

European goals and values in the conditions of economic crises, pandemics, war and corruption

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Abstract:

The European Union, in the conditions of the modern challenges of high inflation, energy crisis, war up to its limits and the not yet passed threat of the COVID epidemic and climate change, directs its main goals and values to peace, freedom, security, but also to the fight against discrimination and corruption. European values are subjected to an overall analytical analysis according to the current basis of European acts and developed policies of fundamental rights. Democratic European values are aimed at exploring human dignity, different types of freedom, democracy, equality and discrimination in the scope of human rights.

Keywords: dignity, freedom, democracy, equality, non-discrimination, corruption.

Introduction

The perspectives of the European Union are aimed at promoting peace, values, well-being of its citizens, ensuring freedom, security and justice to prevent and fight crime and corruption. The European Union unites the countries and people of Europe through its core values on which it was founded and has the tools to protect its values and its budget. These values are enumerated at the very beginning of the Treaty on European Union (Article 2) and include respect for human dignity and its rights, freedoms, equality, democracy and the rule of law.

In the area of economic development, the EU sets the conditions for achieving sustainable growth based on balanced economic growth, price stability, the creation of an internal market, a strong competitive market economy for social progress and rules to protect the EU budget. On December 16, 2020, the Parliament approved a regulation to monitor and protect European Union funds from violations, by the parties related to the rule of law, and in cases of corruption, fraud and abuse related to EU funds and systemic violations of fundamental values, threatening the management of European funds.

This means that compliance with the rule of law and other values is a condition for Member States to have funds from the EU budget. If there are violations that make possible the misuse of funds, the country concerned may be restricted from receiving funding.

The rule of law is among the fundamental principles that have a key role for the Union. It serves as a guarantor of fairness and transparency in any democratic society. The governments of the member states should be guided in their activities by legal restrictions in making their decisions, while also providing a legal opportunity for citizens to challenge their actions in independent courts. The principle of the rule of law is also related to the effectiveness in the fight against corruption. There is still the question of how to end the possibility and the way to favor certain entities at the expense of everyone else, as well as the problems of protecting the freedom of the media and the provision of verified and reliable information about the activities of governments.

It is interesting to point out as a European goal the fight against social exclusion and discrimination, the promotion of social justice, as well as the creation of an economic and monetary union with a monetary unit - the euro. The full scope of the EU's objectives are contained in Article 3 of the Treaty of Lisbon, and the EU's values are set out in Article 2 of the same Treaty and in the EU Charter of Fundamental Rights.

Spirituality and spiritual values are undoubtedly not innate, they require morality and will to be created in the name of well-being and prosperity, in the name of freedom and justice for each individual in forward and upward direction in the public interest of the material world reflected through human consciousness. All this requires the enrichment of the individual's spiritual life, opens up new perspectives for him, both in the present and for the future. Thus the emergence of the category values of utility and goodness without violating the principle of justice and humanism is required. To put it another way, value is a principle to which the individual strives, and humanism is an ideal, not a state.

The term "value" is widely used in philosophical and sociological science to denote the human, social and cultural significance of certain phenomena of reality. All individuals or cultures that are not socially isolated and have adequate language skills have certain, underlying and at the same time defining values that are relevant to the overall value system.

In essence, the entire variety of objects of human activity, social relations and natural phenomena included in this circle can acquire the quality of "objects of value" or "objects of value relations", that is, they can be evaluated in terms of good or evil, truth or falsehood, beauty or ugliness, permissible or forbidden, just or unjust, etc. The methods and criteria on the basis of which the evaluation procedures of the relevant phenomena are produced are fixed in public consciousness and culture as "subjective values" (statements and evaluations, imperatives and prohibitions, goals and projects, expressed in the form of normative ideas), which have the importance of orientations for human activity. "Objective" and "subjective" values are something like the two poles of a person's value attitude to the world.

A part of the values are available, achieved, existential, while others are the object of ideals, desires, normative and constitutional norms, which should be implemented with high support from the whole society. Generally speaking, spirituality is a basic philosophical characteristic, reflecting both the emotional essence of the individual and his virtues. Virtues are a consciousness of morality to achieve sustainable values since ancient times. According to Plato, the virtues are wisdom, justice, moderation, courage, and according to the Christian canons – faith, hope and love.

The system of the rule of law with high level of corruption is still looking for the reasons in the opposite essence of the concepts: value corruption and corruption in values. Ten EU member states continue to be among the least corrupt in the world. Other EU member states have consistently held the top spots with the highest levels of corruption for a decade, with Bulgaria leading the way. Measures taken to strengthen the anti-corruption framework still rely on integrity, rules on conflicts of interest, transparency of lobbying and personnel "carousels" between state-owned and private businesses.

