

EUROPEAN UNION ISSUES - PROTECTING DEMOCRACY, HUMAN RIGHTS AND THE RULE OF LAW

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Abstract

In the context of recent developments at the European Union level, the current article seeks to find a response to the role that the European Union should play in protecting democracy, human rights and, last but not least, the rule of law.

Starting from a minimal theoretical approach of concepts within the European Union and continuing with some concrete situations, the protection of these key values is subject to strong blows/attacks, outlining the idea that the European Union is increasingly considered to be bureaucratic and, sometimes, undemocratic.

Despite these considerations, the European Union has a duty to continue its work on promoting human rights, to ensure respect for the rule of law, the protection of human rights and the democratic architecture of each Member State, so that the citizen's legal certainty and trust in the European values promoted at this level to represent one of its key objectives.

Keywords: *European Union, European values, democracy, rule of law, human rights*

JEL Classification: [K10, K38]

1. Introduction

Starting from the Universal Declaration of Human Rights¹, according to which all human beings are born free and equal in dignity and rights, democracy must guarantee and recognize these inalienable human rights, including civil and political rights, as the legal norms of all democratic countries state that citizens are endowed with sovereign power, it can be seen that the link between the exercise of civil rights, the rule of law and democratic decision-making is perfectly clear.

At EU level, Article 2 of the Treaty on European Union states that "the Union is founded on the values of respect for human dignity, freedom,

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¹ Declaration of Human Rights adopted by the General Assembly of the United Nations on 10 December 1948 (General Assembly resolution 217 A).

democracy, equality, the rule of law, and respect for human rights, including the rights of persons belonging to minorities" and that it "promotes its values and interests and contributes to the protection of its citizens".

At the same time, fundamental rights embedded in the European Convention for the Protection of Human Rights and Fundamental Freedoms and constitutional traditions common to the Member States are stated as general principles of Union law, and it is stated that the Union's action on the international scene is based on the democratic principles, the rule of law, the universality and indivisibility of human rights and fundamental freedoms.

The relationship between the rule of law, democracy and human rights is a relationship of interdependence, and its operation can only be achieved by ensuring all specific safeguards and exercise mechanisms.

In Bingham's view (Bingham, 2010), there are a number of principles for defining the concept of "rule of law" which stipulate that the law must be accessible, intelligible, clear and predictable, and that issues of legal rights and liability should, as a rule, be settled by law enforcement, not by exercising it in a discretionary manner.

At the same time, there is talk of equality before the law, except and to the extent that objective differences justify this difference, and civil servants must exercise the prerogatives given in good faith in the right way to achieve the purpose for which they were conferred.

Last but not least, another important principle would be the protection of fundamental human rights as well as the regulation of civil litigation and the duty of the State to respect its own obligations in international law and in domestic law.

As far as the present democracy, it is concerned with respecting human rights (eg. equality before the law, the right to opinion, the right to free expression etc.), the political system, and the limitation and separation of powers in the state. Democracy implies respect for human and citizen rights.

From a universal and an European point of view, human rights are universal and essential values inscribed in the Universal Declaration of Human Rights and other treaties and conventions on human rights and in the constituent treaties of the European Union, being reinforced by the adoption of the Charter of Fundamental Rights of the European Union in order to be recognized, protected and promoted within the European Union among the Member States.

The European Union must be one of the main global players in protecting human rights worldwide, so it is obvious that human rights are a topical issue, being necessary to reflect on defending them and promoting them by supporting democracy and the rule of law.

At the same time, starting with the statements made by Jean-Claude Juncker (European Commission, 2017), President of the European Commission,

who has stated on several occasions that he wants a Europe that protects, a Europe that empowers and defends, a stronger Europe for 2025, it can be understood that democracy, the rule of law and human rights are some of the values to which these appeals are addressed, and the natural question is how can they be protected and by whom?

