

Amendment 57**Karlo Ressler**

on behalf of the PPE 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**Recital AD***Motion for a resolution*

AD. whereas the EU has an obligation under EU and international law to receive and process the applications of those who come to the EU seeking asylum; whereas pushbacks constitute a violation of EU and international law and prevent asylum seekers from benefiting from the legal guarantees firmly laid down in such law; whereas the Council of Europe Commissioner for Human Rights expressed **grave** concern about **consistent** reports of **violent** pushbacks;

Amendment

AD. whereas the EU has an obligation under EU and international law to receive and process the applications of those who come to the EU seeking asylum; whereas pushbacks constitute a violation of EU and international law and prevent asylum seekers from benefiting from the legal guarantees firmly laid down in such law; whereas the Council of Europe Commissioner for Human Rights expressed concern about reports of pushbacks; ***whereas effective investigations into all allegations of incidents at borders, in particular when they involve law enforcement forces, are essential;***

Or. en

20.11.2020

A9-0226/58

Amendment 58

Karlo Ressler

on behalf of the PPE 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

Recital AC

Motion for a resolution

Amendment

AC. *whereas the criminalisation of solidarity continued to be used as a tool to disrupt the work of NGOs trying to save lives in the Mediterranean Sea; whereas individuals faced charges related to assistance they provided to migrants and asylum seekers in several EU countries, , demonstrating the worrying trend of criminalizing humanitarian assistance to migrants and asylum seekers;*

AC. *whereas saving lives at sea is a legal obligation under both international and Union law, but first and foremost an act of humanity towards and solidarity with those at risk; whereas Member States, individually and when acting as Member States of the EU or in relevant international forums, must live up to the standards of relevant international and Union law when it comes to assisting persons in distress; reiterates its call on the Commission to adopt guidelines for Member States by the end of this year specifying which forms of assistance should not be criminalised, in order to ensure greater consistency in the criminal regulation of facilitation across Member States and limit unwarranted criminalisation;*

Or. en

20.11.2020

A9-0226/59

Amendment 59

Karlo Ressler

on behalf of the PPE 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 31

Motion for a resolution

31. Calls on the Commission and the Member States to implement the Recommendation of the Council of Europe Commissioner for Human Rights of June 2019 entitled ‘Lives saved. Rights protected. Bridging the protection gap for refugees and migrants in the Mediterranean’; reiterates that safe and legal pathways for migration ***are the best*** way of avoiding loss of life; urges Member States to intensify ***resettlement*** measures, ***put in place humanitarian corridors to the EU, and introduce the possibility to apply for humanitarian visas for asylum-seekers***;

Amendment

31. Calls on the Commission and the Member States to implement the Recommendation of the Council of Europe Commissioner for Human Rights of June 2019 entitled ‘Lives saved. Rights protected. Bridging the protection gap for refugees and migrants in the Mediterranean’; reiterates that ***the creation of*** safe and legal pathways for migration ***is a*** way of avoiding loss of life; urges Member States to intensify ***their efforts with regard to*** measures ***which would significantly ease the asylum procedure, such as resettlement, return and cooperation with third countries***;

Or. en

20.11.2020

A9-0226/60

Amendment 60

Karlo Ressler

on behalf of the PPE Group

Report

Clare Daly

Situation of Fundamental Rights in the European Union - Annual Report for the years 2018-2019

(2019/2199(INI))

A9-0226/2020

Motion for a resolution

Paragraph 32 a (new)

