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**A9-0337/2023**

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# REPORT

on proposals of the European Parliament for the amendment of the Treaties  
(2022/2051(INL))

Committee on Constitutional Affairs

Rapporteurs: Guy Verhofstadt, Sven Simon, Gabriele Bischoff, Daniel Freund,  
Helmut Scholz

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on proposals of the European Parliament for the amendment of the Treaties (2022/2051(INL))

*The European Parliament,*

- having regard to Article 48 of the Treaty on European Union,
- having regard to the Manifesto of Ventotene<sup>1</sup>,
- having regard to the Schuman declaration of 9 May 1950<sup>2</sup>,
- having regard to its resolution of 9 June 2022 on the call for a Convention for the revision of the Treaties<sup>3</sup>,
- having regard to Rules 46, 54 and 85(1) of its Rules of Procedure,
- having regard to the opinions of the Committee on Foreign Affairs, the Committee on Budgets, the Committee on Economic and Monetary Affairs, the Committee on Agriculture and Rural Development, the Committee on Culture and Education and the Committee on Civil Liberties, Justice and Home Affairs,
- having regard to the position in the form of amendments of the Committee on Women's Rights and Gender Equality,
- having regard to the letters of the Committee on Budgetary Control, the Committee on Employment and Social Affairs, the Committee on the Environment, Public Health and Food Safety and the Committee on Industry, Research and Energy,
- having regard to the report of the Committee on Constitutional Affairs (A9-0337/2023),
  - A. whereas the current version of the Treaties entered into force on 1 December 2009 and since then the European Union has faced unprecedented challenges and multiple crises, in particular Russia's war of aggression against Ukraine;
  - B. whereas amending the Treaties is necessary, not as an end in itself, but in the interest of all Union citizens, as these amendments aim to reshape the Union in a way that will enhance its capacity to act, as well as its democratic legitimacy and accountability;
  - C. whereas amending the Treaties should enable the Union to more effectively tackle geopolitical challenges;
  - D. whereas the Union's institutional framework, and in particular its decision making process, especially that in the Council, is barely adequate for a Union of 27 Member States; whereas the prospect of future enlargements makes a reform of the Treaties

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<sup>1</sup> [The Manifesto of Ventotene](#) (June 1941)

<sup>2</sup> [The Schuman Declaration](#) (Paris, 9 May 1950)

<sup>3</sup> JO C 493, 27.12.2022, p. 130.

inevitable;

- E. whereas on 9 May 2022 the Conference on the Future of Europe finished its work and presented its conclusions; whereas those conclusions contain 49 proposals and 326 measures, many of which are only possible to implement if there are changes to the Treaties;
1. Reiterates its call for the amendment of the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU); calls on the Council to immediately and without deliberation submit the proposals set out in this resolution and reflected in the Annex hereto to the European Council; calls on the European Council to convene a Convention in accordance with the ordinary revision procedure provided for in Article 48(2) to (5) TEU as soon as possible;
  2. Notes that several countries of the Western Balkans are in various stages of accession negotiations; welcomes the granting of candidate status to Ukraine and Moldova on 23 June 2022;

### *Institutional Reforms*

3. Highlights the importance of reforming decision-making in the Union to more accurately reflect a bicameral system by further empowering the European Parliament, and by changing the voting mechanism in the Council;
4. Demands the strengthening of the Union's capacity to act by considerably increasing the number of areas where actions are decided by qualified majority voting (QMV) and through the ordinary legislative procedure (OLP);
5. Calls for Parliament to gain the right of initiative for legislation, in particular the right to introduce, amend, or repeal Union law, and to become a co-legislator for the adoption of the multiannual financial framework;
6. Calls for the reversal of the roles of Council and Parliament in the nomination and confirmation of the President of the Commission to more accurately reflect the results of European elections; proposes to enable the Commission President to choose its members based on political preferences, whilst ensuring geographic and demographic balance; calls for the renaming of the European Commission as the European Executive;
7. Proposes to increase the transparency of the Council of the European Union by requiring it to publish those of its positions which form part of the normal legislative process, and to organise a public debate on the Council's positions; proposes the creation of a legal basis empowering the co-legislators to strengthen the transparency and integrity of their decision-making;
8. Calls for the Convention to discuss, in addition to the proposals set out in this resolution, and reflected in the Annex hereto, the division of subjects between the TEU and the TFEU to address the difficulty of amending Union law; calls for the Convention to examine in which policy areas Union structures could increase the effectiveness of the Union;

9. Proposes that the composition of the European Parliament become Parliament's exclusive competence;
10. Proposes to strengthen the role of social partners in the preparation of any initiatives in the areas of social, employment and economic policy;
11. Proposes the introduction of a European referendum on matters relevant to the Union's actions and policies; calls for the strengthening of instruments for citizens' participation in the EU decision-making process within the framework of representative democracy;

### ***Competences***

12. Proposes to establish exclusive Union competence for the environment and biodiversity as well as negotiations on climate change;
13. Proposes to establish shared competences on public health matters and the protection and improvement of human health, especially cross-border health threats, civil protection, industry, and education especially when transnational issues such as mutual recognition of degrees, grades, competences and qualifications are concerned;
14. Proposes to further develop Union shared competences in the areas of energy, foreign affairs, external security and defence, external border policy in the area of freedom, security and justice, and cross-border infrastructure;

### ***Subsidiarity***

15. Proposes that the subsidiarity review by the Court of Justice of the European Union be strengthened; calls for the opinion of regional parliaments with legislative powers to be taken into account in the reasoned opinions on legislative drafts of national parliaments; proposes to extend the deadline for "yellow card" procedures to 12 weeks;
16. Proposes that a "green card mechanism" for legislative proposals by national or regional parliaments with legislative powers be introduced in order to make Union law more responsive to local needs;

### ***Rule of Law***

17. Proposes to strengthen and reform the procedure in Article 7 TEU with regard to the protection of the rule of law by ending unanimity, introducing a clear timeframe, and by making the Court of Justice the arbiter of violations;
18. Suggests providing for jurisdiction for inter-institutional disputes at the Court of Justice of the European Union;
19. Suggests a pre-emptive review of norms at the Court of Justice of the European Union ('abstract review of norms'), designed as a minority right in Parliament;

suggests furthermore to empower Parliament to bring cases of non-compliance with the Treaties before the Court of Justice of the European Union;

### ***Foreign, Security and Defence Policy***

20. Reiterates its call for decisions on sanctions, interim steps in the enlargement process and other foreign policy decisions to be taken by QMV; underlines that the proposals provide for an exception to this principle for decisions authorising military missions or operations with executive mandate;
21. Calls for the establishment of a defence union including military units, a permanent rapid deployment capacity, under the operational command of the Union; proposes that joint procurement and the development of armaments be financed by the Union through a dedicated budget under parliamentary co-decision and scrutiny and proposes that the competences of the European Defence Agency be adjusted accordingly; notes that clauses with regard to national traditions of neutrality and North Atlantic Treaty Organisation (NATO) membership would not be affected by these changes;
22. Proposes that the Convention examine ways to prevent tax havens from distorting competition in the single market;

### ***Single Market, Economy & Budget***

23. Proposes that reinforced QMV be used for decisions on direct and indirect taxation; calls for the establishment of the multiannual financial framework for a five year period;
24. Calls for measures to ensure that Member States invest in achieving the European economic, social, and environmental and security objectives; proposes for Article 122 TFEU to be deleted and replaced by a reworded emergency clause that provides for full parliamentary scrutiny in Article 222 TFEU;
25. Insists that the four freedoms of the internal market must be applied equally by all Member States and the institutions of the Union;

### ***Social Policies and Labour Market***

26. Reiterates its call for a social progress protocol to be annexed to the Treaties;

### ***Education***

27. Calls for the Union to develop common objectives and standards for an education that promotes democratic values and the rule of law, as well as digital and economic literacy; calls further for the Union to promote cooperation and coherence between educational establishments systems while guaranteeing the cultural traditions and regional diversity;
28. Calls for the Union to develop common standards on vocational training to increase the mobility of workers; proposes that the Union aim to protect and promote access to free and universal schooling, institutional and individual academic freedom, and

human rights, as defined in the Charter of Fundamental Rights of the European Union;

### ***Trade and investment***

29. Suggests that the promotion of democratic values, good governance, human rights and sustainability as well as foreign investment, investment protection and economic security be included in the scope of the common commercial policy; proposes that the European Parliament and the Council, upon a recommendation from the Commission, open trade negotiations; proposes to establish a permanent mechanism for the screening of foreign direct investment;

### ***Non-Discrimination***

30. Proposes to expand non-discrimination protections to gender, social origin, language, political opinion and membership of a national minority and to introduce OLP for non-discrimination legislation; proposes to replace ‘the equality of men and women’ by ‘gender equality’ throughout the Treaties; underlines that the Union’s institutions and their governing and consultative bodies must be composed in a non-discriminatory manner and reflect gender equality and diversity of society;
31. Calls for additional protections for national minorities and for regional and minority languages in the Union to be included in the Treaties;

### ***Climate and Environment***

32. Proposes that the reduction of global warming and safeguarding biodiversity be included as aims of the Union; suggests adding climate and biodiversity protection to the Union’s sustainable development goals; suggests including sustainability in the Treaty provisions on fisheries; calls for the Union to protect the natural foundations of life and animals, in line with the One Health approach, as well as to take account of the risk of crossing planetary boundaries; calls for international obligations of the Union to pursue efforts to limit the global temperature increase to be incorporated into the Treaties;

### ***Energy Policy***

33. Calls for the creation of an integrated European energy union; suggests that the Union’s energy system must be affordable and based on energy efficiency, renewable energies and in conformity with international agreements to mitigate climate change;

### ***Area of Freedom, Justice and Security***

34. Proposes that Europol receive additional competences subject to parliamentary scrutiny; suggests that gender-based violence and environmental crime be added as areas of crime that meet the criteria of Article 83(1) TFEU (Union crimes); calls for the functioning of the European Public Prosecutor’s Office to be governed by the OLP;

### ***Migration***

35. Calls for common minimum standards for the acquisition of Union citizenship by third-country nationals, as well as for common standards for long-term visas and residency permits to prevent the sale and abuse of citizenship and residency;
36. Proposes that the Union's common immigration policy be strengthened by taking appropriate and necessary measures to ensure the efficient monitoring, securing and effective control of the Union's external borders and for the Union's migration policy to take into account the economic and social stability of Member States, the ability to meet labour demands of the single market, as well as the efficient management of migration, taking into account the fair treatment of third country nationals;

### ***Health***

37. Suggests that the Union set common indicators for healthcare systems; proposes that the Union take measures for the early notification, monitoring and control of serious cross-border threats to health, in particular in the event of pandemics, without preventing Member States from maintaining or adopting reinforced protective measures where these are imperative;
38. Calls for the Union to take measures for monitoring and coordinating the access to common diagnostics, information and care on communicable and non-communicable diseases including rare diseases;

### ***Science and Technology***

39. Calls for the Union to respect and promote academic freedom and the freedom to conduct scientific research and teach;
40. Proposes that the Union draw up a common space strategy and work towards a common framework for space activities;

### ***Final Provisions***

41. Reiterates that representatives of the Union's social partners, the European Economic and Social Committee, the Committee of the Regions, the European Central Bank, Union's civil society and candidate countries should be invited as observers to the Convention;
42. Calls for all the proposals for the amendment of the Treaties as annexed hereto to be discussed during the Convention;
43. Adopts the proposals for the amendment of the Treaties annexed hereto and submits them to the Council in accordance with Article 48(2) TEU;
44. Instructs its President to forward this resolution and the proposals for the amendment of the Treaties annexed hereto to the Council and the Commission, and to the parliaments and governments of the Member States.





**ANNEX TO THE MOTION FOR A RESOLUTION  
PROPOSALS FOR THE AMENDMENT OF THE TREATIES**

**Amendment 1**

**Treaty on European Union  
Preamble**

*Present text*

HIS MAJESTY THE KING OF THE BELGIANS, HER MAJESTY THE QUEEN OF DENMARK, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF IRELAND, THE PRESIDENT OF THE HELLENIC REPUBLIC, HIS MAJESTY THE KING OF SPAIN, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG, **HER MAJESTY THE QUEEN OF THE NETHERLANDS, THE PRESIDENT OF THE PORTUGUESE REPUBLIC, HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,**

*Amendment*

HIS MAJESTY THE KING OF THE BELGIANS, **THE PRESIDENT OF THE REPUBLIC OF BULGARIA, THE PRESIDENT OF THE CZECH REPUBLIC,** HER MAJESTY THE QUEEN OF DENMARK, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, **THE PRESIDENT OF THE REPUBLIC OF ESTONIA,** THE PRESIDENT OF IRELAND, THE PRESIDENT OF THE HELLENIC REPUBLIC, HIS MAJESTY THE KING OF SPAIN, THE PRESIDENT OF THE FRENCH REPUBLIC, **THE PRESIDENT OF THE REPUBLIC OF CROATIA,** THE PRESIDENT OF THE ITALIAN REPUBLIC, **THE PRESIDENT OF THE REPUBLIC OF CYPRUS, THE PRESIDENT OF THE REPUBLIC OF LATVIA, THE PRESIDENT OF THE REPUBLIC OF LITHUANIA,** HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG, **THE PRESIDENT OF HUNGARY, THE PRESIDENT OF THE REPUBLIC OF MALTA, HIS MAJESTY THE KING OF THE NETHERLANDS, THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA, THE PRESIDENT OF THE REPUBLIC OF POLAND,** THE PRESIDENT OF THE PORTUGUESE REPUBLIC, **THE PRESIDENT OF ROMANIA, THE PRESIDENT OF THE REPUBLIC OF SLOVENIA, THE PRESIDENT OF THE SLOVAK REPUBLIC, THE PRESIDENT OF THE REPUBLIC OF FINLAND, HIS MAJESTY THE KING OF SWEDEN,**

## Amendment 2

### Treaty on European Union Article 2

#### *Present text*

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. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality *between women and men* prevail.

#### *Amendment*

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. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and *gender* equality prevail.

## Amendment 3

### Treaty on European Union Article 3 – paragraph 2

#### *Present text*

2. The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.

#### *Amendment*

2. The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with *common external border policies and* with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.

## Amendment 4

### Treaty on European Union Article 3 – paragraph 3 – subparagraph 1

#### *Present text*

The Union shall establish an internal market. It shall work for the sustainable development of Europe based on balanced economic growth and price stability, a

#### *Amendment*

The Union shall establish an internal market. It shall work for the sustainable development of Europe based on balanced economic growth and price stability, *on a*

highly competitive social market economy, **aiming at** full employment and social progress, and a high level of protection and improvement of the quality of the environment. It shall promote scientific and technological advance.

highly competitive social market economy **that aims for** full employment and social progress, and **on** a high level of protection **and** improvement of the quality of the environment, **as well as on reducing global warming and safeguarding biodiversity in line with international agreements**. It shall promote scientific and technological advance.

## Amendment 5

### Treaty on European Union Article 3 – paragraph 3 – subparagraph 2

#### *Present text*

It shall combat social exclusion and discrimination, and shall promote social justice and protection, equality **between women and men**, solidarity between generations and protection of the rights of the child.

#### *Amendment*

It shall combat social exclusion and discrimination, and shall promote social justice and protection, **gender** equality, solidarity between generations and protection of the rights of the child.

## Amendment 6

### Treaty on European Union Article 3 – paragraph 3 – subparagraph 4

#### *Present text*

It shall respect its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced.

#### *Amendment*

It shall respect **and promote** its rich cultural and linguistic diversity, and shall ensure that Europe's cultural heritage is safeguarded and enhanced.

## Amendment 7

### Treaty on European Union Article 3 – paragraph 4

#### *Present text*

4. The **Union shall establish an economic and monetary union whose** currency is the euro.

#### *Amendment*

4. The currency **of the Union** is the euro.

## Amendment 8

### Treaty on European Union Article 3 – paragraph 5 a (new)

*Present text*

*Amendment*

**5a. The Union shall protect and promote access to free and universal schooling, institutional and individual academic freedom and human rights, as defined in the Charter of Fundamental Rights of the European Union.**

## Amendment 9

### Treaty on European Union Article 7 – paragraph 1 – subparagraph 1

*Present text*

*Amendment*

On a reasoned proposal by one third of the Member States, by the European Parliament or by the European Commission, the Council, acting by a majority **of four fifths of its members** after obtaining the consent of the European Parliament, **may** determine **that** there is a clear risk of a serious breach by a Member State of the values referred to in Article 2. Before making such a determination, the Council shall hear the Member State in question and may address recommendations to it, acting in accordance with the same procedure.

On a reasoned proposal by one third of the Member States, by the European Parliament or by the European Commission, the Council, acting by a **qualified** majority after obtaining the consent of the European Parliament, **shall** determine **within six months of receiving a proposal whether** there is a clear risk of a serious breach by a Member State of the values referred to in Article 2. Before making such a determination, the Council shall hear the Member State in question and may address recommendations to it, acting in accordance with the same procedure.

## Amendment 10

### Treaty on European Union Article 7 – paragraph 2

*Present text*

*Amendment*

2. **The European Council, acting by unanimity** on a proposal by one third of the Member States **or by the Commission and after obtaining the consent of the**

2. The Council, acting by **a qualified majority within six months of receiving a** proposal by one third of the Member States, **by the European Parliament,**

European Parliament, may *determine* the existence of a serious and persistent breach by a Member State of the values referred to in Article 2, *after inviting the Member State in question to submit its observations*.

*acting by a majority of its component Members, or by the Commission, may submit an application to the Court of Justice on* the existence of a serious and persistent breach by a Member State of the values referred to in Article 2.

#### Amendment 11

##### Treaty on European Union Article 7 – paragraph 2 - subparagraph 1 a (new)

*Present text*

*Amendment*

*The Court of Justice shall decide on the application after inviting the Member State in question to submit its observations.*

#### Amendment 12

##### Treaty on European Union Article 7 – paragraph 3 – subparagraph 1

*Present text*

*Amendment*

Where a determination under paragraph 2 has been made, the Council, acting by a qualified majority, *may* decide *to suspend* certain of the rights deriving from the application of the Treaties to the Member State in question, including the voting rights of the representative of the government of that Member State in the Council. In doing so, the Council shall take into account the possible consequences of such a suspension on the rights and obligations of natural and legal persons.

Where a determination under paragraph 2 has been made, the Council, acting by a qualified majority, *shall* decide *within six months thereof to take appropriate measures. Such measures may include the suspension of commitments and payments from the Union's budget, or the suspension of* certain of the rights deriving from the application of the Treaties to the Member State in question, including the voting rights of the representative of the government of that Member State in the Council *and the right of the Member State in question to hold the Presidency of the Council*. In doing so, the Council shall take into account the possible consequences of such a suspension on the rights and obligations of natural and legal persons.

#### Amendment 13

##### Treaty on European Union Article 10 – paragraph 3

*Present text*

3. Every citizen shall have the right to participate in the democratic life of the Union. ***Decisions shall be taken as openly and as closely as possible to the citizen.***

*Amendment*

3. Every citizen shall have the right to participate in the democratic life of the Union. ***The Union shall ensure that there are instruments that enable citizens to exercise this right.***

**Amendment 14**

**Treaty on European Union  
Article 10 – paragraph 3 a (new)**

*Present text*

*Amendment*

***3a. Decisions shall be taken as openly and as closely to the citizen as possible.***

**Amendment 15**

**Treaty on European Union  
Article 10 – paragraph 4**

*Present text*

*Amendment*

4. Political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union.

4. Political parties at European level contribute to forming European political awareness and to expressing the will of citizens of the Union. ***European political parties may promote, support and finance activities to those ends.***

**Amendment 16**

**Treaty on European Union  
Article 10 – paragraph 4 a (new)**

*Present text*

*Amendment*

***4a. Social partners shall be consulted in the preparation of any initiatives in the areas of social, employment and economic policy.***

**Amendment 17**

**Treaty on European Union  
Article 11 – paragraph 4 – subparagraph 1**

*Present text*

Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required *for the purpose of implementing the Treaties*.

*Amendment*

Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required.

**Amendment 18**

**Treaty on European Union**

**Article 11 – paragraph 4 – subparagraph 1 a (new)**

*Present text*

*Amendment*

***1a. The Commission or the European Parliament may propose a legal act based on any valid citizens' initiative.***

**Amendment 19**

**Treaty on European Union**

**Article 11 – paragraph 4 a (new)**

*Present text*

*Amendment*

***4a. The European Parliament and the Council may, acting in accordance with the ordinary legislative procedure, adopt provisions to guarantee their decision-making and the adherence to the principles set out in Articles 10 and 11.***

**Amendment 20**

**Treaty on European Union**

**Article 11 – paragraph 4 b (new)**

*Present text*

*Amendment*

***4b. The European Parliament may, by a majority of its component Members, submit to the European Council a proposal for a European referendum. A proposal for a European referendum shall***



*be in accordance with the European values as laid down in Article 2.*

*If the European Council adopts, by a majority, a decision in favour of the proposed referendum, the Commission shall organise one.*

*Any European referendum shall be organised on the same day throughout the Union. It shall be deemed to have been approved when a majority of voters at EU level, and at national level in a majority of Member States, vote in favour.*

## **Amendment 21**

### **Treaty on European Union Article 13 – paragraph 4 a (new)**

*Present text*

*Amendment*

**4a.** *The Union's institutions and its governing and consultative bodies shall be composed in a non-discriminatory manner and shall reflect gender equality and the diversity of society.*

## **Amendment 22**

### **Treaty on European Union Article 14 – paragraph 2 – subparagraph 1**

*Present text*

*Amendment*

The European Parliament shall be composed of representatives of the Union's citizens. They shall not exceed seven hundred and fifty in number, plus the President. ***Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.***

The European Parliament shall be composed of representatives of the Union's citizens. They shall not exceed seven hundred and fifty in number, plus the President.

*(The deleted text is repositioned as paragraph 2 a (new). See amendment 24.)*

## **Amendment 23**

### **Treaty on European Union Article 14 – paragraph 2 – subparagraph 2**

*Present text*

*Amendment*

*The European Council shall adopt by unanimity, on the initiative of the European Parliament and with its consent, a decision establishing the composition of the European Parliament, respecting the principles referred to in the first subparagraph.*

*deleted*

#### **Amendment 24**

**Treaty on European Union**  
**Article 14 – paragraph 2 a (new)**

*Present text*

*Amendment*

**2a. Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats.**

*(This text is a repositioning of the second and third sentences of paragraph 2, subparagraph 1. See amendment 22.)*

#### **Amendment 25**

**Treaty on European Union**  
**Article 14 – paragraph 2 b (new)**

*Present text*

*Amendment*

**2b. The European Parliament shall establish its composition by a majority of its component Members, respecting the principles referred to in paragraphs 2 and 2a, subject to the Council's consent.**

#### **Amendment 26**

**Treaty on European Union**  
**Article 15 – paragraph 2**

*Present text*

*Amendment*

2. The European Council shall consist of the Heads of State or Government of the Member States, together with *its President and* the President of the *Commission*. The

2. The European Council shall consist of the Heads of State or Government of the Member States, together with the President of the *European Union*. The Union

**High Representative of the** Union for Foreign Affairs and Security Policy shall take part in its work.

**Secretary** for Foreign Affairs and Security Policy shall take part in its work.

*(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)*

## Amendment 27

### Treaty on European Union Article 15 – paragraph 3

#### *Present text*

3. The European Council shall meet twice every six months, convened by its President. When the agenda so requires, the members of the European Council may decide each to be assisted by a minister and, in the case of the President of the **Commission**, by a member of the Commission. When the situation so requires, the President shall convene a special meeting of the European Council.

#### *Amendment*

3. The European Council shall meet twice every six months, convened by its President. When the agenda so requires, the members of the European Council may decide each to be assisted by a minister and, in the case of the President of the **European Union**, by a member of the Commission. When the situation so requires, the President shall convene a special meeting of the European Council.

## Amendment 28

### Treaty on European Union Article 15 – paragraph 5

#### *Present text*

5. The European Council shall elect its President, by a qualified majority, ***for a term of two and a half years, renewable once. In the event of an impediment or serious misconduct, the European Council can end the President's term of office in accordance with the same procedure.***

#### *Amendment*

5. The European Council shall elect its President, by a qualified majority.

## Amendment 29

### Treaty on European Union Article 15 – paragraph 6

*Present text*

*Amendment*

**6. The President of the European Council:**

*deleted*

*(a) shall chair it and drive forward its work;*

*(b) shall ensure the preparation and continuity of the work of the European Council in cooperation with the President of the Commission, and on the basis of the work of the General Affairs Council;*

*(c) shall endeavour to facilitate cohesion and consensus within the European Council;*

*(d) shall present a report to the European Parliament after each of the meetings of the European Council.*

*The President of the European Council shall, at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security Policy.*

*The President of the European Council shall not hold a national office.*

### **Amendment 30**

**Treaty on European Union  
Article 16 – paragraph 2**

*Present text*

*Amendment*

2. The Council shall consist of *a representative* of each Member State *at ministerial level*, who may commit the government of the Member State in question and cast its vote.

2. The Council shall consist of *representatives* of each Member State, who may commit the government of the Member State in question and cast its vote.

### **Amendment 31**

**Treaty on European Union  
Article 16 – paragraph 3**

*Present text*

3. The Council shall act by *a qualified* majority except where the Treaties provide otherwise.

*Amendment*

3. The Council shall act by *a simple* majority except where the Treaties provide otherwise.

**Amendment 32**

**Treaty on European Union  
Article 16 – paragraph 4 – subparagraph 1**

*Present text*

*As from 1 November 2014, a qualified* majority shall be defined as *at least 55 %* of the members of the Council, *comprising at least fifteen of them and representing Member States comprising* at least *65 %* of the population of the Union.

*Amendment*

*A simple* majority shall be defined as *a majority* of the members of the Council *representing* at least *50%* of the population of the Union.

**Amendment 33**

**Treaty on European Union  
Article 16 – paragraph 4 – subparagraph 2**

*Present text*

*A blocking minority must include at least four Council members, failing which the qualified majority shall be deemed attained.*

*Amendment*

*deleted*

**Amendment 34**

**Treaty on European Union  
Article 16 – paragraph 4 – subparagraph 3**

*Present text*

*The other arrangements governing the qualified majority are laid down in Article 238(2) of the Treaty on the Functioning of the European Union.*

*Amendment*

*deleted*

**Amendment 35**

**Treaty on European Union  
Article 16 – paragraph 4 a (new)**

*Present text*

*Amendment*

**4a. A qualified majority shall be defined as at least two-thirds of the members of the Council representing at least 50% of the population of the Union.**

### **Amendment 36**

**Treaty on European Union  
Article 16 – paragraph 4 b (new)**

*Present text*

*Amendment*

**4b. A reinforced qualified majority shall be defined as at least four-fifths of the members of the Council representing at least 50% of the population of the Union.**

### **Amendment 37**

**Treaty on European Union  
Article 16 – paragraph 5**

*Present text*

*Amendment*

**5. The transitional provisions relating to the definition of the qualified majority which shall be applicable until 31 October 2014 and those which shall be applicable from 1 November 2014 to 31 March 2017 are laid down in the Protocol on transitional provisions.**

**deleted**

### **Amendment 38**

**Treaty on European Union  
Article 16 – paragraph 6 – subparagraph 1**

*Present text*

*Amendment*

**The Council shall meet in different configurations, the list of which shall be adopted in accordance with Article 236 of the Treaty on the Functioning of the European Union.**

**deleted**

## Amendment 39

### Treaty on European Union Article 16 – paragraph 6 – subparagraph 2

*Present text*

*Amendment*

*The General Affairs Council shall ensure consistency in the work of the different Council configurations. It shall prepare and ensure the follow-up to meetings of the European Council, in liaison with the President of the European Council and the Commission.*

*deleted*

## Amendment 40

### Treaty on European Union Article 16 – paragraph 6 – subparagraph 3

*Present text*

*Amendment*

*The Foreign Affairs Council shall elaborate the Union's external action on the basis of strategic guidelines laid down by the European Council and ensure that the Union's action is consistent.*

*deleted*

## Amendment 41

### Treaty on European Union Article 16 – paragraph 7

*Present text*

*Amendment*

*7. A Committee of Permanent Representatives of the Governments of the Member States shall be responsible for preparing the work of the Council.*

*deleted*

## Amendment 42

### Treaty on European Union Article 16 – paragraph 8

*Present text*

*Amendment*

8. The Council shall meet in public when it deliberates and votes on a draft legislative act. *To this end, each Council*

8. The Council shall meet in public when it deliberates and votes on a draft

*meeting shall be divided into two parts, dealing respectively with deliberations on Union legislative acts and non-legislative activities.*

legislative act.

#### **Amendment 43**

##### **Treaty on European Union Article 17 – paragraph 1**

###### *Present text*

1. The **Commission** shall promote the general interest of the Union and take appropriate initiatives to that end. It shall ensure the application of the Treaties, and of measures adopted by the institutions pursuant to them. It shall oversee the application of Union law under the control of the Court of Justice of the European Union. It shall execute the budget and manage programmes. It shall exercise coordinating, executive and management functions, as laid down in the Treaties. With the exception of the common foreign and security policy, and other cases provided for in the Treaties, it shall ensure the Union's external representation. It shall initiate the Union's annual and multiannual programming with a view to achieving interinstitutional agreements.

###### *Amendment*

1. The **Executive** shall promote the general interest of the Union and take appropriate initiatives to that end. It shall ensure the application of the Treaties, and of measures adopted by the institutions pursuant to them. It shall oversee the application of Union law under the control of the Court of Justice of the European Union. It shall execute the budget and manage programmes. It shall exercise coordinating, executive and management functions, as laid down in the Treaties. With the exception of the common foreign and security policy, and other cases provided for in the Treaties, it shall ensure the Union's external representation. It shall initiate the Union's annual and multiannual programming with a view to achieving interinstitutional agreements.

*(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)*

#### **Amendment 44**

##### **Treaty on European Union Article 17 – paragraph 2**

###### *Present text*

2. Union legislative acts may **only** be adopted on the basis of **a Commission** proposal, except where the Treaties provide otherwise. Other acts shall be adopted on the basis of **a Commission** proposal where the Treaties so provide.

###### *Amendment*

2. Union legislative acts may be adopted on the basis of **an Executive** proposal, except where the Treaties provide otherwise. Other acts shall be adopted on the basis of **an Executive** proposal where the Treaties so provide.



## Amendment 45

### Treaty on European Union Article 17 – paragraph 3

#### *Present text*

3. The *Commission's* term of office shall be five years.

The members of the *Commission* shall be chosen on the ground of their general competence and European commitment from persons whose independence is beyond doubt.

In carrying out its responsibilities, the *Commission* shall be completely independent. Without prejudice to Article 18(2), the members of the *Commission* shall neither seek nor take instructions from any Government or other institution, body, office or entity. They shall refrain from any action incompatible with their duties or the performance of their tasks

#### *Amendment*

3. The *Executive's* term of office shall be five years.

The members of the *Executive* shall be chosen on the ground of their general competence and European commitment from persons whose independence is beyond doubt.

In carrying out its responsibilities, the *Executive* shall be completely independent. Without prejudice to Article 18(2), the members of the *Executive* shall neither seek nor take instructions from any Government or other institution, body, office or entity. They shall refrain from any action incompatible with their duties or the performance of their tasks.

## Amendment 46

### Treaty on European Union Article 17 – paragraph 4

#### *Present text*

4. *The Commission appointed between the date of entry into force of the Treaty of Lisbon and 31 October 2014, shall consist of one national of each Member State, including its President and the High Representative of the Union for Foreign Affairs and Security Policy who shall be one of its Vice-Presidents.*

#### *Amendment*

*deleted*

## Amendment 47

### Treaty on European Union Article 17 – paragraph 5

#### *Present text*

5. *As from 1 November 2014, the Commission shall consist of a number of*

#### *Amendment*

5. The *Executive* shall consist of *no more than 15* members, including its

members, including *its* President *and* the **High Representative of the Union** for Foreign Affairs and Security Policy, *corresponding to two thirds of the number of Member States, unless the European Council, acting unanimously, decides to alter this number.*

The members of the **Commission** shall be chosen from among the nationals of the Member States *on the basis of a system of strictly equal rotation between the Member States*, reflecting the demographic and geographical range of *all* the Member States. This system shall be established *unanimously* by the European Council in accordance with Article 244 of the Treaty on the Functioning of the European Union.

