

## **Civil Society Joint reaction on the EU 2020 Rule of Law Report**

As civil society (and philanthropy) organisations working actively to promote fundamental rights, rule of law, democracy and civic space and encompassing different areas of civil society action, we share our initial reaction on the 2020 Rule of Law Report:

- We welcome the launch of an annual report on the situation of the rule of law in the European Union
- We fully support the recognition that the rule of law requires an enabling ecosystem based amongst others on a free and active civil society, and that the investigative journalists, independent media and the scrutiny of civil society are vital to keeping decision-makers accountable. To that end, report country files addressing the media pluralism and civic space environment are crucial for reviewing the rule of law context.
- We appreciate that the report includes the impact of the Covid 19 pandemic on the Rule of Law and that the report highlights that a number of countries have not ensured civil society scrutiny in the development of emergency measures and that in general civic participation has been unduly limited.
- However, we strongly regret that the report does not include concrete recommendations to Member States to address identified deficiencies which makes follow up of the report findings more difficult.
- We also consider that the report would benefit from clear benchmarks and indicators for enabling civic space. Without those, it is difficult to contextualise both the identified deficiencies and good practices in country files. We stand ready to provide a more detailed analysis of the examples together with further suggestions to the Commission
- The report is lacking analysis of the gaps in EU policy and legislation that could be addressed through concrete actions. In this context, we are looking forward to the proposal for a European democracy Action Plan, a proposal to address Strategic Lawsuits Against Public Participation (including civil society and Human Rights Defenders) and strong measures to link the EU budget to rule of law conditionality.

Moreover we welcome further dialogue on this report and the preparation of the 2021 review which should also include further consultation with civil society stakeholders on the EU and national level.

Finally, we are particularly keen to contribute to an inter institutional agreement as proposed by the European Parliament in its report on the establishment of an EU Mechanism on Democracy, the Rule of Law and Fundamental Rights (A9-0170/2020).



Philanthropy / Advocacy A JOINT DAFNE & EFC PROJECT



European Center for Not-for-Profit Law