

Legal Principles on the Ballot:

Rule of Law in European
Parties' Manifestos

re:constitution Exchange and Analysis on Democracy
and the Rule of Law in Europe

STIFTUNG
MERCATOR

This publication was produced by Democracy Reporting International as
part of the re:constitution programme, funded by Stiftung Mercator.

Authors: Jakub Jaraczewski

6 May 2024



This publication is available under a Creative Commons Attribution
Non-Commercial 4.0 International license.

Overall Rule of Law Concerns

- How important is **the rule of law** to the European parties?

ALDE	High	<div></div>
Greens	High	<div></div>
EDP	Moderate	<div></div>
EPP	Moderate	<div></div>
PES	Moderate	<div></div>
ECR	Low	<div></div>
ECPM	Low	<div></div>
EFA	Low	<div></div>
Left	Low	<div></div>
ID	No Manifesto	<div></div>

- Is **the rule of law** a priority for the European parties?

1. High priority: 2

2. Moderate priority: 3

3. Low priority: 4

4. No data: 1
- 4 parties highlight rule of Law conditionality and the need to protect the EU budget from corruption.
- 3 parties discuss Article 7 of the TEU in their manifestos.
- 4 parties discuss the rule of law as a criterion for EU membership.

Independence of the Judiciary

- How important is **an independent justice** system to the European parties?

ALDE	High	<div></div>
Greens	High	<div></div>
PES	High	<div></div>
ECR	Low	<div></div>
ECPM	Low	<div></div>
EDP	Low	<div></div>
EFA	Low	<div></div>
EPP	Low	<div></div>
Left	Low	<div></div>
ID	No Manifesto	<div></div>

- 2 parties mention upholding a trustworthy justice system as important for the rule of law.
- 7 parties do not mention the independence of the judiciary in their manifestos.

Anti-Corruption

- How important is **combatting corruption** to the European parties?

ALDE	High	<div></div>
Greens	High	<div></div>
EDP	Moderate	<div></div>
EFA	Moderate	<div></div>
EPP	Moderate	<div></div>
PES	Moderate	<div></div>
ECR	Low	<div></div>
ECPM	Low	<div></div>
Left	Low	<div></div>
ID	No Manifesto	<div></div>

- 7 parties discuss corruption in their manifestos.
- 2 parties express their support for a well-functioning European Anti-Fraud Office (OLAF).
- 2 parties demand anti-corruption policies for civil servants.
- 1 party asks for a stronger EU ethics authority and strong EU-level legislation on lobbying.

Media Freedom

- How important is **media freedom** to the European parties?

ALDE	High	<div></div>
EDP	High	<div></div>
Greens	High	<div></div>
EFA	Moderate	<div></div>
EPP	Moderate	<div></div>
PES	Moderate	<div></div>
ECR	Low	<div></div>
ECPM	Low	<div></div>
Left	Low	<div></div>
ID	No Manifesto	<div></div>

- 3 parties want to improve the protection of journalists.
- 1 party encourages improved media literacy and civic education.
- 2 parties present ideas to support journalists against strategic lawsuits against public participation (SLAPPs).
- 2 parties want to limit media concentration and monopolisation.

Alliance of Liberals and Democrats for Europe (ALDE)



THE PROMINENCE OF THE RULE OF LAW IN THE MANIFESTO – RANKING:



The prominence of the rule of law in the manifesto – Summary:

The rule of law features prominently, with **“Defend the rule of law and slash corruption”** as a key priority, and extensive manifesto elements addressing the rule of law

Overall rule of law concerns

- * Commitment to the use of Art. 7 of the Treaty on European Union (TEU)
- * Expanding the rule of law report and the rule of law mechanism
- * Multiple mentions of the use of financial tools, such as the rule of law conditionality, to enforce EU values

Independence of the Judiciary

- * Pledge to uphold the integrity of institutions and fight against the erosion of the independence of the judiciary

Anti-Corruption

- * Commitment to establish an effective anti-corruption sanction regime in Europe and reinforce national anti-corruption agencies with more funding
- * Vow to secure the functioning of the European Anti-Fraud Office (OLAF), by ensuring national cooperation and adherence to recommendations
- * Call to fostering an improved civil service with anti-corruption policies (including policy monitoring)

Media Freedom

- * Commitment to creating a European watchdog to protect and promote media freedom and independence across Europe
- * Promise to initiate a European fund for independent media, aimed at helping media against strategic lawsuits against public participation (SLAPPs)

European Green Party (Greens)



THE PROMINENCE OF THE RULE OF
LAW IN THE MANIFESTO – RANKING:

HIGH

The prominence of the rule of law in the manifesto – Summary:

The rule of law features prominently, with “Taking rapid action for democracy and the rule of law”, “Fighting corruption! Politics need to be transparent and accountable”, and “Free and independent media for Europe” as sub-priorities

Overall rule of law concerns

- * Mention of the importance of the Art. 7 TEU procedure
- * Commitment to the introduction of a Fundamental Values Annual Review to “monitor, enforce, and sanction the infringement”
- * Commitment to supporting EU candidate countries in strengthening the rule of law

Independence of the Judiciary

- * General commitment to stand for judicial independence

Anti-Corruption

- * Call for a stronger EU ethics authority and strong EU-level legislation on lobbying
- * Call for more transparency of EU institutions, including Member State positions in the Council
- * Vow to have members and senior staff of EU institutions declare their assets
- * Support for OLAF and the European Public Prosecutor’s Office (EPPO)

Media Freedom

- * Call for an EU framework to protect journalists and prevent media concentration
- * Vow to monitor the application of EU laws pertaining to media and implementation of the European Media Freedom Act and the anti-SLAPP directive
- * Undertaking to support pan-European media and reporting on European affairs

