

2023 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the European rule of law mechanism, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, three editions of the Rule of Law Report have been published in 2020, 2021 and 2022.

In the preparation of the first three editions of the Rule of Law Report, the Commission has relied on a diversity of relevant sources, including from Member States, country visits, and stakeholders' contributions collected through the targeted stakeholder consultation [1]. The information provided has informed the Commission's country-specific assessments in preparing the Report. Building on the positive experience from the first three editions of the Rule of Law Report, the Commission is now inviting stakeholders to provide written contributions for the preparation of the 2023 Rule of Law Report through this targeted consultation.

The contribution to be provided should include (1) information on measures taken to implement the recommendations addressed to the Member State in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and (2) any other significant developments since January 2022 [2] falling under the 'type of information' outlined in the next section.

The input should be short and concise and summarise information related to one or more of the areas referred to in the template. You are invited to focus on the areas that relate to the scope of work and expertise of your organisation. Existing reports, statements, legislation or other documents may be referenced with a link (no need to provide the full text). Stakeholders are encouraged to make references to any contributions already provided in a different context or to Reports and documents already published. Contributions should focus on significant developments both as regards the legal framework and its implementation in practice.

If you wish to submit information concerning several Member States, you will have to fill-in the questionnaire separately for each Member States (due to the size of the questionnaire). There is no limit to the number of contributions submitted by a single participant. In such cases, you are not required to repeat the information in the section "about you" that is non-mandatory nor the information on horizontal developments.

Please provide your contribution by **20 January 2023**. Should you have any requests for clarifications or encounter difficulties in filling in the questionnaire, you can contact the Commission at the following email

address: rule-of-law-network@ec.europa.eu.

[1] For the consultation for the 2022 Report, see https://ec.europa.eu/info/publications/2022-rule-law-report-targeted-stakeholder-consultation_en

[2] Unless the information was already submitted in the consultation for the previous Rule of Law Reports.

Type of information

The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

Legislative developments

- Newly adopted legislation
- Legislative drafts currently discussed in Parliament
- Legislative plans envisaged by the Government

Policy developments

- Implementation of legislation
- Evaluations, impact assessment, surveys
- White papers/strategies/actions plans/consultation processes
- Follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- Important administrative measures
- Generalised practices

Developments related to the judiciary / independent authorities

- Important case law by national courts
- Important decision/opinions from independent bodies/authorities
- State of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, heads of independent authorities included in the scope of the questionnaire[1])

Any other relevant developments

- Respondents are free to add any further information, which they deem relevant; however, this should be short and to the point.

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should not be repeated.

[1] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

About you

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

* Organisation name

250 character(s) maximum

European Youth Forum

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism
- ☒ Other

If "Other", please specify

Youth Rights

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://www.youthforum.org>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

43251547769-22

* Country of origin

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania

- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda
- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan
- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados
- ☐ Belarus
- ☒ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☐ Cyprus
- ☐ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark
- ☐ Djibouti
- ☐ Dominica

- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador
- ☐ Equatorial Guinea
- ☐ Eritrea
- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia
- ☐ Fiji
- ☐ Finland
- ☐ France
- ☐ Gabon
- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☐ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon
- ☐ Lesotho
- ☐ Liberia

- ☐ Libya
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Madagascar
- ☐ Malawi
- ☐ Malaysia
- ☐ Maldives
- ☐ Mali
- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius
- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania
- ☐ Russian Federation
- ☐ Rwanda

- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa
- ☐ San Marino
- ☐ Sao Tome and Principe
- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia
- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☐ Slovakia
- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☐ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu
- ☐ Venezuela
- ☐ Viet Nam

- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

Álvaro

Surname

González Pérez

Email Address of the organisation (this information will not be published)

[REDACTED]

* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin) will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2023 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[list of topics 2023 Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

All our answers are applicable not just to Belgium, but in general to Europe.

