

Amendments to R18: No EU money for autocrats - protect Europe's rule of law!						
N°	Lines	Tabled by	Original text	Proposed amendment	Explanation / comment	Pre-CAS Proposal
1	AM-1-10	Europe Ecologie - Les Verts	Democracy and the rule of law in Europe are in danger. The Hungarian government is systematically dismantling democracy in Hungary. Prime Minister Viktor Orbán	From line 1 to 2: Democracy The European Union is founded on a set of shared principles, including the respect for fundamental rights, democracy, and the rule of law. These common values are laid down in the Treaty on European Union (TEU) and explicitly stipulated in the Preamble of the Charter of Fundamental Rights of the European Union. However, democracy and the rule of law in Europe are in danger. The Hungarian government is systematically dismantling democracy in Hungary. Prime Minister Viktor Orbán		Proposal to accept
2	AM-3-7	Vihreät - De Gröna	is systematically dismantling democracy in Hungary. Prime Minister Viktor Orbán bases his power in part on corruption and nepotism. Media freedom and the rights of minorities and refugees have been severely restricted. He uses his veto power as a nationalist instrument and thus restricts the European Union's unity and	From line 2 to 5: is systematically dismantling democracy in Hungary. Prime Minister Viktor Orbán bases his power in part on corruption, nepotism, destroying checks and balances and state capture. Media freedom Freedom of media and academia, space for independent civil society organizations, independence of the judiciary, and the rights of minorities and refugees have been severely restricted. He uses his veto power as a nationalist instrument and thus restricts the European Union's unity and	These are all well documented developments of dismantling democracy in Hungary and it is important to introduce them in the very beginning the highlight the severity of the situation.	Compromise wording agreed by all involved MPs: "Prime Minister Viktor Orbán bases his power in part on corruption, nepotism, destroying checks and balances and state capture. Media freedom, academic freedoms, space for independent civil society organizations, independence of the judiciary, and the rights of minorities and refugees have been severely restricted with discriminating laws that violate fundamental rights. In addition to threatening rule of law, he uses his veto power as a nationalist instrument and thus restricts the European Union's unity and ability to act, in particular on helping Ukraine and adopting sanctions against Russia. In recent years, similar attempts to threaten free media or attack the judiciary have also been observed in other EU Member States [...]"
3	AM-4-3	Groen	bases his power in part on corruption and nepotism. Media freedom and the rights of minorities and refugees have been severely restricted. He uses his veto power as a nationalist instrument and thus restricts the European Union's unity and	Insert from line 3 to 5: bases his power in part on corruption and nepotism. Media freedom and the rights of minorities and refugees have been severely restricted with discriminating laws that violate fundamental rights. He uses his veto power as a nationalist instrument and thus restricts the European Union's unity and	Restricting rights sounds too soft. It is not just restricting rights but discriminating against minorities. This is why the European Commission started its infringement procedures.	
4	AM-4-10	Europe Ecologie - Les Verts	bases his power in part on corruption and nepotism. Media freedom and the rights of minorities and refugees have been severely restricted. He uses his veto power as a nationalist instrument and thus restricts the European Union's unity and	From line 3 to 5: bases his power in part on corruption and nepotism. Media freedom and the rights of minorities and refugees have been severely restricted. He In addition to threatening rule of law, he uses his veto power as a nationalist instrument and thus restricts the European Union's unity and		
5	AM-6-1	Greens/EFA Group in the European Parliament	as a nationalist instrument and thus restricts the European Union's unity and ability to act. In recent years, similar attempts to threaten free media or attack the judiciary have also been observed in other EU Member States.	Insert from line 5 to 7: as a nationalist instrument and thus restricts the European Union's unity and ability to act, in particular on helping Ukraine and adopting sanctions against Russia. In recent years, similar attempts to threaten free media or attack the judiciary have also been observed in other EU Member States.		

