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# UPHOLDING CORE UNION VALUES

THE EUROPEAN PARLIAMENT'S ENGAGEMENT  
WITH THE RULE OF LAW REPORTS DURING  
THE NINTH LEGISLATIVE TERM

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# **EXECUTIVE SUMMARY**

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This policy study analyses how the European Parliament (EP) has engaged with the European Commission's Rule of Law Reports (RoLRs) during the ninth legislative term (2019-2024) as well as what this engagement reveals about the EP's understanding of the rule of law and its capacity to strengthen EU-level democratic safeguards. Drawing on a qualitative analysis of parliamentary resolutions, debates and voting patterns, the policy study examines whether the EP approaches the rule of law primarily as a procedural-legal standard or as a broader normative principle encompassing fundamental rights, equality and democratic inclusion.

The findings show that the EP has developed a cooperative but corrective relationship with the Commission on the RoLRs. While consistently endorsing the reports as a central monitoring instrument, the EP has increasingly criticised their technocratic orientation, limited substantive scope and weak follow-up mechanisms. Over time, the EP has pushed to expand the rule of law agenda beyond institutional legality to include civic space, media freedom, minority protection and accountability within EU institutions themselves. Voting patterns reveal a clear ideological divide: Progressive Alliance of Socialists and Democrats (S&D), Renew, and Greens/European Free Alliance (EFA) remain consistently supportive of the RoLRs; European Conservatives and Reformists (ECR) and

Identity and Democracy (ID) uniformly oppose them; and the European People's Party (EPP) has become increasingly fragmented, contributing to declining majorities for rule of law resolutions across the term.

Building on this analysis, this policy study advances a three-pronged reform agenda to strengthen the EU's rule of law architecture. Firstly, it calls for substantive reforms to broaden the normative scope of monitoring, including the introduction of a fifth chapter in the RoLRs dedicated to fundamental rights, equality and minority protection, as well as systematic scrutiny of EU institutions. Secondly, it proposes procedural reforms to enhance monitoring and enforcement through increased resources, clearer benchmarks and timelines, closer links to enforcement instruments, and the establishment of a standing panel of independent experts with a stronger role for the Fundamental Rights Agency. Thirdly, it recommends structural reforms within the EP to improve coherence and continuity, notably through standardised resolution formats, institutionalised expertise and better coordination across political groups. Together, these reforms aim to bridge the gap between diagnosis and action and to reinforce the EP's role as a durable pillar in the EU's defence of the rule of law.

**Keywords:** Rule of Law, European Parliament, European Commission, Rule of Law Reports (RoLRs)

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# 1. INTRODUCTION

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The European Union (EU) has long upheld its self-image as a “Union of Values”, a normative identity enshrined in Article 2 of the Treaty on the European Union (TEU), which commits member states to principles such as democracy, the rule of law and respect for human rights.<sup>1</sup> Public opinion data highlights the resonance of this identity among EU citizens. The 2024 Special Eurobarometer on the rule of law reports that 89% of respondents consider member state compliance with the Union’s values to be essential or important, and 72% believe the EU plays an important role in safeguarding the rule of law both across the EU and in their own country.<sup>2</sup> However, this broad normative endorsement coexists with striking ambivalence at the national level. In 15 member states, at least half of the respondents perceive judges as lacking independence due to political or economic influence, while in 19 member states, at least half believe that public authorities and politicians frequently disregard or fail to implement court rulings, underscoring enduring doubts about the lived reality of the rule of law within the Union. Similarly, approval rates regarding media independence, fairness of political processes, compliance with court rulings, transparency of public officials and anti-corruption efforts, among others, fall well short of support for the abstract principle of the rule of law and vary widely across member states, signalling persistent trust deficits despite strong rhetorical and normative attachment to EU values.

Such anxieties are not without basis. Over the past decade, several member states have enacted reforms that systematically erode judicial independence, weaken institutional checks and balances, and curtail minority rights. These measures have taken diverse forms, ranging from the politicisation of judicial appointments and disciplinary procedures to the capture of media and regulatory bodies, as well as the adoption of constitutional and legislative changes that consolidate executive power. While

the specific trajectories vary across countries, the cumulative effect has been the gradual hollowing out of liberal-democratic safeguards within the Union. Scholars have conceptualised these developments in different ways: the emergence of an “authoritarian equilibrium”;<sup>3</sup> an “authoritarian threat from within”;<sup>4</sup> and even a full-blown “rule of law crisis”.<sup>5</sup> Taken together, these diagnoses underscore that the erosion of core democratic principles is not an isolated phenomenon but a systemic challenge confronting the EU from inside its own ranks.

While each member state “has the front-line obligation to ensure that Union law has primacy and direct effect within its legal system”,<sup>6</sup> Article 17 of the TEU assigns the European Commission (EC) ultimate responsibility for enforcing, safeguarding and strengthening the rule of law within the Union.<sup>7</sup> To advance this mandate, in 2020, the EC launched a major governance instrument, the Rule of Law Reports (RoLRs), designed to monitor and assess compliance with core rule of law principles. Published annually, these reports consist of both a horizontal assessment, capturing systemic developments across the Union, and 27 country-specific chapters that provide tailored evaluations of national situations. Each report identifies not only positive trends but also persistent challenges and is structured around four key pillars: the justice system; media freedom and pluralism; the anti-corruption framework; and other institutional matters associated with checks and balances. Importantly, in recent years, the scope of the reports has expanded to cover candidate and potential candidate countries, such as Albania, Montenegro, North Macedonia and Serbia, reflecting a strategic linkage between internal monitoring and enlargement policy. This expansion underscores the EC’s ambition to use the RoLRs not only as a means of safeguarding existing member states but also to shape reform trajectories in aspiring ones, thereby

aligning internal and external dimensions of the EU's rule of law agenda.

The RoLRs have drawn considerable academic and political attention over time, as democratic backsliding in Hungary and Poland – both identified by the Varieties of Democracy (V-Dem) index among the world's leading autocratising countries for four consecutive years between 2020 and 2024<sup>8</sup> – has epitomised the challenges confronting European democracy.<sup>9</sup> Some scholars have welcomed the reports as a step toward greater visibility and coherence in the EU's rule of law architecture, noting in particular their contribution to clarifying the concept's core components, providing a comparative overview of member states' performance, and fostering a recurring Union-wide debate that has rendered the rule of law a more salient and politically anchored value.<sup>10</sup> At the same time, a range of shortcomings has been highlighted. Critics have argued that the reports risk creating false expectations, at times rely on euphemistic language and often lack contextual depth, thereby obscuring systemic patterns of backsliding, downplaying autocratic realities and privileging “dialogue at all costs” over credible enforcement, with attendant opportunity costs for the Union's broader rule of law agenda.<sup>11</sup> Other scholars have questioned the reports' deterrent potential against illiberal reforms, pointing to their non-binding, discursive nature and reliance on persuasion and benchmarking rather than sanctions. From this perspective, RoLRs, no different from European Parliament (EP) resolutions or Council conclusions, are deemed unlikely to alter outcomes in backsliding states and may instead drain institutional resources, send mixed signals and perpetuate what has been described as “losing by winning”.<sup>12</sup>

Within this evolving landscape, the EP has positioned itself as a particularly vocal and assertive interlocutor. As the only directly elected EU institution, the EP has increasingly taken up rule of law concerns through plenary debates and committee proceedings, framing them not merely as technical-legal issues but as existential challenges to the Union's normative foundations. Beyond rhetorical engagement, the EP has consistently

advocated for stronger enforcement mechanisms, including conditionality measures linked to EU funding and more systematic monitoring tools. Key interventions in this regard have included the 2016 resolution calling for a comprehensive EU mechanism to safeguard democracy, the rule of law and fundamental rights (2016/1375(RSP)), as well as a series of detailed and increasingly critical reactions to the RoLRs during the ninth legislative term.