Some of these countries have taken measures to strengthen anti-corruption and integrity frameworks, including rules on conflicts of interest in the public and private sectors. The EC's reports point to criminal investigations and prosecutions, as well as the enforcement of corruption sanctions, as challenges, especially in *"extremely complex cases of corruption"*.

Another essential category is **morality**, as a social tool for regulating the individual's behavior towards work, politics, science, family, freedom, well-being, etc., in order to bind the value characteristics *"morality"* and *"morality"* with *"spirituality"*.

The founder of The Art of Living - Sri Sri Ravi Shankar, argues that *"Corruption happens because there is a lack of sense of belonging. Spirituality increases the sense of belonging among people so that there is a natural tendency to be honest and take care of each other. Then corruption, manipulation and dishonesty become impossible."*

The policy of the European Union highlights the commitment to achieve its development goals, relying on the following European values:

First of all, the European Union places **"human dignity"** as an inviolable value and a real foundation of basic human rights. Dignity is a category of moral science and a subject of ethics. Moreover, the concept of *"dignity"* is an immutable part of law and politics. Already in 1486, the Italian philosopher Giovanni Pico della Mirandola in his work *"Discourse on the Dignity of Man"* developed the concept, based on the uniqueness of the human being, of free will in the image and likeness of God.

The **human dignity category** also engaged the attention of the German philosopher Immanuel Kant in 1785 in his work *"Fundamentals of the Metaphysics of Morals"*¹. To have dignity, according to Kant, does not mean to be the bearer of some special natural quality, but to be a person, to be a member of a moral community of people, to define one's own identity and right to self-governance, to assume obligations to others, but also to take full responsibility for your actions. Another work of Kant's, *"Critique of Practical Reason"*, also contributes to the concept of "human dignity"². Kant explores human reason, as a guide to human knowledge, the principles of ethics as a science, according to a critical mechanism of his own for the duty of man as a person.

As a value *"human dignity"* is also contained in modern constitutionalism, through the protection of the fundamental rights of citizens, i.e. general universal human rights law. The idea of universality of rights is also contained in the Universal Declaration of Human Rights, from 1948 of the International Organization of the United Nations. Philosophers argue that dignity and freedom define us as individuals. Freedom as independence and freedom as self-determination.

1 Published in Bulgaria as "Metaphysics of Morals" in 2 parts:

Part 1: Metaphysical Foundations of the Doctrine of Law, ed. "Farago" Sofia (2009), trans. Bozhidar Gummerov

Part 2: Metaphysical Foundations of the Doctrine of Virtue, ed. "Farago" Sofia (2010), trans. Bozhidar

Gummerov

² Emmanuel Kant, Critique of Practical Reason, ed. BAS, (1992), translated by Tseko Torbov

The European Union is based on the values of respect for human dignity, freedom, democracy, equality, the principles of the rule of law, as well as respect for human rights, including the rights of persons belonging to minorities, as is defined in Article 2 of the Treaty on European Union (TEU). The EU is also bound by its Charter of Fundamental Rights and is committed to acceding to the European Convention for the Protection of Human Rights and Fundamental Freedoms. Dignity and human rights are inalienable rights at the foundation of freedom, justice and peace in the world. This is an opinion taken in a decision of October 9, 2001 by the European Court of Human Rights (ECHR), which coincides with the wording of Art. 1 "Human dignity, which is inviolable and must be respected and protected."

The second value of the EU is related to "*freedom*". Freedom, as an essential characteristic, can be related to the feeling of independence, human rights, support and protection, as emancipation for a space that provides conditions for covering the norms of normal existence and constructive development of each individual and society, as a goal towards peace and prosperity. Without freedom, life has no meaning and development, which makes freedom the most valuable human essence, without which there is no possibility of realizing a full-fledged life, or to put it another way: Without the presence of freedom, a full-fledged life cannot be built. Transparency, good governance and freedom from corruption is a universal prerequisite for managing financial regulatory and monitoring systems. On the other hand, corruption contributes to prolonging human misery and holding back economic development, by suppressing the basic values of society, shaking trust in institutions and influencing the adoption of lobbyist laws.

Humanity is constantly changing and with it the state policies and the world are constantly changing from era and century, which reflects on the worldview and thinking about the essence, characteristic and scope of the concept of "*freedom*", followed by harmony, humanity and understanding between states and citizens. Can freedom be taken to derive from property and can it be significantly linked to the economy, such as "*economic freedom*"? In this hypothesis, do good education and a career give economic freedom? The debate remains open to scientists and researchers, to each individual member country, as well as to the entire European Union.

