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New threats to the Rule of Law in Council of Europe member States

Motion for a resolution

tabled by Mr Bernd FABRITIUS and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The Parliamentary Assembly has repeatedly spoken out against infringements of the rule of law.

In relevant Resolutions and Recommendations, in particular in [Resolution 2040 \(2015\)](#), [Resolutions 1738 \(2010\)](#), [1685 \(2009\)](#), and [Recommendations 1955 \(2010\)](#), [1856 \(2009\)](#), the Assembly stressed the importance of the parliamentary dimension as regards measures needed to ensure compliance with the standards of the Council of Europe, especially as regards functioning of the judiciary.

New threats to the rule of law raise serious questions in several member States of the Council of Europe, in particular:

- in certain countries, reforms with regards to the functioning of constitutional courts created the risk of paralysing their work;
- in Turkey, the dismissal of a large number of judges and prosecutors at the aftermath of the coup d'Etat attempt risks jeopardising democratic checks and balances.

The rule of law is the most at risk when the independence of the courts is not guaranteed. The Assembly should look into these new threats to the rule of law.

Signed (see overleaf)



*Signed*¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
EPP/CD: Group of the European People's Party
SOC: Socialist Group
UEL: Group of the Unified European Left