These political positions have been complemented by concrete institutional actions. The EP has proposed amendments aimed at strengthening checks on governance and judicial practices, for instance, through the introduction of country-specific recommendations from the 2022 report onwards. In parallel, the EP's oversight committees have assumed a pivotal role in scrutinising legislative initiatives and fostering inter-institutional cooperation aimed at reinforcing the rule of law across the Union. Through these mechanisms, the EP has sought to assert itself not merely as a participant but as a proactive guardian of democratic standards.

Taken together, these interventions underline the EP's dual role as both watchdog and agenda-setter, seeking to compensate for the EC's limited enforcement capacity by exerting political pressure and shaping the broader discourse on the EU's response to rule of law backsliding. Yet, despite this visible and expanding engagement, the academic literature has paid comparatively limited attention to the ways in which the EP interprets and positions itself with regard to the RoLRs. In particular, it remains underexplored whether the EP's interventions primarily reflect a formalist understanding of the rule of law, centred on compliance with procedures and legal obligations, or a more substantive conception that foregrounds broader democratic values, rights protections and institutional checks.

In this context, this policy study focuses on the EP, as the only directly elected EU institution combining political authority with symbolic legitimacy, and its engagement with the EC's RoLRs since their inception in 2019. It asks *what the EP's legislative*

*responses reveal about its understanding of the rule of law and what institutional lessons can be drawn to strengthen EU-level protection.* More specifically, it explores whether the EP tends to adopt a more formalist or a more substantive interpretation of the rule of law in its responses to the RoLRs and how this orientation varies across political groups and over time.

In addressing this question, the policy study pursues three inter-related objectives. Firstly, it offers a conceptual mapping of how the EP has understood and articulated the rule of law, tracing the evolution of its interpretation over time and situating it within broader institutional and scholarly debates. This includes identifying key sub-principles that serve as benchmarks for assessing the EP's discourse and interventions. Secondly, it undertakes a qualitative content analysis of EP proceedings related to the RoLRs, examining not only the recurring themes,

arguments and silences, but also what these reveal about the EP's relationship with the EC and inter-institutional dynamics. Thirdly, it analyses political group behaviour through a systematic study of voting patterns on the relevant proceedings, thereby shedding light on partisan alignments and divisions in the EP's engagement with rule of law issues.

Ultimately, the policy study formulates policy recommendations aimed at enhancing the EP's role in safeguarding EU values. By evaluating existing institutional constraints and proposing targeted reforms, it contributes to ongoing debates on the Union's capacity to uphold its foundational commitments in an increasingly fragmented political landscape, while also offering actionable insights into how Members of the European Parliament (MEPs) can enhance their work in areas related to the rule of law.

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## **2. THE RULE OF LAW AS PROCEDURE OR PRINCIPLE? COMPETING FOUNDATIONS OF EU NORMATIVITY**

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The rule of law constitutes a cornerstone of European democracies and occupies a central place within the EU's constitutional architecture. In the words of European Commissioner for Justice Didier Reynders, the rule of law functions as the "guarantee of guarantees", without which the protection of the Union's other fundamental values cannot be ensured.<sup>13</sup> The Union's commitment to this founding value, which binds, according to Article 2 of the TEU, not only member states but also the EU institutions themselves, draws on shared constitutional traditions and is reflected across its core legal texts, including the TEU and the EU Charter of Fundamental Rights. To safeguard this value, EU law provides a range of institutional mechanisms – most notably Article 7 of the TEU – designed to respond to systemic threats to the rule of law within member states. Yet, while firmly embedded in the EU's legal framework, the precise meaning and scope of the rule of law remain contested. How the EU is to "uphold" this principle in practice has therefore been the subject of sustained debate within both EU institutions and the scholarly literature.

A key tension underpinning these debates lies in the competing conceptions of what the rule of law entails. The concept itself has evolved through a dynamic interplay of institutional practice, treaty reform and judicial interpretation. The EC's 2014 Communication articulated six foundational principles: legality; legal certainty; prohibition of arbitrariness of the executive powers; judicial independence; effective judicial review (including respect for fundamental rights); and equality before the law.<sup>15</sup> Taken together, these principles reflect what is often described as a *formalist* conception of the rule of law, emphasising procedural safeguards, institutional integrity and structural constraints on arbitrary governance.

The formalist conception has deep roots in legal theory, most prominently in Fuller's notion of the

"internal morality of law",<sup>15</sup> which holds that laws must be general, public, prospective and stable in order to be legitimate. Under this view, the rule of law does not necessarily require substantive commitments to justice or human rights; it requires merely legal rules to be enacted and applied in a consistent, non-arbitrary manner. Yet critics have pointed to the limitations of this approach. A purely procedural rule of law can coexist with illiberal or exclusionary policies, as long as these are implemented and enforced according to formal legal standards.

In response, an alternative *substantive* conception of the rule of law has gained prominence in both academic and institutional debates. Drawing on the works of Dworkin and Bingham,<sup>16</sup> this perspective insists that the rule of law concerns not only the manner in which laws are enacted and applied, but also their normative content. From this standpoint, a legal order cannot be said to uphold the rule of law if it systematically violates fundamental rights, suppresses dissent or undermines pluralism, even where procedural requirements are formally respected. On this account, the rule of law entails robust protections for human rights, the separation of powers, minority inclusion and democratic participation.

Scholars remain divided over which of these conceptions best characterises the EU's current approach. Some argue that the Union has gradually moved toward a more substantive understanding, particularly insofar as the EC has incorporated rights-based criteria into its enforcement strategies.<sup>17</sup> Others contend that EU practice continues to privilege a largely formalist framework, as reflected in the EC's methodology for assessing member states' legal systems<sup>18</sup> and in the relatively narrow scope of the RoLRs.

The distinction between formalist and substantive understandings is subtle, but far from merely theoretical. It shapes how compliance is measured, which violations are prioritised and how institutional legitimacy is constructed. For the purposes of this policy study, this distinction therefore serves as the central analytical lens for examining how the EP positions itself in its responses to the EC's RoLRs, and whether its discourse reflects a primarily procedural or a more rights-based interpretation of one of the most, if not the most, important EU values.

The EC has traditionally framed formal legal principles as the vehicle for the protection of democracy and fundamental rights, without placing a distinct emphasis on substantive concerns. By contrast, a recent scholarship has advanced broader interpretations of the rule of law that explicitly

incorporate substantive requirements.<sup>19</sup> This raises an important question: if a law is procedurally sound but substantively unjust, can it still be considered compatible with the rule of law? Put differently, is the rule of law indifferent to the content of the laws it enforces?

