

## No democracy without fundamental rights

Written by Marie-Christine Vergiat on 21 September 2018 in Opinion  
Opinion

Europe must uphold fundamental rights at all times - or risk self-destructing, warns Marie-Christine Vergiat.



Marie-Christine Vergiat | *Photo credit: European Parliament audiovisual*

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It is still too early to determine what the key points of Parliament's report on fundamental rights will be, because the civil liberties committee will not vote on it until late November.

However, when the rapporteur, Josep-Maria Terricabras, presented his work to the committee on 6 September, some clear lines emerged. We want to avoid producing a report that is too wide-ranging, instead drafting a text that focuses on certain key elements.

It must start with a section dedicated to the rule of law, as a reminder that this is the cornerstone of democracy and that it requires respect for fundamental rights.

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It must be noted that currently, in many EU member states, fundamental rights are actually regressing. This is particularly the case in terms of press freedom, racism and xenophobia. It is accompanied by increasing discrimination and hate speech against people considered foreign for their religion, skin colour or nationality.

I would like to insist on a number of points. First, migrants' rights - I believe that only through respect for human rights will we be able to put an end to human trafficking and the increase in deaths in the Mediterranean. The escalating death toll starkly contrasts with the sharp decline in the number of crossings: one death for every 18 crossings this year, compared to one for every 45 crossings last year.

Therefore, we must reiterate that whatever their status, migrants have rights. Those who wish to do so can apply for EU asylum, and we must open up safe access routes for refugees and migrants, such as corridors and humanitarian visas.

I also want to highlight that while citizens have a right to security, the fight against terrorism must not come at the expense of fundamental rights. This implies action that is targeted and proportional to its objectives, particularly in terms of data protection. We must also speak out against the tendency to equate migration with terrorism, a comparison not based on any tangible reality.

The European Parliament has just issued a historic vote on fundamental rights in Hungary, asking the Council to trigger the Article 7 procedure. This is a strong message, and is one that should have been sent a long time ago.

Article 2 of the EU treaty ("The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities") is there for a reason.

We cannot tolerate any fundamental rights being called into question, regardless of a member state's political majority. We need a European mechanism for regularly assessing the rule of law, something Parliament called for in 2015.

This assessment should be based on reliable data and analysis. This is why I will support the rapporteur's proposal to strengthen the means and mandate of the European fundamental rights agency.

If the EU turns its back on fundamental rights and fails to uphold the values it demands of aspiring member states, it will slowly be eroded. Europe must remain a space for peace and democracy, and there can be no democracy without respect for the rule of law and fundamental rights.

## About the author

Marie-Christine Vergiat (FR) is Parliament's GUE/NGL group shadow rapporteur on fundamental rights in the EU 2017

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