

3. Post-monitoring dialogue with Bulgaria

THE PRESIDENT* – The next item is debate on the report entitled “Post-monitoring dialogue with Bulgaria”, Document 13085, presented by Mr Luca Volontè, on behalf of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe, with respect to the post-monitoring dialogue with Bulgaria. You have a total speaking time of 13 minutes, which you can divide as you see fit between the presentation of your report and your responses to the speakers. You have the floor.

Mr VOLONTÈ (*Italy*)* - After considerable work in recent years – the Parliamentary Assembly started looking into the monitoring of Bulgaria in 2000 – Bulgaria has made considerable progress. Over the years, it has adopted various reforms linked to the recommendations it has received during the monitoring process. Bulgaria acceded to the EU in 2007, and during the two-year post-monitoring period it has made further progress. It has been my honour on behalf of the Monitoring Committee to follow those developments closely. Bulgaria has tried to adopt as many of the Parliamentary Assembly’s recommendations as possible. The parliament and the various political forces in the Bulgarian Government have continued to demonstrate political will to honour and implement fully the commitments that the country entered into as a member of the Council of Europe, in conformity with democratic standards. The Bulgarian authorities complied with their undertakings to co-operate with the Venice Commission and the European Commission.

Bulgaria has done much to enhance transparency and increase the independence of the judicial system. In particular, between 2008 and 2012 the Act on the judicial system was brought in with a view to enhancing the recruitment procedure for the appointment of members to the Supreme Judicial Council, and in 2012 decisions were made relating to magistrates. There has been ongoing reform of the judicial system, which only enhances its credibility and citizens’ confidence in it. There are, however, some outstanding issues, such as our concern about the presence of the minister of justice in the Supreme Judicial Council. That is of some concern to us, but the European Commission takes a different view and it does not seem to be concerned about the role of the minister of justice in the SJC. We have seen enhanced managerial capacities when it comes to the SJC within the overall judicial system, although the administration of justice needs to be improved.

Bulgaria has made other reforms. Between 2010 and 2012, the law on forfeiture of illegally acquired assets was adopted, as was the law on conflict of interests, following the support of the Venice Commission and the Council of Europe. In December, the Bulgarian Parliament ratified the convention on money laundering. Important steps have been taken, and other steps still need to be taken, as we have said in our draft resolution, if the Bulgarian authorities want to continue the fight against corruption and further enhance the quality of judicial investigations. There has been active and ongoing co-operation between the Bulgarian authorities and the experts in GRECO and the Venice Commission. We have seen further implementation of judgments handed down by the European Court of Human Rights. An important law adopted by the national assembly – all the political groups participated in the decision in September 2012 – obliges the Bulgarian Government to submit an annual report to parliament on its compliance with judgments handed down by the Court. In the general Act on the Ministry of the Interior in October 2012, Bulgarian authorities stepped up the fight against abuses of human rights.

In 2010 a new law introducing greater transparency in respect of print media ownership was adopted. We hope that law can be extended to television networks and telecommunications. These are positive and encouraging developments, and it appears that the Bulgarian authorities will make further progress in these areas.

Bulgaria has long-standing democratic practices and we call on it, and on all other countries, to ensure the independence and impartiality of the judiciary, and specifically to cooperate with the Venice Commission in respect of reforming the judiciary. We call on Bulgaria to take a fresh look at its system of appraisal of judges, and for a clear division of powers between politicians and the judiciary. The Supreme Judicial Council should be supported by being endowed with further resources, including human resources. We have made calls for further administrative reform, too. We could call for all such measures in various other countries as well, and they would feature in any post-monitoring dialogue with any other member state of the Council of Europe.

Our resolution calls for increased qualifications to be required of members of the SJC and its inspectorate, and for better appraisal of SJC staff. We call for reform of the code of criminal procedure, too. That has been going on for the past 12 years, and we encourage Bulgaria to continue with it.

The Venice Commission and the European Commission are supporting Bulgaria, too. We want defamation of journalists to become a criminal offence under the reformed criminal code. That point could be made about other countries as well, including mine. We call on Bulgaria to step up the fight against corruption. It is not that nothing has been done, but further support is needed in respect of GRECO. The recently adopted law on organised crime is important. There is also a law of forfeiture in favour of the state in respect of illegally acquired assets. I have mentioned the law on conflicts of interest. A better system of sanctions is needed, too, and institutions set up to combat corruption must be truly independent – although, again, that point could be made about other countries.

We call on the Bulgarian authorities to analyse the major obstacles in the fight against corruption so that the system can be further improved. We call for the rapid and total implementation of the recent convention on money laundering. Measures have already been adopted to combat corruption among public officials and the police, and there is great resolve to do more.

We have condemned attacks on minorities, too. That is being addressed at the national level. Work needs to be done at the local level as well, and international conventions and measures must be adopted.

We propose that we should end the post-monitoring dialogue. Dramatic events are no longer taking place in Bulgaria. Steps have been put in place and are bearing fruit, and we might have called on many member states to take similar actions. If we end the post-monitoring procedure, that will in any case lead to a further year of informal monitoring. We will certainly not be abandoning Bulgaria; instead, we will carefully follow further developments.

THE PRESIDENT* - Thank you Mr Volontè. You have one minute remaining.

I call Mr Kox, who speaks on behalf of the Group of the Unified European Left.

Mr KOX (*Netherlands*). – Some 21 years after Bulgaria's accession to the Council of Europe, we are now evaluating developments and how well it is carrying out its obligations and commitments. I congratulate Mr Volontè on his report. It states that the Assembly should welcome the substantial progress made by Bulgaria, and we certainly do. Bulgaria has made progress and we should pay tribute to those responsible for that, especially the Bulgarian citizens.

Bulgaria has learned that living up to our common standards is anything but easy, however, and the authorities and citizens of Bulgaria are entitled to an honest evaluation. I therefore have to say that my group has great worries about the many obligations and commitments with which Bulgaria has not yet complied. There is substantial progress in the organisation of elections, but they are still far from perfect after 21 years of Council of Europe membership. There has also been substantial progress with the legislative framework, and crucial reforms have been put in place, but Bulgaria does not yet have an independent judiciary.

Several Governments have declared that they will fight corruption – that great evil that, according to our Secretary General earlier today, threatens the stability of countries and the core values we all cherish. Corruption in Bulgaria is growing once again, however. Some one in four entrepreneurs pay government officials, one in four Bulgarians gives money and presents to doctors, police officers, customs officials and judges, and, according to recent studies, every month 150 000 bribes are paid to civil servants, which is more than in 2010, as the rapporteur must know.

Democracy is developing in Bulgaria, and we praise it for that. Last week, however, someone showed that they had not learned the lessons of democracy and tried to kill someone else. After the attack, the Alliance of Liberals and Democrats for Europe Group in the European Parliament asked for an EU investigation into the state of democracy in Bulgaria.

