



2021/2025(INI)

20.4.2021

AMENDMENTS

1 - 51

Draft opinion
Margrete Auken
(PE689.805v01-00)

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

Amendment 1

Angel Dzhambazki, Andrey Slabakov, Kosma Zlotowski, Cristian Terheş, Emmanouil Fragkos

Draft opinion

Paragraph 1

Draft opinion

1. Underlines the high number of petitions received from citizens concerned about the breaches of the rule of law in their respective countries and with the consequences of such breaches on their lives; stresses that full protection of Union citizens' rights can be ensured throughout the Union only if all Member States comply with ***all*** the principles underlying the rule of law, ***as deficiencies in one Member State have an impact on other Member States and the Union as a whole***;

Amendment

1. Underlines the high number of petitions received from citizens concerned about the breaches of the rule of law in their respective countries and with the consequences of such breaches on their lives; stresses that full protection of Union citizens' rights can be ensured throughout the Union only if all Member States comply with the principles underlying the rule of law, ***defined after a thorough analyses involving all Member States and their specificities***;

Or. en

Amendment 2

Loránt Vincze

Draft opinion

Paragraph 1

Draft opinion

1. Underlines the high number of petitions received from citizens concerned about the breaches of the rule of law in their respective countries and with the consequences of such breaches on their lives; stresses that full protection of Union citizens' rights can be ensured throughout the Union only if all Member States comply with all the principles underlying the rule of law, ***as deficiencies in one Member State have an impact on other Member States and the Union as a whole***;

Amendment

1. ***Emphasizes the responsibility of the PETI committee in identifying and alerting to possible breaches of the rule of law; strongly believes that fundamental rights can be effectively guaranteed only if rule of law prevails***; underlines the high number of petitions received from citizens concerned about the ***alleged*** breaches of the rule of law in their respective countries and with the consequences of such breaches on their lives, ***notably affecting legal certainty***; stresses that full protection of Union citizens' rights can be ensured throughout the Union only if all Member States comply with all the principles

underlying the rule of law; ***is of the opinion, that*** deficiencies in one Member State ***could*** have an impact on other Member States and the Union as a whole;

Or. en

Amendment 3

Vlad Gheorghe, Maite Pagazaurtundúa, Ulrike Müller, Frédérique Ries, Ramona Strugariu, Marie-Pierre Vedrenne

Draft opinion

Paragraph 1

Draft opinion

1. Underlines the high number of petitions received from citizens concerned about the breaches of the rule of law in their respective countries and with the consequences of such breaches on their lives; stresses that full protection of Union citizens' rights can be ensured throughout the Union only if all Member States comply with all the principles underlying the rule of law, as deficiencies in one Member State have an impact on other Member States and the Union as a whole;

Amendment

1. Underlines the high number of petitions received from citizens concerned about the breaches of the rule of law in their respective countries and with the consequences of such breaches on their lives; stresses that full protection of Union citizens' rights can be ensured throughout the Union only if all Member States comply with all the principles underlying the rule of law, as deficiencies in one Member State have an impact on other Member States and the Union as a whole; ***stresses that inadequate implementation of rule of law principles jeopardises EU objectives in all policy areas, thus creating an environment where legislation indifferent policy sectors cannot be executed in a correct and timely manner; highlights in this regard the responsibility of the EU institutions in assisting and monitoring the application of the rule of law by Member States***

Or. en

Amendment 4

Vlad Gheorghe, Maite Pagazaurtundúa, Ulrike Müller, Ramona Strugariu, Marie-Pierre Vedrenne

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1 a. Invites the Commission to provide in its further reports an assessment of the impact of identified deficiencies and breaches on the subsequent allocation of the EU funds under the conditionality mechanism; stresses the crucial role of rule of law enforcement tools in achieving effective implementation of the values enshrined in Art.2 TEU; calls, therefore, on the Commission to guarantee effective operationalisation of the Report findings in concrete policy actions; calls on the Commission to provide a higher level of visibility of NGOs contributions and public consultation results when drafting its future Reports;

Or. en

Amendment 5 Margrete Auken

Draft opinion Paragraph 1 a (new)

