en

News | 17.07.2019

European Commission's New Proposals on Rule of Law Fall Short Once Again

The European Commission - and its new President, Ursula Von der Leyen - has promised that "there can be no compromise" when it comes to upholding the rule of law across the European Union. Yet despite the urgency of the situation, both Von der Leyen's promises and the concrete proposals presented today by the European Commission remain deeply insufficient.

The whole point of the rule of law is that it protects our democratic rights from political interference. It's supposed to avoid the possibility that a political party or government could simply undermine the justice system, strip away the rights of citizens, and create a totalitarian state where their power is forever perpetuated. It's the cornerstone of a functioning democracy.

Obviously, you can't guarantee protection against political interference if the process of dealing with it is also plagued with it. Ensuring protection for the rule of law must be done in conditions of utmost independence. Our proposal is to set up a panel of independent experts to monitor the situation in every EU country, to provide recommendations and to propose sanctions.

But the European Commission, now to be led by a person who refused to answer any specific questions about the constant attacks on the rule of law in Hungary, refuses to entrust the annual reporting to independent experts. The Commission has once again avoided proposing any specific legislation and instead its strategy is to "minimise the risk of confrontation", including by inviting all Member States to set up national contact points to have a better dialogue on rule of law issues.

The scope of the Commission's ambitions is also limited to a narrowly defined understanding of the rule of law which leaves out democracy and fundamental rights. Instead, the Commission focusses on the process of enacting laws, the judiciary, the separation of powers and the capacity to fight corruption. Media pluralism and the integrity of elections are only covered if there is a specific connection with the application of EU law).

Finally, when it comes to sanctioning systematic abuses of the rule of law in specific Member States, the Commission indicates that it will be more strategic when it comes to starting infringement proceedings against Member States, which is definitely welcome. However, although the Commission calls for a swift adoption of the Regulation on Rule of Law Deficiencies, which is so far the only legislative proposal on the table but which is limited to rule of law issues that affect the principles of sound financial management, it fails to make a direct link between EU funding and the upcoming annual monitoring on the rule of law.

It seems we will have to wait until the end of 2020 before the European Commission commits itself to assess the needs for additional mechanisms to fully defend the rule of law in the European Union.

In the meantime, we will push the Council of the European Union to finally make some tangible progress in this field and are working to establish a permanent Rule of Law and Fundamental Rights Monitoring Group within the European Parliament's Civil Liberties committee (LIBE) to make sure that fundamental rights and the rule of law are properly prioritised in the European Union. So watch this space!

For more information:

Read our submission to the European Commission's 'Reflection Process' on the Rule of Law: https://www.greens-efa.eu/en/article/news/defending-fundamental-rights-and-the-rule-of-law-requires-political-will-and-courage/

Read our article in the EU Observer of the Rule of Law and Fundamental Rights: https://euobserver.com/opinion/144677

Recommended

Press release

Leonardo1982



[Parliament puts far-right party on notice]

07.07.2026

Press release

European External Action Service (https://www.flickr.com/photos/eeas/32978511020)



[Now is the time to transform the EU before another Orb…]

21.04.2026

Press release

Foto von Sasun Bughdaryan auf Unsplash



GDPR: MEPs to vote on faster and fairer enforcement

21.10.2025

News

© European Union 2019 - Source : EP



Debriefing of the September Plenary Session

12.09.2025

Responsible MEPs



Terry Reintke

Co-President



Tineke Strik

Member

Contact person



Pam Bartlett Quintanilla

Team leader - Outreach and campaigns



Aleksejs Dimitrovs

Legal Advisor on Civil Liberties, Justice and Home Affairs

Please share

- E-Mail