We might question whether Bulgaria would gain accession to the EU on current evidence. In my country and others, there would be big problems, and even accession to the Council of Europe would be problematic in some regards.

We should help Bulgaria. We should praise it where it carries out its obligations, but we should not end post-monitoring. The resolution proposes to continue the post-monitoring, but the rapporteur proposes to end it. That is a bit weird, and I do not see how the rapporteur's opinion tallies with the discussions in committee.

The PRESIDENT* - Thank you. I call Mr Omtzigt, who speaks on behalf of the Group of the European People's Party.

Mr OMTZIGT (*Netherlands*) – I thank the rapporteur for an excellent report and exhaustive review of all the outstanding issues in Bulgaria, apart from one, although an attack that happened yesterday cannot be included in a report that was published a few weeks ago. The report gives a good overview of where Bulgaria stands, which is in a halfway position since its admission to the EU. I find it difficult to speak on behalf of the group, but I voted in my country against the accession of Bulgaria, not because I do not think that Bulgaria is part of our European family – it is fully part of our European family – but because it was not ready at that moment.

We see a lot of progress. We see progress in the fight against corruption. I do not agree with Mr Kox on that. Transparency International rates Bulgaria eight or nine places higher this year than it did last year. In fact, it left the last place in the European Union to Greece, which is not under monitoring at the moment. We are touching on a sensitive issue, which is that Bulgaria is the only EU country that has been under monitoring and post-monitoring. None of the other countries is under this procedure; only two applicant states, “the former Yugoslav Republic of Macedonia” and Turkey, are at the moment. Therefore, this is quite embarrassing.

It is interesting to note that the EU started its own procedure to see whether Bulgaria is good enough. There is some discrepancy between this report and the report of the European Commission that came out in July. After five years, the European Commission did not close the new procedure, the co-operation and verification mechanism. I would like to give some of my time to the rapporteur, if that is allowed, as I have a key question. There are lots of amendments and we can vote yes or no on them, but the key amendments are the last ones, as Mr Kox said. Are we proceeding with post-monitoring dialogue, are we closing it or – there is a third option – are we partially closing it and leaving it open because of three issues? I would like a clear answer from the rapporteur on how we should evaluate his proposal to close the post-monitoring procedure and how the key issues that he has outlined – the reform of the penal code is perhaps the most important – would be monitored if we closed the procedure now. What could we do if Bulgaria backtracked? Why does he think that enough progress has been made?

The PRESIDENT* - Thank you. I call Mr Schennach, who speaks on behalf of the Socialist Group.

Mr SCHENNACH (*Austria*)* – The rapporteur is quite right to say in his written report that the post-monitoring process should continue. He rightly justifies that in the report by saying that corruption is not being combated efficiently – it is all a bit dilatory. Where Bulgaria is required to bring things into line quickly, it is seeking to circumvent them and not to remove the shortcomings. Post-monitoring can therefore help in that process. In the committee, two amendments were proposed to bring an end to the post-monitoring procedure, but they were both rejected, so the text was left in its original version.

Bulgaria is a nice, attractive country, but important steps need to be taken. It has acceded to the MONEYVAL convention, but it needs to implement it. That is the problem. There are problems in the judicial area, too, relating to the independence of the judiciary and too long a probation period for judges. There is a lack of enforcement by officials and corruption is prevalent. All that has to be ironed out.

I have exchanged e-mails with the rapporteur on the treatment of minorities. There are a lot of minorities, including Turks, Vlachs and Pomaks. The Roma are marginalised, impoverished and stigmatised, but the authorities are not doing anything about that. They do not understand that they need to protect these people. Look at what happened in the cities of Maglizh and Katuniza. Without any warning, 30 houses were bulldozed. People were not even given the chance to get their things out of their houses. In Katuniza, right-wing thugs and hooligans were screaming, “Roma out!” The police were just standing there watching. There is a lack of basic understanding of what is needed. That is what the Council of Europe needs to monitor. This is about the protection of one of the most persecuted minorities in Europe, particularly in Bulgaria. It would be helpful for civil society in Bulgaria if we were to continue the post-monitoring process, as the report recommends.

The PRESIDENT* - Thank you. I call Ms Lundgren, who speaks on behalf of the Alliance of Liberals and Democrats for Europe.

Ms LUNDGREN (*Sweden*) – The rule of law, democracy and human rights are core issues, which we always talk about. This Assembly of the Council of Europe should develop and safeguard those rights. We all took that upon ourselves when we decided to be members of this body. This report concerns one of our members. We can see that progress has been made; that has been shown to be a reality for the public in Bulgaria and by the rapporteur, Mr Volontè. We congratulate both the Bulgarian people and Mr Volontè on showing that progress.

However, when we read the report, we can see a lot of “buts”. The report raises many questions for this Assembly to take care of. We can see that in the recommendations from the Venice Commission and the remarks on the judiciary, corruption, abuses by law enforcement officials, the problems faced by the independent media and how the rights of minorities are dealt with. The message of the report is that continued progress is needed on several of these issues. The sustainability of the reforms needs to be confirmed. We heard this from the rapporteur and we can read all about it in the report.

Then we come to the conclusion. With all the questions raised and all the concerns pointed out, the conclusion is that the post-monitoring process needs to be continued. However, a lot of amendments have been proposed. This is like trying to have the cake and keep it; it is like trying to open and close the window at the same time. We should be honest to ourselves and to our values. We should speak out clearly on the conclusion and vote for clarification. We should vote in favour of paragraph 20 and against all the amendments.

THE PRESIDENT* – Thank you, Ms Lundgren. I call Ms Gerasimova, who will speak on behalf of the European Democrat Group.

Ms GERASIMOVA (*Russian Federation*)* – The report objectively reflects the development of legal and democratic institutions in Bulgaria. I express my gratitude to the rapporteur and the committee for their scrupulous work, which we can see in the documents.

Like many countries, Bulgaria has several unresolved questions. Its main domestic problems are still the absence of an independent judiciary, the excessive use of force by law enforcement bodies and the restriction of the rights of national minorities and of freedom of speech. After entering the European Union, Bulgaria introduced significant changes to its corpus of laws and rules, which many speakers have mentioned. Bulgaria has taken measures and it has taken into account the assessments of United Nations human rights bodies – the Helsinki Committee and the Commission for Protection against Discrimination – and other documents that provide the basis for new laws.

I want to dwell on two points that the rapporteur mentioned. An analysis of the growth in the number of cases of the Bulgarian police exceeding their authority – dozens of people have said that they have been affected by that – gave an opportunity in 2012 for the introduction of changes to the law on the Interior Ministry and adopting measures to eradicate the impunity of law-enforcement officials. As a result of analysis by the European Court of Human Rights over the past five years, Bulgaria has dealt with some 92 violations of the right to a fair trial. In 2012, a law was adopted that compels the government to report to parliament annually on the number and nature of judicial decisions and their implementation.