Motion for a resolution

Amendment

32a. Takes note with concern of the violations of migrants' and refugees' fundamental rights that have occurred at the external borders of the EU and reiterates that all people are entitled to enjoy their human rights; recalls the fundamental right to seek asylum; stresses that it is crucial to carry out effective investigations into all allegations of incidents at borders, in particular when they involve law enforcement forces; encourages the EU and the Member States to create safe and legal routes as one of the core instruments in enabling people in need of international protection to arrive in the EU in an orderly, managed, safe and dignified manner as asylum seekers and in order to undermine the business model of trafficking networks and smugglers, as well as to prevent many from taking the risk of setting out on dangerous routes; recalls that saving lives is an act of solidarity with those at risk, but that it is also a legal obligation; calls on the Member States and the EU institutions to respect international and EU law, as well as the Charter of Fundamental Rights of the European Union, when carrying out border guard actions and asylum procedures; points out that physical persons or NGOs who

genuinely assist persons in distress should not risk punishment for providing such assistance; stresses that vessels conducting search and rescue operations must comply with the relevant international and Union law and follow the instructions given by the competent rescue coordination centre and cooperate with the Member State authorities and Frontex in order to protect the safety of migrants;

Or. en

20.11.2020

A9-0226/61

Amendment 61

Karlo Ressler

on behalf of the PPE 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 37

Motion for a resolution

37. *Reiterates that immigration detention of children is never in the child's best interest in line with the New York Declaration for Refugees and Migrants; calls on the EU and the Member States to step up action to end the detention of children, particularly in the context of migration across the EU, and to work out community-based alternatives to detention, as well as prioritising integration, education and psychological support; stresses that an unaccompanied child is above all a child who is potentially in danger and that child protection, rather than migration policies, must be the leading principle for Member States and the European Union when dealing with them, thus respecting the core principle of the child's best interests.*

Amendment

37. *Recalls that both international law and the Charter require Member States to examine alternatives to detention, in particular of children; calls on the Member States to ensure the effective and early identification of asylum seekers with special needs, their prompt access to adapted reception conditions and the provision of procedural guarantees; calls on the Member States and the Commission to take the necessary measures to provide information and ensure transparency concerning the detention of migrants and asylum seekers in Member States; recalls that children's rights, and the best interests of the child, need to be taken into account and assessed in all EU policies and actions, including in the fields of migration and asylum;*

Or. en

20.11.2020

A9-0226/62

Amendment 62

Karlo Ressler

on behalf of the PPE 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

Recital V a (new)

Motion for a resolution

Amendment

Va. whereas in the light of the constant development of technology, interferences with fundamental rights are not easy to predict; whereas various information systems can have impacts on fundamental rights, such as shortcomings in data protection and breaches of privacy; whereas increased interoperability of these systems could lead to robust and more timely protection of our citizens, and thus their rights, specifically in cases of missing children or human trafficking, or in tackling money laundering; whereas the cooperation and exchange of information between different EU agencies working on security is vital to the timely and effective fight against terrorism and radicalisation, as well as to preventing cybercrime;

Or. en

20.11.2020

A9-0226/63

Amendment 63

Karlo Ressler

on behalf of the PPE 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 30 a (new)

Motion for a resolution

Amendment

30a. Emphasises that anti-discrimination legislation remains a key component of any strategy to prevent radicalisation and to enable the de-radicalisation of those who are already members of extremist organisations; reiterates that Member States, with continued support from the Commission, must improve their efforts to prevent radicalisation and violent extremism by promoting European values, tolerance and community;

Or. en

20.11.2020

A9-0226/64

Amendment 64

Karlo Ressler

on behalf of the PPE 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 36 a (new)

Motion for a resolution

Amendment

36a. Encourages the EU and the Member States to devote sufficient resources to undermining the business model of trafficking networks and smugglers, which routinely puts the most vulnerable groups such as children and women in life-threatening situations, as well as to protecting many from the risk of setting out on dangerous and uncontrolled migration routes where they will not have access to official asylum procedure;

Or. en

20.11.2020

A9-0226/65

Amendment 65

Karlo Ressler

on behalf of the PPE 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 31 a (new)

Motion for a resolution

Amendment

31a. Emphasises the importance of rigorous management of the EU's external borders; stresses the need to address humanitarian issues affecting border control; underlines that EU and national policies on migration must comply fully with the 1951 UN Convention relating to the Status of Refugees and its additional protocol;

Or. en

20.11.2020

A9-0226/66

Amendment 66

Karlo Ressler

on behalf of the PPE 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 32

Motion for a resolution

Amendment

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; **deleted**

Or. en

