

EU



Hello Commissioners,

My name is Isabella Zavalza, and I am extremely excited to be President of the European Union for the 21st edition of CancunMUN. I am currently 16 years old and a junior of the American School of Cancun. In my free time, I enjoy reading, writing, hanging out with my friends, and listening to music. Model UN allows me to further develop my current interest in world politics and legal matters to entertain the possibility of studying abroad either in Europe or the United States to major in law.

I've had the opportunity to participate in two CancunMUN conferences. My first experience as a delegate was in ninth grade for WHO, where I won the award for best position paper. I fell in love with the program and decided to apply to a more challenging committee the year after, Security Council, and was awarded an honorable mention for best delegate. The European Union is an entirely new committee this year, and I'm very honored to be a part of its development. Its main purpose is to provide peace and security to the citizens of the states that conform it by managing internal political, social, economic crises. However, it also takes measures to address current conflicts beyond its borders.

This year, I would love for our commissioners to be well-prepared and well-spoken so as to leave a good precedent for this new committee. I look forward to working hard along with you and making this an enjoyable and fun experience for all commissioners! A quick reminder to read the background guide provided, but that it is required to have various other sources of information besides it. I hope you commissioners go beyond when it comes to research, do your best to bring some additional notes on your country and others participating! I'm confident that all of you will do an amazing job!

Don't hesitate in contacting me if you have any doubts or concerns via my email zavalza.i@ciac.edu.mx. I look forward to meeting you, best of luck!

Isabella Zavalza, President,
European Union

Greetings Commissioners of CancunMUN 2024!

I am Ivan Sánchez, and I have the pleasure to be your European Union Co-President. This committee is a new addition to our conference, which is why I am looking forward to ensuring a great experience for all you commissioners. I am a 16 year old junior at the International American School of Cancun. Outside of school I have many hobbies and interests: tennis, piano, reading, and formula one. However, I feel my real passion is politics and international relations, which is what I wish to study in Europe when I finish high school.

This will be my fourth MUN conference, as I have been involved in the past two CancunMUNs, first as a delegate when I won my first award, and then as a chair. I also participated in the AMERIMUNC conference in Washington D.C., where I was in the crisis committee. With these MUN experiences, I am glad to say that I have a deep appreciation for the UN and international politics. Regarding this committee, the purpose of the European Union is to promote peace and the wellbeing of its citizens, and also to address the current crises facing the European continent.

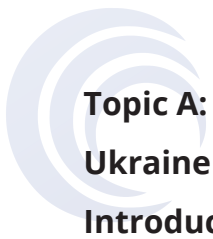
As this is a new committee, I will be working hard to make sure you have the best and most accurate experience that reflects its complex character. If you have any doubts or you need help, I encourage you to reference the background guide or contact me at sanchez.i@ciac.edu.mx. However, it should not be your only source. Please research and investigate through other means so you can participate effectively. You, the commissioners, are what will make this year's European Union special, so I wish you all success in this 2024 edition of CancunMUN!

Ivan Sanchez, Co-President
European Union



COMMITTEE MISSION

The European Union can be described as a supranational organization, meaning an entity above the national governments of its independent members. It has several different objectives. As a political union, it is used to promote peace, European values, and the well-being of its citizens. As an economic union, it creates a common market between its members, establishing the Euro as a universal currency. It is also involved in foreign policy affairs, representing Europe as a unified bloc on the world stage. The nature of the European Union is complex with many bodies to ensure respect towards checks and balances. The European Council designs the European Commission's political agenda, which is then referred to make new legislations and treaties to be further approved by the European Parliament and Council of the European Union.



Topic A: Implications of the Energy Crisis in Europe in Light of the Russian Invasion of Ukraine

Introduction

Since 2021, Europe has faced a grueling energy crisis driven by several factors. An energy crisis represents the lack of resources like gas, coal, or oil that provide electricity to society. This crisis occurs because of three factors: lack of resources, disruption in the supply chain, and rise in consumption; the EU has faced a combination of all three. The supply could not keep up with the demand, Russian exports were halted since the Ukraine conflict, and climate change caused energy depletion in society. All of this led to energy prices skyrocketing in 2022. Many European households and industries suffered monetarily while searching for alternatives, which tended to be more costly, and damaging to the economy.

