



14.3.2024

WORKING DOCUMENT

on End of Mandate 2019-2024 Activity report of the Democracy, Rule of Law and Fundamental Rights Monitoring Group (DRFMG)

Committee on Civil Liberties, Justice and Home Affairs

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Introduction by the DRFMG Chair

Introduction

Established after the murder of journalist Daphne Caruana Galizia and of journalist Ján Kuciak and his fiancée Martina Kušnírová, the DRFMG monitors threats to democracy, the rule of law and fundamental rights, as well as the fight against corruption, across EU Member States. Its sessions are meant to collect first-hand testimonies and engage national authorities in a fruitful dialogue with the Group.

The European Parliament sent a delegation to Malta and to Slovakia following the murders of the journalists. However, it quickly became clear that the murders were part of bigger, systemic rule of law failures that required a long term engagement of the European Union. It was therefore decided to set up a permanent structure that would allow presence and monitoring over a long period of time. Over the years the experience with Malta and Slovakia enabled us to develop a format for long term and indepth monitoring. When Covid struck, the DRFMG immediately switched to a new rythm of weekly online sessions, to follow closely the impact of pandemic measures on democracy, the rule of law and fundamental rights.

The composition and work method of DRFMG has allowed for an impartial and objective approach, as the monitoring exercise would typically cover several consecutive governments of different political colours.

This end-of-mandate report contains an overview of all DRFMG monitoring activities during this 2019-2024 parliamentary term. It contains a number of horizontal observations and conclusions, suggestions for the next mandate, as well as a comprehensive overview of the state of affairs of DRFMG monitoring in each Member State and each horizontal topic covered.

Methodology and format

Based on information gathered during DRFMG sessions, and collected from a wide range of other sources, including answers to our queries by national governments and public bodies, DRFMG recommends specific actions to the LIBE Committee, such as meetings with stakeholders, hearings and missions, and makes suggestions for proposals for resolutions and reports.

The outcome of each session and the correspondence with national authorities involved in the monitoring exercise are fully accessible and published on the [LIBE DRFMG webpage](#). This page does not just provide information on the activities of DRFMG; it is becoming a very rich public source on matters relating to democracy, the rule of law and fundamental rights. The monitoring group is also approached regularly by different governments, EU institutions and civil society organisations with information and requests. As far as authorised by the authors, such correspondence is also published on the DRFMG webpage. The monitoring group also shares its activity reports, such as this one, with the European Commission, to provide input for their monitoring activities, in particular the Commission's Annual Rule of Law report.

The methodology and format of DRFMG, while under constant development, allow for a long-term perspective by detecting and analysing trends, rather than just reacting to incidents. Moreover, whereas the monitoring exercises of the Commission and the Council may be hampered by diplomatic considerations vis-à-vis national governments, and where for their scrutiny exercise they rely more heavily on formal data provided by the governments, DRFMG – as a body of the European Parliament and made up of all political families – can report freely and critically where necessary.

The DRFMG is not a tribunal. It monitors and reports to LIBE. Going beyond monitoring and reporting however, the physical presence of the Parliament in a Member State during visits and the publication of relevant documents do seem to contribute to rule of law reforms. Nevertheless, monitoring of a country or a topic should not be an end in itself. Therefore, we should also assess if and when a monitoring exercise can be scaled back or concluded.

As a follow up of the reiterated requests of the Parliament for an interinstitutional agreement on democracy, rule of law and fundamental rights, after several exchanges of letters, the Commission expressed openness towards setting up an informal “Rule of Law Contact Group” to foster interinstitutional cooperation.

The DRFMG has therefore proposed an inter-institutional Pilot for the second half of 2023 that was agreed by LIBE coordinators.

The proposed pilot included several key steps:

- a public endorsement of the Pilot by the three institutions, to show continuous engagement of the three institutions to uphold Union values;
- a DRFMG in camera monitoring session focused on the five Member States also part of the Rule of Law dialogue in the Council, based on the Commission’s Annual Rule of Law Report and other sources of information, including independent expertise commissioned by EP . This expertise is meant to be complementary to the Commission Rule of Law report, also including the areas of fundamental rights and democracy which are not covered in the latter.
- a hearing in LIBE with the participation of the Presidency in office including both a horizontal discussion on the state of DRF in the EU, as well as of the specific five countries under monitoring.

This pilot was meant to support fostering a better cooperation with the other institutions. Letters have been addressed to the other institutions to this regard underlining that this pilot would not mean that the request for an Interinstitutional Agreement based on Article 295 TFEU in view of setting up an EU Mechanism on Democracy, the Rule of Law and Fundamental Rights as requested by the Parliament via various resolutions is in any way dropped.

The DRFMG in camera meeting dedicated to the dialogue on the situation in the five Member States was organised on 30 November and the hearing in LIBE was held on 15 February 2024. Unfortunately, no further follow-up was ensured, due to a lack of effective interest displayed by the Council.

End of Mandate Findings of the DRFMG Chair

This section makes certain observations and conclusions as to the work of the DRFMG, its cooperation with other institutions, as well as to the general situation of democracy, the rule of law and fundamental rights in the EU.

The state of affairs of DRF in the EU

Conclusions and recommendations on DRF in the EU have recently been adopted by the European Parliament plenary in its report on the Commission's Rule of Law report over 2023. This EP report included a wide range of areas where concerns exist, as well as describes the situation in various Member States, including those under DRFMG monitoring. The rapporteur of this report was the DRFMG Chair and the report made reference to and built upon the monitoring work of the DRFMG. It has been voted by the Parliament's plenary on 28 February 2024.¹ It is not the aim of this DRFMG feedback report to repeat the conclusions and recommendations contained in this recently adopted EP report.

However, by way of summary, a few major elements can be identified from the EP's recent report on the Commission's 2023 Rule of Law report:

The report finds that *democracy, the rule of law and fundamental rights is eroding across the EU*, albeit with specific situations and dynamics in each Member State. When taking independent sources into account, the situation is even more worrying than the Commission Rule of Law report would suggest.

Regarding *justice and prosecutorial systems*, the report stresses that this is the backbone of the Rule of Law in the EU and it calls on the Commission to critically assess the effectiveness and independence of judicial authorities, and not to assume that they are all functioning well. The report also highlights concerns in various Member States over the use of disciplinary proceedings against judges, the way in which judges are appointed, lacking resources for the judiciary, the lack of available legal aid, the important role of Councils of the Judiciary, and the importance of effective and autonomous prosecution services.

As concerns *corruption*, the report highlights that while all Member States have anti-corruption strategies in place, there is a lack of effective prosecution and final convictions, especially of high-level corruption. It also notes that whistle-blowers are not well protected in many Member States, and notes negative developments in Slovakia specifically, which have also been monitored by DRFMG. The report underlines the importance of strengthening EPPO and Europol and the EU legal framework, and welcomes the recent Commission proposal for a new anti-corruption Directive in this regard.

The report highlights that *independent authorities, such as human rights institutions and ombudsmen* are crucial for the effective checks and balances in all Member States, to ensure the democratic Rule of Law. The report mentions that some Member States still do not have independent national human rights institutions in place, in line with the Paris Principles. It also

¹ European Parliament resolution of 28 February 2024 report on the Commission's 2023 Rule of Law report, see for the full text: https://www.europarl.europa.eu/doceo/document/TA-9-2024-0108_EN.html

mentions the undermining of independent authorities in several other Member States.

As regards *media pluralism and media freedom*, the report highlights the importance of transparency of media ownership, safeguards for editorial independence and sufficient resources for public broadcasters. It welcomes the agreement on the European Media Freedom Act in this context.

The *protection of journalists* is highlighted as a major challenge in many Member States. It calls for full justice to be served in all cases of murdered journalists in Europe, in particular in Malta, Greece and Slovakia. The report also calls for more action against SLAPPs, beyond the EU anti-SLAPP Directive, also at national level. The report also reiterates the EP position and demands regarding the illegal surveillance of journalists (the work of PEGA Inquiry Committee).²

Concerning *transparency and access to information*, the report points out that several Member State' authorities obstruct access to documents, especially for journalists. It calls on the EU institutions to show exemplary behaviour in this field and regrets that the Commission is not doing so, as it is systematically slow in replying to access to documents' requests, as the Ombudsman Special Report on the matter found.³

The report also touches upon the *economic dimension of the Rule of Law*, as it highlights that the rule of law is crucial for a good investment climate. It condemns discriminatory practices against foreign (including European) companies in Hungary.

The report finds that *civil society space* is under threat across the EU and has particular difficulties in various Member States. It calls on the Commission to support and fund more local NGOs working on the Rule of Law.

The *legitimate use of force by the police under the Rule of Law, as well as the freedom of expression and peaceful assembly* has been an issue under DRFMG monitoring and is covered in the EP DRF report. It welcomes the crucial role of the police to ensure the Rule of Law. It stresses however, the extreme caution and proportionality with which force must be used, following Council of Europe guidelines, and criticises disproportionate police violence in several Member States.

Regarding *equality, non-discrimination and pluralism*, the report underlines that minority rights are the first to suffer when the Rule of Law is undermined, including women's rights. It also expresses particular concern about the rise in anti-Semitism and Islamophobia. It calls on the Commission to further prioritise LGBTI rights and to finally enforce the CJEU rulings on LGBTI rights towards Romania and Bulgaria (the *Coman* and *Baby Sara* cases, respectively). It also calls for the respect for human rights in asylum and migration policies.

The report underlines the crucial role of *enforcement of EU law*, as without enforcement, the EU is not a Union based on the Rule of Law. The report calls on the Commission to enforce more rigorously and put the rights of citizens at the centre. It request the Commission to structurally monitor and publish a scoreboard of implementation for each and every EU law

² Texts adopted, P9_TA(2023)0244.

and CJEU judgement, and to follow up with infringements. The report calls on the Commission to use its budgetary instruments more pro-actively. It should assess structurally and transparently whether the Charter is respected under the Common Provision Regulation for e.g. the cohesion funds, explore the possible application of the Rule of Law Conditionality Regulation in more cases, and the strictly monitor the Rule of Law milestones under the RRF.

The added value of DRFMG monitoring

The DRFMG monitoring work has evolved over time, constantly adapting and developing its methodology. Throughout the years, a number of features of DRFMG work has become apparent, presenting a distinct added value.

First, the prime added value of the specific format of DRFMG has been that a group of dedicated Members monitored the situation in various Member States in a longitudinal way. By means of the sessions with government authorities, civil society actors, journalists, academics, EU institutions and Council of Europe bodies, the DRFMG Members managed to obtain a wide range of inputs. The *in camera* nature of DRFMG exchanges of views with Member States' governments also contributed to an atmosphere of trust in which frank discussions could take place. Moreover, through the missions to Member States, Members have been able to gain a further understanding of the situation on the ground, speaking to various governmental and non-governmental actors. When questions remained unanswered during sessions or missions, or when they arose due to new developments, detailed written questions were put to Member States' authorities. Altogether, this has enabled the DRFMG Members to gain an exceptional insight into DRF challenges in the Member States under monitoring. This ensures that the monitoring is more in-depth and tenacious than other instruments at the disposal of the LIBE Committee, such as hearings of exchanges of views in full committee.

Second, the DRFMG always remained a rather agile working group of Members, thereby being able to re-prioritise and re-organise at short notice. This has allowed the DRFMG to react rapidly to DRF developments in Member States, such as by organising sessions at short notice, sending written questions or organising a mission. While a work programme was established to allow for the annual planning of sessions and missions, external developments often required adjustments to the work programme. This was possible due to the flexibility of the Members and the support of dedicated staff of the LIBE Secretariat. Although this at times created planning challenges, it did allow the DRFMG to be a timely and relevant actor, able to monitor DRF developments in specific Member States at crucial moments.

Third, and connected to this, the DRFMG monitoring has been most impactful when it concerned specific situations in specific Member States. The monitoring of horizontal topics has been of great value as well and has enabled the Members to make a comparative analysis between Member States and identify cross-cutting challenges. However, it appears that these horizontal topics did not attract the same interest as the country-specific monitoring and did not generate the same level of public salience.

Challenges for DRFMG monitoring

The DRFMG monitoring has faced a number of challenges throughout the years.

First, the cooperation with Member States' authorities and the Council Presidencies has varied greatly over time, and has recently been in decline. It should be underlined that many Member States' authorities have made themselves available for sessions and missions of the DRFMG at various points. Successive Council Presidencies have also presented their priorities in the field of DRF. Recently, we however witness a decline in participation, with some Member State ignoring written questions, declining invitations to DRFMG sessions and, in one case, even refusing to meet any DRFMG Members during a mission in the national capital. The DRFMG Members have recently (22 February 2024) addressed a letter concerning this issue to the Belgian Presidency, proposing to discuss how this could be addressed. Monitoring DRF across the EU is a common responsibility of all EU institutions and should not suffer from inter-institutional turf wars. As highlighted above, the DRFMG is not a tribunal but a platform for monitoring and reporting on the Rule of Law. Council Presidencies and Member States should welcome that. The long-standing unwillingness to enter into an inter-institutional agreement on the Rule of Law as well as the lack of follow-up to the DRFMG-proposed inter-institutional pilot project on DRF shows that this is a broader inter-institutional challenge.

Second, the planning of sessions and missions has been time consuming and often hit the limits of the EP resources dedicated to this, such as in terms of available rooms, interpretation, expert input and logistical support. Thanks to the greatly appreciated support of committed individuals in the LIBE Secretariat and beyond, solutions were mostly found. However, it would be advisable for the next Parliament's mandate to consider allocating additional resources to the monitoring of the DRF, including to DRFMG work (see also "suggestions" below).

Suggestions for the next mandate

In view of the added value and challenges identified here above, the DRFMG Chair would like to make the following suggestions for a possible continuation of the DRFMG in the next European Parliament legislature.

First, DRFMG monitoring should be reinforced to allow Parliament to fulfil its ambition of monitoring the full scope of DRF. No other EU institution is currently doing this in a comprehensive manner, despite Parliament having continuously called for it. This reinforcement would not necessarily consist of adding additional Members to DRFMG, as a small and dedicated group of Members is exactly its strength, but should rather entail more support staff and resources to be mobilised. This could consist of more support for the LIBE Secretariat to allow for better access to rooms, interpretation and mission planning. At the same time, the DRFMG should remain its focus on the most pressing threats to DRF in the EU – allowing it at the same time to keep its work-load manageable for all persons involved. Moreover, as the plenary has expressed, this should also entail setting up a panel of DRF experts under the auspices of Parliament, as a source of expertise on compliance with Article 2 TEU values, both for DRFMG as well as for the LIBE Committee at large. With this emboldened institutional capacity, the Parliament would be able to contribute systematically to better DRF monitoring in the EU, including in the inter-institutional setting.

Second, for its working methods to allow for the much required agility, the decision-making on the agenda, sessions, missions and written questions should remain as uncomplicated as possible. This means that elaborate and time-consuming written procedures should be avoided. At the same time, a good balance between the predictability of sessions and the required flexibility should be further calibrated, especially to allow Members to plan ahead and for Parliament services to provide optimal support. In this context, a technical level DRFMG steering group could be envisaged, preparing and liaising on the DRFMG work programme and activities, including written questions sent to Member States.

Third, the prime added value of DRFMG has been the continued monitoring of developments in specific Member States, whereas the picture of the horizontal sessions is more mixed. However, the broad mandate of DRFMG should be kept, in order to be able to include such topics in response to events, such as the pandemic.

Moreover, in several countries we witness progress and even the restoration of the democratic rule of law. But it requires sustained efforts for the rule of law to really take root and be resilient in the face of attacks from within. In some countries positive developments are followed by a relapse. In other countries there may not be systemic erosion of the rule of law, but there are worrying trends nevertheless. Monitoring not just the decline of DRF but also its reconstruction, and how to avoid repeated backsliding would be highly useful.

Another item to be explicitly included in the mandate of DRFMG is the continued analysis of the application of the various rule of law conditionality instruments connected to EU funding.

Fourth, the next legislature should attempt once more to resuscitate the inter-institutional dialogue with Council and the Commission on DRF monitoring. The Parliament's call for a fully-fledged inter-institutional agreement should be given more weight, also allowing for clear commitments of all three institutions to share information and remain available for session and questions. Other intermediate forms could also be re-explored, such as the inter-institutional pilot project on DRF. This could benefit the work of DRFMG, as it has been hampered recently by a lack of responsiveness on the part of the Council Presidencies and certain Member States (see above).

Work Programme September 2023 - April 2024 as agreed by DRFMG can be found [here](#).

Previous reporting periods

- **January 2023 - June 2023**

The link to the summary of this reporting period can be found [here](#).

- **September 2022 - January 2023**

The link to the summary of this reporting period can be found [here](#).

- **March 2022 - July 2022**

The link to the summary of this reporting period can be found [here](#).

- [November 2021 - March 2022](#)

The link to the summary of this reporting period can be found [here](#).

- [June 2021 - October 2021](#)

The link to the summary of this reporting period can be found [here](#).

- [August 2020 – June 2021](#)

The link to the summary of this reporting period can be found [here](#).

- [2019 – July 2020](#)

The link to the summary of this reporting period can be found [here](#).

Annex

I. Country-specific monitoring

Ia. Slovakia

Activity	Date	Relevant documentation
Exchanges of views on the situation in Slovakia	14 December 2023	/
Exchange of views on the situation in Slovakia	4th of May 2023	Rule of Law in Slovakia : MEPs carried out a monitoring visit
Mission to Slovakia	15-17 December 2022	Mission Report: Delegation to Slovakia: 15-17 December 2022
Exchange of views on the situation in Slovakia	22 April 2022	Questions and answers by Mr Lukas Diko, Director of the Jan Kuciak Investigative Centre, DRFMG meeting on the situation in Slovakia, 22 April 2022 (DOCUMENT - 41 KB) Questions to the Slovak authorities, DRFMG meeting on the situation in Slovakia 22 April 2022 (DOCUMENT - 45 KB) Questions and answers by Ms Mária Patakyová, the outgoing Public Defender of Rights, DRFMG meeting on the situation in Slovakia, 22 April 2022 (DOCUMENT - 31

		<u>KB)</u>
Exchange of views on the situation in Slovakia	11 January 2022	<u>Rule of Law in Slovakia: MEPs carried out a monitoring visit</u> <u>Mission report following the ad-hoc delegation to Slovakia and Bulgaria – 21-24 September 2021</u>
Exchange of views on the situation of Slovakia	15 July 2021	<u>Agenda of the DRFMG meeting of 15 July 2021</u>
Exchange of views on the situation in Slovakia	5 February 2021	<u>Questions of DRFMG Members to Slovak authorities, 19 February 2021</u> <u>Answers of the Slovak Republic to the questions of the DRFMG</u> <u>Agenda of the DRFMG meeting of 5 February 2021</u> <u>Briefing for the DRFMG on Milan Lucansky, January 2021</u>
Exchange of views on the situation in Slovakia	27 November 2020	<u>Agenda of the DRFMG meeting of 27 November 2020)</u>
Exchange of views on the situation in Slovakia	2 April 2020	/

14 December 2023 - Exchanges of views on the Situation in Slovakia

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Vladimír BILČÍK (EPP), Gwendoline DELBOS-CORFIELD (Greens/EFA), Javier ZARZALEJOS (EPP), Sergey LAGODINSKY (Greens/EFA).