Monitoring of various aspects of the life and activities of the Bulgarian population is undoubtedly being used by various bodies in the country to take decisions, but there is much to be done on the legislature and the executive, a fact that is reflected in the draft resolution. The European Democrat Group supports the draft resolution, but we also want to draw attention to the fact that in the countries of Europe, over the past decade, there have been changes that are not for the better. One could name a whole array of countries that have the same problems as Bulgaria, but those countries are not being monitored. For example, we heard information relating to Italy and the European Court of Human Rights earlier this evening. Is it not time to have a single approach to all countries in Europe and to change the monitoring procedure so that we have other instruments to influence the situation in such countries? I thank Mr Volontè for his report.

THE PRESIDENT* – Thank you, Ms Gerasimova. Does the rapporteur wish to respond immediately or to do so at the end of the debate?

Mr VOLONTÈ (*Italy*)* – I will respond later.

THE PRESIDENT* – Thank you, Mr Volontè. I call Mr Toshev.

Mr TOSHEV (*Bulgaria*) – Believe it or not, today we are approaching the 13th anniversary of the start of the post-monitoring dialogue with Bulgaria, after the establishment of the monitoring procedure in January 2000.

Since the adoption of the Assembly's previous resolution, there have been many achievements. They were precisely listed by the rapporteur, Mr Luca Volontè, to whom I express my gratitude. I first want to mention the important amendments to the Act on the Liability for Damage Incurred by the State and the Municipalities. Several provisions were adopted about compensation for damages inflicted on individuals and legal entities resulting from a violation of the right to a hearing and to the pronouncement of a judgment within a reasonable time. Until now, that was the reason for many of the cases before the European Court of Human Rights.

On 21 September, thanks to the initiative taken by the leader of our delegation to the Assembly, the Bulgarian National Assembly adopted a decision that obliges the Justice Minister to table an annual report on the implementation of Court judgments. The adoption of the declaration of 12 January 2012, which condemns the persecution of ethnic Turks during the communist regime, and the unanimously adopted declaration of 27 May 2011, which condemns the violation around the mosque in Sofia, are other such provisions. Regrettably, the new penal code is still in preparation, but it is expected to be tabled for adoption after the forthcoming parliamentary elections.

Problems remain in some areas. First, reform of the judiciary has not yet been accomplished, and its functioning deserves further attention. We did not reach consensus on the recent election of a judge to the Bulgarian Constitutional Court. The second area, which I have pointed out since the start of post-monitoring dialogue 13 years ago, is the freedom of the media, their social responsibilities and the transparency of their ownership. Lastly, there are tensions about the adoption of amendments to the new electoral code, which are in accordance with the reasonable recommendations of the Organization for Security and Co-operation in Europe, our partner organisation. The insufficient readiness to co-operate of the governmental

faction of the Citizens for European Development of Bulgaria has, in that respect, regrettably caused some highly undesirable problems.

In conclusion, it is not reasonable to continue the post-monitoring dialogue across the whole of the wide scale of issues. If you decide that it should continue, it should concentrate on the most important ones. By the way, such matters could also be covered by the relevant committees of the Assembly or by other competent bodies of the Council of Europe. The decision is in your hands, and you should decide.

THE PRESIDENT* – Thank you, Mr Toshev. I call Mr Stoilov.

Mr STOILOV (*Bulgaria*) – The report gives a comprehensive overview of the problems and of the actions that have been taken. As well as the achievements, we must note that since 2010 there has been some regress in relation to the democratic process in Bulgaria and other countries, such as on the recognition of the principle of the separation of powers, the fairness of elections and the independence of the judiciary and the media. Corruption, the increasing concentration of ownership and attempts to distribute economic influence through the power of the executive challenge the democratic functioning of the political system and state institutions.

The rapporteur noted some of the facts, but others that shake his positive conclusions did not find a place in his analysis, such as the failure of the election of a member to the Constitutional Court, due to the abuse of power and the conflict of interests of one of the nominated candidates, and the failure to respect the time frame for the election of a new chief inspector of the inspectorate to the Supreme Judicial Council. The growing impression of people who have been in contact with the judiciary is that the courts are susceptible to political and economic pressure. Those problems have provoked a reaction by the European Commission, which, under the mechanism for co-operation and verification, is about to announce an interim oral report on Bulgaria by the end of this month. Economic interests and the executive power have a growing influence over the media. The government plans to spend almost €7 million on advertising European funds in the national media in the months before the elections, without any competitive procedure, and there are several outstanding issues relating to the electoral process.

We have to admit that it is not typical for EU member states to be subject to the post-monitoring procedure. In the case of Bulgaria, it has been in place for many years, but we have to assess whether its goals have been achieved. I want Bulgaria to answer to the highest democratic requirements of the Council of Europe, after which the procedure should be ended. The draft resolution contains nearly two dozen recommendations, the fulfilment of which will require time and an assessment of the results. I understand that closing the post-monitoring dialogue is in the interests of the government, but it is not in the interests of the Bulgarian people. Without external observation, the situation in the country will most probably deteriorate. I ask members not to vote for the closing of the post-monitoring procedure, as it could be a vote for the termination of democratic development in Bulgaria.

THE PRESIDENT* - Thank you, Mr Stoilov. I call Mr Nikoloski.

Mr NIKOLOSKI (*“the former Yugoslav Republic of Macedonia”*) - I welcome the report and the recommendations. I want to underline several topics mentioned in the report, and

especially the implementation of decisions by the European Court of Human Rights in respect of minorities.

Many reports, including this one, say that Bulgaria is not implementing or respecting all the decisions by the Court. It is good that the Assembly is building a platform to deal with the matter. I want to underline the situation of the Macedonian minority who live in one part of the country. They cannot organise themselves into political parties and non-governmental organisations, because the Bulgarian state is not respecting several decisions by the European Court of Human Rights, especially in relation to the OMO Ilinden PIRIN organisation.

I welcome paragraph 17.5.2 of the draft resolution, which calls on the authorities in Bulgaria to “ensure full implementation of all the provisions of the Framework Convention for the Protection of National Minorities, in particular those concerning the personal scope of application of the convention, in view of the non-recognition of the existence in Bulgaria of the Pomak and Macedonian minorities”. I ask members of the Assembly to reject the amendment that asks for the words “Pomak” and “Macedonian” to be deleted. It is good that a country should face the fact that it has minorities, who feel differently from the majority, and that it recognises that those minorities have rights. Macedonians and Pomaks are now part of the national council of minorities, and I would ask the Bulgarian authorities to invite representatives from both communities to take part.