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6	AM-10-1	Greens/EFA Group in the European Parliament	course that undermines judicial independence. Judgments of the European Court of Justice (ECJ) are regularly ignored. The PiS party has attacked the rights of women, members of the LGBTIQ community, refugees and many others. EU	Insert from line 9 to 11: course that undermines judicial independence. Judgments of the European Court of Justice (ECJ) <u>and the European Court of Human Rights</u> are regularly ignored. The PiS party has attacked the rights of women, members of the LGBTIQ community, refugees and many others. EU		Proposal to accept
7	AM-13-1	Europe Ecologie - Les Verts	governments, which do not respect the rule of law and democratic values, should face financial and political consequences. However, activation of the Article 7 mechanism, which can result in the withdrawal of voting rights for Member States, is blocked in the Council as it requires a unanimous vote. The fight against corruption and the misuse of EU funds must now be a top priority.	From line 12 to 16: governments, which do not respect the rule of law and democratic values, should face financial and political consequences. However, activation of the Article 7 mechanism, which can result in the withdrawal of voting rights for Member States, is blocked in the Council as it requires a unanimous vote. <u>Tools to protect EU values including the rule of law exist within the EU such as the Article 7 of the Treaty, which can ultimately result in the withdrawal of voting rights for Member States. In December 2017, the Commission launched against Poland a procedure regarding a serious breach to the rule of law, whereas, in September 2018, the European Parliament voted to trigger proceedings against Hungary. However, in the two cases, the Council has blocked the process.</u> The fight against corruption and the misuse of EU funds must now be a top priority.		Waiting for final compromise wording
8	AM-17-1	Groen	Linking the disbursement of EU funds to rule-of-law principles is the EU's most important contribution to preventing Member States from drifting away from the	Insert from line 17 to 18: Linking the disbursement of EU funds to rule-of-law principles is <u>at this moment</u> the EU's most important contribution to preventing Member States from drifting away from the	A reform of Article 7 could (while not feasible at this moment) could also be an important contribution.	Compromise wording suggested by EELV: "Since 2021, the EU has a new mechanism to suspend, reduce or restrict Member States' access to EU funding in case of serious breaches of the rule of law, which is, in this moment, the EU's key tool to prevent Member States from drifting away from the common consensus on values."
9	AM-17-2	Greens/EFA Group in the European Parliament	Linking the disbursement of EU funds to rule-of-law principles is the EU's most important contribution to preventing Member States from drifting away from the common consensus on values. EU funds must not be misused to undermine the rule	From line 17 to 19: Linking the disbursement of EU funds to rule-of-law principles is the EU's most important contribution <u>key tool</u> to preventing Member States from drifting away from the common consensus on values. EU funds must not be misused to undermine the rule		
10	AM-17-3	Europe Ecologie - Les Verts	Linking the disbursement of EU funds to rule-of-law principles is the EU's most important contribution to preventing Member States from drifting away from the	From line 17 to 18: Linking <u>Since 2021, through the new Conditionality Regulation, the EU has a new mechanism to suspend, reduce or restrict Member States' access to EU funding in case of serious breaches of the rule of law. In this context, linking</u> the disbursement of EU funds to rule-of-law principles is the EU's most important contribution to preventing Member States from drifting away from the		

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11	AM-18-1	Federation of Young European Greens	Linking the disbursement of EU funds to rule-of-law principles is the EU's most important contribution to preventing Member States from drifting away from the common consensus on values. EU funds must not be misused to undermine the rule	Insert from line 17 to 19: Linking the disbursement of EU funds to rule-of-law principles is the EU's most important contribution to preventing Member States and candidate members from drifting away from the common consensus on values. EU funds must not be misused to undermine the rule		Proposal to discuss