President, the **Union Secretary** for Foreign Affairs and Security Policy *and the Union Secretary for Economic Governance.*

The members of the **Executive** shall be chosen from among the nationals of the Member States, reflecting the demographic and geographical range of the Member States. This system shall be established by the European Council in accordance with Article 244 of the Treaty on the Functioning of the European Union.

*The Executive shall, after obtaining the consent of the European Parliament, be able to appoint undersecretaries for a specific portfolio or task. In doing so, the Executive should take into account the geographical range of the Executive referred to in the second subparagraph.*

## Amendment 48

### Treaty on European Union Article 17 – paragraph 6

#### *Present text*

6. The President of the **Commission** shall:
- (a) lay down guidelines within which the **Commission** is to work;
  - (b) decide on the internal organisation of the **Commission**, ensuring that it acts consistently, efficiently and as a collegiate body;
  - (c) appoint Vice-Presidents, other than the **High Representative of the Union** for Foreign Affairs and Security Policy, from among the members of the **Commission**.

A member of the **Commission** shall resign if the President so requests. The **High**

#### *Amendment*

6. The President of the **Executive** shall:
- (a) lay down guidelines within which the **Executive** is to work;
  - (b) decide on the internal organisation of the **Executive**, ensuring that it acts consistently, efficiently and as a collegiate body;
  - (c) appoint Vice-Presidents, other than the **Union Secretary** for Foreign Affairs and Security Policy *and the Union Secretary for Economic Governance*, from among the members of the **Executive**.

A member of the **Executive** shall resign if the President so requests. The **Union**

**Representative of the** Union for Foreign Affairs and Security Policy shall resign, in accordance with the procedure set out in Article 18(1), if the President so requests.

**Secretary** for Foreign Affairs and Security Policy **and the Union Secretary for Economic Governance** shall resign, in accordance with the procedure set out in Article 18(1), if the President so requests.

#### Amendment 49

##### Treaty on European Union Article 17 – paragraph 7

###### *Present text*

7. **Taking into account the** elections to the European Parliament **and after having held the appropriate consultations, the European Council, acting by a qualified majority,** shall **propose to the European Parliament** a candidate for President of the **Commission. This candidate shall be elected by the European Parliament by a majority of its component members.** If **he** does not obtain the required majority, the **European Council,** acting by a **qualified** majority, shall within one month **propose a new candidate who shall be elected by the European Parliament following the same procedure.**

The **Council, by common accord with the** President-elect, shall **adopt the** list of **the other persons whom it proposes for appointment as members of the Commission.** They shall be selected, **on the basis of the suggestions made by Member States, in accordance with** the criteria set out in **paragraph 3, second subparagraph, and paragraph 5, second subparagraph.**

The President, the **High Representative of the** Union for Foreign Affairs and Security Policy and the other members of the Commission shall be subject as a body to a vote of consent by the European Parliament. On the basis of this consent the Commission shall be appointed by the European Council, acting by a **qualified** majority.

###### *Amendment*

7. **Following European** elections, the European Parliament, **acting by a majority of its component members,** shall **nominate to the European Council** a candidate for President of **the European Union. The European Council, acting by a qualified majority, shall give its consent.** If **the nominated candidate** does not obtain the required majority, the **European Parliament,** acting by a majority **of its component members,** shall within one month **nominate** a candidate. **The European Council, acting by a simple majority, shall give its consent.**

The President-elect shall **propose a** list of **candidates for appointment as members of the Executive.** They shall be selected **in accordance with** the criteria set out in **paragraphs 3 and 5.**

The President, the Union **Secretary** for Foreign Affairs and Security Policy and the other members of the **Executive** shall be subject as a body to a vote of consent by the European Parliament. On the basis of this consent the **Executive** shall be appointed by the European Council, acting by a **simple** majority.

## Amendment 50

### Treaty on European Union Article 17 – paragraph 8

#### *Present text*

8. The **Commission, as a body**, shall be responsible to the European Parliament. In accordance with Article 234 of the Treaty on the Functioning of the European Union, the European Parliament may vote on a motion of censure of the **Commission**. If **such** a motion is carried, the members of the **Commission** shall resign as a body **and the High Representative of the Union for Foreign Affairs and Security Policy** shall resign **from the duties that he carries out in the Commission**.

#### *Amendment*

8. The **Executive** shall be responsible to the European Parliament. In accordance with Article 234 of the Treaty on the Functioning of the European Union, the European Parliament may vote on a motion of **collective** censure of the **Executive or on a motion of individual censure of a member of the Executive**. If a motion of **collective censure** is carried, the members of the **Executive** shall resign as a body. **If a motion of individual censure is carried, the member of the Executive concerned shall resign.**

## Amendment 51

### Treaty on European Union Article 19 – paragraph 3 a (new)

#### *Present text*

#### *Amendment*

**3a. The Court of Justice of the European Union shall monitor compliance with the principle of subsidiarity and may give preliminary rulings on whether the Union has acted ultra vires, as well as address actions brought under Article 263 on grounds of infringement of the principle of subsidiarity.**

## Amendment 52

### Treaty on European Union Article 21 – paragraph 2 – point a

#### *Present text*

(a) safeguard its values, fundamental interests, security, independence and integrity;

#### *Amendment*

(a) safeguard its values, fundamental interests, security, **strategic autonomy**, independence and integrity;

## Amendment 53

### Treaty on European Union Article 24 – paragraph 1 – subparagraph 2

#### *Present text*

The common foreign and security policy is subject to specific rules and procedures. It shall be defined and implemented by the European Council and the Council acting *unanimously, except where the Treaties provide otherwise. The adoption of legislative acts shall be excluded.* The common foreign and security policy shall be put into effect by the **High Representative of the Union** for Foreign Affairs and Security Policy and by Member States, in accordance with the Treaties. The specific role of the European Parliament and of the Commission in this area is defined by the Treaties. The Court of Justice of the European Union shall not have jurisdiction with respect to these provisions, *with the exception of its jurisdiction to monitor compliance with Article 40 of this Treaty and to review the legality of certain decisions as provided for by the second paragraph of Article 275 of the Treaty on the Functioning of the European Union.*

#### *Amendment*

The common foreign and security policy is subject to specific rules and procedures. It shall be defined and implemented by the European Council and the Council acting **by a qualified majority, after obtaining the consent of the European Parliament.** The common foreign and security policy shall be put into effect by the Union **Secretary** for Foreign Affairs and Security Policy and by Member States, in accordance with the Treaties. The specific role of the European Parliament and of the Commission in this area is defined by the Treaties. The Court of Justice of the European Union shall have jurisdiction with respect to these provisions.

## Amendment 54

### Treaty on European Union Article 29

#### *Present text*

The Council shall adopt decisions which shall define the approach of the Union to a particular matter of a geographical or thematic nature. Member States shall ensure that their national policies conform to the Union positions.

#### *Amendment*

The Council shall adopt decisions which shall define the approach of the Union to a particular matter of a geographical or thematic nature. **Where a decision provides for the interruption or reduction, in part or completely, of economic and financial relations with one or more third countries, the Council shall act by a qualified majority.** Member States shall ensure that their national policies conform

to the Union positions.

## Amendment 55

### Treaty on European Union Article 31 – paragraph 1

#### *Present text*

1. Decisions under this Chapter shall be taken by the European Council and the Council acting *unanimously, except where this Chapter provides otherwise*. The adoption of legislative acts shall be excluded.

*When abstaining in a vote, any member of the Council may qualify its abstention by making a formal declaration under the present subparagraph. In that case, it shall not be obliged to apply the decision, but shall accept that the decision commits the Union. In a spirit of mutual solidarity, the Member State concerned shall refrain from any action likely to conflict with or impede Union action based on that decision and the other Member States shall respect its position. If the members of the Council qualifying their abstention in this way represent at least one third of the Member States comprising at least one third of the population of the Union, the decision shall not be adopted.*

## Amendment 56

### Treaty on European Union Article 31 – paragraph 2

#### *Present text*

2. *By derogation from the provisions of paragraph 1, the Council shall act by qualified majority:*

– *when adopting a decision defining a Union action or position on the basis of a decision of the European Council relating to the Union's strategic interests and objectives, as referred to in*

#### *Amendment*

1. Decisions under this Chapter shall be taken by the European Council and the Council acting *by a qualified majority*. The adoption of legislative acts shall be excluded.

*Article 22(1),*

- *when adopting a decision defining a Union action or position, on a proposal which the High Representative of the Union for Foreign Affairs and Security Policy has presented following a specific request from the European Council, made on its own initiative or that of the High Representative,*

– *when adopting any decision implementing a decision defining a Union action or position,*

– *when appointing a special representative in accordance with Article 33.*

*If a member of the Council declares that, for vital and stated reasons of national policy, it intends to oppose the adoption of a decision to be taken by qualified majority, a vote shall not be taken. The High Representative will, in close consultation with the Member State involved, search for a solution acceptable to it. If he does not succeed, the Council may, acting by a qualified majority, request that the matter be referred to the European Council for a decision by unanimity.*

A member of the Council *may request* that, for vital and stated reasons of national policy, the matter be referred to the European Council.

#### **Amendment 57**

##### **Treaty on European Union Article 31 – paragraph 3**

*Present text*

*3. The European Council may unanimously adopt a decision stipulating that the Council shall act by a qualified majority in cases other than those referred to in paragraph 2.*

*Amendment*

*deleted*

#### **Amendment 58**

##### **Treaty on European Union Article 31 – paragraph 4**

*Present text*

*Amendment*

**4. Paragraphs 2 and 3 shall not apply to decisions having military or defence implications.**

**deleted**

#### **Amendment 59**

##### **Treaty on European Union Article 42 – paragraph 1**

*Present text*

*Amendment*

1. The common security and defence policy shall be an integral part of the common foreign and security policy. It shall provide the Union with an operational capacity drawing on civilian and military assets. The Union may use them on missions outside the Union for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter. ***The performance of these tasks shall be undertaken using capabilities provided by the Member States.***

1. The common security and defence policy shall be an integral part of the common foreign and security policy. ***It shall enable the Union to defend Member States against threats.*** It shall provide the Union with an operational capacity drawing on civilian and military assets. The Union may use them on missions outside the Union for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter. ***The common security and defence policy, including the procurement and development of armaments, shall be financed by the Union through a dedicated budget in respect of which the European Parliament is a co-legislator and exercises scrutiny.***

#### **Amendment 60**

##### **Treaty on European Union Article 42 – paragraph 2 – subparagraph 1**

*Present text*

*Amendment*

The common security and defence policy shall include the progressive framing of a common Union defence policy. This will lead to a common defence, when the European Council, acting ***unanimously***, so decides. It shall in that case recommend to the Member States the adoption of such a decision in accordance with their

The common security and defence policy shall include the progressive framing of a common Union defence policy. This will lead to a common defence, when the European Council, acting ***by a qualified majority***, so decides. It shall in that case recommend to the Member States the adoption of such a decision in accordance with their respective constitutional



respective constitutional requirements.

requirements.

## Amendment 61

### Treaty on European Union Article 42 – paragraph 3

#### *Present text*

3. ***Member States shall make*** civilian and military capabilities ***available to the Union*** for the implementation of the common security and defence policy, ***to contribute to the objectives defined by the Council***. Those Member States which together establish multinational forces may also make them available to the common security and defence policy.

Member States shall undertake progressively to improve their military capabilities. The Agency in the field of defence capabilities development, research, acquisition and armaments (hereinafter referred to as "the European Defence Agency") shall identify operational requirements, shall ***promote*** measures to satisfy those requirements, ***shall contribute to identifying and, where appropriate, implementing*** any measure needed to strengthen the industrial and technological base of the defence sector, shall participate in defining a European capabilities and armaments policy, and shall ***assist the Council in evaluating*** the improvement of military capabilities.

## Amendment 62

### Treaty on European Union Article 42 – paragraph 4

#### *Present text*

4. Decisions relating to the common security and defence policy, ***including***

#### *Amendment*

3. ***The Union shall establish a Defence Union with*** civilian and military capabilities for the implementation of the common security and defence policy. ***That Defence Union shall include military units, including a permanent rapid deployment capacity, under the operational command of the Union. Member States may provide additional capabilities.*** Those Member States which together establish multinational forces may also make them available to the common security and defence policy.

***The Union and the*** Member States shall undertake progressively to improve their military capabilities. The Agency in the field of defence capabilities development, research, acquisition and armaments (hereinafter referred to as "the European Defence Agency") shall identify operational requirements, shall ***implement*** measures to satisfy those requirements, ***shall procure armaments on behalf of the Union and its Member States, shall take*** any measure needed to strengthen the industrial and technological base of the defence sector, shall participate in defining a European capabilities and armaments policy, and shall ***evaluate*** the improvement of military capabilities.

*those initiating a mission as referred to in this Article*, shall be adopted by the Council acting *unanimously* on a proposal from *the High Representative of the Union* for Foreign Affairs and Security Policy or an initiative from a Member State. The *High Representative* may propose the use of both national resources and Union instruments, together with the Commission where appropriate.

adopted by the Council acting *by a qualified majority* on a proposal from the Union *Secretary* for Foreign Affairs and Security Policy or an initiative from a Member State, *and after obtaining the consent of the European Parliament*. The Union *Secretary for Foreign Affairs and Security Policy* may propose the use of both national resources and Union instruments, together with the Commission where appropriate.

### **Amendment 63**

#### **Treaty on European Union**

#### **Article 42 – paragraph 4 a – subparagraph 1 (new)**

*Present text*

*Amendment*

**4a. Decisions initiating missions shall be adopted by the Council, acting by a qualified majority. The Parliament shall act by a majority of its component Members.**

### **Amendment 64**

#### **Treaty on European Union**

#### **Article 42 – paragraph 4 a – subparagraph 2 (new)**

*Present text*

*Amendment*

**Without prejudice to the first subparagraph, the Council may adopt decisions creating military missions or operations with an executive mandate by consensus, after obtaining the consent of the European Parliament acting by a majority of its component members. If no consensus can be found, the decision will be deemed to have been adopted unless four or more of the Council members object.**

### **Amendment 65**

#### **Treaty on European Union**

#### **Article 42 – paragraph 7 – subparagraph 1**

*Present text*

If a Member State is the victim of **armed** aggression **on its territory**, the **other** Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter. This shall not prejudice the specific character of the security and defence policy of certain Member States.

*Amendment*

If a Member State is the victim of aggression, the **Defence Union and all** Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter. **An armed attack on one Member State shall be considered to be an attack on all Member States.** This shall not prejudice the specific character of the security and defence policy of certain Member States.

**Amendment 66**

**Treaty on European Union  
Article 43 – paragraph 1**

*Present text*

1. The tasks referred to in Article 42(1), in the course of which the Union may use civilian and military means, shall include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories.

*Amendment*

1. The tasks referred to in Article 42(1), in the course of which the Union may use civilian and military means, shall include **combatting hybrid threats and warfare, energy blackmail, cyberthreats, disinformation campaigns and economic coercion by third countries**, joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories.

**Amendment 67**

**Treaty on European Union  
Article 45 – paragraph 1 – point b**

*Present text*

(b) promote harmonisation of operational needs and adoption of effective, compatible procurement

*Amendment*

(b) **procure armaments for the Defence Union and on behalf of the Union and its Member States** and promote

methods;

harmonisation of operational needs and adoption of effective, compatible procurement methods;

#### Amendment 68

##### Treaty on European Union Article 45 – paragraph 1 – point c

###### *Present text*

(c) propose multilateral projects to fulfil the objectives in terms of military capabilities, ensure coordination of the programmes implemented by the Member States and management of specific cooperation programmes;

###### *Amendment*

(c) propose **and lead** multilateral projects to fulfil the objectives in terms of military capabilities, ensure coordination of the programmes implemented by the Member States and management of specific cooperation programmes;

#### Amendment 69

##### Treaty on European Union Article 45 – paragraph 2

###### *Present text*

2. The European *Defence Agency shall be open to all Member States wishing to be part of it*. The Council, acting *by a qualified majority*, shall adopt a decision defining the Agency's statute, seat and operational rules. *That decision should take account of the level of effective participation in the Agency's activities. Specific groups shall be set up within the Agency bringing together Member States engaged in joint projects. The Agency shall carry out its tasks in liaison with the Commission where necessary.*

###### *Amendment*

2. The European **Parliament and** the Council, **acting in accordance with the ordinary legislative procedure**, shall adopt a decision defining the Agency's statute, seat and operational rules.

#### Amendment 70

##### Treaty on European Union Article 46 – paragraph 6

###### *Present text*

6. The decisions and recommendations of the Council within the framework of permanent structured

###### *Amendment*

6. The decisions and recommendations of the Council within the framework of permanent structured

cooperation, other than those provided for in paragraphs 2 to 5, shall be adopted by **unanimity**. For the purposes of this paragraph, **unanimity** shall be constituted by the votes of the representatives of the participating Member States only.

cooperation, other than those provided for in paragraphs 2 to 5, shall be adopted by **a qualified majority**. For the purposes of this paragraph, **that qualified majority** shall be constituted by the votes of the representatives of the participating Member States only, **in line with their respective constitutional orders**.

## Amendment 71

### Treaty on European Union Article 48 – paragraph 2

#### *Present text*

2. The Government of any Member State, the European Parliament or the Commission may submit to the Council proposals for the amendment of the Treaties. These proposals may, inter alia, serve either to increase or to reduce the competences conferred on the Union in the Treaties. These proposals shall be submitted to the European Council by the Council and the national Parliaments shall be notified.

#### *Amendment*

2. The Government of any Member State, the European Parliament or the Commission may submit to the Council proposals for the amendment of the Treaties. These proposals may, inter alia, serve either to increase or to reduce the competences conferred on the Union in the Treaties. These proposals shall be submitted to the European Council by the Council **immediately and without deliberation**, and the national Parliaments shall be notified.

## Amendment 72

### Treaty on European Union Article 48 – paragraph 4 – subparagraph 1

#### *Present text*

A conference of representatives of the governments of the Member States shall be convened by the President of the Council for the purpose of determining **by common accord** the amendments to be made to the Treaties.

#### *Amendment*

A conference of representatives of the governments of the Member States shall be convened by the President of the Council for the purpose of determining the amendments to be made to the Treaties. **The conference shall act by a majority of four-fifths of the governments of the Member States.**

## Amendment 73

### Treaty on European Union Article 48 – paragraph 4 – subparagraph 1 a (new)

*Present text*

*Amendment*

***The European Parliament shall be considered to have given its consent to the amendments to the Treaties when a majority of its component Members vote to do so.***

#### **Amendment 74**

##### **Treaty on European Union Article 48 – paragraph 4 – subparagraph 2**

*Present text*

*Amendment*

The amendments shall enter into force after being ratified by *all* the Member States in accordance with their respective constitutional requirements.

The amendments shall enter into force after being ratified by ***four-fifths of*** the Member States in accordance with their respective constitutional requirements.

#### **Amendment 75**

##### **Treaty on European Union Article 48 – paragraph 5**

*Present text*

*Amendment*

5. If, two years after the signature of a treaty amending the Treaties, four fifths of the Member States have ratified it ***and one or more Member States have encountered difficulties in proceeding with ratification,*** the matter shall be ***referred to the European Council.***

5. If, two years after the signature of a treaty amending the Treaties, ***fewer than*** four-fifths of the Member States have ratified it, the matter shall be ***put to a European referendum.***

#### **Amendment 76**

##### **Treaty on European Union Article 48 – paragraph 6 – subparagraph 2**

*Present text*

*Amendment*

The European Council may adopt a decision amending all or part of the provisions of Part Three of the Treaty on the Functioning of the European Union. The European Council shall act by unanimity after ***consulting*** the European Parliament and the Commission, and the

The European Council may adopt a decision amending all or part of the provisions of Part Three of the Treaty on the Functioning of the European Union. The European Council shall act by unanimity after ***obtaining the consent of*** the European Parliament, and ***after***

European Central Bank in the case of institutional changes in the monetary area. That decision shall not enter into force ***until it is approved by*** the Member States in accordance with their respective constitutional requirements.

***consulting*** the Commission, and the European Central Bank in the case of institutional changes in the monetary area. That decision shall enter into force ***after being ratified by four-fifths of*** the Member States in accordance with their respective constitutional requirements.

#### **Amendment 77**

##### **Treaty on European Union Article 48 – paragraph 7 – subparagraph 4**

###### *Present text*

For the adoption of ***the*** decisions ***referred to in the first and second subparagraphs***, the European Council shall act by ***unanimity*** after obtaining the consent of the European Parliament, which shall be given by a majority of its component members.

###### *Amendment*

For the adoption of ***those*** decisions, the European Council shall act by ***a qualified majority*** after obtaining the consent of the European Parliament, which shall be given by a majority of its component members.

#### **Amendment 78**

##### **Treaty on European Union Article 49 – paragraph 2**

###### *Present text*

The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements.

###### *Amendment*

The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements. ***Member States must continue to respect the values referred to in Article 2 after their accession to the Union.***

#### **Amendment 79**

##### **Treaty on European Union Article 52 – paragraph 1**

*Present text*

1. The Treaties shall apply to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, ***the Republic of Hungary***, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden ***and the United Kingdom of Great Britain and Northern Ireland***.

*Amendment*

1. The Treaties shall apply to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, ***the Republic of Croatia***, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland ***and*** the Kingdom of Sweden.

**Amendment 80**

**Treaty on European Union  
Article 54 – paragraph 2**

*Present text*

2. This Treaty shall enter into force on ***1 January 1993, provided that all the Instruments of ratification have been deposited, or, failing that, on*** the first day of the month following the deposit of the Instrument of ratification by ***the last signatory State to take this step***.

*Amendment*

2. This Treaty shall enter into force on the first day of the month following the deposit of the Instrument of ratification by ***the governments of four-fifths of the Member States or following the official verification by the Commission of the results of a European referendum in which the requisite majority was obtained***.

**Amendment 81**

**Treaty on the Functioning of the European Union  
Preamble**

*Present text*

HIS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF THE FRENCH

*Amendment*

HIS MAJESTY THE KING OF THE BELGIANS, ***THE PRESIDENT OF THE REPUBLIC OF BULGARIA, THE PRESIDENT OF THE CZECH***



REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, **HER** ROYAL HIGHNESS THE GRAND **DUCHESS** OF LUXEMBOURG, **HER** MAJESTY THE **QUEEN** OF THE NETHERLANDS,

**REPUBLIC, HER MAJESTY THE QUEEN OF DENMARK, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF THE REPUBLIC OF ESTONIA, THE PRESIDENT OF IRELAND, THE PRESIDENT OF THE HELLENIC REPUBLIC, HIS MAJESTY THE KING OF SPAIN, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE REPUBLIC OF CROATIA, THE PRESIDENT OF THE ITALIAN REPUBLIC, THE PRESIDENT OF THE REPUBLIC OF CYPRUS, THE PRESIDENT OF THE REPUBLIC OF LATVIA, THE PRESIDENT OF THE REPUBLIC OF LITHUANIA, HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG, THE PRESIDENT OF HUNGARY, THE PRESIDENT OF THE REPUBLIC OF MALTA, HIS MAJESTY THE KING OF THE NETHERLANDS, THE FEDERAL PRESIDENT OF THE REPUBLIC OF AUSTRIA, THE PRESIDENT OF THE REPUBLIC OF POLAND, THE PRESIDENT OF THE PORTUGUESE REPUBLIC, THE PRESIDENT OF ROMANIA, THE PRESIDENT OF THE REPUBLIC OF SLOVENIA, THE PRESIDENT OF THE SLOVAK REPUBLIC, THE PRESIDENT OF THE REPUBLIC OF FINLAND, HIS MAJESTY THE KING OF SWEDEN,**

## **Amendment 82**

**Treaty on the Functioning of the European Union  
Article 3 – paragraph 1 – point e a (new)**

*Present text*

*Amendment*

*(ea) environment and biodiversity.*

## **Amendment 83**

**Treaty on the Functioning of the European Union  
Article 3 – paragraph 2**

*Present text*

2. The Union shall also have exclusive competence for the conclusion of an international agreement when its conclusion is provided for in a legislative act of the Union or is necessary to enable the Union to exercise its internal competence, or in so far as its conclusion may affect common rules or alter their scope.

*Amendment*

2. The Union shall also have exclusive competence for the conclusion of an international agreement, ***including in the context of global negotiations on climate change***, when its conclusion is provided for in a legislative act of the Union or is necessary to enable the Union to exercise its internal competence, or in so far as its conclusion may affect common rules or alter their scope.

**Amendment 84**

**Treaty on the Functioning of the European Union  
Article 4 – paragraph 2 – point e**

*Present text*

(e) *environment*;

*Amendment*

(e) ***public health matters, in particular the protection and improvement of human health, especially cross-border health threats, including reproductive health, and the One-Health approach***;

**Amendment 85**

**Treaty on the Functioning of the European Union  
Article 4 – paragraph 2 – point g**

*Present text*

(g) transport;

*Amendment*

(g) transport, ***including cross-border infrastructure***;

**Amendment 86**

**Treaty on the Functioning of the European Union  
Article 4 – paragraph 2 – point j**

*Present text*

(j) area of freedom, security and justice;

*Amendment*

(j) ***the*** area of freedom, security and justice, ***and the external border policy***;

## **Amendment 87**

### **Treaty on the Functioning of the European Union**

#### **Article 4 – paragraph 2 – point k**

*Present text*

*Amendment*

*(k) common safety concerns in public health matters, for the aspects defined in this Treaty.*

*(k) foreign affairs, external security and defence;*

## **Amendment 88**

### **Treaty on the Functioning of the European Union**

#### **Article 4 – paragraph 2 – point k a (new)**

*Present text*

*Amendment*

*(ka) civil protection;*

## **Amendment 89**

### **Treaty on the Functioning of the European Union**

#### **Article 4 – paragraph 2 – point k b (new)**

*Present text*

*Amendment*

*(kb) industry;*

## **Amendment 90**

### **Treaty on the Functioning of the European Union**

#### **Article 4 – paragraph 2 – point k c (new)**

*Present text*

*Amendment*

*(kc) education, especially when it concerns transnational issues such as the mutual recognition of degrees, grades, skills and qualifications.*

## **Amendment 91**

### **Treaty on the Functioning of the European Union**

#### **Article 6 – point a**

*Present text*

*Amendment*

*(a) protection and improvement of human*

*deleted*

*health;*

#### **Amendment 92**

##### **Treaty on the Functioning of the European Union Article 6 – point e**

*Present text*

*Amendment*

(e) **education**, vocational training, youth and sport;

(e) vocational training, youth and sport;

#### **Amendment 93**

##### **Treaty on the Functioning of the European Union Article 6 – point f**

*Present text*

*Amendment*

(f) **civil protection**;

*deleted*

#### **Amendment 94**

##### **Treaty on the Functioning of the European Union Article 8**

*Present text*

*Amendment*

In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, **between men and women**.

In all its activities, the Union shall aim to eliminate inequalities and to promote **gender** equality.

#### **Amendment 95**

##### **Treaty on the Functioning of the European Union Article 9**

*Present text*

*Amendment*

In defining and implementing its policies and activities, the Union shall **take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health**.

In defining and implementing its policies and activities, the Union shall **ensure that social progress is anchored in a social protocol**.

**The Union shall take into account requirements linked to the promotion of a**

*high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health, as well as the effective exercise of democratic collective rights of trade unions.*

*(Part of Article 9 has become part of the second paragraph in Parliament's amendment.)*

## **Amendment 96**

### **Treaty on the Functioning of the European Union Article 10**

#### *Present text*

In defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial *or* ethnic origin, religion or belief, disability, age or sexual orientation.

#### *Amendment*

In defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, *gender*, racial, ethnic *or social* origin, *language*, religion or belief, *political opinion, belonging to a national minority*, disability, age or sexual orientation.

## **Amendment 97**

### **Treaty on the Functioning of the European Union Article 11**

#### *Present text*

Environmental protection requirements must be integrated into the definition and implementation of the Union's policies and activities, in particular with a view to promoting sustainable development.

#### *Amendment*

Environmental, *climate and biodiversity* protection requirements must be integrated into the definition and implementation of the Union's policies and activities, in particular with a view to promoting sustainable development.

## **Amendment 98**

### **Treaty on the Functioning of the European Union Article 15 – paragraph 3 – subparagraph 5**

#### *Present text*

The European Parliament and the Council shall ensure publication of the documents relating to the legislative procedures under the terms laid down by the regulations

#### *Amendment*

The European Parliament and the Council shall ensure publication of the documents relating to the legislative procedures, *including the positions of their members*

referred to in the second subparagraph.

*as well as proposals and amendments to legislative texts which form part of the normal legislative process, under the terms laid down by the regulations referred to in the second subparagraph.*

#### **Amendment 99**

##### **Treaty on the Functioning of the European Union Article 19 – paragraph 1**

###### *Present text*

1. Without prejudice to the other provisions of the Treaties and within the limits of the powers conferred by them upon the Union, the Council, acting *unanimously* in accordance with *a special legislative procedure and after obtaining the consent of the European Parliament*, may take appropriate action to combat discrimination based on sex, racial *or* ethnic origin, religion or belief, disability, age or sexual orientation.

###### *Amendment*

1. Without prejudice to the other provisions of the Treaties and within the limits of the powers conferred by them upon the Union, *the European Parliament and* the Council, acting in accordance with *the ordinary* legislative procedure, may take appropriate action to combat discrimination based on sex, *gender*, racial, ethnic *or social* origin, *language*, religion or belief, *political opinion, belonging to a national minority*, disability, age or sexual orientation.

#### **Amendment 100**

##### **Treaty on the Functioning of the European Union Article 19 – paragraph 2**

###### *Present text*

*2. By way of derogation from paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may adopt the basic principles of Union incentive measures, excluding any harmonisation of the laws and regulations of the Member States, to support action taken by the Member States in order to contribute to the achievement of the objectives referred to in paragraph 1.*

###### *Amendment*

*deleted*

#### **Amendment 101**

##### **Treaty on the Functioning of the European Union Article 20 – paragraph 2 a (new)**

*Present text*

*Amendment*

**2a.** *The European Parliament and the Council may, in accordance with the ordinary legislative procedure, adopt common provisions on preventing sale of passports, or other abuses regarding the acquisition and loss of citizenship of the Union by third country nationals, with a view to approximating the conditions under which such citizenship can be acquired.*

## **Amendment 102**

### **Treaty on the Functioning of the European Union Article 22 – paragraph 1**

*Present text*

*Amendment*

1. Every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate at municipal elections in the Member State in which he resides, under the same conditions as nationals of that State. This right shall be exercised subject to detailed arrangements adopted by the Council, acting *unanimously* in accordance with *a special* legislative procedure *and after consulting the European Parliament; these* arrangements may provide for derogations where warranted by problems specific to a Member State.

1. Every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate at municipal elections in the Member State in which he resides, under the same conditions as nationals of that State. This right shall be exercised subject to detailed arrangements adopted by *the European Parliament and* the Council, acting in accordance with *the ordinary* legislative procedure. *Those* arrangements may provide for derogations where warranted by problems specific to a Member State.

## **Amendment 103**

### **Treaty on the Functioning of the European Union Article 22 – paragraph 2**

*Present text*

*Amendment*

2. Without prejudice to Article 223(1) and to the provisions adopted for its implementation, every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate in elections to

2. Without prejudice to Article 223(1) and to the provisions adopted for its implementation, every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate in elections to

the European Parliament in the Member State in which he resides, under the same conditions as nationals of that State. This right shall be exercised subject to detailed arrangements adopted by the Council, acting *unanimously* in accordance with a *special* legislative procedure *and after consulting the European Parliament; these arrangements may provide for derogations where warranted by problems specific to a Member State.*

the European Parliament in the Member State in which he resides, under the same conditions as nationals of that State. This right shall be exercised subject to detailed arrangements adopted by *the European Parliament and* the Council, acting in accordance with *the ordinary* legislative procedure.

#### **Amendment 104**

##### **Treaty on the Functioning of the European Union Article 23 – paragraph 2**

###### *Present text*

The Council, acting in accordance with a *special* legislative procedure *and after consulting the European Parliament*, may adopt directives establishing the coordination and cooperation measures necessary to facilitate such protection.

###### *Amendment*

*The European Parliament and* the Council, acting in accordance with *the ordinary* legislative procedure, may adopt directives establishing the coordination and cooperation measures necessary to facilitate such protection.