Bulgaria is an example of a country that has made tremendous progress from being a communist state to being a democratic country that is a member of NATO and the European Union. Furthermore, Macedonia and Bulgaria are the closest friends in the region. Bulgaria was the first country to recognise the independence of Macedonia and support us during our difficult period of the last 20 years, and our people feel very close and together. I will vote in favour of closing the post-monitoring dialogue with Bulgaria, because the years that have passed have been enough time for such development, and the institutions in the country are capable of discussing these issues.

THE PRESIDENT* – Thank you, Mr Nikoloski. I call Mr Hancock.

Mr HANCOCK (*UK*) – The one thing we have learned tonight is that when our Dutch colleague Mr Omtzigt generously offers to give up his time to help the debate to be answered, it can be taken with a pinch of salt, because he then spent all his time and gave nothing up. He did, however, pose a number of interesting questions in his statement.

I congratulate Mr Volontè on the report. He has tried to put right the wrongs of the past. By that, I do not mean the wrongs of Bulgaria, but of this Assembly when we chose to close the monitoring exercise on Bulgaria. I urge some members to reread the report, on the basis of which we agreed to close the monitoring. If they genuinely believe that report, post-monitoring should have been closed way before now. The problem was that, once again, the Council of Europe got it wrong in the first place. Continuing the post-monitoring with Bulgaria will help no one, least of all Bulgaria and its people.

Mr Volontè has answered most of the queries that have long been raised, whether on the minorities, the problem of the judiciary, or the problem of corruption, which is not peculiar to Bulgaria. The same suggestions that are in his report are made time and again in this Assembly, as we saw this morning in the debate about Kosovo. We must put what we are trying to achieve into perspective, and Mr Volontè, to his credit, has tried to do just that. The

challenge he has thrown out is to ask us whether we genuinely believe that monitoring is being done in the right way, and if not, whether the post-monitoring is helping the situation. I happen to believe that it should be done away with. We should not agree to lift the monitoring exercise for a country until we are properly satisfied with what, we hope, it will achieve.

Extending the post-monitoring for Bulgaria will serve no useful purpose at all; it will be destructive. Once again, it makes the Council of Europe appear inconsistent because we have closed post-monitoring in countries where that exercise should have continued. Let us for once be consistent and close it for Bulgaria tonight.

THE PRESIDENT* - Thank you, Mr Hancock. I call Mr Ahmet TÜRKEŞ.

Mr A. TÜRKEŞ (*Turkey*) – One of the most important roles of the Parliamentary Assembly of the Council of Europe is to encourage positive developments by providing supportive suggestions on how to improve democratic governance, the rule of law and human rights in member states. The report prepared by Mr Luca Volontè carries out that difficult task in an eloquent and successful way. I sincerely welcome the achievements realised by Bulgaria, which are a direct result of the commitment of the Bulgarian people to consolidating their democracy.

The positive developments in the domestic politics of Bulgaria also have implications for its foreign relations. The flourishing and increasingly cordial relations between Turkey and Bulgaria show how domestic and foreign politics nourish each other. The establishment of a high-level co-operation council, and other high-level contacts between Turkey and Bulgaria, alongside burgeoning bilateral trade and cultural contacts, will certainly enrich both countries. However, these positive developments should not overshadow the need for more reform, particularly in the field of minority rights.

The declaration adopted by the Bulgarian Parliament on 11 January 2012 regarding the expulsion of more than 360 000 Turks from Bulgaria is clearly a step in the right direction. However, this declaration should be followed by concrete measures. One concrete step should be the construction of more places of religious worship. I express my dismay at the inadequate efforts made by Bulgarian authorities to enhance religious freedoms and cultural rights for their Muslim citizens. In fact, recently, the attempt to build a mosque by the office of the grand mufti has been prevented. Furthermore, the issue of pension payments to Turks who emigrated from Bulgaria in the early 1990s should be resolved in an expedient manner.

Taking into account the track record of Bulgaria regarding carrying out reforms, I believe the aforementioned shortcomings will be overcome in the coming years. Thank you for your attention.

THE PRESIDENT* – Thank you, Mr TÜRKEŞ. I call Ms Grozdanova.

Ms GROZDANOVA (*Bulgaria*) – I want to express my gratitude to Mr Volontè for producing an objective and good report for Bulgaria. Bulgaria considers the advancement of universal human rights and fundamental freedoms as a core value of its domestic and foreign policy. The Bulgarian constitution and the relevant national legislation ensure the protection of human rights in accordance with the highest international standards.

I will not repeat the facts that have already been mentioned, but members need to know that Bulgaria made fundamental changes to its legislation between 2010 and 2012. I am sure that we no longer have structural problems in our legislation, but we must use it to its full potential.

Amendments have been made to the legislation on the liability for damage caused by the state or municipalities, with the aim of ensuring effective compensation for persons affected by the unlawful acts or omissions of civil servants. Those legislative changes and administrative measures were greatly facilitated by the expert opinions of the Venice Commission.

In 2012, the Committee of Ministers of the Council of Europe adopted a resolution on the implementation by Bulgaria of the Framework Convention for the Protection of National Minorities, in which it is explicitly recognised that the Bulgarian authorities have adopted an inclusive approach regarding the personal scope of the application of the Convention. In November of the same year, Bulgaria presented its third report on the implementation of the Convention.

In 2010, Bulgaria successfully concluded its first universal periodic review before the United Nations Human Rights Council. In 2012, my country successfully presented its reports to the Committee on the Elimination of Discrimination against Women and the Committee on Economic, Social and Cultural Rights.

Bulgaria is not the worst country in the Council of Europe or the European Union. We need acknowledgement and trust from the Council of Europe in order to proceed in the right direction.

THE PRESIDENT* – Thank you, Ms Grozdanova. I call Mr Vareikis.

Mr VAREIKIS (*Lithuania*) – We are discussing a country that wants to finish the monitoring procedure and to be voted a free and independent country. Bulgarian history, like the history of my country, is not simple. It has seen the occupation of different empires. It had a very strange history in the 20th century. I am sorry to say that it has made several mistakes. It has not always chosen the right side, including in the First World War and the Second World War. Finally, it was occupied by the Soviet Union. That was a mental occupation.

Many of its current political ideas and decisions are not the right ones, particularly with regard to the Turkish and Roma speaking minorities. However, if one looks at the last 20 years of Bulgaria's history, one sees that it is generally going in the right direction. My suggestion is that we finish the post-monitoring procedure and say that it is a full democracy. Later, we will see how this country is really developing. It is now a country of the European Union and of NATO. There are therefore many factors that will not permit it to go backwards. I suggest that the Assembly supports the report because we need to say that Bulgaria's development has been right and that the post-monitoring procedure is finished.

THE PRESIDENT* – Thank you, Mr Vareikis. I call Mr Loutfi.