The European Youth Forum has actively worked on the topic of civic space for several years now, and has contributed to relevant policy processes. This includes the Rule of Law Report consultation processes since its inception in 2020. Part of the further investment that the European Youth Forum has dedicated into researching the state of youth civic spaces across Europe is reflected in the 2020 Study on “Safeguarding civic space for young people in Europe” and the Position Paper under the same name published in May 2022:

2022 Position Paper: <https://www.youthforum.org/news/safeguarding-civic-space-for-young-people>

2020 Study: https://tools.youthforum.org/policy-library/wp-content/uploads/2021/04/SAFEGUARDING-CIVIC-SPACE-FOR-YOUNG-PEOPLE-IN-EUROPE-2020_v4.0-1.pdf

The topic has also been increasingly central in the youth policy agenda, including the 2021 EU Council conclusions on safeguarding and creating civic spaces for young people that facilitate meaningful youth participation; the 2021 United Nations Global Report on protecting young people in civic space; and the 2022 Council of Europe Recommendation on protecting youth civil society and young people and supporting their participation in democratic processes.

All of these processes - including the research undertaken by the European Youth Forum - point to significant issues linked specifically to youth civic spaces. They showcase how young people are particularly affected by oppressive actions from governmental systems. In fact, the structure of youth organisations is often more fragile compared to other civil society organisations due to, among other reasons, the high turnover of people involved, day-to-day functioning based largely on volunteer work, and the lack of proper funding. Furthermore, young activists on an individual level can face grave challenges, compared to other activists who have already established support systems; young people often lack established careers, financial opportunities and networks, and are thus more vulnerable to threats, retributions and periods of crisis.

More concretely, the aforementioned Position Paper of the European Youth Forum details the key problems for youth civic spaces in Europe and highlights the demands of the Youth Forum in the following 6 different areas:

- Rights, democracy and the rule of law
- Digitalisation
- Freedom of information and expression
- Freedom of assembly and association
- Funding for youth civil society
- Education and youth work

Following our research and continuous engagement with youth organisations in Europe, these are some of the main findings of the European Youth Forum:

- Young people need adequate avenues to report the shortcomings of authorities and other actors in society and these complaints must have a meaningful follow-up. This often becomes a struggle for youth because, for example, formal education curricula generally do not foster awareness or promote understanding about democratic checks and balances; some procedures are either non-existent or can be hard to understand due to their technocratic description; and/or there might be a lack of financial means to support the process. In this sense, public institutions have a responsibility to design democratic processes in a youth-inclusive way, fostering real participation of young people by involving democratic, representative and youth-led organisations.

- Public officials engaging with youth often lack proper training and competences about the realities of young people and how to foster meaningful youth participation, which makes a partnership-based approach difficult to reach. In this sense, public officials engaging in youth policies at all levels of governance should be equipped with relevant competences to engage with young people.
- Youth-specific issues are limitedly addressed in policy tools relating to civic space and rule of law. There is a need to further include them on European, national and local levels, for example, in the annual Rule of Law Report.
- Sidelining of youth-led structures in favour of government-organised non-governmental organisations (GONGOs) through the establishment of top-down advisory youth structures for the purpose of providing legitimacy to the work of public authorities. This effectively limits independent, representative and critical voices among youth civil society and/or favour certain existing youth structures in line with the government for public funding schemes over more critical ones. Whereas youth consultative bodies established by public institutions per se are not a problem (and can be an integral part of meaningful youth participation), they become problematic when they are simply a tool for youth-washing and further impeding youth civic spaces.

Questions for contribution

The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member States in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2022 Rule of Law Report and (2) any other significant developments since January 2022[1]. Please include a link to and reference relevant legislation/documents (in the national language and/or where available, in English) if relevant. Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[1] Unless already covered in the input for the previous Rule of Law Reports.

Member State covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States, please fill in the questionnaire separately for each Member State. There is no limit to the number of contributions submitted by a single participant.

