbitrary exercise of **power on the part of the** executive, effective judicial protection by independent and impartial courts in full respect of fundamental rights, the **timely** enforcement of judgments including the permanent subjection of all public authorities to established laws and procedures, and equality before the law **and the institutions**;

Or. bg

Amendment 12
Radan Kanev

Draft opinion
Paragraph 2

Draft opinion

2. Highlights that the rule of law includes principles such as legality, legal certainty, the separation of powers, the prohibition of the arbitrary exercise of executive power, effective judicial protection by independent and impartial courts in full respect of fundamental rights, the enforcement of judgments including the permanent subjection of all public authorities to established laws and

Amendment

2. Highlights that the rule of law includes principles such as legality, legal certainty, the separation of powers, the prohibition of the arbitrary exercise of executive power, effective judicial protection by independent and impartial courts in full respect of fundamental rights **and the EU Law**, the enforcement of judgments including the permanent subjection of all public authorities to

procedures, and equality before the law;

established laws and procedures, and
equality before the law;

Or. en

Amendment 13
Margrete Auken

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2 a. Underlines the importance of the recommendations of the Parliament enshrined in its resolution of 24 June 2021 on the Commission's 2020 Rule of Law Report; notes with regret that the Commission did not adequately address all these recommendations in its 2021 Rule of Law Report and did not sufficiently cover all rule of law issues;

Or. en

Amendment 14
Margrete Auken

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2 b. Considers that the overall Commission's method of assessing the situation of the Rule of law in the EU can be highly improved; calls on the Commission to differentiate its reporting by distinguishing between systemic breaches of the rule of law and isolated breaches as presenting deficiencies or breaches of a different nature in an equal manner can lead to underestimate the most serious breaches of the rule of law;

Or. en

Amendment 15

Angel Dzhambazki, Kosma Zlotowski, Jorge Buxadé Villalba, Cristian Terheş, Andrey Slabakov

Draft opinion

Paragraph 3

Draft opinion

3. Emphasises that judicial accountability and prosecutorial and judicial independence are crucial components of the rule of law; ***calls on the Commission to enforce these core EU values when they are infringed by Member States in order to increase citizens' trust in the judiciary;***

Amendment

3. Emphasises that judicial accountability and prosecutorial and judicial independence are crucial components of the rule of law;

Or. en

Amendment 16

Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion

Paragraph 3

Draft opinion

3. Emphasises that judicial accountability and prosecutorial and judicial independence are crucial components of the rule of law; ***calls on the Commission to enforce these core EU values when they are infringed by Member States in order to increase citizens' trust in the judiciary;***

Amendment

3. Emphasises that judicial accountability and prosecutorial and judicial independence are crucial components of the rule of law in order to increase citizens' trust in the judiciary;

Or. en

Amendment 17

Radan Kanev

Draft opinion

Paragraph 3

Draft opinion

3. Emphasises that judicial accountability and **prosecutorial and judicial** independence are crucial components of the rule of law; calls on the Commission to enforce these core EU values when they are infringed by Member States in order to increase citizens' trust in the judiciary;

Amendment

3. Emphasises that judicial **independence^{1a} and the** accountability and **functional** independence **of the prosecutors** are crucial components of the rule of law; calls on the Commission to enforce these core EU values when they are infringed by Member States in order to increase citizens' trust in the judiciary

^{1a} Justification: Judicial independence is an universal principle, whereas the level of independence of prosecutors varies in different Member States. Further more, there is widely accepted, including by the Venice Commission, that the prosecutors are part of the State policy apparatus, whereas the Courts are fully impartial and should not abide to State policies

Or. en

Amendment 18

Maite Pagazaurtundúa, Jordi Cañas, Frédérique Ries, Yana Toom, Ramona Strugariu, Michal Wiezik, Vlad Gheorghe

**Draft opinion
Paragraph 3**

Draft opinion

3. Emphasises that judicial accountability **and** prosecutorial and judicial independence are crucial components of the rule of law; calls on the Commission to enforce these core EU values when they are infringed by Member States in order to increase citizens' trust in the judiciary;

Amendment

3. Emphasises that judicial accountability, prosecutorial and judicial independence **and the enforcement of judgments** are crucial components of the rule of law; calls on the Commission to enforce these core EU values when they are infringed by Member States **or when Member States fail to act on violations carried out by sub-state entities**, in order to increase citizens' trust in the judiciary, **and by using all means at their disposal, especially the rule of law conditionality mechanism, where applicable;**

Amendment 19

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Sylvie Guillaume

Draft opinion Paragraph 3

Draft opinion

3. Emphasises that judicial accountability and prosecutorial and judicial independence are crucial components of the rule of law; calls on the Commission to enforce these core EU values when they are infringed by Member States in order to increase citizens' trust in the judiciary;

Amendment

3. Emphasises that judicial accountability and prosecutorial and judicial independence are crucial components of the rule of law; calls on the Commission to enforce these core EU values when they are infringed by Member States in order to increase citizens' trust in the judiciary; ***calls on Member States to protect judges and prosecutors from political attacks and pressures, which attempt to undermine their work, so as to fully preserve their independence;***

Or. en

Amendment 20 Tamás Deutsch

Draft opinion Paragraph 3

Draft opinion

3. Emphasises that judicial accountability and prosecutorial and judicial independence are crucial components of the rule of law; calls on the Commission to enforce these core EU values when they are infringed by Member States in order to increase citizens' trust in the judiciary;

Amendment

3. Emphasises that judicial accountability and prosecutorial and judicial independence are crucial components of the rule of law; calls on the Commission to enforce these core EU values when they are infringed by Member States, ***while respecting certain legality requirements (such as necessity and proportionality) and the competence of Member States,*** in order to increase citizens' trust in the judiciary;

Amendment 21

Massimiliano Smeriglio, Marc Angel, Pina Picierno, Cristina Maestre Martín De Almagro, Sylvie Guillaume

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

4. Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; ***calls for an investigation into whether COVID-19-related measures were limited in time and whether their necessity and proportionality was justified; requests an assessment of the checks and balances during the pandemic, especially given that courts in several Member States have already ruled that certain measures were not consistent with the national constitution; underlines the need to have a clear legal regime in place before a crisis;***

¹ Petitions No 1438/2020, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

Amendment

4. Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; ***in this regard, reminds that the Venice Commission is currently monitoring the measures taken in the Member States as a results of the pandemic and their impacts on democracy, rule of law and fundamental rights and its monitoring should be an opportunity to investigate whether such measures were always proportionate and justified; in this regard, stresses that Member States should capitalise from the COVID-19 experience to make sure that future crises will be handled with the necessary accountability and transparency; commends the efforts made by the Ombudspersons and human rights institutions to ensure the continuity of their work in spite of the great challenges they were facing;***

¹ Petitions No 1438/2020, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

Amendment 22

Angel Dzhambazki, Kosma Złotowski, Jorge Buxadé Villalba

Draft opinion

Paragraph 4

Draft opinion

4. ***Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; calls for an investigation into whether COVID-19-related measures were limited in time and whether their necessity and proportionality was justified; requests an assessment of the checks and balances during the pandemic, especially given that courts in several Member States have already ruled that certain measures were not consistent with the national constitution; underlines the need to have a clear legal regime in place before a crisis;***

¹ Petitions No 1438/2020, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

Amendment

4. ***Notes petitions¹ on the impact and challenges brought by the COVID-19 pandemic; recalls that courts in several Member States have already ruled that certain measures were not consistent with the national constitution; underlines the need of guidelines in place before a crisis in order to ensure the proportionality and the necessity of the measures taken ;***

¹ Petitions No 1438/2020, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

Or. en

Amendment 23

Emil Radev

Draft opinion

Paragraph 4

Draft opinion

4. Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; calls for an investigation into whether COVID-19-related measures were limited in time and whether their necessity and proportionality was justified; requests an assessment of the checks and balances during the pandemic, especially given that courts in several Member States have already ruled that certain measures were not consistent with the national

Amendment

4. Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; calls ***on the Commission*** for an investigation into whether COVID-19-related measures were limited in time and whether their necessity and proportionality was justified; requests an assessment of the checks and balances during the pandemic, especially given that courts in several Member States have already ruled that certain measures were not consistent with

constitution; underlines the need to have a clear legal regime in place before a crisis;

¹ Petitions *No 1438/2020*, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

the national *constitutions of the states concerned;*

¹ Petitions *Nos 1438/2020*, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

