

# EP: Step up Efforts to Effective Protection of Rule of Law and European Values



## News

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On 16 January 2019, the European Parliament called on all relevant actors at the EU and national levels – including governments, parliaments, and the judiciary – to step up efforts to uphold and reinforce the rule of law.

The statement was made as part of a non-legislative [resolution on the situation of fundamental rights in the European Union in 2017](#). The resolution was adopted with 390 to 153 votes and 63 abstentions.

Besides the rule of law, democracy, and fundamental rights, the resolution also addresses the following aspects:

- Rights of migrants and refugees;
- Women's rights;
- Media freedom, freedom of expression, and freedom of assembly;
- Racism, xenophobia, discrimination, hate speech, and other forms of intolerance.

As regards the rule of law, MEPs condemn the efforts of some Member State governments to weaken the separation of powers and the independence of the judiciary. Despite the fact that most Member States have adopted legislation to ensure judicial independence and impartiality, in compliance with Council of Europe standards, the MEPs are concerned about problems remaining in the way these standards are applied: national judiciaries are left open to political influence; public perceptions are fuelled about interference in the judicial process and about bias among individual judges. According to the MEPs, the separation of powers and the independence of the judiciary are essential towards ensuring the effective functioning of the rule of law in any society.

The EP calls to mind the need for an impartial and regular assessment of the situation with regard to the rule of law, democracy, and fundamental rights in all the Member States. In this context, it reiterates the need to conclude a Union Pact for democracy, the rule of law, and fundamental rights (EU Pact for DRF), as requested in two resolutions in 2016 and 2018 (cf. [eucrim 3/2018](#), p. 144, and [eucrim 4/2016](#), p. 154).

In other areas, the resolution, *inter alia*, denounces increasing restrictions to freedom of speech and freedom of assembly in the EU. Emphasis is also placed on the matter of whistleblowing as being crucial for investigative journalism and press freedom.

MEPs condemn the rise of far-right movements and the trivialisation of hate speech.

They also point out abuses and human rights violations suffered by migrants and refugees in some Member States, in particular with regard to access to territory, reception conditions, asylum procedures, immigration

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ISSN: 1862-6947

<https://eucrim.eu>



detention, and the protection of vulnerable persons. In the context of migration, the interoperability of largescale information systems is acknowledged under the condition that it preserves the necessary safeguards for individuals.

Lastly, the resolution recommends that the EU's Fundamental Rights Agency be more involved if a legislative file raises serious fundamental rights issues.

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The project is co-financed by the Union Anti-Fraud Programme (UAFP), managed by the [European Anti-Fraud Office \(OLAF\)](#).



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