Yet another freedom is within reach for clarification, research, and exploration. This is "*freedom of speech*". It cannot be denied that speech fuels progressive ideas that lead to progress, but speech, especially in recent years, breeds hatred, aggression and intolerance in the pursuit of objective truth. Hatred between neighboring countries, hostilities for territorial claims, the victims of the COVID pandemic and the profits of vaccine manufacturers, the gas war and the uncontrolled excess profits of some at the expense of high inflation of EU countries, dirty air, climate change, unstable governments, high corruption etc. etc. Topics with which the media inundates us daily, and yet there are no lasting solutions in the interest of civil society.

Freedom of speech begets ideas, and when ideas are based on truth and progressiveness they beget the freedom to share, because speech is the contact to other speech, and together they lead to the maintenance of freedom. Free will is a possibility in terms of free choice, free gift and good to which man strives. In this aspiration, the question always arises: Which is leading - freedom or security? The highest form of freedom is the voluntary renunciation of freedom, the renunciation of one's will for the sake of security. Freedom of speech can be defined as a value when it only serves the will to achieve truth and goodness.

With the entry of Bulgaria into the European Union in 2007, another freedom was achieved, "*freedom of movement of people*" in the union. Freedom of movement within the borders of the European Union is regulated by the Schengen Borders Code.³

Freedom of movement is defined as a cornerstone of citizenship introduced by the Maastricht Treaty in 1992. The first provisions were settled in the Treaty establishing the European Economic Community of 1957, and the Maastricht Treaty introduced the concept of EU citizenship as a basis of the right of persons to move and reside freely within the territory of the member states (Schengen area). The Treaty of Lisbon confirmed this right, as an area of freedom, security and justice.

The Schengen area includes the abolition of internal border controls for all people, a common visa policy for short stays, police and judicial cooperation. Police forces provide mutual assistance in crime detection and prevention, extradition system interaction, mutual recognition of criminal convictions and development of the Schengen Information System (SIS).

In order to transform the Community into a space of real freedom and mobility, a number of Directives have been adopted to consolidate the various legislative acts and judicial practice. The European Parliament supports the right to free movement as a key principle and fundamental right of the European Union and a guarantee that the principles of equality and the fundamental right to freedom of movement is an acquired right.

Freedom of movement is the right to move freely or the right to travel. This is a concept in the field of human rights, advocated in the constitutions of a number of countries, which is defined as the legal possibility that every citizen of a country has the right to leave the country, to travel and, in the presence of regular

³ REGULATION (EU) 2016/399 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 March 2016 on the Union Code on the regime of movement of persons across borders (Schengen Borders Code). Pursuant to the Treaty on the Functioning of the European Union, Article 77(2)(b) and (e) thereof.

documents, to return to the state at any time. The goal is aimed at the development of free economic horizons for the creation, development and mobility of a global labor market, established with Art. 48 of the Treaty of the European Community (TEC).

However, discriminatory prohibitions and restrictions on social rights have been introduced, such as: *"The provisions on freedom of movement do not apply to the appointment of a public office."* Such positions, according to the European Court of Human Rights (ECHR), are related to the exercise of national sovereignty, which requires the loyalty and value naturally inherent in national citizens.

"Freedom of movement of goods, capital and payments" in the European Union. In the founding treaties, this freedom of movement has a codification character. Restrictions are permitted only for public order, security and health reasons, such as restrictions on Mad Cow Disease, COVID- 19 and others.

Democracy- as the third priority value, according to the TEC. The functioning of the European Union is based on representative democracy, and its citizens enjoy political rights, to stand for election and vote in their country of origin. Every EU citizen has the right to stand and vote in national elections and for the European Parliament.

The core essence of democracy is associated with the leading characteristics of "rights":

- The right to petition the European Parliament;
- The right to appeal to the ombudsman;
- The right of every citizen of one EU member state, located in the territory of another state, where his national state does not have a diplomatic representation, to receive protection from the diplomatic or consular representation of another member state.

A growing threat to democracy in the EU is disinformation. According to a 2021 survey⁴, 83% of people believe that disinformation is a threat to democracy; 63% of young Europeans encounter fake news more than once a week and 51% of Europeans believe they have been exposed to misinformation online. The European Court of Auditors (ECA) prepares this special report, according to Article 287, paragraph 4, second paragraph of the TFEU.