#### **Amendment 105**

##### **Treaty on the Functioning of the European Union Article 24 – paragraph 1**

###### *Present text*

The European Parliament and the Council, acting by means of regulations in accordance with the ordinary legislative procedure, shall adopt the provisions for the procedures and conditions required for a citizens' initiative within the meaning of Article 11 of the Treaty on European Union, including the minimum number of Member States from which such citizens must come.

###### *Amendment*

The European Parliament and the Council, acting by means of regulations in accordance with the ordinary legislative procedure, shall adopt the provisions for the procedures and conditions required for a citizens' initiative within the meaning of Article *II(4)* of the Treaty on European Union, including the minimum number of Member States from which such citizens must come, *as well as those required for a European referendum within the meaning of Article 11(4b) of that Treaty.*



## Amendment 106

### Treaty on the Functioning of the European Union Article 24 a (new)

*Present text*

*Amendment*

#### **Article 24a**

***The Union shall protect persons belonging to minorities, in line with the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt provisions with a view to facilitating the exercise of the rights of people belonging to minorities. The Union shall accede to the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities.***

## Amendment 107

### Treaty on the Functioning of the European Union Article 26 – paragraph 2

*Present text*

*Amendment*

2. The internal market shall comprise an area without internal frontiers in which the free movement of ***goods, persons***, services and capital is ensured in accordance with the provisions of the Treaties.

2. The internal market shall comprise an area without internal frontiers in which the free movement of ***persons, goods***, services and capital is ensured ***in all Member States and by the institutions of the Union*** in accordance with the provisions of the Treaties.

## Amendment 108

### Treaty on the Functioning of the European Union Article 43 – paragraph 3

*Present text*

*Amendment*

3. The Council, on a proposal from the Commission, shall adopt measures on fixing prices, levies, aid and quantitative

3 The Council, on a proposal from the Commission, shall adopt measures on fixing prices, levies, aid and quantitative

limitations and on the fixing and allocation of fishing opportunities.

limitations and on the fixing and allocation of *sustainable* fishing opportunities.

#### **Amendment 109**

##### **Treaty on the Functioning of the European Union Article 64 – paragraph 3**

###### *Present text*

3. Notwithstanding paragraph 2, only the Council, acting in accordance with a special legislative procedure, may ***unanimously***, and after consulting the European Parliament, adopt measures which constitute a step backwards in Union law as regards the liberalisation of the movement of capital to or from third countries.

###### *Amendment*

3. Notwithstanding paragraph 2, only the Council, acting in accordance with a special legislative procedure, may, ***by a qualified majority*** and after consulting the European Parliament, adopt measures which constitute a step backwards in Union law as regards the liberalisation of the movement of capital to or from third countries.

#### **Amendment 110**

##### **Treaty on the Functioning of the European Union Article 67 – paragraph 2**

###### *Present text*

2. It shall ensure the absence of internal border controls for persons and shall frame a common policy on asylum, immigration ***and external border control***, based on solidarity between Member States, which is fair towards third-country nationals. For the purpose of this Title, stateless persons shall be treated as third-country nationals.

###### *Amendment*

2. It shall ensure the absence of internal border controls for persons and shall frame a common policy on ***borders***, asylum ***and*** immigration, based on solidarity between Member States, which is fair towards third-country nationals. For the purpose of this Title, stateless persons shall be treated as third-country nationals.

#### **Amendment 111**

##### **Treaty on the Functioning of the European Union Article 70**

###### *Present text*

Without prejudice to Articles 258, 259 and 260, the Council may, on a proposal from the Commission, adopt measures laying down the arrangements whereby Member States, in collaboration with the Commission, conduct objective and

###### *Amendment*

Without prejudice to Articles 258, 259 and 260, ***the European Parliament and*** the Council, ***acting in accordance with the ordinary legislative procedure***, may, on a proposal from the Commission, adopt measures laying down the arrangements

impartial evaluation of the implementation of the Union policies referred to in this Title by Member States' authorities, in particular in order to facilitate full application of the principle of mutual recognition. ***The European Parliament and*** national Parliaments shall be informed of the content and results of the evaluation.

whereby Member States, in collaboration with the Commission, conduct objective and impartial evaluation of the implementation of the Union policies referred to in this Title by Member States' authorities, in particular in order to facilitate full application of the principle of mutual recognition. National Parliaments shall be informed of the content and results of the evaluation.

## Amendment 112

### Treaty on the Functioning of the European Union Article 77 – paragraph 2 – point d a (new)

*Present text*

*Amendment*

***(da) any measure necessary and proportionate to ensure the efficient monitoring, securing and effective control of the Union's external borders, as well as the effective return of those who do not have the right to remain on the territory of the Union;***

## Amendment 113

### Treaty on the Functioning of the European Union Article 77 – paragraph 3

*Present text*

*Amendment*

3. If action by the Union should prove necessary to facilitate the exercise of the right referred to in Article 20(2)(a), and if the Treaties have not provided the necessary powers, the Council, acting in accordance with ***a special*** legislative procedure, may adopt provisions concerning passports, identity cards, residence permits or any other such document. ***The Council shall act unanimously after consulting the European Parliament.***

3. If action by the Union should prove necessary to facilitate the exercise of the right referred to in Article 20(2)(a), and if the Treaties have not provided the necessary powers, ***the European Parliament and*** the Council, acting in accordance with ***the ordinary*** legislative procedure, may adopt provisions concerning passports, identity cards, residence permits or any other such document.

## Amendment 114

### Treaty on the Functioning of the European Union Article 78 – paragraph 3

#### *Present text*

3. In the event of one or more Member States being confronted by an emergency situation characterised by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, may adopt provisional measures for the benefit of the Member State(s) concerned. It shall act after consulting the European Parliament.

#### *Amendment*

3. In the event of one or more Member States being confronted by an emergency situation characterised by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, may adopt provisional measures for the benefit of the Member State(s) concerned. It shall act ***on the initiative of or*** after consulting the European Parliament.

## Amendment 115

### Treaty on the Functioning of the European Union Article 79 – paragraph 1

#### *Present text*

1. The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings.

#### *Amendment*

1. The Union shall develop a common immigration policy ***that takes into account the economic and social stability of Member States and is*** aimed at ensuring, at all stages, the ***ability to meet labour demands of the single market in support of the economic situation in the Member States, as well as*** efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings.

## Amendment 116

### Treaty on the Functioning of the European Union Article 79 – paragraph 2 – point a

#### *Present text*

(a) the conditions ***of*** entry and residence, and standards on the issue by Member States of long-term visas and

#### *Amendment*

(a) the ***minimum*** conditions ***for*** entry, residence ***and the acquisition of Union citizenship***, and ***minimum*** standards ***for***

residence permits, including those for the purpose of family reunification;

the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification;

#### **Amendment 117**

##### **Treaty on the Functioning of the European Union Article 81 – paragraph 3 – subparagraph 1**

###### *Present text*

Notwithstanding paragraph 2, measures concerning family law with cross-border implications shall be established by the Council, acting in accordance with *a special* legislative procedure. *The Council shall act unanimously after consulting the European Parliament.*

###### *Amendment*

Notwithstanding paragraph 2, measures concerning family law with cross-border implications shall be established by *the European Parliament and* the Council, acting in accordance with *the ordinary* legislative procedure.

#### **Amendment 118**

##### **Treaty on the Functioning of the European Union Article 81 – paragraph 3 – subparagraph 2**

###### *Present text*

The Council, on a proposal from the Commission, may adopt a decision determining those aspects of family law with cross-border implications which may be the subject of acts adopted by the ordinary legislative procedure. *The Council shall act unanimously after consulting the European Parliament.*

###### *Amendment*

*The European Parliament and* the Council, on a proposal from the Commission, may adopt, *in accordance with the ordinary legislative procedure*, a decision determining those aspects of family law with cross-border implications which may be the subject of acts adopted by the ordinary legislative procedure.

#### **Amendment 119**

##### **Treaty on the Functioning of the European Union Article 81 – paragraph 3 – subparagraph 3**

###### *Present text*

*The proposal referred to in the second subparagraph shall be notified to the national Parliaments. If a national Parliament makes known its opposition within six months of the date of such notification, the decision shall not be adopted. In the absence of opposition, the*

###### *Amendment*

*deleted*

*Council may adopt the decision.*

#### **Amendment 120**

##### **Treaty on the Functioning of the European Union Article 83 – paragraph 1 – subparagraph 2**

###### *Present text*

These areas of crime are the following: terrorism, trafficking in human beings and sexual exploitation of women and children, illicit drug trafficking, illicit arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime and organised crime.

###### *Amendment*

These areas of crime are the following: terrorism, trafficking in human beings and sexual exploitation of women and children, ***gender-based violence, environmental crime***, illicit drug trafficking, illicit arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime and organised crime.

#### **Amendment 121**

##### **Treaty on the Functioning of the European Union Article 83 – paragraph 1 – subparagraph 3**

###### *Present text*

On the basis of developments in crime, the Council may ***adopt a decision identifying*** other areas of crime that meet the criteria specified in this paragraph. ***It shall act unanimously after obtaining the consent of the European Parliament.***

###### *Amendment*

On the basis of developments in crime, ***the European Parliament, acting by a majority of its component Members, and the Council, acting by a reinforced qualified majority as defined in Article 16(4b) of the Treaty on European Union,*** may ***identify*** other areas of crime that meet the criteria specified in this paragraph.

#### **Amendment 122**

##### **Treaty on the Functioning of the European Union Article 86 – paragraph 1**

###### *Present text*

1. ***In order to*** combat crimes affecting the financial interests of the Union, the Council, by means of regulations adopted in accordance with ***a special*** legislative procedure, ***may establish a European Public Prosecutor's Office from Eurojust. The Council shall act unanimously after obtaining the consent of the European***

###### *Amendment*

1. ***The European Public Prosecutor's Office from Eurojust shall*** combat crimes affecting the financial interests of the Union. ***The European Parliament and the Council, acting*** by means of regulations adopted in accordance with ***the ordinary*** legislative procedure, shall ***lay down rules concerning its functioning.***

*Parliament.*

*In the absence of unanimity in the Council, a group of at least nine Member States may request that the draft regulation be referred to the European Council. In that case, the procedure in the Council shall be suspended. After discussion, and in case of a consensus, the European Council shall, within four months of this suspension, refer the draft back to the Council for adoption.*

*Within the same timeframe, in case of disagreement, and if at least nine Member States wish to establish enhanced cooperation on the basis of the draft regulation concerned, they shall notify the European Parliament, the Council and the Commission accordingly. In such a case, the authorisation to proceed with enhanced cooperation referred to in Article 20(2) of the Treaty on European Union and Article 329(1) of this Treaty shall be deemed to be granted and the provisions on enhanced cooperation shall apply.*

## **Amendment 123**

### **Treaty on the Functioning of the European Union Article 86 – paragraph 4**

#### *Present text*

4. The European Council may, at the same time or subsequently, adopt a decision amending paragraph 1 in order to extend the powers of the European Public Prosecutor's Office to include serious crime having a cross-border dimension and amending accordingly paragraph 2 as regards the perpetrators of, and accomplices in, serious crimes affecting more than one Member State. ***The European Council shall act unanimously after obtaining the consent of the European Parliament and after consulting the Commission.***

#### *Amendment*

4. The European ***Parliament and the Council, acting in accordance with the ordinary legislative procedure***, may, at the same time or subsequently, adopt a decision amending paragraph 1 in order to extend the powers of the European Public Prosecutor's Office to include serious crime having a cross-border dimension and amending accordingly paragraph 2 as regards the perpetrators of, and accomplices in, serious crimes affecting more than one Member State.

## Amendment 124

### Treaty on the Functioning of the European Union Article 87 – paragraph 3 – subparagraph 1

#### *Present text*

The Council, acting in accordance with *a special* legislative procedure, may establish measures concerning operational cooperation between the authorities referred to in this Article. ***The Council shall act unanimously after consulting the European Parliament.***

#### *Amendment*

***The European Parliament and the*** Council, acting in accordance with ***the ordinary*** legislative procedure, may establish measures concerning operational cooperation between the authorities referred to in this Article.

## Amendment 125

### Treaty on the Functioning of the European Union Article 87 – paragraph 3 – subparagraph 2

#### *Present text*

***In case of the absence of unanimity in the Council,*** a group of at least nine Member States may request that the draft measures be referred to the European Council. In that case, the procedure in the Council shall be suspended. After discussion, and in case of a consensus, the European Council shall, within four months of this suspension, refer the draft back to the Council for adoption.

#### *Amendment*

A group of at least nine Member States may request that the draft measures be referred to the European Council. In that case, the procedure in the Council shall be suspended. After discussion, and in case of a consensus, the European Council shall, within four months of this suspension, refer the draft back to the Council for adoption.

## Amendment 126

### Treaty on the Functioning of the European Union Article 88 – paragraph 1

#### *Present text*

1. ***Europol's mission shall be to support and strengthen action*** by the Member States' police authorities ***and other law enforcement services and their mutual cooperation*** in preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime which affect a common interest covered by a Union policy.

#### *Amendment*

1. ***Subject to parliamentary scrutiny, Europol shall have the power to conduct operational actions. Europol shall*** support ***actions*** by the Member States' police authorities in preventing and combating serious crime affecting two or more Member States, terrorism and forms of crime which affect a common interest covered by a Union policy.



## Amendment 127

### Treaty on the Functioning of the European Union Article 88 – paragraph 2 – subparagraph 1 – point b

#### *Present text*

(b) the coordination, organisation and implementation of investigative and operational action *carried out jointly with the Member States' competent authorities or in the context of joint investigative teams, where appropriate in liaison with Eurojust.*

#### *Amendment*

(b) the coordination, organisation and implementation of investigative and operational action.

## Amendment 128

### Treaty on the Functioning of the European Union Article 88 – paragraph 3

#### *Present text*

3. *Any operational action by Europol must be carried out in liaison and in agreement with the authorities of the Member State or States whose territory is concerned. The application of coercive measures shall be the exclusive responsibility of the competent national authorities.*

#### *Amendment*

*deleted*

## Amendment 129

### Treaty on the Functioning of the European Union Article 108 – paragraph 1

#### *Present text*

1. The Commission shall, in cooperation with Member States, keep under constant review all systems of aid existing in those States. It shall propose to the latter any appropriate measures required by the progressive development or by the functioning of the internal market.

#### *Amendment*

1. The Commission shall, in cooperation with Member States, keep under constant review all systems of aid existing in those States, *while respecting the Union's objectives as set out in Article 3 of the Treaty on European Union.* It shall propose to the latter any appropriate measures required by the progressive development, *by the realisation of these objectives* or by the functioning of the internal market.

## Amendment 130

### Treaty on the Functioning of the European Union Article 113

#### *Present text*

The Council *shall*, acting *unanimously in accordance with a special legislative procedure* and after consulting *the European Parliament and* the Economic and Social Committee, adopt provisions for the harmonisation of legislation concerning turnover taxes, excise duties and other forms of indirect taxation *to the extent that such harmonisation is necessary to ensure the establishment and the functioning of the internal market and to avoid distortion of competition.*

#### *Amendment*

*The European Parliament, and* the Council, acting *by a reinforced qualified majority as defined in Article 16(4b) of the Treaty on European Union*, and after consulting the Economic and Social Committee, *shall* adopt provisions for the harmonisation of legislation concerning *direct and indirect taxes, including* turnover taxes *and* excise duties and other forms of *direct and* indirect taxation.

## Amendment 131

### Treaty on the Functioning of the European Union Article 115

#### *Present text*

Without prejudice to Article 114, the Council shall, acting *unanimously* in accordance with *a special* legislative procedure and after consulting *the European Parliament and* the Economic and Social Committee, issue directives for the approximation of such laws, regulations or administrative provisions of the Member States as directly affect the establishment or functioning of the internal market.

#### *Amendment*

Without prejudice to Article 114, *the European Parliament and* the Council shall, acting in accordance with *the ordinary* legislative procedure and after consulting the Economic and Social Committee, issue directives for the approximation of such laws, regulations or administrative provisions of the Member States as directly affect the establishment or functioning of the internal market.

## Amendment 132

### Treaty on the Functioning of the European Union Article 119 – paragraph 1

#### *Present text*

1. For the purposes set out in Article 3 of the Treaty on European Union, the activities of the Member States and the Union shall include, as provided in the

#### *Amendment*

1. For the purposes set out in Article 3 of the Treaty on European Union, the activities of the Member States and the Union shall include, as provided in the

Treaties, the adoption of an economic policy which is based on the close coordination of Member States' economic policies, on the internal market and on the definition of common objectives, and conducted in accordance with the principle of an open market economy with free competition.

Treaties, the adoption of an economic policy which is based on the close coordination of Member States' economic policies, on the internal market and on the definition of common objectives, and conducted in accordance with the principle of an open market economy with free competition *that aims to achieve full employment and social progress*.

### Amendment 133

#### Treaty on the Functioning of the European Union Article 121 – paragraph 2 – subparagraph 1

##### *Present text*

The Council shall, on a recommendation from the Commission, formulate a draft for the broad guidelines of the economic policies of the Member States and of the Union, and shall report its findings to the European Council.

##### *Amendment*

*The European Parliament and the Council, acting in accordance with the ordinary legislative procedure*, shall, on a recommendation from the Commission *and after consulting the social partners*, formulate a draft for the broad guidelines of the economic policies of the Member States and of the Union, and shall report its findings to the European Council.

### Amendment 134

#### Treaty on the Functioning of the European Union Article 121 – paragraph 2 – subparagraph 3

##### *Present text*

On the basis of this conclusion, the Council shall adopt a recommendation setting out these broad guidelines. *The Council shall inform the European Parliament of its recommendation.*

##### *Amendment*

On the basis of this conclusion, *the European Parliament and* the Council shall adopt a recommendation setting out these broad guidelines.

### Amendment 135

#### Treaty on the Functioning of the European Union Article 121 – paragraph 3 – subparagraph 1

##### *Present text*

In order to ensure closer coordination of economic policies and sustained convergence of the economic performances

##### *Amendment*

In order to ensure closer coordination of economic policies and sustained convergence of the economic performances

of the Member States, the Council shall, on the basis of reports submitted by the Commission, monitor economic developments in each of the Member States and in the Union as well as the consistency of economic policies with the broad guidelines referred to in paragraph 2, and regularly carry out an overall assessment.

of the Member States, ***the European Parliament and*** the Council shall, on the basis of reports submitted by the Commission ***and following consultation with the social partners***, monitor economic developments in each of the Member States and in the Union as well as the consistency of economic policies with the broad guidelines referred to in paragraph 2, and regularly carry out an overall assessment.

#### **Amendment 136**

##### **Treaty on the Functioning of the European Union Article 121 – paragraph 4 – subparagraph 1**

###### *Present text*

Where it is established, under the procedure referred to in paragraph 3, that the economic policies of a Member State are not consistent with the broad guidelines referred to in paragraph 2 or that they risk jeopardising the proper functioning of economic and monetary union, the Commission may address a warning to the Member State concerned. The Council, on a recommendation from the Commission, may address the necessary recommendations to the Member State concerned. The Council may, on a proposal from the Commission, decide to make its recommendations public.

###### *Amendment*

Where it is established, under the procedure referred to in paragraph 3, that the economic policies of a Member State are not consistent with the broad guidelines referred to in paragraph 2 or that they risk jeopardising the proper functioning of economic and monetary union, the Commission may address a warning to the Member State concerned. The Council, on a recommendation from the Commission, may address the necessary recommendations to the Member State concerned. ***The European Parliament and*** the Council may, on a proposal from the Commission, decide to make ***Council's*** recommendations public.

#### **Amendment 137**

##### **Treaty on the Functioning of the European Union Article 122 – paragraph 1**

###### *Present text*

***1. Without prejudice to any other procedures provided for in the Treaties, the Council, on a proposal from the Commission, may decide, in a spirit of solidarity between Member States, upon the measures appropriate to the economic situation, in particular if severe***

###### *Amendment*

***deleted***

*difficulties arise in the supply of certain products, notably in the area of energy.*

#### **Amendment 138**

##### **Treaty on the Functioning of the European Union Article 122 – paragraph 2**

*Present text*

*Amendment*

**2.** *Where a Member State is in difficulties or is seriously threatened with severe difficulties caused by natural disasters or exceptional occurrences beyond its control, the Council, on a proposal from the Commission, may grant, under certain conditions, Union financial assistance to the Member State concerned. The President of the Council shall inform the European Parliament of the decision taken.*

*deleted*

#### **Amendment 139**

##### **Treaty on the Functioning of the European Union Article 126 – paragraph 1 a (new)**

*Present text*

*Amendment*

**1a.** *Member States shall ensure that the necessary investments are made in order to achieve the European economic, social, environmental and security objectives.*

#### **Amendment 140**

##### **Treaty on the Functioning of the European Union Article 126 – paragraph 14 – subparagraph 2**

*Present text*

*Amendment*

The Council *shall*, acting *unanimously* in accordance with *a special* legislative procedure and after consulting *the European Parliament and* the European Central Bank, adopt the appropriate provisions which shall then replace the said Protocol.

*The European Parliament and* the Council, acting in accordance with *the ordinary* legislative procedure and after consulting the European Central Bank, *shall* adopt the appropriate provisions which shall then replace the said Protocol.

## Amendment 141

### Treaty on the Functioning of the European Union Article 126 – paragraph 14 – subparagraph 3

#### *Present text*

Subject to the other provisions of this paragraph, the Council shall, on a proposal from the Commission **and after consulting the European Parliament**, lay down detailed rules and definitions for the application of the provisions of the said Protocol.

#### *Amendment*

Subject to the other provisions of this paragraph, **the European Parliament and the Council, acting in accordance with the ordinary legislative procedure**, shall, on a proposal from the Commission lay down detailed rules and definitions for the application of the provisions of the said Protocol.

## Amendment 142

### Treaty on the Functioning of the European Union Article 148 – paragraph 1

#### *Present text*

1 The European Council shall each year consider the employment situation in the Union and adopt conclusions thereon, on the basis of **a joint** annual report by **the Council and** the Commission.

#### *Amendment*

1. **The European Parliament and** the European Council shall each year consider the employment situation in the Union and adopt conclusions thereon, on the basis of **an** annual report by the Commission **containing information from the reports referred to in paragraph 3.**

## Amendment 143

### Treaty on the Functioning of the European Union Article 148 – paragraph 2

#### *Present text*

2 On the basis of the conclusions of the European Council, the Council, on a proposal from the Commission and after consulting **the European Parliament**, the Economic and Social Committee, the Committee of the Regions and the Employment Committee referred to in Article 150, shall each year draw up guidelines which the Member States shall take into account in their employment policies. These guidelines shall **be consistent with** the broad guidelines

#### *Amendment*

2. On the basis of the conclusions of **the European Parliament and of** the European Council, **the European Parliament and** the Council, on a proposal from the Commission and after consulting the Economic and Social Committee, the Committee of the Regions and the Employment Committee referred to in Article 150, shall each year draw up guidelines which the Member States shall take into account in their employment policies. These guidelines shall

adopted pursuant to Article 121(2).

***complement*** the broad guidelines adopted pursuant to Article 121(2) ***and aim to ensure the implementation of the principles and rights included in the European Pillar of Social Rights proclaimed by the European Parliament, the Council and the Commission in 2017 at the Gothenburg Summit.***

#### **Amendment 144**

##### **Treaty on the Functioning of the European Union Article 148 – paragraph 3**

###### *Present text*

3 Each Member State shall provide ***the Council and*** the Commission with an annual report on the principal measures taken to implement its employment policy in the light of the guidelines for employment as referred to in paragraph 2.

###### *Amendment*

3. Each Member State shall provide the Commission with an annual report on the principal measures taken to implement its employment policy in the light of the guidelines for employment as referred to in paragraph 2.

#### **Amendment 145**

##### **Treaty on the Functioning of the European Union Article 148 – paragraph 4**

###### *Present text*

4. The Council, on the basis of the reports referred to in paragraph 3 ***and having received the views of the Employment Committee***, shall each year carry out an examination of the implementation of the employment policies of the Member States in the light of the guidelines for employment. The Council, on a recommendation from the Commission, may, if ***it considers*** it appropriate in the light of that examination, make recommendations to Member States.

###### *Amendment*

4. ***The European Parliament and*** the Council, on the basis of the reports referred to in paragraph 3, shall each year carry out an examination of the implementation of the employment policies of the Member States in the light of the guidelines for employment. ***The European Parliament and*** the Council, on a recommendation from the Commission, may, if ***they consider*** it appropriate in the light of that examination, make recommendations to Member States.

#### **Amendment 146**

##### **Treaty on the Functioning of the European Union Article 148 – paragraph 5**

*Present text*

5. On the basis of the results of that examination, **the Council and** the Commission shall make **a joint** annual report to the European Council on the employment situation in the Union and on the implementation of the guidelines for employment.

*Amendment*

5. On the basis of the results of that examination, the Commission shall make **an** annual report to **the European Parliament and to** the European Council on the employment situation in the Union and on the implementation of the guidelines for employment.

**Amendment 147**

**Treaty on the Functioning of the European Union  
Article 151 – paragraph 1**

*Present text*

The Union and the Member States, having in mind fundamental social rights such as those set out in the European Social Charter signed at **Turin on 18 October 1961 and** in the 1989 Community Charter of the Fundamental Social Rights of Workers, shall have as their objectives the promotion of employment, improved living and working conditions, so as to make possible their harmonisation while the improvement is being maintained, proper social protection, dialogue between management and labour, the development of human resources with a view to lasting high employment and the combating of exclusion.

*Amendment*

The Union and the Member States, having in mind fundamental social rights such as those set out in the **revised** European Social Charter signed at **Strasbourg on 3 May 1996**, in the 1989 Community Charter of the Fundamental Social Rights of Workers, **in the European Pillar of Social Rights and in the Charter of Fundamental Rights of the European Union**, shall have as their objectives the promotion of employment, improved living and working conditions, so as to make possible their harmonisation while the improvement is being maintained, proper social protection, dialogue between management and labour, the development of human resources with a view to lasting high employment and the combating of exclusion.

**Amendment 148**

**Treaty on the Functioning of the European Union  
Article 151 – paragraph 1 a (new)**

*Present text*

*Amendment*

***Specific provisions relating to the definition and implementation of social progress and the relation between fundamental social rights and other Union policies shall be defined in a protocol on Social Progress in the***



**Amendment 149**

**Treaty on the Functioning of the European Union  
Article 153 – paragraph 1 – point b a (new)**

*Present text*

*Amendment*

*(ba) just transition and anticipation of change;*

**Amendment 150**

**Treaty on the Functioning of the European Union  
Article 153 – paragraph 1 – point e**

*Present text*

*Amendment*

(e) the information *and* consultation of workers;

(e) the information, consultation *and participation* of workers;

**Amendment 151**

**Treaty on the Functioning of the European Union  
Article 153 – paragraph 1 – point i**

*Present text*

*Amendment*

(i) equality *between men and women* with regard to labour market opportunities and treatment at work;

(i) *the promotion of gender* equality with regard to labour market opportunities and treatment at work;

**Amendment 152**

**Treaty on the Functioning of the European Union  
Article 153 – paragraph 1 – point j**

*Present text*

*Amendment*

(j) the combating of social exclusion;

(j) the combating of *poverty and* social exclusion, *and the supporting of social housing*;

**Amendment 153**

**Treaty on the Functioning of the European Union  
Article 153 – paragraph 2 – subparagraph 1 – point b**

*Present text*

(b) may adopt, in the fields referred to in paragraph 1(a) to (i), by means of directives, minimum requirements for gradual implementation, having regard to the conditions and technical rules obtaining in each of the Member States. Such directives shall avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings.

*Amendment*

(b) may adopt, in the fields referred to in paragraph 1(a) to (k), by means of directives, minimum requirements for gradual implementation, having regard to the conditions and technical rules obtaining in each of the Member States. Such directives shall avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of small and medium-sized undertakings.

**Amendment 154**

**Treaty on the Functioning of the European Union  
Article 153 – paragraph 2 – subparagraph 3**

*Present text*

*In the fields referred to in paragraph 1(c), (d), (f) and (g), the Council shall act unanimously, in accordance with a special legislative procedure, after consulting the European Parliament and the said Committees.*

*Amendment*

*deleted*

**Amendment 155**

**Treaty on the Functioning of the European Union  
Article 153 – paragraph 2 – subparagraph 4**

*Present text*

*The Council, acting unanimously on a proposal from the Commission, after consulting the European Parliament, may decide to render the ordinary legislative procedure applicable to paragraph 1(d), (f) and (g).*

*Amendment*

*deleted*

**Amendment 156**

**Treaty on the Functioning of the European Union  
Article 153 – paragraph 4 – indent 1 a (new)**

*Present text*

*Amendment*

**— shall not constitute valid grounds for lowering the level of protection already accorded to workers in the Member States,**

### **Amendment 157**

#### **Treaty on the Functioning of the European Union Article 157 – paragraph 1**

*Present text*

*Amendment*

1. Each Member State shall ensure that the principle of equal pay for ***male and female*** workers for equal work or work of equal value is applied.

1. Each Member State shall ensure that the principle of equal pay for ***all*** workers, ***regardless of their gender***, for equal work or work of equal value is applied.

### **Amendment 158**

#### **Treaty on the Functioning of the European Union Article 157 – paragraph 2 – subparagraph 2 – introductory part**

*Present text*

*Amendment*

Equal pay without discrimination based on ***sex*** means:

Equal pay without discrimination based on ***gender*** means:

### **Amendment 159**

#### **Treaty on the Functioning of the European Union Article 157 – paragraph 3**

*Present text*

*Amendment*

3. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, and after consulting the Economic and Social Committee, shall adopt measures to ensure the application of the ***principle*** of equal opportunities and ***equal treatment of men and women*** in matters of employment and occupation, including the principle of equal pay for equal work or work of equal value.

3. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, and after consulting the Economic and Social Committee, shall adopt measures to ensure the application of the ***principles*** of equal opportunities and ***gender equality*** in matters of employment and occupation, including the principle of equal pay for equal work or work of equal value.

## Amendment 160

### Treaty on the Functioning of the European Union Article 157 – paragraph 4

#### *Present text*

4. With a view to ensuring full equality in practice ***between men and women*** in working life, the principle of equal treatment shall not prevent any Member State from maintaining or adopting measures providing for specific advantages in order to make it easier for ***the*** underrepresented ***sex*** to pursue a vocational activity or to prevent or compensate for disadvantages in professional careers.

#### *Amendment*

4. With a view to ensuring full ***gender*** equality in practice in working life, the principle of equal treatment shall not prevent any Member State from maintaining or adopting measures providing for specific advantages in order to make it easier for underrepresented ***genders in all their diversity*** to pursue a vocational activity or to prevent or compensate for disadvantages in professional careers.

## Amendment 161

### Treaty on the Functioning of the European Union Article 165 – paragraph 2 – indent - 1 (new)

#### *Present text*

#### *Amendment*

— ***developing common objectives and standards of an education that promotes democratic values and the rule of law as well as digital and economic literacy,***

## Amendment 162

### Treaty on the Functioning of the European Union Article 165 – paragraph 2 – indent 3

#### *Present text*

#### *Amendment*

— promoting cooperation between educational ***establishments***,

— promoting cooperation ***and coherence*** between educational ***systems while guaranteeing cultural traditions and regional diversity,***

## Amendment 163

### Treaty on the Functioning of the European Union Article 166 – paragraph 1

*Present text*

1. The Union shall implement *a vocational training policy which shall support and supplement the action of the Member States, while fully respecting the responsibility of the Member States for the content and organisation of vocational training.*

*Amendment*

1. The Union *and the Member States* shall, *after consulting the social partners*, implement *measures to enhance vocational training policies, which take account of the diverse forms of national practices.*

**Amendment 164**

**Treaty on the Functioning of the European Union  
Article 166 – paragraph 2 – indent 2**

*Present text*

— improve initial and continuing vocational training in order to facilitate vocational integration and reintegration into the labour market,

*Amendment*

— *develop common standards on vocational training and* improve initial and continuing vocational training in order to facilitate vocational integration and reintegration into the labour market, *and to increase the mobility of workers in the Union,*

**Amendment 165**

**Treaty on the Functioning of the European Union  
Article 168 – paragraph 1 – subparagraph 2**

*Present text*

Union action, which shall complement national policies, shall be directed towards improving public health, preventing physical and mental illness and diseases, and obviating sources of danger to physical and mental health. Such action shall cover the fight against the major health scourges, by promoting research into their causes, their transmission and their prevention, as well as health information and education, and monitoring, early warning of and combating serious cross-border threats to health.

