

**Amendment 32**

**Jorge Buxadé Villalba, Emmanouil Fragkos, Margarita de la Pisa Carrión**  
on behalf of the ECR Group

**Report****A9-0226/2020****Clare Daly**

Situation of Fundamental Rights in the European Union - Annual Report for the years 2018-2019  
(2019/2199(INI))

**Motion for a resolution****Paragraph 20***Motion for a resolution*

20. Stresses that law enforcement officials must respect and protect human dignity and maintain and uphold the human rights of all persons while performing their duty; stresses that the foremost task of police forces is to ensure the safety of citizens, and to ensure protests ***are conducted in peaceful manner***; Condemns the use of violent and disproportionate interventions by law enforcement authorities during peaceful demonstrations; calls on the Member States to ensure that any use of force by law enforcement authorities is always lawful, proportionate, necessary and the last resort, and that it preserves human life and physical integrity; calls on the relevant national authorities, in cases when the use of disproportionate force is suspected or has been alleged, to ensure a transparent, impartial, independent and effective investigation, and avoid impunity; recalls that law enforcement agencies are fully accountable for the fulfilment of their duties and their compliance with the relevant legal and operational frameworks;

*Amendment*

20. Stresses that law enforcement officials must respect and protect human dignity and maintain and uphold the human rights of all persons while performing their duty; stresses that the foremost task of police forces is to ensure the safety of citizens, and to ensure ***the right to peaceful protests***; Condemns ***both*** the use of violent and disproportionate interventions by law enforcement authorities during peaceful demonstrations ***and attacks on police officers by violent demonstrators***; calls on the Member States to ensure that any use of force by law enforcement authorities is always lawful, proportionate, necessary and the last resort, and that it preserves human life and physical integrity; calls on the relevant national authorities, in cases when the use of disproportionate force is suspected or has been alleged, to ensure a transparent, impartial, independent and effective investigation, and avoid impunity; recalls that law enforcement agencies are fully accountable for the fulfilment of their duties and their compliance with the relevant legal and operational frameworks; ***acknowledges in this regard that while isolated cases of misconduct occur, police officers in the EU are world leading, both in terms of their training and their respect for the law and human rights***;



**Amendment 33**

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**Motion for a resolution****Paragraph 32***Motion for a resolution*

32. *Expresses grave concern about consistent reports of violent pushbacks by law enforcement officials in some Member States; calls on the Commission and the Member States to investigate the matter and take effective measures to ensure that such policies and practices are scrapped, including by ensuring the independent monitoring of border control activities by existing national human rights institutions (Ombudsman institutions, NHRIs, NPMs), supported by EU and international bodies (Council of Europe Commissioner for Human Rights, CPT, ECRI, FRA) and ensuring that EU funding is not being used to perpetrate fundamental rights violations; calls on the Commission and the Member States to respect international and EU law, as well as the Charter of Fundamental Rights of the European Union to provide a broad framework to enable orderly migration and avoid forcing migrants to use irregular migration channels;*

*Amendment*

32. *Takes note of the judgment of the European Court of Human Rights of 13 February 2020 which states that migrants are not entitled to protection from mass expulsion when they choose to enter a country unlawfully<sup>1</sup>; calls on the Commission and the Member States to respect international and EU law, as well as the Charter of Fundamental Rights of the European Union;*

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<sup>1</sup> Case of *N.D. and N.T. v. Spain* (Applications nos. 8675/15 and 8697/15).

Or. en

20.11.2020

A9-0226/34

**Amendment 34**

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**A9-0226/2020**

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**Motion for a resolution**

**Paragraph 34**

*Motion for a resolution*

34. Stresses that the saving of lives is a legal obligation under international law and EU law; ***condemns the intimidation, arrests and criminal proceedings initiated in some Member States against civil society organisations and individuals for providing humanitarian assistance to migrants, whose lives are at risk; calls on Member States to ensure that acts of humanitarian assistance are not criminalised in line with the UN Smuggling Protocol;***

*Amendment*

34. Stresses that the saving of lives is a legal obligation under international law and EU law; ***condemns the activities carried out by certain activists and NGOs which may ultimately, intentionally or unintentionally, facilitate the smuggling process;***

Or. en