

(English version)

**Question for written answer E-002874/26
to the Commission
Alexander Jungbluth (ESN)
(13 July 2026)**

Subject: Rule of law mechanism

The official line on the rule of law mechanism is that it is based on objective criteria, four standardised pillars for analysis, the annual rule of law cycle (comprising reports, focused dialogues and country visits) and the requirements of Regulation (EU, Euratom) 2020/2092. Nevertheless, its practical application in procedures against individual Member State casts considerable doubt on just how objective and consistent the mechanism really is.

1. How does the Commission make sure that decisions on which Member States to prioritise in the annual visit schedules and dialogues are purely objective and free from political influence?
2. When taking decisions on the introduction and intensity of measures, to what extent is it ensured that a uniform and comparable approach is adopted for all Member States facing similar challenges?
3. What safeguards are in place to ensure that Article 7 measures are lifted only if specifically agreed reforms have been carried out, rather than as a result of shifting political influences?

Submitted: 13.7.2026

**Answer given by Mr McGrath on behalf of the European Commission
(17 September 2026)**

The Commission's annual Rule of Law Cycle ⁽¹⁾, with the Rule of Law Report at its centre, is an instrument for monitoring and dialogue, aiming to prevent rule of law challenges from emerging or deepening.

The report is based on a transparent and objective methodology ⁽²⁾, the result of close collaboration and dialogue with national authorities and relies on input from a variety of sources.

The Commission conducts virtual or in-person country visits in all Member States every year, which include meetings with national authorities, independent bodies and stakeholders, ensuring the respect of equal treatment and proportionality.

The regulation on a general regime of conditionality ⁽³⁾ can be applied in case of breaches of the principles of the rule of law which affect or seriously risk affecting the sound financial management of the EU budget or the protection of the financial interests of the EU in a sufficiently direct way.

It can be applied only if no other EU law instruments protect the EU budget more effectively. When identifying and assessing breaches of the principles of the rule of law that may be relevant for the application of the general regime of conditionality, the Rule of Law report is one of the sources of information the Commission takes into account.

Measures under the regulation are enacted and lifted by a Council decision (taken by qualified majority), based on a proposal by the Commission.

As regards the procedure enshrined under Article 7 of the Treaty on European Union, the Commission notes that it is separate from the annual Rule of Law Cycle.

Under that procedure, it is exclusively the Council that may decide to vary or revoke measures imposed on the Member State subject to that procedure.

⁽¹⁾ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/annual-rule-law-cycle_en.

⁽²⁾ https://commission.europa.eu/document/download/5615c846-9e85-4dd2-9184-cda947c4d3e9_en?filename=2026%20Rule%20of%20Law%20Report_methodology_en.pdf.

⁽³⁾ <https://eur-lex.europa.eu/eli/reg/2020/2092/oj/eng>.