*Amendment*

Union action, which shall complement national policies, shall be directed towards improving public health, preventing physical and mental illness and diseases, and obviating sources of danger to physical and mental health. Such action shall cover the fight against the major health scourges, by promoting research into their causes, their transmission and their prevention, as well as health information and education, and monitoring, early warning of and combating serious cross-border threats to health *in line with an integrated, unified approach in order to balance and optimise the health of people, animals and the environment.*

## Amendment 166

### Treaty on the Functioning of the European Union Article 168 – paragraph 4 – point b

*Present text*

(b) measures in the veterinary and phytosanitary fields which have as their direct objective the protection of public health;

*Amendment*

(b) measures in the veterinary, ***animal welfare*** and phytosanitary fields which have as their direct objective the protection of public health;

## Amendment 167

### Treaty on the Functioning of the European Union Article 168 – paragraph 4 – point c a (new)

*Present text*

*Amendment*

***(ca) measures setting common indicators on universal and equal access to affordable and high-quality health care services, including reproductive health;***

## Amendment 168

### Treaty on the Functioning of the European Union Article 168 – paragraph 4 – point c b (new)

*Present text*

*Amendment*

***(cb) measures for the early notification, monitoring and management of serious cross-border threats to health, in particular in the event of pandemics. These measures shall not prevent Member States from maintaining or adopting reinforced protective measures where these are imperative;***

## Amendment 169

### Treaty on the Functioning of the European Union Article 168 – paragraph 4 – point c c (new)

*Present text*

*Amendment*

***(cc) measures for monitoring and coordinating access to common diagnostics, information and the***

*treatment of communicable and non-communicable diseases, including rare diseases.*

## **Amendment 170**

### **Treaty on the Functioning of the European Union Article 179 – paragraph 1**

#### *Present text*

1. The Union shall have the objective of strengthening its scientific and technological bases by achieving a European research area in which researchers, scientific knowledge and technology circulate freely, and encouraging it to become more competitive, including in its industry, while promoting all the research activities deemed necessary by virtue of other Chapters of the Treaties.

#### *Amendment*

1. The Union shall have the objective of strengthening its scientific and technological bases by achieving a European research area in which researchers, scientific knowledge and technology circulate freely, and encouraging it to become more competitive, including in its industry, while promoting all the research activities deemed necessary by virtue of other Chapters of the Treaties ***and respecting and promoting academic freedom and the freedom to conduct scientific research and teach.***

## **Amendment 171**

### **Treaty on the Functioning of the European Union Article 189 – paragraph 1**

#### *Present text*

1. To promote scientific and technical progress, industrial competitiveness and the implementation of its policies, the Union shall draw up a European space policy. To this end, it may promote joint initiatives, support research and technological development and coordinate the efforts needed for the exploration and exploitation of space.

#### *Amendment*

1. To promote scientific and technical progress, industrial competitiveness and the implementation of its policies, the Union shall draw up a ***common*** European space policy ***and strategy***. To this end, it may promote joint initiatives, support research and technological development and coordinate the efforts needed for the exploration and exploitation of space.

## **Amendment 172**

### **Treaty on the Functioning of the European Union Article 189 – paragraph 2**

*Present text*

2. To contribute to attaining the objectives referred to in paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall establish the necessary measures, which may take the form of a European space programme, ***excluding any harmonisation of the laws and regulations of the Member States.***

*Amendment*

2. To contribute to attaining the objectives referred to in paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall establish the necessary measures, which may take the form of a European space programme, ***working towards a common framework for space activities and ratifying existing international treaties.***

**Amendment 173**

**Treaty on the Functioning of the European Union  
Article 191 – paragraph -1 (new)**

*Present text*

*Amendment*

***-1. Mindful of its responsibility towards future generations, the European Union, acting in accordance with the Treaties, shall protect the natural foundations of life and animals by Union law, including by executive and judicial action.***

**Amendment 174**

**Treaty on the Functioning of the European Union  
Article 191 – paragraph 1 – indent 4**

*Present text*

*Amendment*

— promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change.

— promoting measures at ***Union and*** international level to deal with regional or worldwide environmental problems, and in particular combating climate change, ***protecting biodiversity, and implementing the Union's international obligations.***

**Amendment 175**

**Treaty on the Functioning of the European Union  
Article 191 – paragraph 2 – subparagraph 1**



*Present text*

Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on the precautionary principle *and* on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.

*Amendment*

Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on the *one health approach and on the* precautionary principle, *as well as* on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.

**Amendment 176**

**Treaty on the Functioning of the European Union  
Article 191 – paragraph 3 – indent 2 a (new)**

*Present text*

*Amendment*

— *the risk to cross planetary boundaries, applying a precautionary principle,*

**Amendment 177**

**Treaty on the Functioning of the European Union  
Article 191 a (new)**

*Present text*

*Amendment*

***Article 191a***

***1. The Union shall, in line with its international obligations, pursue efforts to limit the global temperature increase and adhere to the objective of balancing Union-wide greenhouse gas emissions and removals to achieve negative emissions.***

***2. In the context of the adoption of any draft measure or legislative proposal, including budgetary proposals, the Commission shall endeavour to align those draft measures and proposals with the objectives referred to in paragraph 1. In the event of non-compliance, the Commission shall provide the reasons for that failure to align as part of the impact***

*assessment accompanying the relevant proposal.*

## **Amendment 178**

### **Treaty on the Functioning of the European Union Article 192 – paragraph 2**

*Present text*

*Amendment*

- 2.** *By way of derogation from the decision-making procedure provided for in paragraph 1 and without prejudice to Article 114, the Council acting unanimously in accordance with a special legislative procedure and after consulting the European Parliament, the Economic and Social Committee and the Committee of the Regions, shall adopt:*
- (a) provisions primarily of a fiscal nature;*
- (b) measures affecting:*
- town and country planning,*
  - quantitative management of water resources or affecting, directly or indirectly, the availability of those resources,*
  - land use, with the exception of waste management;*
- (c) measures significantly affecting a Member State's choice between different energy sources and the general structure of its energy supply.*

*deleted*

*The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, the Economic and Social Committee and the Committee of the Regions, may make the ordinary legislative procedure applicable to the matters referred to in the first subparagraph.*

## **Amendment 179**

### **Treaty on the Functioning of the European Union Article 192 – paragraph 3**

*Present text*

*Amendment*

3. **General action programmes setting out priority objectives to be attained shall be adopted by the European Parliament and the Council, acting in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee and the Committee of the Regions.**

**deleted**

*The measures necessary for the implementation of these programmes shall be adopted under the terms of paragraph 1 or 2, as the case may be.*

#### **Amendment 180**

##### **Treaty on the Functioning of the European Union Article 194 – paragraph 1 – introductory part**

*Present text*

*Amendment*

1. In the context of the establishment and functioning of the internal market and with regard for the need to preserve and improve the environment, Union ***policy on energy*** shall aim, in a spirit of solidarity between Member States, to:

1. In the context of the establishment and functioning of the internal market and with regard for the need to preserve and improve the environment, ***the common energy policy of the*** Union shall aim, in a spirit of solidarity between Member States, to:

#### **Amendment 181**

##### **Treaty on the Functioning of the European Union Article 194 – paragraph 1 – point b**

*Present text*

*Amendment*

(b) ensure security of energy supply in the Union;

(b) ensure ***the*** security and ***affordability of the*** energy supply ***for everyone*** in the Union;

#### **Amendment 182**

##### **Treaty on the Functioning of the European Union Article 194 – paragraph 1 – point c**

*Present text*

*Amendment*

(c) ***promote*** energy efficiency and energy saving and the development of new and renewable forms of energy; and

(c) ***ensure*** energy efficiency and energy saving and the development of new and renewable forms of energy ***in order to achieve an energy system based on energy efficiency and renewable energies***; and

#### **Amendment 183**

##### **Treaty on the Functioning of the European Union Article 194 – paragraph 1 – point d**

*Present text*

*Amendment*

(d) ***promote*** the interconnection of energy networks.

(d) ***ensure*** the interconnection of energy networks;

#### **Amendment 184**

##### **Treaty on the Functioning of the European Union Article 194 – paragraph 1 – point d a (new)**

*Present text*

*Amendment*

***(da) to design the overall energy system in line with international agreements to mitigate climate change.***

#### **Amendment 185**

##### **Treaty on the Functioning of the European Union Article 194 – paragraph 2 – subparagraph 2**

*Present text*

*Amendment*

***Such measures shall not affect a Member State's right to determine the conditions for exploiting its energy resources, its choice between different energy sources and the general structure of its energy supply, without prejudice to Article 192(2)(c).***

***deleted***

#### **Amendment 186**

##### **Treaty on the Functioning of the European Union Article 194 – paragraph 3**

*Present text*

*Amendment*

3. *By way of derogation from paragraph 2, the Council, acting in accordance with a special legislative procedure, shall unanimously and after consulting the European Parliament, establish the measures referred to therein when they are primarily of a fiscal nature.*

*deleted*

#### **Amendment 187**

#### **Treaty on the Functioning of the European Union Article 206**

*Present text*

*Amendment*

By establishing a customs union in accordance with Articles 28 to 32, the Union shall contribute, in the common interest, to the harmonious development of world trade, the progressive abolition of restrictions on international trade and on foreign direct investment, and the lowering of customs and other barriers.

By establishing a customs union in accordance with Articles 28 to 32, the Union shall contribute, in the common interest, to the harmonious development of ***rule-based, multilateral*** world trade, the progressive abolition of restrictions on international trade and on foreign direct investment, and the lowering of customs and other barriers ***while promoting, in particular, democratic values, good governance, human rights and sustainability in the common commercial policy.***

#### **Amendment 188**

#### **Treaty on the Functioning of the European Union Article 207 – paragraph 1**

*Present text*

*Amendment*

1. The common commercial policy shall be based on uniform principles, particularly with regard to changes in tariff rates, the conclusion of tariff and trade agreements relating to trade in goods and services, and the commercial aspects of intellectual property, foreign ***direct*** investment, the achievement of uniformity in measures of liberalisation, export policy and measures to protect trade such as those to be taken in the event of dumping or

1. The common commercial policy shall be based on uniform principles, particularly with regard to changes in tariff rates, the conclusion of tariff and trade agreements relating to trade in goods and services, and the commercial aspects of intellectual property, foreign investment, ***including investment protection, economic security,*** the achievement of uniformity in measures of liberalisation, export policy and measures to protect trade

subsidies. The common commercial policy shall be conducted in the context of the principles and objectives of the Union's external action.

such as those to be taken in the event of dumping or subsidies. The common commercial policy shall be conducted in the context of the principles and objectives of the Union's external action, *as well as its climate-neutrality objective*.

#### Amendment 189

##### Treaty on the Functioning of the European Union Article 207 – paragraph 3 – subparagraph 2

###### *Present text*

*The Commission shall make recommendations to the Council, which shall authorise it to open the necessary negotiations. The Council and the Commission shall be responsible for ensuring that the agreements negotiated are compatible with internal Union policies and rules.*

###### *Amendment*

*The European Parliament and the Council shall, upon a recommendation by the Commission, authorise the Commission to open the necessary negotiations. The Commission shall be responsible for ensuring that the agreements negotiated are compatible with internal Union policies and rules.*

#### Amendment 190

##### Treaty on the Functioning of the European Union Article 207 – paragraph 3 – subparagraph 3

###### *Present text*

The Commission shall conduct these negotiations in consultation with a special committee appointed by the Council to assist the Commission in this task and within the framework of such directives as the Council may issue to it. The Commission shall report regularly to the special committee *and to the European Parliament* on the progress of negotiations.

###### *Amendment*

The Commission shall conduct these negotiations in consultation with *a competent committee of the European Parliament and* a special committee appointed by the Council to assist the Commission in this task and within the framework of such directives as Council may issue to it. The Commission shall report regularly *to the competent committee of the European Parliament and* to the special committee *appointed by the Council* on the progress of negotiations.

#### Amendment 191

##### Treaty on the Functioning of the European Union Article 207 – paragraph 3 – subparagraph 3 a (new)

*Present text*

*Amendment*

***By way of derogation from Article 218(5), the European Parliament and the Council may adopt a decision authorising the provisional application of an agreement before its entry into force.***

#### **Amendment 192**

##### **Treaty on the Functioning of the European Union Article 207 – paragraph 4 – subparagraph 1**

*Present text*

*Amendment*

For the negotiation and conclusion of the agreements referred to in paragraph 3, the Council shall act by a ***qualified*** majority.

For the negotiation and conclusion of the agreements referred to in paragraph 3, the Council shall act by a ***simple*** majority.

#### **Amendment 193**

##### **Treaty on the Functioning of the European Union Article 207 – paragraph 4 – subparagraph 2**

*Present text*

*Amendment*

For the negotiation and conclusion of agreements in the fields of trade in services and the commercial aspects of intellectual property, as well as foreign direct investment, the Council shall act ***unanimously where such agreements include provisions for which unanimity is required for the adoption of internal rules.***

For the negotiation and conclusion of agreements in the fields of trade in services and the commercial aspects of intellectual property, as well as foreign direct investment, the Council shall act ***by a qualified majority.***

#### **Amendment 194**

##### **Treaty on the Functioning of the European Union Article 207 – paragraph 4 – subparagraph 3 – introductory part**

*Present text*

*Amendment*

The Council shall also act ***unanimously*** for the negotiation and conclusion of agreements:

The Council shall also act ***by a qualified majority*** for the negotiation and conclusion of agreements:

## Amendment 195

### Treaty on the Functioning of the European Union Article 207 – paragraph 5 a (new)

*Present text*

*Amendment*

**5a.** *A permanent mechanism to monitor and examine foreign direct investment in the Union shall be established. This mechanism may be used to protect the European interest.*

## Amendment 196

### Treaty on the Functioning of the European Union Article 218 – paragraph 2

*Present text*

*Amendment*

2. The Council shall authorise the opening of negotiations, adopt negotiating directives, authorise the signing of agreements and conclude them.

2. The Council shall, ***after obtaining the consent of the European Parliament***, authorise the opening of negotiations, adopt negotiating directives, authorise the signing of agreements and conclude them.

## Amendment 197

### Treaty on the Functioning of the European Union Article 218 – paragraph 2 a (new)

*Present text*

*Amendment*

**2a.** *By way of derogation from paragraph 2, for agreements falling within the scope of Article 207, the opening of negotiations shall be conditional upon authorisation by the European Parliament and the Council.*

## Amendment 198

### Treaty on the Functioning of the European Union Article 218 – paragraph 6 – subparagraph 2 – introductory part

*Present text*

*Amendment*

Except where agreements relate exclusively to the common foreign and security policy, the Council shall adopt the

Except where agreements relate exclusively to the common foreign and security policy, the Council shall adopt the



decision concluding the agreement:

decision concluding the agreement *after obtaining the consent of the European Parliament.*

#### **Amendment 199**

##### **Treaty on the Functioning of the European Union Article 218 – paragraph 6 – subparagraph 2 – point a**

*Present text*

*Amendment*

*(a) after obtaining the consent of the European Parliament in the following cases:*

*deleted*

*(i) association agreements;*

*(ii) agreement on Union accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms;*

*(iii) agreements establishing a specific institutional framework by organising cooperation procedures;*

*(iv) agreements with important budgetary implications for the Union;*

*(v) agreements covering fields to which either the ordinary legislative procedure applies, or the special legislative procedure where consent by the European Parliament is required.*

*The European Parliament and the Council may, in an urgent situation, agree upon a time-limit for consent.*

#### **Amendment 200**

##### **Treaty on the Functioning of the European Union Article 218 – paragraph 6 – subparagraph 2 – point b**

*Present text*

*Amendment*

*(b) after consulting the European Parliament in other cases. The European Parliament shall deliver its opinion within a time-limit which the Council may set depending on the urgency of the matter. In the absence of an opinion within that time-limit, the Council may act.*

*deleted*

## Amendment 201

### Treaty on the Functioning of the European Union Article 218 – paragraph 7

#### *Present text*

7. When concluding an agreement, the Council may, by way of derogation from paragraphs 5, 6 and 9, authorise the negotiator to approve on the Union's behalf modifications to the agreement where it provides for them to be adopted by a simplified procedure or by a body set up by the agreement. The Council may attach specific conditions to such authorisation.

#### *Amendment*

7. When concluding an agreement, **the European Parliament and** the Council may, by way of derogation from paragraphs 5, 6 and 9, authorise the negotiator to approve on the Union's behalf modifications to the agreement where it provides for them to be adopted by a simplified procedure or by a body set up by the agreement. The Council may attach specific conditions to such authorisation.

## Amendment 202

### Treaty on the Functioning of the European Union Article 218 – paragraph 9

#### *Present text*

9. The Council, on a proposal from the Commission or the High Representative of the Union for Foreign Affairs and Security Policy, shall adopt a decision suspending application of an agreement and establishing the positions to be adopted on the Union's behalf in a body set up by an agreement, when that body is called upon to adopt acts having legal effects, with the exception of acts supplementing or amending the institutional framework of the agreement.

#### *Amendment*

9. The Council, on a proposal from the Commission or the High Representative of the Union for Foreign Affairs and Security Policy, **and after obtaining the consent of the European Parliament,** shall adopt a decision suspending application of an agreement and establishing the positions to be adopted on the Union's behalf in a body set up by an agreement, when that body is called upon to adopt acts having legal effects, with the exception of acts supplementing or amending the institutional framework of the agreement.

## Amendment 203

### Treaty on the Functioning of the European Union Article 218 – paragraph 10

#### *Present text*

10. The European Parliament shall be immediately and fully informed at all

#### *Amendment*

10. The European Parliament shall be immediately and fully informed at all stages of the procedure, **including the**

stages of the procedure.

*opening of and the process of negotiations, signature and implementation of the agreements, as well as suspension of the obligations laid down in those agreements.*

#### **Amendment 204**

##### **Treaty on the Functioning of the European Union Article 222 – paragraph -1 (new)**

*Present text*

*Amendment*

***-1. In the event of an emergency affecting the European Union or one or more Member States, the European Parliament and the Council may grant the Commission extraordinary powers, including those to enable it to mobilise all necessary instruments. In order for an emergency to be declared, the European Parliament shall act by a majority of its component members and the Council shall act by a qualified majority, on a proposal from the European Parliament or the Commission.***

***That decision, by which an emergency is declared and extraordinary powers are granted to the Commission, shall define the scope of the powers, the detailed governance arrangements and the period during which they apply.***

***The European Parliament or the Council, acting by a simple majority, may revoke the decision at any time.***

***The Council and the Parliament may, in accordance with the procedure set out in the first subparagraph, review or renew the decision at any time.***

*This deletes Article 122 TFEU*

#### **Amendment 205**

##### **Treaty on the Functioning of the European Union Article 223 – paragraph 1**

*Present text*

1. The European Parliament shall draw up a proposal to lay down the provisions necessary for the election of its Members by direct universal suffrage in accordance with a uniform procedure in all Member States or in accordance with principles common to all Member States.

*The Council, acting unanimously in accordance with a special legislative procedure and after obtaining the consent of the European Parliament, which shall act by a majority of its component Members, shall lay down the necessary provisions. These provisions shall enter into force following their approval by the Member States in accordance with their respective constitutional requirements.*

**Amendment 206**

**Treaty on the Functioning of the European Union  
Article 223 – paragraph 2**

*Present text*

2. The European Parliament, acting by means of regulations on its own initiative in accordance with a special legislative procedure after seeking an opinion from the Commission and with the consent of the Council, shall lay down the regulations and general conditions governing the performance of the duties of its Members. *All rules or conditions relating to the taxation of Members or former Members shall require unanimity within the Council.*

**Amendment 207**

**Treaty on the Functioning of the European Union  
Article 225**

*Amendment*

1. The European Parliament shall draw up a proposal **for a regulation** to lay down the provisions necessary for the election of its Members by direct universal suffrage in accordance with a uniform procedure in all Member States or in accordance with principles common to all Member States. ***The Council may reject that proposal by a qualified majority in accordance with a special legislative procedure.***

The **European** Parliament, **acting** by a majority of its component Members **in accordance with a special legislative procedure and after obtaining the consent of the Council, acting by a qualified majority**, shall lay down the necessary provisions.

*Amendment*

2. The European Parliament, acting by means of regulations on its own initiative in accordance with a special legislative procedure after seeking an opinion from the Commission and with the consent of the Council, shall lay down the regulations and general conditions governing the performance of the duties of its Members.

*Present text*

The European Parliament may, acting by a majority of its component Members, ***request the Commission to submit any appropriate proposal on matters on which it considers that a Union act is required for the purpose of implementing the Treaties. If the Commission does not submit a proposal,*** it shall inform the ***European Parliament of the reasons.***

*Amendment*

The European Parliament may, ***in accordance with Article 294 and*** acting by a majority of its component Members, ***adopt proposals on matters to which the ordinary legislative procedure applies. Before doing so,*** it shall inform the ***European Commission of its intentions.***

**Amendment 208**

**Treaty on the Functioning of the European Union  
Article 226 – paragraph 1**

*Present text*

In the course of its duties, the European Parliament ***may***, at the request of a ***quarter*** of its component Members, set up a temporary Committee of Inquiry to investigate, without prejudice to the powers conferred by the Treaties on other institutions or bodies, alleged contraventions or maladministration in the implementation of Union law, except where the alleged facts are being examined before a court and while the case is still subject to legal proceedings.

*Amendment*

In the course of its duties, the European Parliament ***shall***, at the request of a ***third*** of its component Members, set up a temporary Committee of Inquiry to investigate, without prejudice to the powers conferred by the Treaties on other institutions or bodies, alleged contraventions or maladministration in the implementation of Union law, except where the alleged facts are being examined before a court and while the case is still subject to legal proceedings. ***The Committee of Inquiry may summon any witness to participate in a hearing before it, if this is necessary in order for it to be able to fulfil its tasks***

**Amendment 209**

**Treaty on the Functioning of the European Union  
Article 226 – paragraph 3**

*Present text*

The detailed provisions governing the exercise of the right of inquiry shall be determined by the European Parliament, ***acting by means of regulations on its own initiative in accordance with a special legislative procedure, after obtaining the***

*Amendment*

The detailed provisions governing the exercise of the right of inquiry shall be determined by the European Parliament, ***and*** the Council, ***acting by a qualified majority, on a proposal from the European Parliament, and after***

*consent of* the Council and the Commission.

*consulting* the Commission.

## Amendment 210

### Treaty on the Functioning of the European Union Article 234 – paragraph 1

#### *Present text*

If a motion of censure *on* the activities of the *Commission* is tabled before it, the European Parliament shall not vote thereon until at least three days after the motion has been tabled and only by open vote.

#### *Amendment*

If a motion of *collective* censure *of* the activities of the *Executive or a motion of individual censure of the activities of a member of the Executive* is tabled before it, the European Parliament shall not vote thereon until at least three days after the motion has been tabled and only by open vote.

*(The amendment to the words “Commission” and “commissioner” applies throughout the text. Adopting this amendment will necessitate corresponding changes throughout.)*

## Amendment 211

### Treaty on the Functioning of the European Union Article 234 – paragraph 2

#### *Present text*

If the motion of censure is *carried by a two-thirds majority of the votes cast, representing* a majority of the component Members of the European Parliament, the members of the *Commission* shall resign as a body and the *High Representative of the Union for Foreign Affairs and Security Policy* shall resign from duties that *he or she carries* out in the Commission. They shall remain in office and continue to deal with current business until they are replaced in accordance with Article 17 of the Treaty on European Union. In this case, the term of office of the members of the *Commission* appointed to replace them shall expire on the date on which the term of office of the members of the Commission obliged to resign as a body

#### *Amendment*

If the motion of *collective* censure is *adopted* by a majority of the component Members of the European Parliament, the members of the *Executive* shall resign as a body and the Union *Secretary for Foreign Affairs and Security Policy and the Union Secretary for Economic Governance* shall resign from duties that *they carry* out in the *Executive*. They shall remain in office and continue to deal with current business until they are replaced in accordance with Article 17 of the Treaty on European Union. In this case, the term of office of the members of the *Executive* appointed to replace them shall expire on the date on which the term of office of the members of the *Executive* obliged to resign as a body would have expired.

would have expired.

*(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)*

#### **Amendment 212**

##### **Treaty on the Functioning of the European Union Article 234 – paragraph 2 a (new)**

*Present text*

*Amendment*

***If a motion of individual censure is adopted by a majority of the component Members of the European Parliament, the member of the Executive concerned shall resign immediately.***

#### **Amendment 213**

##### **Treaty on the Functioning of the European Union Article 238**

*Present text*

*Amendment*

***[...]***

***deleted***

#### **Amendment 214**

##### **Treaty on the Functioning of the European Union Article 245 – paragraph 2**

*Present text*

*Amendment*

The Members of the Commission may not, during their term of office, engage in any other occupation, whether gainful or not. When entering upon their duties they shall give a solemn undertaking that, both during and after their term of office, they will respect the obligations arising therefrom and in particular their duty to behave with integrity and discretion as regards the acceptance, after they have ceased to hold office, of certain appointments or benefits. In the event of any breach of these obligations, the Court of Justice may, on application by the Council acting by a simple majority or the Commission, rule

The Members of the Commission may not, during their term of office, engage in any other occupation, whether gainful or not. When entering upon their duties they shall give a solemn undertaking that, both during and after their term of office, they will respect the obligations arising therefrom and in particular their duty to behave with integrity and discretion as regards the acceptance, after they have ceased to hold office, of certain appointments or benefits. In the event of any breach of these obligations, the Court of Justice may, on application by ***the European Parliament,*** ***by*** the Council acting by a simple majority

that the Member concerned be, according to the circumstances, either compulsorily retired in accordance with Article 247 or deprived of his right to a pension or other benefits in its stead.

or **by** the Commission, rule that the Member concerned be, according to the circumstances, either compulsorily retired in accordance with Article 247 or deprived of his right to a pension or other benefits in its stead.

#### Amendment 215

##### Treaty on the Functioning of the European Union Article 246 – paragraph 3

###### *Present text*

The Council may, acting **unanimously** on a proposal from the President of the Commission, decide that such a vacancy need not be filled, in particular when the remainder of the Member's term of office is short.

###### *Amendment*

The Council may, acting **by a qualified majority** on a proposal from the President of the Commission, decide that such a vacancy need not be filled, in particular when the remainder of the Member's term of office is short.

#### Amendment 216

##### Treaty on the Functioning of the European Union Article 247

###### *Present text*

If any Member of the Commission no longer fulfils the conditions required for the performance of his duties or if he has been guilty of serious misconduct, the Court of Justice may, on application by the Council acting by a simple majority or the Commission, compulsorily retire him.

###### *Amendment*

If any Member of the Commission no longer fulfils the conditions required for the performance of his duties or if he has been guilty of serious misconduct, the Court of Justice may, on application by **the European Parliament**, by the Council acting by a simple majority or **by** the Commission, compulsorily retire him.

#### Amendment 217

##### Treaty on the Functioning of the European Union Article 258 – paragraph 1

###### *Present text*

If the Commission considers that a Member State has failed to fulfil an obligation under the Treaties, it shall deliver a reasoned opinion on the matter after giving the State concerned the

###### *Amendment*

If the Commission considers that a Member State has failed to fulfil an obligation under the Treaties, it shall deliver a reasoned opinion on the matter **within 12 months** after giving the State concerned the opportunity to submit its



opportunity to submit its observations.

observations.

### **Amendment 218**

#### **Treaty on the Functioning of the European Union Article 258 – paragraph 2**

*Present text*

If the State concerned does not comply with the opinion within **the** period **laid down by the Commission**, the **latter may** bring the matter before the Court of Justice of the European Union.

*Amendment*

If the State concerned does not comply with the opinion within **that** period **of 12 months**, the **Commission shall** bring the matter before the Court of Justice of the European Union.

### **Amendment 219**

#### **Treaty on the Functioning of the European Union Article 259 – paragraph 1**

*Present text*

A Member State which considers that **another** Member State has failed to fulfil an obligation under the Treaties may bring the matter before the Court of Justice of the European Union.

*Amendment*

**The European Parliament or a** Member State which considers that **a** Member State has failed to fulfil an obligation under the Treaties may bring the matter before the Court of Justice of the European Union.

### **Amendment 220**

#### **Treaty on the Functioning of the European Union Article 259 – paragraph 2**

*Present text*

Before a Member State brings an action against **another** Member State for an alleged infringement of an obligation under the Treaties, it shall bring the matter before the Commission.

*Amendment*

Before **the European Parliament or a** Member State brings an action against **a** Member State for an alleged infringement of an obligation under the Treaties, it shall bring the matter before the Commission.

### **Amendment 221**

#### **Treaty on the Functioning of the European Union Article 259 – paragraph 3**

*Present text*

The Commission shall deliver a reasoned

*Amendment*

The Commission shall deliver a reasoned

opinion after each of the States concerned has been given the opportunity to submit *its* own case and *its* observations on the other party's case both orally and in writing.

opinion after each of the States concerned ***and, if relevant, the European Parliament*** have been given the opportunity to submit ***their*** own case and ***their*** observations on the other party's case both orally and in writing.

#### Amendment 222

##### Treaty on the Functioning of the European Union Article 260 – paragraph 2 – subparagraph 1

###### *Present text*

If the Commission considers that the Member State concerned has not taken the necessary measures to comply with the judgment of the Court, it may bring the case before the Court after giving that State the opportunity to submit its observations. It shall specify the amount of the lump sum or penalty payment to be paid by the Member State concerned which it considers appropriate in the circumstances.

###### *Amendment*

If the Commission considers that the Member State concerned has not taken the necessary measures to comply with the judgment of the Court, it ***shall*** bring the case before the Court, ***at the latest 12 months after the delivery of the judgment,*** after giving that State the opportunity to submit its observations. It shall specify the amount of the lump sum or penalty payment to be paid by the Member State concerned which it considers appropriate in the circumstances.

#### Amendment 223

##### Treaty on the Functioning of the European Union Article 262

###### *Present text*

Without prejudice to the other provisions of the Treaties, the Council, acting ***unanimously*** in accordance with a special legislative procedure and after ***consulting*** the European Parliament, may adopt provisions to confer jurisdiction, to the extent that it shall determine, on the Court of Justice of the European Union in disputes relating to the application of acts adopted on the basis of the Treaties which create European intellectual property rights. These provisions shall enter into force after their approval by the Member States in accordance with their respective constitutional requirements.

###### *Amendment*

Without prejudice to the other provisions of the Treaties, the Council, acting ***by a qualified majority*** in accordance with a special legislative procedure and after ***obtaining the consent of*** the European Parliament, may adopt provisions to confer jurisdiction, to the extent that it shall determine, on the Court of Justice of the European Union in disputes relating to the application of acts adopted on the basis of the Treaties which create European intellectual property rights. These provisions shall enter into force after their approval by the Member States in accordance with their respective

constitutional requirements.

#### **Amendment 224**

##### **Treaty on the Functioning of the European Union Article 263 – paragraph 2**

###### *Present text*

It shall for this purpose have jurisdiction in actions brought by a Member State, the European Parliament, the Council or the Commission on grounds of lack of competence, infringement of an essential procedural requirement, infringement of the Treaties, or of any rule of law relating to their application, or misuse of powers.

###### *Amendment*

It shall for this purpose have jurisdiction in actions brought by a Member State, the European Parliament, the Council or the Commission on grounds of lack of competence, infringement of an essential procedural requirement, infringement of the Treaties, or of any rule of law relating to their application, **and in particular concerning the principle of subsidiarity**, or misuse of powers.

#### **Amendment 225**

##### **Treaty on the Functioning of the European Union Article 263 – paragraph 4**

###### *Present text*

Any natural or legal person may, under the conditions laid down in the first and second paragraphs, institute proceedings against an act addressed to that person or which is of direct **and individual** concern to them, and against a regulatory act which is of direct concern to them and does not entail implementing measures.

###### *Amendment*

Any natural or legal person may, under the conditions laid down in the first and second paragraphs, institute proceedings against an act addressed to that person or which is of direct concern to them, and against a regulatory act which is of direct concern to them and does not entail implementing measures.

#### **Amendment 226**

##### **Treaty on the Functioning of the European Union Article 275 – paragraph 1**

###### *Present text*

The Court of Justice of the European Union shall **not** have jurisdiction with respect to the provisions relating to the common foreign and security policy **nor with respect to** acts adopted on the basis of those provisions.

###### *Amendment*

The Court of Justice of the European Union shall have jurisdiction with respect to the provisions relating to the common foreign and security policy, **including** acts adopted on the basis of those provisions.