A preliminary review of the EC's RoLRs, together with the EP's responses to these reports, suggests that both institutions have largely embraced a formalist approach, prioritising procedural safeguards over substantive concerns. This policy study seeks to critically re-examine this assumption by exploring whether a more comprehensive understanding of the rule of law, one that includes substantive protections for fundamental rights and minorities, is essential to effectively address the challenges currently confronting the EU and its member states.

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# **3. RESEARCH DESIGN AND METHODOLOGY**

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This study employs a qualitative research design to examine the EP's engagement with the EC's RoLRs during the ninth legislative term. The analysis proceeds in two interrelated steps: (1) a qualitative content analysis of parliamentary resolutions and related documents; and (2) a voting pattern analysis of those same resolutions, with a particular focus on partisan alignments and divergences.

The empirical basis of this study consists of EP resolutions explicitly responding to the EC's annual RoLRs. Four such resolutions, adopted between 2021 and 2024 (P9\_TA(2021)0313,<sup>20</sup> P9\_TA(2022)0212,<sup>21</sup> P9\_TA(2023)0094<sup>22</sup> and P9\_TA(2024)0108<sup>23</sup>), form the core dataset. In addition to the final adopted texts, accompanying committee reports, draft opinions and plenary debate records were consulted to contextualise the resolutions and capture the deliberative dynamics surrounding their adoption (see Appendix A for the full list of documents). This selection ensures comparability across the four annual reporting cycles while reflecting the evolving character of the EP's understanding of the rule of law as a concept and engagement with the RoLRs.

The primary method is qualitative content analysis, guided by a coding scheme developed on the basis of EU institutional definitions and academic debates on the rule of law. The coding framework, presented in Appendix B, was refined following exploratory, in-person interviews with several MEPs and stakeholders conducted in Brussels, Belgium, in February 2025. These interviews provided valuable contextual grounding and helped validate and nuance the initial analytical categories. The coding scheme distinguishes between procedural or formalist dimensions (such as legality, judicial independence and compliance with the Court of Justice of the EU's rulings) and substantive dimensions (including the

protection of fundamental rights, media pluralism and civic space). This distinction enables the identification of recurring themes, silences and shifts in emphasis across the resolutions over time.

To complement the textual analysis, roll-call votes on the four RoLRs resolutions were examined. This step allowed for the systematic mapping of partisan divides within the EP. By analysing patterns of support, abstention and dissent, the descriptive analysis captured how political groups in the EP positioned themselves on rule of law issues. Plenary debates were also reviewed to contextualise these patterns and assess how political groups framed rule of law concerns, whether in terms of legal obligation, national sovereignty, democratic accountability or human rights protection. Comparing discourse and voting behaviour provided insights into ideological cleavages within the EP, as well as into the consistency, or lack thereof, between rhetorical commitments and institutional choices.

Together, this two-pronged approach, combining qualitative content analysis of resolutions with an examination of voting behaviour and debates, provides a structured account of how the EP has engaged with the EC's RoLRs. It allows for the systematic identification of dominant frames, thematic emphases and points of contestation in the EP's discourse, as well as the mapping of partisan alignments and divergences in the adoption of these positions. Rather than assessing the effectiveness of the EP's interventions, this approach elucidates how different understandings of the rule of law are articulated, negotiated and politicised within the institution. The findings generated through this analysis form the empirical basis for the policy recommendations presented in the final section.

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## **4. PARLIAMENTARY ENGAGEMENT WITH THE ROLRS**

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## 4.1. The EP's conception of the rule of law

The qualitative analysis of the four consecutive EP resolutions highlights a gradual but discernible evolution in how the EP conceptualises the rule of law. Across the resolutions examined, the EP advances a multidimensional and increasingly expansive understanding of the concept, oscillating between formalist and substantive conceptions. While earlier texts largely mirror the EC's procedural framing, later resolutions place growing emphasis on the normative content of the rule of law, particularly with regard to fundamental rights, equality and minority protection.

Throughout the period under review, the EP consistently anchors its understanding of the rule of law in Article 2 of the TEU, framing it as inseparable from democracy, human rights and equality. This triadic formulation recurs across all four resolutions and is presented as mutually reinforcing and indivisible. The 2021 and 2022 resolutions, in particular, stress that violations of the rule of law are frequently accompanied by parallel deterioration in democratic standards and rights protections, cautioning against a siloed approach to enforcement (2021/2125(INI); (2021/2180(INI)).

At the same time, the EP explicitly endorses the EC's six-principle framework set out in the 2014 Rule of Law Communication, while explicitly advocating a broader interpretation. In its 2022 resolution, the EP calls on the EC to integrate additional elements drawn from the Venice Commission's Rule of Law Checklist,<sup>24</sup> "such as prevention of the abuse of power, equality before the law, non-discrimination, and access to justice", arguing that these dimensions are not systematically addressed in the EC's annual reporting (2021/2180(INI)).

A more pronounced shift is evident in the 2023 and 2024 resolutions, which operationalise the rule of law through a more explicitly value-oriented lens. These texts consistently link rule of law compliance to the protection of minority rights, the condition of civic space, and the safety of journalists and human rights defenders. For instance, the 2023 resolution urges the EC to assess how "backlash in the rule of law affects different minority groups" (2022/2898(RSP)), while the 2024 resolution dedicates an entire section to the "legitimate use of force by police" (2023/2113(INI)), framing policing practices as a concrete indicator of adherence to rule of law standards.

In parallel, the EP increasingly connects the rule of law to institutional accountability, beyond the member state level. The 2022 and 2024 resolutions advocate for the inclusion a dedicated chapter assessing the Union's own institutional compliance with rule of law principles, including internal checks and balances, transparency, and the implementation of court rulings. This move signals an effort to extend rule of law scrutiny inward, rather than treating it exclusively as a member state concern.

Taken together, the resolutions point to a gradual shift in the EP's conceptual orientation, from an initially more procedural and legalist orientation toward a more integrated framework encompassing institutional independence, fundamental rights and civic participation. Rather than replacing formal safeguards, this evolution reflects an expanding conception of the rule of law that increasingly incorporates substantive dimensions, while also exposing tensions with the EC's more narrowly operationalised approach.

## 4.2. Thematic priorities and trends in rule of law resolutions

The EP's engagement with the RoLRs largely follows the EC's four established pillars (judicial systems, anti-corruption frameworks, media pluralism, and institutional checks and balances) while simultaneously pushing to broaden their scope. Analysis of the four resolutions reveals both continuity and change in the EP's thematic priorities, with media freedom and civic space gaining increasing prominence over time.

