

**Question for oral answer O-000029/2020
to the Council**

Rule 136

Daniel Freund (Verts/ALE), **Petri Sarvamaa** (PPE), **Katalin Cseh** (Renew), **Alexandra Geese** (Verts/ALE), **Terry Reintke** (Verts/ALE), **Younous Omarjee** (GUE/NGL), **Eider Gardiazabal Rubial** (S&D), **Radan Kanev** (PPE), **Petar Vitanov** (S&D), **Moritz Körner** (Renew), **Sergey Lagodinsky** (Verts/ALE), **Abir Al-Sahlani** (Renew), **Lara Wolters** (S&D), **Stelios Kouloglou** (GUE/NGL), **Rasmus Andresen** (Verts/ALE), **Gwendoline Delbos-Corfield** (Verts/ALE), **Sven Giegold** (Verts/ALE), **Ramona Strugariu** (Renew), **Monika Vana** (Verts/ALE), **Sándor Rónai** (S&D), **Viola Von Cramon-Taubadel** (Verts/ALE), **Eleonora Evi** (NI), **Anna Júlia Donáth** (Renew), **Michael Bloss** (Verts/ALE), **Michal Šimečka** (Renew), **Sirpa Pietikäinen** (PPE), **Pascal Durand** (Renew), **Heidi Hautala** (Verts/ALE), **Alice Kuhnke** (Verts/ALE), **Markéta Gregorová** (Verts/ALE), **Damian Boeselager** (Verts/ALE), **Niklas Nienäß** (Verts/ALE), **Anna Deparnay-Grunenberg** (Verts/ALE), **Henrike Hahn** (Verts/ALE), **Philippe Lamberts** (Verts/ALE), **Benoît Biteau** (Verts/ALE), **Katrin Langensiepen** (Verts/ALE), **Sophia in 't Veld** (Renew)

Subject: State of play of Council negotiations on the Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States

In May 2018, the Commission put forward a proposal for a Regulation on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States ('the Regulation').

Parliament adopted its first reading position on the proposal for the Regulation in April 2019, and stated it was ready to begin interinstitutional negotiations. The Council has discussed the proposal for the Regulation at its meetings, but has not yet adopted its position or sufficiently informed Parliament about the current state of play of negotiations on the Regulation.

Parliament has called on the Council to engage in meaningful talks about its ongoing negotiations, and has stressed that it will not simply rubber-stamp a fait accompli from the European Council without proper negotiations on all elements of the MFF package and sectoral legislation, including the Regulation¹.

Against this background, we would like the Council to answer the following questions:

1. What are the main points of the Regulation still under discussion in the Council?
2. As the Regulation is based on Article 322(1)(a) of the Treaty on the Functioning of the European Union, it is decided under the ordinary legislative procedure. Given that Art 15(1) TEU states that the European Council 'shall not exercise legislative functions', can the Council confirm that European Council conclusions on the multiannual financial framework will not address the substantive contents of the proposal, including on matters such as the decision-making procedure to be applied, since this would represent a clear encroachment on the legislative prerogatives of the co-legislators?
3. When does the Council intend to start negotiations with Parliament?

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Lapses: 07/06/2020

¹ See European Parliament resolution of 10 October 2019 on the multiannual financial framework 2021-2027 and own resources: time to meet citizens' expectations (Texts adopted, P9_TA(2019)0032).