Draft opinion

Amendment

1 a. Highlights that the rule of law includes principles such as legality, implying a transparent, accountable, democratic and pluralistic process for enacting laws; legal certainty; prohibiting the arbitrary exercise of executive power; effective judicial protection by independent and impartial courts, effective judicial review including respect for fundamental rights; separation of powers; and equality before the law;

Or. en

Amendment 6

Draft opinion
Paragraph 2

Draft opinion

2. *Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass the areas of democracy and fundamental rights*; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve independent experts in this annual exercise in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected;

Amendment

2. Calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve independent experts in this annual exercise in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected;

Or. en

Amendment 7
Loránt Vincze

Draft opinion
Paragraph 2

Draft opinion

2. Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass *the* areas of democracy and fundamental rights; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must *also involve independent* experts in this annual exercise in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected;

Amendment

2. Notes that, despite repeated requests by Parliament *and some Member States*, the Commission's 2020 Rule of Law Report fails to encompass *significant* areas of democracy and fundamental rights, *including the rights of national and linguistic minorities; stresses the need for improvement concerning the application of the EU Charter of Fundamental Rights, as the expectations of Europeans go beyond the actual scope of the Charter*; calls on the Commission to ensure equal treatment of all the Union's founding values *as enshrined in Article 2 of the Treaty on European Union* in its next report; believes that the Commission must *consult as many stakeholders as possible*,

particularly legal practitioners and fundamental rights experts, from the Member States and European organisations in this annual exercise in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected;

Or. en

Amendment 8 **Sira Rego**

Draft opinion **Paragraph 2**

Draft opinion

2. Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass the areas of democracy and fundamental rights; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve *independent* experts *in this annual exercise in order to guarantee full credibility, and also* provide clear indications on follow-up actions for any shortcomings detected;

Amendment

2. Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass the areas of democracy and fundamental rights; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve *external organizations, collectives and experts to contribute to bigger pluralism and credibility; that selection of these external collaborators should be ruled by criteria of representativeness, pluralism and transparency; that Commission must* provide clear indications on follow-up actions for any shortcomings detected;

Or. en

Amendment 9 **Marc Angel**

Draft opinion **Paragraph 2**

Draft opinion

Amendment

2. Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass the areas of democracy and fundamental rights; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve independent experts in this annual exercise in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected;

2. Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass the areas of democracy and fundamental rights, ***which should be scrutinised with equal importance***; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve independent experts in this annual exercise in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected;

Or. en

Amendment 10

Cristian Terheş, Andrey Slabakov, Angel Dzhambazki

Draft opinion

Paragraph 2

Draft opinion

2. Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass the areas of democracy and fundamental rights; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve independent experts in this annual exercise in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected;

Amendment

2. Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass the areas of democracy and fundamental rights; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve independent experts in this annual exercise ***as well as provide the name of the officials writing the report*** in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected;

Or. en

Amendment 11

Mario Furore

Draft opinion

Paragraph 2

Draft opinion

2. Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass the areas of democracy and fundamental rights; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve independent experts in this annual exercise in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected;

Amendment

2. Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass the areas of democracy and fundamental rights; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve independent experts in this annual exercise in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected; ***calls on the Commission to cover the areas of democracy and fundamental rights in its annual country-specific recommendations;***

Or. it

Amendment 12

Marc Angel

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2 a. Notes the high number of petitions received from citizens relating to discrimination faced by minorities, especially LGBTI persons; Condemns in the strongest way possible the fact that many of these petitions also highlight systemic discrimination and encouragement of hate speech by public authorities and elected officials in some Member States against LGBTI persons; Welcomes in that sense the commitment by the Commission to present an initiative to extend the list of 'EU crimes 'under Article 83 (1) of the Treaty on the Functioning of the European Union (TFEU) to cover hate crime and hate

