



SOME REFLECTIONS ON THE PROTECTION OF THE RULE OF LAW THROUGH THE FINANCIAL INSTRUMENTS IN THE EU

The article aims to examine the content of a recent Commission proposal put forward for a regulation on the protection of the Union's budget, against generalised rule of law deficiencies in a Member States. The Commission's proposal is analyzed in the context of the recent initiatives, undertaken by the European institutions, to address the violation of the values referred to in the article 2 TEU, and in particular the infringement of the principle of the rule of law by Poland and Hungary. In this perspective, after a brief evaluation of the effectiveness of the procedure under the art. 7 TEU, considered to be unsatisfactory to date, the essay pays particular attention to financial instruments that can be used in the event of rule of law crisis. The proposal for a regulation including sanctions measures, such as suspension or reduction of EU funding, represents a new tool for the European institutions, alongside legal and political ones, to cope with the rule of law crisis in a Member State. However the article draws attention to the weak role of the Parliament in the adoption of such measures, especially compared to the role it played in the procedure referred to in the art. 7 TEU.