Note for the attention of the Presidency  
Plenary Session of the European Parliament  
4 - 7 February 2013

Item: Rule of law and freedom in Bulgaria  
Debate foreseen Wednesday 6 February 2013 afternoon.

Check against delivery

SPEAKING POINTS

President, Honourable Members,

The Presidency recognizes the right of this House to debate issues related to the functioning of any one Member State where these potentially touch on issues relating to the basic values and principles which underpin the European Union. You will however appreciate that the Presidency cannot take a view on issues where the Council has neither discussed nor adopted a position. I will therefore limit myself to a few remarks which are of a more general nature but which are nevertheless important to the wider
context. I hope they will also clarify the situation from the point of view of the Council.

Firstly, and importantly, I would like to stress one point which is well-known to all of us - that the European Union is founded on a number of basic values and principles which are set out in the Treaties. These values and principles, which include freedom, democracy and the rule of law, are also enshrined in the constitutional traditions of the Member States.

The Council attaches particular importance to ensuring that these values and principles are fully respected. I know that this House also fully shares that view.

All Member States are required to ensure that their legislation respects the basic values on which the EU is founded. But the rule of law and democratic values have not only to be enshrined in texts, but also put into practice. That means that legislation has to be respected and enforced. If there are any concerns or doubts that this is not the case, this is first and foremost a matter for the Commission.

As far as Bulgaria is concerned, it is one of two Member States which are the subject of a Cooperation and Verification Mechanism (CVM) established when it entered the EU in 2007. This mechanism is designed to assist it in the areas of judicial reform and the fight against corruption and organised crime. The Commission reports regularly under the CVM, most recently - in the case of Bulgaria - last July. In the light of this report the
Council adopted conclusions in September 2012 which are publicly available. These conclusions touch on the issue of the rule of law.

President, Honourable Members

I hope you will understand that I am not in a position to offer a more detailed contribution to this afternoon's debate. I speak as Presidency of the Council, and therefore in the name of all 27 Member States. I will however listen with interest to this debate and take good note of your comments.