*speech, including when targeted at
LGBTIQ people, by the end of 2021;*

Or. en

Amendment 13

Cristian Terheş, Angel Dzhambazki, Andrey Slabakov

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2 a. Notes that the criteria applied to Member States in order to measure their compliance with the rule of law are not clear and identical, which creates a double standard and generates discrimination and mistrust; calls for the adoption of single criteria and equal evaluation standards for all Member States as underlined by both Commissioner Vice-President for Values and Transparency, Vera Jourova, and Commissioner for Justice, Didier Reynders, as well as many MEPs in the LIBE Committee debates countless times;

Or. en

Amendment 14

Loránt Vincze

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2 a. Reminds that, the main aim of the rule of law mechanism exercise should remain to encourage and support Member States to strengthen their rule of law culture, based on constructive dialogue, mutual trust, and sharing of best practices between the EU institutions and the Member States;

Amendment 15

Vlad Gheorghe, Maite Pagazaurtundúa, Ulrike Müller, Frédérique Ries, Ramona Strugariu, Marie-Pierre Vedrenne

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2 a. Stresses that more fact-finding missions need to be organised to assess the major rule of law concerns in relevant Member States;

Or. en

Amendment 16

Angel Dzhambazki, Andrey Slabakov, Kosma Zlotowski, Cristian Terheş

Draft opinion

Paragraph 3

Draft opinion

Amendment

3. Criticises the failure of the Council to make progress by applying sanctions in the ongoing procedures under Article 7 of the TEU, confirming that the Union remains structurally badly equipped to counter rule of law violations; highlights that, in any case, a full and effective use of all tools available at Union level, such as infringement procedures, the procedures enshrined in the Common Provisions Regulation and Conditionality Regulation¹, the Rule of Law Framework and Article 7 of the TEU, must be made to address breaches of the rule of law; underlines citizens' high expectations expressed in petitions asking for a proper and rapid Union level response to put an end to such violations;

3. Highlights that, in any case, a full and effective use of all tools available at Union level, such as infringement procedures, the procedures enshrined in the Common Provisions Regulation and Conditionality Regulation¹, the Rule of Law Framework and Article 7 of the TEU, must be made to address breaches of the rule of law, ***following a specific well scrutinised procedure***; underlines citizens' high expectations expressed in petitions asking for a proper and rapid Union level response to put an end to such violations;

¹ Regulation (EU, Euratom) 2020/2092 of

¹ Regulation (EU, Euratom) 2020/2092 of

the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget.

the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget.

Or. en

Amendment 17 Loránt Vincze

Draft opinion Paragraph 3

Draft opinion

3. ***Criticises the failure of*** the Council to make progress ***by applying sanctions*** in the ongoing procedures under Article 7 of the TEU, ***confirming*** that the Union ***remains structurally badly equipped to counter*** rule of law ***violations***; highlights that, in any case, a full and effective use of all tools available at Union level, such as infringement procedures, ***the procedures enshrined in the Common Provisions Regulation and Conditionality Regulation***¹, the Rule of Law Framework and Article 7 of the TEU, must be made to address breaches of the rule of law; underlines citizens' high expectations expressed in petitions asking for a proper and rapid Union level response to put an end to such violations;

¹ 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.

Amendment

3. ***Reminds*** the Council to make progress in the ongoing procedures under Article 7 of the TEU, ***underlying*** that the Union ***is one of the places in the world with the highest*** rule of law ***standards***; highlights that, in any case, a full and effective use of all tools available at Union level, such as infringement procedures, the Rule of Law Framework and Article 7 of the TEU, must be made to address breaches of the rule of law; underlines citizens' high expectations expressed in petitions asking for a proper and rapid Union level response to put an end to such violations;

Or. en

Amendment 18 Cristian Terheş, Andrey Slabakov, Angel Dzhambazki

Draft opinion
Paragraph 3

Draft opinion

3. Criticises the failure of the Council to make progress by applying sanctions in the ongoing procedures under Article 7 of the TEU, confirming that the Union remains structurally badly equipped to counter rule of law violations; highlights that, in any case, a full and effective use of all tools available at Union level, such as infringement procedures, the procedures enshrined in the Common Provisions Regulation and Conditionality Regulation¹, the Rule of Law Framework and Article 7 of the TEU, must be made to address breaches of the rule of law; underlines citizens' high expectations expressed in petitions asking for a proper and rapid Union level response to put an end to such violations;

¹ 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.

