

European Citizens' Initiative on Respect for the Rule of Law Admitted

News

Thomas Wahl

On 3 April 2019, the Commission registered a European citizens' initiative called "Respect for the rule of law within the European Union."

The European citizens' initiative is a democratic participation tool by which citizens may influence EU policy. It was introduced by the Lisbon Treaty. If the Commission has the power to propose legislation, a successful initiative may demand that the Commission to take legislative action.

The "Rule of Law" initiative aims at creating "an objective and impartial evaluation mechanism to verify the application of the European Union's values by all the Member States." The Commission is called upon to "provide the European Union with general legislation [...] to verify the practical application of national provisions relating to the rule of law." In addition, the organisers aim to "facilitate the enforcement of European laws on judicial cooperation in criminal matters (e.g. the European Arrest Warrant)" and to strengthen the role of the European Union Agency for Fundamental Rights.

The Commission held that all admissibility criteria had been fulfilled. In particular, the EU Treaties give the Commission the necessary legislative competences. The Commission is allowed to launch legislative proposals on evaluation of the Member States' implementation of Union policies in the area of freedom, security and justice. It may also draft laws on strengthening the European Union Agency for Fundamental Rights.

The organisers now have one year to collect 1 million statements of support from at least seven different Member States. If this is successful, the Commission must decide whether to follow the request or not. In either case, the Commission must provide a reasoning for its decision.

The initiative accompanies the Commission's Communication to reflect on future EU measures to ensure rule-of-law values, the Commission's decision to launch another infringement proceeding against Poland for not respecting the rule of law in its recent justice reform on disciplinary proceedings against judges, and the adoption of new, more user-friendly rules on European citizens' initiatives by the EP and the Council.

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