



2021/2025(INI)

18.3.2021

DRAFT OPINION

of the Committee on Petitions

for the Committee on Civil Liberties, Justice and Home Affairs

on the Commission's 2020 Rule of law report - COM(2020)0580

(2021/2025(INI))

Rapporteur for opinion: Margrete Auken

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SUGGESTIONS

The Committee on Petitions calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Underlines the high number of petitions received from citizens concerned about the breaches of the rule of law in their respective countries and with the consequences of such breaches on their lives; stresses that full protection of Union citizens' rights can be ensured throughout the Union only if all Member States comply with all the principles underlying the rule of law, as deficiencies in one Member State have an impact on other Member States and the Union as a whole;
2. Notes that, despite repeated requests by Parliament, the Commission's 2020 Rule of Law Report fails to encompass the areas of democracy and fundamental rights; calls on the Commission to ensure equal treatment of all the Union's founding values in its next report; believes that the Commission must also involve independent experts in this annual exercise in order to guarantee full credibility, and also provide clear indications on follow-up actions for any shortcomings detected;
3. Criticises the failure of the Council to make progress by applying sanctions in the ongoing procedures under Article 7 of the TEU, confirming that the Union remains structurally badly equipped to counter rule of law violations; highlights that, in any case, a full and effective use of all tools available at Union level, such as infringement procedures, the procedures enshrined in the Common Provisions Regulation and Conditionality Regulation¹, the Rule of Law Framework and Article 7 of the TEU, must be made to address breaches of the rule of law; underlines citizens' high expectations expressed in petitions asking for a proper and rapid Union level response to put an end to such violations;
4. Regrets that reforms adopted in some Member States have seriously threatened the independence of the justice system, increasing the influence of the executive and legislative branch over its functioning, thus leading the Commission to launch infringement proceedings and raise concerns in the context of procedures under Article 7 of the TEU;
5. Highlights that the COVID-19 pandemic has confirmed the importance of strengthening independent journalism and access to pluralistic information as key enablers of rule of law and democratic accountability able to provide citizens with fact-checked information, thereby contributing to the fight against disinformation; deplores the fact that in a number of Member States, journalists have increasingly faced physical threats and online harassment, especially female journalists;
6. Underlines that the Court of Justice of the European Union recently ruled² that civil society organisations must be able to operate without unjustified interference by the

¹ Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget.

² Judgment of 18 June 2020, *Commission v Hungary*, C-78/18, EU:C:2020:476, paragraphs 112 and 113.

state, acknowledging that the right to freedom of association constitutes one of the essential bases of a democratic and pluralist society; is seriously concerned that some NGOs active in the area of migration and LGBTI+ rights are subject to smear campaigns, and face severe restriction of the civic space where they can operate.