Rule of law

The European Union is a community of law, with the rule of law being a basic value since the Union's inception. The President-elect of the European Commission, Ursula von der Leyen, has confirmed a strong commitment to uphold the rule of law, which remains a shared responsibility for all EU institutions and all Member States. However, developments in several EU Member States – for example Czechia, Hungary, Poland, Slovakia and Malta – have raised concerns over how far this commitment is actually being observed in practice, sparking a lively debate across the EU and action in the EU institutions themselves.

This note offers links to recent commentaries, studies and reports from major international think tanks on the rule of law debate.

GENERAL ISSUES

Why can’t the EU’s West and East work as one?
Carnegie Europe, November 2019

So why don’t we just call the whole rule of law thing off, then?
Verfassungsblog, October 2019

Europeans face the risk of democratic regression: What can be done?
Jacques Delors Institute, September 2019

Charting a new path for V4–France cooperation
EUROPEUM, September 2019

Luxemburg as the last resort
Verfassungsblog, September 2019

Fundamental principles under pressure? Democracy and Rule of Law, transformations in the European Union
Reconnect, August 2019

Russian information warfare in Central and Eastern Europe: Strategies, impact, and counter-measures
German Marshall Fund, June 2019

Strengthening the Rule of Law within the European Union: Diagnoses, recommendations, and what to avoid
Reconnect, June 2019
Rules enforcement in the EU: Conditionality to the rescue?  
Jacques Delors Institute Berlin, May 2019

Rule of law infringement procedures: A proposal to extend the EU’s rule of law toolbox  
Centre for European Policy Studies, May 2019

EU policy on strengthening resilience in Moldova, Ukraine and Georgia between the rule of law and oligarchic influence  
European Policy Institutes Network, May 2019

Ten years after EULEX: Key principles for future EU flagship initiatives on the rule of law  
Centre for European Policy Studies, May 2019

Rule of law in the EU beyond political divisions: Budgetary sanctions and a new programme for citizens  
Stefan Batory Foundation, April 2019

Est-Ouest: Réalité et relativité d’un clivage  
Notre Europe, March 2019

Systemic rivalry and balancing interests: Chinese investment meets EU law on the Belt and Road  
Centre for European Policy Studies, March 2019

Can the V4’s priorities shape ‘Europe’s priorities’? The Multiannual Financial Framework 2021-2027  
Institute for Foreign Affairs and Trade, February 2019

Safeguarding democracy in the European Union: A study on a European responsibility  
Heinrich Böll Stiftung, December 2018

Was 2018 der Demokratie in der EU gebracht hat: Und worauf es jetzt ankommt  
Friedrich Ebert Stiftung, November 18

Nationalistic populism and its reception in Central Europe  
Österreichische Gesellschaft für Europapolitik, October 2018

The Polish law on the Supreme Court in light of rulings of the Court of Justice of the EU  
Stefan Batory Foundation, June 2018

Divisions in Europe expose the need for an ambitious reform of the EU  
ÖGfE, June 2018

From pro-European alliance to eurosceptic protest group? The case of the Visegrad Group  
Swedish Institute for European Policy Studies, May 2018

How can Europe repair breaches of the rule of law?  
Notre Europe, April 2018
First victims or last guardians? The consequences of rule of law backsliding for NGOs: Case studies of Hungary and Poland
Centre for European Policy Studies, April 2018

The consensus fights back: European first principles against the rule of law crisis
Verfassungsblog, April 2018
Beneath the surface of illiberalism: The recurring temptation of ‘national democracy’ in Poland and Hungary, with lessons for Europe
Wise Europa, Heinrich Böll Stiftung, February 2017

Five steps the EU must take to protect civil society
Open Society Foundation, January 2018

Illicit democracies in the EU: The Visegrad group and the risk of disintegration
Barcelona Centre for International Affairs, January 2018

Frontiers of democracy: Embedding democratic values in Central and Eastern Europe - Good practices and limits of transferability
Center for European Neighborhood Studies, January 2018

The Commission takes a step back in the fight for the Rule of Law
Verfassungsblog, January 2018

Infringement proceedings as a tool for the enforcement of fundamental rights in the European Union
Open Society Foundations, October 2017

Europe and its discontents: Poland's collision course with the European Union
European Council on Foreign Relations, September 2017

Defending EU values in Poland and Hungary
Carnegie Europe, September 2017

Core European values under threat
Bertelsmann Stiftung, August 2017

The open society and its enemies: An attack against CEU, academic freedom and the rule of law
Centre for European Policy Studies, April 2017