Members exchanged with Lucia KURILOVSKÁ, First State Secretary at the Ministry of Interior, Katarína JAVORČIKOVÁ, Judge, For Open Judiciary, Zuzana PETKOVÁ, Director, Stop Corruption Foundation, Lukáš DIKO, Journalist, Editor-in-Chief of the Ján Kuciak Investigative Forum, Zuzana DLUGOŠOVÁ, President of the Slovakian Whistleblower Protection Office, Florian GEYER, Head of Unit, Rule of Law (DG JUST), and Ute STIEGEL, deputy Head of Unit, European Commission (DG HOME).

The evolving legal landscape in Slovakia, notably marked by a government-proposed bill, has

sparked debates on the future of prosecuting high-level corruption and fraud cases. The proposed bill included measures to dissolve the Special Prosecutor's Office (SPO), prompting concerns about potential human rights infringements. The government's response to criticisms involved the decision to abolish the SPO and to transfer cases to regional prosecutor's offices and the General Prosecutor's Office, signifying an important organizational change. Members expressed questions about the political motivations behind the reforms, emphasizing transparency concerns and potential impacts. Concerns extended to retroactive application and effects on anti-corruption policies related to EU funds, with MEPs seeking assurance that the reforms align with recognized standards and urging consultation with bodies like the Venice Commission.

During the discussion serious doubts were expressed about the consequences of abolishing the SPO. Critics argued that the alterations could lead to the potential dropping of numerous cases, creating uncertainties about ongoing legal proceedings. Concerns were also raised regarding press freedom, with instances of denial of access and restrictions during government press conferences. Proposed changes to whistle-blower protection laws demanded thorough examination to ensure compliance with EU directives. MEPs actively questioned the dismantling of the SPO, seeking clarification also on whistle-blower protection compliance with the EU Directive and emphasizing the importance of adhering to European standards for robust legal protections. It was recalled that recommendations from the European Commission's Rule of Law report underscore the need for concrete steps and policies to address corruption issues, emphasizing the significance of maintaining and strengthening the rule of law in Slovakia.

4th May 2023 - Exchange of views on the situation in Slovakia

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Vladimír BILČÍK (EPP), Elena YONCHEVA (S&D), Sergey LAGODINSKY (Greens/EFA), ARVANTIS Konstantinos (The Left).

Members of the DRFMG exchanged with Edita PFUNDTNER, State Secretary at the Ministry of Justice of the Slovak Republic, Florian GEYER, Head of Justice Policy and Rule of Law Unit, DG Justice and Consumers, European Commission, and Lukáš DIKO, Editor in Chief, Jan Kuciak Investigative Centre.

Discussions revolved around the following topics: the status of government proposals for reforming the judicial system, which the government would like to see adopted in Parliament before the elections, in particular the criminal code, including amendments to improve the protection of journalists, and the reorganisation of jurisdictions (implementation of the new roadmap); the reform of article 363 which has been used by the Prosecutor General in high-level corruption cases, and other anti-corruption measures; media freedom and protection of journalists, in particular in relation to the 5th anniversary of Jan Kuciak's death and the changes to criminal law which increase penalties if a victim is killed for undertaking their journalistic responsibilities, the financing of the public broadcaster and the anti-SLAPP and media freedom proposals at EU level (these have helped Slovakia to improve their position on the Freedom of Press index, but concerns still remain); the situation of LGBTIQ+ persons in general and transgender people in particular, and the position of the government on the Commission

proposal for mutual recognition of parenthood in the EU; the situation of sexual and reproductive rights (abortion) and the situation of minorities.

The country-report dedicated to Slovakia in the 2022 Commission Rule of Law Report was also commented, welcoming the improvements but equally giving recommendations, in relation to remaining concerns over several issues such as the power of the Prosecutor General and police investigations that look into corruption; the fact that the working conditions of journalists have not been improved and cases of harassment - particularly against women - are reported; and the limited improvement of law making practice with regard to transparency and participation of civil society with questions as to the evolution of the situation for fundamental rights. Finally, the current political situation with upcoming elections was also addressed, both as a specific topic and as a cross-cutting issue, and the implications this is having on fundamental rights in the country for example with the rise in smear campaigns.

Relevant documentation

- [Rule of Law in Slovakia : MEPs carried out a monitoring visit](#)
- [Mission Report: Delegation to Slovakia: 15-17 December 2022 \(PDF - 427 KB\)](#)

15-17 December 2022: Mission to Slovakia

- [Mission Report: Delegation to Slovakia: 15-17 December 2022 \(PDF - 427 KB\)](#)

22 April 2022 – Exchange of views on the situation in Slovakia

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Anna Júlia Donáth (Renew), Sergey Lagodinsky (Greens/EFA) and Nicolaus Fest (ID).

Members of the DRFMG exchanged with Mária Kolíková, Minister of Justice of the Slovak Republic, Daniel Lipšic, Special Prosecutor of the Slovak Republic, and Lukáš Diko, Director at the Ján Kuciak Investigative Centre.

Discussions revolved around the following topics: the judicial reforms in Slovakia, the work of the Special Prosecutor's Office in relation to the General Prosecutor's Office, the media situation in Slovakia and the state of play of several cases that were mentioned in the media.

Discussions were held about the progress of the judicial reforms that would entail a reorganisation of the courts and would represent a significant change for the judicial system and the new media laws that were several times postponed in the Parliament. Concerns were also raised by participants regarding the role and the discretion of the General Prosecutor in criminal cases and the obstacles in the activity of the Special Prosecutor. In the exchange questions were also raised as regards the state of play of investigations surrounding the Ján Kuciak case and the case against former Prime Minister Robert Fico.

Related documentation

- [Questions and answers by Mr Lukas Diko, Director of the Jan Kuciak Investigative Centre, DRFMG meeting on the situation in Slovakia, 22 April 2022 \(DOCUMENT - 41 KB\)](#)
- [Questions to the Slovak authorities, DRFMG meeting on the situation in Slovakia 22 April 2022 \(DOCUMENT - 45 KB\)](#)
- [Questions to Mária Patakyová, the outgoing Public defender of Rights, DRFMG meeting on the situation in Slovakia, 22 April 2022](#)

11 January 2022 – Exchange of views on the situation in Slovakia

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Nicolaus Fest (ID), Elena Yoncheva (S&D), Gwendoline DelbosCorfield (Greens/EFA), Katarina Barley (S&D), Anna Júlia Donáth (Renew).

Members of the DRFMG firstly exchanged with Viliam Karas, the President of the Slovak Bar Association, Ondrej Laciak, Vice-President and Andrej Popovec, Secretary General. A second exchange took place after this first one with Beata Balogová, Editor-in-chief of SME and investigative journalist.

Discussions revolved around the following topics: rule of law, judicial reforms, trust in the judicial institutions, corruption, high profile investigations, the new whistle-blower protection office and threats to journalists.

Concerns were raised by participants mainly as regards the erosion of confidence in the judicial system. The importance of communicating adequately with the public and the media was emphasized. The exchange focused on the functioning of the Slovak justice system and the ongoing reforms, the guarantees to prevent the political misuses of the justice system, the role of investigations and corruption charges in confidence building. Additionally, questions have been raised as regards the role of the media in tackling disinformation and the potential legislative plans to improve the situation of journalists.

Related documentation:

- [Rule of Law in Slovakia: MEPs carried out a monitoring visit](#)
- [Mission report following the ad-hoc delegation to Slovakia and Bulgaria – 21-24 September 2021](#)

15 July 2021 - Exchange of views on the situation in Slovakia

Participating Members:

Sophia in 't Veld (DRFMG Chair), Roberta Metsola (PPE), Katarina Barley (S&D), Anna Júlia Donáth (Renew), Gwendoline DelbosCorfield (Greens/EFA), Sergey Lagodinsky (Greens/EFA), Malin Björk (The Left), Elena Yoncheva (S&D).

The meeting was dedicated to an exchange of views on the situation in Slovakia in relation to Democracy, Rule of law and Fundamental rights, and more particularly regarding Media freedom and pluralism.

Members of the DRFMG first exchanged with Eduard Heger, the Prime Minister of the Slovak Republic; and then with Mária Kolikova, the Minister of Justice who further detailed the ongoing reform of the judiciary system.

Discussions revolved around the following topics: the situation as regards the independence of the judiciary and the related reforms in the country, the specific issue of the office of the Special Prosecutor, the cooperation with the European Commission and the Venice Commission as part of the reforms of the judiciary system, the situation of media freedom and ownership landscape, media pluralism, safety of journalists and the related reforms, the fight against corruption and especially the measures to prevent the misuse of EU funds.

Related documentation:

- [Agenda of the DRFMG meeting of 15 July 2021 \(PDF - 356 KB\)](#)

5 February 2021 - Exchange of views on the situation in Slovakia

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Katarina Barley (S&D), Elena Yoncheva (S&D), Nicolaus Fest (ID), Sergey Lagodinsky (Greens/EFA).

Radoslav Kutaš, State Secretary for the Ministry of Culture; Mária Kolíková, Minister of Justice; and Tomas Citbaj, Chair of the Committee set up to enquire on the death of Mr Lucansky introduced the first part of the exchange. Discussions revolved around the following topics: access to information, media freedom and freedom of journalists, the recodification of the media legislation, the suicide of Mr Lucansky, pre-trial detention and condition of detention, corruption, the modernisation of the judiciary and the new judicial map.

On the second panel, Stephane Leyenberger (GRECO, Council of Europe); Katarina Javorčíková (Judge, Member of the Judicial Council and Spokesperson of the Association for Open Justice); Matúš Kostolný (editor-in-chief at Denník N) and Xénia Makarova (investigation journalist for Nadácia Zastavme korupciu) exchanged on the GRECO reports, the new legal framework and changes to statutory laws in relation to judges, the protection of journalists and whistle blowers since the Murder of Ján Kuciak and corruption.

Questions were submitted in writing after the meeting to Minister Kolíková who had left before the end of the discussion.

Related documentation:

- [Questions of DRFMG Members to Slovak authorities, 19 February 2021 \(DOCUMENT - 35 KB\)](#)
- [Answers of the Slovak Republic to the questions of the DRFMG \(PDF - 709 KB\)](#)
- [Agenda of the DRFMG meeting of 5 February 2021 \(PDF - 404 KB\)](#)
- [Briefing for the DRFMG on Milan Lucansky, January 2021 \(PDF - 603 KB\)](#)

27 November 2020 - Exchange of views on the situation in Slovakia

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Katarina Barley (S&D), Elena Yoncheva (S&D), Gwendoline Delbos-Corfield (Greens/EFA), Konstantinos Arvanitis (The Left).

The Minister of Justice Mária Kolíková provided Members with an update on the situation in Slovakia. The first panel was also composed of Emmanuel Crabit (DG Justice, European Commission), and Igor Nebyvaev and Irina Talianu representing the Secretariat of MONEYVAL (the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism, Council of Europe).

Discussions revolved around the following topics: the Commission's Rule of Law Report and its country chapter on Slovakia, the quality and efficiency of Slovakia's justice system, the independency of the prosecutors and their selection process, access to justice, the fight against corruption, lobbying, the protection of freedom of expression, the transparency of media ownership and the latest report on Slovakia adopted by MONEYVAL.

On the second panel, Katarina Batkova (for VIA IURIS, civil society organisation in the field of justice, rule of law and democracy), Lukas Diko, (for the Ján Kuciak Investigative Centre (ICJK)) and Peter Bárty (for Aktuality SK) focused on the protection of journalists and media freedom, particularly following the assassination of investigative journalist Ján Kuciak and his fiancée, Martina Kušnírová.

Related documentation:

- [Agenda of the DRFMG meeting of 27 November 2020 \(PDF - 468 KB\)](#)

2 April 2020 - Exchange of views on the situation in Slovakia

Participating Members:

Sophia in 't Veld (DRFMG Chair), Roberta Metsola (PPE), Vladimír Bilčík (PPE), Katarina Barley (S&D), Sylwia Spurek (S&D), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Sergey Lagodinsky (Greens/EFA), Malin Björk (The Left).

The Chair, Sophia in 't Veld welcomed participants and referred them to the working document prepared by the Policy Department upon request of the LIBE Committee on “The impact of COVID-19 on Democracy, Rule of Law and Fundamental Rights”. Circulated to Members ahead of the meeting, the document presents an overview of measures taken in the 27 Member States and in the UK due to the COVID-19 outbreak. The document is a dynamic work in progress, meant to be supplemented and updated as the coronavirus crisis develops, in order to support the Group in monitoring the rule of law situation in this extraordinary context.

The meeting turned then to its main agenda items, i.e. exchange of views first on the implications on democracy, rule of law and fundamental rights of the measures taken in the framework of the COVID-19 outbreak with the Director of the EU Agency for Fundamental Rights, Michael O’Flaherty, then on latest developments in the Slovak Republic, with Ambassador Peter Javorčík, Permanent Representative of Slovakia to the EU, as well as with Gianluca Esposito, Head of Action against Crime Department of the Council of Europe, Executive Secretary of GRECO, accompanied by Igor Nebyvaev Executive Secretary of MONEYVAL, and Gerald Dunn, Administrator at GRECO.

As for latest developments in the Slovak Republic, the exchange of views took place against the background of the recent parliamentary elections and the institution of a new Government, with which the DRFMG looks forward to working and continuing the monitoring exercise.

All related documents to the situation in Slovakia

The situation in Slovakia

- [Agenda of the DRFMG meeting of 15 July 2021 \(PDF - 356 KB\)](#)
- [Agenda of the DRFMG meeting of 25 June 2020 \(PDF - 282 KB\)](#)
- [Agenda of the DRFMG meeting of 2 April 2020 \(PDF - 403 KB\)](#)
- [Agenda of the DRFMG meeting of 16 January 2020 \(PDF - 280 KB\)](#)
- [EP resolution of 19 April 2018 on protection of investigative journalists in Europe: the case of Slovak journalist Ján Kuciak and Martina Kušnírová](#)
- [LIBE-CONT fact-finding mission to Slovakia - 7-9 March 2018 - mission report](#)
- [Briefing for the DRFMG on the proposed judicial reform and the new court map in Slovakia, February 2021 \(PDF - 2 MB\)](#)
- [Briefing for the DRFMG on Milan Lucansky, January 2021 \(PDF - 603 KB\)](#)

- [Questions of DRFMG Members to Slovak authorities, 19 February 2021 \(DOCUMENT - 35 KB\)](#)
- [Answers of the Slovak Republic to the questions of the DRFMG \(PDF - 709 KB\)](#)
- [Questions and answers by Mr Lukas Diko, Director of the Jan Kuciak Investigative Centre, DRFMG meeting on the situation in Slovakia, 22 April 2022 \(DOCUMENT - 41 KB\)](#)
- [Questions and answers by Ms Mária Patakyová, the outgoing Public Defender of Rights, DRFMG meeting on the situation in Slovakia, 22 April 2022 \(DOCUMENT - 31 KB\)](#)
- [Questions to the Slovak authorities, DRFMG meeting on the situation in Slovakia 22 April 2022 \(DOCUMENT - 45 KB\)](#)

The situation in Malta and in Slovakia

- [European Parliament resolution of 28 March 2019 on the situation of the rule of law and the fight against corruption in the EU, specifically in Malta and Slovakia \(2018/2965\(RSP\)\)](#)
- [LIBE mission to Malta and Slovakia - 17-20 September 2018 - mission report](#)
- [Hearing on Rule of Law and Safety of Journalists, 11 July 2018](#)
- [Collection of multimedia items relevant to the topic](#)
- [Extracts from the vote & statement by the Rapporteur](#)
- [Press release on the launch of the EP Caruana Galizia price for journalism](#)

Ib. Malta

Activity	Date	Relevant documentation
Exchange of views on Malta	20 April 2023	<u>Questions to Maltese Governments</u>
Meeting with the Maltese Police Commissioner, Angelo Gafa, follow-up mission to Malta	10 June 2022	<u>Mission report</u>
Exchange of views on the follow-up to the Public Inquiry into the assassination of Daphne Caruana Galizia	10 November 2021	<u>Letter by DRFMG Chair to the Prime Minister Abela on the Public inquiry into the assassination of Daphne Caruana Galizia, 29 September 2020</u> <u>Reply by Prime Minister Rober Abela to DRFMG Chair on the Public inquiry into the assassination of Daphne Caruana Galizia, 5 October 2020 (PDF - 2 MB)</u> <u>Letter by DRFMG Chair to the Prime Minister Abela on the Public inquiry into the assassination of Daphne Caruana Galizia, 9 December 2020</u> <u>Reply by Prime Minister Rober Abela to DRFMG Chair on the Public inquiry into the assassination of Daphne Caruana Galizia, 17 December 2020 (PDF - 443 KB)</u> <u>Letter by DRFMG Chair to the Prime Minister Abela on comprehensive update on the latest state of affairs in the case of the murder of Daphne Caruana Galizia, 25 March 2021 (PDF - 332 KB)</u> <u>Reply by Prime Minister Robert Abela to DRFMG Chair on comprehensive update on the latest state of affairs in the case of the murder of Daphne Caruana Galizia, 01 April 2021 (PDF - 275 KB)</u>
Exchange of views with Matthew Caruana Galizia on the latest developments in Malta	17 September 2020	

20 April 2023- Exchange of views on Malta

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Elena YONCHEVA (S&D), BARLEY Katarina (S&D), DONATH Anna (Renew), Vladimír BILČÍK (EPP), Javier ZARZALEJOS (EPP), Patryk JAKI (ECR), KEMPA Beata (ECR), FEST Nicolaus (ID), GARRAUD Jean-Paul (ID), DELBOS CORFIELD Gwendoline (Greens/EFA), LAGODINSKY Sergey (Greens/EFA), ARVANTIS Konstantinos (The Left), DALY Clare (The Left).

Members of the DRFMG exchanged with Jonathan ATTARD, Minister of Justice of Malta, and Herman GRECH, journalist and editor in chief of the Times of Malta.

Discussions revolved around the following topics: reforms of the judicial system and the increase of dedicated resources and staff, European judicial cooperation in particular as regards European Arrest Warrants, the situation of media freedom and of the safety of journalists, the developments of court cases regarding Daphne Caruana Galizia murder and the potential chilling effect on journalists. Cases of corruption and fraud were also mentioned during the exchange.

Relevant documentation:

- https://www.europarl.europa.eu/cmsdata/268128/DRFMG_Questions_Maltese_Government.pdf

10 June 2022 – Meeting with the Maltese Police Commissioner, Angelo Gafa, follow-up mission to Malta – link to mission report

Due to previous commitments, the Police Commissioner could only meet online with the delegation on 10 June 2022 in the framework of a DRFMG meeting. The exchange focused mainly on the latest changes brought to modernise and implement some of the recommendations of the public inquiry. Measures to improve safety of journalists and combat financial crimes were among the issues discussed by the Members with the Police Commissioner.

10 November 2021 - Exchange of views on the follow-up to the Public Inquiry into the assassination of Daphne Caruana Galizia

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Nicolaus Fest (ID), Elena Yoncheva (S&D), Gwendoline Delbos-Corfield (Greens/EFA).

Members of the DRFMG exchanged with Robert Abela, Prime Minister of Malta; Giuseppe

Abbamonte, Director of the Media Policy Unit of the DG Connect; Rebecca Vincent, Campaigns director, Reporters Without Borders; and Sarah Clarke, Head of Europe and Central Asia team, Article 19.