In his opinion, there are three fundamental principles that cannot be shaken: freedom, equality and the rule of law. He also considers that "the rule of law means that law and justice are supported by an independent judiciary system "and "since our Member States have conferred the supreme jurisdiction to the Court of Justice of the European Union, the judgments of the Court must be respected by all. Failure to do so or undermining the independence of national courts means depriving citizens of their fundamental rights.

"Last but not least, Jean-Claude Juncker states that" in the European Union, the rule of law is not optional, it is an obligation. Our Union is not a state, but it must be a community of law. "

2. The European Union's new challenges

The European Union has attracted the criticism of Eurosceptics, in general, in that the Union, in some aspects, lacks democracy and that bureaucracy is starting to become oppressive, determining the appearance of different viewpoints regarding the European Union, often unconstructive. Although from a structural perspective, the European institutions that form it are representative for the exemplification of democratic character, this is not a sufficient premise to be considered democratic.

In order to be considered democratic, the European Union must be characterized by representativeness, transparency, accountability and, consequently, legitimacy and authority.

The way in which democracy is understood in the European Union derives from the involvement of civil society in the different stages of European policy-making, from the way in which public interest is favoured over private interest and also from the transparency that it is trying to manifest.

If the representativeness and transparency of the European Union are quite obvious, either from the point of view of regulatory standards at the level of constitutional treaties or through all measures and policies pursued, the legitimacy of the European Union is being questioned, especially by those considered being Eurosceptic, and the decision-making process at Union level can be counterbalanced by the intentions of national states, which can be interpreted as less democratic also.

Therefore, at least theoretically, democracy or lack of democracy characterizes both the European Union and its institutions as well as the Member States that have the unpleasant task to demonstrate that the legitimate power of a

state is the one underlying the creation and ensuring of democratic premises, as well as the transmission of this message to an international public opinion.

At the same time, the democracy in Brussels demonstrates the desirability of an active involvement of the media as much as possible, as well as the involvement of citizens, both at national and at European level, in domestic and national issues and, on the other hand, in the matters regarding the European Union, so that their will can take effect, through the European Commission, in the European Parliament and, last but not least, through the European Ombudsman elected to assist them in settling complaints against the mismanagement of EU institutions. As far as civil society is concerned, in order to be able to have real and effective engagement and activities, it is necessary to strengthen and protect rigorously the freedom of expression, the freedom of participation and the right to information.

In the literature addressing these issues (Müller, 2015, pp. 141-160), it is considered that "the European Union is a part to the problem of democracy in today's Europe and it is also a part of the solution," and one of the arguments that supports this idea is that "in their capacity as liberal democracies, the member states have freely delegated tasks and competencies specific to the European Union - and that these tasks include defending the democracy of the Member States. "The Union also bases its legitimacy not on the whole European continent's democracy but rather it can claim its own legitimacy as national parliaments have freely voted to respect European rules - and, most importantly, have freely set certain sanctions for those who do not comply with those rules, Article 7 of the TEU being the clearest example."

However, for the moment, there are voices (Zamfir, 2018) who argue that "democratic system failures weaken citizens' confidence and encourage the enemies of democracies" and that "the failure of governments to respect their legal and moral obligations towards those in need of protection, such as refugees fueled extremism and radicalization. Accepting the growth of non-liberal democracy in Europe is unacceptable.

Also, "a democracy that does not respect human rights is not a democracy, and" democracy should not be allowed to exploit the weaknesses of governments to interfere with public perception and to ensure people's support. "The inactivity of citizens and decision-makers should not be supported in any way, and it is stated that courage is needed to address the mistakes of political systems, but that it is a step that needs to be taken.

3. Article 7 of the treaty on the european union

Article 7 of the Treaty on the European Union mainly stipulates that "in case of a reasoned proposal made by one third of the Member States, the European Parliament or the European Commission, and with the consent of the

European Parliament, the Council, acting by a four-fifths majority of its members can ascertain the existence of a clear risk of violating the principles laid down in Article 2 by a Member State.