Mr LOUTFI (*Bulgaria*)* – All international agencies, including PBC, CNN and France Inter to mention just a few, have reported that on 19 January, there was an attack on the president of the Movement for Rights and Freedoms at that party's eighth congress. It is the third largest political party in Bulgaria. Given that monstrous assassination attempt,

everything that is said in Mr Volontè's report about the progress that has been made to establish and consolidate the values and principles of democracy in Bulgaria seems all too strange.

I would like to draw the Assembly's attention to the problems in relation to the freedoms of conscience and expression, which are completely stifled in Bulgaria. Some media, however, have managed to safeguard their independence.

I would like to emphasise the importance of the rule of law in respect of the fight against corruption and organised crime. The struggle in that area has been a crushing failure for the current government.

I would also like to raise the rights and freedoms of minorities. My party, the liberal party, champions the rights and freedoms of all Bulgarian citizens, but especially those of minorities. Religious and cultural freedoms require that the teaching of the Turkish language is mandatory on the school curriculum. One of the priorities of our Assembly is the integration into society of national minorities. Let us not forget that cultural expression is the guarantor of freedom in a country.

I draw your attention to a trial that is currently under way against the imams of the Rhodope region in Bulgaria. They are accused of impairing the security of my country. In my opinion, the Bulgarian authorities wish to give a political dimension to that trial.

Given what I have just said and in the light of my concern over the way in which democracy is evolving in Bulgaria, I suggest that the post-monitoring dialogue should be extended. I would even say that the consideration should cover the situation in Bulgaria after it entered the Council of Europe, because the country needs to be a genuine democracy.

THE PRESIDENT* – Thank you, Mr Loutfi. I call Mr Chisu, an Observer from Canada.

Mr CHISU (*Observer from Canada*) – I am pleased to have the opportunity to participate in this debate. As a Canadian parliamentarian with strong eastern-European roots, I read with great interest the report and draft resolution on the progress in Bulgaria subsequent to the Assembly's monitoring procedure that was completed in 2000.

Bulgaria's important reforms in respect of the functioning of the judiciary, combating corruption and organised crime, the implementation of the decisions of the European Court of Human Rights, and combating human rights abuses by the law enforcement authorities speak to Bulgaria's genuine commitment to the rule of law, human rights and democracy.

The specific reforms prescribed by the rapporteur, Mr Luca Volontè, are well developed and offer a detailed road map to help Bulgaria complete its project of democratic and legal reform. Bulgaria is to be commended for creating the favourable conditions that have enabled that to happen.

Bulgaria is an important member of the international community and a valuable partner in a number of important regions, including the Balkans and the Middle East. It has enhanced its relationship with Turkey and offered to provide technical assistance to support the transition to democracy in Iraq, Egypt and Tunisia. It also provides significant support to the

International Security Assistance Force in Afghanistan, where the number of Bulgarian troops stood at 581 in December 2012.

There are a number of areas of continuing concern, but efforts have been made to curb corruption, which appears to be a pervasive and ingrained social problem. The European Union, through its co-operation and verification mechanism assessment for the period between 2007 and 2012, concluded that Bulgaria's efforts need to be stepped up. Transparency International's corruption perception index ranked Bulgaria 75th out of 176 countries. Concerns about corruption are one of the principal reasons for resistance in some European countries to Bulgaria's joining the Schengen passport-free zone in Europe.

Overall, the committee's post-monitoring dialogue assessment is encouraging, and gives confidence that the foundation is now in place for Bulgaria to meet fully its commitments to the Council of Europe. That can only be a positive development for Europe and the international community.

THE PRESIDENT* – That concludes the list of speakers. I call Mr Volontè, rapporteur, to reply. You have three minutes remaining.

Mr VOLONTÈ (*Italy*)* – We knew you were a generous person before that offer, Madam President, and we recognise it even more now. This is my last report on post-monitoring in the Assembly. Thank you for the attention you have devoted to this report; I thank those who have been critical of the work as well as those who have been flattering. Even those who have criticised it have done so honestly and without bias, despite the approaching election campaign in Bulgaria.

I would like to respond to some of the specific points made. Tiny Kox and our Bulgarian colleague Mr Loutfi asked about a young Muslim man who tried to kill Ahmed Dogan recently. They used the case to cast doubt on the level of democracy in Bulgaria, but you could say the same about Norway because of Breivik. There are mad people in all our countries. That does not say anything about security, the mental health of all citizens or the state of democracy there. Of course these are terrible events that should be condemned, but if you are saying that they indicate a crisis of democracy, you need to be a little cautious about how you put things.

In our resolution, which was originally designed to close post-monitoring, we asked Bulgaria to do many things. We recognise that it has taken major, sustainable steps, but we would ask many countries to do the same things. Somebody said, "Let us be honest." Let us all try to be honest and use the same yardstick now that we have used in the past and might have to use again in future. On rejecting the closure of post-monitoring, look at a country like Italy, which has criminalised defamation and where recently, under different governments, there have been attacks against the Roma. Why did you not introduce post-monitoring there? We all have less desirable aspects. There is no absolutely perfect and transparent democracy; we are all undergoing a process. We should recognise which countries have made major steps forward that correspond to European standards, and which have demonstrated that they are willing to make further steps. That is the whole point of post-monitoring.

What it boils down to is that I think the most reasonable approach at this stage is not actually to close the post-monitoring but to allow it to carry on for another year, and to continue to keep an eye on Bulgaria.

THE PRESIDENT* – Does the chairperson of the Monitoring Committee wish to speak?

Mr HERKEL (*Estonia*) – On behalf of the committee, I thank the Bulgarian delegation for the good spirit of co-operation that we have always had. I congratulate and thank our rapporteur, Mr Volontè. As he said, unfortunately, it is his last monitoring report, regardless of the result of the upcoming vote.

As has been mentioned in interventions, significant achievements have been made but problems remain in the judiciary, freedom of the media, elections and so on. There are three options: you must vote whether to close monitoring, continue it or restrict it to some areas. I would like our Bulgarian colleagues and Bulgaria to address the remaining problems and resolve them, whatever decision we make today and whatever the result of our vote is. I thank you once again. Last but not least, I thank our secretariat.

THE PRESIDENT* – The debate is closed.

The Monitoring Committee has presented a draft resolution, to which 14 amendments have been tabled and one oral amendment. They will be taken in the order in which they appear in the compendium and the Organisation of Debates.

I remind you that speeches on amendments are limited to 30 seconds.

I understand that the chair of the committee wishes to propose to the Assembly that the following amendments, which were unanimously approved by the committee, should be declared as agreed by the Assembly under Rule 33.11. Amendments 4 and 5 were also unanimously agreed to, but as sub-amendments have been proposed, they cannot be taken under Rule 33.11. The amendments that have been unanimously agreed are Amendments 7, 10, 8 and 1 to the draft resolution. Is that so, Mr Herkel?

Mr HERKEL (*Estonia*) – Yes.

THE PRESIDENT* – Does anyone object? That is not the case.

