

Courtesy translation



THE SENATE
OF THE PARLIAMENT OF THE CZECH REPUBLIC
11TH TERM

516th

RESOLUTION OF THE SENATE

Delivered on the 18th session held on 17th October 2018

**on the Proposal for a Regulation of the European Parliament and of the Council
on the protection of the Union's budget in case of generalised deficiencies as
regards the rule of law in the Member States
(Senate Print No. N 135/11; COM (2018) 324)**

The Senate

I.

1. Is of the opinion

that an effective democratic state governed by rule of law based on the respect for fundamental rights of the individual is a necessary precondition for the functioning of Europe based on the values of democracy, law and freedom;

2. Appreciates

the Commission's endeavour to introduce an effective mechanism for the protection of functioning rule of law in the individual EU member states;

3. Is convinced

that besides this proposal, the Union should have at its disposal similar instruments allowing it to take action in case of generalised deficiencies as regards the rule of law even if these deficiencies do not directly endanger the Union's financial interests;

4. Does not agree

with the proposed decision-making mechanism on sanctions, in particular that the Commission's proposal shall be deemed to have been adopted by the Council, unless it decides, by qualified majority, to reject the proposal, for which, furthermore, the Council has an inadequately short period of one month;

5. Believes

that for the general acceptability of the proposal for a regulation, it would be appropriate to introduce a procedure that, on the one hand, would not enable one

or a few member states to block the adoption of the decision by the majority, but, on the other hand, would require the formation of the will by a qualified majority of the member states;

6. Also believes

that in the process of adopting sanctions according to the regulation proposed by the Commission, it is necessary to accentuate exact proof, which would increase the transparency of the procedure and the institution itself;

II.

1. Requests

the Government to inform the Senate about the way this resolution was taken into account and about further development of negotiations once the political agreement of the required number of Member States on the main elements of the proposal is reached, or at an earlier time, should the results of negotiations in the Council begin to depart considerably from the position of the Czech Republic expressed in the General Position of the Government;

2. Authorises

the President of the Senate to forward this Resolution to the European Commission.

Milan Štěch
sign manual
President of the Senate

Lumír Kantor
sign manual
Senate Verifier