Or. bg

Amendment 24

Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion

Paragraph 4

Draft opinion

4. Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; calls for an investigation into whether COVID-19-related measures were limited in time and whether their necessity and proportionality was justified; requests an assessment of the checks and balances during the pandemic, especially given that courts in several Member States have already ruled that certain measures were not consistent with the national constitution; underlines the *need to have a clear legal regime in place before a crisis;*

¹ Petitions No 1438/2020, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

Amendment

4. Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; calls for an investigation into whether COVID-19-related measures were limited in time and whether their necessity and proportionality was justified; requests an assessment of the checks and balances *between the legislative, executive and judicial branches* during the pandemic, especially given that courts in several Member States have already ruled that certain measures were not consistent with the national constitution; underlines the *essentiality of separation of powers between the legislative, executive and judicial branches.*

¹ Petitions No 1438/2020, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

Or. en

Amendment 25
Sira Rego

Draft opinion
Paragraph 4

Draft opinion

4. Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; calls *for an investigation into* whether COVID-19-related measures were limited in time and whether their necessity and proportionality was justified; *requests an assessment of* the checks and balances during the pandemic, *especially given* that courts in several Member States have *already* ruled that certain measures were not consistent with the national constitution; underlines the need to have a clear legal regime in place before a crisis;

¹ Petitions No 1438/2020, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

Amendment

4. Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; calls *on the Commission to continue assessing in its future reports* whether COVID-19-related measures were limited in time and whether their necessity and proportionality was justified, *as well as* the checks and balances during the pandemic; *notes with concern* that courts in several Member States have ruled that certain measures were not consistent with the national constitution; underlines the need to have a clear legal regime in place before a crisis, *so that respect for the rule of law and for fundamental rights can be guaranteed*;

¹ Petitions No 1438/2020, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

Or. en

Amendment 26
Margrete Auken

Draft opinion
Paragraph 4

Draft opinion

4. Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; calls for *an investigation into whether* COVID-19-related measures *were* limited in time and *whether their* necessity

Amendment

4. Points to the high amount of petitions¹ in relation to the impact and challenges brought by the COVID-19 pandemic; calls for *continuing the scrutiny of* COVID-19-related measures *to ensure they are* limited in time and *comply*

and proportionality ***was justified***; requests ***an*** assessment of the checks and balances during the pandemic, especially given that courts in several Member States have already ruled that certain measures were not consistent with the national constitution; underlines the need to have a clear legal regime in place before a crisis;

¹ Petitions No 1438/2020, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

with the principles of necessity and proportionality ***to the health risks***; requests ***the Commission to fully report the outcomes of its*** assessment of the checks and balances during the pandemic, especially given that courts in several Member States have already ruled that certain measures were not consistent with the national constitution; underlines the need to have a clear legal regime in place before a crisis;

¹ Petitions No 1438/2020, 1469/2020, 1493/2020, 1501/2020, 0038/2021, 0046/2021, 0053/2021, 0106/2021, 0152/2021, 0186/2021 and 0533/2021.

Or. en

Amendment 27

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Sylvie Guillaume

Draft opinion Paragraph 5

Draft opinion

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and that this has affected the functioning of the national justice systems and the activity of the courts; draws attention to the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments during the pandemic, which has increased the power of governments and has led to a lack of accountability and transparency;

Amendment

deleted

Or. en

Amendment 28
Angel Dzhambazki, Kosma Zlotowski

Draft opinion
Paragraph 5

Draft opinion

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, ***and that this has affected the functioning of the national justice systems and the activity of the courts; draws attention to the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments during the pandemic, which has increased the power of governments and has led to a lack of accountability and transparency;***

Amendment

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic;

Or. en

Amendment 29
Maite Pagazaurtundúa, Jordi Cañas, Yana Toom, Ramona Strugariu, Michal Wiezik, Vlad Gheorghe

Draft opinion
Paragraph 5

Draft opinion

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and that this has affected the functioning of the national justice systems and the activity of the courts; ***draws attention to*** the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments during the pandemic, which has increased the power of governments and has led to a lack of accountability and transparency;

Amendment

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and that this has affected the functioning of the national justice systems and the activity of the courts; ***regrets*** the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments ***in numerous Member States*** during the pandemic, which has increased the power of governments and has led to a lack of accountability and transparency;

Amendment 30**Gianna Gancia, Stefania Zambelli, Markus Buchheit****Draft opinion****Paragraph 5***Draft opinion*

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and that this has affected the functioning of the **national** justice systems and the activity of the courts; draws attention to the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments during the pandemic, which has increased the power of governments and has led to a lack of accountability and transparency;

Amendment

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and that this has affected the functioning of the justice systems and the activity of the courts; draws attention to the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments during the pandemic, which has increased the power of governments and has led to a lack of accountability and transparency;

Or. en

Amendment 31**Sira Rego****Draft opinion****Paragraph 5***Draft opinion*

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and that this has affected the functioning of the national justice systems and the activity of the courts; draws attention to the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments during the pandemic, which has increased the power of governments and has led to a

Amendment

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and that this has affected the functioning of the national justice systems and the activity of the courts; draws attention to the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments during the pandemic **in some Member States**, which has increased the power of

lack of accountability and transparency;

governments and has led to a lack of accountability and transparency; ***welcomes the fact that some Member States restored strengthened parliamentary oversight after an initial period where this was curtailed.***

Or. en

Amendment 32

Emil Radev

Draft opinion

Paragraph 5

Draft opinion

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and that this has affected the functioning of the national justice systems and the activity of the courts; draws attention to the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments during the pandemic, which has increased the power of governments and has led to a lack of accountability and transparency;

Amendment

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and that this has affected the functioning of the national justice systems and the activity of the courts; draws attention to the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments during the pandemic, which has increased the power of governments and has led to a lack of accountability and transparency ***of the executive;***

Or. bg

Amendment 33

Tamás Deutsch

Draft opinion

Paragraph 5

Draft opinion

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and

Amendment

5. Notes that emergency regimes and decree-laws were urgently instated by governments in several Member States because of the COVID-19 pandemic, and

that this has affected the functioning of the national justice systems and the activity of the courts; draws attention to the lack of participation and the non-involvement of national parliaments in the decision-making and the closure of parliaments during the pandemic, which has increased the power of governments and has led to a lack of accountability and transparency;

that this has affected the functioning of the national justice systems and the activity of the courts; draws attention to the lack of participation and the non-involvement of **certain** national parliaments in the decision-making and the closure of parliaments during the pandemic, which has increased the power of governments and has led to a lack of accountability and transparency;

Or. en

Amendment 34

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Cristina Maestre Martín De Almagro, Sylvie Guillaume

Draft opinion Paragraph 6

Draft opinion

6. Calls on the EU institutions and the Member States to improve the effectiveness of the judicial system by developing **the** digitalisation **process**;

Amendment

6. Calls on the EU institutions and the Member States to improve the effectiveness of the judicial system **also** by developing **structural reforms and high-level of digitalisation, which has proven effective in backlogs ' prevention, especially during the first phase of the COVID-19 pandemic; stresses that adequate financial and human resources are key to develop effective justice systems;**

Or. en

Amendment 35

Emil Radev

Draft opinion Paragraph 6

Draft opinion

6. Calls on the EU institutions and the Member States to improve the

Amendment

6. Calls on the EU institutions and the Member States to improve the

effectiveness of the judicial system by developing the digitalisation process;

effectiveness of the judicial system by ***implementing and*** developing the digitalisation process;

Or. bg

Amendment 36

Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion

Paragraph 6

Draft opinion

6. Calls on the EU institutions and the Member States to improve the effectiveness of the judicial system by developing the digitalisation process;

Amendment

6. Calls on the EU institutions and the Member States to improve the effectiveness of the judicial system by developing the digitalisation process; ***analogue procedural processes must be available on an equal footing with digital options in order to meet accessibility and the expectations and needs of all citizens;***

Or. en

Amendment 37

Angel Dzhambazki, Jorge Buxadé Villalba, Kosma Złotowski, Emmanouil Fragkos, Cristian Terheş, Andrey Slabakov

Draft opinion

Paragraph 7

Draft opinion

7. ***Is deeply concerned about the status of Poland's Constitutional Tribunal, the close connection between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ and the***

Amendment

deleted

independence of the judiciary in Spain⁴ ;

² *Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.*

³ *Petition No 1512/2020.*

⁴ *Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.*

Or. en

Amendment 38
Tamás Deutsch

Draft opinion
Paragraph 7

Draft opinion

Amendment

7. *Is deeply concerned about the status of Poland's Constitutional Tribunal, the close connection between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ and the independence of the judiciary in Spain⁴ ;*

deleted

² *Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.*

³ *Petition No 1512/2020.*

⁴ *Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.*

Or. en

Amendment 39
Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion
Paragraph 7

Draft opinion

7. Is *deeply* concerned about *the status of Poland's Constitutional Tribunal, the close connection* between prosecutors and *the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ and the independence of the judiciary in Spain⁴ ;*

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

⁴ Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.