"As a preliminary procedure, the Council shall hear the Member State concerned and may issue recommendations and carry out regular checks to determine whether the reasons that led to this finding remain valid. Accordingly, the European Council, after having invited that Member State to submit its observations, "may, in case of a proposal made by one third of the Member States or the European Commission and with the consent of the European Parliament, but acting unanimously, find that there has been a serious, persistent infringement of the principles mentioned in Article 2 "by the Member State concerned.

As a consequence of these findings, the Council, acting by a qualified majority, "may decide to suspend certain rights to the Member State concerned following the application of the Treaties, including the right to vote in the Council of the representative of the government of that Member State." The obligations incumbent on the Member State concerned under the Treaties remain binding in any event for the Member State concerned and thereafter the Council may decide (by a qualified majority) to amend or revoke the measures taken in response to a change in the situation which determined to impose such measures."

In a nutshell, Article 7 of the TEU regulates the possibility of suspending the Member State's right to vote in the European Council if European values are breached, representing a "mechanism to isolate the European Union from the Member State considered to be in breach of these fundamental principles; this allows for a kind of moral quarantine, not a real intervention."(Müller, 141-160).

The activation of the provisions of Article 7 is categorized as a " nuclear option "in the category of possible sanctions within the European Union.

As the literature regarding these issues has correctly predicted (Müller, pp. 141-160), although at that time (until 2015) Article 7 "was considered unusable even by the President of the European Commission, José Manuel Barroso, as the countries seemed to be too scared, "the author's prediction that" sanctions could be applied against them one day, and regional solidarity (especially in Central and Eastern Europe) could also play a role", it seems to have taken shape in the years to come (2016-2018), when the behaviour of Hungary and Poland defied the EU and showed mutual support for their actions, thus having direct effects on the European decision regarding the suspension of the right to vote.

Hungary is the first real case in which a Member State of the European Union clearly violates certain principles of democracy and the rule of law.

Thus, concerning Hungary, it is considered that the problems affecting democracy arose with the adoption of the new Hungarian constitution in 2011, which came into effect on January 1st, 2012, its provisions questioning the fundamental values of the European Union. Following its adoption, the European Commission has launched various legal actions against Hungary, as "the will and commitment of the Hungarian government to fully respect the values and the law of the European Union" would not be fully compatible "with the fourth amendment of Hungarian fundamental Law in relation with EU law and the rule of law".

At the same time, due to the European Parliament's report on the situation of fundamental rights (European Parliament, 2017): the standards and practices in Hungary on the 25th of June 2013 (as a result of the European Parliament's resolution on the 16th of February 2012), there was a call from the European Commission (European Commission Press Release, 2013) for the "the Hungarian authorities to implement as soon as possible all the measures that it deems necessary to fully comply with EU law in order to fully respect the decisions of the Hungarian Constitutional Court and to implement the Court's decisions as soon as possible, taking into account its role as guardian of the treaties", its recommendations" in line with the recommendations of the Venice Commission, the Council of Europe and other international bodies on the protection of the rule of law and fundamental rights, with a view to fully respecting the rule of law and its requirements essential to constitutional structure, the system of control and division of powers and independence of the judiciary, as well as a solid protection of fundamental rights, including freedom of expression, the media, religion or beliefs, the protection of minorities and the fight against discrimination but also the right to property."

It is difficult to judge to what extent compliance with these values of the European Union, that must be guaranteed by mechanisms, can be achieved without interference in the internal legal order of the states, without affecting its sovereignty and national identity so that there is a delimitation of domestic political affairs to political affairs that are relevant to the European Union. (Bojan Bugarič, 2014, p. 6) According to Bugarič, "while several authors agree that the new Hungarian constitutional order undermines the rule of law by deploying the independent judiciary and other independent institutions and eliminates most of the controls and balance of power needed in a liberal democracy, there is not a full agreement on how to define a new constitutional order."

