Basic information

2011/0817(NLE) NLE - Non-legislative enactments	Procedure lapsed or withdrawn
Application of the Charter of Fundamental Rights of the European Union to the Czech Republic. Protocol **Subject** 1.10 Fundamental rights in the EU, Charter 8.10 Revision of the Treaties, intergovernmental conferences **Geographical area** Czechia	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFCO Constitutional Affairs	DUFF Andrew (ALDE)	05/10/2011
	Shadow rapporteur SCHÖPFLIN György (PPE) BRZOBOHATÁ Zuzana (S&D) HÄFNER Gerald (Verts/ALE) FOX Ashley (ECR) SØNDERGAARD Søren Bo (GUE/NGL) MESSERSCHMIDT Morten (EFD)	

Committee for opinion	Rapporteur for opinion	Appointed
LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3313	2014-05-13

European Commission

Commission DG	Commissioner
Migration and Home Affairs	REDING Viviane

Key events

Date	Event	Reference	Summary
25/10/2011	Legislative proposal published	00091/2011	Summary
15/11/2011	Committee referral announced in Parliament		
26/01/2012	Vote in committee		
09/10/2012	Vote in committee		
19/02/2013	Vote in committee		
16/05/2013	Committee report tabled for plenary, 1st reading/single reading	A7-0174/2013	Summary
20/05/2013	Debate in Parliament		
22/05/2013	Results of vote in Parliament		
22/05/2013	Decision by Parliament		

Technical information

Procedure reference	2011/0817(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consultation of Parliament
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	AFCO/7/07564

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Amendments tabled in committee		PE478.545	04/01/2012	
Amendments tabled in committee		PE491.310	14/06/2012	
Committee draft report		PE474.039	11/12/2012	
Amendments tabled in committee		PE504.080	17/01/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0174/2013	16/05/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0209/2013	22/05/2013	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	COM(2012)0197	04/05/2012	Summary

Other institutions and bodies				
Institution/body	Document type	Reference	Date	Summary
EUCO	Legislative proposal	00091/2011	25/10/2011	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

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

2011/0817(NLE) - 25/10/2011 - Legislative proposal

PURPOSE: to apply the Protocol on the application of the Charter of Fundamental Rights of the EU to Poland and to the United Kingdom to the Czech Republic.

PROPOSED ACT: Draft Protocol on the application of the Charter of Fundamental Rights of the European Union to the Czech Republic.

CONTENT: the Heads of State or Government, meeting within the European Council on 29 and 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 Treaty on European Union and the Treaty on the Functioning of the European Union a Protocol concerning the application of the Charter of Fundamental Rights of the European Union to the Czech Republic.

The draft Protocol stipulates that the Protocol on the application of the Charter of Fundamental Rights of the European Union to Poland and to the United Kingdom shall apply to the Czech Republic.

The draft under examination accepts the decision of the Heads of State or Government.

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.

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

2011/0817(NLE) - 22/05/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 574 votes to 82, with 24 abstentions, a resolution 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).

Parliament 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.

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.

The resolution notes that the Czech Senate, in its Resolution 330 of 6 October 2011, opposed the application to the Czech Republic of Protocol No 30 on the ground that it would lower standards of protection of fundamental rights and freedoms afforded to Czech citizens. In addition, it expressed doubts as to the willingness of the Czech Parliament to complete the ratification of the new protocol aimed at extending the application of Protocol No 30 to the Czech Republic. In the event that the European Council decides to examine the proposed amendment, other Member States might wish not to start their ratification procedures until the Czech Republic has completed its own.

In conclusion, Parliament invites the European Council **not to examine the proposed amendment of the Treaties**.

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

2011/0817(NLE) - 04/05/2012 - Document attached to the procedure

The Commission has delivered a **favourable opinion** on a draft European Council decision in favour of examining the proposed amendment of the Treaties concerning the addition of a Protocol on the application of the Charter of Fundamental Rights of the European Union to the Czech Republic.