Amendment

7. Is concerned about close *connections* between *public* prosecutors and *governments in some Member States; therefore calls for impartiality and independence of the judiciary in these Member States;*

Or. en

Amendment 40
Sira Rego

Draft opinion
Paragraph 7

Draft opinion

7. *Is deeply concerned* about the *status of Poland's Constitutional Tribunal, the close connection* between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also

Amendment

7. *Reiterates its deep concern* about the *lack of independence of the illegitimate "Constitutional Tribunal" of Poland, the close connection* between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the

European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ *and the independence of the judiciary in Spain*⁴ ;

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

⁴ Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.

complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; *reiterates that the illegitimate "Constitutional tribunal" was also used politically to attack women's rights in its ruling of 22 October 2020 (K1/20) and denounces that the severe restrictions on women's reproductive health and rights are unlawful*; is further concerned about the impartiality of the judiciary in Hungary³.

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

Or. en

Amendment 41 **Margrete Auken**

Draft opinion **Paragraph 7**

Draft opinion

7. Is deeply concerned about the status of Poland's Constitutional Tribunal, the close connection between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ *and the independence of the judiciary in Spain*⁴ ;

Amendment

7. *Criticises the fact that the report failed to clearly recognise the deliberate process of the rule of law backsliding in Poland and Hungary; strongly regrets the failure of the Council to make progress by applying sanctions in the ongoing procedures under Article 7 TEU*; is deeply concerned about the status of Poland's Constitutional Tribunal, the close connection between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further

concerned about the impartiality of the judiciary in Hungary³;

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

⁴ ***Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.***

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

Or. en

Amendment 42

Massimiliano Smeriglio, Cristina Maestre Martín De Almagro, Marc Angel, Pina Picierno, Sylvie Guillaume

Draft opinion

Paragraph 7

Draft opinion

7. Is deeply concerned about the status of Poland's Constitutional Tribunal, the close connection between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ ***and the independence of the judiciary in Spain***⁴ ;

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

⁴ Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.

Amendment

7. Is deeply concerned about the status of Poland's Constitutional Tribunal, the close connection between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ ;

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

Or. en

Amendment 43

Radan Kanev

Draft opinion

Paragraph 7

Draft opinion

7. Is deeply concerned about the status of Poland's Constitutional Tribunal, the ***close connection between*** prosecutors ***and the*** government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ and the independence of the judiciary in Spain⁴ ;

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

⁴ Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.

Amendment

7. Is deeply concerned about the status of Poland's Constitutional Tribunal, ***direct dependence of*** the prosecutors ***from*** government (in particular the Public Prosecutor General/Minister of Justice), ***violating the principle of functional independence and accountability*** and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ and the independence of the judiciary in Spain⁴ ***and the unaccountability of the Prosecutor-General in Bulgaria and his public statements, violating the political impartiality of his office and the presumption of innocence, expressed in the resolution of the European Parliament and numerous statements by the Commission.***

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

⁴ Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.

Or. en

Amendment 44

Maite Pagazaurtundúa, Jordi Cañas, Yana Toom, Ramona Strugariu, Michal Wiezik, Vlad Gheorghe

Draft opinion

Paragraph 7

Draft opinion

7. Is deeply concerned about the status of Poland's Constitutional Tribunal, the close connection between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ and the ***independence of the judiciary in Spain***⁴ ;

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

⁴ Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.

Amendment

7. Is deeply concerned about the status of Poland's Constitutional Tribunal, the close connection between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements² ; is further concerned about the impartiality of the judiciary in Hungary³ and the ***and signs of weakening of the rule of law in Slovakia, Malta, Slovenia, Bulgaria and Spain***⁴ ;

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

⁴ Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.

Or. en

Amendment 45 **Francesca Donato**

Draft opinion **Paragraph 7**

Draft opinion

7. Is deeply concerned about the status of Poland's Constitutional Tribunal, the close connection between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements²; is further concerned about the impartiality of the judiciary in Hungary³ and the independence of the judiciary in Spain⁴;

Amendment

7. Is deeply concerned about the status of Poland's Constitutional Tribunal, the close connection between prosecutors and the government (in particular the Public Prosecutor General/Minister of Justice) and the complete disregard for not only EU law requirements, but also European Convention on Human Rights and Polish Constitutional requirements²; is further concerned about the impartiality of the judiciary in Hungary³ and the independence of the judiciary in Spain⁴;

highlights the repeated and widespread violations in Italy of human rights regarding dignity, equality, non-discrimination, work, individual freedom, health, education, legal defence and protection of juveniles and the elderly, as well as a number of fundamental individual freedoms, resulting from restrictive and punitive measures against citizens speaking out against government policy; expresses particular concern at the segregation of inhabitants of the larger islands of Sicily and Sardinia and of all the smaller islands owing to a ban on the use of public transport by those without vaccination certificates, the financial hardship being created for the elderly by denying them access to public pensions offices to withdraw their entitlements without a third vaccine dose and prohibiting healthy members of parliament from voting, even outdoors, without a COVID vaccination certificate, while MPs who have tested positive for COVID are allowed to do so;

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

⁴ Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.

² Petitions No 0559/2020, 1154/2020, 1246/2020, 1360/2020 and 0869/2021.

³ Petition No 1512/2020.

⁴ Petitions No 1180/2020, 1182/2020, 1326/2020, 1367/2020, 1561/2020 and 0353/2021.

Or. it

Amendment 46
Francesca Donato

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Expresses alarm at the drift away from democratic values and at the strongly discriminatory policies being

adopted by a number of Member States, especially Italy, as well as Austria, Germany, France and Latvia; strongly condemns all COVID countermeasures that infringe the fundamental rights of European Union citizens and calls on the Commission to urgently initiate any action, including infringement proceedings, that are necessary to bring them to a halt;

Or. it

Amendment 47
Sira Rego

Draft opinion
Paragraph 8

Draft opinion

8. Stresses the indispensability of enforcing court sentences, ***both*** at national ***and EU*** level; condemns ***all national and regional governments on EU territory that refuse to follow*** judgments; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner and as soon as possible in accordance with the Treaties, which the Member States agreed to comply with⁵ ;

Amendment

8. Stresses the indispensability of enforcing court sentences, at national, ***EU and international*** level ***and*** condemns ***the lack of compliance with*** judgments ***of the CJEU and of national courts by the public authorities concerned*** ; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner and as soon as possible in accordance with the Treaties, which the Member States agreed to comply with; ***stresses that judgments from the European Court of Human Rights are binding on the states concerned and many Member States regularly fail to implement them; reiterates its call on the Commission to include in the country chapters data on non-compliance with judgments of the European Court of Human Rights as assessed by the Committee of Ministers.***

⁵ *Petition No 0858/2017.*

Or. en

Amendment 48
Margrete Auken

Draft opinion
Paragraph 8

Draft opinion

8. Stresses the indispensability of enforcing court sentences, both at national and EU level; condemns ***all national and regional governments*** on EU territory that ***refuse to follow*** judgments; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner and as soon as possible in accordance with the Treaties, which the Member States agreed to ***comply with***⁵ ;

⁵ *Petition No 0858/2017.*

Amendment

8. Stresses the indispensability of enforcing court sentences, both at national and EU level; condemns ***competent authorities at all levels*** on EU territory that ***do not consistently comply with*** judgments; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner and as soon as possible in accordance with the Treaties, which the Member States agreed to ***respect***;

Or. en

Amendment 49
Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion
Paragraph 8

Draft opinion

8. Stresses the indispensability of enforcing court sentences, both at national and EU level; ***condemns*** all national and ***regional*** governments ***on EU territory*** that refuse to follow judgments; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner ***and as soon as possible*** in accordance with the Treaties, which the Member States agreed to comply with⁵ ;

⁵ *Petition No 0858/2017.*

Amendment

8. Stresses the indispensability of enforcing court sentences, both at national and EU level; ***calls on*** all national and ***local*** governments ***within the EU*** that refuse to follow judgments; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner in accordance with the Treaties, which the Member States agreed to comply with⁵ ;

⁵ *Petition No 0858/2017.*

Amendment 50

Maite Pagazaurtundúa, Jordi Cañas, Yana Toom, Ramona Strugariu, Michal Wiezik, Marie-Pierre Vedrenne, Vlad Gheorghe

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

8. Stresses the indispensability of enforcing court sentences, both at national and EU level; condemns all national and regional governments on EU territory that refuse to follow judgments; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner and as soon as possible in accordance with the Treaties, which the Member States agreed to comply with⁵ ;

⁵ Petition No 0858/2017.

