

11.9.2020

A9-0138/38

**Amendment 38**

**Jadwiga Wiśniewska, Joachim Stanisław Brudziński, Elżbieta Kruk**  
on behalf of the ECR Group

**Report**

**A9-0138/2020**

**Juan Fernando López Aguilar**

Determination of a clear risk of a serious breach by the Republic of Poland of the rule of law  
2017/0360R(NLE)

**Motion for a resolution**

**Citation 34**

*Motion for a resolution*

*Amendment*

— *having regard to the annual  
reports of the European Union Agency  
for Fundamental Rights and the  
European Anti-Fraud Office,*

*deleted*

Or. en

11.9.2020

A9-0138/39

**Amendment 39**

**Jadwiga Wiśniewska, Joachim Stanisław Brudziński, Elżbieta Kruk**  
on behalf of the ECR Group

**Report**

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**Juan Fernando López Aguilar**

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2017/0360R(NLE)

**Motion for a resolution**

**Citation 35**

*Motion for a resolution*

*Amendment*

— *having regard to the 2018 WHO  
recommendations on adolescent sexual  
and reproductive health and rights,*

*deleted*

Or. en

11.9.2020

A9-0138/40

**Amendment 40**

**Jadwiga Wiśniewska, Joachim Stanisław Brudziński, Elżbieta Kruk**  
on behalf of the ECR Group

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2017/0360R(NLE)

**Motion for a resolution**

**Citation 38**

*Motion for a resolution*

*Amendment*

— *having regard to the opinion of the* *deleted*  
*Committee on Women's Rights and*  
*Gender Equality,*

Or. en

**Amendment 41**

**Jadwiga Wiśniewska, Joachim Stanisław Brudziński, Elżbieta Kruk**  
on behalf of the ECR Group

**Report**

**A9-0138/2020**

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2017/0360R(NLE)

**Motion for a resolution**

**Recital a**

*Motion for a resolution*

A. whereas the Union is founded on the values ***of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, as set out*** in Article 2 of the Treaty on European Union and as reflected in the Charter of Fundamental Rights of the European Union and embedded in international human rights treaties;

*Amendment*

A. whereas the Union is founded on the values ***laid down*** in Article 2 of the Treaty on European Union and as reflected in the Charter of Fundamental Rights of the European Union and embedded in international human rights treaties

Or. en

**Amendment 42**

**Jadwiga Wiśniewska, Joachim Stanisław Brudziński, Elżbieta Kruk**  
on behalf of the ECR Group

**Report****A9-0138/2020****Juan Fernando López Aguilar**

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2017/0360R(NLE)

**Motion for a resolution****Recital b***Motion for a resolution*

B. whereas, *in contrast to Article 258 of the Treaty on the Functioning of the European Union*, the scope of Article 7 of the Treaty on European Union is *not confined to areas* covered by *Union law*, as indicated in the Commission's *Communication of 15 October 2003*, and whereas the Union can therefore assess the existence of a clear risk of a serious breach of the common values referred to in Article 2 of the Treaty on European Union not only in the event of a breach in this limited field but also in the event of a breach in an area where the Member States act autonomously;

*Amendment*

B. whereas the scope *of application* of Article 7 of the Treaty on European Union is *determined by the scope of the Commission proposal and, in the absence of an extension of the scope of the proposal, Parliament cannot arbitrarily determine the area* covered by *the procedure*;

Or. en

**Amendment 43**

**Jadwiga Wiśniewska, Joachim Stanisław Brudziński, Elżbieta Kruk**  
on behalf of the ECR Group

**Report**

**A9-0138/2020**

**Juan Fernando López Aguilar**

Determination of a clear risk of a serious breach by the Republic of Poland of the rule of law  
2017/0360R(NLE)

**Motion for a resolution**

**Recital b a (new)**

*Motion for a resolution*

*Amendment*

***B a. whereas the procedure under Article 7 of the Treaty on European Union has its limits set by the reasoned proposal submitted by the Commission, and any matters not covered by it cannot be subject to Parliament's consent procedure;***

Or. en

**Amendment 44**

**Jadwiga Wiśniewska, Joachim Stanisław Brudziński, Elżbieta Kruk**  
on behalf of the ECR Group

**Report**

**A9-0138/2020**

**Juan Fernando López Aguilar**

Determination of a clear risk of a serious breach by the Republic of Poland of the rule of law  
2017/0360R(NLE)

**Motion for a resolution**

**Recital b b (new)**

*Motion for a resolution*

*Amendment*

***B b. Points out that Parliament's role in the consent procedure is described in Article 7 of the Treaty on European Union and cannot be otherwise usurped; recalls that, according to Article 269 of the Treaty on the Functioning of the European Union, only procedural matters can be challenged before the Court of Justice of the European Union under Article 7 of the Treaty on European Union;***

Or. en

**Amendment 45**

**Jadwiga Wiśniewska, Joachim Stanisław Brudziński, Elżbieta Kruk**  
on behalf of the ECR Group

**Report****A9-0138/2020****Juan Fernando López Aguilar**

Determination of a clear risk of a serious breach by the Republic of Poland of the rule of law 2017/0360R(NLE)

**Motion for a resolution****Paragraph 2***Motion for a resolution*

2. ***Reiterates its position, expressed in several of its resolutions on the situation of the rule of law and democracy in Poland, that the facts and trends mentioned in this resolution taken together represent a systemic threat to the values of Article 2 of the Treaty on European Union (TEU) and constitute a clear risk of a serious breach thereof;***

*Amendment*

2. ***Confirms that an assessment of a possible breach of Article 2 of the Treaty on European Union (TEU) should only be made once the reform process in the areas concerned has been completed;***

Or. en



**Amendment 46**

**Jadwiga Wiśniewska, Joachim Stanisław Brudziński, Elżbieta Kruk**  
on behalf of the ECR Group

**Report**

**A9-0138/2020**

**Juan Fernando López Aguilar**

Determination of a clear risk of a serious breach by the Republic of Poland of the rule of law  
2017/0360R(NLE)

**Motion for a resolution**

**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

**2 a.** *Notes the explanations provided by the Polish government as regards the reasons for the introduction of the reform of the judiciary and considers those explanations to be legitimate and convincing in the context of the concerns expressed by Member States;*

Or. en