Basic information

2022/2535(RSP) RSP - Resolutions on topical subjects	Procedure completed
Resolution on the rule of law and the consequences of the ECJ ruling **Subject** 8.30.10 Principles common to the Member States, EU values	

Key players

European Commission	Commission DG	Commissioner
	Justice and Consumers	REYNDERS Didier

Key events

Date	Event	Reference	Summary
16/02/2022	Debate in Parliament		
08/03/2022	Results of vote in Parliament		
09/03/2022	Results of vote in Parliament		
10/03/2022	Decision by Parliament	T9-0074/2022	Summary
10/03/2022	Results of vote in Parliament		

Technical information

Procedure reference	2022/2535(RSP)
Procedure type	RSP - Resolutions on topical subjects
Procedure subtype	Resolution on statement
Legal basis	Rules of Procedure EP 136-p2
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Motion for a resolution		B9-0134/2022	02/03/2022	
Motion for a resolution		B9-0135/2022	02/03/2022	

Motion for a resolution		B9-0136/2022	02/03/2022	
Text adopted by Parliament, single reading		T9-0074/2022	10/03/2022	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2022)398	30/08/2022	

Resolution on the rule of law and the consequences of the ECJ ruling

2022/2535(RSP) - 10/03/2022 - Text adopted by Parliament, single reading

The European Parliament adopted by 478 votes to 155, with 29 abstentions, a resolution on the rule of law and the consequences of the ECJ ruling.

The Rule of Law Conditionality Regulation is intended to protect the Union budget and the EU's financial interests from effects resulting from breaches of the principles of the rule of law. The resolution recalled that the war unfolding in Ukraine has reminded the EU of its shared duty to effectively protect democracy and the rule of law.

Parliament is of the opinion that the Commission should use all of the tools at its disposal, including the Rule of Law Conditionality Regulation, to address the persistent violations of democracy and fundamental rights everywhere in the Union, including attacks against media freedom and journalists, migrants, women's rights, LGBTIQ people's rights, and freedom of association and assembly. It called on the Commission to act and to take this into account in the application of the Rule of Law Conditionality Regulation which entered into force on 1 January 2021 and has been binding in its entirety and directly applicable in all Member States since that date. So far, the Commission has not applied it.

On 11 March 2021, Poland and Hungary challenged the regulation in the EU Court of Justice and on the 16 February 2022, the EU Court of Justice issued a ruling that actions by Hungary and Poland against the rules on conditionality, which protect the European Union's budget, should be dismissed.

Parliament welcomed the European Court of Justice's recent judgement dismissing the actions by Hungary and Poland against the Rule of Law Conditionality Regulation, as well as the Court's conclusions that the regulation is in line with EU law and its powers as regards rule of law.

The Commission is called on to fulfil its duties as the **guardian of the Treaties** and to instantly react to the ongoing severe violations of the principles of the rule of law in some Member States, which represent a serious danger to the Union's financial interests in relation to the fair, legal and impartial distribution of EU funds, particularly those under shared management. The resolution stressed that the Rule of Law Conditionality Mechanism should be applied to both the Union budget and to NextGenerationEU.

Parliament also regretted the Commission's **inadequate response** to the ECJ rulings of 16 February 2022 and underlined that the Commission has a duty to implement EU legislation regardless of electoral timetables in the Member States.

The resolution stressed that inaction and a lax approach towards **oligarchic structures** and the systemic violation of the rule of law weaken the entire European Union and undermine the trust of its citizens. Parliament underlined the need to ensure that taxpayers' money never ends up in the pockets of those who undermine the EU's shared values.

Furthermore, Members stressed that the deteriorating situation as regards the rule of law in some Member States necessitates a **constructive dialogue** about the further evolution of the EU's rule of law toolbox.