## Amendment 227

### Treaty on the Functioning of the European Union Article 275 – paragraph 2

*Present text*

*Amendment*

*However, the Court shall have jurisdiction to monitor compliance with Article 40 of the Treaty on European Union and to rule on proceedings, brought in accordance with the conditions laid down in the fourth paragraph of Article 263 of this Treaty, reviewing the legality of decisions providing for restrictive measures against natural or legal persons adopted by the Council on the basis of Chapter 2 of Title V of the Treaty on European Union.*

*deleted*

## Amendment 228

### Treaty on the Functioning of the European Union Article 285 – paragraph 2

*Present text*

*Amendment*

It shall consist of *one national of each Member State*. Its Members shall be completely independent in the performance of their duties, in the Union's general interest.

It shall consist of *a number of members, corresponding to two-thirds of the number of Member States, including its President*. Its Members shall be completely independent in the performance of their duties, in the Union's general interest.

## Amendment 229

### Treaty on the Functioning of the European Union Article 285 – paragraph 2 a (new)

*Present text*

*Amendment*

*The members of the Court of Auditors shall be chosen from among the nationals of the Member States on the basis of a system of strictly equal rotation between the Member States, reflecting the demographic and geographical range of all the Member States. This system shall be established by a qualified majority by the European Council in accordance with*

*Article 244.*

**Amendment 230**

**Treaty on the Functioning of the European Union  
Article 286 – paragraph 2 – subparagraph 1**

*Present text*

The Members of the Court of Auditors shall be appointed for a term of six years. The Council, after **consulting** the European Parliament, shall adopt the list of Members drawn up in accordance with the proposals made by each Member State. The term of office of the Members of the Court of Auditors shall be renewable.

*Amendment*

The Members of the Court of Auditors shall be appointed for a term of six years. The Council, after **obtaining the consent of** the European Parliament, shall adopt the list of Members drawn up in accordance with the proposals made by each Member State. The term of office of the Members of the Court of Auditors shall be renewable.

**Amendment 231**

**Treaty on the Functioning of the European Union  
Article 294 – paragraph 2**

*Present text*

2. The Commission shall submit a proposal to the European Parliament and the Council.

*Amendment*

2. The Commission shall submit a proposal to the European Parliament and the Council. **Where Article 225 applies, the European Parliament shall submit its proposal to the Council. The Commission shall be informed.**

**Amendment 232**

**Treaty on the Functioning of the European Union  
Article 294 – paragraph 3**

*Present text*

3. The European Parliament shall adopt its position at first reading and communicate it to the Council.

*Amendment*

3. The European Parliament shall adopt its position at first reading and communicate it to the Council. **Where Article 225 applies, Parliament's proposal shall be considered to be its position at first reading.**

### Amendment 233

#### Treaty on the Functioning of the European Union Article 294 – paragraph 4

##### *Present text*

4. If the Council approves the European Parliament's position, the act concerned shall be adopted in the wording which corresponds to the position of the European Parliament.

##### *Amendment*

4. If the Council approves the European Parliament's position ***or has not taken a decision within one year***, the act concerned shall be adopted in the wording which corresponds to the position of the European Parliament.

### Amendment 234

#### Treaty on the Functioning of the European Union Article 294 – paragraph 7 – point b

##### *Present text*

(b) rejects, by a majority of ***its component members***, the Council's position at first reading, the proposed act shall be deemed not to have been adopted;

##### *Amendment*

(b) rejects, by a majority of ***the votes cast***, the Council's position at first reading, the proposed act shall be deemed not to have been adopted;

### Amendment 235

#### Treaty on the Functioning of the European Union Article 294 – paragraph 15 – subparagraph 1

##### *Present text*

Where, in the cases provided for in the Treaties, a legislative act is submitted to the ordinary legislative procedure on the initiative of a group of Member States, on a recommendation by the European Central Bank, or at the request of the Court of Justice, paragraph 2, the second sentence of paragraph 6, and paragraph 9 shall not apply.

##### *Amendment*

Where, in the cases provided for in the Treaties, a legislative act is submitted to the ordinary legislative procedure on the initiative of a group of Member States, ***on a European citizens' initiative***, on a recommendation by the European Central Bank, or at the request of the Court of Justice, paragraph 2, the second sentence of paragraph 6, and paragraph 9 shall not apply.

### Amendment 236

#### Treaty on the Functioning of the European Union Part Six – Title I – Chapter 2 a (new) – title

*Present text*

*Amendment*

**CHAPTER 2a**

**THE APPLICATION OF THE  
PRINCIPLES OF SUBSIDIARITY AND  
PROPORTIONALITY**

*(Protocol (No 2) on the application of the principles of subsidiarity and proportionality is to be inserted in the TFEU, Part Six, Title I, Chapter 2a (new). This new chapter comprises Articles 299a to 299j (new).)*

**Amendment 237**

**Treaty on the Functioning of the European Union  
Article 299 a (new)**

*Present text*

*Amendment*

**Article 299a**

***Each institution shall ensure constant respect for the principles of subsidiarity and proportionality, as laid down in Article 5 of the Treaty on European Union.***

*(This amendment reproduces the wording of Article 1 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality.)*

**Amendment 238**

**Treaty on the Functioning of the European Union  
Article 299 b (new)**

*Present text*

*Amendment*

**Article 299b**

***Before proposing legislative acts, the Commission shall consult widely. Such consultations shall, where appropriate, take into account the regional and local dimension of the action envisaged. In cases of exceptional urgency, the Commission shall not conduct such consultations. It shall give reasons for its decision in its proposal.***

*(This amendment reproduces the wording of Article 2 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality.)*

## Amendment 239

### Treaty on the Functioning of the European Union

#### Article 299 c (new)

*Present text*

*Amendment*

#### *Article 299c*

*For the purposes of this Protocol, "draft legislative acts" shall mean proposals from the Commission, initiatives from a group of Member States, initiatives from the European Parliament, requests from the Court of Justice, recommendations from the European Central Bank and requests from the European Investment Bank, for the adoption of a legislative act.*

*(This amendment reproduces the wording of Article 3 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality.)*

## Amendment 240

### Treaty on the Functioning of the European Union

#### Article 299 d (new)

*Present text*

*Amendment*

#### *Article 299d*

*The Commission shall forward its draft legislative acts and its amended drafts to national Parliaments and regional Parliaments with legislative powers at the same time as to the Union legislator.*

*The European Parliament shall forward its draft legislative acts and its amended drafts to national Parliaments and regional Parliaments with legislative powers.*

*The Council shall forward draft legislative acts originating from a group of Member States, the Court of Justice, the European Central Bank or the European Investment Bank and amended drafts to national Parliaments and regional Parliaments with legislative powers.*

*Upon adoption, legislative resolutions of the European Parliament and positions of*



***the Council shall be forwarded by them to national Parliaments and regional Parliaments with legislative powers.***

*(This amendment is based on the wording of Article 4 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality and supplements it.)*

#### **Amendment 241**

#### **Treaty on the Functioning of the European Union Article 299 e (new)**

*Present text*

*Amendment*

#### ***Article 299e***

***Draft legislative acts shall be justified with regard to the principles of subsidiarity and proportionality.***

***Any draft legislative act should contain a detailed statement making it possible to appraise compliance with the principles of subsidiarity and proportionality. This statement should contain some assessment of the proposal's financial impact and, in the case of a directive, of its implications for the rules to be put in place by Member States, including, where necessary, the regional legislation.***

***The reasons for concluding that a Union objective can be better achieved at Union level shall be substantiated by qualitative and, wherever possible, quantitative indicators. Draft legislative acts shall take account of the need for any burden, whether financial or administrative, falling upon the Union, national governments, regional or local authorities, economic operators and citizens, to be minimised and commensurate with the objective to be achieved.***

*(This amendment reproduces the wording of Article 5 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality.)*

#### **Amendment 242**

#### **Treaty on the Functioning of the European Union Article 299 f (new)**

***Article 299f***

***Any national Parliament or any chamber of a national Parliament may, within twelve weeks from the date of transmission of a draft European legislative act, in the official languages of the Union, send to the Presidents of the European Parliament, the Council and the Commission a reasoned opinion stating why it considers that the draft in question does not comply with the principle of subsidiarity. Each national Parliament or each chamber of a national Parliament shall include the opinion of regional parliaments with legislative powers to its reasoned opinion when regional exclusive competences may be affected. The Commission should reply within twelve weeks.***

***If the draft legislative act originates from a group of Member States, the President of the Council shall forward the opinion to the governments of those Member States.***

***If the draft legislative act originates from the Court of Justice, the European Central Bank or the European Investment Bank, the President of the Council shall forward the opinion to the institution or body concerned.***

***The Commission should take account of reasoned opinions received from national Parliaments, and from regional parliaments with legislative powers, in its annual reports on the principles of subsidiarity and proportionality. The Commission should also make information on objections available to the Council and Parliament during the legislative procedure when national Parliaments submit a significant number of reasoned opinions on a given piece of draft legislation.***

*(This amendment is based on Article 6 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality and amends and supplements it.)*

## Amendment 243

### Treaty on the Functioning of the European Union

#### Article 299 g (new)

*Present text*

*Amendment*

#### **Article 299g**

***Any national Parliament or any chamber of a national Parliament may request the European Parliament or the Commission to submit any appropriate proposal concerning matters on which it considers that a Union act is required for the purpose of implementing the Treaties.***

***Where an institution receives a request in accordance with the first paragraph but does not submit a proposal within six months, that institution shall inform the national Parliament, the Committee of the Regions and, if relevant, the European Parliament of its reasons for not doing so.***

*(This amendment inserts a new Article in what used to be Protocol No 2.)*

## Amendment 244

### Treaty on the Functioning of the European Union

#### Article 299 h (new)

*Present text*

*Amendment*

#### **Article 299h**

***1. The European Parliament, the Council and the Commission, and, where appropriate, the group of Member States, the Court of Justice, the European Central Bank or the European Investment Bank, if the draft legislative act originates from them, shall take account of the reasoned opinions issued by national Parliaments or by a chamber of a national Parliament.***

***Each national Parliament shall have two votes, shared out on the basis of the national Parliamentary system. In the case of a bicameral Parliamentary system, each of the two chambers shall have one vote.***

**2. Where reasoned opinions on a draft legislative act's non-compliance with the principle of subsidiarity represent at least one third of all the votes allocated to the national Parliaments in accordance with the second subparagraph of paragraph 1, the draft must be reviewed. This threshold shall be a quarter in the case of a draft legislative act submitted on the basis of Article 76 of the Treaty on the Functioning of the European Union on the area of freedom, security and justice.**

**After such review, the Commission or, where appropriate, the group of Member States, the European Parliament, the Court of Justice, the European Central Bank or the European Investment Bank, if the draft legislative act originates from them, may decide to maintain, amend or withdraw the draft. Reasons must be given for this decision.**

**3. Furthermore, under the ordinary legislative procedure, where reasoned opinions on the noncompliance of a proposal for a legislative act with the principle of subsidiarity represent at least a simple majority of the votes allocated to the national Parliaments in accordance with the second subparagraph of paragraph 1, the proposal must be reviewed. After such review, the Commission may decide to maintain, amend or withdraw the proposal.**

**If it chooses to maintain the proposal, the Commission will have, in a reasoned opinion, to justify why it considers that the proposal complies with the principle of subsidiarity. This reasoned opinion, as well as the reasoned opinions of the national Parliaments, will have to be submitted to the Union legislator, for consideration in the procedure:**

**(a) before concluding the first reading, the legislator (the European Parliament and the Council) shall consider whether the legislative proposal is compatible with the principle of subsidiarity, taking particular account of**

*the reasons expressed and shared by the majority of national Parliaments as well as the reasoned opinion of the Commission;*

*(b) if, by a majority of 55 % of the members of the Council or a majority of the votes cast in the European Parliament, the legislator is of the opinion that the proposal is not compatible with the principle of subsidiarity, the legislative proposal shall not be given further consideration.*

*(This amendment reproduces the wording of Article 7 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality.)*

#### **Amendment 245**

#### **Treaty on the Functioning of the European Union Article 299 i (new)**

*Present text*

*Amendment*

#### *Article 299i*

*The Court of Justice of the European Union shall have jurisdiction in actions on grounds of infringement of the principle of subsidiarity by a legislative act, brought in accordance with the rules laid down in Article 263 of the Treaty on the Functioning of the European Union by Member States, or notified by them in accordance with their legal order on behalf of their national Parliament or a chamber thereof.*

*In accordance with the rules laid down in the said Article, the Committee of the Regions may also bring such actions against legislative acts for the adoption of which the Treaty on the Functioning of the European Union provides that it be consulted.*

*(This amendment reproduces the wording of Article 8 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality.)*

#### **Amendment 246**

#### **Treaty on the Functioning of the European Union Article 299 j (new)**

*Present text*

*Amendment*

**Article 299j**

***The Commission shall submit each year to the European Council, the European Parliament, the Council, national Parliaments and regional Parliaments with legislative powers a report on the application of Article 5 of the Treaty on European Union. That annual report shall also be forwarded to the Economic and Social Committee and the Committee of the Regions.***

*(This amendment is based on the wording of Article 9 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality and supplements it.)*

**Amendment 247**

**Treaty on the Functioning of the European Union  
Article 311 – paragraph 3**

*Present text*

*Amendment*

The Council, acting in accordance with *a special* legislative procedure, shall ***unanimously and after consulting the European Parliament*** adopt a decision laying down the provisions relating to the system of own resources of the Union. In this context it may establish new categories of own resources or abolish an existing category. ***That decision shall not enter into force until it is approved by the Member States in accordance with their respective constitutional requirements.***

***The European Parliament and*** the Council, acting in accordance with ***the ordinary*** legislative procedure, shall adopt a decision laying down the provisions relating to the system of own resources of the Union. In this context it may establish new categories of own resources or abolish an existing category.

**Amendment 248**

**Treaty on the Functioning of the European Union  
Article 311 – paragraph 4**

*Present text*

*Amendment*

The Council, acting by means of regulations in accordance with *a special* legislative procedure, shall lay down implementing measures for the Union's own resources system in so far as this is

***The European Parliament and*** the Council, acting by means of regulations ***adopted*** in accordance with ***the ordinary*** legislative procedure, shall lay down implementing measures for the Union's

provided for in the decision adopted on the basis of the third paragraph. ***The Council shall act after obtaining the consent of the European Parliament.***

own resources system in so far as this is provided for in the decision adopted on the basis of the third paragraph.

#### **Amendment 249**

##### **Treaty on the Functioning of the European Union Article 312 – paragraph 1 – subparagraph 2**

*Present text*

*Amendment*

It shall be established for a period of ***at least*** five years.

It shall be established for a period of five years.

#### **Amendment 250**

##### **Treaty on the Functioning of the European Union Article 312 – paragraph 2 – subparagraph 1**

*Present text*

*Amendment*

The Council, acting in accordance with ***a special*** legislative procedure, shall adopt a regulation laying down the multiannual financial framework. ***The Council shall act unanimously after obtaining the consent of the European Parliament, which shall be given by a majority of its component members.***

***The European Parliament and the*** Council, acting in accordance with ***the ordinary*** legislative procedure, shall adopt a regulation laying down the multiannual financial framework.

#### **Amendment 251**

##### **Treaty on the Functioning of the European Union Article 312 – paragraph 2 – subparagraph 2**

*Present text*

*Amendment*

***The European Council may, unanimously, adopt a decision authorising the Council to act by a qualified majority when adopting the regulation referred to in the first subparagraph.***

***deleted***

#### **Amendment 252**

##### **Treaty on the Functioning of the European Union Article 319 – paragraph 1**

*Present text*

1. The European Parliament, acting on a recommendation from the Council, shall give a discharge to the Commission in respect of the implementation of the budget. To this end, the Council and the European Parliament in turn shall examine the accounts, the financial statement and the evaluation report referred to in Article 318, the annual report by the Court of Auditors together with the replies of the institutions under audit to the observations of the Court of Auditors, the statement of assurance referred to in Article 287(1), second subparagraph and any relevant special reports by the Court of Auditors.

*Amendment*

1. The European Parliament, acting on a recommendation from the Council, shall give a discharge to the Commission in respect of the implementation of the budget. ***It shall also give a discharge to other institutions, bodies, offices and agencies in respect of the implementation of their sections of the budget or of their budgets, as appropriate, and in accordance with conditions to be laid down pursuant to Article 322.*** To this end, the Council and the European Parliament in turn shall examine the accounts, the financial statement and the evaluation report referred to in Article 318, the annual report by the Court of Auditors together with the replies of the institutions under audit to the observations of the Court of Auditors, the statement of assurance referred to in Article 287(1), second subparagraph and any relevant special reports by the Court of Auditors.

**Amendment 253**

**Treaty on the Functioning of the European Union  
Article 329 – paragraph 2 – subparagraph 2**

*Present text*

Authorisation to proceed with enhanced cooperation shall be granted by a decision of the Council acting *unanimously*.

*Amendment*

Authorisation to proceed with enhanced cooperation shall be granted by a decision of the Council acting ***by a qualified majority, with the exception of decisions on missions or operations with an executive mandate referred to in Article 42(4a), second subparagraph.***

**Amendment 254**

**Treaty on the Functioning of the European Union  
Article 330 – paragraph 2**



*Present text*

*Amendment*

***Unanimity shall be constituted by the votes of the representatives of the participating Member States only.*** ***deleted***

#### **Amendment 255**

#### **Treaty on the Functioning of the European Union Article 330 – paragraph 3**

*Present text*

*Amendment*

***A qualified majority shall be defined in accordance with Article 238(3).*** ***deleted***

#### **Amendment 256**

#### **Treaty on the Functioning of the European Union Article 333**

*Present text*

*Amendment*

***Article 333***

***deleted***

***1. Where a provision of the Treaties which may be applied in the context of enhanced cooperation stipulates that the Council shall act unanimously, the Council, acting unanimously in accordance with the arrangements laid down in Article 330, may adopt a decision stipulating that it will act by a qualified majority.***

***2. Where a provision of the Treaties which may be applied in the context of enhanced cooperation stipulates that the Council shall adopt acts under a special legislative procedure, the Council, acting unanimously in accordance with the arrangements laid down in Article 330, may adopt a decision stipulating that it will act under the ordinary legislative procedure. The Council shall act after consulting the European Parliament.***

***3. Paragraphs 1 and 2 shall not apply to decisions having military or defence implications.***

## Amendment 257

### Treaty on the Functioning of the European Union Article 342

#### *Present text*

The rules governing the languages of the institutions of the Union shall, without prejudice to the provisions contained in the Statute of the Court of Justice of the European Union, be determined by the Council, acting unanimously by means of regulations.

#### *Amendment*

The rules governing the languages of the institutions of the Union shall, without prejudice to the provisions contained in the Statute of the Court of Justice of the European Union, be determined by the Council, acting unanimously by means of regulations, ***after obtaining the consent of the European Parliament.***

## Amendment 258

### Treaty on the Functioning of the European Union Article 346 – paragraph 1 – point b

#### *Present text*

(b) any Member State ***may take such*** measures ***as*** it considers necessary for the protection of the essential interests of its security which are connected with the production of or trade in arms, munitions and war material; such measures shall not adversely affect the conditions of competition in the internal market regarding products which are not intended for specifically military purposes.

#### *Amendment*

(b) any Member State ***shall notify the Commission of*** measures ***that*** it considers ***to be*** necessary for the protection of the essential interests of its security which are connected with the production of or trade in arms, munitions and war material; such measures shall not adversely affect the conditions of competition in the internal market regarding products which are not intended for specifically military purposes.

## Amendment 259

### Treaty on the Functioning of the European Union Article 346 – paragraph 2

#### *Present text*

2. The Council may, acting ***unanimously*** on a proposal from the Commission, make changes to the list, which it drew up on 15 April 1958, of the products to which the provisions of paragraph 1(b) apply.

#### *Amendment*

2. ***The European Parliament and*** the Council may, acting ***in accordance with the ordinary legislative procedure*** on a proposal from the Commission, make changes to the list, which it drew up on 15 April 1958, of the products to which the provisions of paragraph 1(b) apply.

## Amendment 260

### Treaty on the Functioning of the European Union Article 352 – paragraph 1

#### *Present text*

1. If action by the Union should prove necessary, within the framework of the policies defined in the Treaties, to attain one of the objectives set out in the Treaties, and the Treaties have not provided the necessary powers, the Council, acting **unanimously** on a proposal from the Commission and after obtaining the consent of the European Parliament, shall adopt the appropriate measures. Where the measures in question are adopted by the Council in accordance with a special legislative procedure, it shall also act **unanimously** on a proposal from the Commission and after obtaining the consent of the European Parliament.

#### *Amendment*

1. If action by the Union should prove necessary, within the framework of the policies defined in the Treaties, to attain one of the objectives set out in the Treaties, and the Treaties have not provided the necessary powers, the Council, acting **by a qualified majority** on a proposal from the Commission and after obtaining the consent of the European Parliament, shall adopt the appropriate measures. Where the measures in question are adopted by the Council in accordance with a special legislative procedure, it shall also act **by a qualified majority** on a proposal from the Commission and after obtaining the consent of the European Parliament.

## Amendment 261

### Treaty on the Functioning of the European Union Article 352 – paragraph 4

#### *Present text*

4. ***This Article cannot serve as a basis for attaining objectives pertaining to the common foreign and security policy and any acts adopted pursuant to this Article shall respect the limits set out in Article 40, second paragraph, of the Treaty on European Union.***

#### *Amendment*

***deleted***

## Amendment 262

### Treaty on the Functioning of the European Union Article 353

#### *Present text*

***Article 48(7) of the Treaty on European Union shall not apply to the following Articles:***

#### *Amendment*

***deleted***

- *Article 311, third and fourth paragraphs,*
- *Article 312(2), first subparagraph,*
- *Article 352, and*
- *Article 354.*

### **Amendment 263**

#### **Treaty on the Functioning of the European Union Article 354 – paragraph 1**

##### *Present text*

For the purposes of Article 7 of the Treaty on European Union on the suspension of certain rights resulting from Union membership, the member of the European Council or of the Council representing the Member State in question shall not take part in the vote and the Member State in question shall not be counted in the calculation of the one third *or four fifths* of Member States referred to in paragraphs 1 and 2 of that Article. Abstentions by members present in person or represented shall not prevent the adoption of decisions referred to in paragraph 2 of that Article.

##### *Amendment*

For the purposes of Article 7 of the Treaty on European Union on the suspension of certain rights resulting from Union membership, the member of the European Council or of the Council representing the Member State in question shall not take part in the vote and the Member State in question shall not be counted in the calculation of the one third of Member States *or the qualified majority* referred to in paragraphs 1 and 2 of that Article. Abstentions by members present in person or represented shall not prevent the adoption of decisions referred to in paragraph 2 of that Article.

### **Amendment 264**

#### **Treaty on the Functioning of the European Union Article 354 – paragraph 2**

##### *Present text*

For the adoption of the decisions referred to in paragraphs *3 and* 4 of Article 7 of the Treaty on European Union, a qualified majority shall be defined in accordance with Article *238(3)(b)* of *this* Treaty.

##### *Amendment*

For the adoption of the decisions referred to in paragraphs *1 to* 4 of Article 7 of the Treaty on European Union, a qualified majority shall be defined in accordance with Article *16(4a)* of *the Treaty on European Union*.

### **Amendment 265**

#### **Treaty on the Functioning of the European Union Article 355 – paragraph 2 – subparagraph 2**

*Present text*

*Amendment*

*The Treaties shall not apply to those overseas countries and territories having special relations with the United Kingdom of Great Britain and Northern Ireland which are not included in the aforementioned list.* **deleted**

**Amendment 266**

**Treaty on the Functioning of the European Union  
Article 355 – paragraph 5 – point b**

*Present text*

*Amendment*

*(b) the Treaties shall not apply to the United Kingdom Sovereign Base Areas of Akrotiri and Dhekelia in Cyprus except to the extent necessary to ensure the implementation of the arrangements set out in the Protocol on the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus annexed to the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union and in accordance with the terms of that Protocol;* **deleted**

**Amendment 267**

**Treaty on the Functioning of the European Union  
Article 355 – paragraph 5 – point c**

*Present text*

*Amendment*

*(c) the Treaties shall apply to the Channel Islands and the Isle of Man only to the extent necessary to ensure the implementation of the arrangements for those islands set out in the Treaty concerning the accession of new Member* **deleted**

*States to the European Economic  
Community and to the European Atomic  
Energy Community signed on 22 January  
1972.*

## EXPLANATORY STATEMENT

This report follows Parliament's resolution of 9 June 2022 on the call for a Convention for the revision of the Treaties. It reiterates Parliament's call for the amendment of the Treaties and call on the Council to immediately and without deliberation submit Parliament's proposals to the European Council. Furthermore, it calls on the European Council to convene a Convention in accordance with the ordinary revision procedure provided for in Article 48(2) to (5) of the Treaty on European Union (TEU), as soon as possible.

The current Treaties entered into force on 1 December 2009. Since then the European Union has faced unprecedented challenges and multiple crises, in particular Russia's war of aggression against Ukraine. The proposals in this report aim to reshape the Union in a way that will enhance the Union's capacity to act and strengthen its democratic legitimacy and accountability.

On 9 May 2022 the Conference on the Future of Europe (COFE) finished its work and presented its conclusions. Those conclusions contain 49 proposals and 326 measures. The European Parliament welcomed the conclusions of the Conference on the Future of Europe of 9 May 2022 and noted that several of the Conference proposals require amendments to the Treaties.

The European Parliament, the Council and the Commission have committed to following up effectively on the conclusions of the Conference, each within the remit of their competences and in accordance with the Treaties.

Without aiming to be exhaustive and focusing in particular on conclusions of the Conference on the Future of Europe that require institutional reforms, the COFE proposals listed below have been taken into account in the proposals for the amendment of the Treaty on European Union (TEU), the Treaty on the Functioning of the European Union (TFEU) and Protocol (No 2) on the application of the principles of subsidiarity and proportionality:

COFE proposals 39.1 (21.1 for CFSP, 6.7 for environment e.a) on reassessing decision-making and voting rules (in particular replacing decision-making by unanimity by qualified majority voting) have been taken into account in the proposals for the amendment of Articles 7, 16, 24, 29, 31, 42, 46, 48 of the TEU as well as the proposals for the amendment of Articles 19, 22, 23, 64, 70, 77, 81, 83, 86, 87, 88, 113, 115, 121, 126, 153, 192, 194, 207, 218, 222, 223, 226, 234, 238, 245, 246, 247, 262, 286, 294, 311, 312, 329, 330, 333, 342, 346, 352, 353 and 354 TFEU.

COFE proposal 25 on rule of law, democratic values and European identity, proposal 13.6 on gender equality and proposal 48.2 on language diversity have been taken into account in the proposals for the amendment of Articles 2, 3, 7, 13, 49 TEU, as well as Articles 8, 10, 19, 24 a (new), 157, 179 and 354 TFEU.

COFE proposals 36, 37, 38.2, 38.3, 38.4, 46.1, 47.2 on strengthening citizens' rights and participation, information and youth (including an EU wide referendum) have been taken into account in the proposals for the amendment of Articles 10, 11, 48, 54, TEU, as well as Articles 4, 20, 22, 24, 26, 79, 263 and 294 TFEU.

COFE proposal 38.3 and 38.4 on strengthening links between citizens and their elected representatives, in particular on giving citizens a greater say on who is elected as President, amending EU electoral law, giving Parliament a right of initiative and allowing it to decide on the budget as is the right of parliaments on national level, have been taken into account in the proposal for the amendment of Article 17 TEU, as well as proposals for the amendment of Articles 78, 223, 225, 226, 234, 247, 259, 285, 286, 294, 311 and 312 TFEU.

COFE proposal 39.2 and 22.1 on the transparency of EU decision-making has been taken into account in the proposals for the amendment of Articles 10, 11, and 16 TEU, as well as Article 15 TFEU.

COFE proposals 38.4, 39.2, 39.5, 39.6, 40.3 and 40.5, as well as 11.3, 13, and 36.8 advocating a more inclusive decision-making process, strengthening, inter alia, the role of social partners, have been taken into account in the proposals for the amendment of Articles 10, 11 TEU, as well as Articles 9, 121, 151, 153, 166 and 299 a (new) and following TFEU.

COFE proposal 39.3 on considering changing the names of EU institutions, to clarify their functions and respective role in the EU decision-making process for citizens, has been taken into account in particular in the proposal for the amendment of Article 17 TEU. These changes should apply throughout the Treaties.

COFE proposals 2, 3, 4, 6.7, 8.3, 11, 12, 13, 14, 18, 23, 24, 41, 42, 43, 46.1 on strengthening the competences, role and action of the EU in the areas of climate change, environment, biodiversity, health, civil protection, industry, education, energy, foreign affairs, external security and defence, external border policy in an area of freedom security and justice, migration, cross border infrastructure, single market, economy, social policies and labour market, trade and investment and science and technology have been taken into account in the proposals for the amendment of Articles 3, 21, 29, 42, 43, 45, and 46 TEU, as well as Articles 3, 4, 9, 11, 43, 67, 77, 79, 83, 88, 108, 113, 119, 126, 148, 151, 151 a (new), 153, 165, 168, 179, 189, 191, 194, 206, 207, 218, 222, 258, 259, 260, 263, 275 and 352 TFEU

COFE proposal 40.1 and 40.2 on active subsidiarity and the role of national parliaments have been taken into account in the proposals for the amendment of Article 19 TEU and Article 263 TFEU as well as the proposals to reinforce Protocol No 2 on the application of the principles of subsidiarity and proportionality and integrate it into the TFEU (Articles 299 a (new) TFEU and following).

### **Position of co-rapporteur Helmut Scholz on Foreign, Security and Defence Policy**

Co-rapporteur Helmut SCHOLZ takes note of the COFE proposals on establishing an EU Defence Union and QMV in the CFSP, but expresses reservations regarding the amendments covered by paragraphs 20 and 21 of the resolution. He believes that an EU Defence Union must be built on a comprehensive, multi-layer and non-military concept of security underpinned by unanimity of all EU Member States and requiring full parliamentary scrutiny both at Union and Member States' level. Co-rapporteur Helmut SCHOLZ intends to introduce proposals for a revised CSFP and CSDP during the Convention that is called for. He underlines in particular the Union's responsibility for contributing to international peace and security in accordance with international law, fostering active engagement for disarmament, particularly of nuclear and other weapons of mass destruction, and joining the UN Treaty on the Prohibition of Nuclear Weapons (TPNW). The restructuring of EU Member States'



military capacity into EU wide structures should, in his view, be based on the principle of structural non-aggression capabilities. As most Member states are also members of NATO, any treaty change, in his view, must rule out a duplication of military capacity and budget expenditure. Treaty change must therefore be accompanied with steps towards a de-coupling from NATO.