By 2017, the institutions of the European Union have not made use of the mechanism provided for in Article 7 of the Treaty on the European Union, mainly because of the absence of an agreement among these institutions, based on a possible lack of unanimity of votes. However, in 2017, the European Parliament adopted a resolution on the 17 of May regarding the situation in

Hungary; the European Parliament considered that it was justified to activate the sanction procedure for Hungary, as there was a clear risk of serious violation of the values, the rights and the fundamental freedoms of man in the European Union by a Member State, mainly due to the deterioration of the principles and legislation applicable to a rule of law and democracy.

Thus, it is considered that laws against asylum seekers and non-governmental organizations considered to be controversial should be suspended or withdrawn, and European Union funds for Hungary placed under the direct supervision of the European Commission. Moreover, the resolution states that the European Parliament regrets that the Commission did not respond positively to the resolutions proposed on the 10th of June 2015 and the 16th of December 2015 in order to prevent the dangers threatening the rule of law and fundamental rights.

The European Parliament (European Parliament, 2017) as a matter of procedure instructs the Committee on Civil Liberties, Justice and Home Affairs to initiate the procedure and draw up a specific report on a reasoned proposal calling on the Council to act under Article 7 (1) of the TEU, in accordance with Article 83 from the Rules of Procedure; thus, a genuine European Union mechanism for protecting democracy, the rule of law and fundamental rights (the EU Pact for the DSF) will be achieved, a process that certainly involves the Council, the Commission and the Parliament.

Hungary considered that "the European institutions are not able to accept that Hungary, in spite of all the pressures, applies policies that concern the security of Hungary and the Hungarian people in matters of migration"; the lack of dialogue and cooperation between the institutions of the EU and the Hungarian Government led to the continuation of the procedure through the issuing of a draft opinion by the Committee on Constitutional Affairs for the Committee on Civil Liberties, Justice and Home Affairs (European Parliament, 2017) regarding the situation in Hungary (following the European Parliament's resolution adopted on the 17th of May 2017).

This draft recommends including suggestions in the motion for a resolution to be adopted, suggestions regarding the principles of the rule of law and the principles set out in Article 2 of the TEU, including freedom of expression, academic freedom, human rights, the right to freedom of expression, equal treatment, social rights, granting rights to defend themselves to civil society organizations, the functioning of the constitutional system, the independence of the judiciary system and other institutions.

It is worrying, however, that Hungary still has a different approach, the fundamental rights and freedoms being overlooked (through the bill against external funding for associations, wishing to penalize them by introducing a 25% tax in the case of associations that offer help to migrants or even banning non-

governmental organizations that receive funding from abroad and offer help to migrants).

It is clear that all these legislative measures will have a strong impact on the migrants supported by these associations, on the actual possibility of protecting the rights of migrants, asylum seekers and refugees, a situation that is considered to be perfectly legitimate in a democratic society.

After Hungary, Poland is the second EU Member State that continues to violate the principles of democracy and the rule of law, which led to the European Commission's proposal addressed to the Council of the European Union to adopt a decision under Article 7 of the Treaty regarding the European Union, explaining the situation of the Polish judicial system. It should be noted that, according to the European Commission (European Commission Communiqué, 2017), "over the past two years, the Polish authorities have adopted more than 13 laws that affect the whole structure of the judiciary system in Poland, affecting the Constitutional Court, the Supreme Court, ordinary courts, The National Justice Council, the Criminal Investigation Service and the National School of Justice.

The common pattern in all these cases is that executive and legislative powers were systematically supported to intervene politically in the structure, competences, administration and functioning of the judiciary system. "The present recommendation clearly sets out a set of actions to be implemented by the Polish authorities to address the concerns expressed by the Commission.

This decision follows as a result of the talks with the Polish state since 2016 in order to build a constructive dialogue on the of the particulars of the rule of law (finalized by several Commission recommendations, four in number, namely the Recommendation on the rule of law adopted in December 2017, which complements three previous recommendations adopted on the 27th of July 2016, 21st of December 2016 and 27th of July 2017).