Amendment

3. Criticises the failure of the Council to make progress by applying sanctions in the ongoing procedures under Article 7 of the TEU, confirming that the Union remains structurally badly equipped to counter rule of law violations; highlights that, in any case, a full and effective use of all tools available at Union level, such as infringement procedures, the procedures enshrined in the Common Provisions Regulation and Conditionality Regulation¹, the Rule of Law Framework and Article 7 of the TEU, must be made to address breaches of the rule of law; underlines citizens' high expectations expressed in petitions asking for a proper and rapid Union level response to put an end to such violations; ***emphasises that any discussions about sanctions against a Member State must be based solely on objective and technical criteria and not on political evaluations or motivations;***

¹ 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.

Or. en

Amendment 19
Loránt Vincze

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3 a. Calls on the Commission to develop a comprehensive rule of law methodology, which sets transparent and

clear rules for assessment and ensures equal treatment of all Member States; reminds the Commission at its role as guardian of the Treaties to ensure the respect of EU law in an objective manner, while taking into account the concerns of all Europeans;

Or. en

Amendment 20
Margrete Auken

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3 a. *Calls on the Commission to make a more effective and timely use of its power to refer a Member State to the Court of Justice of the European Union, asking the Court of Justice to order interim measures with a view to preventing the aggravation of serious and irreparable harm inflicted to Rule of Law;*

Or. en

Amendment 21
Cristian Terheş, Andrey Slabakov, Angel Dzhambazki

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3 a. *Having regard to the implementation of the Rule of law report and in compliance with the European Commissioners narrative on this issue, calls for the end of the Cooperation and Verification Mechanism for Romania and Bulgaria;*

Or. en

Amendment 22

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

Draft opinion

Paragraph 3 a (new)

Draft opinion

Amendment

3 a. *Regrets the institutional inactivity towards the international crime of illegal migration;*

Or. en

Amendment 23

Cristian Terheş, Andrey Slabakov, Angel Dzhambazki

Draft opinion

Paragraph 4

Draft opinion

Amendment

4. Regrets that reforms adopted in some Member States have seriously threatened the independence of the justice system, increasing the influence of the executive and legislative branch over its functioning, thus leading the Commission to launch infringement proceedings and raise concerns in the context of procedures under Article 7 of the TEU;

4. Regrets that reforms adopted in some Member States have seriously threatened the independence of the justice system, increasing the influence of the executive and legislative branch over its functioning, thus leading the Commission to launch infringement proceedings and raise concerns in the context of procedures under Article 7 of the TEU; ***underlines that, in order to safeguard the fundamental rights and freedoms of citizens, the justice system and the judges must be protected from any pressure, threat or interference, direct or indirect, from inside or outside the judiciary, including political authorities or intelligence agencies/secret services 1a 1b***

***Paragraph 22 of Recommendation CM/Rec(2010)12 of the Committee of Ministers to member states on judges: independence, efficiency and responsibilities
(https://search.coe.int/cm/Pages/result_de***

tails.aspx?ObjectId=09000016805afb78)

^{1b} Paragraph 27 of CCJE Opinion No. 21 (2018) Preventing corruption among judges (<https://rm.coe.int/ccje-2018-3e-avis-21-ccje-2018-prevent-corruption-amongst-judges/native/16808fd8dd>)

^{1b} Paragraph 27 of CCJE Opinion No. 21 (2018) Preventing corruption among judges (<https://rm.coe.int/ccje-2018-3e-avis-21-ccje-2018-prevent-corruption-amongst-judges/native/16808fd8dd>)

Or. en

Amendment 24
Mario Furore

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Points out that Parliament's Committee on Petitions has, for over 10 years, been receiving petitions in which a very high number of non-German parents expose systemic discrimination and arbitrary measures taken against them by the German Youth Welfare Office (Jugendamt) in cross-border family disputes involving children, on matters concerning, inter alia, parental responsibility and child custody; believes that discriminatory practices should be deemed violations of the rule of law; calls on the Commission to play an active role in ensuring fair and consistent non-discriminatory practices with respect to parents in the handling of cross-border child custody cases throughout the Union;