Misinformation is a serious problem with social media and evolving technology contributing for the increased publication of false and misleading information. The preparation of an EU action plan to combat disinformation does not take into account the effective results achieved by the operational organization of the Strategic Communication Unit of the European External Action Service and its operational groups. There are recommendations for early warning to Member States, to improve monitoring and accountability of online platforms and to develop an EU Media Literacy Strategy to include combating disinformation. The mentioned statistics give sufficient reason to conclude that disinformation threatens and harms our society by undermining trust in institutions and the media, putting electoral mechanisms and the credibility of results at risk, hindering citizens' right to make an informed decision and, above all, damaging freedom of expression.

The fourth European value is **"rule of law"**. In recent years, the supremacy of European law has been brought forward as the main and leading goal for the protection of constitutional values and fundamental rights. If European law prevails even over domestic constitutional law, it would become possible for it to violate some rights. This led the Court of Justice of the EU to confirm in its jurisprudence the principle of respect for fundamental rights, stating that fundamental rights are rooted in the general principles of Community law defended by the Court.

With the expansion of the EU's competences with policies related to fundamental rights and justice and the home affairs of freedom, security and justice, the development of this process has been directed towards the European Convention for the Protection of Human Rights and Fundamental Freedoms. In parallel with the control mechanism, a decision was taken in 1999 in Cologne to draw up a Charter of Fundamental Rights and proclaimed in 2000 in Nice, and in force from 1 December 2009, as a source of primary law in a democracy.

In the name of democracy, in July 2019 the European Commission (EC) launched a legal mechanism on the rule of law, an action plan entitled *"Strengthening the rule of law in the Union "*, which includes an annual rule of law cycle. The first report was published in September 2020, accompanied by 27 chapters covering the judicial system, the fight against corruption, media pluralism and principles related to the legislative process, independence of authorities, accessibility, judicial review and civil society organizations. The created network of national units for contact, information and dialogue, with the institutions of the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE), the Organization for Economic Cooperation and Development (OECD), judicial networks and NGOs. The second and third reports are published in 2021 and 2022.

Bulgaria and Romania are also subject to the Cooperation and Verification Mechanism, which contains aspects related to EU values.

⁴ European Court of Auditors (ECA) Special Report 09/2021, Disinformation affecting the EU – despite action, it is still not under control. <https://www.eca.europa.eu/bg/Pages/DocItem.aspx?did=58682>

After the assassinations of the journalists Daphne Caruana Galizia in Malta and Jan Kuciak and his fiancée in Slovakia, in order to strengthen the Parliament's monitoring and action regarding the values under Article 2 TEU, the Committee on Civil Liberties, Justice and Home Affairs (LIBE) created a Democracy Monitoring Group, based on the principles of the rule of law and fundamental rights. The group is tasked with looking at threats to EU values that arise across the Union and making proposals for action to the LIBE committee.

The EU is based on the rule of law, with all its activities based on treaties voluntarily and democratically adopted by EU countries. Justice is administered by an independent judiciary that monitors compliance with the law. EU countries have given the Court of Justice of the European Union jurisdiction to rule on legal disputes with final decisions that must be respected by all.

The procedure under Article 7 of the Treaty on European Union aims to protect European values. It was introduced by the Amsterdam Treaty of 1997 and provides for two mechanisms:

- The first is preventive and is applied when there is a clear risk of violating European values;
- The second is related to the imposition of sanctions when a violation has already occurred.

Possible sanctions are not clearly defined in the European treaties, but may include depriving the offending country of the right to vote in the European Council. In both mechanisms, the final decision is taken by the representatives of the member states in the Council, with a unanimous vote of the heads of state, without the representative of the member country concerned voting.

In recent years, the European Parliament has issued warnings about the worsening situation regarding the rule of law in EU countries. Deputies are taking action and making repeated appeals to the Commission and member states to protect the EU's values and budget.

According to the Vice-President for Values and Transparency, Vera Jourova, the second report on the rule of law is *"a useful preventive tool that stimulates the necessary debate between Member States and other participants... However, this progress is uneven and there are reasons in a number of Member States of serious concern, especially as regards the independence of the judiciary"*. Didier Reynders, Commissioner for Justice, found the report *"encouraged positive reforms related to the rule of law"*, with the Council of Ministers using the report to modernize its dialogue on the rule of law.

Personal freedoms, such as respect for private life, freedom of thought, religion, expression of opinion and information, are protected by the Charter of Fundamental Rights of the EU, as a guarantor for maintaining and guaranteeing democracy throughout the European Union.

Another European value is *"equality"*.