Before the invasion, most countries in the European Union relied on Russian imports to satisfy their energy needs. Lithuania, Poland, Germany, Italy, Netherlands, Czechia, Hungary, and Slovakia, just to name a few, were highly dependent. As Europe looked for alternatives to Russian gas, a crisis was inevitable. Any change to the supply line would need a massive financial investment and large amounts of time. As always, it proves to be a challenge to reach a consensus between countries to form a common strategy. Most opted to switch to Liquefied Natural Gas (LNG) imports. Ships would import LNG from foreign countries, rather than coming from pipelines.

However, some countries like Austria, Slovakia, and Hungary still buy large amounts of oil and gas from Russia, funding its war against Ukraine. Hungary is the most famous example of this, as it has vetoed EU oil/gas sanctions and done little to end its dependency, with the main argument being that any transition would be too costly for the country and its citizens to manage. Other nations are switching to other sources. Such is the case with Germany, previously gaining 55% of its gas from Russia but opting to build LNG infrastructure as a long-term solution amid the conflict. By following similar paths, countries have successfully cut off a crucial source of income for Russia, thereby preventing further destruction in Ukraine.



History

Before the war in Ukraine, Russia accounted for 44% of gas and 28% of crude oil imports to the EU. Europe has had a gas sourcing problem for years, as the only natural gas fields in the continent are found in Norway, which cannot produce a sufficient supply to the whole region. Furthermore, gas can only be transported through massive and expensive pipeline projects or specially built LNG ports, meaning European countries find it difficult to adjust where they import this resource. Countries have constructed many pipelines between Europe and Russia throughout the years, making it the best supplier in terms of availability. Nord Stream 2 is one of these pipeline projects, finishing construction in September 2021.

Beginning in 2021, Russia used its power as an exporter to manipulate EU countries, threatening to cut supply to the Union if it tried to oppose the Kremlin. Russia's threats became a reality, when the pipelines that supplied Europe started to pump less and less gas. Alarm bells started to ring in Europe. Then, the invasion of Ukraine shook the continent. Supply chains across many sectors were interrupted, leading to a significant rise in the cost of living, especially energy prices. The EU and its member states had to respond to two crises simultaneously. First, billions of euros in military and humanitarian aid were sent to Ukraine, and at the same time as governments were handing out subsidies or lowering taxes to deal with the cost of living crisis.

In March 2022, the European Commission responded to the crisis through a plan denominated REPowerEU. This new strategy aimed to cut Russian gas consumption by two-thirds in 2022 and by 2027 eliminate it. Three specific actions are included in this plan: number one is reducing energy consumption by increasing efficiency, the second is to start diversifying energy sources, obtaining them from other global suppliers, and lastly, speeding up the green energy transition. REPowerEU has mostly worked, as now only 12% of the bloc's gas comes from Russia, down from the previously mentioned 44% before the war. In general, the policies that have been implemented by some governments like France, Germany, Italy, and Belgium to change their sources have proven to work. Now it is projected that energy prices will decrease if the current strategies are continued, making European aluminum, chemical, steel, glass, and paper industries more competitive. Thanks to this plan, the EU now has a 45% clean energy goal for 2030, but reaching that goal is easier said than done. A new wave of investment in LNG, a fossil fuel, has been made which does not bode well for the environment, and it will be very hard to replace with renewable energy.



Later in 2022, several explosions rocked the Baltic Sea. In an apparent attack, the Nord Stream 1 & 2 gas pipelines were damaged and subsequently out of service. These infrastructure projects would have been the main suppliers of gas to central Europe had they started operations. Investigations were launched and it was found that it was probably an act of sabotage. In response to all of this, the German government permanently canceled the Nord Stream project, symbolizing a permanent shift in the European energy landscape. Gas pipelines going through Ukraine and Belarus were also out of service for obvious reasons, leaving Turkstream coming through Turkey as the only viable pipeline for EU countries to import from.

Each EU member has tackled this energy emergency differently, depending on their government's stance on Russia in general, their geographic location, and their economic capabilities. As is the case with Hungary and more recently Slovakia, some countries do not share the Union's hostile attitude towards Russia, and therefore are not willing to join in on actions against it. Such countries have negotiated special conditions on EU sanctions against Russia that allow them to continue their energy dependency. In spite of heavy criticism, this practice of exemptions continues with no signs of stopping.

For the countries that do want to take the initiative, a switch to LNG imports has been the preferred answer to the crisis. However, one obstacle for some countries is that they don't have any access to the sea, where liquefied gas is imported by tankers. This means landlocked countries like Czechia, Slovakia, and Austria will have to depend on pipelines coming from other EU members that do have ports, which is not very attractive as it means giving up control over their energy imports. These geographical conditions are used as an excuse to keep importing gas from Russia.

