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[Press release](#) | 08.12.2020

New study shows breaches of rule of law during first Covid wave

Covid-19

Today, Greens/EFA group MEPs working on rights and democracy, have [released](#) a first of kind legal study into the emergency measures taken by EU member states during the first wave of the Covid-19 pandemic, assessing the impact on the democracy and the rule of law, free movement of people, asylum and refugee protections and data protection. The study written by law professors Pierre Thielbörger and Mark Dawson, finds that across the EU, governments have breached EU law and undermined fundamental rights, with potentially lasting consequences.

Terry Reintke MEP, Greens/EFA Vice President and member of the Committee on Civil Liberties, Justice and Home Affairs, comments:

"The nature of this pandemic requires extraordinary short term measures to get the public health situation under control, but these cannot come at the expense of democracy and fundamental rights. In Hungary and Poland, it's clear that some of these measures were deliberately designed to expand the powers of the executive and undermine European values."

"Where there were brazen and obvious breaches of European values, we need to look at how to alter existing regulations, introduce new policies, or close legal loopholes. In future crises, governments need to be able to act under a legally watertight framework that respects the rule of law, when undertaking emergency measures."

"Countries that appear to have intentionally broken the law for their own domestic and ideological aims, such as the changes to the Hungarian constitution and Polish breaches of data protection rules, need to be investigated. Several countries have used the pandemic to subvert their international obligations by suspending asylum procedures and engaging in pushbacks of refugee boats."

More:

The legal analysis looks into the four most affected areas: democracy and the rule of law, free movement

of persons, asylum and refugee protection and data protection. In all of these fields, serious violations of EU standards were found.

The study is available [here](#).

*This study was commissioned by **Terry Reintke MEP** and **Tineke Strik MEP**, on behalf of the Greens/EFA Rights and Democracy cluster of MEPs. This study is the view of the authors and does not represent the views of the Greens/EFA group.*

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