



**2022/2051(INL)**

22.8.2023

# **DRAFT REPORT**

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

Committee on Constitutional Affairs

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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 (A9-0000/2023),
  - 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

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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.

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 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 an EU 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 European Court of Justice 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 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;
21. Calls for the establishment of a defence union including permanently stationed European 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 NATO membership would not be affected by these changes;

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

22. Proposes that the OLP and QMV be used for decisions on direct and indirect taxation; calls for the establishment of the multiannual financial framework for a five year period;
23. 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;
24. 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***

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

### ***Education***

26. 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;
27. 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***

28. 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***

29. Proposes to expand non-discrimination protections to gender, social origin, language, political opinion and membership of a national minority and introduces 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;
30. 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***

31. 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***

32. 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***

33. 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***

34. 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;

35. Proposes that the Union's common immigration policy be strengthened by taking appropriate and necessary measures to ensure the prevention of illegal crossings and for the Union's migration policy to take into account the economic and social stability of Member States, the availability of skilled labour to the single market, as well as the efficient management of migration, taking into account the fair treatment of third country nationals;

### ***Health***

36. 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;
37. 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***

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

### ***Final Provisions***

40. 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;
41. Adopts the proposals for the amendment of the Treaties annexed hereto and submits them to the Council in accordance with Article 48(2) TEU;
42. 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***

**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, on asylum, immigration and the prevention and combating of crime.

## Amendment 4

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

#### *Present text*

3. 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 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.

#### *Amendment*

3. 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 **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.

Or. en

## 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.

Or. en

## 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.

Or. en

**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.***

Or. en

**Amendment 9****Treaty on European Union  
Article 7 – paragraph 1 – subparagraph 1***Present text**Amendment*

1. 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

1. 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, 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,

recommendations to it, acting in accordance with the same procedure.

acting in accordance with the same procedure.

Or. en

## Amendment 10

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

#### *Present text*

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 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.**

#### *Amendment*

2. The Council, acting by **a qualified majority** on a proposal by one third of the Member States, **the European Parliament acting by a majority of its component Members, or 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.

Or. en

## 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.**

Or. en

## Amendment 12

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

#### *Present text*

3. 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

#### *Amendment*

3. Where a determination under paragraph 2 has been made, the Council, acting by a qualified majority, **shall** decide **to take appropriate budgetary measures,**

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.

*which may include a suspension of commitments and payments from the Union's budget, or 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.*

Or. en

### 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.***

Or. en

### 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.***

Or. en

### Amendment 15

#### Treaty on European Union Article 10 - paragraph 4

*Present text*

*Amendment*

4. Political parties at European level

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contribute to forming European political awareness and to expressing the will of citizens of the Union.

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 this end.*

Or. en

## 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.*

Or. en

## Amendment 17

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

*Present text*

*Amendment*

4. 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.*

4. 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.

Or. en

## 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.*

Or. en

## **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.***

Or. en

## **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 simple 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.***

Or. en

## **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.**

Or. en

## **Amendment 22**

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

*Present text*

*Amendment*

2. 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.***

2. 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.)*

Or. en

## **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***

Or. en

## 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 sentence of paragraph 2, subparagraph 1. See amendment 22.)*

Or. en

## 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.**

Or. en

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

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

Or. en

## 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.

Or. en

## 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.

Or. en

## Amendment 29

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

#### *Present text*

6. **The President of the European Council:**  
**(a) shall chair it and drive forward its**

#### *Amendment*

**deleted**

*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.*

Or. en

### **Amendment 30**

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

*Present text*

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.

*Amendment*

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.

Or. en

### **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*

4. *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*

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

### 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.**

Or. en

### **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.**

Or. en

### **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**

Or. en

### **Amendment 38**

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

*Present text*

*Amendment*

**6. The Council shall meet in different configurations, the list of which shall be**

**deleted**

*adopted in accordance with Article 236 of the Treaty on the Functioning of the European Union.*

Or. en

#### **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**

Or. en

#### **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**

Or. en

#### **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*

8. The Council shall meet in public when it deliberates and votes on a draft legislative act. ***To this end, each Council meeting shall be divided into two parts, dealing respectively with deliberations on Union legislative acts and non-legislative activities.***

*Amendment*

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

Or. en

**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.

Or. en

**Amendment 46****Treaty on European Union  
Article 17 - paragraph 4**

*Present text*

*Amendment*

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.*

*deleted*

Or. en

#### Amendment 47

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

*Present text*

*Amendment*

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

5. The *Executive* shall consist of *no more than 15* members, including its President, the *Union Secretary* for Foreign Affairs and Security Policy *and the Union Secretary of 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 first subparagraph.*

Or. en

## 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 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.

#### *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 of Economic Governance** from among the members of the **Executive**.