Judicial independence remains a central concern throughout the resolutions. Early texts concentrate on entrenched structural problems, particularly in Poland and Hungary, where the EP condemns political interference in judicial appointments and disciplinary regimes (2021/2125(INI); 2021/2180(INI)). In later resolutions, however, the EP expands its focus to include developments in a wider range of member states. The 2023 resolution raises alarm about systemic judicial dysfunctions in Slovakia, Greece and Malta (2022/2898(RSP)), while the 2024 resolution tracks reform efforts in Luxembourg, Finland and Portugal and criticises persistent delays and opaque appointment procedures in countries such as Spain and Ireland (2023/2113(INI)). This shift indicates a move away from a narrow crisis-driven approach toward a more comparative assessment of judicial performance across member states.

Anti-corruption issues feature prominently in all four resolutions, though the emphasis evolves from formal legislative frameworks toward questions of enforcement, accountability and elite impunity. While acknowledging the existence of anti-corruption strategies in most member states, the EP repeatedly highlights deficiencies in implementation, particularly the lack of high-level prosecutions in Bulgaria, Slovenia, Greece and Malta (2022/2898(RSP); 2023/2113(INI)). The 2024 resolution further develops this line of argument by linking effective anti-corruption enforcement to access to EU funds. It calls for strengthened cooperation with the European Public Prosecutor's Office (EPPO), proposes the establishment of

an EU ethics body, and advocates closer links between corruption monitoring and conditionality mechanisms (2023/2113(INI)).

The pillar of institutional checks and balances is interpreted increasingly broadly over the period under review. Earlier resolutions focus on the functioning of constitutional courts, ombudspersons and national human rights institutions. Over time, however, the EP extends its attention to political abuses of emergency powers, the misuse of surveillance technologies and the contraction of civic space. The 2022 resolution expresses concern about emergency measures introduced during the COVID-19 pandemic and their lingering implications for executive overreach (2021/2180(INI)). The 2024 resolution, meanwhile, includes a detailed section on the legitimate use of force by law enforcement, explicitly linking police accountability to rule of law compliance for the first time (2023/2113(INI)). In addition, the EP criticises delays and politicisation in appointments to national audit institutions and data protection authorities, arguing that such institutional dysfunction in states like Poland, Spain and Bulgaria erodes rule of law guarantees even in the absence of formal breaches.

Together, these findings illustrate that while the EP continues to operate within the EC's four-pillar architecture, it has progressively reinterpreted and expanded the substance of each pillar. Rights-based concerns, media freedom and civil society protections are increasingly integrated into the EP's understanding of rule of law violations. This trajectory helps explain the EP's recurring call for the introduction of a fifth pillar dedicated to fundamental rights, equality and minority protection, reflecting an effort to institutionalise a more substantively grounded conception of the rule of law.

### 4.3. A cooperative but corrective relationship: EP-EC dynamics on the rule of law

The EP's engagement with the EC's RoLRs is characterised by a dual posture of institutional endorsement and sustained critique. While the EP consistently reaffirms the EC's central role as the guardian of the Treaties and recognises the RoLRs as a valuable diagnostic instrument, it simultaneously expresses persistent dissatisfaction with both the conceptual scope and enforcement ambition of the EC's approach.

All four resolutions open with a formal acknowledgment of the importance of the RoLRs for safeguarding EU values and note incremental improvements in their design, most notably the introduction of country-specific recommendations from the 2022 cycle onwards (2021/2180(INI); 2022/2898(RSP)). Beyond these initial endorsements, however, the EP repeatedly identifies structural shortcomings in the EC's methodology, normative framing and institutional follow-up.

A first line of critique concerns the descriptive and technocratic character of the reports. The EP faults the RoLRs for offering horizontal syntheses without sufficiently distinguishing between systemic violations and isolated or episodic deficiencies. Both the 2021 and 2022 resolutions call on the EC to differentiate more clearly between persistent, deliberate breaches and context-specific challenges, warning that uniform treatment of qualitatively different situations risks obscuring serious patterns of backsliding (2021/2125(INI); 2021/2180(INI)).

Secondly, the EP charges the EC with a lack of normative clarity. Despite endorsing the six formal principles set out in the 2014 framework, the EP maintains that the EC has failed to sufficiently operationalise the full range of values enshrined in Article 2 of the TEU, particularly those related to democracy, equality and fundamental rights. This is a major point of institutional divergence. While the EC centres its reports on procedural benchmarks (judicial independence, anti-corruption etc.), the EP

repeatedly calls for the introduction of a fifth chapter addressing civic space, minority rights and rights-based violations – demands that culminate in the 2023 and 2024 recommendations (2022/2898(RSP); 2023/2113(INI)).

Thirdly, the EP criticises the limited enforcement follow-up associated with the RoLRs. Across all four resolutions, the EP highlights the absence of meaningful consequences for the non-implementation of recommendations, especially in instances of sustained backsliding. Hungary and Poland are repeatedly cited as emblematic cases in which successive RoLRs fail to trigger decisive action despite abundant documentation of rule of law violations (2021/2125(INI); 2021/2180(INI); 2022/2898(RSP)). In its 2024 resolution, the EP further criticises the EC for underestimating the seriousness of spyware abuse and for failing to act on the recommendations of the EP's Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware, thereby allowing patterns of impunity to persist (2023/2113(INI)).

Fourthly, the resolutions point to a lack of inter-institutional integration and coordination. The EP argues that the RoLRs function largely as a stand-alone instrument and repeatedly calls for their incorporation into a broader, binding democracy, rule of law and fundamental rights mechanism supported by an inter-institutional agreement. Despite reportedly being articulated consistently since 2016 and reiterated throughout the period under review, these demands are argued to have elicited limited concrete responses from the Commission or the Council. This has reinforced perceptions of the RoLR cycle as non-binding, largely unidirectional and politically insulated, thereby weakening its overall credibility.

At the same time, the EP does acknowledge areas of institutional convergence. It notes improvements in the EC's consultation practices, particularly the increased involvement of civil society actors and national parliaments in the reporting process. The EP also welcomes specific institutional innovations, such as the inter-institutional "contact group" on

the rule of law proposed by the EC in 2023, which it endorses as a potential framework for more structured cooperation (2023/2113(INI)).

Overall, the EP's relationship with the EC can be described as cooperative but corrective. While the EP recognises the EC as a necessary engine

for safeguarding the rule of law, it persistently challenges its methodological restraint, substantive omissions and reluctance to pursue enforcement, thereby advancing a more expansive, politically grounded and value-oriented understanding of the Union's normative foundations.

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# **5. THE POLITICS OF UPHOLDING THE RULE OF LAW**

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## 5.1 Partisan divides and voting patterns in the EP

The EP's engagement with the EC's RoLRs reflects not only institutional oversight, but also the ideological and partisan contours of the Union's political landscape. The EP's seven main political groups, namely, the European People's Party (EPP), the Progressive Alliance of Socialists and Democrats (S&D), Renew Europe, the Greens/European Free Alliance (EFA), the Left, the European Conservatives and Reformists (ECR), and Identity and Democracy (ID), articulate distinct, and at times competing, views on the role of the rule of law as a foundation of the Union. While some regard it as a shared constitutional commitment warranting proactive supranational scrutiny, others frame it as an instrument of political overreach that infringes upon

national sovereignty. These divergent perspectives are reflected in voting behaviour on RoLR-related resolutions.

