

## AMENDMENT FORM

### Suggestion for amendment of Article :45

By Ms / Mr : Ernâni Lopes and Manuel Lobo Antunes

Status : - Member and Alternate

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#### Article 45: Suspension of Union membership rights

1. On a reasoned proposal by one third of the Member States, by the European Parliament or by the Commission, the Council, acting by a majority of four fifths of its members after obtaining the assent of the European Parliament, may determine that there is a clear risk of a serious breach by a Member State of the ~~values~~**principles** mentioned in Article 2. Before making such a determination, the Council shall hear the Member State in question and, acting in accordance with the same procedure, may ~~address recommendations to that State.~~ **call-on independent persons to submit within a reasonable time limit a report on the situation in the Member state in question and address recommendations to that State.**

The Council shall regularly verify that the grounds on which such a determination was made continue to apply.

2. The European Council <sup>1</sup>, acting by unanimity on a proposal by one third of the Member States or by the Commission and after obtaining the assent of the European Parliament, may determine the existence of a serious and persistent breach by a Member State of values mentioned in Article 2, after inviting the Member State in question to submit its observations.

**Explanation: The opinion of independent persons represents an added-value in the process of suspension of membership rights.**

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<sup>1</sup> Depending on the articles on the European Council in the section on the Institutions.