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

Or. en

## 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**

#### *Amendment*

6. **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**

**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.

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 paragraph 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.

Or. en

## 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 censure of the **Executive or individual Secretaries**. 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 Secretary concerned shall resign*.

Or. en

## Amendment 51

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

*Present text*

*Amendment*

**3a. The Court 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.**

Or. en

## Amendment 52

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

*Present text*

*Amendment*

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

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

Or. en

## Amendment 53

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

*Present text*

*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 ***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

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

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.***

area is defined by the Treaties. The Court of Justice of the European Union shall have jurisdiction with respect to these provisions.

Or. en

#### 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.

Or. en

#### 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.

###### *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.

*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.*

Or. enAmendment

56

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

*Present text*

*Amendment*

**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 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.

Or. en

**Amendment 57**

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

*Present text*

*Amendment*

***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.***

***deleted***

Or. en

**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***

Or. en

**Amendment 59**

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



*Present text*

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.***

*Amendment*

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.***

Or. en

**Amendment 60**

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

*Present text*

2. 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 respective constitutional requirements.

*Amendment*

2. 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 requirements.

Or. en

**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*

3. **The Union shall establish a Defence Union with** civilian and military capabilities for the implementation of the common security and defence policy. **This includes permanently-stationed joint European 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.

Or. en

**Amendment 62**

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

*Present text*

4. Decisions relating to the common security and defence policy, **including those initiating a mission as referred to in this Article**, shall be adopted by the Council acting **unanimously** on a proposal

*Amendment*

4. Decisions relating to the common security and defence policy shall be adopted by the Council acting **by qualified majority** on a proposal from the Union **Secretary** for Foreign Affairs and Security

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.

Policy or an initiative from a Member State, ***and after obtaining 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.

Or. en

### Amendment 63

#### Treaty on European Union Article 42 – paragraph 4 a (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.***

Or. en

### Amendment 64

#### Treaty on European Union Article 42 – paragraph 4 a – subparagraph 1 a (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.***

Or. en

## Amendment 65

### Treaty on European Union

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

##### *Present text*

7. 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*

7. 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.

Or. en

## 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.

Or. en

## 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 methods;

*Amendment*

(b) ***procure armaments for the Defence Union and on behalf of the Union and its Member States and*** promote harmonisation of operational needs and adoption of effective, compatible procurement methods;

Or. en

## 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;

Or. en

## 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.***

*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.

*The Agency shall carry out its tasks in liaison with the Commission where necessary.*

Or. en

## **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 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.

#### *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 **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**.

Or. en

## **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.

Or. en

## Amendment 72

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

*Present text*

*Amendment*

***The conference shall act by a majority of four-fifths of the governments of the Member States.***

Or. en

## Amendment 73

### Treaty on European Union Article 48 – paragraph 4 – subparagraph 1 b (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.***

Or. en

## 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.

Or. en

## Amendment 75

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

*Present text*

*Amendment*

5. If, two years after the signature of a

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**.

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

Or.en

#### Amendment 76

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

###### *Present text*

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 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.

###### *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 **obtaining the consent of** the European Parliament, and **after 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.

Or. en

#### 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.

Or. en



## 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.***

Or. en

## 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.

Or. en

## 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.***

Or. en

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

#### *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,***

Or. en

## **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.***

Or. en

## **Amendment 83**

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

*Present text*

*Amendment*

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.

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.

Or. en

## Amendment 84

### Treaty on the Functioning of the European Union

#### Article 4 – paragraph 2 – point d

*Present text*

*Amendment*

(d) agriculture and fisheries, excluding the conservation of marine biological resources;

(d) **forestry**, agriculture and fisheries, excluding the conservation of marine biological resources;

Or. en

## Amendment 85

### Treaty on the Functioning of the European Union

#### Article 4 – paragraph 2 – point e

*Present text*

*Amendment*

(e) *environment*;

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

Or. en

## Amendment 86

### Treaty on the Functioning of the European Union

#### Article 4 – paragraph 2 – point g

*Present text*

*Amendment*

(g) transport;

