

**Amendment 8****Malin Björk**

on behalf of The Left Group

**Motion for a resolution****B9-0208/2021****PPE, S&D, Renew, Verts/ALE, The Left**

Application of Regulation (EU, Euratom) 2020/2092, the rule-of-law conditionality mechanism

**Motion for a resolution****Paragraph 4***Motion for a resolution*

4. Recalls that according to Article 2 of the Rule of Law Conditionality Regulation, the rule of law ‘refers to the Union value enshrined in Article 2 TEU’, and ‘includes the principles of legality implying a transparent, accountable, democratic and pluralistic law-making process; legal certainty; prohibition of arbitrariness of the executive powers; effective judicial protection, including access to justice, by independent and impartial courts, also as regards fundamental rights; separation of powers; and non-discrimination and equality before the law’; recalls further that ‘the rule of law shall be understood having regard to the other Union values and principles enshrined in Article 2 TEU’;

*Amendment*

4. Recalls that according to Article 2 of the Rule of Law Conditionality Regulation, the rule of law ‘refers to the Union value enshrined in Article 2 TEU’, and ‘includes the principles of legality implying a transparent, accountable, democratic and pluralistic law-making process; legal certainty; prohibition of arbitrariness of the executive powers; effective judicial protection, including access to justice, by independent and impartial courts, also as regards fundamental rights; separation of powers; and non-discrimination and equality before the law’; recalls further that ‘the rule of law shall be understood having regard to the other Union values and principles enshrined in Article 2 TEU’; ***calls on the Commission, therefore, to use all the tools available, including the regulation, to address the persistent violations of democracy and fundamental rights everywhere in the Union, including attacks against media freedom and journalists, women’s rights, LGBTIQ people’s rights, freedom of association and freedom of assembly;***

Or. en

22.3.2021

B9-0208/9

**Amendment 9**

**Malin Björk**

on behalf of The Left Group

**Motion for a resolution**

**B9-0208/2021**

**PPE, S&D, Renew, Verts/ALE, The Left**

Application of Regulation (EU, Euratom) 2020/2092, the rule-of-law conditionality mechanism

**Motion for a resolution**

**Paragraph 7**

*Motion for a resolution*

7. Believes that the situation as regards respect for the principles of the rule of law in some Member States warrants immediate consideration; urges the Commission to make full use of its powers of investigation for each case of a potential breach of the principles of the rule of law by a Member State, which could affect or seriously risk affecting the sound financial management of the Union budget in a sufficiently direct way;

*Amendment*

7. Believes that the situation as regards respect for the principles of the rule of law in some Member States warrants immediate consideration; urges the Commission to make full use of its powers of investigation for each case of a potential breach of the principles of the rule of law by a Member State, which could affect or seriously risk affecting the sound financial management of the Union budget in a sufficiently direct way; ***stresses the need to involve a panel of independent experts in cooperation with the European Union Agency for Fundamental Rights and the Venice Commission to investigate and identify any potential breach by a Member State and to prepare a thorough qualitative assessment;***

Or. en

**Amendment 10****Malin Björk**

on behalf of The Left Group

**Motion for a resolution****B9-0208/2021****PPE, S&D, Renew, Verts/ALE, The Left**

Application of Regulation (EU, Euratom) 2020/2092, the rule-of-law conditionality mechanism

**Motion for a resolution****Paragraph 9***Motion for a resolution*

9. Stresses that the Commission is obliged to inform the European Parliament and the Council without delay of any notification sent to Member States in case it has reasonable grounds to consider that the conditions for the adoption of measures set out in the Regulation are fulfilled; notices with disappointment the absence of any written notification to Member States since the entry into force of the Regulation, despite many concerns about the breaches of the rule of law identified in the Commission's 2020 Rule of Law Report, which have an impact on the sound financial management of the Union budget and remain unresolved by Member States; notes that the other procedures set out in Union legislation do not allow the Commission to protect the Union budget more effectively;

*Amendment*

9. Stresses that the Commission is obliged to inform the European Parliament and the Council without delay of any notification sent to Member States in case it has reasonable grounds to consider that the conditions for the adoption of measures set out in the Regulation are fulfilled; notices with disappointment the absence of any written notification to Member States since the entry into force of the Regulation, despite many concerns about the breaches of the rule of law identified in the Commission's 2020 Rule of Law Report, which have an impact on the sound financial management of the Union budget and remain unresolved by Member States; ***calls on the Commission to draw conclusions from its own findings, in particular about the proper functioning of investigation and public prosecution services and about endangering the independence of the judiciary in Hungary and Poland, and to send a notification to the Hungarian and Polish Governments without delay***; notes that the other procedures set out in Union legislation do not allow the Commission to protect the Union budget more effectively;

Or. en