12	AM-19-1	Federation of Young European Greens	important contribution to preventing Member States from drifting away from the common consensus on values. EU funds must not be misused to undermine the rule of law.	Insert from line 18 to 20: important contribution to preventing Member States from drifting away from the common consensus on values. The situation in the Western Balkans, mainly Serbia and North Macedonia is no better. Even though these countries are on the path of EU integration and are officially aiming to become member states, we can measure steady decline in fight against corruption, media freedoms, judiciary system reforms and rule of law. The European Commission should strengthen the mechanism for promoting rule-of-law reforms, increase support to civil society organisations and independent media sources and reinforce the use of conditionality in IPA III. EU funds must not be misused to undermine the rule of law.	We should include non EU perspective as well since the issue of EU money is closely related to IPA funds and money EU gives to the candidate countries in Western Balkans	Proposal to discuss
13	AM-21-1	Europe Ecologie - Les Verts	The European Commission and its President Ursula von der Leyen are the guardians of the EU Treaties; the Commission is obliged to defend democracy and the rule	Delete from line 21 to 22: The European Commission and its President Ursula von der Leyen are the guardians of the EU Treaties; the Commission is obliged to defend democracy and the rule		Proposal to discuss
14	AM-23-1	Die Grünen	of the EU Treaties; the Commission is obliged to defend democracy and the rule of law. It must use the necessary instruments to do so. We welcome the fact that the EU Commission has now applied the conditionality regulation for the first	Insert from line 22 to 24: of the EU Treaties; the Commission is obliged to defend democracy and the rule of law. It must use the necessary instruments to do so, including the horizontal principles and enabling conditions in the current funding regulation. We welcome the fact that the EU Commission has now applied the conditionality regulation for the first	Next to the conditionality regulation, there are other tools to suspend funds, including the specific funding regulations. As we see these as a green negotiation-success, we would greatly appreciate it, if they were also mentioned in this Resolution.	Proposal to accept
15	AM-23-2	Greens/EFA Group in the European Parliament	of the EU Treaties; the Commission is obliged to defend democracy and the rule of law. It must use the necessary instruments to do so. We welcome the fact that the EU Commission has now applied the conditionality regulation for the first	From line 22 to 24: of the EU Treaties; the Commission is obliged to defend democracy and the rule of law. It must use the necessary instruments all means at its disposal to do so. We welcome the fact that the EU Commission has now applied the conditionality regulation for the first		Proposal to accept

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16	AM-25-1	Europe Ecology - Les Verts	the EU Commission has now applied the conditionality regulation for the first time and wants to freeze €7.5 billion in EU funding to Hungary. It is very important that this new instrument is used in an absolutely legally sound and court-proof	From line 24 to 27: the EU Commission has now applied the conditionality regulation for the first time <u>time</u> and wants to freeze €7.5 billion in EU funding to Hungary. <u>representing about a third of the total amount of cohesion funds that Hungary is allocated until 2027.</u> It is very important that this new instrument is used in an absolutely legally sound and court-proof		Proposal to accept
17	AM-26-1	Europe Ecology - Les Verts	time and wants to freeze €7.5 billion in EU funding to Hungary. It is very important that this new instrument is used in an absolutely legally sound and court-proof	Insert from line 25 to 27: time and wants to freeze €7.5 billion in EU funding to Hungary. <u>The Council has to take a decision via qualified majority on this proposal by 19 December 2022.</u> It is very important that this new instrument is used in an absolutely legally sound and court-proof		Proposal to accept
18	AM-33-1	Europe Ecology - Les Verts	without the Polish government having carried out any significant judicial reforms. If corresponding milestones are met, the €35.4 billion can now be disbursed to the Polish government in tranches. However, these milestones are controversial. Negotiations between the Commission and the Hungarian government	From line 32 to 35: without the Polish government having carried out any significant judicial reforms. If corresponding milestones are <u>considered as</u> met, the €35.4 billion can now <u>could start to</u> be disbursed to the Polish government in tranches <u>even though there is controversy about whether the judicial reforms would actually be implemented on the ground.</u> However, these milestones are controversial. Negotiations between the Commission and the Hungarian government		Proposal to accept