Discussions revolved around the following topics: the situation of journalists in Malta, the Rule of Law reforms undertaken by the Maltese authorities (including the anti-SLAPP initiative, changes in several appointment processes in the judiciary, whistle-blower initiative), cooperation with international organisations, the nomination of a Committee of experts to implement the recommendations of the Public Inquiry, the Broadcast Board, the fight against corruption, the CBI and RBI schemes, measures to fight impunity and to increase safety of journalists.

While positive steps taken in strengthening the rule of law and countering SLAPPs were noted, concerns were raised by participants mainly as regards investigations and prosecutions of corruption and the continuing challenges to the freedom of press. The importance of the protection of journalists from SLAPPs, protecting whistle-blowers, the importance of complaints being thoroughly investigated and the need for more transparency in the legislative process and in nomination processes were also highlighted.

Related documentation:

- [Letter by DRFMG Chair to the Prime Minister Abela on the Public inquiry into the assassination of Daphne Caruana Galizia, 29 September 2020](#)
- [Reply by Prime Minister Rober Abela to DRFMG Chair on the Public inquiry into the assassination of Daphne Caruana Galizia, 5 October 2020 \(PDF - 2 MB\)](#)
- [Letter by DRFMG Chair to the Prime Minister Abela on the Public inquiry into the assassination of Daphne Caruana Galizia, 9 December 2020](#)
- [Reply by Prime Minister Rober Abela to DRFMG Chair on the Public inquiry into the assassination of Daphne Caruana Galizia, 17 December 2020 \(PDF - 443 KB\)](#)
- [Letter by DRFMG Chair to the Prime Minister Abela on comprehensive update on the latest state of affairs in the case of the murder of Daphne Caruana Galizia, 25 March 2021 \(PDF - 332 KB\)](#)
- [Reply by Prime Minister Rober Abela to DRFMG Chair on comprehensive update on the latest state of affairs in the case of the murder of Daphne Caruana Galizia, 01 April 2021 \(PDF - 275 KB\)](#)

17 September 2020 - Exchange of views with Matthew Caruana Galizia on the latest developments in Malta

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Roberta Metsola (PPE), Gwendoline Delbos-Corfield (Greens/EFA), Sylwia Spurek (Greens/EFA).

The meeting was dedicated to an exchange of views with Daphne Caruana Galizia's son Matthew Caruana Galizia. Discussions revolved around the following topics: the public enquiry regarding the assassination of the journalist, investigations on suspect Melvin Theuma, ElectroGas Malta Ltd, judicial and police cooperation, Europol framework, EPPO, corruption, organised criminal structures, the independence of the Maltese institutions, the role of the Commission in this regard as well as the work of the Venice commission.

The Chair concluded the meeting by expressing the wish that justice could be done and that deficient systems would be changes. She reiterated that the monitoring of the situation of Malta was a permanent exercise and would continue.

All related documentation to the situation in Malta

The situation in Malta

- [Questions to the Maltese authorities \(November 2023\) \(PDF - 208 KB\)](#)
- [Questions to the Maltese authorities \(meeting of 20 April 2023\) \(PDF - 217 KB\)](#)
- [Mission report following the LIBE Delegation on the Rule of Law in Valletta, Malta from 23 to 25 May 2022 \(PDF - 436 KB\)](#)
- [Press release: Rule of law in Malta: EP delegation finishes on-the-ground assessment, 25 May 2022](#)
- [Study by the Policy Department for Citizens' Rights and Constitutional Affairs: The situation of Article 2 TEU values in Malta, May 2022 \(PDF - 486 KB\)](#)
- [Letter by DRFMG Chair to the Prime Minister Abela on the Public inquiry into the assassination of Daphne Caruana Galizia, 29 September 2020 \(PDF - 179 KB\)](#)
- [Reply by Prime Minister Rober Abela to DRFMG Chair on the Public inquiry into the assassination of Daphne Caruana Galizia, 5 October 2020 \(PDF - 2 MB\)](#)
- [Letter by DRFMG Chair to the Prime Minister Abela on the Public inquiry into the assassination of Daphne Caruana Galizia, 9 December 2020 \(PDF - 64 KB\)](#)
- [Reply by Prime Minister Rober Abela to DRFMG Chair on the Public inquiry into the assassination of Daphne Caruana Galizia, 17 December 2020 \(PDF - 443 KB\)](#)
- [Letter by DRFMG Chair to the Prime Minister Abela on comprehensive update on the latest state of affairs in the case of the murder of Daphne Caruana Galizia, 25 March 2021 \(PDF - 332 KB\)](#)
- [Reply by Prime Minister Rober Abela to DRFMG Chair on comprehensive update on the latest state of affairs in the case of the murder of Daphne Caruana Galizia, 01 April 2021 \(PDF - 275 KB\)](#)
- [Factsheet: Observing the Rule of Law and he strengthening of judicial systems in Malta](#)

(PDF - 1 MB)

The situation in Malta and in Slovakia

- European Parliament resolution of 28 March 2019 on the situation of the rule of law and the fight against corruption in the EU, specifically in Malta and Slovakia (2018/2965(RSP))
- LIBE mission to Malta and Slovakia - 17-20 September 2018 - mission report
- Hearing on Rule of Law and Safety of Journalists, 11 July 2018
- Collection of multimedia items relevant to the topic
- Extracts from the vote & statement by the Rapporteur
- Press release on the launch of the EP Caruana Galizia price for journalism

Ic. Slovenia

Activity	Date	Relevant documentation
Exchange of views on the situation in Slovenia	7 October 2022	/
Exchange of views on the situation in Slovenia (webstreamed meeting)	26 March 2021	<p><u>Agenda on the exchange of views on the situation in Slovenia, 26 March 2021 (PDF - 492 KB)</u></p> <p><u>Recording of the DRFMG meeting on the situation in Slovenia, 26 March 2021</u></p> <p><u>Statement by the Democracy, Rule of Law and Fundamental Rights Monitoring Group following the meeting on Slovenia with Prime Minister JANŠA</u></p> <p><u>In Depth Analysis on the situation of Democracy, the Rule of Law and Fundamental Rights in Slovenia (update 1 of 25 March 2021) (PDF - 589 KB)</u></p> <p><u>Follow-up questions by the DRFMG Members to the exchange of views of 26 March (PDF - 37 KB)</u></p> <p><u>Exchange with Slovenian authorities regarding follow-up questions to the meeting of 26.3.2021 (PDF - 624 KB)</u></p> <p><u>Letter of Mirjam Kline, Supreme State Prosecutor, President of the ASPS, to the DRFMG Chair, following the meeting of 26 March 2021 (PDF - 51 KB)</u></p>
Exchange of views on the situation in Slovenia (webstreamed meeting)	5 March 2021	<p><u>Agenda of the Exchange of view on the situation in Slovenia, 5 March 2021 (PDF - 62 KB)</u></p> <p><u>Recording of the DRFMG meeting on the situation in Slovenia, 5 March 2021</u></p>

7 October 2022 – Exchange of views on the situation in Slovenia

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Javier Zarzalejos (PPE), Katarina Barley (S&D), Clare Daly (The Left), Elena Yoncheva (S&D), Gwendoline Delbos-Corfield (Greens/EFA), Sergey Lagodinsky (Greens/EFA), Nicolaus Feser (ECR), Konstantinos Arvanitis (The Left).

Members of the DRFMG exchanged with Dominikav Švarc Pipan, Minister of Justice of the Slovenian Republic, Asta Večko, Minister of Culture of the Slovenia Republic, and Audrius Perkauskas, Deputy Head of Unit, Audio-visual and media services Policy at DG CONNECT, representing the European Commission.

Discussions revolved around the following topics: the justice reforms in Slovenia, the independence and functioning of the public prosecutor's office, the adoption of a new anti-corruption strategy, the freedom and independence of media, transparency of media ownership and the SLAPP suits against journalists, peaceful protesters and others.

The exchange mostly revolved around the plans and actions of the new government, installed in June 2022, to improve the situation of the rule of law and fundamental rights in Slovenia, with also the Commission's 2022 rule of law report as an important basis for the discussions.

Minister Švarc Pipan discussed with MEPs, among others, the appointment of a number of new state prosecutors, personnel increases in key judicial authorities and the public prosecutor's office, the government's commitment to work with EPPO, the appointment of a new Attorney General and embedding her and the independence of other institutions, like the judiciary, public prosecutors and the data protection agency, more comprehensively in law. In response to questions of MEPs, she furthermore discussed the revision of the Resolution on the Prevention on Corruption.

MEPs and Minister Večko reiterated the importance of freedom and independence of the media, and expressed the need to avoid political interferences in media boards or media regulatory bodies. These and other issues were addressed in the government's proposal for a new Media Law, which, at the time of the meeting, was blocked by the opposition, which requested a referendum. Discussions also addressed the SLAPP lawsuits launched by the previous government against journalists and the need to increase transparency regarding media ownership. New media legislation would also address issues with the working conditions and funding for national public media.

The Commission representative presented the findings included in the latest rule of law report and noted that the new government was moving ahead on several areas covered by the report's recommendations, and that many of the concerns expressed in the previous Rule of Law report were addressed quickly. Lastly, he offered the Commission's support in the government's efforts to revise the new Media Law.

26 March 2021 - Exchange of views on the situation in Slovenia (webstreamed meeting)

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Katarina Barley (S&D), Elena Yoncheva (S&D), Anna Júlia Donáth (Renew), Gwendoline Delbos-Corfield (Greens/EFA), Sergey Lagodinsky (Greens/EFA), Konstantinos Arvanitis (The Left).

The meeting was dedicated to an exchange of views on the situation in Slovenia in relation to Democracy, Rule of law and Fundamental rights, and more particularly regarding media freedom and pluralism and the state of the judiciary system in Slovenia.

Members first exchanged with representatives and experts of/on the media: Barbara Štrukelj (editor-in-chief, Slovenian Press Agency), Igor Kadunc (General Director, RTV Slovenia), Borut Rončević (Supervisory Board, RTV Slovenia and Chair, expert committee for media projects, Ministry of Culture of Slovenia), Nataša Pirc Musar (lawyer specialized in media law) and Igor Pirkovič (Association of journalists and publicists).

Speakers in the second panel of the meeting focused on the situation of the media and the judiciary in Slovenia: Peter Svetina, Human Rights Ombudsman, and Mirjam Kline, Supreme State Prosecutor.

Discussions revolved around the following topics: the budget allocated to public media in Slovenia, the pressures faced by journalists, the appointment of public prosecutors and the situation of the judiciary.

The third panel was composed of Janez Janša, Prime Minister of the Republic of Slovenia, and Vasko Simoniti, Culture Ministry although the latter did not speak. As for the exchange with Mr Janša, it did not go beyond procedural issues regarding the possible playing of a video submitted by the Prime Minister just before the opening of the meeting.

The Chair concluded the meeting and indicated that the videos sent by the Prime Minister office which were not played would be circulated to DRFMG Members and that as a follow up, written questions would be sent to the national authorities.

Related documentation:

- [Agenda on the exchange of views on the situation in Slovenia, 26 March 2021 \(PDF - 492 KB\)](#)
- [Recording of the DRFMG meeting on the situation in Slovenia, 26 March 2021](#)
- [Statement by the Democracy, Rule of Law and Fundamental Rights Monitoring Group following the meeting on Slovenia with Prime Minister JANŠA](#)
- [In Depth Analysis on the situation of Democracy, the Rule of Law and Fundamental Rights in Slovenia \(update 1 of 25 March 2021\) \(PDF - 589 KB\)](#)
- [Follow-up questions by the DRFMG Members to the exchange of views of 26 March \(PDF - 37 KB\)](#)

- [Exchange with Slovenian authorities regarding follow-up questions to the meeting of 26.3.2021 \(PDF - 624 KB\)](#)
- [Letter of Mirjam Kline, Supreme State Prosecutor, President of the ASPS, to the DRFMG Chair, following the meeting of 26 March 2021 \(PDF - 51 KB\)](#)

5 March 2021 - Exchange of views on the situation in Slovenia (webstreamed meeting)

Participating Members:

Sophia in 't Veld (DRFMG Chair), Roberta Metsola (PPE), Katarina Barley (S&D), Elena Yoncheva (S&D), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Sergey Lagodinsky (Greens/EFA), Malin Björk (The Left), Kostas Arvanitis (The Left).

Members of the DRFMG first exchanged with representatives of the European Commission - Emmanuel Crabit (DG Justice, European Commission) – and of the Slovenian Centre for Information Service, Co-operation and Development of NGOs (CNVOS) – Goran Forbici.

Speakers in the second panel of the meeting focused on the situation of media in Slovenia: Petra Lesjak Tušek, President of the Slovenian Association of Journalists, Lenart J. Kučič, investigative journalist at Pod črto, and Marko Milosavljević, professor of journalism and media policy at the University of Ljubljana.

Discussions revolved around the following topics: the first Commission's Rule of Law report and its specific country chapter, the situation as regards independence of the judiciary, the situation of media freedom and ownership landscape in Slovenia, media pluralism, safety of journalists and the chilling effect of the attacks and harassment to which journalists are subject, freedom of association, support for NGOs and media funding.

The Chair concluded by indicating that the Group would continue monitoring the situation in Slovenia including with representatives of the national authorities that had cancelled their participation in this session and would report to the full LIBE Committee.

Related documentation:

- [Agenda of the Exchange of view on the situation in Slovenia, 5 March 2021 \(PDF - 62 KB\)](#)
- [Recording of the DRFMG meeting on the situation in Slovenia, 5 March 2021](#)

All related documentation to the situation in Slovenia

The situation in Slovenia

- [Questions to Slovenian government \(November 2023\)](#)
- [LIBE Mission report, mission to Slovenia, 13-15 October 2021](#)

- Rule of law in Slovenia: MEPs conclude their first mission to the country
- Letter of Mirjam Kline, Supreme State Prosecutor, President of the ASPS, to the DRFMG Chair, following the meeting of 26 March 2021 (PDF - 51 KB)
- Exchange with Slovenian authorities regarding follow-up questions to the meeting of 26.3.2021 (PDF - 624 KB)
- Follow-up questions by the DRFMG Members to the exchange of views of 26 March (PDF - 37 KB)
- In Depth Analysis on the situation of Democracy, the Rule of Law and Fundamental Rights in Slovenia (update 1 of 25 March 2021) (PDF - 589 KB)
- Statement by the Democracy, Rule of Law and Fundamental Rights Monitoring Group following the meeting on Slovenia with Prime Minister Janša
- Recording of the DRFMG meeting on the situation in Slovenia, 26 March 2021
- Recording of the DRFMG meeting on the situation in Slovenia, 5 March 2021

Id. Bulgaria

Activity	Date	Relevant documentation
Mission to Bulgaria	12-13 October 2023	<u>Mission Report: Delegation to Bulgaria: 12-13 October 2023</u>
Exchange of views on the situation in Bulgaria	13 June 2023	/
Exchange of views on the situation in Bulgaria	8 December 2022	/
Exchange of views on the situation in Bulgaria	27 January 2022	<u>Draft agenda DRFMG meeting 27 January dedicated to the situation in Bulgaria (DOCUMENT - 36 KB)</u> <u>Questions addressed in advance by DRFMG Members to Bulgarian government (DOCUMENT - 24 KB)</u> <u>Answers from the Prosecutor General of the Republic of Bulgaria, 27 January 2022</u> <u>Answers from Bulgarian authorities, 27 January 2022</u> <u>Follow-up questions to Bulgarian authorities (PDF - 138 KB)</u> <u>Mission report following the ad-hoc delegation to Slovakia and Bulgaria – 21-24 September 2021 Rule of law Bulgaria</u> <u>MEPs conclude their monitoring visit</u>
Exchange of views on the situation of the Rule of law in Bulgaria	8 January 2021	<u>Questions of DRFMG Members to Bulgarian authorities, 8 January 2021 (PDF - 244 KB)</u> <u>Letter from the Prosecutors' Office of the Republic of Bulgaria to the DRFMG Members, 19 February 2021 (PDF - 4 MB)</u> <u>Answers from Bulgarian Authorities to questions, 15 February 2021 (DOCUMENT - 43 KB)</u>

Exchange of views on latest developments in Bulgaria in relation to Democracy, Rule of Law and Fundamental Rights	28 August 2020	<u>Follow-up questions by the DRFMG Members to the exchange of views of 28 August 2020 on latest developments in Bulgaria (PDF - 242 KB)</u> <u>Bulgaria: statement by the Democracy, Rule of Law and Fundamental Rights Monitoring Group</u>
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12-13 October 2023 -Mission to Bulgaria

- Mission Report: Delegation to Bulgaria: 12-13 October 2023

13 June 2023- Exchange of views on the situation in Bulgaria

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Vladimír BILČÍK (EPP), Javier ZARZALEJOS (EPP), Elena YONCHEVA (S&D), Sergey LAGODINSKY (Greens/EFA), Gwendoline DELBOS-CORFIELD Clare DALY (The Left).

Members of the DRFMG exchanged, in separate panels, with Prosecutor General Ivan GESHEV, then with Minister of Justice of Bulgaria Atanas SLAVOV and Deputy Minister of Justice Emil DECHEV, and finally with Administrative officer from the Group of States against Corruption, Council of Europe (GRECO) David DOLIDZE and Commission's Acting Director for Rule of Law, Fundamental Rights and Democracy Marie-Helene BOULANGER.

Discussions revolved around the following topics: the recent dismissal of the Prosecutor General, the procedure for removal, the division of powers, ongoing corruption investigations, including those with cross-border European dimensions, and government proposals to reform the justice system including the judiciary.

Finally, the GRECO evaluation report on Bulgaria published in January 2023 as well as the 2022 Commission Rule of Law Report's chapter on Bulgaria were presented. The key findings and recommendations on corruption, prevention of corruption as well as functioning and composition of the judiciary were at the core of the discussion.

8 December 2022 – Exchange of views on the situation in Bulgaria

Participating members:

Sophie In 't Veld (DRFMG Chair), Elena Yoncheva (S&D), Vladimír Bilčík (EPP), Javier Zarzalejos (EPP) and Patryk Jaki (ECR).

Members of the DRFMG exchanged with Krum Zarkov, Minister of Justice Bulgaria, Florian Geyer, Head of Justice Policy and Rule of Law Unit, Directorate General Justice and Consumers, European Commission, Krassimir Kanev, Chair of the Board, Bulgarian Helsinki Committee and Georgi Stoytchev, Executive Director, Open Society Institute Sofia

Discussions revolved around the following topics: government proposals to reform the justice system, including the judiciary, the Prosecutor General and other prosecutors, the Commission 2022 Rule of Law report on Bulgaria, the implementation of ECHR judgements, anti-corruption measures and institutions, civil society and the political situation in Bulgaria.

The exchange of views mostly focused on plans by the current caretaker government of Bulgaria to enact reforms in the justice system, to counter corruption and, more generally, to improve the situation of the country with regard to the Rule of Law. These discussions took place within the national political context, with a caretaker government, to be replaced early next year either by a new governing coalition or a new caretaker government awaiting a new general election. Furthermore, these reforms must also be seen as a continuation of Bulgaria's progress under the Cooperation and Verification Mechanism, which recently ceased to apply, and seek to fulfil milestones set, in cooperation with the Commission, under the Recovery and Resilience Plan (RRP).

