

THE RULE OF LAW

and why it matters

EXPLAINED



What is the rule of law? And why does it matter?

The rule of law means that the law rules.

It guarantees justice and accountability as well as the human rights and freedoms of every individual.

And that means we all benefit.

We are seeing how international rules are increasingly disregarded, but they are vital to the rule of law and to respect for our rights. Your rights.

Read on to find out more.

THE RULES MUST BE APPLIED EQUALLY

Equality before the law

The rules apply to everyone equally, regardless of status, origin, gender, race, age, religion or anything else. This ensures **fairness**.

Examples:

- When artificial intelligence is used by law enforcement, governments must ensure it does not lead to discrimination against any particular group.
- If a wealthy landlord and a low-income tenant go to court over a rent dispute, the judge should treat both fairly.
- If you arrive at a public hospital, you should receive care based on your medical need, not your job, income, or nationality.

EVERYONE MUST PLAY BY THE RULES

Legality

Everyone must act in line with the law, whoever they are and whatever their position. Laws are adopted and applied in a democratic process, based on transparent and clear rules.

Examples:

- If a country wants to create new laws, it must go through the proper democratic process. It cannot introduce new rules overnight.
- Governments must allow peaceful protests unless there is a legitimate, proportional and necessary reason to restrict them.
- Media outlets should not be forced by the authorities to take down content without clear rules or legislation.

THE RULES SHOULD BE CLEAR TO EVERYONE

Legal certainty

The rules must be **accessible, transparent, and predictable** to ensure that everyone knows their rights and obligations.

Examples:

- Civil society organisations should not face legal restrictions intended to limit their legitimate work.
- Your employment contract should clearly outline your working hours, salary, and holiday rights.
- If you open a small café or catering business, the licensing process, health regulations, and tax rules must be clear.

In a democracy, no single person or institution has all the power. This is why the parliament, the government and the judiciary are separate and all act as **checks and balances** on each other. Interest groups, civil society, independent bodies working on human rights and equality, and a free media are also crucial to the separation of powers.

Examples:

- A head of state or government cannot change laws on their own – decisions must go through a democratic process and proper consultation.
- A judge working on a court case involving a high-ranking official must be able to rule free from government pressure.
- Public spending should be monitored by both elected officials and independent auditors.

A DEMOCRACY IS MADE UP OF DIFFERENT INSTITUTIONS

Separation of powers

If you are working on behalf of the public, you cannot use your power for your own or anyone else's gain. Anyone abusing their power must be held **accountable**.

Examples:

- Any government official using public money for their own political campaigns must face legal consequences.
- Independent media and journalists must be able to work free of state interference.
- A judge who is biased towards one side in a court case must be held accountable.

STATE POWER MUST ALWAYS BE LIMITED

Preventing abuse of power

Courts must be independent and accessible for all. Judges must not be biased towards any side. This is how everyone can **trust** that their cases are decided fairly.

Examples:

- If your employer is a powerful local figure and you take them to court, you should be able to trust that the judge will rule fairly based on the facts and the law.
- If you challenge an unfair bank fee, the court should rule fairly, even though the bank has far greater resources and power than you do.
- If you are accused of a crime and cannot afford a defence lawyer, the state should provide one for you free of charge.

EVERYONE HAS THE RIGHT TO BE HEARD BY AN INDEPENDENT AND IMPARTIAL COURT

Right to a fair trial