As there is no objection, I declare that Amendments 7, 10, 8 and 1 to the draft resolution are agreed. We will proceed to consider the remaining amendments in the order set out in the Organisation of Debates. I remind members that speeches on amendments are limited to 30 seconds.

The following amendments have been adopted:

Amendment 7, tabled by Mr Luca Volontè, Mr Thierry Mariani, Ms Marie-Jo Zimmermann, Mr Hans Franken, Mr Joseph O'Reilly, Mr Václav Kubata, Mr Rom Kostřica, which is, in the draft resolution, after paragraph 9, insert the following paragraph:

“The Assembly appreciates the important efforts made by the Bulgarian authorities, in particular the ratification of the Money Laundering Convention by the parliament on 19 December 2012, which was a significant step in the right direction and confirms the sustainability and irreversibility of the democratic process. The Assembly strongly encourages the Bulgarian parliament and government to fully implement all the provisions of that Convention.”

Amendment 10, tabled by Mr Luca Volontè, Mr Thierry Mariani, Ms Marie-Jo Zimmermann, Mr Pieter Omtzigt, Mr Hans Franken, Mr Joseph O'Reilly, Mr Václav Kubata, Mr Rom Kostřica, which is, in the draft resolution, after paragraph 17.2.4, insert the following paragraph:

“ensure full implementation of the Money Laundering Convention, which was recently ratified by the parliament and is an important step forward for the country;”.

Amendment 8, tabled by Mr Luca Volontè, Mr Thierry Mariani, Ms Marie-Jo Zimmermann, Mr Pieter Omtzigt, Mr Hans Franken, Mr Joseph O'Reilly, which is, in the draft resolution, paragraph 17.5.1, after the words “against minorities”, insert the following words: “, in particular any aggressive action against Roma and Sinti peoples,”.

Amendment 1, tabled by Mr Latchezar Toshev, Mr Kirtcho Dimitrov, Mr Hans Franken, Ms Dzhema Grozdanova, Mr Agustín Conde, Mr Piotr Wach, which is, in the draft resolution, paragraph 17.5.4, replace the words “former prisoners” with the following words: “former political prisoners”.

Explanatory note: In this prison, there have also been prisoners convicted for criminal offences. It is necessary to indicate clearly that the recommendation concerns the former prisoners sent there for political reasons, repressed by the communist regime in Bulgaria. It is good to say that in this prison people have also been detained without a legal sentence by a court and have not been treated as prisoners, but as inmates in a concentration camp. The recommendation should also cover this case.

We come to Amendment 3, tabled by Mr Stoilov, Mr Schennach, Mr von Sydow, Mr Iwiński, Mr Marcenaro, Ms Durrieu, Mr Moriau, Mr Xuclà, Lord Anderson, which is, in the draft resolution, paragraph 3, to replace the words “notes with satisfaction that the Bulgarian authorities have shown” with the following words: “expects that the Bulgarian authorities show”.

I call Mr Stoilov to support Amendment 3.

Mr STOILOV (*Bulgaria*) – Authorities in Bulgaria are of a contradictory character. For that reason, it is better to insert expectation instead of assessment, in order to encourage Bulgarian authorities to continue their action and improve results in applying the standards of the Council of Europe.

THE PRESIDENT* – Does anyone wish to speak against the amendment?

I call Ms Grozdanova.

Ms GROZDANOVA (*Bulgaria*) – I oppose the amendment because if we say that the Assembly “expects that the Bulgarian authorities show”, it means that we have not done anything until now – that there has been no development and no commitment – and that is not true.

THE PRESIDENT* – What is the opinion of the committee?

Mr HERKEL (*Estonia*) – The committee was in favour.

THE PRESIDENT* – The vote is open.

Amendment 3 is adopted.

We come to Amendment 4, tabled by Mr Stefan Schennach, Mr Björn von Sydow, Mr Tadeusz Iwiński, Mr Pietro Marcenaro, Ms Josette Durrieu, Mr Patrick Moriau, Mr Jordi Xuclà, Lord Donald Anderson, Mr Yanaki Stoilov, which is, in the draft resolution, after paragraph 17.1.5.3, insert the following paragraph:

“carry out the upcoming elections of the new member of the Constitutional Court and of the Chief Inspector of the Inspectorate to the Supreme Judicial Council in accordance with the highest standards of professionalism and integrity as opposed to the demonstrated bad practices.”

I call Mr Schennach to support Amendment 4.

Mr SCHENNACH (*Austria*) – The judiciary has to be exemplary, as should be its professionalism and integrity, particularly in the Supreme Judicial Council.

THE PRESIDENT* - I have received an oral sub-amendment to Amendment 4 from the Monitoring Committee, which is:

“in Amendment 4, delete the words ‘as opposed to the demonstrated bad practices’.”I

I remind the Assembly of Rule 33.7.a, which enables the President to accept an oral amendment or sub-amendment on the grounds of promoting clarity, accuracy or conciliation and if there is not opposition from 10 or more members to its being debated.

I call Mr Hancock to support the oral sub-amendment.

Mr HANCOCK (*United Kingdom*) – I suggested this change in the committee, and I am delighted to say that it was agreed. As it is, the amendment suggests that there is a choice to be made: you can make all these changes with professionalism and integrity, or, if you choose, you can demonstrate bad practice. We want it to be done properly, and to allude to bad practices being an option is not, in my opinion, a sane way of doing business.

THE PRESIDENT* - Does anyone wish to speak against the oral sub-amendment? That is not the case.

What is the opinion of the mover of the amendment?

Mr SCHENNACH (*Austria*)* - I am in support.

THE PRESIDENT* - The committee is in favour. The vote is open.

The oral sub-amendment is adopted.

Does anyone wish to speak against Amendment 4, as amended? That is not the case. The committee is in favour.

The vote is open.

Amendment 4, as amended, is adopted.

I have received Oral Amendment 1 from the Monitoring Committee, which reads as follows:

“In the draft resolution, paragraph 17.5.1, before the word ‘minorities’, insert the word ‘all’.”

I remind the Assembly of Rule 33.7.a, which enables the President to accept an oral amendment or sub-amendment on the grounds of promoting clarity, accuracy or conciliation and if there is not opposition from 10 or more members to its being debated. That is not the case.

I call Mr Hancock to support Oral Amendment 1.

Mr HANCOCK (*United Kingdom*) – I was delighted that this was, I think, unanimously accepted by the committee and certainly by the proposers because it makes an improvement. It makes it clear the Council of Europe recognises that all minorities need this protection, and we are not prepared to separate the differences here. We accept that all should be served with the same sense of purpose.

THE PRESIDENT* - Does anyone wish to speak against the oral amendment?

That is not the case. The committee is in favour.

The vote is open.

Oral Amendment 1 is adopted.