Minister Zarkov presented several of the caretaker government's plans to reform the justice system, including for the position of Prosecutor General, and to implement more than 70 judgements from the ECtHR regarding the rights of victims in criminal proceedings. Most of these proposals were currently pending discussion in the Council of Ministers, before going to parliament. The Minister also discussed plans to counter corruption, notably with a new anticorruption agency. To oversee all these reforms and their irreversibility, and to specifically make sure that they deal with the recommendations of the Rule of Law report, the caretaker government also established a high-level council on internal monitoring, which was welcomed by the MEPs present.

The Commission representative noted the efforts and cooperation by the caretaker government, but also repeated some of the main concerns included in the Commission latest Rule of Law report on Bulgaria, among others regarding the functioning and composition of the Judicial Council, and the limited track record on final judgements in high-level corruption cases. The civil society representatives mostly stressed that the proposals discussed by the Minister required implementation in order to make material progress, which was echoed by the members. They also emphasized, as a positive development, that there is a growing constituency, both among citizens and the governing elites, that Rule of Law and anti-corruption reforms are a prerequisite for any new government. Furthermore, the milestones under the RRP are also important in this respect, as stated by all present speakers. They are also binding for any subsequent government to receive relevant funds and thus work to preserve the push for reforms.

Besides questions on whether the planned reforms will yield results and on their sustainability, MEPs asked further questions on the caretaker government plans to reform the Judicial Council and the power of prosecutors within the justice system. Lastly, they discussed the fight against Russian disinformation, which was highly relevant with the ongoing Russian war of aggression in Ukraine.

27 January 2022 - Exchange of views on the situation in Bulgaria

Participating Members:

Sophia in 't Veld (Chair of DRFMG), Elena Yoncheva (S&D), Sergey Lagodinsky (Greens/EFA), Katarina Barley (S&D), Kostantinos Arvanitis (The Left), Gwendoline Delbos-Corfield (Greens/EFA).

Members of the DRFMG firstly exchanged with Ivan Geshev, Prosecutor General. A second exchange took place after this first one with Kiril Petkov, Prime Minister of the Republic of Bulgaria, Nadezhda Yordanova, Minister of Justice and Atanas Atanasov, Minister of Culture of the Republic of Bulgaria.

Discussions revolved around the following topics: high-level corruption cases, prevention of corruption within prosecution structures, cooperation with the EPPO, the intended reforms by the new government, including reforms to improve the fight against corruption, Bulgaria's drop in Transparency International's ranking, reforms regarding the freedom of press, the state of play as regards the Istanbul Convention, the intended abolition of the CBI scheme and the situation of Roma and LGBT people.

Related documentation:

- [Draft agenda DRFMG meeting 27 January dedicated to the situation in Bulgaria \(DOCUMENT - 36 KB\)](#)
- [Questions addressed in advance by DRFMG Members to Bulgarian government \(DOCUMENT - 24 KB\)](#)
- [Answers from the Prosecutor General of the Republic of Bulgaria, 17 January 2022](#)
- [Answers from Bulgarian authorities, 27 January 2022](#)
- [Follow-up questions to Bulgarian authorities \(PDF - 138 KB\)](#)
- [Mission report following the ad-hoc delegation to Slovakia and Bulgaria – 21-24 September 2021 Rule of law Bulgaria](#)
- [MEPs conclude their monitoring visit](#)

8 January 2021 - Exchange of views on the situation of the Rule of law in Bulgaria

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Katarina Barley (S&D), Elena Yoncheva (S&D), Anna Júlia Donáth (Renew), Gwendoline Delbos-Corfield (Greens/EFA), Konstantinos Arvanitis (The Left), Malin Björk (The Left).

The meeting was dedicated to an exchange of views with Evgeni Stoyanov, Deputy Minister of Justice, Daniela Masheva and Krasimira Filipova, Deputy Prosecutor Generals with the Supreme Prosecutor's Office of Cassation, Ana Dzhumalieva, Chairperson at the Commission for protection against discrimination in Bulgaria, Emmanuel crabit, Director for Fundamental Rights and Rule of Law at the DG Justice, European Commission, and James Hamilton, former member of the Venice Commission and Rapporteur on latest opinion on Bulgaria.

Discussions revolved around the following topic: the latest opinion of the Venice Commission on Bulgaria, public trust in institutions, the anti-corruption framework and OLAF report, media pluralism and the transparency of ownership structure, prosecutor powers and independency, discrimination and the Rule of Law report.

Related documentation:

- Questions of DRFMG Members to Bulgarian authorities, 8 January 2021 (PDF - 244 KB)
- Letter from the Prosecutors' Office of the Republic of Bulgaria to the DRFMG Members, 19 February 2021 (PDF - 4 MB)
- Answers from Bulgarian Authorities to questions, 15 February 2021 (DOCUMENT - 43 KB)

28 August 2020 - Exchange of views on latest developments in Bulgaria in relation to Democracy, Rule of Law and Fundamental Rights

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Roberta Metsola (PPE), Katarina Barley (S&D), Anna Júlia Donáth (Renew), Sergey Lagodinsky (Verts/ALE).

Members of the DRFMG first exchanged with representatives of the Bulgarian authorities - Krasimira Filipova (Deputy Chief Prosecutor of the Republic of Bulgaria), Ekaterina Zaharieva (Deputy Prime Minister for Judicial Reform and Minister of Foreign Affairs of the Republic of Bulgaria), Dessislava Ahladova (Deputy Minister of Justice of the Republic of Bulgaria) - and of the European Commission with Julien Mousnier (Citizens, Equality, Democracy & Rule of Law Unit). This first part of the meeting was completed with an exchange with Simona Granata-Menghini (Venice Commission) and Gianluca Esposito (Action against Crime Department of the Council of Europe, GRECO).

Invited speakers in the second part of the meeting were Christian Moos (Fundamental Rights and Rule of Law and Group of the European Economic and Social Committee), Dimiter Stoyanov (journalist at Bivol), Krassimir Kanev (Bulgarian Helsinki Committee), Ana Dzhumalieva (Commission for Protection against Discrimination in Bulgaria) and Marin Lessenski (European Policies, Open Society Institute Sofia).

Discussions revolved around the following topics: checks and balance, the functioning of the Bulgarian prosecution, independence of the judiciary, judicial and constitutional reforms including in relation to recommendations from Council of Europe's Venice Commission and GRECO, ongoing protests in the country, the CVM, the current monitoring by the European Commission and the new Rule of Law mechanism with the upcoming first Rule of Law annual report, the fight against corruption, media freedom and ownership, safety of journalists, civil society, freedom of association and NGO funding, COVID-19 measures, discriminations, in particular against Roma people, the Istanbul Convention, domestic violence, and the rights of LGBTI people.

The Chair concluded the meeting by indicating that the Group would continue monitoring the situation in Bulgaria and report to the full LIBE Committee.

Related documentation:

- [Follow-up questions by the DRFMG Members to the exchange of views of 28 August 2020 on latest developments in Bulgaria \(PDF - 242 KB\)](#)
- [Bulgaria: statement by the Democracy, Rule of Law and Fundamental Rights Monitoring Group](#)

Answers of the Bulgarian authorities to the DRFMG Members:

- [Answers from the Prosecutors' Office of the Republic of Bulgaria to the DRFMG Members, 21 September 2020 \(PDF - 659 KB\)](#)
- [Letter from the Prosecutors' Office of the Republic of Bulgaria to the DRFMG Members, 17 September 2020 \(PDF - 719 KB\)](#)
- [Position of the Prosecutors' Office of the Republic of Bulgaria, 24 August 2020 \(PDF - 97 KB\)](#)
- [Second letter from the Prosecutors' Office of the Republic of Bulgaria to the DRFMG Members \(PDF - 36 KB\)](#)
- [Answers from Bulgarian Authorities to questions 1-16 and 22-29 \(PDF - 690 KB\)](#)
- [The specialised Prosecutors' Office instituted pre-trial proceedings for a Crime under Chapter one of the Criminal Code \(PDF - 254 KB\)](#)
- [National meeting of the Bulgarian Prosecutors and investigators \(PDF - 997 KB\)](#)
- [Executive summary by the Structural Reform and Support Service \(PDF - 614 KB\)](#)

- [Statement by Prosecutor Elena ANDREEVA \(PDF - 80 KB\)](#)
- [Replies of the Commission for Protection against Discrimination on the questions from DRFMG Group \(PDF - 699 KB\)](#)

All the documentation related to the situation in Bulgaria

The situation in Bulgaria

- [Follow-up questions by the DRFMG Members to the exchange of views of 8 January on the situation of the rule of law in Bulgaria \(PDF - 244 KB\)](#)
- [Follow-up questions by the DRFMG Members to the exchange of views of 28 August on latest developments in Bulgaria \(PDF - 242 KB\)](#)
- [Letter from the Prosecutors' Office of the Republic of Bulgaria to the DRFMG Members, 19 February 2021 \(PDF - 4 MB\)](#)
- [Answers from Bulgarian Authorities to questions, 15 February 2021 \(DOCUMENT - 43 KB\)](#)
- [Answer from the Prosecutors' Office of the Republic of Bulgaria to the DRFMG Members, 21 September 2020 \(PDF - 659 KB\)](#)
- [Second letter from the Prosecutors' Office of the Republic of Bulgaria to the DRFMG Members, 25 September 2020 \(PDF - 36 KB\)](#)
- [Letter from the Prosecutors' Office of the Republic of Bulgaria to the DRFMG Members, 17 September 2020 \(PDF - 719 KB\)](#)
- [Position of the Prosecutors' Office of the Republic of Bulgaria, 24 August 2020 \(PDF - 97 KB\)](#)
- [Answers from Bulgarian authorities to question 1-16 and 22-29 \(PDF - 690 KB\)](#)
- [The specialized Prosecutors' Office instituted pre-trial proceedings for a Crime under Chapter one of the Criminal Code \(PDF - 254 KB\)](#)
- [National meeting of the Bulgarian Prosecutors and Investigators \(PDF - 997 KB\)](#)
- [Executive summary by the Structural Reform and Support Service \(PDF - 614 KB\)](#)
- [Statement by Prosecutor Elena Andreeva \(PDF - 80 KB\)](#)
- [Replies of the Commission for Protection against Discrimination on the questions from DRFMG Group \(PDF - 699 KB\)](#)
- [Bulgaria: statement by the Democracy, Rule of Law and Fundamental Rights Monitoring Group](#)

- Draft agenda DRFMG meeting 27 January dedicated to the situation in Bulgaria (DOCUMENT - 36 KB)
- Questions addressed in advance by DRFMG Members to Bulgarian government
- Answers from the Prosecutor General of the Republic of Bulgaria, 17 January 2022
- Answers from Bulgarian authorities, 17 January 2022 BG (Bulgarian version, English version)
- Mission report following the ad-hoc delegation to Slovakia and Bulgaria – 21-24 September 2021 Rule of law Bulgaria
- MEPs conclude their monitoring visit
- Follow-up questions by the DRFMG Members to the exchange of views of 8 January on the situation of the rule of law in Bulgaria (PDF - 244 KB)
- Follow-up questions by the DRFMG Members to the exchange of views of 28 August on latest developments in Bulgaria (PDF - 242 KB)

Ie. Poland

Activity	Date	Relevant documentation
Exchange of views on the Rule of Law situation in Poland (in camera)	14 March 2023	<u>Reply from the Polish government</u>
Meeting on the situation in Poland (in camera)	14 December 2023	<u>Questions to the Polish government</u>
Exchange of views on the situation of the Polish judiciary and other Democracy, Rule of Law and Fundamental rights issues in Poland (Webstreamed meeting)	15 April 2021	<p><u>Agenda of the Exchange of views on the situation in Poland - 15 April 2021 (PDF - 54 KB)</u></p> <p><u>DRFMG Members' follow-up questions to the Exchange of views on the situation in Poland held on Friday, 15 April 2021 (PDF - 263 KB)</u> By mail of 31 May 2021 the Permanent Representation informed that the Polish Minister of Justice has decided not to respond to DRFMG queries while a short answer was provided by the Chancellery of the Prime Minister with respect to one question.</p> <p><u>Recording of the DRFMG meeting on the situation in Poland, 15 April 2021</u></p>
Exchange of views on National Human Rights Institutions (NHRIs) and the situation of the Polish Commissioner for Human Rights, and on the situation of judges in Poland	12 November 2020	/

Meeting 2020 on the state of democracy, rule of law and fundamental rights in Poland	18 May 2020	/
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14 March 2024 - Exchanges of views on the Situation in Poland

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Gwendoline DELBOS-CORFIELD (Greens/EFA), Javier ZARZALEJOS (EPP), Patryk JAKI (ECR), Tineke STRIK (Greens/EFA; as LIBE shadow rapporteur on Article 7 TEU procedure in respect of Poland)

Members exchanged with Mr Dariusz MAZUR, Undersecretary of State of the Polish Ministry of Justice.

The exchange was focused on the developing situation in Poland where the current government has pledged to introduce a series of measures aimed at restoring full respect of Rule of Law. Legislation is under preparation or in an ongoing legislative procedure in many areas, including the judiciary and independence of the media. However, the government must aim to strike a compromise with President Duda whose veto power could significantly complicate the adoption of the necessary legislation.

In respect of the judiciary, a discussion was held on possible ways to implement ECtHR and CJEU case law related to judges appointed and judicial bodies established in breach of rule of law principles. The Polish government believes that should any of the inappropriately appointed judges retain their offices, any proceedings they participated in in the future would be open to potential challenges, which could trigger liability of the Polish state whether within the framework of the ECHR, or based on an infringement of EU law. Concerning disciplinary proceedings initiated under the previous government against judges who applied EU law or defended judicial independence, steps are being taken to evaluate the legitimacy of those proceedings, including the appointment of three new disciplinary commissioners.

14 December 2023 - Exchanges of views on the Situation in Poland

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Vladimir BILČÍK (EPP), Gwendoline DELBOS-CORFIELD (Greens/EFA), Javier ZARZALEJOS (EPP), Sergey LAGODINSKY (Greens/EFA).

Members exchanged with Dorota ZABLUDOWSKA, Polish Judges Association Iustitia,

Bartosz GROHMAN, Vice-President of the Polish Bar Council, Małgorzata SZULEKA, Secretary of the Board of the Helsinki Foundation for Human Rights, Florian GEYER, Head of Unit, Rule of Law (DG JUST), and Ute STIEGEL, deputy Head of Unit, European Commission (DG HOME).

An exchange of views on the recent change in government in Poland took place, sparking discussions on the future trajectory of the rule of law in the country. While there is a generally positive outlook, rectifying past breaches of Rule of Law principles poses challenges, particularly in the judiciary and the appointment of judges. Rectifying the improper appointment or promotion of some judges in recent years is not simple, as this situation may raise fundamental rights concerns. Civil society representatives suggested a potential solution by placing judges back in their previously occupied positions.

One of the main concerns discussed centered on corruption, which has facilitated the promotion of propaganda, notably in public and local media now under political control. Addressing these issues requires societal education and awareness to cultivate a more informed and engaged public. The installation of the new government was viewed as a crucial opportunity to bring about desired changes and restore a transparent and accountable governance system. Priorities were presented as including the need for addressing the Constitutional Tribunal's composition and the concerns about violations of the right to a fair trial. Recent decisions by the European Court of Human Rights on the right to abortion add another layer to the complex legal landscape. Members sought clarifications on the status of Article 7 TEU proceedings, on actions related to abortion issues and on the unblocking of funds within the budget conditionality mechanism.

Relevant documentation

- **Questions to the Polish government (January 2024)**

15 April 2021 - Exchange of views on the situation of the Polish judiciary and other Democracy, Rule of Law and Fundamental rights issues in Poland (Webstreamed meeting)

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Juan Fernando López Aguilar (S&D, Chair of the LIBE Committee and Standing Rapporteur on the Article 7(1) TEU procedure in relation to Poland), Katarina Barley (S&D), Elena Yoncheva (S&D), Anna Júlia Donáth (Renew), Sergey Lagodinsky (Verts/ALE), Patryk Jaki (ECR), Beata Kempa (ECR).

The Chair opened the meeting by regretting the absence of the Polish Government and by recalling the decision of the Polish Constitutional Tribunal regarding the Polish Ombudsman's mandate.

Emmanuel Crabit (DG Justice, European Commission) and Filippo Donati (European Network

of Councils for the Judiciary) spoke on the upcoming decision assessing the constitutionality of Treaty provisions regarding the independence of the judiciary, the 2020 Rule of Law report, the “muzzle law”, the activities of the Disciplinary Chamber of the Supreme Court, infringement procedures and the possibility for the Commission to impose sanctions on Poland for not abiding to CJEU rulings.

During the second panel discussion, Waldemar Żurek (Judge, Member of the Board of Association of Judges, Themis), Ewa Wrzosek (Lex Super Omnia and Prosecutor), Igor Tuleya (Judge, Member of the Association of Judges, Iustitia) and Małgorzata Gersdorf (former President of the Supreme Court) exchanged with Members on the independence of judges, harassment and disciplinary and criminal prosecution of judges critical of the reforms of the judiciary in Poland and how to better protect judges, on the role of the Constitutional Tribunal and on the ongoing process of politicisation of the Polish justice system.

Related documentation:

- [Agenda of the Exchange of views on the situation in Poland - 15 April 2021 \(PDF - 54 KB\)](#)
- [DRFMG Members’ follow-up questions to the Exchange of views on the situation in Poland held on Friday, 15 April 2021 \(PDF - 263 KB\)](#) By mail of 31 May 2021 the Permanent Representation informed that the Polish Minister of Justice has decided not to respond to DRFMG queries while a short answer was provided by the Chancellery of the Prime Minister with respect to one question.
- [Recording of the DRFMG meeting on the situation in Poland, 15 April 2021](#)

12 November 2020 - Exchange of views on National Human Rights Institutions (NHRIs) and the situation of the Polish Commissioner for Human Rights, and on the situation of judges in Poland

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Juan Fernando López Aguilar (S&D, Chair of the LIBE Committee and Standing Rapporteur on the Article 7(1) TEU procedure in relation to Poland), Katarina Barley (S&D), Elena Yoncheva (S&D), Anna Júlia Donáth (Renew), Sergey Lagodinsky (Verts/ALE), Malin Björk (The Left), Patryk Jaki (ECR).

Members first exchanged with Andreas Accardo and Eva Sobotka from the European Union Agency for Fundamental Rights (FRA); and Adam Bodnar, Polish Commissioner for Human Rights.

Discussions revolved around the following topics: resources of the NHRIs, their legal basis, their independence and their heads’ independence, and public debate at national level on the protection of Human Rights.

Speakers in the second panel of the meeting, Michał Wawrykiewicz (lawyer, Free Courts

Initiative (Wolne Sądy)), Joanna Hetnarowicz-Sikora (National Board, Association of Judges Iustitia), Beata Morawiec (President, Association of Judges Themis) and Igor Tuleya (judge), focused on the situation of judges in Poland, including the operation of new chambers in the Supreme Court, the “muzzle law” and abusive disciplinary and criminal proceedings against judges, the lack of respect of CJEU rulings in relation to the independence of the Polish justice system and the interim measures taken by the European Commission.

18 May 2020 - on the state of democracy, rule of law and fundamental rights in Poland.

Participating Members:

Member of the DRFMG: Sophia in 't Veld (Chair of the DRFMG), Roberta Metsola (PPE), Vladimír Bilčík (PPE), Sylwia Spurek (S&D), Katarina Barley (S&D), Anna Júlia Donáth (Renew), Nicolas Bay (ID), Nicolaus Fest (ID), Gwendoline Delbos Corfield (Verts/ALE), Sergey Lagodinsky (Verts/ALE), Patryk Jaki (ECR), Malin Björk (The Left), Konstantinos Arvanitis (The Left).