19	AM-36-1	Greens/EFA Group in the European Parliament	controversial. Negotiations between the Commission and the Hungarian government on the approval of Hungary's recovery plan are ongoing.	From line 35 to 36: controversial. Negotiations between the Commission and the Hungarian government on the approval of Hungary's recovery plan are ongoing <u>touched upon the rule of law as well.</u>		Proposal to accept
20	AM-41-1	GroenLinks	- The EU Commission presses ahead with the suspension of EU funds in the ongoing rule-of-law proceedings against the Hungarian government and decides to suspend	Insert from line 41 to 42: <u>- The European Council to abolish the veto-right within the Council;</u>	The proposed demands and resolution only tackle the results of the veto-power mechanism, yet do not address in the demands the origin of the problem, which is the institutional capacity a Member State has to block decision-making within the European Council, all by themselves.	Proposal to accept

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21	AM-42-1	Ecolo Supported by Groen	- The EU Commission presses ahead with the suspension of EU funds in the ongoing rule-of-law proceedings against the Hungarian government and decides to suspend further payments in the event of continued violations of the rule of law;	Insert from line 41 to 43: - The EU Commission presses ahead with the suspension of EU funds in the ongoing rule-of-law proceedings against the Hungarian government and <u>the Council</u> decides to suspend further payments in the event of continued violations of the rule of law;	It is important to point out the responsibility of the Council in suspending payments	Proposal to fall if AM 22 is adopted
22	AM-42-2	Greens/EFA Group in the European Parliament	- The EU Commission presses ahead with the suspension of EU funds in the ongoing rule-of-law proceedings against the Hungarian government and decides to suspend further payments in the event of continued violations of the rule of law;	From line 41 to 43: - The EU Commission presses ahead with the suspension of EU funds in the ongoing rule-of-law proceedings against the Hungarian government and decides <u>puts forward an new Council Implementing Decision</u> to suspend further payments in the event of continued violations of the rule of law;		Proposal to accept
23	AM-42-3	Vihreät - De Gröna	- The EU Commission presses ahead with the suspension of EU funds in the ongoing rule-of-law proceedings against the Hungarian government and decides to suspend further payments in the event of continued violations of the rule of law;	From line 41 to 43: - The EU Commission presses ahead with the suspension of EU funds in the ongoing rule-of-law proceedings against the Hungarian government and decides <u>commits</u> to suspending further payments in the event of continued violations of the rule of law;	wording has to be stronger	Proposal to fall if AM 22 is adopted
24	AM-42-4	Europe Ecologie - Les Verts	- The EU Commission presses ahead with the suspension of EU funds in the ongoing rule-of-law proceedings against the Hungarian government and decides to suspend further payments in the event of continued violations of the rule of law;	From line 41 to 43: - The EU Commission presses ahead with the suspension of EU funds in the ongoing rule-of-law proceedings against the Hungarian government and decides <u>proposes</u> to suspend further payments in the event of continued violations of the rule of law;		Proposal to fall if AM 22 is adopted
25	AM-43-1	Groen	rule-of-law proceedings against the Hungarian government and decides to suspend further payments in the event of continued violations of the rule of law;	From line 42 to 43: rule-of-law proceedings against the Hungarian government and decides to suspend further payments in the event of continued violations of the rule of law <u>law</u> . <u>The European Commission should also in its assessment of implemented measures always take into account risks that might persist in the long run</u>	Verklaring: We need to assess the risks of Hungary (or other countries) reversing the measures once the payments of the EU money have been made.;	Proposal to accept
26	AM-44-1	Greens/EFA Group in the European Parliament	- EU Member State governments actively advocate in the Council for such action by the EU Commission to restore the rule of law and the independence of the judiciary in Hungary;	From line 44 to 46: - EU Member State governments actively advocate in the Council for such action <u>the actions</u> by the EU Commission <u>and the European Parliament</u> to restore the rule of law and the independence of the judiciary in Hungary;		Proposal to accept

