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Parliament votes to take Commission to court over inaction on breaches of the rule of law

Rule of law

The European Parliament has voted on a resolution paving the way to bring the European Commission to the European Court of Justice for inaction over the rule of law, as called for by the Greens/EFA Group. The EU's Rule of Law Mechanism, which has been in place since January the 1st this year, has yet to be triggered by the Commission over breaches of the rule of law that affect the EU's budget. The Parliament voted in March and gave the Commission a deadline of June 1st for the adoption of guidelines and the application of the mechanism. The Commission has missed this deadline and has yet to publish its 'guidelines' on how the mechanism should be triggered. The resolution highlights that this a 'failure to act' by the EU Commission under Article 265 of the TFEU and is the first step in taking the Commission to court.

Terry Reintke MEP, Greens/EFA negotiator and LIBE rapporteur on the Rule of Law Mechanism, comments:

"The EU needs a strong basis we can all stand on, which is spelled out in the treaties: democracy, rule of law and fundamental rights. But this is under attack and being dismantled as we speak. Instead of defending European values, the Commission is watching, writing reports and sitting on its hands. The rule of law needs action now. Unfortunately, it's clear from yesterday's debate in Parliament that the Commission doesn't seem to feel the same sense of urgency to act.

"People in Poland, Hungary and elsewhere need to know that the Commission is on their side and will fight for their rights as EU citizens. The Commission should not need pressure to act on defending the treaties, but if they keep refusing to act, pressure is what they will get. We are taking action against the Commission to make them do their job and defend the rights of European citizens. We, as the Parliament, will not allow the Commission to sit idly by as far-right populist governments rip apart the rule of law in Europe."

Daniel Freund MEP, Greens/EFA negotiator on the Rule of Law Mechanism, comments:

"The Rule of law Mechanism isn't just some shiny souvenir from a hard-wrung struggle in the Council last winter; it's a real tool with real world applications and real sanctions. First the Commission claimed they didn't have the tools to fight the rule of law, but now that we have the tool, it's time to use it. There are clear

examples of breaches of the rule of law that are taking place as we speak, without any need for 'guidelines' to start proceedings. Attacks against NGOs, media freedom and 'foundations' set up to avoid scrutiny over the use of EU funds, all are cause for launching action in Hungary alone. These are attacks by Viktor Orbán on our rights, our values and our money as EU citizens.

"Inaction on the rule of law would be tantamount to accepting the fight for democracy is already lost in several member states. In six months, Hungarian citizens will go to the polls and they need to be able to vote under real democratic standards. We must make sure that Orbán isn't using EU money to steal the election, to control media coverage and ensure that the opposition cannot contest the election fairly. We don't have time to wait."

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Responsible MEPs



Daniel Freund

Member



Terry Reintke

Co-President

Contact person



Alex Johnson

Press & Media Advisor EN (English language press)

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