We come to Amendment 13, tabled by Mr Latchezar Toshev, Mr Kirtcho Dimitrov, Mr Hans Franken, Mr Petar Petrov, Mr Gebhard Negele, Ms Dzhema Grozdanova, Mr Piotr Wach, Mr Václav Kubata, Mr Egidijus Vareikis, which is, in the draft resolution, paragraph 17.5.2, delete the words “, in view of the non-recognition of the existence in Bulgaria of the Pomak and Macedonian minorities,”.

Explanatory note: In Bulgaria there is no system of recognition of the ethnic minorities by the state. Everyone has the liberty of ethnic self-identification and the right to decide alone whether or not they belong to one or another minority. In Bulgaria there are several registered legal entities - NGOs of people who identify themselves as Macedonians.

I call Mr Toshev to support Amendment 13.

Mr TOSHEV (*Bulgaria*)* - I suggest that we delete this special recommendation to give special mention to minorities because in Bulgaria in 2000, when we ratified the framework convention, we decided not to follow the German example to have a list of recognised minorities and to reject the others, but to recognise the right of self-identification of each group without the intervention of parliament, so that they could directly enjoy the rights and freedoms described in the framework convention. That is a different system, and it was approved by the Council of Europe. For us, it is better than opening Pandora's box and asking parliament to vote in favour of or against one particular minority.

THE PRESIDENT* - Does anyone wish to speak against the amendment?

I call Mr Cilevičs.

Mr CILEVIČS (*Latvia*) – I am against this proposal because what Mr Toshev said is not completely fair. It is not written in legislation which minorities are recognised and which are not, but we know what the practice is. These two minorities are not represented in the minority councils and we are well aware of several judgments of the European Court of Human Rights about refusal to recognise official organisations representing the minorities.

THE PRESIDENT* - What is the opinion of the committee?

Mr HERKEL (*Estonia*) – The committee is in favour.

THE PRESIDENT* - The vote is open.

Amendment 13 is adopted.

We come to Amendment 11, tabled by Ms Pelin Gündeş Bakir, Mr Rovshan Rzayev, Mr Şaban Dişli, Mr Ahmet Kutalmış Türkeş, Mr Cezar Florin Preda, Mr Florin Iordache, Ms Tülin Erkal Kara, which is, in the draft resolution, after paragraph 17.5.5, insert the following paragraph:

“ensure and guarantee equal opportunities in public employment to persons belonging to minorities.”

I call Ms Gündeş Bakir to support Amendment 11.

Ms GÜNDEŞ BAKIR (*Turkey*) – Public employment is a facilitator for economic and social integration of minorities, which is a basic human right. There should be no discrimination in that. I call all colleagues to support the amendment.

THE PRESIDENT* - I have received an oral sub-amendment to Amendment 11 from the Monitoring Committee, which reads as follows:

“In amendment 11, delete the words ‘and guarantee’.”

I remind the Assembly of Rule 33.7.a, which enables the President to accept an oral amendment or sub-amendment on the grounds of promoting clarity, accuracy or conciliation and if there is not opposition from 10 or more members to its being debated.

In my opinion the oral sub-amendment meets the criteria of Rule 33.7.a. Is there any opposition to the amendment being debated?

That is not the case.

I call Mr Hancock to support the oral sub-amendment.

Mr HANCOCK (*United Kingdom*) – I am pleased to say that members accepted the idea that you cannot possibly include the word “guarantee” because it would be open to challenge every time someone did not get a job. They could say, “But you guaranteed that I would have an equal opportunity.” The word “ensure” means that everyone should be given that opportunity, but you cannot provide an absolute guarantee in every circumstance.

THE PRESIDENT* - Does anyone wish to speak against the oral sub-amendment?

That is not the case.

What is the opinion of the mover of the amendment?

Ms GÜNDEŞ BAKIR (*Turkey*) – It is admissible.

THE PRESIDENT* - The committee is in support. The vote is open.

The oral sub-amendment is adopted.

Does anyone wish to speak against Amendment 11, as amended? That is not the case.

What is the opinion of the committee?

Mr HERKEL (*Latvia*) – The committee is in favour.

THE PRESIDENT* - The vote is open.

Amendment 11, as amended, is adopted.

We come to Amendment 12, tabled by Ms Pelin Gündeş Bakir, Mr Rovshan Rzayev, Mr Şaban Dişli, Mr Ahmet Kutalmış Türkeş, Mr Cezar Florin Preda, Mr Florin Iordache, Ms Tülin Erkal Kara, which is, in the draft resolution, after paragraph 17.5.5, insert the following paragraph:

“sign and ratify bilateral agreements on Social Security with Turkey.”

I call Ms Gündeş Bakir to support Amendment No. 12. You have 30 seconds.

Ms GÜNDEŞ BAKIR (*Turkey*) – There is no bilateral agreement between Bulgaria and Turkey on social security. This affects in a negative way the social rights of many ethnic minorities, including Pomaks, Roma, the Goranis and the Turkish minority who have migrated to Turkey from Bulgaria. This is the reason behind the amendment, and I call all colleagues to support it.

THE PRESIDENT* – I call Ms Grozdanova to speak against the amendment.

Ms GROZDANOVA (*Bulgaria*) – I am against the amendment because we have these agreements – the first from 1999 and the last from 2010. I have an official statement from our Minister of Social Affairs, which I gave to my colleagues.

THE PRESIDENT* – What is the opinion of the committee?

Mr HERKEL (*Estonia*) – The committee is against.

THE PRESIDENT* – The vote is open.

Amendment 12 is rejected.

THE PRESIDENT* – We come to Amendment 5, tabled by Mr Yanaki Stoilov, Mr Stefan Schennach, Mr Björn von Sydow, Mr Tadeusz Iwiński, Mr Pietro Marcenaro, Ms Josette Durrieu, Mr Patrick Moriau, Mr Jordi Xuclà and Lord Donald Anderson, which is, in the draft resolution, after paragraph 17.5.5, insert the following paragraph:

“With regards to the Electoral Code and electoral process:

in order to apply Council of Europe standards and to answer the identified concerns and recommendations of the OSCE, the Bulgarian Parliament should adopt amendments to the Electoral Code in order to ensure the equality and transparency of the electoral process and free and fair parliamentary elections in the summer of 2013.”

I call Mr Stoilov to support Amendment 5.

Mr STOILOV (*Bulgaria*) – The draft report contains a section on the electoral code, but there is no such section in the draft resolution. Besides which, the last president, during local elections in 2011, used mass application of controlled vote and administrative pressure, and there were other problems. The OSCE mission made a number of recommendations for amendments to the electoral code.

THE PRESIDENT* – I have received oral sub-amendment 1 to Amendment 5 from the Monitoring Committee, which reads as follows:

“In amendment 5, after the word ‘should’ insert the following words ‘as soon as possible’.”

