

Amendment 44**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

The rule of law and fundamental rights in Bulgaria

Motion for a resolution**Paragraph 11***Motion for a resolution**Amendment*

11. Expresses its unequivocal support for the people of Bulgaria in their legitimate demands and aspirations for justice, transparency, accountability and democracy; firmly believes that peaceful demonstrations are a fundamental right in every democratic country and supports the right of people to protest peacefully; condemns any form of violence against peaceful demonstrations; underlines that freedom of expression and freedom of information must be respected at all times; highlights that the use of violence and disproportionate force is unacceptable; ***expresses particular dismay at the allegations of the use of force against women and children, including children with disabilities; is concerned by the unlawful and excessive audits conducted into private businesses that have publicly expressed their support for the protests; condemns the violent and disproportionate intervention by the police during the protests in July, August and September 2020; calls on the Bulgarian authorities to ensure a full, transparent, impartial and effective investigation into the actions of the police;***

11. Expresses its unequivocal support for the people of Bulgaria in their legitimate demands and aspirations for justice, transparency, accountability and democracy; firmly believes that peaceful demonstrations are a fundamental right in every democratic country and supports the right of people to protest peacefully; condemns any form of violence against peaceful demonstrations; underlines that freedom of expression and freedom of information must be respected at all times; highlights that the use of violence and disproportionate force is unacceptable; condemns violent and disproportionate ***interventions*** during protests ***and peaceful demonstrations***; calls on the ***relevant*** authorities to ensure a transparent, impartial, ***independent*** and effective investigation ***when excessive force is suspected or alleged to have been used;*** ***recalls that law enforcement agencies must be held accountable for the fulfilment of their duties and their compliance with legal and operational frameworks;***

Or. en

Amendment 45**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

The rule of law and fundamental rights in Bulgaria

Motion for a resolution**Paragraph 19***Motion for a resolution**Amendment*

19. Is concerned that persons who may be in need of international protection have been prevented from entering Bulgarian territory or expelled, at times with force, without the opportunity to apply for asylum or an individualised assessment¹⁴; ***is particularly concerned about the troubling deportation of members of the Turkish opposition, in violation of international treaties and despite valid court orders issued by competent Bulgarian courts***¹⁵; calls on the Bulgarian authorities to ensure full compliance of asylum legislation and practice with the asylum *acquis* and the Charter of Fundamental Rights; calls on the Commission to ***deal with the infringement procedure against Bulgaria as a matter of priority***;

19. Is concerned that persons who may be in need of international protection have been prevented from entering Bulgarian territory or expelled, at times with force, without the opportunity to apply for asylum or an individualised assessment¹⁴; calls on the Bulgarian authorities to ensure full compliance of asylum legislation and practice with the asylum *acquis* and the Charter of Fundamental Rights; calls on the Commission ***as guardian of Treaties to start infringement procedures, when necessary, should the breach of EU law be suspected***;

¹⁴ UN Human Rights Committee, Concluding observations on the fourth periodic report of Bulgaria, 15 November 2018, paragraphs 29 and 30.

¹⁵ ***European Court of Human Rights, pending application, Abdullah Büyük v. Bulgaria (application No 23843/17); United States Department of State, Bureau of Democracy, Human Rights and Labor, Bulgaria 2016 Human Rights***

¹⁴ UN Human Rights Committee, Concluding observations on the fourth periodic report of Bulgaria, 15 November 2018, paragraphs 29 and 30.

Report, p. 16.

Or. en

5.10.2020

B9-0309/46

Amendment 46

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

The rule of law and fundamental rights in Bulgaria

Motion for a resolution

Paragraph 21

Motion for a resolution

Amendment

21. Notes ***that certain*** progress ***has been*** made by Bulgaria under the ***CVM***; calls on the Bulgarian Government to cooperate with the Commission, in accordance with the principle of sincere cooperation as set out in the TEU, in continued implementation of its commitments; calls on the Bulgarian authorities to refrain from conducting any unilateral reforms which would put respect for the rule of law at risk, in particular the independence of the judiciary and the separation of powers; notes that the Commission has indicated that it will not yet lift the CVM for Bulgaria; ***calls on the Commission to continue to monitor the reform of the judiciary and the fight against corruption in Bulgaria in the framework of the CVM, for as long as a fully functioning mechanism to monitor respect for democracy, the rule of law and fundamental rights, applicable equally to all Member States, is not yet in place; calls on the Commission, furthermore, to also make use of other tools available where appropriate, including infringement procedures, the Rule of Law Framework and budgetary tools, once available;***