2.12.2022

## OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS

for the Committee on Constitutional Affairs

on proposals of the European Parliament for the amendment of the Treaties  
(2022/2051(INL))

Rapporteur for opinion: Hilde Vautmans

(Initiative – Rule 47 of the Rules of Procedure)

### SUGGESTIONS

The Committee on Foreign Affairs calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- A. whereas the Conference on the Future of Europe represented a concrete, successful exercise of participative democracy and served as an unprecedented platform for discussion between citizens and politicians and resulted in concrete proposals which should be analysed and seriously considered by Union decision-makers even if they might necessitate Treaty changes; whereas it is important to carefully consider each possible Treaty change and to compare all its potential advantages against a different, more efficient use of current Treaty features including a better implementation at policy or budgetary level;
- B. whereas the Russian unprovoked, unjustified and illegal aggression against Ukraine that started on 24th February 2022 increased the geopolitical volatility and security instability in Europe to unprecedented levels not experienced since the end of World War II and underlines the need for the Union to fully reassess its foreign, security and defence policies and to prioritise increasing their effectiveness and its ability to act to protect our values and interests;
- C. whereas the citizens' panel 4 "EU in the world/ Migration" made several specific recommendations in the field of foreign affairs and Union's external action, whereas many recommendations of "citizens'" panels are thus corroborating long-standing calls of the European Parliament;
- D. whereas, as stated in the Conclusion of the Conference on the Future of Europe, a stronger Union in security and defence will contribute to European and global peace and it will support European values, such as the rule of law, democracy, human rights and gender equality and this can be achieved by promoting a common strategic culture;
- E. whereas acting on those recommendations could make the Union a stronger, more reliable, influential and more visible global player, would lead to more efficient

decision-making and would improve the European Parliament's scrutiny rights in the field of foreign policy being the only democratically elected institution of the Union;

- F. whereas there are also options that could improve the Union's role in foreign affairs without Treaty changes; whereas in July 2022, the Czech Presidency sent a letter to Member States with a list of specific policy areas which could be switched to qualified majority voting (QMV) via specific passerelles; whereas in this respect the Presidency listed 11 concrete areas of common foreign and security policy (CFSP), and also common security and defence policy (CSDP) related to the Articles 24, 27, 28, 29, 37, 39, 41, 42, and 44 of the Treaty on European Union (TEU);
- G. whereas the use of a veto by one Member State to open accession negotiations with a candidate country, due to unresolved bilateral and regional disputes linked to historical events, self-identification and cultural or linguistic rights, can block candidate countries' accession process and the use of veto by Member States for their own benefit is contrary to the spirit of the Treaties;
- H. whereas the potential for fast, efficient and effective foreign policy, security and defence action as foreseen by the Lisbon Treaty has only been used and exploited in a very limited way during the past decade due to a lack of political will by Member States; whereas, due to the changing European security environment, it is high time to use all instruments as foreseen by the TEU, in particular as regards CSDP; whereas the Lisbon Treaty provides for features such as a military start-up fund in Article 41(3b), the possibility to form a small group with more ambitious security and defence objectives in Article 44, or to define a truly European capabilities and armaments policy in Article 42(3), which exist since December 2009;
- I. whereas there is an increasing challenge posed by cyber, hybrid and other asymmetric threats, including disinformation campaigns, and by the malicious use of ever-more sophisticated emerging and disruptive technologies; whereas foreign interference, information manipulation and disinformation are an abuse of the fundamental freedoms of expression and information and threaten those freedoms, values, democratic procedures, political processes, the security of states and citizens, and the capacity to cope with exceptional situations; whereas Russia has been engaging in disinformation of an unparalleled malice and magnitude across both traditional media outlets and social media platforms, in order to deceive its citizens at home and the international community on the eve of and during its war of aggression against Ukraine, which Russia started on 24 February 2022, proving that even information can be weaponised;
- J. whereas passerelles could be used immediately to switch from unanimity to QMV in specific policy areas; whereas the current threat to European security requires immediate adaptation of some working methods;
  - 1. Calls for the main citizens' recommendations in the field of foreign and security policy, notably the need to switch to more efficient decision-making, through the use of QMV instead of unanimity, in particular in specific policy areas such as human rights, and the need to improve the Union's methods to impose sanctions, to be incorporated in a comprehensive Treaty change or alternatively via the use of passerelle clauses;
  - 2. Underlines that switching to QMV could ensure that the Union - instead of going with the lowest common denominator - acts more quickly and deliberately and could also

shield the Union from third-country pressure and divide-and-rule tactics; stresses that that would possibly help the Union develop into a more credible and decisive geopolitical power, that puts its core principles and values at the centre of its action, would increase the effectiveness of its external action and hence also strengthen the influence of Member States in an unstable, rapidly changing and increasingly multipolar world; recalls that Article 31(2) TEU, which is designed to ensure that no decision on issues vital to a Member State's national interests could be imposed upon it if QMV were to be used in CFSP, would remain applicable;

3. Recalls that Article 48(7) and Article 31(3) TEU contain passerelle clauses that can make switching from unanimity to qualified majority voting possible in the area of CFSP without military implications; calls for a switch to QMV in all decisions in the field of CFSP starting with priority areas within a year, notably those concerning sanctions, human rights and in areas relevant to the accession process such as when deciding on the start of the negotiation process as well as the opening and closing of individual negotiations clusters and chapters, in order to improve the Union's capacity to take speedy and effective decisions;
4. Deplores that the passerelle clauses have never been used due to the lack of political will and contrary to justified expectations; calls on the Member States to demonstrate the political will to move further in the Union integration process, overcoming the cross-veto practice and opening up for the activation of the passerelle clauses without further delay;
5. Urges the Member States to agree immediately or still during the Czech Presidency, on using the passerelle clause for introducing QMV on specific foreign affairs and CSDP actions, in particular on sanctions and human rights; reminds of the possibilities listed in the Presidency's questionnaire; believes that the current security situation in Europe requires immediate action and adaptation of the decision-making procedures in CFSP as currently provided by TEU;
6. Is of the opinion that, in case it is proven impossible to thoroughly revise the Treaties due to vetoes from some Member States, most notably in what concerns the adoption of QMV in foreign policy, the Union should consider the possibility to look into other forms of reinforced cooperation among those Member States that demonstrate the will to move further in the integration process through stricter and binding coordination in their external action;
7. Calls the Member states to amend Article 42 TEU that would allow switching to reinforced QMV, requiring 72 % of Council members representing at least 65 % of the population of the Union, for decisions with military implications, with the exception of decisions creating military missions or operations with an executive mandate under the CSDP, for which unanimity must still be required;
8. Underlines the need to reduce the institutional complexity of the Union, in particular its external representation, which is unclear concerning the competences of each institutional actor; considers that that lack of clarity can lead to some duplication in the Union's external action or mislead the Union's counterparts or interlocutors worldwide in their relations with the Union; proposes in that regard to merge the function of President of the European Council and President of the European Commission and

- create a single Presidency of the Union to enhance the visibility, efficiency and consistency of Union's external action; calls to make the relevant treaty provisions more explicit in that regard and to fully integrate the European External Action Service (EEAS) into the Commission structures;
9. Stresses the need to introduce a role for the European Parliament when it comes to decisions concerning sending military and civilian security missions abroad; believes it would be appropriate to have a plenary debate before the relevant Council decision and to adopt a plenary resolution that would politically authorize that operation including its objectives, means and duration;
  10. Underlines the need to strengthen the role of the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy in assisting in finding compromises between the Member States in order to ensure that the Union speaks with one voice, as requested by the citizens of the Union in the Conference on the Future of Europe; points out that this can be done by naming the Vice-President/High Representative a Commissioner for Foreign Affairs and by making him or her the main external representative of the Union in international fora; calls on the Vice-President/High Representative and EEAS to make proposals on how to strengthen coherence and consistency between national foreign policies by Member States and agreed positions at Union level in line with the provisions of Article 24 (3) TEU;
  11. Stresses the necessity to strengthen the Union's external action with own and permanent Union instruments and resources in that dimension in order for the Union to be a fully-fledged and credible global player; calls for an autonomous Union Diplomacy with Union diplomats trained in a European Diplomatic Academy, on the basis of the European Parliament's Pilot Project in that regard, which is determined by a common diplomatic culture from a Union perspective; calls for the strengthening of the Union's international cultural relations by developing a Union instrument that can embody a cultural face of the Union worldwide;
  12. Considers it necessary to urgently develop a solidarity policy strategy and operational implementation measures as regards the mutual defence clause stipulated in Article 42(7) TEU and Article 222 of the Treaty on the Functioning of the European Union (TFEU) and broaden the scope of threats defined in 43(1) TEU to include combating hybrid threats, wars, energy blackmail, cyberthreats disinformation campaigns and economic coercion by third countries;
  13. Calls on the Member States to provide new competences and legal basis to countering disinformation and foreign malign propaganda; calls for the Union to lead the debate on the legal implications of foreign interference, to promote common international definitions and attribution rules and to develop an international framework for responses to interference; highlights the need for global, multilateral cooperation between like-minded countries to exchange best practices and identify common responses to global, but also shared domestic, challenges, including collective sanctions, the protection of human rights and democratic standards;
  14. Requests the strengthening of the role of Union delegations in the implementation of foreign policy; calls for the strengthening of the capacities of EEAS, its resources and

personnel, including by updating Council Decision 2010/427/EU<sup>1</sup>, so it can better fulfil the Union's objectives and interests worldwide;

15. Stresses the importance of reinforcing the European Parliament's decision-making and scrutiny rights in the foreign policy field, notably by strengthening the implementation of Article 36 TEU concerning the consultation of the European Parliament on the main aspects and strategic choices in the field of CFSP and CSDP and its consultation on all significant foreign policy decisions; calls for changing Article 218 TFEU to require the European Parliament's authorisation to open negotiations and adopt negotiating directives, as well as the European Parliament's consent for all international agreements and before decisions on the provisional application of international agreements are taken; calls for amending Article 218(2) TFEU by including the European Parliament alongside the Council as jointly responsible for authorising the opening of negotiations, adopting negotiating directives, authorising the signing of agreements and concluding them; recalls the proven value of parliamentary diplomacy; suggests therefore introducing provisions for involvement of the European Parliament on equal footing with the Council in the implementation of international agreements in Article 218(9) TFEU; calls for more involvement of the European Parliament in the Team Europe approach;
16. Reminds that the Union will become an effective diplomatic and security actor based on strong action and that it will increase its strategic sovereignty only via concrete measures, policies, budgets and commitments as listed in the Strategic Compass; calls for a precise, all-encompassing definition of the concept of "open strategic sovereignty" that would include all the domains it can touch upon, and for the inclusion of this principle into the list of objectives to be achieved through the Union's foreign and security policy enshrined in Article 21 and Article 22 (2) TEU;
17. Welcomes the Commission proposal for a regulation allowing the joint purchase of defence equipment (Edirpa); recalls that Article 42(3) TEU lays the foundations for a European capabilities and armaments policy which should, inter alia, include joint procurement; calls for the introduction of provisions in Articles 42 and 46 TEU consolidating that possibility and enabling other security-related spending from the budget of the Union as well as the establishment of joint permanently stationed multinational military units including command structures; calls for the extension of the possibilities for financing common military expenditure from the Union budget in order to allow a proper parliamentary budgetary control; underlines the need of close cooperation and coordination with NATO in order to avoid duplication of structures and duties;
18. Calls for the revision of Article 346 TFEU in order to limit possibilities for the European Union Military Staff to deviate from the provisions of Directive 2009/81/EC of the European Parliament and of the Council<sup>2</sup> and avoid further fragmentation of the internal market, as well as to introduce the requirement of justification for such

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<sup>1</sup> Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, 3.8.2010, p. 30).

<sup>2</sup> Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC (OJ L 216, 20.8.2009, p. 76).

deviations to be assessed by the Commission and communicated to the European Parliament;

19. Stresses that due to the threats to European security, there is an urgent need to set up a holistic European capabilities policy without any further delay; urges the Member States to pool parts of their increasing national defence budgets at Union level and to urgently establish another off-budget financial facility that addresses the entire life-cycle of military capabilities at Union level from collaborative research and development and joint procurement to joint maintenance, training and security of supply, as recommended by the European Parliament in its recommendation of 8 June 2022 to the Council and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the EU's Foreign, Security and Defence Policy after the Russian war of aggression against Ukraine<sup>3</sup>;
20. Calls on the Member States to put aside selfish attitudes and to demonstrate proper commitment towards the reinforcement of the Union's defence technological and industrial base through meaningful participation in the Union framework for joint development of defence capabilities;
21. Calls for the transformation of the permanent structured cooperation (PESCO) into a common Union policy with an opt-out option, thus allowing the European Parliament to exercise genuine budgetary control;
22. Calls for the establishment of new and efficient decision-making formats for cooperation and discussion, such as a European Security Council, comprised of the Member States' foreign affairs ministers that could be responsible for responding swiftly in emergency situations, in order to develop an integrated approach to conflict and crisis; calls for the formalisation of a Union Council of Defence Ministers; believes that such new formats are particularly relevant in an increasingly unstable world and following Russia's illegal war in Ukraine which has affected Europe's security significantly; calls furthermore for the establishment of fully-fledged Security and Defence Committee and Human Rights Committee in the European Parliament;
23. Calls to move forward towards an own and permanent seat for the Union in every multilateral fora, including in the United Nations Security Council, which would strengthen the Union's actorness, coherence and credibility in the world;
24. Calls on the Council to convene a specific ad-hoc working group to reflect on possible Treaty changes, with a view to convening a convention composed of representatives of the national parliaments, the Heads of State or Government of the Member States, the European Parliament and the Commission.

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<sup>3</sup> Texts adopted, P9\_TA(2022)0235.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	30.11.2022
<b>Result of final vote</b>	+: 47 -: 9 0: 2
<b>Members present for the final vote</b>	Alexander Alexandrov Yordanov, Petras Auštrevičius, Traian Băsescu, Reinhard Bütikofer, Fabio Massimo Castaldo, Susanna Ceccardi, Włodzimierz Cimoszewicz, Anna Fotyga, Giorgos Georgiou, Sunčana Glavak, Raphaël Glucksmann, Klemen Grošelj, Dietmar Köster, Andrius Kubilius, Ilhan Kyuchyuk, David Lega, Miriam Lexmann, Nathalie Loiseau, Leopoldo López Gil, Antonio López-Istúriz White, Pedro Marques, David McAllister, Vangelis Meimarakis, Sven Mikser, Francisco José Millán Mon, Javier Nart, Matjaž Nemeč, Tonino Picula, Giuliano Pisapia, Thijs Reuten, Nacho Sánchez Amor, Isabel Santos, Jacek Saryusz-Wolski, Mounir Satouri, Andreas Schieder, Radosław Sikorski, Jordi Solé, Dragoș Tudorache, Hilde Vautmans, Viola von Cramon-Taubadel, Thomas Waitz, Isabel Wiseler-Lima
<b>Substitutes present for the final vote</b>	Attila Ara-Kovács, Loucas Fourlas, Christophe Grudler, Georgios Kyrtos, Katrin Langensiepen, Alessandra Moretti, Juozas Olekas, Paulo Rangel, Tom Vandenkendelaere, Mick Wallace
<b>Substitutes under Rule 209(7) present for the final vote</b>	Clare Daly, Margarita de la Pisa Carrión, Nicolaus Fest, Gilles Lebreton, Costas Mavrides, Luisa Regimenti



## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

### Proposals of the European Parliament for the amendment of the Treaties (2022/2051(INL))

47	+
NI	Fabio Massimo Castaldo
PPE	Alexander Alexandrov Yordanov, Traian Băsescu, Loucas Fourlas, Sunčana Glavak, Andrius Kubilius, David Lega, Leopoldo López Gil, Antonio López-Istúriz White, David McAllister, Vangelis Meimarakis, Francisco José Millán Mon, Luisa Regimenti, Radosław Sikorski, Tom Vandenkendelaere, Isabel Wiseler-Lima
RENEW	Petras Auštrevičius, Klemen Grošelj, Christophe Grudler, Georgios Kyrtos, Ilhan Kyuchyuk, Nathalie Loiseau, Javier Nart, Dragoş Tudorache, Hilde Vautmans
S&D	Attila Ara-Kovács, Włodzimierz Cimoszewicz, Raphaël Glucksmann, Dietmar Köster, Pedro Marques, Costas Mavrides, Sven Mikser, Alessandra Moretti, Matjaž Nemeč, Juozas Olekas, Tonino Picula, Giuliano Pisapia, Thijs Reuten, Nacho Sánchez Amor, Isabel Santos, Andreas Schieder
VERTS/ALE	Reinhard Bütikofer, Katrin Langensiepen, Mounir Satouri, Jordi Solé, Viola von Cramon-Taubadel, Thomas Waitz

9	-
ECR	Anna Fotyga, Jacek Saryusz-Wolski, Margarita de la Pisa Carrión
ID	Susanna Ceccardi, Nicolaus Fest, Gilles Lebreton
THE LEFT	Clare Daly, Giorgos Georgiou, Mick Wallace

2	0
PPE	Miriam Lexmann, Paulo Rangel

13.2.2023

## OPINION OF THE COMMITTEE ON BUDGETS

for the Committee on Constitutional Affairs

Proposals of the European Parliament for the amendment of the Treaties  
(2022/2051(INL))

Rapporteur for opinion: Nils Ušakovs

(Initiative – Rule 47 of the Rules of Procedure)

### SUGGESTIONS

The Committee on Budgets calls on the Committee on Constitutional Affairs, as the committee responsible:

- to incorporate the following suggestions into its motion for a resolution:
  1. Underlines that the challenges and socio-economic consequences resulting from recent events, including the COVID-19 crisis, the Russian war of aggression against Ukraine, rising inflation affecting cost of living and the purchasing power of the budget and the unprecedented energy crisis have limited the Union's ability to provide itself with the means necessary to attain its objectives and carry through its policies;
  2. Recalls that following the conclusions of the Conference on the Future of Europe of 9 May 2022, Parliament has already submitted to the Council proposals for the amendment of the Treaties under the ordinary revision procedure laid down in Article 48 TEU, including in order to provide Parliament with full co-decision rights on the Union budget, as well as the right to initiate legislation; recalls that the three Institutions have committed to following up effectively on the conclusions of the Conference;
  3. Calls therefore for the revision of the TFEU, in particular its Title II, to ensure that the Union is able to fulfil its objectives and commitments, including under the European Pillar of Social Rights and the European Green Deal, and react agilely, effectively and in a timely manner to challenges and to achieve better democratic accountability and transparency of the Union budget, notably by promoting the Community method and reinforcing Parliament's role and powers in all aspects of budgetary decision-making and scrutiny, as regards both expenditure and revenue;
  4. Until Treaty revision takes place, calls for the full use of the TFEU possibilities with a view to improving Council decision-making and ensuring that the Union is able to react in a more efficient and transparent way to challenges, while achieving greater democratic accountability in respect of the Union budget; calls, in that regard, on the European Council to activate the passerelle clause in Article 312(2) TFEU to allow for the adoption

- of the regulation laying down the multiannual financial framework by qualified majority;
- to incorporate the following recommendations into the annex to its motion for a resolution:
5. Article 122 TFEU shall be amended so that temporary measures to address severe or exceptional economic situations are adopted by the European Parliament and the Council acting in accordance with the ordinary legislative procedure, without prejudice to other procedures provided for in the Treaties;
  6. Provisions as regards revenue shall be amended to allow for multiple sources of funding, including through common borrowing; a new Article 122a shall be inserted to allow the establishment of a permanent special instrument over and above the ceilings of the multiannual financial framework for the Union budget to better adapt and quickly react to crises and their social and economic effects; the decision for the establishment and relevant implementing measures shall be adopted by the European Parliament and the Council acting in accordance with the ordinary legislative procedure;
  7. Article 311 TFEU shall be amended so that the decision laying down the provisions relating to the system of own resources of the Union and the implementing measures for that system are adopted by the European Parliament and the Council acting in accordance with the ordinary legislative procedure;
  8. Article 312(2) TFEU shall be amended so that the regulation laying down the multiannual financial framework is adopted by the European Parliament and the Council acting in accordance with the ordinary legislative procedure;
  9. A new paragraph 2a shall be added to Article 312 TFEU to stipulate that each multiannual financial framework shall encompass, as horizontal principles, the objectives of climate and biodiversity protection, social convergence and gender equality. Specific spending targets shall be set for expenditure contributing to climate protection, halting and reversing the decline of biodiversity, promoting upward social convergence and gender equality, as well as rights and equal opportunities for all;
  10. Article 312(3) TFEU shall be amended to clarify that commitment appropriations are to be included into categories of expenditure, and hence subject to annual ceilings, only if they relate to Union policies or the corresponding administrative expenditure, while other financial means to allow the Union to fulfil its legal obligations in respect of third parties, including the repayment of any interest due, are not to be included into categories or subject to ceilings;
  11. Article 322(2) TFEU shall be amended so that the methods and procedure whereby the budget revenue provided under the arrangements relating to the Union's own resources shall be made available to the Commission, and the measures to be applied, if need be, to meet cash requirements, are adopted by the European Parliament and the Council acting in accordance with the ordinary legislative procedure.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	9.2.2023
<b>Result of final vote</b>	+: 31 -: 4 0: 1
<b>Members present for the final vote</b>	Rasmus Andresen, Pietro Bartolo, Olivier Chastel, Andor Deli, Pascal Durand, José Manuel Fernandes, Matteo Gazzini, Alexandra Geese, Vlad Gheorghe, Francisco Guerreiro, Valérie Hayer, Niclas Herbst, Hervé Juvin, Moritz Körner, Pierre Larrourou, Camilla Laureti, Janusz Lewandowski, Margarida Marques, Siegfried Mureşan, Dimitrios Papadimoulis, Bogdan Rzońca, Eleni Stavrou, Nils Ušakovs, Rainer Wieland
<b>Substitutes present for the final vote</b>	Anna-Michelle Asimakopoulou, Fabienne Keller, Petros Kokkalis, Jan Olbrycht, Eva Maria Poptcheva, Monika Vana
<b>Substitutes under Rule 209(7) present for the final vote</b>	Asim Ademov, Alexander Bernhuber, Jonás Fernández, Eider Gardiazabal Rubial, Alicia Homs Ginel, Ivan Štefanec

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

31	+
PPE	Asim Ademov, Anna-Michelle Asimakopoulou, Alexander Bernhuber, José Manuel Fernandes, Niclas Herbst, Janusz Lewandowski, Siegfried Mureşan, Jan Olbrycht, Eleni Stavrou, Ivan Štefanec, Rainer Wieland
Renew	Olivier Chastel, Vlad Gheorghe, Valérie Hayer, Fabienne Keller, Eva Maria Poptcheva
S&D	Pietro Bartolo, Pascal Durand, Jonás Fernández, Eider Gardiazabal Rubial, Alicia Homs Ginel, Pierre Larrourou, Camilla Laureti, Margarida Marques, Nils Ušakovs
The Left	Petros Kokkalis, Dimitrios Papadimoulis
Verts/ALE	Rasmus Andresen, Alexandra Geese, Francisco Guerreiro, Monika Vana

4	-
ECR	Bogdan Rzońca
ID	Matteo Gazzini
NI	Andor Deli, Hervé Juvin

1	0
Renew	Moritz Körner

### Key to symbols:

+ : in favour

- : against

0 : abstention

31.1.2023

## LETTER OF THE COMMITTEE ON BUDGETARY CONTROL

Mr Salvatore De Meo  
Chair  
Committee on Constitutional Affairs  
BRUSSELS

**Subject: Opinion on “Proposals of the European Parliament for the amendment of the Treaties” (2022/2051(INL))**

Dear Chair,

On behalf of the CONT Committee, I am hereby sending you the contribution from the CONT Committee concerning the file “Proposals of the European Parliament for the amendment of the Treaties 2022/2051(INL)”.

The present Treaty rules concerning discharge are outdated and would very much need to be revised. Especially the Treaty rule specifying that the European Parliament gives discharge to the Commission (art. 319, TFEU) does not reflect the established fact that the Parliament gives individual discharge to all other institutions, who are also according to the Financial Regulation responsible for their own administrative budgets.

Today almost all other institutions have accepted this important principle but the Council still sticks to a very narrow interpretation of the Treaty and has for many years refused to cooperate with Parliament on the discharge procedure. This is the reason why Parliament has refused to grant discharge to the European Council and the Council for more than ten years.

A clarification and modernisation of the Treaty on this point would solve the long standing dispute with Council once and for all. I attach a concrete formulation, which has been drafted together with our Legal Service. The addition to the existing text aims at clarifying that Parliaments gives discharge to all other institutions, bodies, offices and agencies as appropriate and in accordance with the Financial Regulation. The aim is also to hopefully ensure that the text will remain future proof and able to accommodate any likely institutional development. I would ask you to take this text into consideration when formulating the “Proposals of the European Parliament for the amendment of the Treaties”.

Yours sincerely,

Monika Hohlmeier

Encl.: Concrete proposal from the CONT Committee concerning amendment of article 319 of TFEU

## **Concrete proposal from the CONT Committee concerning amendment of article 319 of TFEU**

Article 319

(ex Article 276 TEC)

1. The European Parliament, acting on a recommendation from the Council, shall give a discharge to the Commission in respect of the implementation of the budget. It shall also give a discharge to other institutions, bodies, offices and agencies in respect of the implementation of their sections of the budget or of their budgets, as appropriate, and in accordance with conditions to be laid down pursuant to Article 322. To this end, the Council and the European Parliament in turn shall examine the accounts, the financial statement and the evaluation report referred to in Article 318, the annual report by the Court of Auditors together with the replies of the institutions under audit to the observations of the Court of Auditors, the statement of assurance referred to in Article 287(1), second subparagraph and any relevant special reports by the Court of Auditors.

2. Before giving a discharge to the Commission, or for any other purpose in connection with the exercise of its powers over the implementation of the budget, the European Parliament may ask to hear the Commission give evidence with regard to the execution of expenditure or the operation of financial control systems. The Commission shall submit any necessary information to the European Parliament at the latter's request.

3. The Commission shall take all appropriate steps to act on the observations in the decisions giving discharge and on other observations by the European Parliament relating to the execution of expenditure, as well as on comments accompanying the recommendations on discharge adopted by the Council.

At the request of the European Parliament or the Council, the Commission shall report on the measures taken in the light of these observations and comments and in particular on the instructions given to the departments which are responsible for the implementation of the budget. These reports shall also be forwarded to the Court of Auditors.



## **OPINION OF THE COMMITTEE ON ECONOMIC AND MONETARY AFFAIRS**

for the Committee on Constitutional Affairs

on proposals of the European Parliament for the amendment of the Treaties  
(2022/2051(INL))

Rapporteur for opinion: Margarida Marques

(Initiative – Rule 47 of the Rules of Procedure)

### **SUGGESTIONS**

The Committee on Economic and Monetary Affairs calls on the Committee on Constitutional Affairs, as the committee responsible:

– to incorporate the following suggestions into its motion for a resolution:

1. Welcomes the final report on the Conference on the future of Europe which includes 49 proposals<sup>1</sup> and which was presented to the Presidents of the three institutions on 9 May 2022; notes that several proposals are to be considered of an economic nature and highlights that some recommendations could also be followed up in the framework of the current Treaties; notes that some of them would require treaty change to be fully implemented;
2. Recalls that on 9 June 2022, Parliament submitted proposals for the amendment of the Treaties to the Council under the ordinary revision procedure laid down in Article 48 TEU<sup>2</sup>;
3. Insists on more democratic legitimacy, accountability and scrutiny of the Union economic policies; calls for the framework, institutions and tools for EU economic governance to be under the Community method; believes that Parliament should act as a key actor to ensure effective scrutiny; considers that any broadening of the set of EU competences in the area of economic and monetary policy must be accompanied by a correspondent broadening of Parliament's rights and competences; calls for any Treaty revision to grant Parliament more equal footing and democratic oversight in these policies; calls for a broader involvement of institutional and socio-economic stakeholders in the definition of economic policy priorities to further ownership of the reforms;
4. Recalls the Union's objectives set out in the Treaty such as establishing an economic

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<sup>1</sup> Conference on the Future of Europe - Report on the Final Outcome, May 2022.

<sup>2</sup> European Parliament resolution of 9 June 2022 on the call for a Convention for the revision of the Treaties (2022/2705(RSP)).

and monetary union as well as achieving sustainable development based on sustainable and balanced economic growth, price stability and a highly competitive market economy with full employment and social progress; underlines that any legislation should be in line with the achievement of those objectives; considers that the resilience of the EU economy and the strategic autonomy of the Union should be added as general means in view of achieving objectives of the Treaties;

5. Highlights that the economic effects of COVID-19 and the War in Ukraine have further revealed the limits of the current European fiscal framework and welcomes the initiative taken by the Commission to reform them;
6. Supports an economic governance framework that strengthens the competitiveness and resilience of the Union economy to ensure stability, full employment, fiscal sustainability, transparency, strategic and sustainable investments for the achievement of the twin transition and strategic autonomy of the Union, democratic accountability and ownership, fiscal policies, such as fiscal buffer formed in favourable economic times and instruments to counteract shocks; notes that the Conference on the Future of Europe discussions highlighted the demand of a deep review of EU's economic governance and the European Semester; reminds that Parliament agreed to an urgent reform of the Union's economic governance architecture, including simpler and clearer fiscal rules and a framework more conducive to long-term sustainable economic growth;
7. Stresses the importance of the European Semester as the main instrument for coordinating European economic policy and, in this regard, calls for greater involvement of Parliament to ensure fair and equitable cooperation between co-legislators;
8. Notes that while national budgetary policies remain a sovereign matter, it must be aligned with the main goals of the economic governance framework which implies coordination at European level;
9. Stresses the importance of an EU economic governance framework to enable governments to promote public investment and ensure debt sustainability; recalls that the Union could face better the COVID19 crisis thanks to common rules and common instruments at European level; calls for further consideration of tools allowing to create favourable conditions for the Union and the Member States to invest in Union level common strategic priorities;
10. Notes that the numerical values in Protocol 12 to the Treaties remain based on averages of economic indicators from the late 1990's; recalls that Member States breached the Maastricht criteria more than 170 times since the creation of the European Semester in 2011; calls for a thorough consideration of the Maastricht criteria benefiting from the experience accumulated over the last two decades of the single currency and from the lessons learned from previous and current crisis, such as the financial and sovereign crisis from early late 2000's, the COVID-19 pandemic and the war in Ukraine;
11. Calls for the economic governance to be reviewed taking into account lessons learned from the European response to economic shocks, namely solutions like the NGEU, including its governance structure and the SURE processes; notes that Article 126 of

the Treaty on the functioning of the European Union (TFEU) has proven limited adaptability to external shocks; stresses the need to update the Union's macroeconomic governance framework to make it more resilient and to enable Member States and Parliament to design new relevant rules to ensure the sustainability of their economic models and key investments, based on sound fiscal policies and sustainable debt and to allow for the implementation of the twin transition that leaves no one behind;

12. Highlights that the weakness of the Common Foreign and Security Policy led to the creation of a position of High Representative of the Union for Foreign Affairs and Security Policy (HR/VP); underlines that highly coordinated economic policies at Union's level would require a Representative of the Union's Economic Governance (REG) sitting in the Commission, in the Economic and Financial Affairs Council configuration and in the Eurogroup;
13. Notes the recent use of Article 122 TFEU to face the economic impact of the war in Ukraine on energy prices; recognises the need for quick decision making when facing an external unforeseeable shock; however deplores the lack of involvement of Parliament and the people it represents; calls for a revision of Article 122 TFEU that would guarantee a fairer democratic representation, including by involving Parliament on an equal footing;
14. Urges that the framework of the ECB's accountability to Parliament be improved to reinforce the role of Parliament as a scrutiny body; insists on formalising obligatory Monetary Dialogue with Parliament;
15. Insists that the euro is currently the single currency of the euro area, but must be considered as the currency of the Union; considers the ECB must defend, preserve and improve the international role of the Euro; believes the enlargement of the euro to all 27 Member States must be a permanent goal, to be achieved with a realistic, proportionate and responsible calendar, safeguarding the stability and competitiveness of the euro area; takes note that the current Treaties do not specify a particular timetable for joining the euro area, but leaves it to the Member States to develop their own strategies for meeting the condition for euro adoption;
16. Acknowledges that taxation policy is subject to unanimity under the current Treaties; Underlines the numerous impediments to essential EU tax initiatives over the past decades;
17. Highlights that some tax policies are already highly integrated, such as the Value Added Tax and excise duties; notes that some EU tax policies consist in implementing international negotiations for which the Union and Member States show leadership; welcomes the proposals made by the plenary of the Conference on the Future of Europe on 9 May 2022, particularly the proposal 16 regarding fiscal and tax policies whose goal is a greater harmonisation and coordination of tax policies within the Member States, the introduction of a common corporate tax base and the strength of the oversight of the absorption and use of EU funds;
18. Stresses that, for the long term, Member States should consider the added value of transitioning to qualified majority voting, as recommended by the Conference on the Future of Europe; calls on the Commission, in this regard, to relaunch the discussion

on the use of qualified majority voting in some tax matters through a phased approach, as a follow-up to its 2019 communication on the issue, and as a response to the outcome of the Conference on the Future of Europe;

19. Stresses the fact that national vetoes in taxation matters have been abused by certain Member States to achieve concessions in other policy areas; stresses that the existence of these vetoes threatens to perpetuate harmful tax practices and social injustice that undermine the Union's ability to function effectively, foster a level playing field and protect the best interests of its citizens and SMEs;
20. Highlights the new challenges for the Union's competition policy (Articles 101 to 109 TFUE), which justify that guidelines and notices should be aligned with the objectives enshrined in the Treaty and support a level playing field in light of the Green Deal, the European pillar of social rights and support the Union's strategic autonomy in key sectors, such as industrial, defence, digital and trade policies; calls for a better involvement of Parliament in reviewing guidelines for mergers and state aid control;
21. Stresses that fair competition between companies can provide benefits, including to consumers; highlights the positive effects that SMEs have on the economy and society, and the necessity to have a level playing field for them; underlines that the Union's competition policy should take the specific needs of SMEs into account; invites the Commission to deliberate about how to best achieve these objectives;
22. Considers that Parliament should be more involved in the activities of the working parties and expert groups at international level, such as the International Competition Network, the World Trade Organisation and the Organisation for Economic Cooperation and Development (OECD) as an observer;
23. Reiterates that the Union needs to address its lack of political weight on economic policies at international level due, inter alia, to the lack of coherence of its representation in international organisations, which could be improved by implementing measures to ensure the unified representation of the Union and the euro internationally in all its dimensions and policies;
24. Calls for the full use of the current Treaties, in the meantime.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	31.1.2023						
<b>Result of final vote</b>	<table style="width: 100%; border: none;"> <tr> <td style="width: 100px;">+:</td> <td style="text-align: right;">35</td> </tr> <tr> <td>-:</td> <td style="text-align: right;">13</td> </tr> <tr> <td>0:</td> <td style="text-align: right;">6</td> </tr> </table>	+:	35	-:	13	0:	6
+:	35						
-:	13						
0:	6						
<b>Members present for the final vote</b>	Rasmus Andresen, Anna-Michelle Asimakopoulou, Gunnar Beck, Marek Belka, Isabel Benjumea Benjumea, Stefan Berger, Gilles Boyer, Markus Ferber, Jonás Fernández, Giuseppe Ferrandino, Frances Fitzgerald, Claude Gruffat, José Gusmão, Enikő Győri, Eero Heinäluoma, Michiel Hoogeveen, Danuta Maria Hübner, Stasys Jakeliūnas, France Jamet, Ondřej Kovařík, Georgios Kyrtos, Aušra Maldeikienė, Csaba Molnár, Siegfried Mureşan, Caroline Nagtegaal, Luděk Niedermayer, Lefteris Nikolaou-Alavanos, Piernicola Pedicini, Kira Marie Peter-Hansen, Sirpa Pietikäinen, Eva Maria Poptcheva, Evelyn Regner, Antonio Maria Rinaldi, Dorien Rookmaker, Alfred Sant, Joachim Schuster, Ralf Seekatz, Pedro Silva Pereira, Paul Tang, Irene Tinagli, Inese Vaidere, Marco Zanni						
<b>Substitutes present for the final vote</b>	Nicola Beer, Damien Carême, Margarida Marques, Eva Maydell, Andželika Anna Mozdżanowska, Mikuláš Peksa, Jessica Polfjård, Erik Poulsen, Mick Wallace						
<b>Substitutes under Rule 209(7) present for the final vote</b>	Andreas Glück, Camilla Laureti, Leopoldo López Gil						

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

35	+
PPE	Anna-Michelle Asimakopoulou, Stefan Berger, Markus Ferber, Danuta Maria Hübner, Leopoldo López Gil, Aušra Maldeikienė, Eva Maydell, Siegfried Mureşan, Luděk Niedermayer, Sirpa Pietikäinen, Ralf Seekatz, Inese Vaidere
Renew	Gilles Boyer, Giuseppe Ferrandino, Georgios Kyrtos, Eva Maria Poptcheva
S&D	Marek Belka, Jonás Fernández, Eero Heinäluoma, Camilla Laureti, Margarida Marques, Csaba Molnár, Evelyn Regner, Joachim Schuster, Pedro Silva Pereira, Paul Tang, Irene Tinagli
The Left	José Gusmão
Verts/ALE	Rasmus Andresen, Damien Carême, Claude Gruffat, Stasys Jakeliūnas, Piernicola Pedicini, Mikuláš Pekaš, Kira Marie Peter-Hansen

13	-
ECR	Michiel Hoogeveen, Andželika Anna Możdżanowska, Dorien Rookmaker
ID	Gunnar Beck, France Jamet
NI	Enikő Győri, Lefteris Nikolaou-Alavanos
PPE	Frances Fitzgerald, Jessica Polfjärd
Renew	Ondřej Kovařík, Caroline Nagtegaal, Erik Poulsen
The Left	Mick Wallace

6	0
ID	Antonio Maria Rinaldi, Marco Zanni
PPE	Isabel Benjumea Benjumea
Renew	Nicola Beer, Andreas Glück
S&D	Alfred Sant

Key to symbols:

+ : in favour

- : against

0 : abstention

02.12.2022

## LETTER OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS

Mr Salvatore De Meo  
Chair  
Committee on Constitutional Affairs  
BRUSSELS

Subject: Opinion on proposals of the European Parliament for the amendment of the Treaties (2022/2051(INL))

Dear Mr Chair,

Under the procedure referred to above, the Committee on Employment and Social Affairs has been asked to submit an opinion to your committee. At its meeting of 12 July 2022, the Committee decided to send the opinion in the form of a letter.