The Commission's decision on 'less EU' in safeguarding the rule of law: A play in four acts
Centre for European Policy Studies, March 2017

INDIVIDUAL COUNTRIES

The role of the Kremlin's influence and disinformation in the Czech presidential elections
European Values, February 2018
Activities of Czech President Miloš Zeman as the Kremlin's Trojan horse
European Values, January 2018

Andrei Babiš and the European Union: What to expect in 2018?
EUROPEUM, January 2018

Can EU funds promote the rule of law in Europe?
Centre for European Reform, November 2017

After the elections in the Czech Republic: The end of liberal democracy in Central Europe?
Heinrich Böll Stiftung, October 2017
Poles and Hungarians move the pendulum
Carnegie Europe, October 2019

Hungarian politics in 2018
Friedrich Ebert Foundation, January 2019

Shrinking spaces in Hungary and Poland
Carnegie Europe, October 2017

Viktor Orbán's survival games
Carnegie Europe, April 2018

Hungarian politics is about to enter a new period
German Marshall Fund, April 2018

Cohesion policy and perceptions of the European Union in Hungary: A cultural political economy approach
Center for Policy Studies, December 2017

Orbán's theatrical struggle against big, bad Berlin
Heinrich Böll Stiftung, October 2017

Political discrimination in Hungary: Case studies from the Hungarian justice system, local government, media, agriculture, education and civil sector
Policy Solutions, February 2017

Demokratie als Enttäuschung: Transformationserfahrungen in Ungarn
Friedrich Ebert Stiftung, January 2017

Information warfare in Hungary
Institute for Foreign Affairs and Trade, January 2017

The Polish Senate under opposition control
Verfassungsblog, October 2019

Under siege: Why Polish courts matter for Europe
Stefan Batory Foundation, April 2019
System dyscyplinarny sędziów pod kontrolą ministra sprawiedliwości
Forum Obywatelskiego Rozwoju, February 2019

The revenge of the nation: Political passions in contemporary Poland
Notre Europe, January 2019

The Polish law on the Supreme Court in light of rulings of the Court of Justice of the EU
Stefan Batory Foundation, June 2018

Where the law ends: The collapse of the rule of law in Poland, and what to do
Stefan Batory Foundation, May 2018

The Court is dead, long live the courts? On judicial review in Poland in 2017 and “judicial space” beyond
Verfassungsblog, March 2018
Maintaining the rule of law in Poland: What next for the Article 7 proceedings?
Institute of International and European Affairs, February 2018

Report of the Stefan Batory Foundation legal expert group on the impact of the judiciary reform in Poland in 2015-2018
Stefan Batory Foundation, February 2018

Discussions on rule of law crisis in Poland
Helsinki Foundation for Human Rights, January 2018

Systemic threats to the rule of law in Poland: Between action and procrastination
Fondation Robert Schuman, November 2017

Polish civil society: Adapting to new pressures
Centre for Strategic and International Studies, December 2017

Stabilization policies and structural developments: Poland and the crises of 1929 and 2008
Center for Social and Economic Research, December 2017

The West matters to Poland
Carnegie Europe, November 2017

The influence of economic migration on the Polish economy
Center for Social and Economic Research, Fondation Robert Schuman, November 2017

New Pact for Europe: National Report, Poland
European Policy Centre, Institute of Public Affairs, November 2017

Deep rot in Slovakia
Verfassungsblog, October 2019

Frustration and hope: Slovakia after Kuciak’s murder
Centre for Eastern Studies, July 2019
An investigative journalist killed in Slovakia
Centre for Eastern Studies, February 2018

New Pact for Europe: National Report, Slovakia
European Policy Centre, GLOBSEC, November 2017

Strengthening Social Democracy in the Visegrad Countries: Limits and Challenges faced by Smer-SD
Friedrich Ebert Stiftung, January 2017

DISCLAIMER AND COPYRIGHT

This document is prepared for, and addressed to, the Members and staff of the European Parliament as background material to assist them in their parliamentary work. The content of the document is the sole responsibility of its author(s) and any opinions expressed herein should not be taken to represent an official position of the Parliament.

Reproduction and translation for non-commercial purposes are authorised, provided the source is acknowledged and the European Parliament is given prior notice and sent a copy.


eprs@ep.europa.eu (contact)
www.eprs.ep.parl.union.eu (intranet)
www.europarl.europa.eu/thinktank (internet)
http://epthinktank.eu (blog)