Or. it

Amendment 25
Margrete Auken

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4 a. Condemns political attacks and media campaigns occurred in some Member States against judges and prosecutors who took public positions to denounce reforms threatening the independence of the judiciary; emphasizes that in a recent decision the European Court of Human Rights^{1a} reaffirmed the freedom of expression for prosecutors and judges to participate in public debates on legislative reforms affecting the fight against corruption, the judiciary and more generally on issues concerning the independence of the justice system;

^{1a} Judgment of 5 May 2020 of the European Court of Human Rights, *Kövesi v. Romania*;

Or. en

Amendment 26
Cristian Terheş, Andrey Slabakov, Angel Dzhambazki

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4 a. Notes that in many Member States the judiciary has overturned a series of abusive measures implemented under the pretext of combating the spread of the Covid19 virus; deplores, at the same time, that in some Member States the judiciary has avoided, under various pretexts, to judge and rule on the legality and proportionality of the anti-Covid19 measures, leaving citizens exposed to

abusive measures;

Or. en

Amendment 27

Emmanouil Fragkos, Andrey Slabakov, Angel Dzhambazki, Cristian Terheş

Draft opinion

Paragraph 4 a (new)

Draft opinion

Amendment

4 a. regrets the inexplicable delays concerning murders committed from the extreme-left;

Or. en

Amendment 28

Margrete Auken

Draft opinion

Paragraph 4 b (new)

Draft opinion

Amendment

4 b. Stresses the utmost importance of ensuring independent and impartial justice systems as key pillars in adequately fighting against corruption, in protecting the financial interests of the Union concerning the correct use of EU funds as well as in increasing citizens' trust in the judiciary;

Or. en

Amendment 29

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

Draft opinion

Paragraph 4 b (new)

4 b. regrets the fact that the extreme-left violence and hate-speech have not been treated with equal attention in all Member States, compromising the citizens' trust to the Rule of Law;

Or. en

Amendment 30

Angel Dzhambazki, Andrey Slabakov, Kosma Złotowski, Cristian Terheş, Emmanouil Fragkos

**Draft opinion
Paragraph 5**

Draft opinion

5. Highlights that the COVID-19 pandemic has confirmed the importance of strengthening independent journalism and access to pluralistic information as key enablers of rule of law and democratic accountability able to provide citizens with fact-checked information, thereby contributing to the fight against disinformation; deplores the fact that in a number of Member States, journalists have increasingly faced physical threats and online harassment, *especially female journalists*;

Amendment

5. Highlights that the COVID-19 pandemic has confirmed the importance of strengthening independent journalism and access to pluralistic information as key enablers of rule of law and democratic accountability able to provide citizens with fact-checked information, thereby contributing to the fight against disinformation; deplores the fact that in a number of Member States, journalists have increasingly faced physical threats and online harassment;

Or. en

Amendment 31

Maite Pagazaurtundúa, Vlad Gheorghe, Frédérique Ries

**Draft opinion
Paragraph 5**

Draft opinion

5. Highlights that the COVID-19 pandemic has confirmed the importance of strengthening independent journalism and

Amendment

5. ***Calls on the Commission to continue to assess rigorously and objectively whether press freedom is***

access to pluralistic information as key enablers of rule of law and democratic accountability able to provide citizens with fact-checked information, thereby contributing to the fight against disinformation; deplores the fact that in a number of Member States, journalists have increasingly faced physical threats and online harassment, especially female journalists;

respected in all Member States; highlights that the COVID-19 pandemic has confirmed the importance of strengthening independent journalism and access to pluralistic information as key enablers of rule of law and democratic accountability able to provide citizens with fact-checked information, thereby contributing to the fight against disinformation; deplores the fact that in a number of Member States, journalists have increasingly faced physical threats and online harassment, especially female journalists; ***regrets that such attacks often lead to self-censorship and undermine citizens' right to information;***

Or. en

Amendment 32

Mario Furore

Draft opinion

Paragraph 5

Draft opinion

5. Highlights that the COVID-19 pandemic has confirmed the importance of strengthening independent journalism and access to pluralistic information as key enablers of rule of law and democratic accountability able to provide citizens with fact-checked information, thereby contributing to the fight against disinformation; deplores the fact that in a number of Member States, journalists have increasingly faced physical threats and online harassment, especially female journalists;

