

# A union of values

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Propositions belonging to the Dissertation

## **A Union of Values**

### ***Safeguarding Democracy, the Rule of Law and Human Rights in the EU Member States***

By Matteo Bonelli

1. Democracy, the rule of law and human rights were not mentioned in the 1957 Treaty of Rome, but since then have become the common foundations of the European integration project: today, the EU is not simply an economic organization, but a 'Union of Values'.
2. Although there is a trend toward more clarity and convergence, democratic and rule of law standards remain relatively unclear and should be further specified, also by using comparative research.
3. When they intervene in the Hungarian and Polish crises, EU institutions should not only refer to the value of the rule of law, but also use more explicit democratic and human rights arguments.
4. The national and constitutional identity clause of Article 4(2) TEU cannot be used to justify breaches of the common values of Article 2 TEU. At the same time, it serves as a reminder that the EU cannot and should not impose a uniform constitutional model on the Member States.
5. Article 7 TEU is not a nuclear option. The decisions of the Commission and of the European Parliament to activate the procedure against Poland and Hungary were positive steps, which should be supported by further actions through both legal and political channels.
6. Infringement actions based on Article 19 TEU or on the Charter of Fundamental Rights are very promising tools for the protection of EU values. In contrast to the infringement actions started at the beginning of the Hungarian crisis, they allow EU institutions to concentrate on the relevant rule of law and fundamental rights profiles directly, rather than on more technical requirements such as age discrimination or the independence of the data protection authorities.
7. Until today, no other case is truly comparable to the Hungarian and Polish crises, but EU institutions need to pay close attention to possible systemic threats to common values throughout the Union. In order to do so, the EU needs a robust monitoring framework, which could be put in the hands of the Fundamental Rights Agency.
8. Supporters of a two or multi-speed Europe will become more vocal if the Hungarian and Polish crises are not adequately addressed. However, accepting double democratic and rule of law standards would be a defeat for the Union of Values' project.
9. Academics' involvement in the public and political debate on how to safeguard EU values is absolutely necessary. Yet, it is difficult to find the correct formula: we need to reflect carefully on what are the most appropriate forms and levels of involvement, identify the best platforms for engaging with the public, and find ways to communicate our research without becoming purely partisan voices, or at least being perceived as such.
10. Running a marathon can help in writing a PhD dissertation, and vice versa.