Priority question for written answer P-003655/2021 to the Commission
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Subject: Extraterritorial effects of non-EU legislation on EU Member States and their citizens

In June 2021, the US Department of the Treasury announced sanctions against Bulgarian individuals under the US Global Magnitsky Human Rights Accountability Act (the Magnitsky Act).

The sanctions are not the result of a judicial procedure, hearing and decision, despite EU citizens enjoying the right to effective remedy and a fair trial, the presumption of innocence and the right of defence. In addition, EU law ascertains that the interests of the EU and its citizens must be protected from the direct extraterritorial application of non-EU legislation (Council Regulation (EC) No 2271/96).

However, on the basis of the Magnitsky Act, the Bulgarian Government has established an extended ‘blacklist’ of people who are ‘related’ to the sanctioned citizens. There is an administrative act ordering public entities to terminate relations with them and a call on banks to stop carrying out transactions for them. Thus, EU citizens are being deprived of contact with state authorities, running the risk that their basic needs will not be met.

In this regard, can the Commission answer the following questions:

1. Does it consider a non-EU act sufficient grounds for sanctions on EU territory without a judicial assessment of evidence and proven guilt?
2. Does it consider an administrative act sufficient grounds to restrict the rights of EU citizens without a prior judicial proceeding?
3. If not, how can it tackle administrative arbitrariness?