Amendment

5. Highlights that the COVID-19 pandemic has confirmed the importance of strengthening independent journalism and access to pluralistic information as key enablers of rule of law and democratic accountability able to provide citizens with fact-checked information, thereby contributing to the fight against disinformation; ***notes with concern that online platforms and social networks based in third countries have even censored information from official sources and recognised media outlets in the EU Member States;*** deplores the fact that in a number of Member States, journalists have increasingly faced physical threats and online harassment, especially female journalists;

Or. it

Amendment 33

Vlad Gheorghe, Maite Pagazaurtundúa, Ulrike Müller, Ramona Strugariu, Marie-Pierre Vedrenne

Draft opinion

Paragraph 5

Draft opinion

5. Highlights that the COVID-19 pandemic has confirmed the importance of strengthening independent journalism and access to pluralistic information as key enablers of rule of law and democratic accountability able to provide citizens with fact-checked information, thereby contributing to the fight against disinformation; deplores the fact that in a number of Member States, journalists have increasingly faced physical threats and online harassment, especially female journalists;

Amendment

5. Highlights that the COVID-19 pandemic has confirmed the importance of strengthening independent journalism, ***whistleblower protection*** and access to pluralistic information as key enablers of rule of law and democratic accountability able to provide citizens with fact-checked information, thereby contributing to the fight against disinformation; deplores the fact that in a number of Member States, journalists have increasingly faced physical threats and online harassment, especially female journalists;

Or. en

Amendment 34

Marc Angel

Draft opinion

Paragraph 5 a (new)

Draft opinion

Amendment

5 a. Highlights that in order to be able to scrutinize decision-makers' actions and to hold them accountable, in respect of the principle of rule of law, citizen's must have the right tools at their disposal and be aware of their rights and obligations in the first place; Recalls in that sense the importance of petitions as a direct and simple tool for citizens to claim their rights and to hold decision-makers accountable;

Or. en

Amendment 35

Cristian Terheş, Angel Dzhambazki, Andrey Slabakov

Draft opinion

Paragraph 5 a (new)

Draft opinion

Amendment

5 a. Deplores that in a number of Member States the governments have classified information on public procurement during the Covid19 pandemic which increased the risk of corruption for authorities and mistrust among citizens; calls on these Member States to reverse these abusive measures and provide full transparency in relation to journalists and citizens;

Or. en

Amendment 36

Margrete Auken

Draft opinion

Paragraph 5 a (new)

Draft opinion

Amendment

5 a. Criticises the deployment against journalists of 'SLAPP' lawsuits namely those strategic lawsuits against public participation intended to censor, intimidate, and silence critics by burdening the concerned persons with the cost of a legal defence until they abandon their criticism;

Or. en

Amendment 37

Cristian Terheş, Andrey Slabakov, Angel Dzhambazki

Draft opinion

Paragraph 5 b (new)

Draft opinion

Amendment

5 b. *Notes with concern that the contracts signed by the European Commission with Covid19 vaccine companies have clauses that have not been made public yet; emphasizes that any official acts or contracts adopted or signed by the European entities or Member States that concern the health of European citizens must be public in its entirety;*

Or. en

Amendment 38
Margrete Auken

Draft opinion
Paragraph 5 b (new)

Draft opinion

Amendment

5 b. *Calls on the Commission to step up its efforts to make sure that Member States' comply with their obligations to guarantee an enabling environment for journalists, protect their safety as well as pro-actively promote media freedom and media pluralism;*

Or. en

Amendment 39
Emmanouil Fragkos, Jorge Buxadé Villalba, Andrey Slabakov, Angel Dzhambazki, Cristian Terheş

Draft opinion
Paragraph 6

Draft opinion

Amendment

6. Underlines that the Court of Justice of the European Union recently ruled² that civil society organisations must be able to operate without unjustified interference by

6. Underlines that the Court of Justice of the European Union recently ruled² that civil society organisations must be able to operate without unjustified interference by

the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; is seriously concerned that some NGOs active in the area of migration ***and LGBTI+ rights are subject to smear campaigns, and face severe restriction of the civic space where they can*** operate.