Amendment

8. Stresses the indispensability of enforcing court sentences, both at national and EU level; condemns all national and regional governments on EU territory that refuse to follow judgments; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner and as soon as possible in accordance with the Treaties, which the Member States agreed to comply with⁵, ***in particular, those court sentences that seek to prevent discrimination on grounds of sex, race, colour, ethnic or social origin, genetic characteristics, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation;***

⁵ Petition No 0858/2017.

Amendment 51

Angel Dzhambazki, Kosma Złotowski, Jorge Buxadé Villalba, Emmanouil Fragkos, Cristian Terheş, Andrey Slabakov

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

8. Stresses the indispensability of enforcing court sentences, both at national and EU level; condemns all national and

Amendment

8. Stresses the indispensability of enforcing court sentences, both at national and EU level; condemns all national and

regional governments on EU territory that refuse to follow judgments; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner and as soon as possible in accordance with the Treaties, which the Member States agreed to comply with⁵ ;

⁵ Petition No 0858/2017.

regional governments on EU territory that refuse to follow judgments; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner and as soon as possible in accordance with the Treaties, which the Member States agreed to comply with⁵ ***in those topics where the European Union has exclusive competences***;

⁵ Petition No 0858/2017.

Or. en

Amendment 52

Emil Radev

Draft opinion

Paragraph 8

Draft opinion

8. Stresses the indispensability of enforcing court sentences, both at national and EU level; condemns all national and regional governments on EU territory that refuse to follow judgments; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner and as soon as possible in accordance with the Treaties, which the Member States agreed to comply with⁵;

⁵ Petition No 0858/2017.

Amendment

8. Stresses the indispensability of enforcing court sentences, both at national and EU level; condemns all national and regional governments on EU territory that refuse to follow judgments ***that have entered into force***; emphasises that sentences of the Court of Justice of the European Union have to be implemented in a timely manner and as soon as possible in accordance with the Treaties, which the Member States agreed to comply with⁵;

⁵ Petition No 0858/2017.

Or. bg

Amendment 53

Angel Dzhambazki, Kosma Zlotowski, Jorge Buxadé Villalba, Emmanouil Fragkos, Cristian Terheş, Andrey Slabakov

Draft opinion

Paragraph 8 a (new)

8 a. *Regrets the attitudes of the Catalan government authorities, boasting publicly of their refusal to comply with the judgments ruled by the competent courts in the field of education, flagrantly breaching the right of children to study in the official language of their Member State; considers that these attitudes and actions, together with the harassment of the plaintiffs, jeopardise the compliance of the rule of law and the separation of powers, thereby seriously harming the law and the rights of citizens;*

Or. en

Amendment 54
Margrete Auken

Draft opinion
Paragraph 9

Draft opinion

9. Invites the Commission to take measures to strengthen corruption prevention⁶ in order to create *more* transparency in administration and *improve* access to information about lobbying and oversight of political party financing;

⁶ Petitions No 0822/2020 and 0194/2020.

Amendment

9. Invites the Commission to take measures to strengthen corruption prevention⁶ in order to create *full* transparency in administration and *ensure full* access to information about lobbying and oversight of political party financing;

⁶ Petitions No 0822/2020 and 0194/2020.

Or. en

Amendment 55
Emil Radev

Draft opinion
Paragraph 9

Draft opinion

Amendment

9. Invites the Commission to take measures to strengthen corruption prevention⁶ in order to create more transparency in administration and improve access to information about lobbying **and** oversight of political party financing;

⁶ Petitions **No 0822/2020** and 0194/2020.

9. Invites the Commission to take measures to strengthen corruption prevention⁶, **including in the upper echelons of power**, in order to create more transparency in administration and improve access to information about lobbying **as well as** oversight of political party financing;

⁶ Petitions **Nos 0822/2020** and 0194/2020.

Or. bg

Amendment 56

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Sylvie Guillaume

Draft opinion Paragraph 9

Draft opinion

9. Invites the Commission to take measures to strengthen corruption prevention⁶ in order to create more transparency in administration and improve access to information about lobbying and oversight of political party financing;

⁶ Petitions No 0822/2020 and 0194/2020.

Amendment

9. Invites the Commission to take measures to strengthen corruption prevention⁶ in order to create more transparency in **public** administration and improve access to information about lobbying and oversight of political party financing; **stresses that anti-corruption measures are key to defend the Union's economic interests and its sustainable growth; emphasises that such measures, especially in pandemic-related processes, are imperative to prevent violations and malpractice threatening Member States and the Union's recovery from the crisis;**

⁶ Petitions No 0822/2020 and 0194/2020.

Or. en

Amendment 57

Angel Dzhambazki, Kosma Złotowski, Jorge Buxadé Villalba, Emmanouil Fragkos, Cristian Terheş, Andrey Slabakov

Draft opinion
Paragraph 9

Draft opinion

9. Invites the Commission to take measures to strengthen corruption prevention⁶ in order to create more transparency in administration and improve access to information about lobbying and oversight of political party financing;

⁶ Petitions No 0822/2020 and 0194/2020.

Amendment

9. Invites the Commission to take measures to strengthen corruption prevention⁶ in order to create more transparency in administration and improve access to information about lobbying and oversight of political party, ***trade unions, NGOs and employers' associations*** financing;

⁶ Petitions No 0822/2020 and 0194/2020.

Or. en

Amendment 58
Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Sylvie Guillaume

Draft opinion
Paragraph 9 – subparagraph 1 (new)

Draft opinion

Amendment

Warns Member States of the risks of jeopardising the fight against corruption and increasing breaches of the rule of law incurred during the COVID-19 pandemic, particularly in its initial phase; underlines that those risks have increased due to the general acceleration of the decision-making process and the simplification of public administration procedures such as public procurement resulting in non-competitive or direct awards;

Or. en

Amendment 59
Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Sylvie Guillaume

Draft opinion
Paragraph 9 a (new)

Draft opinion

Amendment

9 a. ***Calls on Member States to regulate the “revolving doors” phenomenon by disciplining the movement of high-level employees from public-sector jobs to private-sector jobs and vice versa with the aim of preventing conflict of interests; in this regard, encourages to follow best practice already enforced in some Member States, with special regard to the prevention and management of conflicts of interest;***

Or. en

Amendment 60
Sira Rego

Draft opinion
Paragraph 10

Draft opinion

Amendment

10. Expresses its concern about the **security** of whistleblowers who report acts of corruption⁷ or other illegal activities⁸ and thereupon experience violations of their fundamental rights;

⁷ Petition No 0242/2021.

⁸ Petition No 1056/2021.

10. Expresses its concern about the **safety** of whistleblowers who report acts of corruption⁷ or other illegal activities⁸ and thereupon experience violations of their fundamental rights;

⁷ Petition No 0242/2021.

⁸ Petition No 1056/2021.

Or. en

Amendment 61
Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Sylvie Guillaume

Draft opinion
Paragraph 10

Draft opinion

10. Expresses its concern about the security of whistleblowers who report acts of corruption⁷ or other illegal activities⁸ and thereupon experience violations of their fundamental rights;

⁷ Petition No 0242/2021.

⁸ Petition No 1056/2021.

Amendment

10. Expresses its concern about the security of whistleblowers who report acts of corruption⁷ or other illegal activities⁸ and thereupon experience violations of their fundamental rights; ; ***highlights how the COVID-19 pandemic has unveiled the importance of whistleblowing for public security and safety on a grand and smaller scale; emphasises how the COVID-19 pandemic, as well as any other crisis, could discourage potential whistleblowers fearing for their physical and financial integrity;***

⁷ Petition No 0242/2021.

⁸ Petition No 1056/2021.

