Application of the Charter of Fundamental Rights of the European Union to the Czech Republic. Protocol

2011/0817(NLE) - 16/05/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Constitutional Affairs adopted the report by Andrew DUFF (ADLE, UK) on the draft protocol on the application of the Charter of Fundamental Rights of the European Union to the Czech Republic (Article 48(3) of the Treaty on European Union).

The motion for resolution recalls that the Heads of State or Government, meeting within the European Council on 29 to 30 October 2009, agreed that they would, at the time of the conclusion of the next accession treaty and in accordance with their respective constitutional requirements, attach to the Treaties a Protocol concerning the application of the Charter to the Czech Republic.

The draft Protocol seeks to join the Czech Republic to the Protocol on the application of the Charter of Fundamental Rights of the European Union to Poland and the United Kingdom.

On 5 September 2011, the Czech Government submitted to the Council a proposal, in accordance with Article 48(2) TEU, for the amendment of the Treaties to add a Protocol concerning the application of the Charter to the Czech Republic. On 11 October 2011, the Council submitted to the European Council a proposal for the amendment of the Treaties concerning the addition of a Protocol on the application of the Charter to the Czech Republic.

In accordance with the first subparagraph of Article 48(3) TEU, the European Council has consulted Parliament as to whether the proposed amendments should be examined.

The committee recalls that Parliament, in a spirit of sincere cooperation, is duty bound to give its opinion to the European Council on all Treaty changes that are proposed, irrespective of their significance, but it is in no way bound to agree with the European Council. It acknowledges its consultation by the European Council on the examination of the proposed amendment of the Treaties.