

Amendment 34**Roberta Metsola**

on behalf of the PPE Group

Motion for a resolution**B9-0309/2020****Juan Fernando López Aguilar**on behalf of the Committee on Civil Liberties, Justice and Home Affairs
Rule of law and fundamental rights in Bulgaria**Motion for a resolution****Recital T***Motion for a resolution**Amendment*

T. whereas Bulgaria *still has* many institutional deficiencies, especially as far as the independence of the judiciary is concerned, flaws which have been acknowledged by the Commission over the years in its reports under the Cooperation and Verification Mechanism (CVM); whereas, however, in the last CVM report published on 22 October 2019, the Commission found that the progress Bulgaria had demonstrated under the CVM was sufficient to live up to the commitments it made upon its accession to the Union, and therefore recommended that the supervision mechanism be lifted; whereas once it has taken the observations of Parliament and the Council into account, the Commission still has to take a final decision as regards the lifting of the CVM; whereas a letter from **President Sassoli** expressed support for the lifting of the CVM, **but stressed** the need to implement and enforce the commitments and reforms, and highlighted the situation of the independence of the judiciary, corruption and media freedom;

T. whereas **at the time of its accession to the EU** Bulgaria **had** many institutional deficiencies, especially as far as the independence of the judiciary is concerned, flaws which have been acknowledged by the Commission over the years in its reports under the Cooperation and Verification Mechanism (CVM); whereas, however, in the last CVM report published on 22 October 2019, the Commission found that the progress Bulgaria had demonstrated under the CVM was sufficient to live up to the commitments it made upon its accession to the Union, and therefore recommended that the supervision mechanism be lifted; whereas once it has taken the observations of Parliament and the Council into account, the Commission still has to take a final decision as regards the lifting of the CVM; whereas a letter from **Parliament** expressed support for the lifting of the CVM, **stressing** the need to implement and enforce the commitments and reforms, and highlighted the situation of the independence of the judiciary, corruption and media freedom; **whereas according to the Commission, political stability in Bulgaria is also important for meeting the benchmarks set under the CVM; whereas the establishment of the Cooperation and Coordination Council as a post-monitoring mechanism is commendable;**

5.10.2020

B9-0309/35

Amendment 35

Roberta Metsola

on behalf of the PPE Group

Motion for a resolution

B9-0309/2020

Juan Fernando López Aguilar

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Rule of law and fundamental rights in Bulgaria

Motion for a resolution

Paragraph 1

Motion for a resolution

Amendment

1. Deeply regrets the fact that the developments in Bulgaria have led to a significant deterioration in respect for the principles of rule of law, democracy and fundamental rights, including the independence of the judiciary, separation of powers, the fight against corruption and freedom of the media; expresses its solidarity with the people of Bulgaria in their legitimate demands and aspirations for justice, transparency, accountability and democracy;

Deleted

Or. en

5.10.2020

B9-0309/36

Amendment 36

Roberta Metsola

on behalf of the PPE Group

Motion for a resolution

B9-0309/2020

Juan Fernando López Aguilar

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Rule of law and fundamental rights in Bulgaria

Motion for a resolution

Paragraph 1

Motion for a resolution

Amendment

1. *Deeply regrets the fact that the developments in Bulgaria have led to a significant deterioration in respect for the principles of rule of law, democracy and fundamental rights, including the independence of the judiciary, separation of powers, the fight against corruption and freedom of the media; expresses its solidarity with the people of Bulgaria in their legitimate demands and aspirations for justice, transparency, accountability and democracy;*

1. *Notes that there is an increasingly deteriorating political climate marked by ongoing polarisation within Bulgarian society and between the main political actors and decreasing trust in public institutions; welcomes the news, as observed by the Commission, that Bulgaria has provided public access to the property and interest declarations of senior public office holders; welcomes Bulgaria's legal framework to combat conflicts of interest^{1a};*

^{1a} https://ec.europa.eu/info/sites/info/files/bg_rol_country_chapter.pdf

Or. en

5.10.2020

B9-0309/37

Amendment 37

Roberta Metsola

on behalf of the PPE Group

Motion for a resolution

Juan Fernando López Aguilar

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Rule of law and fundamental rights in Bulgaria

B9-0309/2020

Motion for a resolution

Paragraph 2

Motion for a resolution

2. Stresses that it is fundamentally important to guarantee that the values listed in Article 2 of the TEU are upheld in full, and that fundamental rights as laid down in the Charter of Fundamental Rights are guaranteed; calls on the Bulgarian authorities to ensure full and unconditional respect for those values and rights;

Amendment

2. Stresses that it is fundamentally important to guarantee that the values listed in Article 2 of the TEU are upheld in full, and that fundamental rights as laid down in the Charter of Fundamental Rights are guaranteed; calls on the Bulgarian authorities to ensure full and unconditional respect for those values and rights; ***welcomes the observation of the Commission that in the last few years, Bulgaria has comprehensively reformed its legal and institutional anti-corruption frameworks and that the reform has led to improved cooperation between its national authorities^{1a}***;