I remind the Assembly of Rule 33.7.a, which enables the President to accept an oral amendment or sub-amendment on the grounds of promoting clarity, accuracy or conciliation and if there is not opposition from 10 or more members to it being debated.

In my opinion the oral amendment meets the criteria of Rule 33.7.a. Is there any opposition to the amendment being debated?

That is not the case.

I call Mr Hancock to support the oral sub-amendment on behalf of the Monitoring Committee.

Mr HANCOCK (*United Kingdom*) – Once again, I am responsible for moving this oral sub-amendment at the committee. I did so because I felt that, if you are going to say something as strong as this, you really want it to be assumed that it will take place as soon as possible, so adding those words is beneficial.

THE PRESIDENT* – Does anyone wish to speak against the oral sub-amendment?

That is not the case.

What is the opinion of the mover of the main amendment?

I call Mr Stoilov.

Mr STOILOV (*Bulgaria*) – In favour.

THE PRESIDENT* – The committee is obviously in favour of the oral sub-amendment.

The vote is open.

Oral sub-amendment 1 is adopted.

We now come to the second oral sub amendment to amendment 5, as amended, from the Monitoring Committee, which reads as follows:

“In amendment 5, replace the words ‘free and fair’ with the following words ‘fully in line with international standards for the next’”

I remind the Assembly of Rule 33.7.a, which enables the President to accept an oral amendment or sub-amendment on the grounds of promoting clarity, accuracy or conciliation and if there is not opposition from 10 or more members to it being debated.

In my opinion the oral sub-amendment meets the criteria of Rule 33.7.a. Is there any opposition to the amendment being debated?

That is not the case.

I call Mr Herkel to support the oral sub-amendment on behalf of the Monitoring Committee.

Mr HERKEL (*Estonia*) – After a long and interesting discussion, the committee found that “fully in line with international standards” is more precise than “free and fair”.

THE PRESIDENT* – Does anyone wish to speak against the oral sub-amendment?

That is not the case.

What is the opinion of the mover of the amendment?

Mr STOILOV (*Bulgaria*) – I am not opposed.

THE PRESIDENT* – The committee is obviously in favour of the oral sub-amendment.

The vote is open.

Oral sub-amendment 2 is adopted.

Does anyone wish to speak against Amendment 5, as amended?

That is not the case.

The committee is obviously in favour.

I shall now put the amendment, as amended, to the vote.

The vote is open.

The vote is closed.

Amendment 5, as amended, is adopted.

THE PRESIDENT* – We come to Amendment 6, tabled by Ms Dzhema Grozdanova, Ms Romana Tomc, Ms Elvira Kovács, Ms Chiora Taktakishvili, Ms Theodora Bakoyannis, which is, in the draft resolution, replace paragraph 20 with the following paragraph:

“The Assembly resolves to close the post-monitoring dialogue with the Bulgarian authorities.”

If this amendment is adopted, Amendments 9 and 14 fall.

I call Ms Grozdanova to support Amendment 6.

Ms GROZDANOVA (*Bulgaria*) – As I said in my speech, we made great efforts to fulfill the recommendations of Resolution 1730, which came after Mr Holovaty’s report in 2010. This report was bad, because my two colleagues from Bulgaria, who are here now and speak against their own country, did nothing to fulfill the recommendations for an eight-year period. I am in favour of closing the post-monitoring dialogue with Bulgaria.

THE PRESIDENT* – Does anyone wish to speak against the amendment?

I call Mr Stoilov.

Mr STOILOV (*Bulgaria*) - This amendment is a big challenge to the credibility of the Parliamentary Assembly of the Council of Europe. You have to know that, without external observation, the situation in Bulgaria most probably will deteriorate. That is a reason to fulfil many requirements and, after that, to assess the situation in Bulgaria again.

THE PRESIDENT* – What is the opinion of the committee?

Mr HERKEL (*Estonia*) – The committee was against.

THE PRESIDENT* – The vote is open.

Amendment 6 is rejected.

We come to Amendment 9, tabled by Mr Luca Volontè, Mr Thierry Mariani, Ms Marie-Jo Zimmermann, Mr Joseph O'Reilly, Mr Václav Kubata, Mr Rom Kostřica, which is, in the draft resolution, paragraph 20, replace the word “continue” with the word “close”.

[If Amendment 9 is adopted, Amendment 14 falls.](#)

I call Mr Volontè to support Amendment 9.

Mr VOLONTÈ (*Italy*)* – The reasoning is the same as Ms Grozdanova just explained. The intention is to close the post-monitoring dialogue. We want an arrangement based on the situation in November. Closing the dialogue would not be a step back into the dark. We have had 12 years of progress, so ending monitoring would imply confidence in the reform process in Bulgaria.

THE PRESIDENT* – Does anyone wish to speak against the amendment?

I call Mr Kox

Mr KOX (*Netherlands*) – We just rejected exactly the same amendment. It would have been more polite of the rapporteur not to move his amendment. We decided not to close the dialogue, and we should stick to the decision we took 30 seconds ago.

THE PRESIDENT* – What is the opinion of the committee?

Mr HERKEL (*Estonia*) – The committee is against.

THE PRESIDENT* – The vote is open.

Amendment 9 is rejected.

We come to Amendment 14, tabled by Mr Latchezar Toshev, Mr Kirtcho Dimitrov, Mr Václav Kubata, Mr Hans Franken, Mr Egidijus Vareikis, Mr Emanuelis Zingeris, which is, in the draft resolution, paragraph 20, after the words “post-monitoring dialogue with Bulgarian authorities”, insert the following words: “in respect of reform of the Judiciary, Media freedom and transparency of ownership, as well as the revision of the Electoral Code”.

I call Mr Toshev to support Amendment 14.

Mr TOSHEV (*Bulgaria*) – As I said in my speech, after 13 years it makes no sense to continue with such wide-ranging items in the post-monitoring dialogue. We should concentrate on the most important ones, otherwise we will duplicate the work of other committees. This should be avoided. That is why I suggest concentrating on three issues: reform of the judiciary, freedom of media and transparency of their ownership and amendments to the electoral code. That is how I propose continuing with the post-monitoring dialogue.

THE PRESIDENT* – Does anyone wish to speak against the amendment?

I call Mr Kox.

Mr KOX (*Netherlands*) – We have now voted twice against closing the monitoring committee. I propose that we stick to that decision, vote against this amendment and keep with the post-monitoring, because it is in the benefit of the people of Bulgaria.

THE PRESIDENT* – What is the opinion of the committee?

Mr HERKEL (*Estonia*) – In this case, the committee was in favour.

THE PRESIDENT* – The vote is open.

Amendment 14 is adopted.

We will now proceed to vote on the whole of the draft resolution contained in Document 13085, as amended.

The vote is open.

The draft resolution in Document 13085, as amended, is adopted, with 108 votes for, 9 against and 5 abstentions.