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; is seriously concerned that some NGOs active in the area of migration ***disregard national sovereignty wherever they*** operate.

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

Or. en

Amendment 40

Angel Dzhambazki, Andrey Slabakov, Kosma Złotowski, Cristian Terheş, Emmanouil Fragkos

Draft opinion Paragraph 6

Draft opinion

6. Underlines that the Court of Justice of the European Union recently ruled² that civil society organisations must be able to operate without unjustified interference by the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; ***is seriously concerned that some NGOs active in the area of migration and LGBTI+ rights are subject to smear campaigns, and face severe restriction of the civic space where they can*** operate.

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

Amendment

6. Underlines that the Court of Justice of the European Union recently ruled² that civil society organisations must be able to operate without unjustified interference by the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society.

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

Or. en

Amendment 41
Loránt Vincze

Draft opinion
Paragraph 6

Draft opinion

6. Underlines that the Court of Justice of the European Union recently **ruled**² that civil society organisations must be able to operate without unjustified interference by the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; is seriously concerned that some NGOs **active in the area of migration and LGBTI+ rights are subject to smear campaigns, and face severe** restriction of the civic space where they **can** operate.

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

Amendment

6. Underlines that the Court of Justice of the European Union recently **confirmed**² that civil society organisations must be able to operate without unjustified interference by the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; is seriously concerned that some NGOs **may face** restriction of the civic space where they operate.

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

Or. en

Amendment 42
Marc Angel

Draft opinion
Paragraph 6

Draft opinion

6. Underlines that the Court of Justice of the European Union recently ruled² that civil society organisations must be able to operate without unjustified interference by the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; is seriously concerned that some NGOs active in the area of migration and LGBTI+ rights are subject to smear campaigns, and face severe

Amendment

6. Underlines that the Court of Justice of the European Union recently ruled² that civil society organisations must be able to operate without unjustified interference by the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; is seriously concerned that some NGOs active in the area of migration, **women's right** and LGBTI+ rights are subject to smear campaigns

restriction of the civic space where they can operate.

*and/or SLAPPs(Strategic Lawsuits Against Public Participation)and face severe restriction of the civic space where they can operate; **Calls on the Commission to accelerate the setting up and the beginning of the actual work of the expert group on SLAPPs as foreseen in the European Democracy Action Plan, and to ensure any upcoming legislative proposal also addresses the above-mentioned.***

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

Or. en

Amendment 43

Emmanouil Fragkos, Andrey Slabakov, Angel Dzhambazki

Draft opinion Paragraph 6

Draft opinion

6. Underlines that the Court of Justice of the European Union recently ruled² that civil society organisations must be able to operate without unjustified interference by the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; is seriously concerned that some NGOs active in the area of migration and LGBTI+ rights are subject to smear campaigns, and face severe restriction of the civic space where they can operate.

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

Amendment

6. Underlines that the Court of Justice of the European Union recently ruled² that **legal** civil society organisations **that abide by the Rule of Law**, must be able to operate without unjustified interference by the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society, **therefore there must be institutions assuring the transparency of their activities and sources of funding**; is seriously concerned that some NGOs active in the area of migration and LGBTI+ rights are subject to smear campaigns, and face severe restriction of the civic space where they can operate.

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

Amendment 44

Vlad Gheorghe, Maite Pagazaurtundúa, Ulrike Müller, Ramona Strugariu, Marie-Pierre Vedrenne

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

6. Underlines that the Court of Justice of the European Union recently ruled² that civil society organisations must be able to operate without unjustified interference by the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; is seriously concerned that some NGOs active in the area of migration and LGBTI+ rights are subject to smear campaigns, and face severe restriction of the civic space where they can operate.