Table 1 presents the aggregate voting outcomes for the RoLR resolutions adopted in 2021, 2022 and 2024. It can be seen that, throughout the ninth legislative term, overall support for the resolutions declined, with affirmative votes falling from over 500 in 2021 to fewer than 380 in 2024. This trend coincides with a rise in abstentions and growing internal fragmentation, particularly among centre-right groups (as described in the next section). Taken together, these developments point to a gradual erosion of the broad cross-party consensus that initially underpinned parliamentary support for the RoLR process.

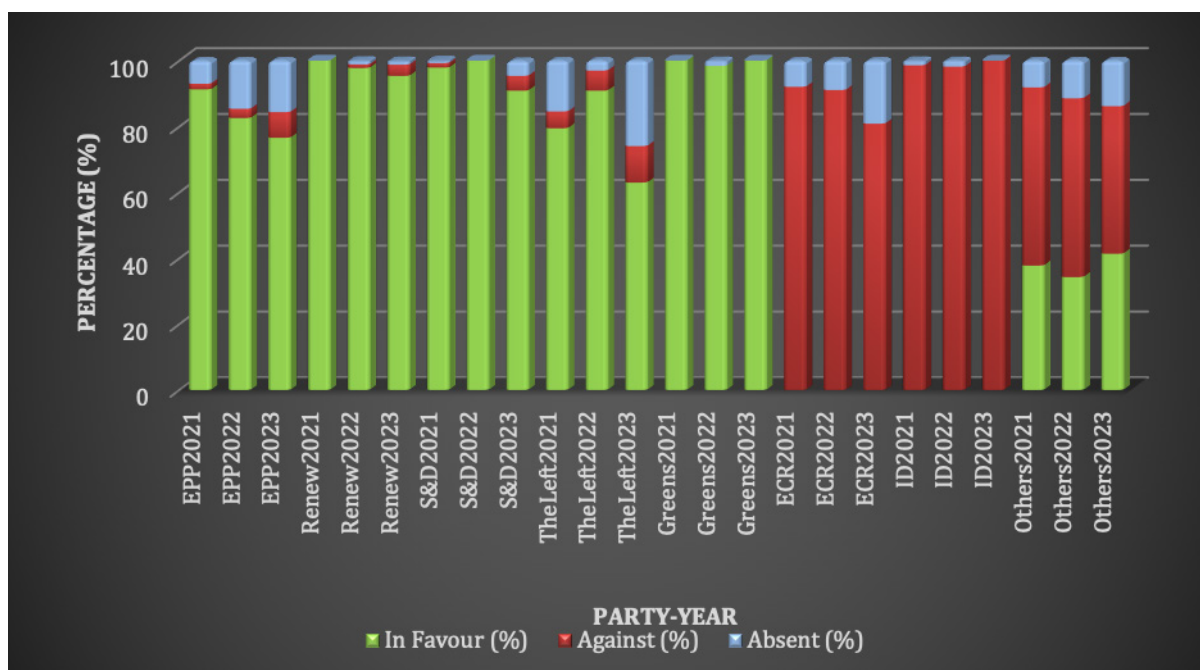
**Table 1. Voting patterns on RoLR resolutions (2021-2024).**

Year	Motion ID	Political party	In favour	Against	Absent
2020	A9-0199/2021	EPP	157 (91.3%)	3 (1.7%)	12 (7.0%)
		Renew	98 (100.0%)	0 (0.0%)	0 (0.0%)
		S&D	138 (97.9%)	2 (1.4%)	1 (0.7%)
		The Left	31 (79.5%)	2 (5.1%)	6 (15.4%)
		Greens	71 (100.0%)	0 (0.0%)	0 (0.0%)
		ECR	0 (0.0%)	58 (92.1%)	5 (7.9%)
		ID	0 (0.0%)	69 (98.6%)	1 (1.4%)
		Others	14 (37.8%)	20 (54.1%)	3 (8.1%)
		<b>Total</b>	<b>509</b>	<b>154</b>	<b>28</b>
2021	A9-0139/2022	EPP	119 (82.6%)	4 (2.8%)	21 (14.6%)
		Renew	90 (97.8%)	1 (1.1%)	1 (1.1%)
		S&D	117 (100.0%)	0 (0.0%)	0 (0.0%)
		The Left	30 (90.9%)	2 (6.1%)	1 (3.0%)
		Greens	61 (98.4%)	0 (0.0%)	1 (1.6%)
		ECR	0 (0.0%)	51 (91.1%)	5 (8.9%)
		ID	0 (0.0%)	54 (98.2%)	1 (1.8%)
		Others	12 (34.3%)	19 (54.3%)	4 (11.4%)
		<b>Total</b>	<b>429</b>	<b>131</b>	<b>34</b>
2023	A-0025/2024	EPP	98 (76.6%)	10 (7.8%)	20 (15.6%)
		Renew	83 (95.4%)	3 (3.4%)	1 (1.1%)
		S&D	100 (90.9%)	5 (4.5%)	5 (4.5%)
		The Left	17 (63.0%)	3 (11.1%)	7 (25.9%)
		Greens	63 (100.0%)	0 (0.0%)	0 (0.0%)
		ECR	0 (0.0%)	38 (80.9%)	9 (19.1%)
		ID	0 (0.0%)	41 (100.0%)	0 (0.0%)
		Others	12 (41.4%)	13 (44.8%)	4 (13.8%)
		<b>Total</b>	<b>373</b>	<b>113</b>	<b>6</b>

Figure 1 illustrates voting trends by political group. Among the pro-integration parties, S&D, Renew Europe and the Greens/EFA display high levels of cohesion and sustained support throughout the period. Their voting behaviour reflects a shared commitment to strong EU-level engagement on rule of law issues, consistently endorsing resolutions

that call for expanded monitoring and follow-up. The Left has likewise supported the resolutions in most instances, though with greater internal variation, as some national delegations – particularly from Southern Europe – have raised concerns about perceived selectivity or uneven application of rule of law scrutiny.

Figure 1. Voting trends by political group (2021-2024).



At the opposite end of the spectrum, the ECR and ID groups have consistently voted against all ROLR-related resolutions. Their explanations of the vote portray the EC’s monitoring framework as an illegitimate encroachment on national constitutional autonomy and as politically biased against conservative or sovereigntist governments. The uniformity of their opposition suggests an ideologically grounded rejection of EU-level rule of law oversight rather than disagreement with specific country assessments.

The EPP occupies a pivotal yet increasingly contested middle position. While the group has continued to support most RoLR resolutions,

its internal cohesion has weakened over time. Abstentions and negative votes have become more frequent among delegations from Hungary, Poland, Romania and France, whose written justifications repeatedly cite concerns about politicisation, selective targeting and the perceived imbalance between judicial-administrative criteria and broader social or minority-related considerations in the reports. By 2024, ten EPP members voted against the resolution and 20 abstained, marking the highest level of internal divergence observed during the term and contributing significantly to the narrowing of overall majorities.

Overall, the voting patterns suggest a relationship between the EP and the EC that is supportive yet increasingly conditional. While a parliamentary majority continues to endorse the RoLRs as a core governance instrument, growing partisan fragmentation – particularly within the centre and radical right – has reduced the stability of cross-group support and intensified contestation over the scope, framing and political implications of EU rule of law monitoring.

