

Resolution Nr. 2 adopted at to the EPP Congress, Bucharest (Romania), 6th – 7th March 2024

“Resolution on the defence of the rule of law in the European Union”

Preamble: The foundation of a true liberal democracy is intrinsically tied to the unwavering respect for and adherence to the rule of law. It encompasses the principles of free and fair elections, the independence of the judiciary and institutions, unrestricted media, transparency in public administration, a vibrant civil society and a definitive rejection of all forms of corruption. In light of recent challenges, it is imperative to reinforce these principles, combatting any attempts to weaken checks and balances, and affirming the significance of these democratic tenets.

- We are committed to the rule of law, both within and beyond Europe's borders, acknowledging that it is the cornerstone of liberal democracy. This includes ensuring the conduct of free and fair elections, upholding the independence of the judiciary and public institutions and promoting transparency in governance. We recognise the need to combat democratic backsliding, characterised by the undermining of judicial independence and the erosion of checks and balances.
- We emphasise the importance of independent judicial systems as a prerequisite for mutual trust between Member States and as the foundation of our common justice and freedom area. We advocate a strengthened legal frameworks that support judicial independence, including safeguards against political interference, and the increase of joint effective supervision of serious breaches of this principle.
- We commit to bolstering legal and judicial cooperation within the EU, including the reinforcement of instruments of police and judicial cooperation such as the European Arrest Warrant. We will reinforce the development of new legal instruments to enhance cross-border cooperation in judicial matters.
- We call for the enhancement of the Rule of Law Framework and the Conditionality mechanism, including through the development of clear procedural pathways for Member States to comply with the Rule of Law Report's recommendations. We advocate for the transformation of the EU Justice Scoreboard into a comprehensive rule of law index and we propose expanding and accelerating the conditionality mechanism and introducing fast-track procedures for more responsive action.
- We call for the effective implementation of Article 7 of the Treaty on European Union, ensuring that it serves as a practical tool to address breaches of the rule of law. This includes streamlining the procedure to make it more responsive and effective in safeguarding EU values.

- We reaffirm the central role of the European Court of Justice in upholding the rule of law across the EU and ensuring the functioning of the internal market. We support initiatives to enhance the capabilities and resources of the European Court of Justice to effectively address challenges to the rule of law.
- We emphasise the need for stringent measures against corruption, including the implementation of robust anti-corruption laws and transparency regulations. We support the reinforcement of the European Public Prosecutor's Office to monitor and coordinate efforts against corruption in Member States.
- We advocate for the protection of media freedom and the support of independent journalism as pillars of a healthy democracy. We emphasise the importance of full transparency of media ownership, of the enforcement of adequate measures to avoid abuses of institutional advertising and of combatting threats against journalists or media outlets.
- We commit to fostering a strong and unhindered civil society, encouraging civic engagement and participation in democratic processes.
- We deplore the proposed Amnesty law in Spain, the political actions leading to its adoption and its potential consequences for Europe. It offers impunity for crimes related to the pro-secessionist movement, which has been deemed contrary to the rule of law and rejected by EU institutions. The law has been drafted by its beneficiaries themselves. The crimes concerned include EU relevant offences such as embezzlement and terrorism and could result — as stated by the European Parliament — in the closure of the existing judicial investigation on the interference of Russia in the 2017 Catalan secessionist attempt. This law, and the process leading to its adoption, undermines judicial independence by proposing parliamentary oversight of judges' rulings; it has been unanimously criticised by the Spanish judiciary. As a party committed to the rule of law in line with European values, we cannot overlook actions that threaten fundamental legal principles and the separation of powers within the EU legal system. We call for close scrutiny of the Amnesty law by the Commission.
- We advocate for elevating the EU rule-of-law dialogue to an established European Semester for rule of law. In this framework, the Council and the European Parliament would play key roles in issuing recommendations, backed by the Commission's power to enforce compliance through infringement procedures. This step is crucial to address the democratic deficit with effective measures, ensuring strict adherence to the rule of law across the EU.