^{1a} https://ec.europa.eu/info/sites/info/files/bg_rol_country_chapter.pdf

Or. en

5.10.2020

B9-0309/38

Amendment 38

Roberta Metsola

on behalf of the PPE Group

Motion for a resolution

Juan Fernando López Aguilar

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Rule of law and fundamental rights in Bulgaria

B9-0309/2020

Motion for a resolution

Paragraph 4

Motion for a resolution

4. Takes note of the adoption at second reading of amendments to the Bulgarian Electoral Code; notes **with concern** that the Bulgarian Parliament is currently in the process of **adopting a new** electoral law, **while ordinary** parliamentary elections **have to take place in no later than seven months' time**; calls on the Bulgarian authorities to ensure full compliance of the electoral legislation with all the recommendations of the Venice Commission and the OSCE ODIHR, **in particular as regards stability of the fundamental elements of electoral law, which should not be open to amendment less than one year before an election**;

Amendment

4. Takes note of the adoption at second reading of amendments to the Bulgarian Electoral Code; notes that the Bulgarian Parliament is currently in the process of **amending the** electoral law, **which will be applied to the next** parliamentary elections; calls on the Bulgarian authorities to ensure full compliance of the electoral legislation with all the recommendations of the Venice Commission and the OSCE ODIHR;

Or. en

5.10.2020

B9-0309/39

Amendment 39

Roberta Metsola

on behalf of the PPE Group

Motion for a resolution

B9-0309/2020

Juan Fernando López Aguilar

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Rule of law and fundamental rights in Bulgaria

Motion for a resolution

Paragraph 5

Motion for a resolution

Amendment

5. Is deeply convinced that the ***Bulgarian Parliament*** should play a pivotal role in ensuring accountability of the executive and is one of the necessary checks and balances to uphold the rule of law; ***is concerned by the governing majority's practice of hastily passing legislation, often without proper debate or stakeholder consultation; takes notes of the very low level of public trust in the Bulgarian Parliament⁸; regrets the*** recent restrictions imposed on journalists on the premises of the National Assembly, which ***limit their access to parliamentarians and thus the possibilities for*** media scrutiny over the work of the legislature;

5. Is deeply convinced that the ***National Assembly*** should play a pivotal role in ensuring accountability of the executive and is one of the necessary checks and balances to uphold the rule of law; ***calls on the Bulgarian Government to ensure that the draft legislation is prepared following a proper debate and in close cooperation with stakeholders; takes note of*** recent restrictions imposed on journalists on the premises of the National Assembly, which ***are also linked to the COVID-19 situation, but which, however, must not hinder*** media scrutiny over the work of the legislature;

⁸ <https://www.gallup-international.bg/43810/public-opinion-political-situation/>

Or. en

Amendment 40**Roberta Metsola**

on behalf of the PPE Group

Motion for a resolution**B9-0309/2020****Juan Fernando López Aguilar**

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Rule of law and fundamental rights in Bulgaria

Motion for a resolution**Paragraph 6***Motion for a resolution**Amendment*

6. ***Is deeply concerned by the fact that*** some systemic issues in the judiciary system identified by the European Court of Human Rights and the Venice Commission remain unresolved, in particular as regards the provisions relating to the Supreme Judicial Council and the Prosecutor General, notably ***the absence of any*** effective mechanisms for accountability or functioning checks and balances on their work; insists that the Bulgarian authorities fully comply with the case law of the European Court of Human Rights and the recommendations of the Venice Commission and GRECO pertaining to the judiciary, in particular as regards the Supreme Judicial Council and the status of the Prosecutor General, in order to ensure the independence of the judiciary; notes that the Commission report of 22 October 2019 on progress in Bulgaria under the CVM mentions that a broad debate has taken place in the media, with some stakeholders voicing concerns regarding the nomination procedure and main candidate for the Prosecutor General, and that street protests were organised by civil society organisations;

6. ***Welcomes the proposal for constitutional amendments, which aim to address*** some systemic issues in the judiciary system identified by the European Court of Human Rights and the Venice Commission; ***notes that for the moment some issues*** remain unresolved, in particular as regards the provisions relating to the Supreme Judicial Council and the Prosecutor General, notably effective mechanisms for accountability or functioning checks and balances on their work; insists that the Bulgarian authorities fully comply with the case law of the European Court of Human Rights and the recommendations of the Venice Commission and GRECO pertaining to the judiciary, in particular as regards the Supreme Judicial Council and the status of the Prosecutor General, in order to ensure the independence of the judiciary; notes that the Commission report of 22 October 2019 on progress in Bulgaria under the CVM mentions that a broad debate has taken place in the media, with some stakeholders voicing concerns regarding the nomination procedure and main candidate for the Prosecutor General, and that street protests were organised by civil society organisations; ***notes that the Prosecutor General was nominated by the Prosecutor's Chamber of the Supreme***

Judicial Council (SJC) and appointed by the president following a decision of the SJC Plenum in accordance with the Bulgarian legal framework^{1a};

^{1a} Article 129(2) of the Constitution of the Republic of Bulgaria.