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

Or. en

## Amendment 87

### Treaty on the Functioning of the European Union

#### Article 4 – paragraph 2 – point j

*Present text*

*Amendment*

(j) area of freedom, security and justice;

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

Or. en

## Amendment 88

### Treaty on the Functioning of the European Union

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

*Present text*

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

*Amendment*

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

Or. en

## Amendment 89

### Treaty on the Functioning of the European Union

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

*Present text*

*Amendment*

*(ka) civil protection;*

Or. en

## Amendment 90

### Treaty on the Functioning of the European Union

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

*Present text*

*Amendment*

*(kb) industry;*

Or. en

## Amendment 91

### 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.*

Or. en

## Amendment 92

### Treaty on the Functioning of the European Union

#### Article 6 – point a

*Present text*

*Amendment*

*(a) protection and improvement of human health;*                      *deleted*

Or. en

## Amendment 93

### 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;

Or. en

## Amendment 94

### Treaty on the Functioning of the European Union

#### Article 6 – point f

*Present text*

*Amendment*

*(f) civil protection;*                      *deleted*

Or. en

## Amendment 95

### 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.

Or. en

## Amendment 96

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

#### *Present text*

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.***

#### *Amendment*

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 and workers representatives.***

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

Or. en

## Amendment 97

### 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 ***gender***, racial, ethnic ***or social*** origin, ***language***, religion or belief, ***political opinion***, ***belonging to a national minority***, disability, age or sexual orientation.

Or. en

## Amendment 98

### 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.

Or. en

## Amendment 99

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

#### *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 referred to in the second subparagraph.

#### *Amendment*

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

Or. en

## Amendment 100

### 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

#### *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 Council ***and the European Parliament***, acting in accordance with ***the ordinary*** legislative procedure, may take appropriate action to combat discrimination based on ***gender***,



discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

racial, ethnic or *social* origin, *language*, religion or belief, *political opinion*, *belonging to a national minority*, disability, age or sexual orientation.

Or. en

### Amendment 101

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

*Present text*

*Amendment*

*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.*

*deleted*

Or. en

### Amendment 102

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

*Present text*

*Amendment*

*2a. The Council and the European Parliament may, in accordance with the ordinary legislative procedures, adopt common provisions on the acquisition and loss of citizenship of the Union by third country nationals.*

Or. en

### Amendment 103

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

*Present text*

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.

*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 *and the European Parliament*, acting in accordance with *the ordinary* legislative procedure. *Those* arrangements may provide for derogations where warranted by problems specific to a Member State.

Or. en

**Amendment 104**

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

*Present text*

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.*

*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 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 *and the European Parliament*, acting in accordance with *the ordinary* legislative procedure.

Or. en

## Amendment 105

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

Or. en

## Amendment 106

### 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 *11(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*.

Or. en

## Amendment 107

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

#### *Present text*

#### *Amendment*

*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 shall, acting in accordance with the ordinary legislative procedure, 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.***

Or. en

### **Amendment 108**

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

*Present text*

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.

*Amendment*

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.

Or. en

### **Amendment 109**

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

*Present text*

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.

*Amendment*

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 ***sustainable*** fishing opportunities.

Or. en

### **Amendment 110**

#### **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.

Or. en

**Amendment 111 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.

Or. en

**Amendment 112**

**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 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

*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 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'

recognition. **The European Parliament and** national Parliaments shall be informed of the content and results of the evaluation.

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.

Or. en

### Amendment 113

#### 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 ensuring the prevention of illegal crossings of the Union's borders, as well as the effective return of those who do not have the right to remain on the territory of the Union;***

Or. en

### Amendment 114

#### 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 Council ***and the European Parliament,*** acting in accordance with ***the ordinary*** legislative procedure, may adopt provisions concerning passports, identity cards, residence permits or any other such document.

Or. en

### Amendment 115

#### 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.

Or. en

**Amendment 116**

**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, ***supporting the economic and social stability of Member States***, aimed at ensuring, at all stages, the ***availability of skilled labour to the single market***, 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.

Or. en

**Amendment 117**

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

*Amendment*

(a) the ***minimum*** conditions ***for*** entry, residence ***and the acquisition of Union citizenship***, and ***minimum*** standards ***for*** the issue by Member States of long-term visas and residence permits, including those for the purpose of family

reunification;

Or. en

### Amendment 118

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

#### Article 81 – paragraph 3 – subparagraph 1

##### *Present text*

3. 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*

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

Or. en

### Amendment 119

#### 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 Council *and the European Parliament*, 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.