- Standing Rapporteur & Shadow Rapporteurs on the Article 7(1) TEU procedure in relation to Poland that are not also Members of the DRFMG: Juan Fernando López Aguilar (S&D), Michal Šimečka (Renew), Terry Reintke (Verts/ALE).

The meeting was dedicated to an exchange of views on the state of democracy, rule of law and fundamental rights in Poland. For that reason, the Standing Rapporteur and Shadows on the interim report under the Article 7(1) TEU procedure in relation to Poland were also invited to the meeting. The following speakers were invited: Pieter Omtzigt, Co-Rapporteur of the Parliamentary Assembly of the Council of Europe; Sebastian Kaleta, lawyer, Deputy Minister of Justice, Republic of Poland; Prof. Ewa Łętowska, Professor at the Institute of Law Studies of the Polish Academy of Sciences, member of the Polish Academy of Sciences and Polish Academy of Learning, who previously served as Poland’s first Commissioner for Human Rights (1987-1992), judge of the Supreme Administrative Court (1999-2002) and judge of the Constitutional Tribunal (2002-2011).

During the meeting, the effect on respect for the rule of law, democracy and fundamental rights in Poland of the measures taken by the Polish Government in relation to the COVID-19 outbreak was discussed, among other issues.

All documentation related to the situation in Poland

The situation in Poland

- [Agenda of the meeting of 4 March 2022](#)
- [DRFMG Members’ follow-up questions to the Exchange of views on the situation in Poland held on Friday, 15 April 2021 \(PDF - 263 KB\)](#)
- [Webstreamed meeting, 15 April](#)

If. Greece

Activity	Date	Relevant documentation
Mission to Greece	6-8 March 2023	<u>Report mission</u> <u>The situation of Article 2 TEU values in Greece (LIBE mission to Greece 6 - 8 March 2023) (PDF - 987 KB)</u>
Exchange of views on the situation in Greece	28 April 2022	<u>Questions addressed by DRFMG Members to Greek authorities, 21 April 2022 (PDF - 19 KB)</u> <u>Follow-up questions by DRFMG Members to Greek authorities, 28 April 2022 (PDF - 175 KB)</u>
Exchange of views on the protection of journalism and safety of journalists in Greece	24 June 2021	<u>Reply of 28 April 2021 from the Greek Minister of Justice to DRFMG letter of 19 April 2021</u> <u>Letter to Prime Minister and Minister of Justice of Greece regarding Assassination of journalist Giorgos Karaivaz, 19 April 2021</u> <u>Platform to promote the protection of journalism and safety of journalists</u>

6-8 March 2023 – Mission to Greece

Report of the mission can be consulted [here](#).

Study on the situation on EU values in Greece prepared to support this mission can be found [here](#).

28 April 2022 – Exchange of views on the situation in Greece

Participating Members:

Sophia in 't Veld (DRFMG Chair), Elena Yoncheva (S&D), Katarina Barley (S&D), Sergey Lagodinsky (Greens/EFA), Patryk Jaki (ECR) and Konstantinos Arvanitis (The Left).

Members of the DRFMG exchanged with Panos Alexandris, Secretary General of Justice and Human Rights of the Ministry of Justice; Eleni Touloupaki, former Corruption Prosecutor, Hanne Juncher, Executive Secretary of GRECO; Pavol Szalai, Head of European Union &

Balkans Desk, Reporters Sans Frontières; as well as Ute Stiegel, Deputy Head of Unit for Enforcement Transparency and Rule of Law Monitoring at DG HOME; and Audries Perkauskas, Deputy Head of UNIT, Audiovisual & media services policy at DG CNECT.

Discussions revolved around the following topics: the situation of the rule of law in Greece, the concerns regarding media freedom, the Novartis case, the concerns linked to journalists' safety and the fight against corruption. The participants raised questions about the Novartis case in Greece and the alleged prosecution of the prosecutors and journalists involved in revealing this case, as well as regards the progress of the investigation in the case of the murder of Giorgos Karaivaz. Additionally, in the exchange other concerns were raised such as the potential capture of media and the state of play of funding of so-called "critical" media, the state of the fight against corruption in Greece and of the whistle-blower protection. The need to prevent judicial delays through judicial reforms and to strengthen resources for the fight against corruption were also noted during the exchange.

- [Questions addressed by DRFMG Members to Greek authorities, 21 April 2022 \(PDF - 19 KB\)](#)
- [Follow-up questions by DRFMG Members to Greek authorities, 28 April 2022 \(PDF - 175 KB\)](#)

24 June 2021 - Exchange of views on the protection of journalism and safety of journalists in Greece

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Roberta Metsola (PPE), Elena Yoncheva (S&D), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Sergey Lagodinsky (Verts/ALE), Kostas Arvanitis (The Left).

Members of the DRFMG exchanged with the Greek Minister of Citizen Protection, Michalis Chrisochoidis, Mimi Toufexi (Secretary General, Panhellenic Federation of Journalists' Union – PFJU), Tom Gibson (EU Representative and Advocacy Manager, Committee to Protect Journalists) and Kostas Vaxevanis, Journalist.

Discussions revolved around the following topics: the murder of Giorgos Karaivaz, the state of play regarding the investigation of the case, threats faced by journalists in Greece, the protection offered by the police. Discussion also evolved around the question of the independence of media, concentration of media ownership, public and private disinformation campaigns, access to information, corruption, cooperation of national authorities with Europol, censorship in private and public media and SLAPPs.

Concerns were raised by participants mainly as regards freedom of expression, the wide spread violence and harassment of journalists since few years and the proliferation of law suits against media actors. The importance of the protection of journalists by the police, of complaints being thoroughly investigated and the need for an independent mapping of public procurements, advertising and ownership of the media was also highlighted.

Related documentation:

- [Reply of 28 April 2021 from the Greek Minister of Justice to DRFMG letter of 19 April 2021](#)
- [Letter to Prime Minister and Minister of Justice of Greece regarding Assassination of journalist Giorgos Karaivaz, 19 April 2021](#)
- [Platform to promote the protection of journalism and safety of journalists](#)

All documentation related to the situation in Greece

The situation in Greece

- [Mission report following the LIBE mission to Athens, Greece, 6 to 8 March 2023 \(PDF - 503 KB\)](#)
- [The situation of Article 2 TEU values in Greece \(LIBE mission to Greece 6 - 8 March 2023\) \(PDF - 987 KB\)](#)
- [In-depth analysis on The situation of Article 2 TEU values in Greece – Focus on anti-corruption measures and media freedom", Policy Department for Citizens' Rights and Constitutional Affairs](#)
- [Questions addressed by DRFMG Members to Greek authorities, 21 April 2022 \(PDF - 19 KB\)](#)
- [Follow-up questions by DRFMG Members to Greek authorities, 28 April 2022 \(PDF - 175 KB\)](#)
- [Reply of 28 April 2021 from the Greek Minister of Justice to DRFMG letter of 19 April 2021 \(PDF - 664 KB\)](#)
- [Letter to Prime Minister and Minister of Justice of Greece regarding Assassination of journalist Giorgos Karaivaz, 19 April 2021 \(PDF - 167 KB\)](#)
- [Follow-up questions by DRFMG Members to Greek authorities, September 2022 \(PDF - 145 KB\)](#)
- [Follow-up questions by DRFMG Members to Greek authorities, 23 November 2022 \(PDF - 202 KB\)](#)

Ig. Spain

Activity	Date	Relevant documentation
Exchange of views on the Rule of Law Situation in Spain	8 February 2024	/
Exchange of views on the situation in Spain	8 September 2022	/

8 February 2024 - Exchange of views on the Rule of Law Situation in Spain

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Javier ZARZALEJOS (EPP), Katarina BARLEY (S&D), Elena YONCHEVA (S&D), and Sergey LAGODINSKY (Greens).

Members exchanged with Alejandro GONZÁLEZ MARISCAL DE GANTE, Asociación Profesional de la Magistratura, Edmundo RODRÍGUEZ ACHÚTEGUI, Juezas y Jueces para la Democracia, Verónica PONTE, Asociación Francisco de Vitoria, Antonio ROMA VALDÉS, Asociación de Fiscales, Cristina DE VICENTE CASILLAS, Foro Judicial Independiente, and Julien MOUSNIER, Directorate-General for Justice & Consumers, European Commission.

The discussions focused on the structural issues of the Spanish judiciary, such as the lack of renewal of the Council for the Judiciary, which has been outstanding for years, the backlog in judicial procedures, the length of investigations, the need to increase the efficiency in handling high-level corruption cases and the concerns related to the draft amnesty law. Some speakers criticised the appointment process of judges, highlighted the importance of judicial independence and called for implementation of the recommendations by the annual Rule of Law Report of the Commission.

The proposed amnesty law's compliance with EU law and the Spanish Constitution was a significant topic, emphasizing that its constitutionality would be determined by judges post-enactment, in line with the principle of separation of powers. Challenges faced by Spanish judges, including workload issues affecting mental health and early retirements, were raised as threats to the judiciary and the rule of law. The revolving doors situation, as an example officials from the Ministry of Justice obtaining high-level positions at the Prosecutor's office were also discussed. During the Q&A, inquiries revolved around the potential threat of revolving doors between political parties and judicial authorities, the separation of powers, and the scrutiny of the proposed amnesty law against European law. The organization of judges in political associations was also raised as a matter of concern, with speakers stressing the need for unity

to preserve the independence of judiciary when challenges arise.

8 September 2022 – Exchange of views on the situation in Spain

Participating Members:

Sophia in 't Veld (DRFMG Chair), Javier Zarzalejos (EPP), Elena Yoncheva (S&D) , Beata Kempa (ECR) and Patryk Jaki (ECR).

Members of the DRFMG exchanged with Emmanuel Crabit, European Commission Director for Fundamental Rights and Rule of Law, Iain Cameron, representing the Venice Commission as co-Rapporteur for the opinion of the Commission on the Citizens' Security Law of Spain, and Josep Maria Castellà Andreu, Full Professor of Constitutional Law at the University of Barcelona and former Venice Commission Member in respect of Spain.

The Spanish Minister of Justice declined the invitation, indicating a preference to participate in a full LIBE Committee meeting, which eventually took place on 12 January 2023.

Happening a few weeks after the publication of the 2022 Commission Annual Rule of Law Report, speakers first touched upon the status of the EU Rule of Law monitoring mechanisms, noting for instance the relevance of EP monitoring work including both country-specific and horizontal topics, and the novelty introduced in the Commission Rule of Law report of recommendations to Member States. Interventions then dealt with the following topics regarding the rule of law situation in Spain: the long delays in the renewal of the Council of the Judiciary and the advisability of a reform of the nomination system in line with European standards, such as election by peers; the system of nomination of the Prosecutor-General, including concerns over the effect of the term of office on independence vis-à-vis the executive; the fight against corruption, including ongoing legislative reforms to increase transparency with regard to interest groups, the perceived lack of prosecution of high-level corruption cases and length of proceedings; facilitation of access to justice, with praise for increased digitalisation; the Security law, especially the issue of discretion of police powers and expected clarifications from the Constitutional Court at the time.

Members regretted the absence of Spanish authorities representatives and raised questions related to all of the aforementioned topics, some of which were also presented as going beyond the specific case of Spain. A set of questions were sent into the attention of the authorities as a follow up of this session.

Related documentation

The situation in Spain

- [Questions addressed to the national authorities \(September 2022\)](#)
- [Letter to the Minister of Justice of the Kingdom of Spain Mr Juan Carlos Campo regarding the functioning of judiciary and the procedure for the appointments to the National Council of the Judiciary \(PDF - 199 KB\)](#)

- Letter from the Spanish Minister of Justice on the functioning of the judiciary and the procedure for the appointments to the National Council of the Judiciary (ES), 28 May 2021 (PDF - 581 KB)
- Letter from the Minister of Justice of the Kingdom of Spain on the functioning of the judiciary and the procedure for the appointments to the National Council of the Judiciary

Ih. Czech Republic

All documents related to the situation in the Czech Republic

The situation in Czech Republic

- The impact of Coronavirus measures on democracy, rule of law and fundamental rights in the EU (Study by the Policy Department for Citizens' Rights and Constitutional Affairs)
- Letter to the President of the Czech Chamber of Deputies Mr Radek Vondráček regarding the independence of the Czech Television Council (PDF - 247 KB)
- Reply letter from the Speaker of the Parliament of the Czech Chamber of Deputies_w_annex.pdf

Ii. France

Activity	Date	Relevant documentation
Exchange of views on the situation in France	14th February 2023	<u>Follow- up questions to the French government (following the meeting of 14 February 2023)</u>

14th February 2023- Exchange of views on the situation in France

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Vladimír BILČÍK (EPP), Javier ZARZALEJOS (EPP), Elena YONCHEVA (S&D), Gwendoline DELBOS- CORFIELD (Greens), Konstantinos ARVANTIS (The Left), Claire DALY (The Left).

Members of the DRFMG exchanged with Laurence BOONE, French Secretary of State for European Affairs, as well as with Florian GEYER, Head of Unit“ Rule of Law, Fundamental Rights and Democracy” at the European Commission Directorate General Justice and Consumers

Discussions revolved around the following topics: the concept of Rule of Law as applied by the French Government, which is aligned with the approach of the European Commission and the criteria set by the Venice Commission; the conditions for Member States to join the EU which include creating legislative arsenal on freedom of press and anti-discrimination, as well as the recognition of the supremacy of EU Law; police violence and the need for applying proportionality, also with regard to freedom of expression and demonstration, and the overall police culture, particularly with regard to diversity; video surveillance techniques in relation to

data protection and privacy, especially in relation to the organisation of the upcoming Olympic games; corruption; independence of the judiciary and the separation of powers; media pluralism, media independence, and the financing of the media in France also in relation to legislation being created at EU level; prison conditions; the right to protest; and the rise of extreme ideas and parties in France and many other countries.

The country chapter of the Commission Rule of Law Report 2022 was commented, in particular around digitalisation of the justice system, regulations against corruption, media concentration and the complex media ownership structure in the country, the situation of civil society, the organisation of nationwide consultations, on environment or the justice system, and the use of accelerated procedures and procedures circumventing Parliament for drawing-up legislation. Given the limited time allocated for the exchange, a number of questions could not be answered and were addressed in writing to the Secretary of State, after the meeting. The DRFMG is still awaiting these replies and has reminded the French government of these unanswered questions.

Relevant documentation:

- [Follow-up questions to the French government \(following the meeting of 14 February 2023\)](#)

All documents related to the situation in France

The situation in France

- [Questions DRFMG to French Government, 16 November 2023 \(PDF - 427 KB\)](#)
- [Follow-up questions to the French government \(following the meeting of 14 February 2023\) \(PDF - 197 KB\)](#)
- [Questions DRFMG to French Government, 10 October 2022](#)

II. Horizontal topics

IIa. Annual report on the rule of law

12 July 2023 - Meeting on The Annual Rule of Law report

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Vladimir BILČÍK (EPP), DONATH Anna (Renew), Gwendoline DELBOS-CORFIELD (Greens/EFA).

Members of the DRFMG exchanged with Didier REYNDERS, Commissioner for Justice.

In the discussions surrounding the annual Rule of Law report, a significant focus has been placed on tailoring specific dialogues with individual countries, creating a nuanced approach to examining the state of the rule of law. Substantial progress was observed with the implementation of two-thirds of recommendations. Addressing structural concerns within certain Member States, particularly regarding judicial independence, is a priority, with ongoing initiatives such as the revision of anti-corruption strategies, efforts to increase transparency in media ownership, and advancements in the safety of journalists. Despite the majority of Member States fostering an enabling environment for civil society, persistent concerns about funding remain.

Questions about the European Commission's plans, particularly in cases like the situation in Poland and others, were raised, delving into issues such as the abuse of spyware, information security, and the integrity of elections. Specific discussions around the situation in several Member States, underscored the need for engagement with civil society and of specific actions to be taken as a follow up of recommendations, including infringements and budgetary conditionality. The dialogue also explored significant justice system reforms and the follow-up actions to the EP report on the use of spyware and disinformation.

The EC's rejection of the idea of setting up an independent body of experts prompted discussions on finding an intermediate solution, recognizing budgetary pressure as a motivating factor. The combination of instruments, including Article 7 TEU and the Rule of Law report, emphasizing the multifaceted approach taken was acknowledged, as well as the Commission's openness to engaging in discussions within the Parliament as regards the situation of the Rule of Law in each EU Member State, mirroring the rule of law dialogue in the Council, as way to reinforce the inter institutional cooperation in addressing rule of law concerns within the European Union.

26 October 2022 – Exchange of views on the 2022 Commission Rule of Law Report

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Javier Zarzalejos (EPP), Katarina Barley (S&D), Elena Yoncheva (S&D), Sergey Lagodinsky (Greens/EFA), Gwendoline

Delbos-Corfield (Greens/EFA), Clare Daly (The Left) and Nicolaus Fest (ID).

Members of the DRFMG exchanged with Didier Reynders, European Commissioner for Justice.

Discussions revolved around the following topics: the Commission rule of law report, media freedom, civil society, Article 7 TEU, the Rule of Law conditionality for EU funding, and, generally, the situation of the rule of law in the European Union.

Commissioner Reynders elaborated on the novelties introduced in the 2022 rule of law report, including the country-specific recommendations, and on how the report can form the basis for debates and dialogues on the Rule of Law, both at the Union- and the national level. As a relatively new tool, MEPs and the Commissioner discussed how the annual report can be developed further. These discussions related to, among others, how the report can be established as a true annual cycle of preparation, recommendation and assessment of implementation.

MEPs furthermore raised issues of public awareness and sound communication of the report's findings, encouraging the Commission to increase their involvement with national media and the public. They also raised concerns over the protection of NGOs and of media freedom and pluralism in the Union, questioning the Commissioner on whether the report dedicated sufficient attention to those issues.

Discussions continued to revolve around the wider regime for protection and enforcement of EU common values, including infringement proceedings and Article 7 TEU, and the role of the annual report therein. MEPs also reiterated earlier calls made by the Parliament on the need to involve a panel of independent experts to assess the national situations of the Rule of Law. Lastly, MEPs and the Commissioner discussed ideas on how to involve their respective institutions, the Member States and other national stakeholders together in the annual rule of law cycle. This also related to an earlier call by the Parliament to set up an inter-institutional agreement to structure the involvement of all EU institutions in the discussions on the rule of law, democracy and fundamental rights in the EU.

Related documentation

- [The Commission's 2022 rule of law report and the country chapters](#)
- [Study Policy Department - Overview Article 2 TEU](#)

28 October 2021 - Exchange of views on the 2021 Annual Rule of Law Report

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Anna Júlia Donáth (Renew), Malin Björk (The Left), Elena Yoncheva (S&D), Beata Kempa (ECR).

Members of the DRFMG firstly exchanged with Didier Reynders, the European Commissioner

for Justice and Laurent Pech, co-author with Prof. Petra Bard of the ongoing study commissioned by the Parliament's Policy Department C on "The Commission's 2021 Rule of Law report and the EU monitoring and enforcement of Article 2 TEU values". An exchange with Gašper Dovzan, State Secretary at the Ministry of Foreign Affairs in Slovenia followed this first exchange.

