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Cross-sectoral group calls on Commission to link rule of law to EU funds

Vitor Teixeira · Wednesday, March 28th, 2018

Last week, the multi-stakeholder platform accompanying the European Commission's work on the [Sustainable Development Goals \(SDGs\)](#) adopted a paper with wide-ranging recommendations on the next Multiannual Financial Framework (MFF), the EU's budget for the years 2021-2027.

The paper, entitled "[Implementing the Sustainable Development Goals through the next Multi-Annual Financial Framework of the European Union](#)", garnered cross-sectoral support: businesses, trade unions, and civil society organisations have all signed-up.

It has been submitted to First Vice-President of the European Commission Frans Timmermans, appropriately enough on World Happiness Day (20 March), and is expected to feed into the deliberations on the draft MFF budget proposal, due on 2 May 2018.

Among the recommendations of the paper, we are particularly pleased to see that the extension of "ex ante conditionality", conditions to be fulfilled before EU money can be made available to Member States, was adopted by the multi-stakeholder platform. Accordingly, the "rule of law" in EU Member States should be assessed regularly, and be linked to their eligibility to receive EU funds.

At Transparency International EU we have [suggested](#) such a mechanism in order to increase the EU's leverage in cases of breaches of the rule of law, one of the core values under the EU's Treaties, to which all Member States have committed.

The relevant paragraph in the paper reads as follows:

Introducing a link between the spending and the "rule of law" in the Member States

The EU is based on common European values, including the rule of law. The platform underlines that ensuring rule of law throughout the EU is not only a responsibility stemming from the Treaty, but also a precondition for implementing the 2030 Agenda. From the EU budget perspective the rule of law is also essential for defining a level playing field in the common market and a predictable and enabling economic environment for investments. It thus recommends introducing – linked to the MFF post 2020 – regular assessments of the rule of law in all MSs, which can trigger proportionate answers as needed: from recommendations, through introducing targeted ex-ante conditionality to the suspension of EU's Structural and

Investment Funds (not only the Cohesion Funds). In order to ensure that regions and vulnerable beneficiaries do not necessarily suffer from the consequences of national level failures, funding could be redirected to reach the beneficiaries even in the event of suspension.

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