Or. en

Amendment 62
Emmanouil Fragkos

Draft opinion
Paragraph 10 a (new)

Draft opinion

Amendment

10a. Regrets the lack of initiatives to uphold the human rights of the citizens of the Republic of Cyprus, refugees and those expelled by the Turkish army, while expressing concern at the continuous waves of armed illegal migrants being sent in by Turkey, leading to social problems and demographic shifts in the free territories;

Or. el

Amendment 63
Michal Wiezik

Draft opinion
Paragraph 11

Draft opinion

11. Regrets the fact that the safety of journalists is not universally guaranteed; underlines the importance of media pluralism and the need to protect **journalists** against threats **and attacks** in order to assure freedom of expression and the right to information and safeguard the journalistic profession;

Amendment

11. Regrets the fact that the safety of journalists is not universally guaranteed; underlines the importance of media pluralism and 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 journalism from strategic lawsuits** against **public participation (SLAPPs), as well as personal harassment, intimidation and threats to life** in order to assure freedom of expression and the right to information and safeguard the journalistic profession;

Or. en

Amendment 64
Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion
Paragraph 11

Draft opinion

11. Regrets the fact **that** that the safety of journalists is not **universally** guaranteed; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression and the right to information and safeguard the journalistic profession;

Amendment

11. Regrets the fact that the safety of journalists is not guaranteed **in a full manner**; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression, **the freedom of speech** and the right to information and safeguard the journalistic profession;

Or. en

Amendment 65
Sira Rego

Draft opinion

Paragraph 11

Draft opinion

11. Regrets the fact that the safety of journalists is not ***universally*** guaranteed; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression and the right to information and safeguard the journalistic profession;

Amendment

11. Regrets the fact that the safety of journalists is not guaranteed ***across the European Union***; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression and the right to information and safeguard the journalistic profession;

Or. en

Amendment 66

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Cristina Maestre Martín De Almagro, Sylvie Guillaume

Draft opinion

Paragraph 11

Draft opinion

11. Regrets the fact ***that*** that the safety of journalists is not universally guaranteed; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression and the right to information and safeguard the journalistic profession;

Amendment

11. Regrets the fact that the safety of journalists is not universally guaranteed; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression and the right to information and safeguard the journalistic profession; ***stresses the difficulties faced by journalists and media in providing citizens with fact-check information about the COVID-19 pandemic;***

Or. en

Amendment 67

Margrete Auken

Draft opinion

Paragraph 11

Draft opinion

11. Regrets the fact that the safety of journalists is not universally guaranteed; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression and the right to information and safeguard the journalistic profession;

Amendment

11. Regrets the fact that the safety of journalists is not universally guaranteed ***and that strategic lawsuits against public participation (SLAPPs), often in combination with threats to physical safety, still represent a serious concern in several Member States; is particularly worried that online threats are on the rise across the EU, with female journalists and journalists of minority background particularly at risks***; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression and the right to information and safeguard the journalistic profession;

Or. en

Amendment 68
Francesca Donato

Draft opinion
Paragraph 11

Draft opinion

11. Regrets the fact that the safety of journalists is not universally guaranteed; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression and the right to information and safeguard the journalistic profession;

Amendment

11. Regrets the fact that the safety of journalists is not universally guaranteed; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression and the right to information and safeguard the journalistic profession ***and its independence from any form of political pressure or lobbying; calls on the Commission accordingly to introduce and strictly enforce appropriate limits on public funding for the press and the media in general and to impose a cap on private funding by specific groups or individuals***;

Or. it

Amendment 69

Maite Pagazaurtundúa, Jordi Cañas, Frédérique Ries, Yana Toom, Ramona Strugariu, Michal Wiezik, Marie-Pierre Vedrenne, Vlad Gheorghe

Draft opinion

Paragraph 11

Draft opinion

11. Regrets the fact that the safety of journalists is not universally guaranteed; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to assure freedom of expression and the right to information and safeguard the journalistic profession;

Amendment

11. Regrets the fact that the safety of journalists is not universally guaranteed; underlines the importance of media pluralism and the need to protect journalists against threats and attacks in order to ***prevent self-censorship and to*** assure freedom of expression and the right to information and safeguard the journalistic profession; ***calls on the Commission to improve the instruments for assessing measures taken by governments that may undermine freedom of information and pluralism;***

Or. en

Amendment 70

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Cristina Maestre Martín De Almagro, Sylvie Guillaume

Draft opinion

Paragraph 11 – subparagraph 1 (new)

Draft opinion

Amendment

Expresses its concern about journalists' deteriorating economic and working conditions during the COVID-19 pandemic and the ensuing crisis, underlining a substantial increase in the unemployment rates in the sector; welcomes the use of compensatory measures to support the sector; reminds that such measures should always comply with the principles of transparency, fairness, equal and non-discriminatory access;

Amendment 71

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Cristina Maestre Martín De Almagro, Sylvie Guillaume

Draft opinion

Paragraph 11 a (new)

Draft opinion

Amendment

11 a. Urges Member States to pay close attention to abuse of strategic lawsuits against public participation (SLAPPs) and particularly on how they affect smaller news outlets and freelancers; notes that SLAPPs abuse and lawsuit increasing, including intimidating actions, may easily lead to media self-censorship;

Or. en

Amendment 72

Radan Kanev

Draft opinion

Paragraph 11 a (new)

Draft opinion

Amendment

11 a. Reiterates, that media independence is often violated through government subsidies and, most regrettably, through the abuse of EU funds, dedicated to the popularization of EU policies and programs;

Or. en

Amendment 73

Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion

Paragraph 12

Draft opinion

Amendment

12. Draws attention to the need for better regulation and more transparency regarding social networking sites⁹ ; takes note of the insufficiency of the horizontal assessment of the media sector and the lack of representation of online media in the Commission's 2021 Rule of Law report (COM(2121)700);

deleted

⁹ Petitions No 1336/2020, 0036/2021, 0137/2021, 0691/2021 and 0719/2021.

Or. en

Amendment 74

Maite Pagazaurtundúa, Jordi Cañas, Frédérique Ries, Yana Toom, Ramona Strugariu, Michal Wiezik, Marie-Pierre Vedrenne, Vlad Gheorghe

Draft opinion Paragraph 12

Draft opinion

Amendment

12. Draws attention to the need for better regulation and more transparency regarding social **networking sites**⁹ ; takes note of the insufficiency of the horizontal assessment of the media sector and the lack of representation of online media in the Commission's 2021 Rule of Law report (COM(2121)700);

12. Draws attention to the need for better regulation and more transparency regarding social **media platforms**⁹ ; takes note of the insufficiency of the horizontal assessment of the media sector and the lack of representation of online media in the Commission's 2021 Rule of Law report (COM(2121)700);

⁹ Petitions No 1336/2020, 0036/2021, 0137/2021, 0691/2021 and 0719/2021.

⁹ Petitions No 1336/2020, 0036/2021, 0137/2021, 0691/2021 and 0719/2021.

Or. en

Amendment 75 Emil Radev

Draft opinion
Paragraph 12

Draft opinion

12. Draws attention to the need for better regulation and more transparency regarding social networking *sites*⁹; takes note of the insufficiency of the horizontal assessment of the media sector and the lack of representation of online media in the Commission's 2021 Rule of Law report (COM(2021)700);

⁹ Petitions *No 1336/2020*, 0036/2021, 0137/2021, 0691/2021 and 0719/2021.

Amendment

12. Draws attention to the need for better regulation and more transparency regarding social networking *platforms*⁹; takes note of the insufficiency of the horizontal assessment of the media sector and the lack of representation of online media in the Commission's 2021 Rule of Law report (COM(2021)700);

⁹ Petitions *Nos 1336/2020*, 0036/2021, 0137/2021, 0691/2021 and 0719/2021.