21. Notes ***the*** progress made by Bulgaria under the ***Cooperation and Verification Mechanism***; calls on the Bulgarian Government to cooperate with the Commission, in accordance with the principle of sincere cooperation as set out in the TEU, in continued implementation of its commitments; calls on the Bulgarian authorities to refrain from conducting any unilateral reforms which would put respect for the rule of law at risk, in particular the independence of the judiciary and the separation of powers; notes that the Commission has indicated that it will not yet lift the CVM for Bulgaria; ***considers that in light of the latest Commission monitoring report from October 2019 and the introduction of a mechanism on the rule of law, democracy and fundamental rights, the CVM for Bulgaria should be lifted; recalls in this context Parliament's call for the creation of such a mechanism that will cover all aspects of Article 2 TEU and apply equally, objectively and fairly to all Member States;***

Or. en

5.10.2020

B9-0309/47

Amendment 47

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

The rule of law and fundamental rights in Bulgaria

Motion for a resolution

Paragraph 23

Motion for a resolution

Amendment

23. Highlights the need for the Bulgarian Government, in cooperation with the Commission, to ensure stricter control on the way Union funds are spent and to immediately address concerns that taxpayers' money is being used *for the enrichment of circles associated with the ruling party*;

23. Highlights the need for the Bulgarian Government, in cooperation with the Commission, to ensure stricter control on the way Union funds are spent and to immediately address concerns that taxpayers' money is *not* being used *appropriately*;

Or. en

5.10.2020

B9-0309/48

Amendment 48

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

The rule of law and fundamental rights in Bulgaria

Motion for a resolution

Paragraph 23 a (new)

Motion for a resolution

Amendment

23a. Welcomes the fact that, despite the challenges, Bulgaria's system for management and control of the European Structural and Investment Funds has improved and is functioning properly; welcomes the Commission data indicating that financial corrections implemented as a percentage of payments received from the EU budget stood at only 0.9 % in Bulgaria, which is half the EU average; welcomes the fact that in 2019 Bulgarian authorities imposed over EUR 40 million of financial corrections in the field of agriculture, which is twice the EU average^{1a}; underlines that according to OLAF the country's authorities detected and reported around 1 100 irregularities and cases of fraud, and the financial impact of those cases is 1.7 % of the total payments (lower than the EU average); welcomes the fact that during the 2015-2019 period, as a follow-up to OLAF's recommendation, Bulgaria opened 10 investigations as compared to the EU average of 7^{1b}; welcomes Bulgaria's role as one of the most active Member States when it comes to reporting in the ARACHNE risk scoring tool^{1c}; welcomes the fact that according to the European Court of Auditors, Bulgaria was already in 2017 one of the ten Member States with a fully-fledged strategy for combatting

crime^{1d};

1a https://ec.europa.eu/info/sites/info/files/annual-management-and-performance-report-2019_en_1.pdf

1b https://ec.europa.eu/anti-fraud/sites/antifraud/files/olaf_report_2019_en.pdf

1c <https://eucrim.eu/articles/implementation-effective-measures-against-fraud-and-illegal-activities-cohesion-policies/#docx-to-html-fn38>

1d https://www.eca.europa.eu/Lists/ECADocuments/SR19_06/SR_FRAUD_COHESION_EN.pdf

Or. en

5.10.2020

B9-0309/49

Amendment 49

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

The rule of law and fundamental rights in Bulgaria

Motion for a resolution

Paragraph 23 b (new)

Motion for a resolution

Amendment

23b. Welcomes Bulgaria's accession to the European Public Prosecutor's Office (EPPO) and is confident that its participation in the EPPO will in itself constitute a stricter control on the correct use of EU funds in this regard;

Or. en