According to Maurice Lagrange, Advocate General at the Court of the European Communities, *"... nothing is more captivating and at the same time more deceptive than equality, and justice is often based on inequality, all this is well known."* Equality means equal rights for all citizens before the law. The principle of equality between women and men is the basis of all European policies and European integration. It applies in all areas. The principle of equal pay for equal work became part of the Treaty of Rome as early as 1957. The protection and affirmation of the rights and values enshrined in the EU Treaties and in the Charter of Fundamental Rights requires the support of civil society organizations with an active and strong sense and ambitions to build open civil positions based on the rights of democracy and the rule of law for work on the national and transnational level.

As an integral part of *"human rights"*, non-discrimination is linked on the basis of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, the right to protection of personal data and the right of access to justice. The prohibition of discrimination is established in Article 14 of the European Convention on Human Rights and guarantees equal treatment in the exercise of the rights specified in the Convention. According to Art. 21 of the Charter of Fundamental Rights of the EU, any form of discrimination is prohibited based on sex, race, colour, ethnic or social origin, genetic characteristics, language, religion or belief, political or other opinions, membership of a national minority, property status, birth, disability, age or sexual orientation. Another form of implementation of the prohibition of discrimination, according to Art. 18 of the TFEU, is based on nationality.

Practice shows that the fight against discrimination cannot be solved by legislative means alone, although laws play an essential role in achieving a change in attitudes and behavior. For this purpose, the EC requires the implementation of the Directive on equal treatment in the field of employment and occupations, the Directive on equal treatment regardless of racial or ethnic origin, the Directive on equal treatment of men and women outside the labor market and the forthcoming adoption of the Directive on equal treatment of persons regardless of religious affiliation or belief, disability, age or sexual orientation.

Protection against discrimination is also provided for in the Framework Convention for the Protection of National Minorities, the Council of Europe Convention on Action against Trafficking in Human Beings, the Convention on Access to Official Documents, the mentioned directives, even in the Protocol to the Convention on Cybercrime, which also contain requirements for protection against discrimination and a number of other acts.

The principle of non-discrimination is decisive for the formation of the standards of the Council of Europe and is seen as a fundamental right that needs protection. Human rights protection mechanisms are not only the subject and commitment of the EU. North and South America, the Middle East, Africa and especially the United Nations (UN) are concerned with this problem in terms of creating and applying international law. According to Protocol No. 12, the prohibition of discrimination is increasingly argued as an independent right.

The principle of non-discrimination can only be applied when the matter falls within the scope of EU law, distinguishing between equality before the law and non-discrimination within the substantive legal norms. The principle of equal treatment, according to the EU court, is a general principle of EU non-discrimination law with a specific expression, which time and practice should further develop. The principle of non-discrimination is one of the main principles of the European Union. Everyone is equal before the law and everyone has the right to live without discrimination.

Bulgaria is the country that is most vulnerable to fake news and disinformation out of the 27 member states of the European Union. This is what the Media Literacy Index report for 2022 indicates. The report was prepared within the framework of the European Policies Initiative (EuPI) of the Open Society Institute – Sofia and assesses the potential for resilience against fake news in a total of 41 European countries. The last places in the ranking are occupied by Albania (37th), Bosnia and Herzegovina (38th), Kosovo (39th), North Macedonia (40th place) and Georgia (41st). Bulgaria occupies the 33rd place, performing the worst in term of indicators measuring the quality of education.

The Council of Europe stands for freedom of speech and of the media, freedom of assembly, equality and the protection of minorities. It is the initiator of campaigns on issues such as child protection, hate speech on the Internet and rights of the gypsies, the largest minority in Europe. The Council of Europe helps member states in their fight against corruption and terrorism, and to undertake the necessary reforms in the judicial system. Its group of constitutional law experts, also known as the Venice Commission, offers legal assistance to countries around the world.

The Council of Europe promotes human rights through a number of international conventions such as the Convention on Preventing and Combating Violence against Women and Domestic Violence, the Convention on Cybercrime and a number of others. Today, no member state of the Council of Europe applies the death penalty.

The right to free self-realization represents the highest moral ideal of the modern age. In the light of this ideal, any coercion on the individual - physical or mental - is unacceptable and morally reprehensible. In 2012, for the efforts made in the field of non-discrimination, the defense of the causes of peace, reconciliation, democracy and human rights in Europe, the European Union was awarded the Nobel Peace Prize.

Ten years after the award, the EU has accumulated a huge scientific and research essence, which serves to develop a comprehensive normative base for the continuation of research analyzes with the aim of achieving the expected preventive and sustainable results, which leaves the topic open and searching for new practical targets in conditions of economic crisis , pandemic, war and corruption.

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