Or. bg

Amendment 76

Maite Pagazaurtundúa, Jordi Cañas, Frédérique Ries, Ramona Strugariu, Michal Wiek, Marie-Pierre Vedrenne, Vlad Gheorghe

Draft opinion
Paragraph 13

Draft opinion

13. Observes that fake news and the resulting misinformation aimed at EU citizens are a threat to our EU democracies¹⁰; *notes, however, that overly extensive control of false information and the increased promotion of disinformation campaigns may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees the right to receive and impart information and ideas without interference by public authorities and regardless of borders*¹¹;

¹⁰ Petitions No 1310/2019, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

Amendment

13. Observes that fake news and the resulting misinformation aimed at EU citizens are a threat to our EU democracies¹⁰, *which must be combated with guarantees and without giving rise to any* violation of the right to receive and impart information and ideas without interference by public authorities and regardless of borders¹¹;

¹⁰ Petitions No 1310/2019, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

Or. en

Amendment 77
Sira Rego

Draft opinion
Paragraph 13

Draft opinion

13. Observes that fake news and the resulting misinformation aimed at **EU** citizens ***are a threat to our*** EU democracies¹⁰ ; notes, however, that overly extensive control of false information ***and the increased promotion of disinformation campaigns*** may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees the right to receive and impart information and ideas without interference by public authorities and regardless of borders¹¹ ;

¹⁰ Petitions No 1310/2019, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

Amendment

13. Observes that fake news and the resulting misinformation aimed at citizens ***have an impact on*** EU democracies¹⁰ ; notes, however, that overly extensive control of false information may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees the right to receive and impart information and ideas without interference by public authorities and regardless of borders¹¹ ;

¹⁰ Petitions No 1310/2019, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

Or. en

Amendment 78
Radan Kanev

Draft opinion
Paragraph 13

Draft opinion

13. Observes that fake news and the resulting misinformation aimed at EU citizens are a threat to our EU democracies¹⁰ ; notes, however, that overly extensive control of false information ***and the increased promotion of disinformation campaigns*** may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees the right to receive and impart information and

Amendment

13. Observes that fake news and the resulting misinformation aimed at EU citizens are a threat to our EU democracies¹⁰ ; notes, however, that overly extensive control of false information may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees the right to receive and impart information and ideas without interference by public authorities and regardless of

ideas without interference by public authorities and regardless of borders¹¹ ;

¹⁰ Petitions No 1310/2019, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

borders¹¹ ;

¹⁰ Petitions No 1310/2019, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

Or. en

Amendment 79

Emil Radev

Draft opinion

Paragraph 13

Draft opinion

13. Observes that fake news and the resulting misinformation aimed at EU citizens are a threat to *our EU democracies*¹⁰; notes, however, that overly extensive control of false information and the increased promotion of disinformation campaigns may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees the right to receive and impart information and ideas without interference by public authorities and regardless of borders¹¹;

¹⁰ Petitions **No 1310/2019**, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

Amendment

13. Observes that fake news and the resulting misinformation aimed at EU citizens are a threat to *democracy in the EU¹⁰, especially in the COVID-19 pandemic period*; notes, however, that overly extensive control of false information and the increased promotion of disinformation campaigns may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees the right to receive and impart information and ideas without interference by public authorities and regardless of borders¹¹;

¹⁰ Petitions **Nos 1310/2019**, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

Or. bg

Amendment 80

Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion

Paragraph 13

Draft opinion

13. Observes that fake news and the resulting misinformation aimed at **EU** citizens are a threat to **our EU** democracies¹⁰ ; notes, however, that overly extensive control of false information and the increased promotion of disinformation campaigns may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees the right to receive and impart information and ideas without interference by public authorities and regardless of borders¹¹ ;

¹⁰ Petitions No 1310/2019, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

Amendment

13. Observes that ***objectively, not ideologically, determined*** fake news and the resulting ***objectively, not ideologically, determined*** misinformation aimed at citizens are a threat to democracies¹⁰; notes, however, that overly extensive control of false information and the increased promotion of disinformation campaigns may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees the ***indivisible and important*** right to receive and impart information and ideas without interference by public authorities and regardless of borders ***according to the core principle of freedom of speech and expression***¹¹ ;

¹⁰ Petitions No 1310/2019, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

Or. en

Amendment 81

Angel Dzhambazki, Kosma Złotowski, Jorge Buxadé Villalba, Emmanouil Fragkos, Cristian Terheş, Andrey Slabakov

**Draft opinion
Paragraph 13**

Draft opinion

13. Observes that fake news and the resulting misinformation aimed at EU citizens are a threat to our EU democracies¹⁰ ; notes, however, that overly extensive control of false information and the increased promotion of disinformation campaigns may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees the right to receive and impart information and ideas without interference by public

Amendment

13. Observes that fake news and the resulting misinformation aimed at EU citizens are a threat to our EU democracies¹⁰ ***especially when the source of misinformation is founded in the institutions of the European Union or the Member States***; notes, however, that overly extensive control of false information and the increased promotion of disinformation campaigns may lead to a violation of Article 11(1) of the EU Charter of Fundamental Rights which guarantees

authorities and regardless of borders¹¹ ;

the right to receive and impart information and ideas without interference by public authorities and regardless of borders¹¹ ;

¹⁰ Petitions No 1310/2019, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

¹⁰ Petitions No 1310/2019, 0268/2020, 0743/2020 and 1293/2020.

¹¹ Petition No 1336/2020.

Or. en

Amendment 82 **Margrete Auken**

Draft opinion **Paragraph 14**

Draft opinion

14. Is concerned about the increase in hate crimes against minorities, ***in particular those related to religious beliefs, political ideas and sexual orientation¹² ; is aware of the difficult balance between hate speech and freedom of expression and acknowledges that the boundaries are hard to define;***

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

Amendment

14. Is concerned about the increase in hate crimes against minorities, ***including religious minorities, Romani people and other persons belonging to ethnic and linguistic minorities, migrants, asylum seekers, refugees, and LGBTI+ persons¹²; is deeply worried that International and national human rights bodies underlined the growing rate of hate speech online, often perpetrated by political figures, targeting minorities;***

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

Or. en

Amendment 83 **Sira Rego**

Draft opinion **Paragraph 14**

Draft opinion

14. Is concerned about the increase in hate crimes against minorities, in particular those related to religious beliefs, political ideas *and sexual orientation*¹² ; *is aware of the difficult balance between hate speech and freedom of expression and acknowledges that the boundaries are hard to define*;

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

Amendment

14. Is concerned about the increase in hate *speech and hate* crimes against *women, black people and people of colour, migrants and refugees, LGTBQ people* ¹² *and* minorities, in particular *Roma*, those related to religious beliefs *and* political ideas ;

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

Or. en

Amendment 84

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Cristina Maestre Martín De Almagro, Sylvie Guillaume

Draft opinion

Paragraph 14

Draft opinion

14. Is concerned about the increase in hate crimes against minorities, in particular those related to religious beliefs, political ideas and sexual orientation¹² ; *is aware of the difficult balance between hate speech and freedom of expression and acknowledges that the boundaries are hard to define*;

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

Amendment

14. Is concerned about the increase in hate crimes against minorities, in particular those related to religious beliefs, political ideas and sexual orientation¹² ; *deplores the large number of petitions received in 2021 reporting hate speeches and hate crimes against LGBTQI+ people*^{13a} *as well as restriction of the freedom of expression*^{14a} ; *notes that most of them refer to a substantial lack of legal protection for LGBTQI+ citizens in some Member States*;

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

^{13a} *Petition No 0436/2021, 0471/2021 and*

Or. en

Amendment 85

Angel Dzhambazki, Kosma Złotowski, Jorge Buxadé Villalba, Emmanouil Fragkos, Cristian Terheş, Andrey Slabakov

Draft opinion

Paragraph 14

Draft opinion

14. Is concerned about the ***increase in hate crimes against*** minorities, in particular those related to religious beliefs, political ideas and sexual orientation¹² ; ***is aware of the difficult*** balance between hate speech and freedom of expression ***and acknowledges that the boundaries are*** hard to define;

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

Amendment

14. Is concerned about the ***propaganda campaigns that*** minorities, in particular those related to religious beliefs, political ideas and sexual orientation¹² ***are being targeted with hate crimes; Points out that the*** balance between hate speech and freedom of expression ***is very*** hard to define ***and therefore before taking legal or any other measures, detail analysis should be made; in this regard recalls the need of strict supervision of the codes and mechanisms used by social media platforms to make their assessments on posted content;***

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

Or. en

Amendment 86

Francesca Donato

Draft opinion

Paragraph 14

Draft opinion

14. Is concerned about the increase in

Amendment

14. Is concerned about the increase in

hate crimes against minorities, in particular those related to religious beliefs, political ideas and sexual orientation¹²; is aware of the difficult balance between hate speech and freedom of expression *and acknowledges that the boundaries are hard to define*;

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

hate crimes against minorities, in particular those related to religious beliefs, political ideas and sexual orientation¹²; is aware of the difficult balance between hate speech and freedom of expression *but nevertheless considers it necessary for the Commission to condemn and penalise any public utterances - especially by those in positions of particular influence or institutional prominence - that are seriously discriminatory, inciting hatred of minorities or certain categories of individuals, even where motivated by ideological, political or public health concerns*;

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

Or. it

Amendment 87

Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion Paragraph 14

Draft opinion

14. Is concerned about the increase in hate crimes against minorities, in particular those related to religious beliefs, political ideas and sexual orientation¹²; is aware of the difficult balance between hate speech and freedom of expression *and acknowledges* that the boundaries are *hard to define*;

¹² Petitions No 0354/2020, 0657/2020,

Amendment

14. Is concerned about the increase in hate crimes against minorities, in particular those related to religious beliefs, political ideas and sexual orientation¹²; *regrets that this increase in hate crimes is also seen in the context of uncontrolled mass migration from outside the EU*; is aware of the difficult balance between hate speech and freedom of *speech and* expression, *but recognises* that the boundaries are *already defined with laws on defamation of character, libel, slander, defamation of honour, contempt, etc.*

¹² Petitions No 0354/2020, 0657/2020,

1038/2020, 0471/2021, 0480/2021,
0667/2021, 0704/2021, 0725/2021,
0820/2021, 0855/2021 and 0894/2021.

