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HUMAN RIGHTS AND THE RULE OF LAW  
ARE NON-NEGOTIABLE

# HUMAN RIGHTS AND THE RULE OF LAW ARE NON-NEGOTIABLE

## Motion Text

Over the last years, the world has seen the rise of authoritarian leadership, and Europe also has a fair share of such leaders. They never fail to stir controversy to push through their own ultra-conservative inward-looking values, much at the expense of protection for minorities, separation of powers, and the rule of law.

Article 2 of the Treaty of the European Union clearly states that the EU stands for freedom, democracy, the rule of law and respect for human rights. Some of the policies adopted by certain Member States flagrantly violate human rights and undermine the rule of law, and thus violate the Treaties. Notable examples are the proposed criminalisation of abortion, LGBT-free zones and attacks on gender equality, persistent threats to free and independent press, and the systematic one-sided overhaul of the judiciary.

These policies are in clear violation of the founding principles of the European Union, and yet EU institutions have never gone further than strong-worded statements. During the European Summit in July 2020, the European Council has watered down the conditions adhering to the rule of law in the new budget (MFF 2021-2027) in exchange for additional EU aid, something that Polish and Hungarian governments have pushed for during those four pivotal days of negotiations.

The Federation of Young European Greens, strongly convinced that commitments to human rights and the rule of law are non-negotiable conditions for an effective and efficient EU governance, call the European Union:

1. to permanently safeguard the conditions to adhere to the rule of law and other founding values of the EU, within the MFF and other financial programs;
2. to make clear to Member States that these conditions are non-negotiable and they would receive less funding should those conditions not be met;
3. to implement mechanisms through which EU funds could be allocated directly to local governments, as promoted by the «Free Cities Alliance»
4. to enforce previous and future judgements of the European Court of Justice which put Member States at fault whenever they would breach the treaties and Fundamental Rights and EU Fundamental Rights legislation, especially those safeguarding the rule of law and respect for human rights;
5. to effectively trigger, by the European Commission, the Article 7 procedure in accordance with the thresholds adopted in 2003<sup>1</sup>
6. to effectively sanction governments which have been repeatedly and blatantly breaching the values of the EU, notably the Polish and Hungarian governments while providing relevant solutions to avoid sanctioning their population and civil society organisations acting towards safeguarding human rights and the rule of law;

<sup>1</sup> European Commission Communication of 15 October 2003 on «Article 7 of the TEU: Respect for and Promotion of the Values on which the Union is based»

7. to push for a change of the Treaty of the European Union (TEU), establishing better enforcement mechanisms to better guarantee rights and freedoms enshrined in Article 2 TEU. This includes lifting the requirement of unanimity for the activation of sanctions in Article 7 TEU;
8. actively support NGOs who are fighting against corruption and for rule of law, human rights in countries where they are most threatened.
9. To introduce mandatory, binding and enforceable Human Rights and Rule of Law chapters within all treaties or agreements with other countries.