Or. en

### Amendment 120

#### 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*

##### *Amendment*

*deleted*



*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 Council may adopt the decision.*

Or. en

#### Amendment 121

##### 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.

Or. en

#### Amendment 122

##### 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 accordance with Article 16(4b) of the Treaty on European Union,*** may ***identify*** other areas of crime that meet the criteria specified in this paragraph.

***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.*

Or. en

#### Amendment 123

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

###### *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.*

Or. en

#### Amendment 124

##### 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

###### *Amendment*

4. The European *Parliament and* the Council, *acting in accordance with the ordinary legislative procedure*, may, at the

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.***

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.

Or. en

#### **Amendment 125**

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

##### *Present text*

3. 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*

3. ***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.

Or. en

#### **Amendment 126**

#### **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.

Or. en

## Amendment 127

### 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.*

Or. en

## Amendment 128

### 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.

Or. en

## Amendment 129

### 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*

#### *Amendment*

*deleted*

*authorities.*

Or. en

### Amendment 130

#### 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.

Or. en

### Amendment 131

#### 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 shall, acting in accordance with ***the ordinary*** legislative procedure and after consulting the Economic and Social Committee, 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.

Or. en

## Amendment 132

### 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.

Or. en

## Amendment 133

### 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 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.

#### *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 *that aims to achieve full employment and social progress*.

Or. en

## Amendment 134

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

*Present text*

2. 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*

2. ***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.

Or. en

**Amendment 135**

**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.

Or. en

**Amendment 136**

**Treaty on the Functioning of the European Union  
Article 121 – paragraph 3**

*Present text*

3. 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.

*Amendment*

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

Or. en

#### Amendment 137

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

#### Article 121 – paragraph 4 – subparagraph 1

##### *Present text*

4. 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*

4. 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.

Or. en

#### Amendment 138

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

##### *Amendment*

***deleted***

Or. en



## Amendment 139

### 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*

Or. en

## Amendment 140

### 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.*

Or. en

## Amendment 141

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

**Amendment 142****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.

Or. en

**Amendment 143****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.**

Or. en

**Amendment 144****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

*Amendment*

2. On the basis of the conclusions 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 **be consistent with** the broad guidelines adopted pursuant to Article 121(2).

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 **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.**

Or. en

### Amendment 145

#### 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.

Or. en

### Amendment 146

#### 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,

##### *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 it considers it appropriate in the light of that examination, make recommendations to

make recommendations to Member States.

Member States.

Or. en

#### Amendment 147

### 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.

Or. en

#### Amendment 148

### 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 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.

Or. en

## Amendment 149

### 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 European Union annexed to the Treaties.***

Or. en

## Amendment 150

### 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;***

Or. en

## Amendment 151

### 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;

Or. en

## Amendment 152

### 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

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

treatment at work;

treatment at work;

Or. en

### Amendment 153

#### 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***;

Or. en

### Amendment 154

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

#### Article 153 – paragraph 2 – point b

*Present text*

*Amendment*

(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.

(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.

Or. en

### Amendment 155

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

#### Article 153 – paragraph 2 – subparagraph 3

*Present text*

*Amendment*

***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***

***deleted***

*the said Committees.*

Or. en

#### Amendment 156

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

*Present text*

*Amendment*

*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).*

*deleted*

Or. en

#### Amendment 157

##### 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,*

Or. en

#### Amendment 158

##### 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.

Or. en

## Amendment 159

### Treaty on the Functioning of the European Union

#### Article 157 – paragraph 2 – subparagraph 2 - introductory part

##### *Present text*

Equal pay without discrimination based on *sex* means:

##### *Amendment*

Equal pay without discrimination based on *gender* means:

Or. en

## Amendment 160

### Treaty on the Functioning of the European Union

#### Article 157 – paragraph 3

##### *Present text*

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.

##### *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 *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.

Or. en

## Amendment 161

### 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 162

#### 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,*

Or. en

### Amendment 163

#### 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*,

Or. en

### Amendment 164

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

*Present text*

*Amendment*

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.*

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.*

Or. en

## Amendment 165

### 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,***

Or. en

## Amendment 166

### 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.***

Or. en

## Amendment 167

### 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;

Or. en

#### **Amendment 168**

**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.***

Or. en

#### **Amendment 169**

**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;***

Or. en

#### **Amendment 170**

**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.*

Or. en

## Amendment 171

### 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.***

Or. en

## Amendment 172

### 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.

Or. en

## Amendment 173

### 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.***

Or. en

## Amendment 174

### 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.***

Or. en

## Amendment 175

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

#### *Present text*

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

#### *Amendment*

— 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 176****Treaty on the Functioning of the European Union  
Article 191 – paragraph 2 – subparagraph 1***Present text*

2. 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*

2. 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.