European Democratic Party (EDP)



THE PROMINENCE OF THE RULE OF LAW IN THE MANIFESTO – RANKING:

MODERATE

The prominence of the rule of law in the manifesto – Summary:

The rule of law features in the manifesto, with a particular focus on the situation of media and journalists in the priority “Media and pluralism”

Overall rule of law concerns

- * Commitment to strengthening civil society and local authorities when sanctioning Member States for breaches of the rule of law
- * Commitment to protecting the rule of law in the EU’s neighbourhood

Independence of the Judiciary

- * No mention

Anti-Corruption

- * General commitment to fighting corruption

Media Freedom

- * Commitment to protect journalists from both threats and workplace insecurity, and to guard the independence of public media
- * Undertaking to promote media freedom and diversity, and to avoid excessive concentration and monopolies
- * Commitment to boost civic education and media skills, including the ability to understand issues related to the media
- * Vow to encourage digitisation of newspapers and broader coverage of European issues, and to promote European and cross-border media

European People's Party (EPP)



THE PROMINENCE OF THE RULE OF LAW IN THE MANIFESTO – RANKING:

MODERATE

The prominence of the rule of law in the manifesto – Summary:

The rule of law is mentioned in the manifesto preamble and features prominently in the sub-priority “Our Europe preserve our democracy, traditions, cultural richness, and diversity”

Overall rule of law concerns

- * Mention of the failure of the Art. 7 TEU procedure
- * Commitment to the rule of law conditionality mechanism
- * Support for rule of law financial conditionality mechanism
- * Commitment to fair, non-partisan application of the rule of law mechanism, and to ensuring its adequacy and effectiveness

Independence of the Judiciary

- * No mention

Anti-Corruption

- * Fighting against corruption is mentioned in the context of protecting the economy

Media Freedom

- * Commitment to working with journalists’ organisations to strengthen fact-checking

The Party of European Socialists (PES)



THE PROMINENCE OF THE RULE OF LAW IN THE MANIFESTO – RANKING:



The prominence of the rule of law in the manifesto – Summary:

The rule of law features prominently, with the dedicated sub-priority “Defend democracy and the rule of law”

Overall rule of law concerns

- * Commitment to defending the rule of law at all levels
- * Condemnation of conservative and liberal parties for enabling the far right
- * Call for clear rules and sanctions to prevent EU funding from reaching autocratic governments

Independence of the Judiciary

- * General mention of a trustworthy justice system as a means of defending the rule of law

Anti-Corruption

- * General mention of anti-corruption measures as a means of defending the rule of law

Media Freedom

- * General mention of media freedom and pluralism as means of defending the rule of law

European Christian Political Movement (ECPM)



THE PROMINENCE OF THE RULE OF
LAW IN THE MANIFESTO – RANKING:

LOW

The prominence of the rule of law in the manifesto – Summary:

The rule of law
is not a priority item
in the manifesto

Overall rule of law concerns

- * Mention of the rule of law as
a value to be protected in EU
economic policies
- * Rule of law concerns highlighted
as the reasoning behind ECPM's
opposition to Turkey's EU
Membership

Independence of the Judiciary

- * No mention

Anti-Corruption

- * Incidental mentions of corruption
as an impediment to economic
development

Media Freedom

- * No significant mention of media
or priorities for their protection/
strengthening

European Conservatives and Reformists (ECR)



THE PROMINENCE OF THE RULE OF LAW IN THE MANIFESTO – RANKING:



The prominence of the rule of law in the manifesto – Summary:

The rule of law is not a priority item in the manifesto

Overall rule of law concerns

* The rule of law is mentioned solely in the context of a “commitment to external promotion of it on the global stage”

Independence of the Judiciary

* No mention

Anti-Corruption

* No mention

Media Freedom

* No mention

European Free Alliance (EFA)



THE PROMINENCE OF THE RULE OF LAW IN THE MANIFESTO – RANKING:



The prominence of the rule of law in the manifesto – Summary:

The rule of law is not a priority item in the manifesto

Overall rule of law concerns

* The rule of law is mentioned as one of the core EU value

Independence of the Judiciary

* No mention

Anti-Corruption

* Corruption highlighted as an issue

Media Freedom

* Surveillance of journalists is mentioned as an issue

The Left (GUE-NGL)



THE PROMINENCE OF THE RULE OF LAW IN THE MANIFESTO – RANKING:



The prominence of the rule of law in the manifesto – Summary:

The rule of law is not a priority item in the manifesto

Overall rule of law concerns

- * The rule of law mentioned as one of the EU’s core values and accession criteria
- * Calls on the EU to safeguard the rule of law in both candidate and Member States

Independence of the Judiciary

- * No mention

Anti-Corruption

- * No mention

Media Freedom

- * No mention

Identity and Democracy (ID)



THE PROMINENCE OF THE RULE OF LAW IN THE MANIFESTO – RANKING:

NO MANIFIESTO

The prominence of the rule of law in the manifesto – Summary:

No Manifesto

Overall rule of law concerns

Independence of the Judiciary

Anti-Corruption

Media Freedom



Legal Principles on the Ballot:

Rule of Law in European
Parties' Manifestos

DRI website:
democracy-reporting.org

Re:constitution website:
reconstitution.eu

X:
[@DemocracyR](https://twitter.com/DemocracyR)

LinkedIN:
linkedin.com/company/dri

Instagram:
[@democracyinternational](https://www.instagram.com/democracyinternational)

Bluesky:
[@democracyreporting.bsky.social](https://bsky.app/profile/democracyreporting.bsky.social)