Or. en

5.10.2020

B9-0309/41

Amendment 41

Roberta Metsola

on behalf of the PPE Group

Motion for a resolution

B9-0309/2020

Juan Fernando López Aguilar

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Rule of law and fundamental rights in Bulgaria

Motion for a resolution

Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Welcomes the fact that, as noted in the Commission's rule of law report for Bulgaria, an increased number of investigations into high-level corruption were launched in the first half of 2020^{1a}, and charges have been brought in a number of cases; welcomes the fact that a new forthcoming anti-corruption strategy for the 2021–2027 period will soon be announced and should be adopted after a public discussion;

^{1a} https://ec.europa.eu/info/sites/info/files/bg_rol_country_chapter.pdf

Or. en

5.10.2020

B9-0309/42

Amendment 42

Roberta Metsola

on behalf of the PPE Group

Motion for a resolution

Juan Fernando López Aguilar

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Rule of law and fundamental rights in Bulgaria

B9-0309/2020

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Expresses **deep** concern at the **serious** deterioration of media freedom in Bulgaria over the past decade; calls on the Bulgarian authorities to foster a favourable environment for freedom of expression, in particular by increasing transparency of media ownership and preventing the excessive concentration of ownership of media and of distribution networks, including through the proper application of the existing legislative framework, **as well as by repealing criminal provisions against defamation offences; underlines the need to make the composition and mandate** of the Council for Electronic Media **more independent and effective; is concerned about the reports of the continued practice of influencing the media through the preferential allocation of Union funds to government-friendly media;**

Amendment

8. Expresses concern at the deterioration of media freedom in Bulgaria over the past decade, **as has also been witnessed in other Member States**; calls on the Bulgarian authorities to foster a favourable environment for freedom of expression, in particular by increasing transparency of media ownership and preventing the excessive concentration of ownership of media and of distribution networks, including through the proper application of the existing legislative framework; **welcomes the adoption and implementation of regulatory rules on declaring media ownership, such as the Compulsory Deposit of Copies of Printed and Other Works and the Announcement of the Distributors and Suppliers of Media Services Act; acknowledges the role** of the Council for Electronic Media **as independent regulator for audiovisual media; notes that online media outlets are not subject to transparency requirements with regard to disclosing ownership and expresses its concern that loopholes in the regulatory framework for online media are often exploited by pro-Russian media outlets to hide their ties to third-country actors, and that disinformation campaigns continue to be a major tool to formulate and spread anti-European messages and stereotypes^{1a};**

^{1a} http://pris.government.bg/prin/file_view.aspx?did=88431&pid=9861

Or. en

Amendment 43**Roberta Metsola**

on behalf of the PPE Group

Motion for a resolution**B9-0309/2020****Juan Fernando López Aguilar**

on behalf of the Committee on Civil Liberties, Justice and Home Affairs

Rule of law and fundamental rights in Bulgaria

Motion for a resolution**Paragraph 9***Motion for a resolution**Amendment*

9. Notes that the protection of journalists is in the vital interest of society; calls on the Bulgarian authorities to ensure the protection of journalists at all times and thus safeguard their independence; strongly condemns the instances where **government-critical** journalists have become the target of smear campaigns and calls on the Bulgarian authorities to **curtail** these undemocratic practices; deplors incidents of violence against reporters and the destruction of their technical equipment; urges the Bulgarian authorities to launch a comprehensive investigation into all cases of violence against journalists covering the protests; calls on the Bulgarian authorities to ensure that police officers and other officials respect press freedom and allow journalists and media professionals to cover demonstrations safely; stresses that violence at the hands of state agents is contrary to the duty of the Member States to uphold press freedom and to protect the safety of journalists¹⁶;

9. Notes that the protection of journalists is in the vital interest of society; calls on the Bulgarian authorities to ensure the protection of journalists at all times and thus safeguard their independence; strongly condemns the instances where journalists have become the target of smear campaigns and calls on the Bulgarian authorities to **continue curtailing** these undemocratic practices; deplors incidents of violence against reporters and the destruction of their technical equipment; urges the Bulgarian authorities to launch a comprehensive investigation into all cases of violence against journalists covering the protests; calls on the Bulgarian authorities to ensure that police officers and other officials respect press freedom and allow journalists and media professionals to cover demonstrations safely; stresses that violence at the hands of state agents is contrary to the duty of the Member States to uphold press freedom and to protect the safety of journalists¹⁶;

¹⁶ Commissioner for Human Rights of the Council of Europe, statement entitled 'Bulgaria must investigate police violence against journalists', Strasbourg, 3 September 2020.

¹⁶ Commissioner for Human Rights of the Council of Europe, statement entitled 'Bulgaria must investigate police violence against journalists', Strasbourg, 3 September 2020