Or. en

**Amendment 177****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,**

Or. en

**Amendment 178****Treaty on the Functioning of the European Union  
Article 191 a (new)***Present text**Amendment***Article 191 a**

**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.*

Or. en

## Amendment 179

### 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:*

*deleted*

*(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.*

*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.*

Or. en

#### Amendment 180

#### 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.*

Or. en

#### Amendment 181

#### 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:

Or. en



## Amendment 182

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

*Present text*

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

*Amendment*

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

Or. en

## Amendment 183

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

*Present text*

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

*Amendment*

(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

Or. en

## Amendment 184

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

*Present text*

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

*Amendment*

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

Or. en

## Amendment 185

### 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 186****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*

Or. en

**Amendment 187****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*

Or. en

**Amendment 188****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

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

of customs and other barriers.

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.***

Or. en

#### Amendment 189

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

###### *Present text*

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

###### *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 investment, ***including investment protection, economic security,*** 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 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.***

Or. en

#### Amendment 190

##### 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

###### *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

and rules.

internal Union policies and rules.

Or. en

### Amendment 191

#### 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.

Or. en

### Amendment 192

#### 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.***

Or. en

### Amendment 193

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

##### *Present text*

##### *Amendment*

4. For the negotiation and conclusion

4. For the negotiation and conclusion

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

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

Or. en

#### **Amendment 194**

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

###### *Present text*

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.*

###### *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 *by a qualified majority.*

Or. en

#### **Amendment 195**

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

###### *Present text*

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

###### *Amendment*

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

Or. en

#### **Amendment 196**

##### **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 197

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

*Present text*

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

*Amendment*

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.

Or. en

### Amendment 198

#### 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.***

Or. en

### Amendment 199

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

*Present text*

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

*Amendment*

Except where agreements relate exclusively to the common foreign and security policy, the Council shall adopt the decision concluding the agreement ***after obtaining the consent of the European Parliament.***

Or. en

## Amendment 200

### 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.*

Or. en

## Amendment 201

### 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*

Or. en

## Amendment 202

### 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.

Or. en

## Amendment 203

### 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 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.

Or. en

## Amendment 204

### 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 stages of the procedure.

*Amendment*

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

Or. en

## **Amendment 205**

### **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 206****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*

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 to 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 207****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***

*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.

*shall require unanimity within the Council.*

Or. en

#### **Amendment 208**

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

##### *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.***

Or. en

#### **Amendment 209**

#### **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.***

Or. en

## Amendment 210

### 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 consent of*** the Council and the Commission.

#### *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 consulting*** the Commission.

Or. en

## Amendment 211

### 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 on the activities of the Commission ***or a motion of individual censure on the activities of a Commissioner*** 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.

Or. en

## Amendment 212

### 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

#### *Amendment*

If the motion of ***collective*** censure is ***adopted*** by 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

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 would have expired.

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 would have expired.

Or. en

### **Amendment 213**

#### **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 Commissioner concerned shall resign immediately.***

Or. en

### **Amendment 214**

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

*Present text*

*Amendment*

***[...]***

***deleted***

Or. en

### **Amendment 215**

#### **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.

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 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.

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 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.

Or. en

#### **Amendment 216**

##### **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.

Or. en

#### **Amendment 217**

##### **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

###### *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

Commission, compulsorily retire him.

acting by a simple majority or **by** the Commission, compulsorily retire him.

Or. en

#### **Amendment 218**

##### **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 opportunity to submit its observations.

*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 observations.

Or. en

#### **Amendment 219**

##### **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.

Or. en

#### **Amendment 220**

##### **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 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 221****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 another Member State for an alleged infringement of an obligation under the Treaties, it shall bring the matter before the Commission.

Or. en

**Amendment 222****Treaty on the Functioning of the European Union  
Article 259 – paragraph 3***Present text*

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.

*Amendment*

The Commission shall deliver a reasoned 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.

