

**ECPM Resolution on EU mechanism on democracy, the rule of law and fundamental rights - Tabled by Marek Jurek, Right of the Republic, Poland  
(Accepted during the ECPM General Assembly on 23 May 2017, in Warsaw, Poland)**

**The European Christian Political Movement:**

Taking notice of the proposal to establish an EU mechanism on democracy, the rule of law and fundamental rights.<sup>1</sup>

Considering that this proposal constitutes a radical breach of the Treaty of the European Union and of the separation of powers and of the rule of law

Reminding that in the case of the breach of the values that are considered common by the Union, the Article 7 of the Treaty on European Union reserves the judgment on the breach done by one of the Member States to other Member States authorities.

Reminding that the governments of the Member States acting through European Council “hear”, “address recommendations” and “call” the Member State to correct its actions if they see reason to do it.

Considering that the requirement of the common opinion of four fifths of the Member States to state the “clear risk” of a serious breach of the values of the European Union by a Member State is by no means an evidence of weakness or ineffectiveness of the Treaty.

Stresses that the need of that high majority is the result of the simple fact that since the Treaty of Rome the European integration has aimed at putting an end to any plans to dominate Europe by anyone and at avoiding creating any new mechanisms of domination, for example ideological ones.

Reminds that Article 7 of the Treaty on European Union makes a space for European Commission, European Parliament and groups of Member States to express their opinion on upholding of the common values.

Emphasises that it is the intergovernmental mechanism expressed in the European Council which is the only authorized judge of that opinions.

Warns that the extra-treaty attempts to create institutions which would perform the same function do constitute a usurpation of power.

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<sup>1</sup> [http://www.europarl.europa.eu/RegData/etudes/IDAN/2016/579328/EPRS\\_IDA\(2016\)579328\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2016/579328/EPRS_IDA(2016)579328_EN.pdf)