## 5.2 Ideological cleavages and cross-group dynamics

The observed voting patterns reflect deeper ideological cleavages concerning the meaning of the rule of law and the EU's constitutional identity. These divisions do not map neatly onto a traditional left-right axis but instead correspond to competing normative orientations: on one hand, an understanding that links the rule of law to democracy, pluralism and rights protection; on the other, a more legalistic or sovereigntist perspective that confines it to procedural legality within national constitutional frameworks.

Progressive and liberal groups – most notably S&D, Renew Europe and the Greens/EFA – consistently articulate the rule of law as a democratic and political value rather than a purely legal standard. In parliamentary debates, these groups emphasise the interdependence of judicial independence, media freedom, and checks and balances with the protection of citizens' rights and the legitimacy of EU governance. Their support for the RoLRs is framed as an expression of the Union's responsibility to intervene when core democratic standards are at risk, even where this entails confrontation with member state governments.

By contrast, the ECR and ID groups advance a sovereigntist narrative that prioritises national constitutional autonomy. They reject the notion of a hierarchical EU rule of law standard and portray the EC's monitoring activities as politically motivated and incompatible with domestic democratic mandates. This framing aligns with their consistent opposition

to RoLR resolutions and their rhetorical support for governments in Warsaw, Budapest, Rome and more that have challenged the scope of EU competence in this area.

Within the EPP, these competing orientations intersect. While the group's leadership and many Western European delegations remain broadly aligned with the pro-rule of law majority, several Central and Eastern European members express unease with what they perceive as disproportionate scrutiny of specific member states. This internal tension reflects a balancing act between the EPP's long-standing commitment to EU constitutionalism and its sensitivity to national political dynamics. As a result, the EPP has emerged as a pivotal but increasingly unpredictable actor, capable of facilitating or constraining majority formation on RoLR-related votes.

Cross-group dynamics further indicate that coalitions on rule of law issues have become more fluid and issue-specific over time. While cooperation among liberals, social democrats and greens remains strong on questions of monitoring and enforcement, moderate conservatives occasionally align with sovereigntist positions on procedural or competence-related concerns. These shifting alliances illustrate how the rule of law has evolved from a broadly shared reference point into a contested political terrain. Rather than functioning as a common normative baseline, it increasingly operates as a marker of ideological positioning within the EP.

In summary, the EP's engagement with the RoLRs exemplifies the politicisation of normativity in EU governance. Although the EP remains the most vocal institutional advocate of democratic standards at the EU level, its ability to act as a unified normative actor is increasingly constrained by internal heterogeneity and divergent national interests. This fragmentation mirrors broader EU-wide tensions between procedural legalism and demands for substantive democratic accountability, tensions that are likely to continue shaping parliamentary contestation over the rule of law in the years ahead.

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# **6. POLICY RECOMMENDATIONS TO STRENGTHEN THE EU'S RULE OF LAW ARCHITECTURE**

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The preceding analysis has shown that the EP has established itself as a central interlocutor in shaping the Union's response to rule of law challenges, particularly through its sustained engagement with the EC's RoLRs. At the same time, the EP's capacity to translate diagnosis into effective reform remains constrained by the predominantly procedural orientation of the reports, their limited enforcement leverage and fragmentation in the EP's own follow-up practices. Building on these findings, this section outlines a three-pronged reform agenda aimed at strengthening the EU's rule of law architecture through the EP. It advances *substantive reforms* to push broadening of the normative understanding underpinning rule of law monitoring; *procedural reforms* to strengthen monitoring capacity, follow-up and enforcement; and *structural reforms* that improve the coherence, continuity and strategic coordination of the EP's own responses across reporting cycles.

## 6.1 Substantive reforms: Broadening the scope of rule of law monitoring

The first set of reforms concerns the substantive foundations of EU rule of law monitoring. While the EC's RoLRs have become a central reference point in assessing compliance with core legal standards, they reflect a predominantly procedural understanding of the rule of law, centred on institutional functioning and formal safeguards. This approach has contributed to consistency and comparability, but it has also limited the Union's ability to capture how rule of law deficiencies intersect with fundamental rights, equality and democratic inclusion. Strengthening the substantive dimension of rule of law monitoring is therefore essential, not only to address gaps within the RoLR framework itself, but also to advance a more coherent, value-based understanding of the rule of law across the Union. The following recommendations outline how such

a shift could be operationalised within the existing monitoring architecture.

- **The EP should continue to press for the introduction of a fifth chapter in the RoLRs dedicated to fundamental rights, equality and minority protection.** The current four-pillar architecture, while capturing essential institutional safeguards, has repeatedly been criticised for overlooking systemic violations of fundamental rights. Institutionalising such a chapter would strengthen the credibility and analytical depth of the reporting cycle by explicitly covering issues that currently remain fragmented or marginal, including the condition of civic space, the protection of civil society organisations, discrimination against vulnerable groups and the situation of minorities. Embedding these concerns within the regular monitoring framework would signal that the rule of law cannot be reduced to procedural legality alone but must also encompass substantive respect for fundamental rights as a core element of the Union's value system.
- **The EP should press for systematic scrutiny of the Union's own institutions.** While member states are subject to extensive and recurring monitoring, the EU institutions themselves remain largely outside the scope of systematic rule of law evaluation, undermining the legitimacy and coherence of the reporting process. Embedding a fifth chapter on rights and extending oversight to EU institutions would enhance both credibility and consistency. This would entail monitoring how the CJEU upholds EU law, how the European Anti-Fraud Office (*Office Européen de Lutte Antifraud, OLAF*) and EPPO address corruption, how transparency and media relations are managed within relevant institutions, and how inter-institutional checks and balances function in practice. Such scrutiny

should not be conducted by the EC itself, but should instead be trusted to the Fundamental Rights Agency (FRA), in cooperation with an independent expert group, to ensure impartiality.

## 6.2 Procedural reforms: Strengthening monitoring and enforcement

Expanding the substantive scope of rule of law monitoring can only be meaningful if accompanied by corresponding procedural strengthening. A recurring weakness of the RoLRs, as repeatedly highlighted in the EP resolutions, lies in their limited follow-up and weak enforcement capacity. Effective enforcement requires clarity and predictability, whereas, at present, the recommendations in the RoLRs remain vague and lack timelines. Addressing these shortcomings requires not only methodological refinement but also adequate institutional resources, clearer links between diagnosis and action, and a more strategic parliamentary engagement. The following recommendations, therefore, combine institutional proposals directed at the EP as a whole with more targeted strategic considerations for key political groups, notably the S&D.

- **The EP should support increased funding for the EC's rule of law reporting.** The EC currently operates with limited financial and staffing resources in developing the RoLRs. Any expansion of the reporting framework, particularly the introduction of a new chapter on fundamental rights, will require additional personnel, expertise and budgetary support. The EP should therefore treat adequate funding for rule of law monitoring as a strategic budgetary priority.
- **The EP should insist on the establishment of a standing panel of independent experts capable of issuing thematic analyses, providing early-warning alerts and validating the EC's findings.** This would not only enhance the robustness of the methodology but also provide a safeguard against the perception of technocratic insulation. At the same time, the FRA should be formally integrated into the reporting process, supplying

comparative data, thematic research and expert input, especially in areas related to civic space and minority rights. Together, these measures would significantly strengthen the analytical and institutional capacity of the RoLRs.