1038/2020, 0471/2021, 0480/2021,
0667/2021, 0704/2021, 0725/2021,
0820/2021, 0855/2021 and 0894/2021.

Or. en

Amendment 88

Maite Pagazaurtundúa, Jordi Cañas, Frédérique Ries, Ramona Strugariu, Marie-Pierre Vedrenne, Vlad Gheorghe

Draft opinion

Paragraph 14

Draft opinion

14. Is concerned about the increase in hate crimes against minorities, in particular those related to religious beliefs, political ideas and sexual orientation¹² ; is aware of the difficult balance between hate speech and freedom of expression and acknowledges that the boundaries are hard to define;

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

Amendment

14. Is concerned about the increase in hate crimes against minorities, in particular those related to religious beliefs, political ideas and sexual orientation¹² ; is aware of the difficult balance between hate speech and freedom of expression and acknowledges that the boundaries are hard to define; ***calls on the Commission to continue its work to establish effective criteria against this problem, and to do so without affecting the pluralism of the system;***

¹² Petitions No 0354/2020, 0657/2020, 1038/2020, 0471/2021, 0480/2021, 0667/2021, 0704/2021, 0725/2021, 0820/2021, 0855/2021 and 0894/2021.

Or. en

Amendment 89

Margrete Auken

Draft opinion

Paragraph 14 a (new)

Draft opinion

Amendment

14 a. Regrets that some Member States did not fully and correctly incorporate

into national law the Council Framework Decision on Racism and Xenophobia^{1a} ; deplors that the provisions of the Racial Equality Directive^{1b} are still not correctly implemented in all Member States;

^{1a} Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law

^{1b} Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin

Or. en

Amendment 90

Angel Dzhambazki, Kosma Zlotowski, Jorge Buxadé Villalba, Cristian Terheş, Andrey Slabakov

Draft opinion Paragraph 15

Draft opinion

Amendment

15. Stresses that the findings of the Rule of Law report should be operationalised in concrete policy actions and that the report should only serve jointly with other instruments, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce deadlines for the recommendations based on the Rule of Law report;

deleted

¹³ 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, OJ L 433I , 22.12.2020, p. 1.

Or. en

Amendment 91

Tamás Deutsch

Draft opinion

Paragraph 15

Draft opinion

Amendment

15. Stresses that the findings of the Rule of Law report should be operationalised in concrete policy actions and that the report should only serve conjointly with other instruments, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce deadlines for the recommendations based on the Rule of Law report; **deleted**

¹³ 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, OJ L 433I , 22.12.2020, p. 1.

Or. en

Amendment 92

Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion

Paragraph 15

Draft opinion

15. Stresses that the findings of the Rule of Law report ***should*** be operationalised in concrete policy actions and that the report ***should only*** serve conjointly with other instruments, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; ***urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce deadlines for the recommendations based on the Rule of Law report;***

¹³ 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, OJ L 433I, 22.12.2020, p. 1.

Amendment

15. Stresses that the findings of the Rule of Law report ***might*** be operationalised in concrete policy actions and that the report ***could*** serve conjointly with other instruments, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union;

¹³ 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, OJ L 433I, 22.12.2020, p. 1.

Or. en

Amendment 93
Margrete Auken

Draft opinion
Paragraph 15

Draft opinion

15. Stresses that the ***findings of the*** Rule of Law report should be operationalised in concrete policy actions ***and that the report should only serve conjointly with other instruments***, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce

Amendment

15. Stresses that the ***Commission's annual*** Rule of Law report ***and its findings*** should be operationalised in concrete policy actions ***in order to make full and effective use of all tools available at Union level to address breaches of the rule of law***, such as infringement procedures, ***including expedited procedures, applications for interim measures before the CJEU and actions regarding non-implementation of CJEU judgments***, the procedures enshrined in the

deadlines for the recommendations based on the Rule of Law report;

Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce ***in its subsequent reports country-specific recommendations accompanied by deadlines for implementation, targets and concrete actions to be taken; emphasises citizens' high expectations highlighted in petitions asking for a swift and effective Union level response to put an end to breaches of Rule of Law;***

¹³ 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, OJ L 433I , 22.12.2020, p. 1.

¹³ 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, OJ L 433I , 22.12.2020, p. 1.

Or. en

Amendment 94 Michal Wiezik

Draft opinion Paragraph 15

Draft opinion

15. Stresses that the findings of the Rule of Law report should be operationalised in concrete policy actions and that the report should only serve conjointly with other instruments, ***such as*** infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce deadlines for the recommendations based on the Rule of Law report;

Amendment

15. Stresses that the findings of the Rule of Law report should be operationalised in concrete policy actions and that the report should only serve conjointly with other instruments ***available under EU financial legislation and the applicable sector-specific and financial rules to effectively protect the EU budget, including interruption of payment deadlines, suspension of payments, financial corrections or exclusion of expenditure from EU financing, infringement procedures under Article 258 TFEU, checks and audits, compliance with Article 61 of the Financial***

Regulation of the EU, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union ***addressing risks to the foundational values of the EU in the Member States***; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce deadlines for the recommendations based on the Rule of Law report;

¹³ 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, OJ L 4331, 22.12.2020, p. 1.

¹³ 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, OJ L 4331, 22.12.2020, p. 1.

Or. en

Amendment 95

Sira Rego

Draft opinion

Paragraph 15

Draft opinion

15. Stresses that the findings of the Rule of Law report should be operationalised in concrete policy actions and that the report should only serve jointly with other instruments, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce deadlines for the recommendations based on the Rule of Law ***report***;

¹³ Regulation (EU, Euratom) 2020/2092 of

Amendment

15. Stresses that the findings of the Rule of Law report should be operationalised in concrete policy actions and that the report should only serve jointly with other instruments, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce deadlines for the recommendations based on the ***upcoming*** Rule of Law ***reports***;

¹³ 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, OJ L 433I , 22.12.2020, p. 1.

the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget, OJ L 433I , 22.12.2020, p. 1.

Or. en

Amendment 96
Emil Radev

Draft opinion
Paragraph 15

Draft opinion

15. Stresses that the findings of the Rule of Law report should be operationalised in concrete policy actions and that the report should only serve jointly with other instruments, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce deadlines for the recommendations based on the Rule of Law report;

¹³ 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, OJ L 433I , 22.12.2020, p. 1.

Amendment

15. Stresses that the findings of the Rule of Law report should be operationalised in concrete policy actions and that the report should only serve jointly with other instruments, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools, ***including the report on corruption in the context of the general rule of law mechanism***, more effectively and in a ***more*** timely manner; asks the Commission to introduce deadlines for ***complying with*** the recommendations based on the Rule of Law report;

¹³ 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, OJ L 433I , 22.12.2020, p. 1.

Or. bg

Amendment 97
Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Cristina

Draft opinion
Paragraph 15

Draft opinion

15. Stresses that the findings of the Rule of Law report should be operationalised in concrete policy actions and that the report should only serve conjointly with other instruments, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce deadlines for the recommendations based on the Rule of Law report;

¹³ 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, OJ L 433I, 22.12.2020, p. 1.

Amendment

15. Stresses that the findings of the Rule of Law report should be operationalised in concrete policy actions and that the report should only serve conjointly with other instruments, such as infringement procedures, the procedures enshrined in the Conditionality Regulation¹³, the rule of law framework and Article 7 of the Treaty on European Union; urges the Commission to use its tools more effectively and in a timely manner; asks the Commission to introduce deadlines for the recommendations based on the Rule of Law report ***as well as for the implementation of the policy actions;***

¹³ 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, OJ L 433I, 22.12.2020, p. 1.