Or. en

**Amendment 223****Treaty on the Functioning of the European Union  
Article 260 – paragraph 2 – subparagraph 1***Present text*

2. 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

*Amendment*

2. 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



Member State concerned which it considers appropriate in the circumstances.

amount of the lump sum or penalty payment to be paid by the Member State concerned which it considers appropriate in the circumstances.

Or. en

#### Amendment 224

#### 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.

Or. en

#### Amendment 225

#### 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.

Or. en

#### Amendment 226

##### 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.

Or. en

#### Amendment 227

##### 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.

Or. en

#### Amendment 228

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

###### *Present text*

***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***

###### *Amendment*

***deleted***

*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.*

Or. en

#### **Amendment 229**

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

*Present text*

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.

*Amendment*

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.

Or. en

#### **Amendment 230**

##### **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.*

Or. en

#### **Amendment 231**

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

*Present text*

2. 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*

2. 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.

Or. en

**Amendment 232**

**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.**

Or. en

**Amendment 233**

**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.**

Or. en

## Amendment 234

### 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.

Or. en

## Amendment 235

### 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;

Or. en

## Amendment 236

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

#### *Present text*

15. 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*

15. 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.

Or. en

## Amendment 237

### 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).)*

Or. en

## Amendment 238

### 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.)*

Or. en

## Amendment 239

### 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.)*

Or. en

#### **Amendment 240**

#### **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.)*

Or. en

#### **Amendment 241**

#### **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.)*

Or. en

## **Amendment 242**

### **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.)*

Or. en

## **Amendment 243**

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

*Present text*

*Amendment*

#### ***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.)*

Or. en

#### **Amendment 244**

#### **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.)*

Or. en

## Amendment 245

### 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.)*

Or. en

## **Amendment 246**

**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.)*

Or. en

**Amendment 247**

**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 248****Treaty on the Functioning of the European Union  
Article 311 – paragraph 3***Present text*

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.*

*Amendment*

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.

Or. en

**Amendment 249****Treaty on the Functioning of the European Union  
Article 311 – paragraph 4***Present text*

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 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.*

*Amendment*

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 own resources system in so far as this is provided for in the decision adopted on the basis of the third paragraph.

Or. en

**Amendment 250****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.

Or. en

**Amendment 251**

**Treaty on the Functioning of the European Union  
Article 312 – paragraph 2 – subparagraph 1**

*Present text*

*Amendment*

2. 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.**

2. The **European Parliament and the** Council, acting in accordance with **the ordinary** legislative procedure, shall adopt a regulation laying down the multiannual financial framework.

Or. en

**Amendment 252**

**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**

Or. en

**Amendment 253**

**Treaty on the Functioning of the European Union  
Article 329 – paragraph 2 – subparagraph 2**

*Present text*

*Amendment*

Authorisation to proceed with enhanced

Authorisation to proceed with enhanced

cooperation shall be granted by a decision of the Council acting *unanimously*.

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*.

Or. en

#### 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*

Or. en

#### 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*

Or. en

#### 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.*

Or. en

#### 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.***

Or. en

#### 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

##### *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

adversely affect the conditions of competition in the internal market regarding products which are not intended for specifically military purposes.

measures shall not adversely affect the conditions of competition in the internal market regarding products which are not intended for specifically military purposes.

Or. en

#### **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.

Or. en

#### **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.

Or. en

## Amendment 261

### Treaty on the Functioning of the European Union Article 352 – paragraph 4

*Present text*

*Amendment*

**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.*

*deleted*

Or. en

## Amendment 262

### Treaty on the Functioning of the European Union Article 353

*Present text*

*Amendment*

*Article 48(7) of the Treaty on European Union shall not apply to the following Articles:*

*deleted*

*— Article 311, third and fourth paragraphs,*

*— Article 312(2), first subparagraph,*

*— Article 352, and*

*— Article 354.*

Or. en

## Amendment 263

### Treaty on the Functioning of the European Union Article 354 – paragraph 1

*Present text*

*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

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.

part in the vote and the Member State in question shall not be counted in the calculation of the one third or *the qualified majority* 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.

Or. en

#### **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*.

Or. en

#### **Amendment 265**

##### **Treaty on the Functioning of the European Union Article 355 – paragraph 2 – subparagraph 2**

###### *Present text*

*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.*

###### *Amendment*

*deleted*

Or. en

#### **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***

Or. en

#### **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 States to the European Economic Community and to the European Atomic Energy Community signed on 22 January 1972.***

***deleted***

Or. en

## 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.