The Committee on Employment and Social Affairs considered the matter at its meeting of 30 November 2022. At that meeting, it decided to call on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution.

Yours sincerely,

Dragoş Pişlaru

## SUGGESTIONS

1. In order to make social Europe a reality, and given the lessons from recent crises, including the pandemic and Russian invasion of Ukraine as well as their impact on European economic and welfare/social systems, and the challenges ahead to ensure the highest levels of social protection in the green and digital transition it is necessary to ensure a sustainable, fair and inclusive Europe where social rights are fully protected and safeguarded at least at the same level as economic freedoms, including by revising the current governance framework and reflecting on the renewal of the European social contract. As highlighted in the conclusions of the working groups of the Conference, a shift towards a sustainable, inclusive and resilient growth model is needed for the EU<sup>1</sup> with special attention paid to small and medium-sized enterprises and competitiveness checks and to promote future-oriented investments focused on the just, green and digital transitions<sup>2</sup>.

As already set out in previous European Parliament resolutions, tools to this effect should include:

- integrating the European Pillar of Social Rights in the Treaties and fully implementing it and the Porto Targets<sup>3</sup>;
- incorporating social progress in Article 9 TFEU<sup>4</sup> linked to a Social Progress Protocol to be introduced to the Treaties<sup>5</sup>;
- adopting a Sustainable Development and Social Progress Pact making social and sustainable targets mandatory as part of a governance framework for a social and sustainable Europe<sup>6</sup>.

2. Further, the EU should move away from unanimity and towards the ordinary legislative procedure in order to strengthen decision-making and enable EU action in areas, notably in the remit of the EMPL Committee where currently it has proved difficult or impossible, due to the relevant decision-making provisions/scope of the Treaties, while fully safeguarding and strengthening the role of social partners and including a non-regression clause<sup>7</sup>.

As already set out in previous European Parliament resolutions, tools to this effect should include:

- making more social policy areas fall under the qualified majority decision process, in particular non-discrimination, social protection of workers (apart from cross-border

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<sup>1</sup> Paragraph 13, Recital A ‘The follow up of the Conference on the Future of Europe’, European Parliament resolution of 4 May 2022 on the follow-up to the conclusions of the Conference on the Future of Europe (2022/2648(RSP))

<sup>2</sup> European Parliament resolution of 9 June 2022 on the call for a Convention for the revision of the Treaties (2022/2705(RSP), paragraph 5

<sup>3</sup> European Parliament resolution of 17 December 2020 on a strong social Europe for Just Transitions (2020/2084(INI)), paragraph 6

<sup>4</sup> European Parliament resolution of 9 June 2022 on the call for a Convention for the revision of the Treaties (2022/2705(RSP), paragraph 5

<sup>5</sup> European Parliament resolution of 17 December 2020 on a strong social Europe for Just Transitions (2020/2084(INI)), paragraph 6



situations), combating social exclusion, protection of workers whose employment contracts have been terminated, the representation and collective defence of the interests of workers and employers, as well as conditions of employment for third-country nationals legally residing in the EU<sup>6</sup>; this can also be achieved by using the passerelle clauses<sup>7</sup>;

- in order to strengthen democratic decision-making, involving the European Parliament in defining the Integrated Guidelines for Growth and Jobs on an equal footing with the Council<sup>8</sup>;

- applying the Community method to the Semester process, and making it subject to an agreement between the Council and the European Parliament<sup>9</sup>.

3. In order to ensure that upward social convergence is accelerated, proper allocation and use should be made of the EU funds as well as of the financial tools developed in response to recent crises. A dedicated crisis response mechanism, to be activated in case of emergency situations and of future crises, should be created within the next MFF. The financing of employment and social policies should not come at the expense of other long-term investment policies, including cohesion policy, which played a massive role in recent crises.

Without losing sight of the gender perspective, it is crucial to ensure that EU funds benefit all disadvantaged groups, in particular but not limited to, people with disabilities, migrants and ethnic minorities (including Roma), children and young people who are not in employment, education or training (NEET), homeless people, single parents and older people.

As already set out in previous European Parliament resolutions, tools to this effect should include:

- a revision of economic governance to ensure that social justice goes hand-in-hand with economic competitiveness, and that people's well-being is the objective of economic policies<sup>10</sup>;

- monitoring of the use of funds, including democratic oversight by Parliament<sup>11</sup>;

- emergency clauses and flexibility<sup>12</sup>;

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<sup>6</sup> Ibid, paragraph 6

<sup>7</sup> European Parliament resolution of 13 February 2019 on the state of the debate on the future of Europe (2018/2094(INI)), paragraph 7

<sup>8</sup> European Parliament legislative resolution of 18 October 2022 on the proposal for a Council decision on guidelines for the employment policies of the Member States (COM(2022)0241 – C9-0199/2022 – 2022/0165(NLE)) (NLE)), paragraph 3, European Parliament resolution of 17 December 2020 on a strong social Europe for Just Transitions (2020/2084(INI)), paragraph 6

<sup>9</sup> European Parliament resolution of 17 December 2020 on a strong social Europe for Just Transitions (2020/2084(INI))1, paragraph 6, 19

<sup>10</sup> European Parliament resolution of 17 December 2020 on a strong social Europe for Just Transitions (2020/2084(INI))1, paragraph 6, 19

<sup>11</sup> European Parliament resolution of 17 December 2020 on the Multiannual Financial Framework 2021-2027, the Interinstitutional Agreement, the EU Recovery Instrument and the Rule of Law Regulation (2020/2923(RSP), paragraph 8

- stabilising an increased level of EU investment to foster upward convergence in the area of social policies<sup>13</sup>;

- a temporary European social resilience package<sup>14</sup> coordinating a set of measures and means to strengthen social welfare and social protection systems in the EU, including the continuation and refinancing of SURE as long as the socio-economic consequences of the Russian invasion of Ukraine continue to have a negative impact on the labour market, and a social rescue facility with increased public support for existing instruments aimed at the poorest in our society should be established<sup>15</sup>.

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<sup>12</sup> European Parliament resolution of 19 May 2022 on the social and economic consequences for the EU of the Russian war in Ukraine – reinforcing the EU’s capacity to act (2022/2653(RSP)), paragraphs 34, 35

<sup>13</sup> Ibid, paragraph 12

<sup>14</sup> Ibid, paragraph 24

<sup>15</sup> European Parliament resolution of 19 May 2022 on the social and economic consequences for the EU of the Russian war in Ukraine – reinforcing the EU’s capacity to act (2022/2653(RSP)), paragraph 24

24.01.2023

## LETTER OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

Mr Salvatore De Meo  
Chair  
Committee on Constitutional Affairs  
BRUSSELS

Subject: Opinion on Proposals of the European Parliament for the amendment of the  
Treaties(2022/2051(INL))

Dear Mr Chair,

The coordinators of the Committee on the Environment, Public Health and Food Safety (ENVI) decided on 4 July 2022 that ENVI would provide an opinion on the *Proposals of the European Parliament for the amendment of the Treaties (2022/2051(INL))* in the form of a letter. Therefore, both as ENVI Chair and Rapporteur for this opinion, let me provide you with ENVI's contribution in the form of resolution paragraphs, which was adopted by ENVI at its meeting<sup>1</sup> of 24 January 2023 and which I kindly request will be taken into account by your committee:

1. Recalls its resolution of 4 May 2022 on the follow-up to the conclusions of the Conference on the Future of Europe (2022/2648(RSP)) stating that the EU should be empowered with tools allowing it to act on important transnational challenges, *inter alia*, in the fields of health, climate change and environment;
2. Stresses that Treaties changes should be based on the need to live well within the planetary boundaries, which should be reflected in Article 191 paragraph 3, and achieve the UN Sustainable Development Goals;
3. Underlines that the *One Health* approach, the non-regression principle and the *do no*

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<sup>1</sup> The following were present for the final vote: Pascal Canfin (Chair), Bas Eickhout (Vice-Chair), Anja Hazekamp (Vice-Chair), César Luena (Vice-Chair), Eric Andrieu, Bartosz Arłukowicz, Margrete Auken, Petras Auštrevičius, Aurélie Beigneux, Hildegard Bentele, Michael Bloss, Delara Burkhardt, Traian Băsescu, Sara Cerdas, Mohammed Chahim, Tudor Ciuhodaru, Beatrice Covassi, Marie Dauchy, Christian Doleschal, Cyrus Engerer, Agnès Evren, Malte Gallée, Gianna Gancia, Jens Gieseke, Catherine Griset, Teuvo Hakkarainen, Martin Hojsík, Jan Huitema, Martin Häusling, Yannick Jadot, Adam Jarubas, Karin Karlsbro, Petros Kokkalis, Athanasios Konstantinou, Ewa Kopacz, Joanna Kopcińska, Stelios Kympouropoulos, Peter Liese, Sylvia Limmer, Javi López, Lukas Mandl, Liudas Mažylis, Dace Melbārde, Marina Mesure, Tilly Metz, Silvia Modig, Alessandra Moretti, Ulrike Müller, Ljudmila Novak, Grace O'Sullivan, Jutta Paulus, Jessica Polfjärd, Stanislav Polčák, Bergur Løkke Rasmussen, María Soraya Rodríguez Ramos, Robert Roos, Sándor Rónai, Massimiliano Salini, Günther Sidl, Ivan Vilibor Sinčić, Maria Spyraiki, Nicolae Ștefănuță, Nils Torvalds, Véronique Trillet-Lenoir, Edina Tóth, Achille Variati, Petar Vitanov, Alexandr Vondra, Mick Wallace, Sarah Wiener, Michal Wiezik, Tiemo Wölken, Anna Zalewska

*significant harm* principles should be central, in addition to the *polluter pays, rectify at source* and *precautionary and preventive principles* which are already enshrined;

4. Highlights, further, that Article 4 paragraph 2 letter (d) should add “*forestry*”, and letter (e) should add “*biodiversity, ‘restoration and protection of ecosystems, in particular those with the most potential to capture and store carbon’ and climate neutrality and adaptation*” amongst the areas subject to shared competence;
5. Suggests that Article 11 TFEU should provide that “*Environmental and climate protection requirements must be integrated into the definition and implementation of the Union's policies and activities, in particular with a view to promoting sustainable development*”;
6. Underlines that the TFEU should include a new Article on climate neutrality, with the aim to limit the increase in the global average temperature to below 1.5 °C above pre-industrial levels;
7. Underlines that the TFEU should *inter alia*, help to speed up the green transition, in particular through more investments in renewable energy, in order to reduce external energy dependency, as well improving quality and interconnectivity in order to enhance safety and enable the transition to renewable energy sources.
8. Underlines that in Article 168 TFEU, fourth paragraph,
  - letter (b), measures in the veterinary, *animal welfare and (...) in line with the one health approach* should be added;
  - letter (d), *measures setting out common indicators and minimum quality standards for the Unions healthcare systems, in order to ensure universal and equal access to affordable and high-quality public health care services* should be added;
  - letter (e), *measures for the early notification, monitoring and control of serious cross-border threats to health, in particular in the event of pandemics* should be added with the following additional clarification: *These measures shall not prevent Member States from maintaining or adopting reinforced protective measures where these are imperative.*
  - letter (f), *measures for monitoring and coordinating the access diagnostics, information and care on rare diseases* should be added;
9. Highlights that in Article 168 TFEU, fifth paragraph, after the remark regarding tobacco and the abuse of alcohol “*according to the latest scientific evidence*” should be added;
10. Highlights that the EU should include health among the shared competencies between the EU and the EU Member States, as follows, in Article 4, second paragraph, letter (k): ‘*public health, including cross-border health threats and the protection and improvement of human health, including on sexual and reproductive health and rights*’, based on the one health approach, while a new letter should be added in that provision, according to which *measures setting out minimum standards for the Unions healthcare systems* should also be subject to shared competences of the EU and the Member States;
11. Calls for the deletion of the derogation from the ordinary legislative procedure in

Article 192(2), particularly in points (b) on water resources and land use and (c) on energy sources and general structure of energy supply;

12. Believes that, as a part of the convention, a European Charter on the Environment shall be discussed;

Yours sincerely,

Pascal Canfin

24.1.2023

## LETTER OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

Mr Salvatore De Meo  
Chair  
Committee on Constitutional Affairs  
BRUSSELS

Subject: Opinion on proposals of the European Parliament for the amendment of the Treaties (2022/2051(INL))

Dear Chair,

Under the procedure referred to above, the Committee on Industry, Research and Energy has been asked to submit an opinion to your committee. At their meeting of 17 May 2022, ITRE coordinators decided to draw up the opinion in the form of a letter.

The Committee on Industry, Research and Energy considered the matter at its meeting of 24 January 2023. At that meeting, it decided to call on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution.

Yours sincerely,

Cristian-Silviu Buşoi

## SUGGESTIONS

The Committee on Industry, Research and Energy calls on the Committee on Constitutional Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Welcomes the recommendations of the Conference on the Future of Europe and recognises the impressive work achieved by the participants of the Conference; believes that most of the recommendations in the remit of the Committee on Industry, Research and Energy could be implemented on the basis of the current treaties; believes however that the opportunity of a treaty reform should be seized to implement some targeted improvements;
2. Calls for the general use of the ordinary legislative procedure in all Union legislation, therefore Art 182 (4) [research specific programmes] and Art 188(1) [setting up of joint undertakings] need to be changed accordingly; likewise the consent and consultation procedures in Protocol No 37 on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel need to be changed to the ordinary legislative procedure
3. Calls for Article 194 to be amended as follows:

### Article 194

1. In the context of the establishment and functioning of the internal market and with regard for the need to preserve and improve the environment ***and the climate, a common*** Union policy on energy shall aim, in a spirit of solidarity between Member States, to:

(a) ensure the functioning of the energy market;

(b) ensure security, ***affordability, safe, clean, sustainable and undisrupted*** of energy supply in the Union;

(c) promote ***ensure*** energy efficiency, ***including energy efficiency first principle, enhancing private and public financing for energy efficiency***, and energy saving and the development ***and widespread use*** of new and renewable forms of energy ***in order to achieve an energy efficient and renewable energies based economy***; and

(d) promote ***ensure*** the interconnection of energy networks.

2. Without prejudice to the application of other provisions of the Treaties, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall establish the measures necessary to achieve the objectives in paragraph 1. Such measures shall be adopted after consultation of the Economic and Social Committee and the Committee of the Regions.

Such measures shall not ***have a significant effect on the*** affect a Member State's right to determine the conditions for exploiting its energy resources, its choice between

different energy sources and the general structure of its energy supply, without prejudice to Article 192(2)(c).

3. By way of derogation from paragraph 2, the Council, acting in accordance with a special legislative procedure, shall unanimously and after consulting the European Parliament, establish the measures referred to therein when they are primarily of a fiscal nature.

4. Demands that the protection of and respect for academic freedom, including institutional autonomy, be clearly enshrined in the Treaties, strengthening their legal protection throughout the Union and suggests to amend Art. 179 (1) TFEU as follows:

The Union shall have the objective of strengthening its scientific and technological bases by achieving a European research area in which researchers, scientific knowledge and technology circulate freely, and encouraging it to become more competitive, including in its industry, while promoting all the research activities deemed necessary by virtue of other Chapters of the Treaties. ***It shall respect and promote academic freedom and the freedom to conduct research as an individual and institutional right.***

5. Calls on the European Council to adopt a decision in favour of examining the proposed amendments and on the President of the European Council to convene a Convention composed of representatives of the national Parliaments, of the Heads of State or Government of the Member States, of the European Parliament and of the Commission.



## OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT

for the Committee on Constitutional Affairs

on proposals of the European Parliament for the amendment of the Treaties (2022/2051(INL))

Rapporteur for opinion: Norbert Lins

(Initiative – Rule 47 of the Rules of Procedure)

### SUGGESTIONS

The Committee on Agriculture and Rural Development calls on the Committee on Constitutional Affairs, as the committee responsible:

- to incorporate the following suggestions into its motion for a resolution:
  - A. whereas the common agricultural policy ('CAP') has a strategic and fundamental role in the development of the Union's agricultural production and rural areas, where it constitutes a crucial element in the development of agricultural activity; whereas CAP is the longest-serving Union policy and that it has played and still plays nowadays a primary role for European integration; whereas it serves as a vector for territorial cohesion and is a highly relevant factor in preventing rural depopulation; whereas it is underpinned by a regulatory framework that has evolved and adapted to the various economic, social and environmental challenges that have arisen since its introduction; whereas CAP also plays an important role in supporting the Union's agri-food system and ensuring food security and sustainability throughout various times and developments;
  - B. whereas the CAP objectives have remained relevant over the last six decades and are today more important than ever, given that factors such as climate change, the COVID-19 pandemic, rising input prices and the war in Ukraine are strongly impacting the agriculture sector in the Union and worldwide, making it more challenging to guarantee food security and affordability in the future; whereas the current objectives of the Treaty are formulated in such a way that they have always allowed for CAP reforms;
  - C. whereas the Conference puts forward *policy* proposals and measures that reflect the changes undergone by the agricultural sector and underline some of its challenges;
    - 1. Considers that the current objectives of the CAP as referred to in the Treaty on the Functioning of the European Union ('TFEU') need no adaptation and are still appropriate and more important than ever in the light of the impact of the on-going war in Ukraine on the food and energy sector and on the Union economy as a whole; considers that nothing has prevented new objectives and measures from being added in

the successive reforms of agricultural policy, in line with the three strands of sustainability: environmental, economic and social;

2. Proposes that Articles 13, 39, 38, 40, 41, 42, 43 and 44 TFUE, as well as the provisions contained in those articles remain unchanged.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	31.1.2023
<b>Result of final vote</b>	+: 28 -: 18 0: 1
<b>Members present for the final vote</b>	Mazaly Aguilar, Clara Aguilera, Atidzhe Alieva-Veli, Álvaro Amaro, Benoît Biteau, Daniel Buda, Isabel Carvalhais, Asger Christensen, Ivan David, Paolo De Castro, Jérémy Decerle, Salvatore De Meo, Herbert Dorfmann, Luke Ming Flanagan, Paola Ghidoni, Dino Giarrusso, Francisco Guerreiro, Martin Häusling, Martin Hlaváček, Krzysztof Jurgiel, Gilles Lebreton, Norbert Lins, Chris MacManus, Colm Markey, Marlene Mortler, Ulrike Müller, Maria Noichl, Juozas Olekas, Bronis Ropé, Bert-Jan Ruissen, Anne Sander, Simone Schmiedtbauer, Veronika Vrecionová, Juan Ignacio Zoido Álvarez
<b>Substitutes present for the final vote</b>	Asim Ademov, Franc Bogovič, Marie Dauchy, Jan Huitema, Tilly Metz, Alin Mituța, Tom Vandenkendelaere
<b>Substitutes under Rule 209(7) present for the final vote</b>	Pietro Bartolo, Estrella Durá Ferrandis, Manu Pineda, Antonio Maria Rinaldi, Sándor Rónai, Nacho Sánchez Amor

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

28	+
ECR	Mazaly Aguilar, Bert-Jan Ruissen, Veronika Vrecionová
ID	Marie Dauchy, Paola Ghidoni, Gilles Lebreton, Antonio Maria Rinaldi
PPE	Asim Ademov, Álvaro Amaro, Franc Bogovič, Daniel Buda, Salvatore De Meo, Herbert Dorfmann, Norbert Lins, Colm Markey, Marlene Mortler, Anne Sander, Simone Schmiedtbauer, Tom Vandenkendelaere, Juan Ignacio Zoido Álvarez
Renew	Atidzhe Alieva-Veli, Asger Christensen, Jérémy Decerle, Martin Hlaváček, Jan Huitema, Alin Mituța, Ulrike Müller
S&D	Juozas Olekas

18	-
ECR	Krzysztof Jurgiel
ID	Ivan David
NI	Dino Giarrusso
S&D	Clara Aguilera, Pietro Bartolo, Isabel Carvalhais, Paolo De Castro, Estrella Durá Ferrandis, Maria Noichl, Sándor Rónai, Nacho Sánchez Amor
The Left	Luke Ming Flanagan, Manu Pineda
Verts/ALE	Benoît Biteau, Francisco Guerreiro, Martin Häusling, Tilly Metz, Bronis Ropé

1	0
The Left	Chris MacManus

Key to symbols:

+ : in favour

- : against

0 : abstention

5.10.2022

## **OPINION OF THE COMMITTEE ON CULTURE AND EDUCATION**

for the Committee on Constitutional Affairs

with suggestions on proposals of the European Parliament for the amendment of the Treaties (2022/2051(INL))

Rapporteur for opinion: Laurence Farreng

(Initiative – Rule 47 of the Rules of Procedure)

### **SUGGESTIONS**

The Committee on Culture and Education calls on the Committee on Constitutional Affairs, as the committee responsible:

- to incorporate the following suggestions into its motion for a resolution:
- 1. Supports the proposals made by the plenary of the Conference on the Future of Europe on 9 May 2022, particularly the following: 6, 9, 13, 15, 17, 22, 25, 26, 27, 28, 29, 31, 32, 33, 37, 46, 47, 48 and 49, as they call to foster culture, education, youth and solidarity, audiovisual media and sport policies, highlighting their fundamental role in strengthening a European sense of belonging, especially for the youth;
- 2. Requests amending Articles 4 and 6 of the Treaty on the Functioning of the European Union (TFEU) to introduce shared competences in the field of education, with its corresponding change in Articles 165 and 166 TFEU, at a minimum in the field of citizenship education, highlighting that the exercise of that competence by the Union shall not result in Member States being prevented from exercising their competence;
- 3. Points out, in this regard, that common minimum standards in education should be adopted, without prejudice to national and regional competences, focusing on the following topics: citizenship education including Union values and history of Europe, digital skills, media and information literacy, language learning, environmental education, soft-skills, economic literacy and STEAM (Science, Technology, Engineering, Arts and Mathematics) education;
- 4. Stresses that many of the proposals endorsed by the Conference aim at strengthening European identity and citizenship and do not necessarily require Treaty changes; calls for a deepening of the existing instruments and objectives in the fields of culture, education, youth, audiovisual media and sport; highlights in this regard the intrinsic value of culture, as well as its fundamental role in strengthening a sense of belonging, active citizenship and common values, and emphasises that closer cooperation on cultural matters and raising awareness of European culture and history is pivotal to achieve an ever-closer European Union;

5. Considers the recommendations made by Conference participants as crucial for underpinning the democratic legitimacy of the European project, upholding citizens' support for our common goals and values, as well as strengthening our diversity and cultural richness in order to foster a connection with Europe and a more inclusive Union;
6. Requests that the protection of and respect for artistic freedom, academic freedom, including institutional autonomy, as well as freedom of speech and of the media be clearly enshrined in the Treaties, fostering their legal protection throughout the Union.

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	3.10.2022
<b>Result of final vote</b>	+: 19 -: 3 0: 4
<b>Members present for the final vote</b>	Asim Ademov, Andrea Bocskor, Gianantonio Da Re, Laurence Farreng, Tomasz Frankowski, Romeo Franz, Catherine Griset, Sylvie Guillaume, Hannes Heide, Irena Joveva, Petra Kammerevert, Niyazi Kizilyürek, Predrag Fred Matić, Niklas Nienaß, Peter Pollák, Diana Riba i Giner, Monica Semedo, Andrey Slabakov, Massimiliano Smeriglio, Michaela Šojdrová, Sabine Verheyen, Maria Walsh, Milan Zver
<b>Substitutes present for the final vote</b>	Loucas Furlas, Martina Michels, Salima Yenbou

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

19	+
PPE	Asim Ademov, Loucas Furlas, Tomasz Frankowski, Peter Pollák, Michaela Šojdrová, Sabine Verheyen, Maria Walsh, Milan Zver
RENEW	Laurence Farreng, Irena Joveva, Monica Semedo, Salima Yenbou
S&D	Sylvie Guillaume, Hannes Heide, Petra Kammerevert, Predrag Fred Matić, Massimiliano Smeriglio
THE LEFT	Niyazi Kizilyürek, Martina Michels

3	-
ECR	Andrey Slabakov
ID	Catherine Griset
NI	Andrea Bocskor

4	0
ID	Gianantonio Da Re
VERTS/ALE	Romeo Franz, Niklas Nienaß, Diana Riba i Giner

**Key to symbols:**

+ : in favour

- : against

0 : abstention



10.2.2023

## OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS

for the Committee on Constitutional Affairs

Proposals of the European Parliament for the amendment of the Treaties (2022/2051(INL))

Rapporteur for opinion: Juan Fernando López Aguilar

(Initiative – Rule 47 of the Rules of Procedure)

### SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Constitutional Affairs, as the committee responsible to incorporate the following suggestions into its motion for a resolution:

#### **Civil liberties, justice and home affairs: horizontal considerations**

1. Supports the proposals made by the plenary of the Conference on the Future of Europe ('the Conference') of 9 May 2022 in relation to the field of civil liberties, justice and home affairs<sup>1</sup>; reiterates its support for a proper follow-up to the Conference, with the aim of delivering on the Conference's conclusions and on citizens' expectations; calls upon the Union to more systematically uphold the rule of law and democracy, ensure fundamental rights protection, and scrutinize respect for all the values enshrined in Article 2 TEU, both in the accession of new members and continually across all Union policies and across the Member States; recalls that full implementation of many of the measures proposed by the Conference would not require Treaty changes but legislative change and/or better implementation of existing legislation;
2. Points out that the adoption of several legislative proposals in the area of freedom, security and justice has been slow or even blocked, despite the urgent need for action; calls for the Commission to build on the various studies by the European Parliamentary Research Service examining the cost of non-action at European level in these areas<sup>2</sup>; calls for replacing unanimity requirements for adopting legislation in these areas in the Treaties, including for the use of passerelle clauses, with majority voting procedures, and for the systematic use of the ordinary legislative procedure, in order to improve the Union's capacity to act; considers that, given the particular sensitivity of these matters, any change to these voting requirements in the Council should ensure a fair balance of voting 'weights' so that smaller countries' interests are protected;

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<sup>1</sup> In particular the following proposals: 22, 25, 26, 27, 28, 29, 31, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45.

<sup>2</sup> For an overview, see [https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/631730/EPRS\\_BRI\(2019\)631730\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/631730/EPRS_BRI(2019)631730_EN.pdf).