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

Amendment

6. Underlines that the Court of Justice of the European Union recently ruled² that civil society organisations must be able to operate without unjustified interference by the state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; is seriously concerned that some NGOs active in the area of migration and LGBTI+ rights are subject to smear campaigns, and face severe restriction of the civic space where they can operate; ***deplores the stillpersistent phenomenon of strategic lawsuit against public participation (SLAPP); highlights that politicisation in public procurement undermines good governance and underlines that the activities of NGOs and CSOs are crucial in countering this malpractice; believes that strong safeguard measures must be taken to prevent this phenomenon from occurring;***

² Judgment of 18 June 2020, Commission v Hungary, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

Amendment 45

Vlad Gheorghe, Maite Pagazaurtundúa, Ulrike Müller, Marie-Pierre Vedrenne

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

6 a. *Underlines the necessity to raise awareness among the EU citizens and residents on the means and procedures available at national and EU level to safeguard the respect of the rule of law and to report its breaches, with petitions to the European Parliament being one of such instruments; underlines that the redress of justice for those who became victims of the rule of law breaches is an essential element of building trust towards institutions and must be guaranteed by the Member States; invites in this regard the Commission to provide concrete recommendations to the responsible authorities in order to compensate the impacted individuals for the breaches of their fundamental rights.*

Or. en

Amendment 46
Margrete Auken

Draft opinion
Paragraph 6 a (new)

6 a. *Calls for a comprehensive approach to fighting corruption based on prevention and repressive measures implying, inter alia, effective anti-corruption legal frameworks, the highest standards of transparency and integrity in all sectors of society, independent and impartial justice systems that effectively enforce anti-corruption legislation as well as effective, proportionate and dissuasive sanctions including the effective recovery of proceeds of corruption.*

Or. en

Amendment 47

Maite Pagazaurtundúa, Vlad Gheorghe, Frédérique Ries

Draft opinion

Paragraph 6 a (new)

Draft opinion

Amendment

6 a. *Regrets that freedom of association and the shrinking space for civil society are not part of the 2020 report; reiterates that civil society is essential for democracies to flourish and that shrinking space for civil society contributes to violations of democracy, the rule of law and fundamental rights; reiterates that the Union institutions should maintain an open, transparent and regular dialogue with representative associations and civil society.*

Or. en

Amendment 48

Cristian Terheş, Andrey Slabakov, Angel Dzhambazki

Draft opinion

Paragraph 6 a (new)

Draft opinion

Amendment

6 a. *Stresses that in order to prevent foreign interference in the sovereignty of Member States democracies and meddling with the EU democratic institutions, the NGOs must make public their funding sources; underlines that, in order to respect the transparency principle and the right to know of the European citizens, all European bodies must disclose and publish a list of all the NGOs that they finance and with what amounts.*

Or. en

Amendment 49

Vlad Gheorghe, Maite Pagazaurtundúa, Ulrike Müller, Marie-Pierre Vedrenne

Draft opinion

Paragraph 6 b (new)

Draft opinion

Amendment

6 b. *Regrets that the application of Co-operation and Verification Mechanism still prevents some EU citizens from fully benefitting of the area of freedom, security and justice.*

Or. en

Amendment 50

Vlad Gheorghe, Maite Pagazaurtundúa, Ulrike Müller, Ramona Strugariu, Marie-Pierre Vedrenne

Draft opinion

Paragraph 6 c (new)

Draft opinion

Amendment

6 c. *Highlights that adequate rule of law standards should be guaranteed for the EU citizens and residents during their exercise of freedom of movement rights within the EU; stresses that social and medical protection, as well as effective access to justice, must be fully guaranteed to seasonal workers and cross-border workers when they pursue their professional activity in another Member State.*

Or. en

Amendment 51

Vlad Gheorghe, Maite Pagazaurtundúa, Ulrike Müller, Frédérique Ries, Ramona Strugariu, Marie-Pierre Vedrenne

Draft opinion

Paragraph 6 d (new)

6 d. Highlights that the capacity of the EU and its Member States to uphold the rule of law determines its international image and the credibility in promoting rule of law, democracy and human rights in third countries; warns about the risk of the interference of third countries in all democratic processes at EU level through, inter alia, international corruption schemes, which jeopardise the rule of law in the EU; stresses that EU citizens living in third countries must be treated with respect to the rule of law in their interaction with the authorities in their MS, as well as with EU authorities.

Or. en