Conversely, a group of countries with access to the coast have been building LNG infrastructure for decades and therefore found it easier to transition to this source. Spain, Italy, France, Netherlands, and Belgium have had these special ports since as early as 1969, when the Barcelona LNG Terminal began operations. Along with Ireland and Portugal, these members form a group that is physically distant from Russia, enabling them to easily abandon Russian imports as they were never very close to them.

Something EU countries will not need to worry about though, is a competitive or expensive LNG market in contrast with other fossil fuels. Before the European mass transition to this source, the largest global market for liquefied gas was Asia. In 2021, the

continent accounted for 73.2% of all LNG imports, with South Korea, Japan, China, India, and Taiwan being the main buyers. As EU countries became major importers, they have easily outbid their Asian counterparts, so competition for this limited resource has not been a real concern. The largest exporters of LNG in the world are Qatar, the United States, and Australia, followed distantly by Russia and Malaysia. For the EU specifically, around 40% of 2023 LNG imports came from the USA, a reliable partner. 13% came from Qatar, widely considered a neutral country. Controversially, another 13% of imports were from Russia. This means that Russia still has some control over EU supplies, and continues to profit from it.





Current Situation

Currently, the main task is creating a concrete, long-term plan to not only reduce Russian energy imports further, but to also find a way of integrating more green energies into the system. REPowerEU has served its temporary purpose, but a more in depth action plan is yet to be made. A real worry with the LNG “solution” is that it only means moving from one fossil fuel to another, and that it will make it even more difficult to reach the EU’s clean energy goals for 2030. Countries will probably be less willing to abandon a fossil fuel source that they have just invested many resources transitioning to.

As for the countries still not willing to give up energy imports from Russia, the Union will find it laborious to continue with current and future plans that involve cutting ties with Moscow. Hungary, for example, openly stated in 2024 that it will increase its imports from Gazprom, Russia’s largest gas company. Revenues from fossil fuel exports continue to provide a lifeline to the Russian economy, accounting for 100 billion dollars, or 34% of its total revenue in 2023. With time passing, the situation in Ukraine seems more uncertain, creating an even greater tension between countries that are willing to trade with Russia and those that want to hamper Russia as much as possible.

The EU’s vast array of countries with differing geographic and social conditions presents a challenge to create a common energy policy. Any major decision taken by the EU needs to be approved unanimously by all of its members, meaning a great deal of negotiations, threats, and special exceptions will likely take place. Which path will the EU choose? How much economic damage is it willing to take? What compromises will have to be made?



Points to Consider

- How close is your country's relation to Russia?
- Has your country advocated for or against switching to LNG?
- Does your country have the geographic (sea access) and economic ability to transition to LNG?
- What are the consequences of keeping energy ties with Russia?
- Should the more developed countries help less developed ones transition to LNG?
- How can the EU reach its green energy target despite the crisis?

Useful Links

<https://www.youtube.com/watch?v=UIUGYBFXR2Q>

<https://www.rferl.org/a/russia-natural-gas-european-union-dependence-ukraine-war/32754244.html>

<https://www.consilium.europa.eu/en/infographics/lng-infrastructure-in-the-eu/>

<https://www.imf.org/en/Publications/fandd/issues/2022/12/beating-the-european-energy-crisis-Zettelmeyer>

https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/eu-action-address-energy-crisis_en

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Country box:

Austria

Belgium

Bulgaria

Croatia

Republic of Cyprus

Czech Republic

Denmark

Estonia

Finland

France

Germany

Greece

Hungary

Ireland

Italy

Latvia

Lithuania

Luxembourg

Malta

Netherlands

Poland

Portugal

Romania

Slovakia

Slovenia

Spain

Sweden



Topic B:

Overseeing the Rule of Law in the European Union

Introduction

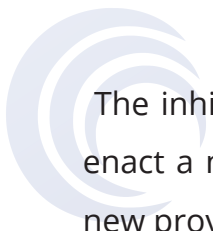
The violation of tribunal independence, corrupt laws made under pretenses, lack of legal accountability, and threats to human rights have made a dysfunctional amalgamation of the European Union's rule of law, discrediting the organization's legitimacy. For a standard comprehension of the issue, the EU defines the rule of law as a core value that ensures all public powers act within the constraints set out by law and treaties of the union. The objective is to prevent the abuse of governmental power. Aspiring member countries must guarantee the rule of law and meet the standards and policies of EU law, as established by the Copenhagen criteria in 1993. However, the former foundational value has been criticized for its ambiguity and is subject to diverse interpretations. The pre-accession conditionality set by the Copenhagen criteria intended to ensure that no country could join the union unless it upheld these values. The systematic dismantling of the rule of law by a new wave of autocratic leaders has proven this is a false assumption.

