

Strengthening the rule of law through increased awareness, an annual monitoring cycle and more effective enforcement

Building on the lessons learnt since 2014 and detailed consultations since April this year, the Commission has today decided on a series of measures to further strengthen the rule of law in Europe. Over the past five years, the European Commission has had to deal with a series of challenges to the rule of law in the European Union. The European project relies on constant respect of the rule of law. This is a prerequisite for citizens to enjoy their rights under EU law and for mutual trust among Member States. A Eurobarometer public opinion survey released today shows that more than 80% of citizens attach great importance to respect of the rule of law, and feel that it needs to be improved. 89% of citizens the need for the rule of law to be respected in all other EU Member States.

First Vice-President Frans **Timmermans** said today: *"The European Court of Justice has recently reaffirmed that the rule of law is essential for the functioning of the EU. Its importance is also recognised by an overwhelming majority of EU citizens. However, it has come under attack in several ways in the past five years. The European Commission has been fighting hard to resist these attacks with the tools available to us, and will continue to do so. Today we have decided to further strengthen our toolbox, to promote, protect and enforce the rule of law."*

The Commission is today setting out **concrete initiatives grouped around 3 pillars: promoting a rule of law culture; preventing rule of law problems; and responding effectively to breaches of the rule of law.** *As guardian of the Treaties, the European Commission has a unique role. However, all Union institutions and Member States are responsible for guaranteeing the respect of the rule of law as a fundamental value of our Union. Beyond that, an effective response also requires the support of civil society. The Commission is also calling on all to act.*

To promote a common rule of law culture across Europe, the Commission will follow up on the idea of a dedicated annual event for dialogue with civil society. It will make full use of funding possibilities to empower stakeholders, including civil society, to promote the rule of law, and set up a dedicated communication strategy on the rule of law. The Commission will strengthen cooperation with the Council of Europe and other international organisations, as well as with judicial networks and national parliaments. The Commission calls on the European Parliament, the Council and Member States to engage fully in this process.

To prevent rule of law problems from emerging, the Commission has decided to set up a **Rule of Law Review Cycle, including an annual Rule of Law Report**

covering all EU Member States. This additional system will assist early detection of emerging rule of law problems wherever they appear. The Commission will deepen its monitoring of rule of law developments and invite all Member States to engage in a mutual exchange of information and dialogue, including through a network of national contact persons. There should be a dedicated follow-up on the annual report with the Parliament and the Council. The Commission will also further develop the EU Justice Scoreboard and strengthen the dialogue with other EU institutions, Member States, European political parties and stakeholders.

For an effective common response to rule of law breaches, the Commission **will continue to make full use of its enforcement powers**, if early detection and prevention measures are not effective. The Commission will adopt a strategic approach to infringement proceedings, bringing cases to the Court of Justice of the EU as necessary. In the light of the time sensitivity of such cases, the Commission will request interim measures and expedited procedures when needed. The Commission will also constructively support Member States in de-escalation and resolution of rule of law issues for the situation to be restored in a sustainable manner. In addition, the Commission calls on the European Parliament and the Council to reflect on a collective approach to managing Article 7 TEU cases with clear procedural rules.

The rule of law: a shared value for all Europeans

The results of a Eurobarometer public opinion survey released today show that citizens attach great importance to the respect of the rule of law:

- More than 8 in 10 citizens say that effective judicial protection by independent courts, equality before the law and proper investigation and prosecution of corruption, are important to them.
- More than 8 in 10 citizens say that the rule of law needs to be respected in all other Member States.
- Over 80% of citizens in the EU support improvements regarding key rule of law principles.
- A majority of citizens (56%) do not feel sufficiently informed about the rule of law situation.

The Eurobarometer also shows strong support for the role of media and civil society in holding those in power to account, with more than 8 in 10 citizens considering it important that media and civil society can operate freely and criticise the government without risk of intimidation.

Background

In its Communication of 3 April 2019, the Commission presented an overview of the existing rule of law toolbox and launched a consultation on the necessary reforms. Over 60 written contributions were received and debates and discussion were held within the EU institutions, with Member States, international organisations, judicial networks, civil society and academia. Today's Communication takes into account this debate.

The European Union is based on a set of shared values, including fundamental

rights, democracy, and the rule of law. These are the bedrock of our societies and common identity. No democracy can thrive without independent courts guaranteeing the protection of fundamental rights and civil liberties, or without an active civil society and free media ensuring pluralism.

The rule of law has a direct impact on the life of every citizen: it is a precondition for ensuring equal treatment before the law and the defence of individual rights, for preventing abuse of power by public authorities and for decision-makers to be held accountable. The rule of law determines how accountably laws are set, how fairly they are applied, and how effectively they work. It also covers institutional issues such as independent and impartial courts, and the separation of powers.

For More Information

[17 July Rule of Law Communication](#)

[Rule of law Eurobarometer including report, country factsheets and infographic](#)

[Contributions to the rule of law debate](#)

[3 April Rule of Law Communication](#)