Discussions revolved around the following topics: the 2021 Rule of Law report from the European Commission, the different ways of improving its methodology, the integration of the Rule of Law report with the other rule of law mechanisms and tools, the scope of the Rule of Law report and its relation with several areas (the space for civil society, situation of the media and protection of fundamental rights), the primacy of EU law, the specificities of the situation in Poland and Hungary compared to other Member States, the current and potential forms of inter-institutional dialogue regarding rule of law. The Slovenian Presidency also presented its main actions as regards upholding the Rule of law, including dialogue with Member States and hearings in the framework of the Article 7 (1) TEU procedure.

- [Agenda of the meeting and link to the webstreaming](#)
- [2021 Rule of law report](#)
- [2021 Rule of law report - Country chapters](#)

18 March 2021 - Exchange of views on the effective application of the EU Rule of Law toolbox in 2021

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), , Katarina Barley (S&D), Elena Yoncheva (S&D), Gwendoline Delbos-Corfield (Verts/ALE), Sergey Lagodinsky (Verts/ALE), Malin Björk (The Left).

Invited participants from other committees: Monika Hohlmeier (Chair of the CONT committee), Petri Sarvamaa (Rapporteur for the Rule of Law mechanism)

Members first exchanged with representatives of the European Commission - Nicolaas Bel, Deputy Head of unit in the Justice Policy and Rule of Law unit of the DG Justice, and Alessandro Nucara, Head of unit of the DG Budget – and of the European Anti-fraud Office with its Deputy Director-General, Ernesto Bianchi.

Speakers of the second panel were members of the academic community - Gabor Halmai, Professor and Chair of Comparative Constitutional Law at the European University Institute and Alberto Alemanno, Jean Monnet Professor of EU Law at HEC Paris – and of civil society with Linda Ravo, expert adviser at the Civil Liberties Union for Europe.

Discussions revolved around the following topics: the first Rule of Law report from the European Commission and its new Rule of Law Mechanism, the other tools from the toolbox including infringement procedures and the use of Article 7 TEU and the Rule of Law Conditionality Regulation.

2 October 2020 - Exchange of views on the first Annual Rule of Law report

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Katarina Barley (S&D), Anna Júlia Donáth (Renew), Sergey Lagodinsky (Verts/ALE), Malin Björk (The Left).

The meeting was dedicated to an exchange of views on the first Annual Rule of Law report with Commissioner for Justice, Didier Reynders, followed by a short internal meeting.

Discussions revolved around the following topics: the review of the first Rule of Law report, in scope of its methodology, the lack of country-specific recommendations from the Commission, the work of the Council, possible intervention of the Commissioner before the LIBE Committee meetings to discuss country chapters, Member States' positions and the new conditionality tool.

The Chair concluded the meeting by thanking the Commissioner and assuring that the DRGMG would get back on the proposal to have a dedicated discussion on specific country chapters.

Meeting of Wednesday 8 April 2020 with Commissioner for Justice Didier Reynders

Participating Members:

Sophia in 't Veld (Chair, Renew), Roberta Metsola (PPE), Vladimír Bilčík (PPE), Katarina Barley (S&D), Sylwia Spurek (S&D), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Sergey Lagodinsky (Verts/ALE), Patryk Jaki (ECR), Malin Björk (The Left).

The meeting was dedicated to an exchange of views with Commissioner for Justice Didier Reynders. As an introduction to the exchange of views, Commissioner Reynders updated Members on the status of Commission's work towards the first Annual Report on Rule of Law to be issued in September. The Commissioner turned to the Commission's current monitoring of emergency measures taken by Member States to fight the pandemic

More generally, regarding emergency measures the Commissioner stated that the Commission is analysing emergency laws taken in all Member States. The Commission is focusing on the new balance among legislative, executive and judiciary powers, in particular regarding the Governments' ability to suspend national and EU laws, and on the respect of the principle to proportionality, looking at the combined effects of measures. Proportionality and necessity should be the guiding principles for these emergency measures.

Members raised questions in relation to data protection issues raised by the geolocation apps, upcoming elections and the possibility to organise fair political campaigns under lockdown, and situations in some specific Member States. More generally, they questioned the depth of the monitoring of the Commission, possible reactions - such as the guidelines on the use of digital technologies, for which transparency in the decision-making is essential – and the timeline for such possible reactions, fearing that these might come too late considering the current standstill of the Article 7(1) procedures. They questioned the possible enforcement of latest EUCJ rulings in existing political frameworks where EU law is already being challenged. They called for a monitoring by the Commission going beyond strict rule of law issues by

looking at the broad picture of legislative production in corona-times, as some governments take this opportunity to amend legislation not directly related to the emergency situation. The need to reactivate work on the conditionality was also discussed, against the background of a lack of political will in the Council to tackle rule of law issues.

Iib. Meetings with the Council Presidencies

2 March 2023 - Exchange of views on rule of law with the Presidency of the Council

Participating Members: Sophie IN 'T VELD (Chair), Vladimír BILČÍK (EPP), Clare DALY (The Left), Sergey LAGODINSKY (Greens), Gwendoline DELBOS-CORFIELD (Greens).

The meeting was dedicated to an exchange of views on rule of law with the Presidency of the Council, represented by Jessica ROSWALL, Swedish Minister for EU Affairs, Presidency of the Council.

Members of the DRFMG exchanged with Jessica ROSWALL, Swedish Minister for EU affairs and the Presidency of the Council, on the priorities of the Swedish presidency as regards rule of law, democracy and fundamental rights.

Discussions revolved around the following topics: rule of law and the intentions of the Swedish Presidency in this field, protection of media freedom and safety of journalists, Article 7 TEU procedure as regards the situation in Hungary and Poland.

Discussions also turned to the Presidency's commitment to continue a more structured approach on monitoring the situation in the Member States. In addition to a constructive dialogue, sharing of best practices was considered as one of the tools to strengthen a culture of Rule of Law within the EU. On Article 7 TEU proceedings, in particular as regards the situation in Hungary and Poland, the Presidency expressed its determination to continue with further steps in these procedures and maintain a dialogue while making use of all the necessary tools in a constructive manner.

In the exchange that followed, several issues were stressed such as how to better foster the information space and how to protect the safety of journalists. In this context, questions on European Media Freedom Act legislation and on the Digital Services Act package were addressed. Concerns were raised about the follow up to Article 7 TEU proceedings as regards Hungary and Poland and on the compliance by the two countries with ECJ and ECtHR case law as well as reforms undertaken.

10 March 2022 – Exchange of views with the Council Presidency on the situation of the rule of law and media freedom

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Javier Zarzalejos (PPE), Elena Yoncheva (S&D), Gwendoline DelbosCorfield (Verts/ALE), Katarina Barley (S&D), Sergey Lagodinsky (Verts/ALE), Patryk Jaki (ECR), Anna Júlia Donáth (Renew)

The meeting was dedicated to an exchange of views on the work of the French Presidency in the area of rule of law and media freedom.

Members of the DRFMG exchanged with Clément Beaune, Secretary of State for European affairs and representative of the French Presidency.

Discussions revolved around the following topics: the steps to be taken by the Council as regards the situation of the rule of law in Poland and Hungary with a focus on the Article 7 TEU procedure and the budgetary conditionality mechanism and the possible impact of the Ukrainian crisis. Questions were raised also as regards the annual rule of law report and the possibility for it to be debated in the Council, as regards the impact of disinformation on democracy and the protection of media freedom and journalism.

Concerns were raised by participants mainly as regards enforcement of the rule of law in Poland and Hungary becoming less of a focus due to the Ukrainian refugee crisis, and worries that the conditionality mechanism would not be applied or would be applied narrowly. Additionally, MEPs inquired about the Presidency stance on the release of recovery funds. The importance of taking action on media freedom, journalistic safety and disinformation was also raised in light of upcoming legislation to tackle these issues.

3 September 2020 - Exchange of views with Germany's State Minister for Europe representing the Presidency of the Council

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Roberta Metsola (PPE), Katarina Barley (S&D), Anna Júlia Donáth (Renew), Gwendoline Delbos-Corfield (Verts/ALE), Sylwia Spurek (S&D), Malin Björk (The Left).

The meeting was dedicated to an exchange of views with Michael Roth (Germany's State Minister for Europe) on behalf of the Council Presidency. Discussions revolved around the following topics: the relations between the Council and the European Parliament, article 7 procedures against Hungary and Poland, the need for a preventive mechanism, golden passports, the COREPER agreement on the legislative transparency list, the new conditionality mechanism, the Multiannual Financial Framework, the Istanbul convention, the support to civil society and the first Rule of Law report.

Thursday 23 April 2020 - exchange of views with the Croatian Presidency

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Roberta Metsola (PPE), Vladimír Bilčík (PPE), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Gwendoline DelbosCorfield (Verts/ALE), Sergey Lagodinsky (Verts/ALE), Patryk Jaki (ECR), Malin Björk (The Left).

The meeting was dedicated to an exchange of views with the Croatian Presidency of the Council, represented by Miljenko Petrak (Justice Coordinator at the Permanent Representation of Croatia to the EU), Suzana Drešaj, Višnja Letica (Legal Advisers) and Petra Jurina (Justice Counsellor at the Council Working Party on Fundamental Rights, Citizens Rights and Free Movement of Persons), followed by a short session on internal matters.

In the exchange it was recalled the importance of the principles of proportionality and necessity to be respected in situations of emergency and the need to take time-limited measures subjected to the scrutiny of the courts. The Presidency's support to the European Commission (EC)'s monitoring initiative over the implementation of measures taken by Member States and the respect of the principle of proportionality in the COVID-19 context, was also noted.

Members raised questions in relation to digitisation in justice systems and disruption in European Arrest Warrant enforcement, updates on the Article 7(1) procedure and a timeline of actions planned until the end of Council's mandate, conditionality of EU funds to the respect of Rule of Law, the situation of Rule of Law in the Western Balkans neighbourhood countries, judicial cooperation and judicial trust, and disinformation.

IIc. Primacy of EU law

4 March 2022 - Exchange of views on the primacy and implementation of EU law across the Member States

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Javier Zarzalejos (PPE), Elena Yoncheva (S&D), Gwendoline DelbosCorfield (Verts/ALE), Konstantinos Arvanitis (The Left)

Members of the DRFMG exchanged with Emmanuel Crabit, Director at DG JUST of the European Commission, Daniel Kelemen, Professor of Political Science and Law and Chair of the Department of Political Science at Rutgers University, Tommaso Pavone, Assistant Professor of law and politics in the School of Government and Public Policy at the University of Arizona, George Stafford, Director of the European Implementation Network, Jakub Jaraczewski, Research Coordinator at Democracy Reporting International, and Prof. Dr. Niels Petersen, Professor of Public Law, International Law, EU Law, and Empirical Legal Studies at the University of Münster.

Discussions revolved around the following topics: the primacy and implementation of EU law across the Member States, the Commission's choices regarding the enforcement of EU law and

infringement procedures, and the implications of this for citizens and civil society.

Concerns were raised by participants mainly as regards the alleged underenforcement of EU law by the Commission, by switching from pursuing infringement procedures to opaque dialogue with Member States. Additionally, participants discussed the rule of law crisis within Poland and the wider EU, discussing the impact of several national judgements on the EU constitutional order.

Related documentation:

- [Agenda of the meeting of 4 March 2022](#)
- [Webstreaming link of the session](#)

3 June 2021 - Exchange of views on the Primacy of EU law

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Katarina Barley (S&D), Elena Yoncheva (S&D), Nicolaus Fest (ID), Sergey Lagodinsky (Verts/ALE).

The meeting was dedicated to an exchange of views on the primacy of EU law with Niels Petersen and Konstantin Chatziathanasiou (Institute for International and Comparative Public Law, University of Münster, [Primacy's Twilight? On the Legal Consequences of the Ruling of the Federal Constitutional Court of 5 May 2020 for the Primacy of EU Law](#)), Jacques Ziller (University of Pavia), Federico Fabbrini (Dublin City University), Tomasz Tadeusz Koncewicz (Department of European and Comparative Law at the Faculty of Law and Administration, University of Gdańsk) and Pierre Sculier, (Ordre des barreaux francophones et germanophones).

Discussions revolved around the following topics: the ruling of the Karlsruhe Court of 5 May 2020, the equilibrium between the CJEU and the national constitutional courts, the conclusions of the study conducted by Professors Peterson and Chatziathanasiou and in particular the fact that they consider the defiance of constitutional courts rather isolated and politically related while other speakers disagreed and stated that they revealed a new trend, the ruling of the Conseil d'Etat of 21 April 2021, the decision of the Belgian Constitutional Court of 22 April 2021, the impacts and the threats of such rulings on the EU order, the use of infringement proceedings, the concepts of “vigilant constitutionalism” and “abusive constitutionalism”, the submissions of preliminary rulings, the independence of the CJEU and possible reforms, the history of the EU integration and game changers explaining the recent rulings of national constitutional courts.

IId. Fight against corruption

22 February 2024 - Exchange of views on fighting corruption in the EU

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Vladimir BILČÍK (EPP), Gwendoline DELBOS-CORFIELD (Greens/EFA).

Members exchanged with Ms Ute STIEGEL, Deputy Head of Unit for Legal Affairs and Corruption in DG HOME at the European Commission, Mr Luca DE MATTEIS, Head of Legal Service at the European Public Prosecutor's Office (EPPO), Ms Livia STOICA BECHT, Executive Secretary at GRECO (CoE), and Mr Nick AIOSSA, Director at Transparency International EU.

During the presentation, the European Commission underlined that the EU has implemented measures, including the PIF Directive, to enhance law enforcement and prosecutors' capabilities in combating corruption. In this regard, the Rule of Law Report, initiated in 2020, meticulously monitors rule of law developments, including anticorruption policies, indicating progress in implementing recommendations, for the first time in the 2023 edition. Moreover, the EU has established an anti-corruption network, aiming to formulate a unified EU strategy against corruption by 2025.

In the contributions from EPPO, emphasis was placed on its significant role in prosecuting national offences, with concerns expressed about the limitations in the legal framework and transposition challenges. It was noted that there has been a significant increase in active investigations related to corruption offences in Member States. Furthermore, GRECO presented its activities as the most comprehensive corruption monitoring group, emphasizing its distinctive role in Europe and advocating for the EU's observer status to evolve into full membership. Transparency International EU outlined deficiencies in the existing anticorruption framework, underlining the lack of a comprehensive strategy and urged the European Commission to utilize existing tools more effectively. It was noted that the conditionality tools should be used more effectively and proportionally, without long delays for reaction. The lack of proper resources for the competent bodies in fighting corruption, including EPPO, as well as the need for the EU institutions to lead by example was noted also in the debate.

Discussions among Members encompassed the integration of candidate countries into the Rule of Law Report, the interaction between EPPO and the Commission, systematic assaults against civil society representatives, and the efficacy of transparency and tools in combating corruption. Overall, the dialogue highlighted challenges, preventive measures, and collaborative initiatives in the ongoing battle against corruption within the EU and its Member States.

- Link to the web streamed meeting can be found [here](#)

2 December 2021 - Exchange of views on the fight against money-laundering, high level corruption and organized crime in the EU

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Konstantinos Arvanitis (The Left), Elena Yoncheva (S&D), Sergei Lagodinsky (Verts/ALE)

Members of the DRFMG exchanged with Kristel Siitam-Nyiri, European Prosecutor at the EPPO, Floriana Sipala, Head of Unit “Organised Crime, Drugs and Corruption” at the DG HOME, Igor Nebyvaev, Executive Secretary of Moneyval at the Council of Europe, Carolin Gardner, acting Head of the Anti-money Laundering Unit at the European Banking Authority, and Roland PAPP, Senior Policy Officer - Illicit Financial Flows at Transparency International.

Discussions revolved around the following topics: EPPO activities, the creation of the AML Authority and its relation with the EBA, prosecution following the Pandora and Panama Papers, and the possibility of a new anti-corruption strategy from the Commission.

The challenges and the statistics surrounding the functioning of EPPO were mentioned, as well as the work it had already done. Subsequently, the risks surrounding corruption and the various ways of combatting corruption and money laundering were discussed. Additionally, the work of various institutions and organisations with regards to anti-money laundering activities were discussed, such as the EBA, Moneyval and Transparency International. The importance of ensuring an effective cooperation between the EPPO and EU Member States that are not part of it, and between the EPPO and the upcoming AMLA was underlined.

As an overall important element, having feedback loops to assess the enforcement, and the resources and administrative capacities was noted. Commission’s effort to fight against corruption, such as a special chapter in the yearly Rule of Law report, guarantees built in the Resilience and Recovery Plan, an upcoming modernised text on the confiscation rules, a future study on the Union legislation tackling corruption, capacity building activities and the AML package, were underlined.

Ile. Civil society

21 October 2022 – Exchange of views on the access to funding by civil society across the EU

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Katarina Barley (S&D), Gwendoline Delbos-Corfield (Verts/ALE), Sergei Lagodinsky (Verts/ALE).

Members of the DRFMG exchanged with Jelena Magermane, Programme Manager, Programme and Financial Management and Alessia Valentino, Legal Officer, Fundamental Rights Policy Unit, both from the Directorate General Justice and Consumers of the European Commission, Waltraud Heller, Project Manager, Institutional Cooperation and Networks Unit,

European Union Agency for Fundamental Rights (FRA), Leif Trana, Chairman of the Financial Mechanism Committee, Norway/EEA grants and Giada Negri, Research and Advocacy Coordinator, European Civic Forum.

Discussions revolved around the following topics: the Citizens, Equality, Rights and Values Programme (CERV), challenges to civil society, especially the grassroots organisations accessing the EU funds, the EEA Norway Grants and the synergies between CERV and Norway Grants.

To secure the flows of the CERV programme, the Commission tries to identify and sign grant agreements with intermediaries that are independent from national governments. It fights against administrative burdens by, amongst others, using the local languages in the selection, working with lump sums and launching communication campaigns. The Commission was in the process to sign grant agreements with 17 intermediaries at the time of the meeting covering 16 Member States.

The Fundamental Rights Agency (FRA) has six years of experience regarding challenges to the civic space. According to their consultation with CSOs, the main challenges as regards to funding are the high competition, the lack of transparency, the CSOs' limited administrative capacity and the restrictive eligibility criteria. FRA made several recommendations to improve the disbursement of EU funds, for example exchanging the best practices with the Norway Grants and to cooperate more with the CSOs themselves.

EEA Norway Grants are earmarked to provide CSOs at least 10% of their funding. Their funds are run by local operators whose independence is crucial; this is why there are no programmes running for example in Hungary.

The European Civic Forum pointed out that the CERV is at the beginning, as this is only the second year of its implementation, and requires many improvements, but it is still a victim of administrative burden.

Members drew the attention to strategic litigation, broadening the scope to e.g. sex workers, and more emphasis on re-granting the funds.

Related documentation

21 October 2022 – Exchange of views on the access to funding by civil society across the EU (see above)

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Katarina Barley (S&D), Gwendoline Delbos-Corfield (Verts/ALE), Sergey Lagodinsky (Verts/ALE).

29 April 2021 - Exchange of views on the Civil society space in the EU, in particular the right of association (Webstreamed meeting)

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Juan Fernando López Aguilar (S&D, Chair of the LIBE Committee), Katarina Barley (S&D), Elena Yoncheva (S&D), Anna Júlia Donáth (Renew), Sergey Lagodinsky (Verts/ALE), Konstantinos Arvanitis (The Left).

