

1 **DRAFT EPP Presidency resolution Nr. 2 tabled by EPP Vice President Esteban**  
2 **González Pons on behalf of Partido Popular (PP)/ES,**  
3 **to the EPP Congress**  
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5 **Bucharest (Romania), 6<sup>th</sup> – 7<sup>th</sup> March 2024**  
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7 **“Resolution on the defence of the rule of law in the European Union”**  
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9 *Preamble:* The foundation of a true liberal democracy is intrinsically tied to the unwavering respect  
10 for and adherence to the rule of law. It encompasses the principles of free and fair elections, the  
11 independence of the judiciary and institutions, unrestricted media, transparency in public  
12 administration, a vibrant civil society, and a definitive rejection of all forms of corruption. In light  
13 of recent challenges, it is imperative to reinforce these principles, combatting any attempts to  
14 weaken checks and balances, and affirming the significance of these democratic tenets.  
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- 16 • We are committed to the rule of law, both within and beyond Europe's borders, acknowledging  
17 that it is the cornerstone of liberal democracy. This includes ensuring the conduct of free and  
18 fair elections, upholding the independence of the judiciary and public institutions, and  
19 promoting transparency in governance. We recognize the need to combat democratic  
20 backsliding, characterised by the undermining of judicial independence and the erosion of  
21 checks and balances.  
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- 23 • We emphasise the importance of independent judicial systems as a prerequisite for mutual  
24 trust between Member States and the foundation of our common justice and freedom area.  
25 We advocate for a strengthening of the legal frameworks that support judicial independence,  
26 including safeguards against political interference, and the increase of joint effective  
27 supervision of serious breaches of this principle.  
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- 29 • We commit to bolstering legal and judicial cooperation within the EU, including the  
30 reinforcement of instruments of police and judicial cooperation such as the European Arrest  
31 Warrant. We will work for the reinforcement and the development of new legal instruments  
32 to enhance cross-border cooperation in judicial matters.  
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- 34 • We call for the enhancement of the Rule of Law Framework and the Conditionality mechanism,  
35 including through the development of clear procedural pathways for Member States to comply  
36 with the Rule of Law Report’s recommendations. We advocate for the transformation of the  
37 EU Justice Scoreboard into a comprehensive rule of law index and we propose expanding and  
38 accelerating the conditionality mechanism and introducing fast-track procedures for more  
39 responsive action.  
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- 41 • We call for the effective implementation of Article 7 of the Treaty on European Union, ensuring  
42 that it serves as a practical tool to address breaches of the rule of law. This includes

43 streamlining the procedure to make it more responsive and effective in safeguarding EU  
44 values.

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46 • We reaffirm the central role of the European Court of Justice in upholding the rule of law across  
47 the EU and ensuring the functioning of the internal market. We support initiatives to enhance  
48 the capabilities and resources of the European Court of Justice to effectively address challenges  
49 to the rule of law.

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51 • We emphasise the need for stringent measures against corruption, including the  
52 implementation of robust anti-corruption laws and transparency regulations. We support the  
53 reinforcement the European Public Prosecutor's Office to monitor and coordinate efforts  
54 against corruption in Member States.

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56 • We advocate for the protection of media freedom and the support of independent journalism  
57 as pillars of a healthy democracy. We emphasise the importance of full transparency of media  
58 ownership, the enforcement of the adequate measures to avoid abuses of institutional  
59 advertising and combatting threats against journalists or media outlets.

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61 • We commit to fostering a strong and unhindered civil society, encouraging civic engagement  
62 and participation in democratic processes.

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64 • We deplore the proposed Amnesty law in Spain, the political actions leading to its adoption  
65 and its potential consequences for Europe. It offers impunity for crimes related to the pro-  
66 secessionist movement, which has been deemed contrary to the rule of law and rejected by  
67 EU institutions. The law has been drafted by its beneficiaries themselves. The crimes concerned  
68 include EU relevant offences such as embezzlement and terrorism and could result in the  
69 closure of the existing judicial investigation on the interference of Russia in the Catalan  
70 secessionist attempt in 2017, as stated by the European Parliament. This law, and the process  
71 leading to its adoption, undermines judicial independence by proposing parliamentary  
72 oversight of judges' rulings, and has been unanimously criticised by the Spanish judiciary. As a  
73 party committed to the rule of law in line with European values, we cannot overlook actions  
74 that threaten fundamental legal principles and the separation of powers within the EU legal  
75 system. We call for a close scrutiny of the amnesty law by the Commission.

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77 • We advocate for elevating the EU rule of law dialogue into an established European Semester  
78 for rule of law. In this framework, the Council and the European Parliament would play key  
79 roles in issuing recommendations, backed by the Commission's power to enforce compliance  
80 through infringement procedures. This step is crucial to address the democratic deficit with  
81 effective measures, ensuring strict adherence to the rule of law across the EU.