At the end of 2017, the European Commission concluded that there is a clear risk of a violation of the rule of law in Poland and the impossibility of effective application of European law, which is why it has activated the provisions of Article 7. Activation was in the beginning the imposition of a sanction in the form of a warning, requiring revision of the legislative changes affecting the rule of law within three months.

Following the example of Hungary, Poland does not agree with the European Commission's decision to activate Article 7 of the Treaty regarding the European Union, considering that this decision is extremely political in nature and that there is a inequality of treatment on the part of the European Union for the Member States, a treatment that deepens the deficit of democracy in the European Union.

The next phase following the activation of the provisions of Article 7 is complex, starting with the notice of the qualified majority of the 22 Member States of the European Union ending with the unanimity of the Member States' votes, with the exception of Poland, in order to suspend the voting rights of the latter. Thus, a new situation arises, in which Hungary shows support for Poland, which has direct effects at the level of the European decision on the suspension of the right to vote.

It remains to be seen in the near future if Poland, "perceived today as a force of disintegration in this part of Europe," according to Donald Tusk, president of the European Council, will eventually be penalized and deprived of its voting rights within the European Union, or whether it will not follow through with its reforms in the field of justice, which are perceived as a real threat to the rule of law.

After Poland and Hungary, Romania is the third member state to cause worries to the European Union because of the proposals for legislative amendment of the judiciary system that, in the opinion of the European Commission, are representing a risk to the independence of the judiciary system and to the fighting corruption internally, an important aspect of the commitments made in 2007 after adhering to the European Union.

Given that starting January the 1st, 2019, Romania will take over the Presidency of the Council of the European Union for the first time during a six-month period, posing major challenges for it, lifting the verification and cooperation mechanism by the end of 2018 is one of the challenges to which the Romanian state must respond effectively, in virtue of the values underpinning the European construction.

The lack of sanctions for the violation of fundamental rights automatically leads to serious consequences for European fundamental values, which is why in the literature regarding this subject (Muller, 2013, p. 27) it is argued, on the one hand, the introduction of a system of gradual sanctions and on the other hand, that "the application of these sanctions and, finally, the possibility of exclusion of a Member State from the European Union concerns the final authority of the European Union and there is the question of whether the legal order is in fact complete and coherent".

At the same time, Muller suggests (Muller, 2015, pp.141–160) the creation of a "totally new institution that could act credibly as a guardian of the European normative acquis", thus proposing a "Copenhagen Commission (as a reminder of the "Criterias from Copenhagen", endowed with the power to investigate the situation and then "trigger a mechanism to send a clear signal (not just words, but not far from the measures set out in Article 7). Following the Copenhagen Commission's opinion, the European Commission should be

obliged to reduce, for example, state capital spending funds or to impose significant fines."

Over the years, there have been different proposals to find a solution to the aspects that need improvements and a higher degree of efficiency, implicitly, including new procedures or procedures already in place but subject to extensive changes, some of the new mechanisms proposed (Viviane Reding, 2013) requiring amendment of the constituent treaties (eg. lowering the threshold for the triggering of mechanisms described in Article 7, judicial control of the Court of Justice of the European Union, giving extended powers to the Fundamental Rights Agency or repealing Article 51 of the European Union Charter, so that fundamental EU rights apply directly in all Member States).

The "infringement" procedure is another solution that has been taken into account (with reference to Article 7, considering a possible violation of the provisions of Articles 258 and 259 in the Treaty on the Functioning of the European Union) along with the financial penalty of the Member State that violates the provisions of the article, decided by the Court of Justice of the European Union and, last but not least, the suspension of its financing by the European Union.

For the moment, the launching of this procedure is certainly symbolic because it allows for the involvement of all Member States in the debate and, on the other hand, allows for the search of new solutions to support the values and decisions of the Union (e.g. conditioning access to European Structural Funds).