Or. en

Amendment 98

Angel Dzhambazki, Kosma Złotowski, Jorge Buxadé Villalba, Emmanouil Fragkos, Cristian Terheş, Andrey Slabakov

Draft opinion
Paragraph 16

Draft opinion

16. Underlines that the role of civil society organisations ***is of particular importance; calls on the Commission to foster debates with civil society organisations in order to take note of all their concerns and involve them more***

Amendment

16. Underlines that the role of civil society organisations, ***while noting at the same time that a clear set of rules on their financing should be developed;***

*effectively in follow-up meetings;
highlights the need to offer longer
consultation periods to guarantee proper
participation of all civil society
organisations.*

Or. en

Amendment 99

Gianna Gancia, Stefania Zambelli, Markus Buchheit

Draft opinion

Paragraph 16

Draft opinion

16. Underlines that the role of civil society organisations is of *particular* importance; calls on the Commission to *foster debates* with civil society organisations in order to take note of *all* their concerns and involve them *more effectively* in follow-up meetings; highlights the need to offer longer consultation periods to guarantee proper participation of *all* civil society organisations.

Amendment

16. Underlines that the role of civil society organisations is of importance; calls on the Commission to *debate* with civil society organisations in order to take note of their concerns and involve them in follow-up meetings; highlights the need to offer longer consultation periods to guarantee proper participation of civil society organisations.

Or. en

Amendment 100

Margrete Auken

Draft opinion

Paragraph 16

Draft opinion

16. Underlines that the role of civil society organisations is of particular importance; calls on the Commission to *foster debates* with civil society organisations in order to take note of all their concerns and involve them more effectively in *follow-up meetings*; highlights the need to *offer* longer

Amendment

16. Underlines that the role of civil society organisations is of particular importance; calls on the Commission to *strengthen the regular, inclusive and structured dialogue* with civil society organisations in order to take note of all their concerns and involve them more effectively in *all phases of the review*

consultation periods to guarantee proper participation of all civil society organisations.

cycle; highlights the need to *allow multilingual submissions and ensure thematically structured consultations to increase the efficiency of the process and the amount of valuable feedback as well as* longer consultation periods to guarantee proper participation of all civil society organisations;

Or. en

Amendment 101

Maite Pagazaurtundúa, Jordi Cañas, Yana Toom, Ramona Strugariu, Vlad Gheorghe

Draft opinion

Paragraph 16

Draft opinion

16. Underlines that the role of civil society organisations is of particular importance; calls on the Commission to foster *debates* with civil society organisations in order to take note of all their concerns and involve them more effectively in follow-up meetings; highlights the need to offer longer consultation periods to guarantee proper participation of all civil society organisations.

Amendment

16. Underlines that the role of civil society organisations is of particular importance; calls on the Commission to foster *open, transparent and regular dialogue with representative associations and* with civil society organisations in order to take note of all their concerns and involve them more effectively in follow-up meetings; highlights the need to offer longer consultation periods to guarantee proper participation of all civil society organisations; *urges the Commission, therefore, to step up and structure its monitoring of the situation of civic space in the Member States by creating a ‘European civic space index’ based on existing frameworks for measuring civic space, and by dedicating to civic space a fully-fledged chapter including country recommendations in its annual rule of law report.*

Or. en

Amendment 102

Massimiliano Smeriglio, Marc Angel, Demetris Papadakis, Pina Picierno, Cristina Maestre Martín De Almagro, Sylvie Guillaume

Draft opinion
Paragraph 16

Draft opinion

16. Underlines that the role of civil society organisations is of particular importance; calls on the Commission to foster debates with civil society organisations in order to take note of all their concerns and involve them more effectively in follow-up meetings; highlights the need to offer longer consultation periods to guarantee proper participation of all civil society organisations.

Amendment

16. Underlines that the role of civil society organisations **and NGOs** is of particular importance ***recalls that civil society organizations must be able to operate without unjustified interference by state authorities***; calls on the Commission to foster debates with civil society organisations **and NGOs** in order to take note of all their concerns and involve them more effectively in follow-up meetings; highlights the need to offer longer consultation periods to guarantee proper participation of all civil society organisations **and NGOs, including smaller ones**; ***calls on Member States to apply the principles of transparency and disclosure with regard to the selection of the civil society organisations and NGOs involved***;

Or. en

Amendment 103
Sira Rego

Draft opinion
Paragraph 16 a (new)

Draft opinion

Amendment

16 a. 16a (new) Proposes the creation of a "Citizen's Platform on the Rule of Law", a digital platform hosted by the European Parliament, which would enable citizens to report and share their experience of rule of law deficiencies, vulnerabilities and breaches; believes that this platform would be in line with the objectives set out in Article 11(1) TEU and with European Parliament's vocation to act as a bridge with citizens, as it would give them the opportunity to exchange

experiences and views with each other, as well as create an accessible public forum whereby individual and collective testimonies can be directly shared and made visible to those monitoring the rule of law and the rest of the values enshrined in Article 2 TEU, such as the EU institutions, lawyers, civil society organisations, watchdogs, journalists, and researchers; highlights that there would be no obligation for the European Parliament to act on these testimonies, but the platform would provide deeper understanding of individual citizen's concerns, enable greater visibility of the threats to, deficiencies and breaches of the values enshrined in Article 2 TEU across the Union, and ultimately strengthen the rule of law culture and the engagement of EU institutions with citizens; suggests that it could also provide information to create petitions for those reporting on the same issue;

Or. en

Amendment 104

Ulrike Müller, Maite Pagazaurtundúa, Yana Toom

Draft opinion

Paragraph 16 a (new)

Draft opinion

Amendment

16 a. Stresses the importance of credibility for the European Union in the context of accession; focusing on judicial independence for candidate and potential candidate countries, and at the meantime having controversies and unresolved problems on the same matter within the Union, is negative for the whole process. The Commission should take into account the Special Report of the European Court of Auditors on EU support for the rule of law in the Western Balkans of January 2022, as it supports

this point.

Calls on the Commission to avoid negative repercussions in the accession process due to weak credibility on rule of law. Points out that the Commission should proactively solve internal issues while simultaneously working on rule of law with candidate countries;.

Or. en

Amendment 105

Angel Dzhambazki, Jorge Buxadé Villalba, Kosma Złotowski, Emmanouil Fragkos, Cristian Terheş, Andrey Slabakov

Draft opinion

Paragraph 16 a (new)

Draft opinion

Amendment

16 a. Deplores the actions of concealment and omission carried by public administrations in relation to the sexual abuse of minors under the care of regional administrations in Spain[1]; recalls that the rights of minors must be protected super omnia; condemns those politicians who tried to dismiss parliamentary investigations aimed at clarifying responsibilities for ideological or partisan reasons^{16a};

^{16a} *Petition No 1313/2020 and 0468/2021*

Or. en

Amendment 106

Angel Dzhambazki, Kosma Złotowski, Jorge Buxadé Villalba, Cristian Terheş, Andrey Slabakov

Draft opinion

Paragraph 16 b (new)

Draft opinion

Amendment

16 b. Condemns the restriction to the freedom of movement of citizens affected by the "low emission zones" imposed in big cities; regrets that these arbitrary political measures mainly harm the most vulnerable citizens who cannot renounce to use their old cars^{16b}

^{16b} PetitionNo 1358/2020 and 0621/2021

Or. en

Amendment 107

Ulrike Müller, Maite Pagazaurtundúa, Marie-Pierre Vedrenne

Draft opinion

Paragraph 16 b (new)

Draft opinion

Amendment

16 b. Points out that on the 16 of February the Court of Justice of the European Union will release its judgement on the compliance of the conditionality requirement with the Treaty following the complaint filed by Poland and Hungary;

Or. en

Amendment 108

Ulrike Müller

Draft opinion

Paragraph 16 c (new)

Draft opinion

Amendment

16 c. Is concerned about the forest of Białowieża;as Petition 0805/2017 submitted by Polish citizens recalls, there is non-compliance with EU environmental law on forest management. Calls on the Commission to take into account the Petition and to investigate

further the effects of the wall both on nature and on animals, and reiterates that the Commission should consider it in the country-specific recommendations for Poland;

Or. en

Amendment 109

Angel Dzhambazki, Jorge Buxadé Villalba, Kosma Złotowski, Emmanouil Fragkos, Cristian Terheş, Andrey Slabakov

Draft opinion

Paragraph 16 c (new)

Draft opinion

Amendment

16 c. Shows its total solidarity and full support for all victims of terrorism; condemns the fact that current governments negotiate with the heirs of armed bands; regrets that there are still unsolved terrorist attacks, especially the 379 unsolved murders committed by the terrorist group ETA^{16c}

^{16c} Fact Finding Mission to Vitoria and Madrid, Spain for the 379 unsolved cases of murders perpetrated by the terrorist group ETA

Or. en