- **The EP should push the EC to provide country-specific road maps that include benchmarks, indicators and deadlines, with subsequent reports assessing progress and regression against these commitments.** A biennial or staggered reporting cycle would provide the necessary time for implementation and monitoring, overcoming the compressed timeframe of the current annual cycle. Moreover, the RoLRs should be linked explicitly to existing enforcement instruments, including the Rule of Law Conditionality Regulation and Article 7 TEU. The EP should insist that each recommendation specify the possible tools available in case of non-compliance, thereby closing the gap between diagnosis and sanction.
- **The S&D group should conduct structured internal consultations within the group before the policy cycle begins.** Our analyses indicate that the S&D is among the most cohesive political groups, with only limited deviations from the dominant voting pattern. These deviations are likely linked to critical references to member states represented by individual MEPs in the relevant RoLRs. While it is neither feasible nor desirable to prevent the inclusion of specific member states, early and systematic internal coordination could help manage such tensions and improve voting cohesion. Similarly, emphasising that all member states are regularly assessed could reduce the perception of disproportionate scrutiny and further streamline group voting behaviour.
- **The S&D group should use the RoLRs to strategically expose internal divisions within the EPP.** Voting patterns during the ninth parliamentary term show that the EPP exhibits the lowest level of cohesion on RoLR resolutions, with recurrent abstentions and negative votes from certain national delegations. When cross-

party dialogue is not feasible, the S&D and allied groups could leverage this fragmentation by focusing parliamentary debate on rule of law concerns in member states governed by EPP-affiliated parties, thereby reinforcing pro-rule of law coalitions while highlighting internal inconsistencies within the EPP's position.

### 6.3 Structural reforms: Enhancing parliamentary coherence

Beyond substantive and procedural innovations, strengthening the effectiveness of the RoLRs also requires structural reforms within the EP itself. While the EP has emerged as a central political actor in the rule of law debate, the impact of its engagement is weakened by fragmentation in how it organises, sustains and transmits its responses over time.

- **The EP should improve the coherence of its own responses to the RoLRs.** Parliamentary resolutions reacting to the RoLRs vary considerably in length, structure and thematic coverage, which undermines institutional memory and limits comparability across years and legislative terms. Comparability is particularly important given the five-year electoral cycle of the EP, which regularly results in the loss of expertise as experienced MEPs leave office. While some flexibility is unavoidable, excessive divergence hampers the EP's ability to build cumulatively on its own work and weakens its long-term influence on the EC's

approach. To address this, the EP should adopt a standardised template (see Appendix C) for its annual resolutions. This template should broadly mirror the structure of the EC's reports, while systematically expanding it to include additional sections on minority rights, the rule of law within EU institutions, the Venice Commission's Rule of Law Checklist and assessments by independent experts. Where the EC remains reluctant to incorporate such elements into its own reports, the EP can assume a leading role by providing preliminary analysis that could later be taken up and expanded. Such standardisation would enhance methodological rigor, facilitate longitudinal analysis and strengthen the EP's institutional authority with respect to the EC.

- **The S&D group should institutionalise expertise on rule of law issues within its internal structures.** This could take the form of a dedicated Rule of Law Unit staffed with policy advisors responsible for tracking the file across reporting cycles, liaising with civil society actors and experts, and coordinating an inter-institutional strategy. Institutionalising such expertise would prevent each RoLR debate from being treated in isolation and would embed the rule of law as a standing political priority. In addition, newly elected MEPs should receive targeted training on engaging with the RoLRs, equipping them to contribute effectively to debates, amendments and oversight activities from the outset.

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# 7. CONCLUSION

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This policy study has shown that the EP occupies an increasingly consequential position in the Union's rule of law ecosystem, not as a formal enforcer, but as a normative broker that shapes how rule of law violations are interpreted, politicised and rendered visible at the EU level. Through its engagement with the EC's RoLRs, the EP has gradually pushed the boundaries of what counts as a rule of law concern, expanding the debate beyond institutional legality toward questions of rights protection, democratic inclusion and accountability. At the same time, the analysis reveals the limits of this influence: parliamentary interventions remain filtered through a reporting framework that prioritises diagnosis over consequence and through an internal political landscape marked by growing ideological fragmentation. The result is a paradoxical dynamic in which the EP's normative ambition has grown, even as its capacity to translate critique into structural change remains uneven.

The broader implication is that the future credibility of the EU's rule of law architecture will depend not only on the refinement of monitoring instruments, but on the alignment between normative expectations, procedural design and political will. The EP's evolving role highlights both the potential and fragility of rule of law governance in a Union where shared values are increasingly contested rather than presumed. Strengthening this architecture, therefore, requires sustained investment in substantive clarity, enforceable procedures and institutional continuity within the EC, within the EP and across political groups. If the rule of law is indeed the "guarantee of guarantees", then ensuring its protection demands not episodic vigilance but durable institutional commitment. The EP's challenge in the coming legislative terms will be to convert its expanding normative vision into a stable and credible pillar of EU democratic governance.

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# APPENDICES

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## Appendix A: Selected documents

This appendix compiles the core set of EP proceedings examined in the study, covering all debates and resolutions on the EC's RoLRs between 2020 and 2024. It provides an overview of the relevant legislative procedures (INI, RSP) and the

institutional stages through which each report progressed, from committee drafts and opinions to plenary adoption. These documents constitute the empirical basis for the qualitative content analysis discussed in the main text, enabling a systematic tracing of the EP's evolving engagement with the EC's annual monitoring process.

**Table A1. EP proceedings used in content analysis coding.**

Year	Procedure	Title of the proceeding
2020	INI	European Parliament Resolution of 24 June 2021 on the Commission's 2020 Rule of Law Report (2021/2025(INI))
2021	INI	European Parliament Resolution of 19 May 2022 on the Commission's 2021 Rule of Law Report (2021/2180(INI))
2022	RSP	European Parliament Resolution of 30 March 2023 on the 2022 Rule of Law Report – the rule of law situation in the European Union (2022/2898(RSP))
2023	INI	European Parliament Resolution of 28 February 2024 Report on the Commission's 2023 Rule of Law Report (2023/2113(INI))
2024	RSP	2024 Annual Rule of Law Report (only debate)