Hybrid regimes, such as Poland and Hungary, continue to create laws that inhibit tribunal independence and pass bills that attack civil society. Current strategies continue to fail to address international democratic backsliding, increasing rule of law violations in nations such as Croatia, Cyprus, Greece, Slovenia, and Malta, Romania and Bulgaria. The absence of efficient strategies fails to set a standard for aspiring and current member states, damages the EU's internal market, and may lead to the mishandling of the union's funds, affecting all member states.

History

The symptoms of the European Union's rule of law crisis did not suddenly appear; instead, they worsened with the ineffective responses of European institutions and countries. The catalyst traces back to 2010 when Viktor Orbán was swept back into office as Prime Minister of Hungary in light of the global economic crisis, bringing the Fidesz party back to power as it had once been in 1998 when he was first elected. Afterward, the Hungarian National Assembly was filled with a two-thirds majority of the party and its allies.

¹ Countries described to be at a “high risk” and “very high risk” for the safety of media pluralism and media freedom, one of the four areas the rule of law is described to focus on in the EU’s annual reports.



The inhibited defense of constitutional changes provided the necessary environment to enact a new Hungarian constitution in 2012 and its further amendments in 2013. These new provisions limited the power of the Constitutional Court to strike out any laws already enshrined in the Constitution. This allowed them to restrict political campaigning outside state media, create the National Judicial Office, and campaign against human rights defenders and investigative journalists.

The disrespect for media freedom, checks and balances, and corruption provoked the EU Council and Commission to take action. The multiple violations of the rule of law led the European Commission to send several infringement proceedings since Viktor Orbán returned as Prime Minister in 2010, launching legal action in 2012 for the retirement and prosecution of judges. In response, the Hungarian government introduced a compensation or reinstatement of judges. However, this did not guarantee the restoration of their previous positions of influence, so the issue remained unresolved.

As the EU failed to address the rule of law issues in Hungary, a new country emerged with serious violations, Poland. The nation joined the EU in 2004, using the organization's economic benefits to public infrastructure, schools, and hospitals. Poland's Prime Minister at the time, Donald Tusk, left the nation to become president of the EU council, leaving the door open to the right-wing party, Law and Justice. In 2015, the party won an absolute majority over parliament. According to PIS, the power the Soviets had over Poland was now being replaced by the EU's rule. PIS pledged to change this, whether legally or illegally. Within Poland, certain legislations passed in parliament are sent to the constitutional tribunal to ensure it is congruent with the country's constitution. Law and Justice made sure to refuse to swear in judges appointed by the previous party in power and replaced them with those loyal to the group, including the tribunal president.

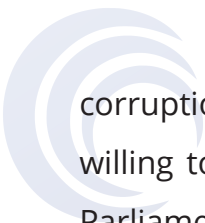
In 2017, Article 7.1 of the Treaty on the European Union came into action against Poland, the EU's most nuclear policy. Under this procedure the EU can suspend a Member State of certain rights, including voting rights in the Council. This principle sanction against

² One of the oldest political organizations in Hungary, founded in 1988 by a group of students, which is the reason for its abbreviation of Alliance of Young Democrats. The party's modern values consist of Christian ideals, support for traditional industrial industries, and the priority of Hungarian interests over European ones.

³ The Hungarian body that supervises the nation's courts. The president was given the power with the 2012 reforms to appoint, transfer, discipline judges, and decide the retirement age of judges.

⁴ The European Commission's power to send a formal letter of notice to a member state when it considers there is a breach in EU law.

⁵ Person in charge of choosing the judges working on certain parliamentary cases.



corruption was revealed to be obsolete in need of a unanimous vote that Hungary was not willing to oblige to. A similar case presented itself in 2018 with Hungary. The European Parliament called on the Council of the EU to determine if there was a clear risk of a breach of EU values by Hungary. Afterwards, the claims were adapted to a resolution under an EU treaty procedure. However, it has not proceeded to the next stage due to veto power given to member states.