- ☐ Austria
- ☒ Belgium
- ☐ Bulgaria

- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the justice system (if applicable)

3000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

3000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

3000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

3000 character(s) maximum

Allocation of cases in courts

3000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

3000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

3000 character(s) maximum

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

3000 character(s) maximum

Independence/autonomy of the prosecution service

3000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

3000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

3000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

3000 character(s) maximum

Resources of the judiciary (human/financial/material)

(Material resources refer e.g. to court buildings and other facilities)

3000 character(s) maximum

Training of justice professionals (including judges, prosecutors, lawyers, court staff)

3000 character(s) maximum

Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)

3000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

3000 character(s) maximum

Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialization, in particular specific courts or chambers within courts to deal with fraud and corruption cases

3000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

Length of proceedings

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the anti-corruption framework (if applicable)

3000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any changes as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

3000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

3000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

3000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training). Please provide figures on their application

3000 character(s) maximum

General transparency of public decision-making, including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing

3000 character(s) maximum

Rules and measures to prevent conflict of interests in the public sector. Please specify the scope of their application (e.g. categories of officials concerned)

3000 character(s) maximum

Measures in place to ensure whistleblower protection and encourage reporting of corruption.

3000 character(s) maximum

List the sectors with high-risks of corruption in your Member State and list the relevant measures taken /envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. public procurement, healthcare, citizen investor schemes, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

3000 character(s) maximum

Any other relevant measures to prevent corruption in public and private sector

3000 character(s) maximum

C. Repressive measures

Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery

3000 character(s) maximum

Data on investigation and application of sanctions for corruption offences, including for legal persons and high level and complex corruption cases and their transparency, including as regards to the implementation of EU funds

(Please include, if available the number of (data since 2019): indictments; first instance convictions; first instance acquittals; final convictions; final acquittals; other outcomes (final) (i.e. excluding convictions and acquittals); cases adjudicated (final); imprisonment / custodial sentences through final convictions; suspended custodial sentences through final convictions; pending cases at the end of the reference year)

3000 character(s) maximum

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

3000 character(s) maximum

Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

III. Media Freedom and Pluralism

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding media freedom and pluralism (if applicable)

3000 character(s) maximum

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

3000 character(s) maximum

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

3000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

3000 character(s) maximum

B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

3000 character(s) maximum

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

3000 character(s) maximum

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications

3000 character(s) maximum

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

3000 character(s) maximum

Access to information and public documents (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

3000 character(s) maximum

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the system of checks and balances (if applicable)

3000 character(s) maximum

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /public consultations (particularly consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process

[1] *This includes also the consultation of social partners*

3000 character(s) maximum

All our answers are applicable not just to Belgium, but in general to Europe.

Young people make up for 25% of the whole EU population, and, even though they will live with the consequences and impacts of the regulations designed today, they are underrepresented in political processes and consultations. This is also what the European Youth Forum research has shown: <https://www.>

In order to avoid policies that create further disruption and barriers within our society, the impact on youth needs to be addressed. The European Youth Forum has proposed the European Commission to adopt an EU Youth Test, namely an impact assessment tool that will ensure that young people are considered during policy-making processes within the European Union regardless of the policy field. This has additionally been supported by the European Parliament in its recent resolution on the “European Year of Youth 2022 legacy”, the European Economic and Social Committee in its “EU Youth Test Opinion” and the Charter on Youth and Democracy of the European Committee of the Regions.

Similar practices exist at national level in various Member States of the European Union, such as in Austria, France, and Germany, as well as in Flanders at regional level, which could be replicated in other Member States as well as at EU level.

Regarding the transparency of legislative processes, our research shows that many governments do not invest in creating transparent ways of sharing information or they omit details young activists often find relevant for their work. For young people, it is often still difficult to understand the technocratic language of the information available, which leads to unnecessary gate-keeping about issues that ultimately concern youth.