**Table A2. Supplementary EP documents used for the codebook.**

Year	Proceeding	Documents
2020	European Parliament Resolution of 24 June 2021 on the Commission's 2020 Rule of Law Report (2021/2025(INI))	Committee draft report LIBE
		Committee opinion CONT
		Committee opinion AFCO
		Committee opinion PETI
		Committee opinion JURI
		Committee report tabled for plenary LIBE
		Text adopted by parliament
2021	European Parliament Resolution of 19 May 2022 on the Commission's 2021 Rule of Law Report (2021/2180(INI))	Committee draft report LIBE
		Committee opinion BUDG
		Committee opinion PETI
		Committee opinion CONT
		Committee opinion JURI
		Committee opinion AFCO
		Committee report tabled for plenary LIBE
		Text adopted by parliament
2022	European Parliament Resolution of 30 March 2023 on the 2022 Rule of Law Report – the rule of law situation in the European Union (2022/2898(RSP))	Motion for a Resolution 1
		Motion for a Resolution 2
		Motion for a Resolution 3
		Text adopted by parliament
2023	European Parliament Resolution of 28 February 2024 Report on the Commission's 2023 Rule of Law Report (2023/2113(INI))	Committee draft report LIBE
		Committee opinion JURI
		Committee report tabled for plenary LIBE
		Text adopted by parliament
2024	2024 Annual Rule of Law Report (only debate)	-

## Appendix B: Coding scheme for qualitative content analysis

This appendix outlines the coding framework used to analyse the EP’s discourse on the rule of law. The scheme distinguishes between formalist and substantive dimensions of the rule of law, as well as thematic categories such as judicial independence, media pluralism and inter-institutional cooperation.

Each code is accompanied by short descriptions that guide the classification of statements and resolutions. Together, these categories operationalise the conceptual distinctions introduced in Section 2 of the paper, ensuring transparency and replicability in the study’s qualitative approach.

Code (listed hierarchically)	Description
<b>Competing interpretations of the rule of law</b>	This category captures how the EP and political groups define and apply the rule of law, distinguishing between formalist and substantive approaches
Formalist rule of law approach	
Procedural guarantees	References to the rule of law emphasising legality, judicial independence and compliance with EU legal norms
CJEU compliance	Statements emphasising adherence to EU case law, particularly regarding judicial independence
Institutional integrity	References emphasising structural safeguards (e.g., judicial councils, separation of powers), without explicit linkage to fundamental rights
Substantive rule of law approach	
Fundamental rights	References to the rule of law that include protections for minority rights, media freedom and democracy
Intersection with democracy	Arguments linking the rule of law to democratic accountability beyond procedural legality
Civic & political rights	Emphasis on civil society, press freedom and protection against government overreach
EP's approach to the RoLRs	
Dominance of formalism	
Push for substantive approach	
<b>Thematic Analysis of EP engagement</b>	This category identifies key themes in the EP’s response to the RoLRs, based on repeated concerns, recommendations and missing issues
Judicial independence	
State capture	References to political influence over the judiciary, disciplinary actions against judges and non-compliance with CJEU rulings

Political interference	References to government control over judicial appointments, prosecutorial bias or weakening of judiciary oversight
Media freedom & pluralism	
SLAPPs	Discussions on abusive lawsuits targeting journalists and media outlets
Surveillance of journalists	References to the use of surveillance technologies against journalists, political opponents or activists
Government media control	Statements about restrictions on media independence, ownership concentration or funding misuse
Corruption & misuse of funds	
Anti-corruption measures	References to EPPO's role in monitoring corruption, national non-compliance with EU anti-fraud mechanisms
Rule of law conditionality	Calls for suspending EU funds due to rule of law breaches
Civic space & fundamental rights	
Shrinking civil society	References to restrictions on non-governmental organisations, intimidation of activists or legal barriers to civic participation
Minority rights & discrimination	Statements on LGBTQIA+ rights, women's rights (abortion bans), xenophobia or ethnic discrimination
Checks and balances	
Separation of powers	
Access to information	
<b>Political group positions and voting behaviour</b>	This category tracks ideological divisions in the EP's engagement with the RoLRs
Political group positions	
Pro-rule of law coalition	Positions taken in support of robust rule of law enforcement
Division of opinion	Instances of internal division within the EP regarding responses to rule of law concerns in specific member states
Eurosceptic opposition	References expressing opposition to EU-level rule of law monitoring or enforcement, including arguments emphasising national sovereignty, institutional overreach or the politicisation of EU rule of law mechanisms
Voting behaviour	
Roll-call votes	Mentions of how political groups voted on resolutions
Abstentions & dissent	Cases where MEPs abstain or vote against the rule of law enforcement measures

Plenary debate positions	
Justifications by political groups	Quotes from plenary debates framing rule of law concerns as sovereignty issues (Eurosceptic view) versus EU oversight necessity (pro-EU view)
<b>Institutional challenges and policy recommendations</b>	This category identifies structural limitations in EP responses and proposed improvements
Criticism of the EC	
Diplomatic approach	Critiques of the EC's reluctance to act decisively and preference for dialogue over enforcement
Weak enforcement	Mentions of the EC failing to initiate infringement procedures or delaying Article 7 actions
Lack of inter-institutional agreement	
EP versus Council/Commission	Mentions of failed negotiations on an EU mechanism for democracy, the rule of law and fundamental rights
Effectiveness of RoLRs	
Non-binding recommendations	Criticism of the EC's reports for lacking enforcement mechanisms
Proposed reforms	
Strengthening conditionality	Calls to link rule of law violations to EU funds suspension
Expanded monitoring	Recommendations for a more comprehensive EP rule of law monitoring framework
Inter-institutional cooperation	
<b>References to specific cases</b>	Mentions of individual member states, institutional actors or country-specific events used as evidence or illustration of rule of law concerns

## Appendix C: Proposed structure for the RoLR resolutions

This appendix presents a proposed standardised structure for EP resolutions responding to the EC's RoLRs. The template consolidates recurring elements observed across existing resolutions and incorporates the recommendations emerging from this study, including the addition of a fifth pillar on minority protection and a section on EU-level accountability. Its purpose is to enhance comparability across annual resolutions, support longitudinal assessment, and facilitate clearer follow-up on the EC's reporting and enforcement practices.

### 1. Introduction to the resolution

*Scope, legal basis and institutional context of the annual RoLR*

### 2. Pillars of the ROLR by the EC

- Justice system
- Anti-corruption framework
- Media pluralism
- Other institutional checks and balances
- Minorities

### 3. Methodology

*Sources, consultation process, limitations and use of recommendations*

### 4. Country-specific reports

*Summary of key developments, persistent challenges and progress since the previous reporting cycle*

### 5. Rule of law in EU institutions

*Assessment of institutional checks and balances, transparency, and compliance with judicial rulings at the EU level*

### 6. Reference to the Venice Commission's rule of law checklist

*Alignment and gaps between the Commission's methodology and Venice Commission standards*

### 7. Independent evaluation by experts

*External assessments, thematic analyses or expert opinions relevant to the reporting cycle*

### 8. Conclusion

*Summary of findings, expectations for implementation and links to enforcement instruments*

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PARTNERS**

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This policy study analyses how the European Parliament (EP) has engaged with the European Commission's Rule of Law Reports (RoLRs) during the ninth legislative term (2019-2024) as well as what this engagement reveals about the EP's understanding of the rule of law and its capacity to strengthen EU-level democratic safeguards. Drawing on a qualitative analysis of parliamentary resolutions, debates and voting patterns, the policy study examines whether the EP approaches the rule of law primarily as a procedural-legal standard or as a broader normative principle encompassing fundamental rights, equality and democratic inclusion.

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