As stated in the literature concerning this field (Muller, 2015), the European Commission, as guardian of the Treaties, is the only one capable of triggering, under Article 2, the infringement procedure under European law, although it states also that Article 2 does not confer material competence to the Union, but these values are intended to "give some guidance to the Union and the Member States when implementing Union law or policies. bottom line is that values do not create obligations, in other words".

Thus, it is currently considered that there are no legal instruments and mechanisms in place to ensure these fundamental values are taken into account and a state abides by specific regulations concerning them, and special measures must be introduced to reinforce these regulations. Therefore, a possible option is the competence of the national courts, based on the case-law of the European Court of Justice in order to protect the European fundamental rights of nationals from the Member States who are also EU citizens, given that "a citizen of the Union cannot rely on the fundamental rights of the European Union in purely internal matters, as long as it is assumed that their essence is protected in the Member State concerned.

This presumption could only be rejected if a plaintiff could "prove" that violations of fundamental rights are likely to constitute a systemic failure and

are not remedied by an appropriate response within that national system". (Muller, 2015)

It is the attribute and the obligation of the European Commission to determine what mechanism of punishment will be enforced in the case of Member States that violate the rule of law and, unfortunately, Hungary, Poland and Romania may represent States concerned in this respect; a viable solution would be to enforce the mechanism that grants access to European funds on condition that the respective member observes the rule of law and the independence of the judiciary system.

Conclusions

All of the above-mentioned aspects illustrate both the difficulty and the permanent concern of the European Union to confront the legislative changes in the Eastern European states, a real challenge consisting in changing the criteria necessary in order to apply for European funds and the inclusion of some elements regarding the rule of law in the next financial framework (starting with 2021), given that under the legal provisions in force, the EU budget must be unanimously approved by all Member States.

However, it is considered that "the European Union does not want to use its power through coercive force, and that its evolution must be achieved by moving away from a classical conditionality relationship to one characterized by an equal partnership, recognizing that internal dynamics and local ownership in third countries are essential for democratic progress. It has applied the sanction mechanism in its bilateral agreements and unilateral trade as a constructive tool for establishing a dialogue and finding solutions based on consultation and cooperation." (Zamfir, 2018)

Although the current trend reveals the loss of constituent elements of democratic values, political instability and, in general, global instability lead to a reorientation of European citizens towards what the European Union itself is promoting, namely stability, stability which is increasingly regarded as national stability and not necessarily as European stability.

The neutrality of the European Union in regard to the internal situations of its Member States might end up in a decrease in the trust of European citizens and the potential disagreements between the European institutions and the Member States, that is why the increase of effectiveness in the provisions of Article 7 is more and more appealing, but for this it is necessary to amend the constitutive text in this respect, including the treaty.

The existence of democracy and the constant attention given to the work of strengthening democratic institutions and political parties, as well as the promoting and protecting human rights and the rule of law are essential in order to avoid a different treatment of individuals when discussing about the subject

of human rights at the international level on one hand, and on the other hand at national level, but also for strengthening the judiciary system and campaigning for more active participation of civil society in the implementation and promotion of these concepts.

At a time when the European Union is subject to permanent challenges, it is essential to consider the relationship of interdependence between democracy, the rule of law and human rights and the necessity for their protection, especially as their inter-relationship at national and European level demonstrates that both European democracy and national democracy, as well as national and European human rights, do not reject each other, on the contrary, both are based on the Member States of the European Union.

Starting from the motto "unity in diversity", the European Union demonstrates that democracy plays a significant role in the evolution of the Member States and in its own evolution as "the rule of law without democracy can be an empty and totalitarian principle", so that democracy without the fundamental values represented by the rule of law and human rights cannot exist.

It is obvious that the European Union is striving to reach a permanent balance between the Member States, a balance that maintains democracy and the rule of law, and at the same time develops European values, but unfortunately, as the latest developments on the political scene of the EU are showing, democracy is apparently increasingly threatened, with the possibility and necessity of considering the application of sanctions in this respect to the states concerned, precisely in order to support European democracy and strengthen it.