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27	AM-44-2	Europe Ecology - Les Verts	- EU Member State governments actively advocate in the Council for such action by the EU Commission to restore the rule of law and the independence of the judiciary in Hungary;	From line 44 to 46: - EU Member State governments actively advocate in the Council for such action by the EU Commission to restore the rule of law and the independence of the judiciary in Hungary; The Council, based on proposals from the Commission, approves any necessary decision within Article 7 TEU and under the Conditionality Regulation to protect the rule of law within the EU. In particular, the Council accepts the Commission proposal to freeze EU funds in Hungary.		Compromise wording agreed by EELV - place the AM after line 36
28	AM-49-1	Groen	the Polish government under the RRF if the agreed milestones are met and the related ECJ rulings are implemented;	From line 48 to 49: the Polish government under the RRF if the agreed milestones are met and the related ECJ rulings are implemented ; implemented while being very diligent when it comes to assessing whether the milestones are indeed met and improving the milestones as to guarantee a reversal of the undermining of the impartiality and independence of the Polish judiciary as a whole and the challenges posed to the EU's legal order.	Based on critics even from within the Commission itself: https://www.politico.eu/article/a-mid-commission-rebellion-vonder-leyen-defends-polish-recovery-cash-plan/	Waiting for final compromise wording
29	AM-50-1	Greens/EFA Group in the European Parliament	- The Commission only approves the Hungarian recovery plan on the condition that the rule-of-law violations documented by the Commission are remedied;	Delete from line 50 to 51: - The Commission only approves the Hungarian recovery plan on the condition that the rule of law violations documented by the Commission are remedied;		Proposal to discuss
30	AM-51-1	Vihreät - De Gröna	- The Commission only approves the Hungarian recovery plan on the condition that the rule-of-law violations documented by the Commission are remedied;	Insert from line 50 to 51: - The Commission only approves the Hungarian recovery plan on the condition that the rule-of-law violations documented by the Commission are fully and effectively remedied;	The Fidesz government is known for its skill to keep up appearances for Western leaders while not changing its politics back home in HU. Some legal scholars have raised concerns that the conditions the Commission is negotiating with Hungary fall short on making any real progress on the rule of law situation of HU. That is why the wording on this row needs to be stronger.	Proposal to accept
31	AM-52-1	Greens/EFA Group in the European Parliament	- The national governments in the Council only approve the Hungarian recovery plan if it has fully remedied all documented rule-of-law deficiencies;	From line 52 to 53: - The Commission and the national governments in the Council only approve the Hungarian recovery plan if it has fully remedied all documented rule-of-law deficiencies; and the plan fully complies with the Regulation ;		Proposal to accept

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32	AM-53-1	Vihreät - De Gröna	- The national governments in the Council only approve the Hungarian recovery plan if it has fully remedied all documented rule-of-law deficiencies;	From line 52 to 53: - The national governments in the Council only approve the Hungarian recovery plan if it has fully remedied all documented rule-of-law deficiencies; deficiencies; deficiencies and the related ECJ rulings are complied with;	Hungary's track record of complying with ECJ rulings is better than Poland but that's a low bar - HU flirts with questioning ECJ judgements and tends to forget to implement them. In rule of law context it would be remarkable to execute the judgment of case C-564/19 of ECJ, which protects the supremacy of EU law and a right of national judges to ask for preliminary rulings from international courts.	Proposal to fall if AM 31 is adopted
33	AM-56-1	Federation of Young European Greens	of-law instruments consistently and in a timely manner, and enforces the ECJ's rulings.	From line 55 to 56: of-law instruments consistently and in a timely manner, and enforces the ECJ's rulings- - The European Commission reinforce the use of conditionality in IPA III for candidate members		Proposal to accept
34	AM-56-2	Europe Ecology - Les Verts	of-law instruments consistently and in a timely manner, and enforces the ECJ's rulings.	Insert from line 55 to 56: of-law instruments consistently and in a timely manner, and enforces the ECJ's rulings. The Commission systematically and effectively identifies and assesses rule of law breaches among all Member States and takes the necessary action to propose suspension of funds.		Proposal to accept