3. Considers that any changes to the division of competences between the Union and the Member States in the area of freedom, security and justice should fully respect the principles enshrined in Title I of the TEU, specifically Articles 2, 4(2), 4(3), 5 and 6;
4. Underlines that Article 68 TFEU has been exercised as a de facto right of initiative by the European Council in the area of freedom, security and justice; highlights that the adoption by the European Council of multiannual operational programmes in this area without any obligation to consult Parliament or the Commission should be revised given the particularly serious impact of these policies on citizens' fundamental rights; calls for Parliament and the Council to be given this competence on equal terms;

### **Democracy, rule of law and fundamental rights protection**

5. Points out that the Union's main political instrument to address and reverse systemic rule of law threats and breaches in the Member States, Article 7 TEU, has been so far ineffective as the rule of law situation further deteriorated since the activation of the procedure in relation to both Poland and Hungary;<sup>3</sup> therefore, considers it necessary to reform Article 7 TEU as follows: to change the Council voting thresholds of Article 7(1) TEU from four-fifths majority to qualified majority voting, and to abolish the unanimity requirement in Article 7(2) TEU; to require the Council to invite a representative of the body that submitted the reasoned proposal to present it, to inform fully and promptly at every stage of the procedure the institution which triggers Article 7(1) TEU<sup>4</sup>, to organize at least two hearings for each country concerned per half year in a regular, structured and open manner and to draft country-specific recommendations and evaluate their implementation under Article 7(1) TEU; to involve the Parliament and the Commission in drafting modalities for the 7(1) TEU hearings<sup>5</sup>; to allow the Parliament to trigger Article 7(2) TEU; to indicate that Member States, the Commission and the Parliament shall consider triggering Article 7(2) TEU if the procedure under Article 7(1) TEU lasts more than five years; to specify further the rights deriving from the application of the Treaties which may be suspended under Article 7(3) TEU, including the right to hold the Presidency of the Council; to invite the European Union Agency for Fundamental Rights ('FRA') to give its input during the Article 7(1) hearings;
6. Notes the Commission's lack of initiative or effective action, including in the form of infringement actions, to address violations or non-application of Union law in the areas of freedom, security and justice, despite evidence of deteriorating situations in several Member States; notes that Parliament's repeated calls for action have gone unanswered; therefore, considers it necessary to strengthen the Parliament's means of scrutinising the Commission's activities regarding the monitoring and enforcement of Union law;
7. Notes that the Treaties currently do not contain a legal basis to introduce legislation to defend and promote the common values expressed in Article 2 TEU and that this

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<sup>3</sup> [European Parliament resolution of 16 January 2020 on ongoing hearings under Article 7\(1\) of the TEU regarding Poland and Hungary \(2020/2513\(RSP\)\); European Parliament resolution of 5 May 2022 on ongoing hearings under Article 7\(1\) TEU regarding Poland and Hungary \(2022/2647\(RSP\)\).](#)

<sup>4</sup> [European Parliament resolution of 16 January 2020 on ongoing hearings under Article 7\(1\) of the TEU regarding Poland and Hungary \(2020/2513\(RSP\)\).](#)

<sup>5</sup> [European Parliament resolution of 7 October 2020 on the establishment of an EU Mechanism on Democracy, the Rule of Law and Fundamental Rights \(2020/2072\(INI\)\).](#)

absence has seriously limited the Union in creating suitable and effective mechanisms to redress national threats and breaches to the common values; considers it essential for the protection of everyone that the Union has the ability to address effectively any democratic backsliding in the Member States; calls for the inclusion of a provision that would allow the Union, through the ordinary legislative procedure, to introduce new mechanisms for the structural monitoring and assessment of the developments as regards the Article 2 TEU values in each Member State and enforcement thereof; such mechanisms should include annual reports assessing whether there were deficiencies, a risk of a serious breach or an actual breach of Article 2 TEU values in each of the Member States, country-specific recommendations accompanied by implementation deadlines, targets and concrete actions to be taken as well as benchmarks to measure progress, and how to link those to the relevant enforcement measures; considers that this provision should allow the setting up of further enforcement mechanisms, including appropriate financial measures to be taken by the Council acting by qualified majority, such as suspension of commitments and payments, also in cases where there is no direct link with the sound financial management of the Union budget or the protection of the financial interests of the Union; highlights that the establishment of such mechanism will contribute to reinforcing mutual trust between Member States, thus enhancing the functioning of the principle of mutual recognition;

8. Calls for the inclusion of the Charter of fundamental rights as the second chapter of the Treaty on European Union in order for fundamental rights and freedoms to feature more prominently in the founding Treaties; calls for the inclusion in the Treaties of a horizontal fundamental rights provision similar to Articles 8, 9 and 10 TFEU, so as to mainstream the Union's horizontal obligation to incorporate a fundamental rights perspective in all policies at all levels and at all stages more explicitly, hence requiring the co-legislators just as all Union institutions, bodies, offices and agencies and the Member States when they are implementing Union law to respect EU fundamental rights and promote their application in all their activities; considers it necessary, in addition, to make it mandatory for Union institutions, bodies, offices and agencies to include fundamental rights monitoring mechanisms and related evaluation clauses, which should contain clear targets and benchmarks, in particular whenever legislating in fundamental rights-sensitive policy areas, including the area of freedom, security and justice (enhanced fundamental rights mainstreaming);
9. Recalls that the expectations of citizens, as expressed at the Conference, go beyond the strict interpretation of the first paragraph of Article 51 of the Charter of Fundamental Rights according to which the Charter applies to the Member States only when they are implementing Union law, and that the objective should be to render fundamental rights as effective as possible; therefore, calls for a widening of the scope of application of the Charter of Fundamental Rights of the European Union in relation to the Member States; considers that, to that effect, Article 51(1) of the Charter should be revised so as to state that the rights recognised by the Charter should protect people whenever Member States act within the scope of a Union competence, whether exclusive or shared, *even if such a competence has not yet been exercised by the Union*;<sup>6</sup>
10. Calls for a European Citizenship Statute to be drawn-up, providing citizen-specific

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<sup>6</sup> In light of AG Sharpston's opinion of 30 September 2010 in Case C-34/09, *Zambrano*.

rights and freedoms, which would make the European values and rights more tangible for citizens of the Union;

11. Points out that EU citizenship is granted on the basis of nationality of a Member State, which restricts access to the rights contained therein for non-EU nationals residing on EU territory, such as third country nationals with EU long-term residency status; calls for a revision of Article 20 TFEU by introducing a new paragraph 20(2a) stating that, without prejudice to the competence of Member States to grant citizenship, the enjoyment of the rights mentioned under Article 20(2) should be extended to non-EU nationals residing on EU territory, including third-country nationals with EU long-term residency status; calls for the prohibition in the Treaties of those citizenship by investment schemes whereby national citizenship, along with EU citizenship, is offered to third-country nationals in exchange for primarily financial considerations;
12. Notes that some Member States do not grant their citizens who are residing in other Member States the right to vote in national elections; considers it contrary to European democratic values that as a consequence these EU citizens are deprived of their right to vote for exercising their fundamental right to freedom of movement under EU law; calls to enshrine in the Treaties the principle that each EU citizen has the right to vote in local, regional, national and European elections;
13. Calls to establish the FRA as an independent human rights authority, similar to national human rights institutions and in line with the UN General Assembly's Paris Principles of 1993, to protect and promote the Charter of fundamental rights of the European Union throughout the policies and practices from Union institutions, bodies, offices and agencies, and from Member States when implementing Union law; considers that this requires a legal basis in the Treaties for the setting up of a European Union Authority for Fundamental Rights, enshrining its independence and introducing the ordinary legislative procedure for adopting and amending its mandate; calls to entitle this new Authority to bring actions under Article 263 TFEU on grounds of infringement of the Charter; calls to expand its mandate, including the power to handle complaints and mandatory consultation by the Commission of the FRA when preparing proposals for legislative acts or recommendations which have an impact on fundamental rights;
14. Considers it necessary to entitle the European Data Protection Supervisor to bring actions under Article 263 TFEU on grounds of infringement of the right to data protection ;
15. Calls for the introduction in the TFEU of a new shared Union competence for setting up an effective legal framework against disinformation ;
16. Strongly regrets that horizontal EU legislation on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation has still not been adopted since the 2008 Commission proposal, due to blockage at Council level, despite repeated calls from the Parliament; therefore considers it necessary that EU action to combat discriminations on the basis of Article 19 TFEU be taken in accordance with the ordinary legislative procedure, in order to ensure a uniform minimum level of protection within the Union for people who are discriminated against; calls for Article 19 TFEU to also cover the grounds of gender,

gender identity, gender expression or sex characteristics, social origin, genetic features, language, political or any other opinion, membership of a national minority, property and birth, as well as intersectional discrimination;

17. Calls for the inclusion, in Article 8 TFEU, of a reference to gender inequalities and an obligation for the Union to aim in its different policies to combat all kinds of gender-based violence, including by taking all necessary measures to prevent and punish these criminal acts and to support and protect the victims;
18. Calls for the introduction in Article 10 TFEU of the grounds of gender, gender identity, gender expression or sex characteristics, and all other grounds mentioned in Article 21(1) of the Charter, namely colour, genetic features, language, political or any other opinion, membership of a national minority, property and birth, to combat discrimination when defining and implementing its policies and activities;
19. Calls for the inclusion in Article 21(1) of the Charter of gender, gender identity, gender expression and sex characteristics, in order to also prohibit discrimination on these grounds explicitly;
20. Highlights that Article 2 TEU explicitly includes the rights of persons belonging to minorities amongst the constitutional principles of the Union; calls for actions, including EU legislation, to protect persons belonging to minorities and to protect the cultures and languages of the traditional national and linguistic minorities (AM 26 EPP); further calls for the Union to accede to the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities;
21. Considers necessary to ensure the right to access to sexual and reproductive health and rights for all across the EU; calls to include, in a new Article of the Charter of Fundamental Rights, the right for everyone to bodily autonomy, to free and informed access to sexual and reproductive health and rights and to all related healthcare services without discrimination, including to a safe and legal abortion; calls to replace Article 4(2)(k) TFEU by “common safety concerns in public health matters and the protection of human health, including on sexual and reproductive health and rights”;
22. Calls for the inclusion of the climate target in Article 37 of the Charter of Fundamental Rights;
23. Calls for measures concerning family law with cross-border implications to be adopted in accordance with the ordinary legislative procedure;

### **Policies on Border checks, Asylum and Immigration**

24. Reaffirms the objectives and general principles on which the common policies on borders, asylum and immigration are based in the Treaties, such as free movement without internal border checks and efficient common border management under Articles 67, 77 and 79(2)(b) TFEU, non-refoulement under Article 78(1) TFEU, fair treatment of third-country nationals, the fight against irregular migration and human trafficking, or the principle of solidarity and fair sharing of responsibility between the Member States under Article 80 TFEU, which should be used as a complementary legal basis for legislation under this Treaty chapter;

25. Believes these form a sound basis to respond to calls from citizens expressed at the Conference<sup>7</sup> which included strengthening the EU's role on legal migration, on asylum, on addressing irregular migration, combatting human trafficking and on proper management of the European Union's common borders, while respecting fundamental rights, as well as for reform of the common European asylum system and for applying common rules uniformly in all Member States on the reception of migrants and for improving integration policies in all Member States;
26. Stresses however that action at EU level remains incomplete mainly due to the institutional imbalance between the co-legislators; recommends therefore that the ordinary legislative procedure apply to all Union policies on border checks, asylum and immigration, including for the evaluation of the implementation of those policies (Article 70 TFEU); calls for more competences to be shared between the EU and the Member States to pursue the objectives set out in Chapter II of Title V of the TFEU and in full respect of the principles of subsidiarity and proportionality, including for integration measures, which are currently not covered even though integration and inclusion of third-country nationals is fundamental to the success of efforts to develop common rules regarding their arrival to and stay in the EU and is a key part of the implementation of the Common European Asylum System;

### **Judicial cooperation in criminal matters and police cooperation**

27. Believes that legislative measures of horizontal nature instituting principles which establish minimum standards in EU criminal law would increase mutual trust between Member States thus leading to more efficient judicial cooperation while respecting the principle of subsidiarity; calls for the introduction of a Union competence in Article 82 TFEU to establish minimum standards for pre-trial detention and custody conditions, and for minimum standards on the admissibility of evidence, in full respect of the right to a fair trial in criminal proceedings; calls to amend the Treaties in order to codify the case law of the CJEU regarding the limitation, in exceptional situations, of the mutual recognition of judgments and judicial decisions issued by a Member State where there are systemic or generalised deficiencies affecting the judicial system of that Member State;
28. Calls for a stronger involvement of the Parliament under the special legislative procedure of Article 83(1) TFEU, related to the identification of new areas of particularly serious crime with a cross-border dimension; calls for the inclusion of environmental crime, hate crime and hate speech and gender-based violence in the list of 'Euro-crimes'.

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<sup>7</sup> Recommendations Nos 41 to 45, see <https://www.europarl.europa.eu/resources/library/media/20220509RES29121/20220509RES29121.pdf>

## INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

<b>Date adopted</b>	6.2.2023
<b>Result of final vote</b>	+: 35 -: 18 0: 0
<b>Members present for the final vote</b>	Konstantinos Arvanitis, Katarina Barley, Theresa Bielowski, Karolin Braunsberger-Reinhold, Patrick Breyer, Annika Bruna, Lena Düpont, Lucia Ďuriš Nicholsonová, Cornelia Ernst, Maria Grapini, Evin Incir, Sophia in 't Veld, Patryk Jaki, Fabienne Keller, Łukasz Kohut, Moritz Körner, Alice Kuhnke, Jeroen Lenaers, Juan Fernando López Aguilar, Lukas Mandl, Erik Marquardt, Javier Moreno Sánchez, Maite Pagazaurtundúa, Paulo Rangel, Diana Riba i Giner, Isabel Santos, Tineke Strik, Ramona Strugariu, Milan Uhrík, Tom Vandendriessche, Elena Yoncheva, Javier Zarzalejos
<b>Substitutes present for the final vote</b>	Susanna Ceccardi, Gwendoline Delbos-Corfield, José Gusmão, Dietmar Köster, Alessandra Mussolini, Matjaž Nemec, Janina Ochojska, Anne-Sophie Pelletier, Thijs Reuten, Axel Voss
<b>Substitutes under Rule 209(7) present for the final vote</b>	Aurélia Beigneux, Milan Brglez, Katalin Cseh, Marie Dauchy, Paolo De Castro, José Manuel Fernandes, Tomasz Frankowski, Vlad Gheorghe, Martin Hojsík, Max Orville, Mounir Satouri

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

35	+
S&D	Katarina Barley, Milan Brglez, Paolo De Castro, Maria Grapini, Evin Incir, Łukasz Kohut, Dietmar Köster, Juan Fernando López Aguilar, Javier Moreno Sánchez, Theresa Bielowski, Matjaž Nemeč, Thijs Reuten, Isabel Santos, Elena Yoncheva
Renew	Katalin Cseh, Lucia Ďuriš Nicholsonová, Vlad Gheorghe, Martin Hojsík, Sophia in 't Veld, Fabienne Keller, Moritz Körner, Max Orville, Maite Pagazaurtundúa, Ramona Strugariu
Verts/ALE	Patrick Breyer, Gwendoline Delbos-Corfield, Alice Kuhnke, Erik Marquardt, Diana Riba i Giner, Mounir Satouri, Tineke Strik
The Left	Konstantinos Arvanitis, Cornelia Ernst, Anne-Sophie Pelletier, Miguel Urbán Crespo

18	-
PPE	Karolin Braunsberger-Reinhold, Lena Düpont, José Manuel Fernandes, Tomasz Frankowski, Jeroen Lenaers, Lukas Mandl, Alessandra Mussolini, Janina Ochojska, Paulo Rangel, Axel Voss, Javier Zarzalejos
ID	Aurélia Beigneux, Annika Bruna, Susanna Ceccardi, Marie Dauchy, Tom Vandendriessche
ECR	Patryk Jaki
NI	Milan Uhrík

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention



6.12.2022

## POSITION IN THE FORM OF AMENDMENTS OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY

for the Committee on Constitutional Affairs

on proposals of the European Parliament for the amendment of the Treaties  
(2022/2051(INL))

On behalf of the Committee on Women's Rights and Gender Equality: Lina Gálvez Muñoz  
(rapporteur)

### AMENDMENTS

The Committee on Women's Rights and Gender Equality presents the following amendments to the Committee on Constitutional Affairs, as the committee responsible:

Amendment 1

#### **Motion for a resolution** **Recital Aa (new)**

*Motion for a resolution*

*Amendment*

*Aa. whereas the Union needs to safeguard women's rights and gender equality achievements against various attempts to undermine these rights, as observed in certain Member States and worldwide, by enshrining them throughout the legal framework of the Union by inter alia amending the EU Treaties and the Charter of Fundamental Rights of the European Union ('the Charter') in a way that guarantees full access to fundamental rights for everyone and settles women's rights across the Union, focussing among others on free, informed, universal and full access to sexual and reproductive health and rights, including safe and legal abortion, women's full participation in the labour market through effective guarantees in*

*terms of maternity leave, equal leave for parents, paid and non-transferable parental leave, flexible working hours and teleworking possibilities, on-site childcare facilities, care services, and equal pay for work of equal value, in line with principles 2 and 3 of the European Pillar of Social Rights;*

Amendment 2

**Motion for a resolution**

**Recital Ba (new)**

*Motion for a resolution*

*Amendment*

*Ba. whereas a “right to health” should be established by guaranteeing that all Europeans have equal and universal access to affordable, preventive, curative and quality healthcare; whereas the resilience and quality of our healthcare systems should be reinforced and a European Health Union should be created; whereas the protection and improvement of human health, including sexual and reproductive health and rights, should be added as a shared competence between the Union and the Member States;*

Amendment 3

**Motion for a resolution**

**Recital Ca (new)**

*Motion for a resolution*

*Amendment*

*Ca. whereas combating gender-based violence is a key priority of the Union’s Gender Equality Strategy and of the Union’s external action; whereas developments in crime require that gender-based violence is now added to the list of the areas of particularly serious crime with a cross-border dimension set out in Article 83(1) TFEU in order to allow the European Parliament and the*

*Council to establish minimum rules to define offences and sanctions in accordance with the ordinary legislative procedure;*

Amendment 4

**Motion for a resolution**  
**Recital Da (new)**

*Motion for a resolution*

*Amendment*

*Da. whereas the Charter enshrines the main fundamental rights and liberties for people living in the Union; whereas sexual and reproductive rights (SRR), including the right to safe and legal abortion, are fundamental rights, protected as human rights in international and European human rights law and must be guaranteed and enhanced by the primary law of the Union; whereas the right to abortion should be included in the Charter by adding it, as a shared competence between the Union and the Member States, to Article 35 of the Charter which guarantees the protection and the improvement of health rights and a proposal should be submitted to the Council to amend the Charter accordingly, as it has direct implications for the effective exercise of the rights recognised in the Charter, such as human dignity, personal autonomy, equality and physical integrity;*

Amendment 5

**Motion for a resolution**  
**Recital Ea (new)**

*Motion for a resolution*

*Amendment*

*Ea. whereas gender mainstreaming and gender budgeting are globally recognised strategies and tools to reach gender equality by ensuring the integration of a gender perspective when*

*designing, implementing and evaluating all legislation, policies, programmes and measures across their policy cycle; whereas the implementation of gender mainstreaming and gender budgeting across policy areas and institutions at Union and at national level is still fragmented; whereas gender mainstreaming should be a cross-cutting principle enshrined in the Charter;*

Amendment 6

**Motion for a resolution**  
**Recital Fa (new)**

*Motion for a resolution*

*Amendment*

*Fa. whereas the Union and national fiscal and budgetary policies should not reinforce existing gender gaps, including the gender pay gap, or dissuade women from entering, remaining in, or returning to the labour market; whereas the Conference should use the revision of the Treaties to mainstream gender equality in economic and social governance with the aim of reducing poverty, social exclusion and discrimination and of promoting gender equality as enshrined in Article 3(3) TFEU; whereas inequalities particularly affect women in all their diversity and are worsening day by day within the Union; whereas Articles 110 to 113 TFEU on tax provisions and Part Six, Title II TFEU on financial provisions should be applied consistently with the core principle of gender equality laid down in Article 8 TFEU and Article 23 of the Charter, with the cross-cutting objective of the Treaties to achieve the complete elimination of gender discrimination from all policies;*

Amendment 7

**Motion for a resolution**  
**Recital Ga (new)**

*Motion for a resolution*

*Amendment*

***Ga. whereas the full implementation of the provisions of the Treaties and the Charter on equality, and the fight against discrimination in all areas implies that equality-relevant data, including data disaggregated by sex, gender, racial and ethnic origin, sexual orientation and identity, are at the disposal of lawmakers and policymakers to understand, uncover and combat all types and dimensions of discrimination, including intersectional and institutional discrimination; whereas the Commission and the Member States should take the necessary steps toward the collection of reliable and comparable data which would allow to advance the EU Gender Equality Strategy, with full respect of Union principles and standards of data protection and fundamental rights;***

Amendment 8

**Motion for a resolution**  
**Recital Ha (new)**

*Motion for a resolution*

*Amendment*

***Ha. whereas the Conference on the Future of Europe confirmed citizens' valuing the presence and the contribution of women in power positions and in any kind of profession; whereas the institutions of the Union and related bodies should fully reflect this and set an example by aiming to be gender balanced, ensuring diversity and seeking gender parity in their own composition;***

Amendment 9

**Motion for a resolution**  
**Recital Ia (new)**

*Motion for a resolution*

*Amendment*

***Ia. whereas the Conference on the Future of Europe confirmed citizens' interest and support towards gender equality through the promotion of women entrepreneurship and business environment as well as women in STEM;***

Amendment10

**Motion for a resolution**  
**Paragraph 1 – point a (new)**

*Motion for a resolution*

*Amendment*

***(1) The Treaty on European Union (TEU) is amended as follows:***

***(a) in Article 2, the second sentence is replaced by the following:***

***“These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and gender equality prevail.”***

Amendment 11

**Motion for a resolution**  
**Paragraph 1 – point b (new)**

*Motion for a resolution*

*Amendment*

***(1) The TEU is amended as follows:***

***(b) in Article 3(3), the second subparagraph is replaced by the following:***

***“It shall combat social exclusion and discrimination, and shall promote social justice and protection, gender equality, solidarity between generations and protection of the rights of the child. The***

*aforementioned objectives shall be framed by the concept of fair social-economic governance, with the aim of reducing inequalities and achieving gender equality. Achieving gender equality requires that gender mainstreaming is applied as a cross-cutting principle in the establishment and implementation of the secondary legislation of the Union.”*

Amendment 12

**Motion for a resolution**  
**Paragraph 1 point c (new)**

*Motion for a resolution*

*Amendment*

**(1) The TEU is amended as follows:**

**(c) in Article 13, the following paragraph is added:**

**“5. The composition of the Union’s institutions as well as of the governing and consultative bodies created by those institutions shall be gender balanced, ensure diversity and seek gender parity.”**

Amendment 13

**Motion for a resolution**  
**Paragraph 1 – point d (new)**

*Motion for a resolution*

*Amendment*

**(1) The TEU shall be amended as follows:**

**(d) in Article 21(1), the first subparagraph is replaced by the following:**

**“1. The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect**

*for human dignity, the principles of equality, including gender equality, and solidarity, and respect for the principles of the United Nations Charter and international law.”*

Amendment 14

**Motion for a resolution**  
**Paragraph 2 – point a (new)**

*Motion for a resolution*

*Amendment*

**(2) The Treaty on the Functioning of the European Union (TFEU) is amended as follows:**

**(a) in Article 4(2), point (k) is replaced by the following:**

**“(k) common safety concerns in public health matters, the protection and improvement of human health and well-being, including universal and full access to sexual and reproductive health and rights, especially, but not exclusively, for women and girls.”**

Amendment 15

**Motion for a resolution**  
**Paragraph 2 – point b (new)**

*Motion for a resolution*

*Amendment*

**(2) The TFEU is amended as follows:**

**(b) Article 8 is replaced by the following:**

**“Article 8**

***In all its activities, the Union shall aim to eliminate inequalities and discriminations, to enhance diversity and to promote gender equality by applying the principle of gender mainstreaming in all policy areas and the principle of gender responsive budgeting, while adopting an intersectional approach”.***



Amendment 16

**Motion for a resolution**  
**Paragraph 2 – point c (new)**

*Motion for a resolution*

*Amendment*

(2) *The TFEU is amended as follows:*

(c) *Article 10 is replaced by the following:*

***“Article 10***

***“In defining and implementing its policies and activities, the Union shall aim to prevent and to combat discrimination based on sex, gender, gender identity, gender expression, sexual orientation, sex characteristics, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability or age, as well as intersectional discrimination”;***

Amendment 17

**Motion for a resolution**  
**Paragraph 2 – point d (new)**

*Motion for a resolution*

*Amendment*

(2) *The TFEU is amended as follows:*

(d) *in Article 19, paragraph 1 is replaced by the following:*

***“1. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may take appropriate action to prevent and combat discrimination based on sex, gender, gender identity and gender expression, sex characteristics, sexual orientation, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority,***

*property, birth, disability or age.”*

Amendment 18

**Motion for a resolution**  
**Paragraph 2 – point e (new)**

*Motion for a resolution*

*Amendment*

*(2) The TFEU is amended as follows:*

*(e) in Article 83, paragraph 1 is replaced by the following:*

*“1. The European Parliament and the Council may, by means of directives adopted in accordance with the ordinary legislative procedure, establish minimum rules concerning the definition of criminal offences and sanctions in the areas of particularly serious crime with a cross-border dimension resulting from the nature or impact of such offences or from a special need to combat them on a common basis.*

*These areas of crime are the following: terrorism, trafficking in human beings and sexual exploitation of women and children, gender-based violence, illicit drug trafficking, illicit arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime, cyber violence and organised crime.*

*On the basis of developments in crime, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure may identify other areas of crime that meet the criteria specified in this paragraph.”*

Amendment 19

**Motion for a resolution**  
**Paragraph 2 – point f (new)**

*Motion for a resolution*

*Amendment*

(2) *The TFEU is amended as follows:*

(f) *in Article 153(1), point (i) is replaced by the following:*

*“(i) the promotion of gender equality with regard to labour market opportunities and treatment at work;”*

Amendment 20

**Motion for a resolution**  
**Paragraph 2 – point g (new)**

*Motion for a resolution*

*Amendment*

(2) *The TFEU is amended as follows:*

(g) *Article 157 is replaced by the following:*

(i) *paragraph 1 is replaced by the following:*

*“1. Each Member State shall ensure that the principle of equal pay for equal work or work of equal value is applied for all workers in a non-discriminatory manner promoting gender equality.”;*

(ii) *in paragraph 2, second subparagraph, the introductory sentence is replaced by the following:*

*“Equal pay for all workers in a non-discriminatory manner promoting gender equality means:”;*

iii) *paragraph 3 replaced by the following:*

*“3. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, and after consulting the Economic and Social Committee, shall adopt measures to ensure the application of the principle of equal opportunities and to promote gender equality in matters of employment and occupation, including the principle of equal pay for equal work or work of equal*

*value.”;*

*(iv) paragraph 4 is replaced by the following:*

*“4. With a view to ensuring full gender equality in practice in working life, the principle of equal treatment shall not prevent any Member State from maintaining or adopting measures providing for specific advantages for women in all their diversity to prevent, eliminate and compensate for any discrimination, inequality or disadvantages in working life.”;*

Amendment 21

**Motion for a resolution**  
**Paragraph 2 – point h (new)**

*Motion for a resolution*

*Amendment*

*(2) The TFEU is amended as follows:*

*(h) Article 165 is amended as follows:*

*(i) in paragraph 2, the seventh indent is replaced by the following:*

*“- developing the European dimension in sport, by promoting fairness and openness in sporting competitions and cooperation between bodies responsible for sports, and by protecting the physical and moral integrity of sportspersons of all genders, especially the youngest sportspersons.”*

Amendment 22

**Motion for a resolution**  
**Paragraph 2 – point i (new)**

*Motion for a resolution*

*Amendment*

*(i) The Declaration on Article 8 of the Treaty on the Functioning of the European Union (No 19) is replaced by*

*the following*

***“The Conference agrees that, in its general efforts to eliminate gender inequalities, and discrimination, the Union will aim in its different policies to prevent and combat all kinds of gender-based violence, including domestic violence. The Member States shall take all necessary measures to prevent and punish these criminal acts and to provide support, protection and reparation to all the victims having regard to a gendered understanding of violence.”***

Amendment 23

**Motion for a resolution  
Paragraph 3 – point a (new)**

*Motion for a resolution*

*Amendment*

***(3) The Charter of Fundamental Rights of the European Union (‘the Charter’) is amended as follows:***

***(a) in Article 3, the title is amended as followed:***

***“Right to the integrity of the person and to bodily autonomy”;***

***(b) in Article 3, the following paragraph is added:***

***“3. Everyone has the right to bodily autonomy, to free, informed, full and universal access to sexual and reproductive health and rights, and to all related healthcare services without discrimination, including the access to safe and legal abortion.”;***

Amendment 24

**Motion for a resolution  
Paragraph 3 – point b (new)**

*Motion for a resolution*

*Amendment*

**(3) The Charter is amended as follows:**

**(b) in Article 21, paragraph 1 is replaced by the following:**

**“1. Any discrimination based on any ground such as sex, gender, gender identity and gender expression, sex characteristics, sexual orientation, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or any type of intersecting form of discrimination shall be prohibited.”**

Amendment 25

**Motion for a resolution  
Paragraph 3 – point c (new)**

*Motion for a resolution*

*Amendment*

**(3) The Charter is amended as follows:**

**(c) Article 23 is replaced by the following:**

**“Article 23**

**Gender equality**

**Gender equality must be ensured in all areas and social spheres.**

**Gender mainstreaming shall be applied as a cross-cutting principle in the establishment and implementation of the secondary legislation of the Union and shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of women in all their diversity.”**

Amendment 26

**Motion for a resolution**  
**Paragraph 3 – point d (new)**

*Motion for a resolution*

*Amendment*

**(3) The Charter is amended as follows:**

**(d) the following Article is inserted:**

**“Article 23a**

***The right of access to sexual and reproductive health and rights***

***Everyone has the right to bodily autonomy, to free, informed, full and universal access to sexual and reproductive health and rights and to all related healthcare services without discrimination, including to safe and legal abortion.”***

Amendment 27

**Motion for a resolution**  
**Paragraph 3 – point e (new)**

*Motion for a resolution*

*Amendment*

**(3) The Charter is amended as follows:**

**(e) in Article 33, paragraph 2 is replaced by the following:**

**“2. To reconcile family, private and professional life and to promote the equal sharing of caring responsibilities between men and women in order to close the gender gaps in earnings and pay, everyone shall have the right to protection from dismissal for a reason connected with maternity, paternity or care, and the right to equal paid maternity, paternity and care leaves as well as other flexible working arrangements.”;**

Amendment 28

**Motion for a resolution**  
**Paragraph 3 – point f (new)**

*Motion for a resolution*

*Amendment*

**(3)** *The Charter is amended as follows:*

**(f)** *Article 35 is replaced by the following:*

*“Article 35*

*Health, well-being and care*

*Health shall be understood as a complete state of physical, mental, emotional and social well-being, and not merely the absence of disease or infirmity.*

*Everyone has the right to quality, accessible, available and affordable care, the right to preventive health care and the right to benefit from medical treatment. A high level of human health protection, including sexual and reproductive health and rights shall be ensured.”*

Amendment 29

**Motion for a resolution**  
**Paragraph 3 – point g (new)**

*Motion for a resolution*

*Amendment*

**3.** *The Charter is amended as follows:*

**(g)** *in Article 51, paragraph 1 is replaced by the following:*

*“1. The provisions of this Charter are addressed to the institutions and bodies of the Union with due regard for the principle of subsidiarity and to the Member States. They shall therefore respect the rights, observe the principles and promote the application thereof in accordance with their respective powers.”*





## INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

<b>Date adopted</b>	25.10.2023
<b>Result of final vote</b>	+: 20 -: 6 0: 0
<b>Members present for the final vote</b>	Gabriele Bischoff, Damian Boeselager, Włodzimierz Cimoszewicz, Ana Collado Jiménez, Gwendoline Delbos-Corfield, Daniel Freund, Brice Hortefeux, Giuliano Pisapia, Paulo Rangel, Antonio Maria Rinaldi, Domènec Ruiz Devesa, Jacek Saryusz-Wolski, Helmut Scholz, Pedro Silva Pereira, Sven Simon, Guy Verhofstadt, Loránt Vincze, Rainer Wieland
<b>Substitutes present for the final vote</b>	Gilles Boyer, Christian Doleschal, Cyrus Engerer, Alin Mituța, Maite Pagazaurtundúa
<b>Substitutes under Rule 209(7) present for the final vote</b>	Andor Deli, Petros Kokkalis, Kosma Złotowski

## FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

<b>20</b>	<b>+</b>
EPP	Collado Jiménez Ana, Doleschal Christian, Simon Sven, Vincze Lórant, Wieland Rainer
S&D	Bischoff Gabriele, Cimoszewicz Włodzimierz, Engerer Cyrus, Pisapia Giuliano, Ruiz Devesa Domènec, Silva Pereira Pedro
Renew	Boyer Gilles, Mituța Alin, Pagazaurtundúa Maite, Verhofstadt Guy
Verts/ALE	Boeselager Damian, Delbos-Corfield Gwendoline, Freund Daniel
The Left	Kokkalis Petros, Scholz Helmut

<b>6</b>	<b>-</b>
EPP	Hortefeux Brice, Rangel Paulo
ECR	Saryusz-Wolski Jacek, Złotowski Kosma
ID	Rinaldi Antonio Maria
NI	Deli Andor

<b>0</b>	<b>0</b>

<b>Correction of votes and voting intentions</b>	
<b>+</b>	
<b>-</b>	
<b>0</b>	Vincze Lórant

Key to symbols:

+ : in favour

- : against

0 : abstention