Members first exchanged with Alexandrina Najmowicz (Director, Civic Space Watch) and Marta Pardavi (Policy Leader Fellow, School of Transnational Governance (EUI), Hungarian Helsinki Committee). They discussed then with Georgia Georgiadou (Deputy Head of Unit, Fundamental Rights Policy, DG Justice, European Commission) and Waltraud Heller (Programme Officer, Cooperation with Civil Society, FRA).

Discussions revolved around the following topics: the main indicators to measure the state of civil society space, the main threats to freedom of association, access to funding, the 2017 Lex NGO from Hungary, QUANGOs, the actions undertaken by the European Commission to avoid the shrinking of the civil society space, the proposal on a European association statute and the next Rule of Law report.

8 October 2020 - Exchange of views on Support for Civil Society

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Katarina Barley (S&D), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Gwendoline Delbos-Corfield (Verts/ALE), Malin Björk (The Left).

The meeting was dedicated to an exchange of views with Morris Lipson and Peter Noorlander (independent Human Rights consultants), Anna Fedas (Batory Foundation), Lina Vosyliute and Ngo Chun Luk (CEPS), and Maria Tomassetti (European Commission, DG Justice), followed by a short internal meeting.

The DRFMG Chair presented the topic of the meeting by referring to an interim version of the study “Protecting civil society space: strengthening freedom of association, assembly and expression and the right to defend rights in the EU”. Panellists also presented the “Feasibility Study for financial support for litigating cases relating to violations of democracy, rule of law and fundamental rights” prepared for the Commission.

Discussions revolved around the following topics: funding for supporting litigation, grant decisions, fundamental rights litigation structure, transparency, democratic dialogue and setting up an EU civil society index.

28 May 2020 - exchange of views on the civil society space

Participating Members:

Sophia in 't Veld (Chair, Renew), Roberta Metsola (PPE), Katarina Barley (S&D), Sylwia Spurek (S&D), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Gwendoline DelbosCorfield (Verts/ALE), Sergey Lagodinsky (Verts/ALE), Patryk Jaki (ECR), Malin Björk (The Left).

The meeting was dedicated to an exchange of views on the civil society space with Michael O'Flaherty, EU Fundamental Rights Agency; Barbara Nolan, DG JUST; Niels Engelschiøn, Norway/EEA Grants and Kersty McCourt, Open Society Justice Initiative. The exchange of views focused on the stakeholders consultations conducted by the Fundamental Rights Agency, the issue of civil society shrinking space and the impact of COVID-19 related measures on civil society space.

The Director of the EU Fundamental Rights Agency shared the main findings of the FRA annual survey on civil society, to which more than 200 organisations from its Fundamental Rights Platform participated. He highlighted four areas in which there had been little improvements in 2019: participation and involvement of civil society in meaningful consultations; threats to civil society organisations and their representatives, including online abuses; challenges posed by regulatory restrictions to freedom of assembly and freedom of expression and financial sustainability of civil society organisations.

The Commission noted that it is monitoring legislative developments having an impact on civil society organisations, and launched an infringement procedure against national measures restricting donations from abroad to civil society organisations, and against national measures criminalising the support to asylum applicants. The Commission also undertook a broad consultation with civil society organisations on two key policy initiatives: the new Rule of Law annual report to be published in September 2020, and the new Charter Strategy expected at end of October 2020.

In the debate it was also stressed that supporting civil society and independent media was crucial for preserving democracy not only in relation to the COVID-19 outbreak and that the financial sustainability of civil society was not strong enough. In the debate it was reminded that a recommendation of five points for EU action to support civil society was published for 2019- 2024 (Civil Society on the Frontline – 5 points for EU action): recognise and speak up for civil society; secure and enabling space for civil society; monitor, document and analyse (with qualitative and quantitative approach); protect civil society from attacks; take legal action to uphold the role of CSOs.

In the exchange that followed, Members highlighted among others: the possibility set up an alternative EU regulatory regime for NGOs and non-profit organisations; the announced approximate 20 per cent cuts in the Values and Justice programme in the next MFF. Questions were raised on the factors contributing to threats and attacks on civil society, including online abuses; whether the Rule of law annual report would cover the shrinking space for civil society; how the values and justice programme budget could be restored, and the possibility for EU funds to be managed by the EC directly rather than channelled through national authorities, in the case of Article 7(1) TEU procedures.

IIf. Media freedom

1 September 2021 - Protection of journalists and media freedom in the European Union

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Gwendoline Delbos-Corfield (Verts/ALE), Elena Yoncheva (S&D), Kostas Arvanitis (The Left), Vladimír Bilčík (PPE)

Members of the DRFMG exchanged with the Head of Unit of the Audiovisual and Media Services at the European Commission's Directorate General for Communications, Networks, Content and Technology, Anna Herold, Linda Ravo, a Senior Advocacy Consultant at the Civil Liberties Union for Europe, Tom Gibson, the EU Representative and Advocacy Manager at the Committee to Protect Journalists and Stefan Dojcinovic, Regional Editor at the Organized Crime and Corruption Reporting Project.

Discussions revolved around the following topics: media ownership, media pluralism, standards for governance of public service media, access to information SLAPPs and governmental abuses of the GDPR, attacks on online freedom of expression, regulation of the online space and platforms' responsibilities, and data collection on impunity and vulnerabilities.

In the exchange it was underlined that media freedom is under threat in a context of intentionally and a progressively weakening of democracy and rule of law frameworks. The COVID-19 pandemic aggravated the situation in a number of Member States, where legislative intervention led to censorship. As concerning factors were noted the increasing violence against journalists, especially towards women, the threats to freedom expression online and offline, the disinformation campaigns, the use of legislation to restrict access to information. As recommendations the following were noted, among others, the need to give priority to a stronger monitoring of press freedom and to accountability; to support media pluralism through increasing transparency and funding; to provide stronger assistance to journalists; the need for standards for governance of public service media and journalistic standards, alongside with financial support for cross-border investigative journalists; the need for clear country-specific recommendations in the Commission's new annual rule of law reports as regards media freedom.

30 April 2020 – exchange of views on the implications on media freedom of the measures taken in the framework of the COVID-19 outbreak

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Roberta Metsola (PPE), Vladimír Bilčík (PPE), Sylvia Spurek (S&D), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Gwendoline Delbos-Corfield (Verts/ALE), Sergey Lagodinsky (Verts/ALE), Patryk Jaki (ECR), Malin Björk (The Left).

The meeting was dedicated to an exchange of views on the implications on media freedom of the measures taken in the framework of the COVID-19 outbreak with Tom Gibson, Committee to Protect Journalists, Oliver Money-Kyrle, International Press Institute and Jessica Machacova, Free Press Unlimited:

In the presentations that followed, the three speakers outlined their concerns about the situation of safety of press and media independency during COVID-19 outbreak. It was underlined that the situation had progressively become more worrying for the independent media in the last 2-3 years and nowadays is worsening because of pandemic. They felt that censorship (including self-censorship) is one of the risks encountered during this period and that overall freedom of media is increasingly under threat. It was suggested that the MFF could be a solution to ensure support and funding for media independency.

In the exchange that followed, Members highlighted the following, among others: the problem of funding for independent media, including the suggestions for a permanent funding to support the media, and in particular quality journalism; concerns linked to safety of journalists and also as regards the use of tracking apps; the importance of fighting disinformation including when supported by third countries without endangering the freedom of expression; and the difficulties in accessing information in certain Member States.

IIg. Fight against disinformation

13 May 2022 - Exchange of views on disinformation in the EU, in particular in the context of the Russian attack on Ukraine

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (PPE), Anna Júlia Donáth (Renew), Sergey Lagodinsky (Greens/EFA) and Konstantinos Arvanitis (The Left).

Members of the DRFMG exchanged with Lutz Güllner, Head of Division, Strategic Communication, Task Forces and Information Analysis EuvDisinfo; Krisztina Stump, Head of Media Convergence and Social Media Unit, Directorate-General for Communications Networks, Content and Technology, European Commission; Derk Sauer, journalist, Moscow Times; and with Marina Ovsyannikova, former journalist at Channel One TV Russia.

Discussions revolved around the following topics: the negative impact on freedom of information of the Russian propaganda within Russia, the Russian attempt to spread disinformation within Russia and within the EU, possible tools to protect journalists fled from Russia and their family members left behind, the steps and tools put forward by the European Commission and the European External Action Services to fight disinformation.

In the exchange, it was raised that journalists needed support to stay within the EU. Apart from possible financial support, their legal status should be cleared as well. Participants also discussed the Commission's and EEAS actions to fight disinformation, such as the code of practice on disinformation which was signed by several internet moguls, the creation and operation of European Digital Media Observatory Task Force focusing on disinformation in relation to the war in Ukraine.

25 February 2021 – exchange of views on disinformation undermining democracy, fundamental rights and the Rule of Law in the EU

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Katarina Barley (S&D), Elena Yoncheva (S&D), Anna Júlia Donáth (Renew), Gwendoline Delbos-Corfield (Verts/ALE), Sergey Lagodinsky (Verts/ALE).

Julien Mousnier (Citizens, Equality, Democracy & Rule of Law Unit, European Commission), Lutz Güllner (Representative of Strategic Communications and Information Analysis at EEAS (Stratcom taskforce) and Judit Bayer (Professor (Associate) at the Department of Media and Communications at Budapest Business School) introduced the first part of the exchange. Discussions revolved around the following topics: the Commission 2020 action plan on Democracy, the preparation of recommendations to enhance safety of journalists and of initiative on SLAPP for public and targeted consultation, the difference between disinformation and misinformation, which can be upstream and downstream, media pluralism and transparency, social media and regulation.

The second panel was gathering Alexandre Alaphilippe (EU Disinfo Lab), Stephen Turner (Twitter), Renate Schroeder (European Federation of Journalists) and Neil Datta (European Parliamentary Forum). The panellists exchanged on the following issues: disinformation campaigns from Russia and India, EU institutions role in fighting disinformation, guidelines and rules from platforms, media literacy and rise in disinformation on issues relating to sexual and reproductive health and rights.

14 May 2020 – exchange of views on disinformation in COVID-19 times

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Roberta Metsola (PPE), Vladimír Bilčík (PPE), Katarina Barley (S&D), Sylvia Spurek (S&D), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Gwendoline Delbos-Corfield (Verts/ALE), Sergey Lagodinsky (Verts/ALE), Patryk Jaki (ECR), Malin Björk (The Left).

The meeting was dedicated to an exchange of views on disinformation in COVID-19 time. The exchange focused on the impact of the pandemic on several interconnected areas of the modern information society: freedom of expression and media, cybercrime, data protection and artificial intelligence. It was noted that disinformation has a real impact on the right to free and fair elections, on the right to non-discrimination, the right to health, the right to freedom of expression. Disinformation is facilitated by many factors, including the development of digital technology and the shift of the audience away from mainstream media to social media. The result is a decline of trust in information and media. Most disinformation is created, launched and spread with either political or economic objectives by a range of antidemocratic movements, partisan political actors, economic forces or even third countries. Member States, platforms, journalists and national authorities have to act coordinately together with press and broadcasting management and involve citizens themselves. Citizens must take responsibility

and check the reliability of information

In the exchange that followed Members underlined that several DRFMG Members addressed a letter earlier in the crisis to both the European Commission and to the EEAS to draw their attention on this issue; mentioned that there is a need to reframe the information context through a structured and strategic shift; asked what can be done actively on the side of EU Institutions to counter the spread of fake news and foreign interference which undermines democratic societies and raised the attention to the importance of freedom of expression, protection of whistleblowers, protection of journalists, independent media, private and public media outlets. It was noted that disinformation is linked to media ownership and a possible solution would be to use EU competition law to ensure media pluralism. Moreover, the idea of setting up a specific EU Agency or another appropriate structure could be one of the options to be explored with a view to increase coordination and cooperation as different approaches exist at MS level.

IIIh. Residence and citizenship by investment schemes

4 December 2020 -Exchange of views on residence and citizenship by investment schemes

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimir Bilčík (PPE), Katarina Barley (S&D), Elena Yoncheva (S&D), Nicolaus Fest (ID), Gwendoline Delbos-Corfield (Verts/ALE).

The meeting was dedicated to an exchange of views with Alex Crutcher (Al Jazeera Investigative Unit) and Eka Rostomashvili (Transparency International).

The DRFMG Chair informed Members that Nicos NOURIS, Minister of Interior of Cyprus, had cancelled his participation shortly before the meeting.

Discussions revolved around the Cyprus Papers (a leak of government documents related to the Cyprus Investment Program obtained by Al Jazeera and released in August 2020) and more particularly on the following topics: corruption, the report of Cyprus audit authority, reforms that followed the publication, the investigation of the case, “visa shopping” across the EU and the price of passports.

11 September 2020 - Exchange of views on residence and citizenship by investment schemes

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Nicolaus Fest (ID), Gwendoline Delbos-Corfield (Verts/ALE), Malin Björk (The Left).

The meeting was dedicated to an exchange of views with Martina Prpic (EPRS), Jelena Dzankic (Global Citizenship Observatory, European University Institute), Laure Brillaud (Anti-Money Laundering, Transparency International), Irena Moozova, (Equality and Union citizenship Directorate, DG JUST) and Laura Corrado (Legal Pathways and Integration Unit, DG HOME).

Discussions revolved around the following topics: the competence of the EU regarding citizenship, legal migration, freedom of circulation inside the EU, taxation legislation and privileged tax regimes, requirements for physical presence, fiscal buffers, accountability framework, the anti-money laundering directive, corruption, the role of the Commission and the use of infringement proceedings as well as economic and financial risks.

The Chair concluded the exchange of views by recalling that the European Parliament has called for legislation on residence and citizenship by investment schemes for a long time and that the matter of political interference of people who have acquired citizenship would be pursued further.

III. Police brutality/force

19 October 2023 - Exchange of views on “The use of force by the police under the Rule of Law”

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Konstantinos ARVANITIS (The Left), Vladimir BILČÍK (EPP), Gwendoline DELBOS-CORFIELD (Greens/EFA).

Members exchanged with Yves ROLLAND, Programme Adviser on police matters, Division of Cooperation in Police and Deprivation of Liberty, Directorate general human rights and rule of law, Council of Europe, Peter KRAJNYAK, Head of Training and Research Unit, CEPOL, Neil CORNEY, Research Associate, Omega Research Foundation, Chair of the UK National Taser Stakeholder Advisory Group, and Angels BOSCH CAMPRECIOS, Member of the Executive Committee and former President of EuroCOP.

The meeting focused on exchanging views regarding the use of force by police and law enforcement practices across member states. Discussions primarily centered on topics such as the training of police officers in fundamental rights, ensuring the impartiality of police actions, addressing the absence of standards for police weapons, and the necessity of data collection, monitoring groups, and international standards in this context.

The exchange occurred in the context of ongoing discussions about the excessive use of force by the police in some Member States. Participants explored the dual responsibility of police officers to safeguard the fundamental right to peaceful assembly while also maintaining public peace through the judicious use of force when necessary. Emphasis was placed on the crucial need for training police officers on fundamental rights and the importance of thorough investigations and prosecutions in cases involving the excessive use of force to address the underlying problems.

Moreover, the discussion underlined the differences between Member States regarding national laws and rules on the use of force by police and the lack of EU-wide standards on the manufacture of weapons used by police. The significance of collecting data on the use of force

was underscored as a means to enhance accountability in law enforcement practices.

Relevant documentation

- Link to the web streamed meeting can be found [here](#)

1 July 2021 - Exchange of views on disproportional use of the force by police

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Katarina Barley (S&D), Elena Yoncheva (S&D), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Gwendoline Delbos-Corfield (Verts/ALE), Sergey Lagodinsky (Verts/ALE), Malin Björk (The Left).

The meeting was dedicated to an exchange of views on disproportional use of the force by police. Members of the Parliament exchanged with Jürgen Ebner (Deputy Executive Director of Europol, Governance Directorate), Mailis Pukonen (Head of Operations, CEPOL), Sami Nevala (Policy Coordinator, Research and Data Unit, FRA), Gerrit Van De Kamp (President of the European Police Union (EPU)) and Rym Khadhraoui (Amnesty International).

Discussions revolved around the following topics: the excessive use of force by the police, the use of non-lethal weapons, rule of law, the trust in the police, cooperation between national authorities and Europol, the specificities of Europol and its role in fostering diversity, the missions of CEPOL, profiling, data sets and unconscious bias, racism, experience of stops from minority groups, the responsibility of the police, trainings of police officers, attacks faced by the police.

22 October 2020 - Exchange of views on the “CHOVANEC case” in Belgium

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Elena Yoncheva (S&D), Sergey Lagodinsky (Verts/ALE).

The meeting was dedicated to an exchange with Ann Van De Steen, Belgian lawyer of the Chovanec family, followed by a short internal meeting.

The DRFMG Chair reported that three institutional Belgian speakers had declined the group's invitation by arguing that the investigation was still pending. Written questions would be sent to them.

Discussions revolved around the following topics: the speed and circumstances of the investigation of the case, the publication of the images in the press, the use and costs of counter expertise for the victim's family and police oversight.

The DRFMG expressed interest in continuing to follow the case and the institutional reforms it

might bring.

Related documentation:

- [Report of the Conseil supérieur de la Justice/Hoge Raad voor de Justitie on the CHOVANEC case \(28 October 2020\)](#)

IIj. Independence of the judiciary and the role of prosecutors

19 July 2023 - Exchange of views on the independence and role of prosecutors and judges across the EU, including appointment procedures

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Katarina BARLEY (S&D), Clare DALY (The Left), Gwendoline DELBOS-CORFIELD (Greens/EFA), Patryk JAKI (ECR), Elena YONCHEVA (S&D).

Members exchanged with Hanna SUCHOCKA, Honorary Vice-President of the Venice Commission, Artashes MELIKYAN, Secretary to the Consultative Council of European Prosecutors (CCPE) and the Consultative Council of European Judges (CCJE) of the Council of Europe, and Dalia VASARIENĖ, Judge of the Supreme Court of Lithuania, President of the European Network for Councils of the Judiciary (ENCJ).

Discussions centered around various components of judicial independence, particularly emphasizing the significance of the tenure appointment of judges and the need for judges to be shielded from any political or other form of pressure. The Venice Commission's support for the establishment of national high councils for the judiciary, along with the three main components of independence, pluralistic composition and the election of judges was thoroughly examined. Concerning the need for a pluralistic composition of the judiciary, it was suggested that at least half of the members should be elected by their peers, and that lay members who do not serve as politicians should be included. If the national parliament is involved in appointing these members, the rule of majority is to be taken into account, requiring a qualified majority to facilitate compromise between the ruling party and the opposition

Further discussions highlighted the distinction between prosecutorial independence and judicial independence, underscoring the necessity for prosecutors to have autonomy, but not necessarily independence, with variations among Member States. The perceived independence of judiciaries in Member States was discussed, acknowledging threats to judicial independence in several countries, particularly regarding the appointment and promotion of judges, which remained issues in this regard.

Relevant documentation

- [Link to the webstreamed meeting can be found here](#)

IIk. Other meetings on the rule of law

30 November 2023 - Dialogue on the Rule of law on five Member States: Denmark, Germany, Estonia, Ireland and Greece

Background information:

This meeting was organised in the framework of the proposed interinstitutional pilot on DRF.