Article 7's procedures are one of many failed strategies of the EU's rule of law toolbox. These include the annual rule of law dialogue, the European Commission's annual report on the rule of law, and the Rule of Law Conditionality Regulation. The Council's yearly dialogue serves as a space among member states to discuss safeguarding the rule of law. The annual reports are made use of in these discussions, which focus on four areas: justice systems, the anti-corruption framework, media pluralism and media freedom, and other institutional issues linked to checks and balances with the intent to narrow the definition of the rule of law to search for violations. The Hungarian government would enable a "state of danger" in response to the COVID-19 pandemic, resulting in the power of the government to rule by decree and override any act of parliament.



In 2021, the union's Rule of Law Conditionality Regulation came into force, initially giving the EU power to withhold funding from member states if they are found to disregard the rule of law. However, the motion was challenged by Poland and Hungary. Instead, the Court of Justice ruled that funding would be suspended if the rule of violation affected the financial management of the union, leaving the legislation to interpretation. Brussels began to withhold financial support for both countries. The former fails to impulse many sought-after reforms of democratic institutions and judicial independence.

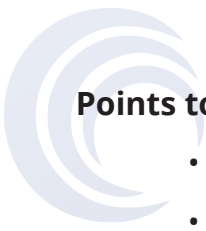


Current Situation

As the EU's strategies continue to fail, the Hungarian government extended its state of emergency, and Poland continues to violate judicial independence with its new Russian Involvement Act. The latter created a Polish commission to investigate Russian influence in the country between 2007 and 2022, giving it the power to judge the opposition party members "unsuitable" for holding public office. The collapse of the rule of law implies a terrible loss for the protection of human and civil rights as hybrid regimes place restrictions on women's reproductive rights, free speech, and EU asylum laws.

Ineffective responses to these developments send strong signals to other at-risk democracies within the EU. The European Parliament's Democracy, Rule of Law, and Fundamental Rights Monitoring Group scrutinized Malta and Slovakia for the murder cases of journalists, corruption investigations in Bulgaria, and public demonstration policing in France as of July 2023. The group also criticized the lack of infringement procedures realized by the European Commission against these acts. In May 2023, the Hungarian parliament passed a law to address some concerns regarding judicial independence to unlock EU funds withheld as part of the conditionality mechanism. Despite the law's failure to handle the broader rule of law concerns, on December 13, the EU Commission concluded Hungary had met the necessary conditions to unlock 10 billion in EU cohesion funds. As for Poland, the return of Donald Tusk as Prime Minister changes little to nothing. President Andrzej Duda can still use his veto powers to prevent the judges from being removed. Therefore, the tribunal will remain under Law and Justice's power, preventing beneficial reforms for the country and the EU.

The lack of strict enforcement of the rule of law and the absence of effective sanctions against countries that violate it creates an environment where individuals and groups can take advantage of the situation and push their own agenda, thereby undermining the EU's democratic values and principles, and leaving EU citizens susceptible to oppression. Member states and EU bodies must find efficient, clear, and sovereignty-respecting solutions to aid the rule of law, as it is the basis of the legitimacy and function of the European Union.



Points to consider

- What does your country do to protect the rule of law?
- How have failed EU efforts in Poland and Hungary affected the legitimacy of the EU?
- How do they affect the rule of law within other member states?
- What aspects does the rule of law principle manage? How do these contribute to the ongoing conflict?
- How effective are current EU strategies? Based on their failures, what are potential solutions to the conflict that satisfy the needs and concerns of each member state?
- How does rule of law violations affect the ascension of aspiring member states?
- Should countries be punished more harshly for not obliging to the rule of law, if at all?
- What impulses leaders and political parties to disobey the rule of law?
- How does EU financing affect member states?
- Should articles of the Treaty on the European Union and other laws/treaties of the EU be reformed to aid the conflict?

Useful links:

<https://www.consilium.europa.eu/en/policies/rule-of-law/#role>

<https://researchbriefings.files.parliament.uk/documents/CBP-9516/CBP-9516.pdf>

<https://www.hrw.org/world-report/2024/country-chapters/european-union#c4f949>

https://commission.europa.eu/strategy-and-policy/eu-budget/protection-eu-budget/rule-law-conditionality-regulation_en

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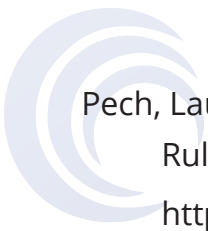
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