Bibliography

1. Bingham, Tom, (2010), *The Rule of Law*, Allen Lane, London.
2. Bugarič Bojan, (2014), *Protecting Democracy and the Rule of Law in the European Union: The Hungarian Challenge*, LSE 'Europe in Question' Discussion Paper Series, No. 79/2014.
3. Declaration of Human Rights adopted by the General Assembly of the United Nations on 10 December 1948 (General Assembly resolution 217 A) [Online] Available at: <http://www.un.org/en/universal-declaration-human-rights> [Accessed 12 04 2018].
4. European Commission, (2017), *Speech by President Jean-Claude Juncker on the State of the Union 2017**, Brussels, 13 September 2017, [Online] Available at: http://europa.eu/rapid/press-release_SPEECH-17-3165_ro.htm [Accessed 16 04 2018].
5. European Commission Press Release, (2013), IP/13/327 of 12 April 2013, Brussels, [Online] Available at: http://europa.eu/rapid/press-release_IP-13-327_en.htm
6. European Commission Communiqué (2017), *The European Commission acts to defend the independence of the judiciary in Poland*, of 20 December 2017, [Online] Available at: https://ec.europa.eu/romania/news/20172012_masuri_comisia_europeana_aparare_independenta_justitie_polonia_ro [Accessed 17 04 2018].

7. European Parliament, (2017), *Resolution of 17 May 2017 on the situation in Hungary*, P8_TA (2017) (2017/2656(RSP)), [Online] Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P8-TA-2017-0216+0+DOC+PDF+V0//RO>, [Accessed 16 04 2018].
8. European Union, (2017), Committee on Constitutional Affairs for the Committee on Civil Liberties, Justice and Home Affairs, Draft, *Opinion of the on the situation in Hungary* (following the European Parliament resolution of 17 May 2017) (2017/2131 (INL)) of 12 December 2017, 2017 / 2131 (INL), rapporteur: Maite Pagazaurtundúa Ruiz, [Online] Available at: <http://www.europarl.europa.eu/sides/getDoc.do?type=COMPARL&reference=PE-615.423&format=PDF&language=EN&secondRef=01>, [Accessed 16 04 2018].
9. European Parliament, (2013), *Report on the situation of fundamental rights: standards and practices in Hungary* (following the European Parliament resolution of 16 February 2012), 24 June 2013, (A7-0229 / 2013) Civil Liberties, Justice and Home Affairs, Rapporteur Rui Tavares, [Online] Available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A7-2013-0229+0+DOC+XML+V0//RO> [Accessed 16 04 2018].
10. Müller, Jan-Werner, (2015), *Should the EU Protect Democracy and the Rule of Law Inside Member States?*, European Law Journal, Vol. 21, Issue 2. [Online] Available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2573368, [Accessed 15 04 2018].
11. Müller, Jan-Werner, *Safeguarding democracy inside the eu Brussels and the future of liberal order*, 2012-2013 Paper series No. 3, Transatlantic Academy.
12. Reding, Viviane, Vice-President of the European Commission, EU Justice Commissioner, (2013), *The EU and the Rule of Law – What next?*, Centre for European Policy Studies/Brussels, 4 September 2013, [Online] Available at http://europa.eu/rapid/press-release_SPEECH-13-677_en.htm [Accessed 16 04 2018].
13. Zamfir, Ionel, (2018), *Democracy Support In EU External Policy*, 28 February 2018, [Online] Available at <https://epthinktank.eu/2018/02/28/democracy-support-in-eu-external-policy/>, [Accessed 16 04 2018].
14. Zamfir, Ionel, (2018), *The global state of democracy as seen by citizens*, 12 March 2018, [Online] Available at <https://epthinktank.eu/2018/03/12/the-global-state-of-democracy-as-seen-by-citizens/> [Accessed 16 04 2018].