The intention was to have a temporary pilot-phase that would allow enhancing cooperation with the Commission and the Council during the second half of 2023, in view of a dialogue on democracy, rule of law and fundamental rights based on the country chapters of the Commission annual Rule of Law report and other available EU reports (such as the FRA reports, Justice Scoreboard, Charter reports). The Parliament has also commissioned an independent study with an enlarged scope covering democracy, rule of law and fundamental rights aspects in these Member States. This pilot would allow for discussions to take place also in the Parliament with the five Member States that are invited for a dialogue in the Council.

As a consequence, invitations have been addressed to the representatives of the five Member States and Council Presidency to participate to this in camera exchange. The Commissioner for Justice and academia representative have also been invited to attend. DRFMG Members were provided with several specific EP-commissioned briefings on the situation in the Member States under scrutiny.

The Council Presidency and the five Member States representatives were not in a position to accept the invitation.

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Javier ZARZALEJOS (EPP).

Members exchanged with Didier REYNDERS, Commissioner for Justice, European Commission, and Petra BÁRD, Professor, Radboud University and Research Affiliate, CEU Democracy Institute.

The meeting focused on a dialogue concerning the state of the Rule of Law within five Member States: Denmark, Germany, Estonia, Ireland, and Greece. Discussions primarily centered on potential elements that could be added in the scope of the Rule of Law Report by extending it to cover also aspects of democracy and fundamental rights, the preservation of judicial independence, and strategies for combating corruption. Long-term and short-term proposals were discussed, such as, establishing independent expert/advisory panels, and linking negative assessment to recommendations, and then to automatic legal or financial actions. The dialogue emphasized the preventive nature of the Commission's Rule of Law Report, complementing other measures like infringement procedures and the conditionality mechanism. Recommendations were made on better outlining of cross cutting trends in the annual rule of

law report, on including Article 7 TEU state of play in the annual report and the possibility of including a specific chapter on combatting corruption within EU institutions.

In the discussions about Denmark, attention was given to the resources of the court system, corruption prevention, the open civil society space and the stability of public service media. For Germany, discussions highlighted the effective functioning of the judicial system, anti-corruption measures, and concerns about resource allocation. Estonia's highly digitized justice system, anti-corruption initiatives, and media advancements were noted, while the focus on Ireland included high level of litigation costs, anti-corruption efforts, and electoral process reviews. In Greece, measures to enhance the efficiency of the justice system, concerns about the independence of the prosecutor's office, challenges in protecting human rights, including of minorities, low track of anti-corruption efforts and concerns about media ownership were mentioned. The concluding remarks emphasized the contribution that an independent expert network could bring, the need to foster judicial independence across the EU, and the need for reinforced enforcement of Commission's Rule of Law recommendations in addition to reporting and dialogue.

Relevant documentation

- [2023 Rule of Law Report Country Chapter on the rule of law situation in Denmark](#)
- [2023 Rule of Law Report Country Chapter on the rule of law situation in Germany](#)
- [2023 Rule of Law Report Country Chapter on the rule of law situation in Estonia](#)
- [2023 Rule of Law Report Country Chapter on the rule of law situation in Ireland](#)
- [2023 Rule of Law Report Country Chapter on the rule of law situation in Greece](#)
- [The Situation of Article 2 TEU values in Denmark](#)
- [The Situation of Article 2 TEU values in Estonia](#)

1st June 2023- Exchange of views on the application of the Rule of Law budget conditionality mechanism and other budget instruments to safeguard the respect for EU values

Participating Members:

Sophie IN 'T VELD (DRFMG Chair), Monika HOHLMEIER (CONT Chair, EPP), Katarina BARLEY (S&D), Elena YONCHEVA (S&D), Patryk JAKI (ECR), Konstantinos ARVANITIS (Left)

Members of the DRFMG exchanged with: Johannes LUEBKING, Principal Adviser – European Semester Coordination, Recovery and Resilience Task Force, SecGen, European Commission; Alessandro NUCARA, Head of Unit, Unit D.1 – Coordination, Partnership with Member States, EDES, DG BUDG, European Commission; Ruth PASERMAN, Director for Funds Programming and Implementation in DG EMPL, European Commission; Florian GEYER, Head of Unit C.1 Rule of Law, DG JUST, European Commission; Milan JARON, Acting Head of EPPO’s Strategy and Executive Office; Annemie TURTELBOOM, Member of the European Court of Auditors, Dean of Chamber II — Investment for cohesion, growth and inclusion (accompanied by Alexander LATINOV), Court of Auditors; Prof. Gabor HALMAI, European University Institute

Discussions revolved around how the rule of law conditionality mechanism, the rule of law milestones under the recovery and resilience fund and enabling conditions under the Common Provision Regulation function and how they can be used to complement each other. It was explained that while those instruments are not primarily rule of law instruments, they are used to contribute to strengthening the Rule of Law in countries like Hungary and Poland, which see large funds blocked over rule of law concerns and concerns about risks to the EU budget.

More detailed explanations were provided on how rule of law requirements under the conditionality mechanism are equally ‘super milestones ’under the national Recovery and Resilience Plans and whether and how these instruments and the enabling conditions allow for permanent monitoring after the initial assessment is made.

Further discussions mentioned the implementation and monitoring by the Commission of these mechanisms; how the Commission deals with complaints; the upcoming European Court of Auditors report analysing the implementation of these mechanisms; the complexities with the establishment of the link for the conditionality mechanism; the role of the EPPO in relation to these mechanisms; and the sustainability of these mechanisms and how they can ensure compliance with the Rule of Law in the long-term.

29 March 2023- Exchange of views on the application and enforcement of ECtHR judgements

Participating Members: Sophie IN ‘T VELD (Chair), Vladimír BILČÍK (EPP), Gwendoline DELBOS-CORFIELD (Greens).

The meeting was dedicated to an exchange of views on the application and enforcement of ECtHR judgements. Members of the DRFMG exchanged with the Council of Europe's Committee of Ministers, represented by Clare Ovey, Head of the Execution department, the European Commission, represented by Martina Törnkvist, Team Leader for the Charter of Fundamental Rights, DG JUST C.2, Fundamental rights policy, and the European Implementation Network, represented by Ioana Iliescu, Law and Advocacy Officer.

Discussions revolved around the following topics: the role of the Council of Europe's Committee of Ministers, in particular in monitoring and execution of the ECtHR judgements, statistics on lead and repetitive cases, the main reasons for the lack of implementation of ECtHR

judgments, accession of the EU to the ECHR.

Discussions also revolved around the role the Commission plays in monitoring the implementation of judgments of both the ECtHR and the CJEU and the 2022 rule of law report, the joint report on the issue of the non-implementation of the European Courts Judgements and the Rule of Law in EU MS and some recommendations.

During the Q&A session, Members further enquired about the capacity of the ECtHR to cope with accession of the EU to the ECHR and the capacity of the EU to deal with ECtHR judgments, about trends in the implementation of ECtHR judgments, including regarding the subject matter of the non-implemented leading judgments, about the role of the Council of Ministers, about the main reasons behind the lack of implementation of ECtHR judgments (lack of sincerity, lack of collaboration or lack of resources) and about the effectiveness of the legal remedy of having recourse to the ECtHR in view of the low level of implementation of its leading judgments.

Relevant hyperlink

- https://multimedia.europarl.europa.eu/en/webstreaming/libe-committee-meeting_20230329-1300-COMMITTEE-LIBE

9 February 2023 – Exchange of views on Antisemitism in the EU

Participating Members:

Sophia IN'T VELD (Chair of the DRFMG), Vladimir BILČÍK (EPP), Elena YONCHEVA (S&D), Patryk Jaki (ECR), Nicolaus FEST (ID), Clare DALY (The Left)

The meeting was dedicated to an exchange of views with Katharina VON SCHURBEIN, European Commission Coordinator on combating antisemitism and fostering Jewish life, Katarina VYZVALDOVA, Project Officer for the Fundamental Rights Agency, and Ariella WOITCHIK, from the European Jewish Congress.

Discussions revolved around the issue of the worrying rise of various forms of antisemitism in Europe, especially in times of crisis (as recently experienced with the Covid-19 pandemic), which, according to different studies and data, no longer remain at the extremists fringes of society. The speakers presented the ongoing and planned initiatives and policies to tackle this issue at the European level. Parliament adopted in 2017 a resolution on combatting antisemitism⁴, whereas the Commission adopted in October 2021 the first “EU strategy on combatting antisemitism and fostering Jewish life⁵”, with three main pillars: preventing and combatting antisemitism, protecting and fostering Jewish life, and education and research. For its work, the Commission refers to the antisemitism definition of the International Holocaust

⁴ European Parliament resolution of 1 June 2017 on combating anti-Semitism (2017/2692(RSP))

⁵ https://ec.europa.eu/commission/presscorner/detail/en/ip_21_4990

remembrance Alliance (IHRA)⁶, as a non-binding, working definition. The Commission launched recently the European network of young ambassadors on promoting Holocaust remembrance, and is working on initiatives to counter Holocaust information distortion. The FRA presented its online surveys on antisemitism⁷ and highlighted the need to improve the collection of data to increase awareness among Member States, as anti-Semitic crimes are often underreported. Areas for improvement include the strengthening of national strategies and action plans to counter antisemitism, the improvement of Holocaust education of the general public, in particular young generations, the need to detect hate speech online and to ensure the effective monitoring of the measures taken to tackle antisemitism.

In the debate, Members asked about the effectiveness of the EU Strategy, considering the rise of antisemitism in Europe, and stressed the need to work on the lack of knowledge about the Holocaust, fueling antisemitism. Some Members questioned the use of the IHRA definition of antisemitism and its controversial examples, and the need to address the governance issues posed by government leaders conducting anti-Semitic policies in the EU.

Relevant documentation

- Link to the webstreamed meeting can be found [here](#)

18 January 2023 - Exchange of views on the Compliance with Rule of Law milestones in the Recovery and Resilience Plans

Participating Members:

Sophia in 't Veld (DRFMG Chair), Vladimír Bilčík (EPP), Katarina Barley (S&D), Sergey Lagodinsky (Greens), Patryk Jaki (ECR) and Monika Hohlmeier (CONT Chair)

Members of the DRFMG exchanged with Johannes LUEBKING, Principal Adviser for the European Semester Coordination, European Commission, Secretariat-General, Recovery & Resilience Task Force, and Florian GEYER, Head of Justice Policy and Rule of Law Unit, Directorate General Justice and Consumers, European Commission.

Discussions revolved around the following topics: the rule of law milestones under the Recovery and Resilience Plans and Facility, the Commission methodology in approving these plans and as regards the disbursement of relevant funding.

This exchange took place largely within the context of the latest developments in Poland and Hungary as regards the Recovery and Resilience Plans (RRP), their compliance to the relevant rule of law milestones and the Commission's assessment as regards disbursement of the Recovery and Resilience Facility (RRF) funds. The speakers, representing the Commission, recalled the main responsibilities of the specific Task Force (RECOVER), established within the Commission's Secretariat-General. These included steering the implementation of the RRF

⁶<https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>

⁷ see e.g. <https://fra.europa.eu/en/news/2023/major-eu-survey-antisemitism-and-jewish-life-launched>

and coordination with the European Semester. The speakers noted that, in their RRFs, Member States dedicated different commitments regarding rule of law reforms, including anti-corruption strategies, transparency in law-making, the protection of whistle-blowers, and more. As the speakers stressed that the RRF is performance-based, it was made clear that RRF funds are only disbursed after Member States have actually fulfilled key steps in the implementation of the reforms and investments included in their RRFs. These key implementation steps are referred to as milestones, and the Commission assesses whether Member States actually have completed these milestones, based on relevant information provided by these Member States.

Furthermore, the speakers asked further questions as regards the Polish and Hungarian RRFs. Regarding the Polish Plan, it was recalled that the plan included so-called 'super milestones', covering, among others, strengthening important aspects of the independence of the judiciary. In turn, the Hungarian Plan included the implementation of seventeen measures, including to reinforce the fight against corruption and promoting public procurements.

In response to questions from members regarding national commitments under the RRF, the speakers stressed that these commitments are not only made by a specific government, but to support the reforms in that Member State. Members also asked questions regarding the timeline for the disbursement of RRF funds, specifically referring to the Polish and Hungarian cases. The speakers made clear that timing is tight, as a lot of measures have to be finalized by 2026. The national plans in other Member States such as Bulgaria, Slovakia were also mentioned during the debate.

Members also raised concerns about the sustainability of reforms made under the RRFs, after the RRF funds have been disbursed. The speakers noted that the regulation requires 'satisfactory fulfilment' of the milestones, stressed that the relevant plans must be implemented in order for these milestones to be fulfilled and emphasized that the relevant targets cover the whole period of the RRF. In general, the speakers added that the regulation offers the possibility to block payments in case of the reversal of relevant reforms.

Lastly, members stressed the importance of objective criteria for and an independent assessment of Member State reforms, on the basis of which the Commission eventually disburses RRF funds. The speakers took note and repeated that the Commission's assessments will be based on the objective criteria set out in the relevant milestones.

30 September 2021 - A Union of equality: Racism and discrimination, including rights of Roma, LGBTI people and disabled people

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE).

The meeting was dedicated to an exchange of views on equality in the European Union, and more particularly regarding racism and discrimination, including rights of Roma, LGBTI people and disabled people.

Members of the DRFMG exchanged with Silvan Agius, Expert on Equality at the Cabinet of Commissioner Dalli, Ioannis Dimitrakopoulos, Scientific Adviser at the EU Agency for

Fundamental Rights, Juliana Santos Wahlgren, Acting Director at the European Network Against Racism, Catherine Naughton, Director at the European Disability Forum, Evelyne Paradis, Executive Director at ILGA-Europe and Jamen Gabriela Hrabanova, Director at the European Roma Grassroots Organisations Network

Discussions revolved around the following topics: the impact of COVID-19 on different specific vulnerable groups (Roma people, disabled people and LGBTIQ people), the ongoing legislative proposals and initiatives, and their potential impact, the use of recovery and resilience plans and funding in general as leverage for the respect and the furthering of antidiscrimination progress.

In the exchange, it was underlined the need for a robust policy framework to address racism and to mainstream the EU action plan against racism into policies, the need to set-up of a disability platform to strengthen the strategy implementation and step up the cooperation with Member States and the need to advance on the proposal on parenting as a key moment for LGBTIQ people. Given the fact that the pandemic further stressed discriminations towards Roma, there is a need for tailor-made national action plans. Overall little progress has been achieved in combatting discrimination and it was reminded about the state of play of the horizontal anti-discrimination directive, which has been blocked since 2008. As a concerning factor was also underlined a trend of systematic and systemic violations targeting LGBTIQ people, with increased hate speech and scapegoating in several Member states with concerns as regards the rule of law upholding. The importance of including aspects linked to discrimination into the Rule of Law annual report was also highlighted in this context.

21 May 2021 - Exchange of views on the measures taken in the context of the Covid-19 crisis and their impact on democracy, rule of law and fundamental rights (Webstreamed meeting)

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Vladimír Bilčík (PPE), Katarina Barley (S&D), Elena Yoncheva (S&D), Anna Júlia Donáth (Renew), Gwendoline Delbos-Corfield (Verts/ALE), Kostas Arvanitis (The Left).

The meeting was the first monitoring session held in 2021 on the measures taken in the context of the Covid-19 crisis and their impacts on democracy, rule of law and fundamental rights, with a special focus on exit strategies to be adopted by EU governments.

Members exchanged with Nicolaas Bel (Head of the Justice Policy and Rule of Law unit, DG Justice and Consumers), Marie-Dominique Parent (Deputy Regional Representative, OHCHR), Joelle Grogan (Senior Lecturer in Law, Middlesex University) and Olivia Venet (Chair of the Ligue des droits humains).

Discussions revolved around the following topics: legislative procedures, the anticipation and possible better preparation for future pandemics, the role of the Commission in this regards, and the impact of COVID-19 legislation on digital space, on courts system as well as on the situation of women and minority groups, in particular Roma.

It was underlined the importance of diversity in national police, of specialised training, of police

actions to be strictly based on the rule of law and give full respect of the fundamental rights of each individual citizen, of thorough investigations into cases of racism or discrimination. As an overall important element, it was noted that any intervention of the police should be always necessary, proportional, and aiming at reestablishing public order with non-violent means being prioritized before any resorting to the use of force.

Related documentation:

- [Research evidence collected by the Fundamental Rights Agency concerning police stops](#)

Thursday 2 April 2020 – exchange of views first on the implications on democracy, rule of law and fundamental rights of the measures taken in the framework of the COVID-19 outbreak

Participating Members:

Sophia in 't Veld (Chair of the DRFMG), Roberta Metsola (PPE), Vladimír Bilčík (PPE), Katarina Barley (S&D), Sylwia Spurek (S&D), Anna Júlia Donáth (Renew), Nicolaus Fest (ID), Sergey Lagodinsky (Verts/ALE), Malin Björk (The Left).

The Chair, Sophia in 't Veld welcomed participants and referred them to the working document prepared by the Policy Department upon request of the LIBE Committee on “The impact of COVID-19 on Democracy, Rule of Law and Fundamental Rights”. Circulated to Members ahead of the meeting, the document presents an overview of measures taken in the 27 Member States and in the UK due to the COVID-19 outbreak. The document is a dynamic work in progress, meant to be supplemented and updated as the coronavirus crisis develops, in order to support the Group in monitoring the rule of law situation in this extraordinary context.

The meeting turned then to its main agenda items, i.e. exchange of views first on the implications on democracy, rule of law and fundamental rights of the measures taken in the framework of the COVID-19 outbreak with the Director of the EU Agency for Fundamental Rights, Michael O’Flaherty, then on latest developments in the Slovak Republic, with Ambassador Peter Javorčík, Permanent Representative of Slovakia to the EU, as well as with Gianluca Esposito, Head of Action against Crime Department of the Council of Europe, Executive Secretary of GRECO, accompanied by Igor Nebyvaev Executive Secretary of MONEYVAL, and Gerald Dunn, Administrator at GRECO.

Members shared their concerns about the very future of the EU at stake in this crisis. They affirmed their will to closely look into measures taken in the Member States, in particular what is happening in the national Parliaments, for instance in Poland and Hungary, echoed the call for strict observance of the principles of necessity, proportionality and stressed the EU’s mission to facilitate, as much as possible, integrated responses. They raised also issues of disinformation, data protection breaches and the need for EU standards for how Member States may collect and share data, non-discrimination (in particular against Roma people) and domestic violence (in particular against women and children).

Related documentation:

- Texts adopted - The impact of COVID-19 measures on democracy, the rule of law and fundamental rights - Friday, 13 November 2020 (europa.eu)
- Interim report Venice Commission of 8 October 2020 on the measures taken in the EU Member States as a result of the COVID-19 crisis and their impact on democracy, the rule of law and fundamental rights, following the request by its President to the Venice Commission of 1 July 2020, following the proposal of the Committee on Civil Liberties, Justice and Home Affairs (LIBE)
- The Impact of Coronavirus Measures on Democracy, Rule of Law and Fundamental Rights in the EU – Overview prepared by Policy Department, Part 1, April 2020 to March 2021
- The Impact of Coronavirus Measures on Democracy, Rule of Law and Fundamental Rights in the EU – Overview prepared by Policy Department, Part 2, from March 2021.