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

3000 character(s) maximum

Regime for constitutional review of laws

3000 character(s) maximum

COVID-19: provide update on significant developments with regard to emergency regimes/measures in the context of the COVID-19 pandemic

- judicial review (including constitutional review) of emergency regimes and measures in the context of COVID-19 pandemic
- oversight (incl. ex-post reporting/investigation) by Parliament of emergency regimes and measures in the context of COVID-19 pandemic
- processes related to lessons learned/crisis preparedness in terms of the functioning of checks and balances

3000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

3000 character(s) maximum

Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

3000 character(s) maximum

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

3000 character(s) maximum

Judicial review of administrative decisions:

- short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

3000 character(s) maximum

Follow-up by the public administration and State institutions to final (national/supranational) court decisions, as well as available remedies in case of non-implementation

3000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

3000 character(s) maximum

As a sphere for free and non-coercive association, an open civic space enables civil society actors to pursue a number of roles. Civil society organisations provide a platform for dialogue between a diversity of voices and the free exchange of information between civil society actors and various other stakeholders, including

governments and public institutions. At the same time, they also amplify the voices of minority and other at-risk groups by raising the visibility of the key issues they face, both as their representatives and as cornerstones of civic ecosystems. Youth civil society organisations are particularly important, as these organisations target youth-specific issues critical for a thriving civic space and identify innovative solutions in the field.

Currently in various European countries governments do not provide conditions to be able to officially register NGOs or use this requirement as an essential criteria for funding or legality, arbitrarily dissolve organisations that do not serve their interests or interfere with an organisation's legal right of existence.

The European Commission is currently discussing a proposal for a legislative initiative on cross-border activities of associations, which could in fact be a stepping stone towards the recognition of the legal personality of (civil society) organisations across EU countries and the establishment of a European Associations Statute. This would partially support the safeguard of freedom of association across the EU, as such a legal form would allow civil society organisations to be recognised in all Member States with limited formalities such as registration.

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services.

3000 character(s) maximum

A common practice of governments with repressive tendencies is to create smear campaigns about civil society. Young people are often forced to choose in these circumstances between the long-term stigma it can bring to openly associate with a certain cause, organisation or even civic engagement in general. Young activists are usually pressured to stop their operations through formal educational institutions they are attending or by police forces, and have to deal with the consequence of not getting hired for jobs because of their activism. This causes significant harm both to the individual and to democracy as a whole, as if citizens at a young age are already discouraged from practising their freedom of assembly and association, their level of participation later on in democratic processes is likely to be impeded as well.

An instance of this can be found in representative Muslim youth organisations. The French government recently pushed the Council of Europe to stop the publication of a campaign focused on discrimination against Muslim women wearing headscarves. A pan-European youth-led Muslim organisation was blamed for the campaign when in fact all communication was realised via Council of Europe official channels. As a result, this organisation was left out of a youth advisory body of the CoE, their communication channels with the institution severely limited, and their staff became their target of hate speech, and continue to be targeted.

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

3000 character(s) maximum

Youth organisations as a whole, and particularly youth-led, democratic and grassroots-based organisations are hubs for meaningful youth participation, which ensures that young people can defend and promote their own rights. Having the necessary conditions for the functioning and running of these organisations is vital to safeguard civic space and democracy, and builds the basis to practise civic and political engagement from

early on. Our research shows that youth organisations usually face restrictions in order to access funding, both from public and private sources. Public institutions particularly often provide either solely project-based or short-term funding to youth organisations, leaving them out of accessing long-term and/or structural funds or failing to create opportunities that are tailored to the needs and realities of youth organisations. It is also common practice for youth organisations and overall civil society to overburden application and reporting requirements with excessive bureaucracy.

An instance of the direct correlation between meaningful funding (or lack thereof) and flourishing youth civil society is reflected in the developments with EU operating grants in the youth field in 2022, when various international youth organisations did not manage to secure them due to the mismatch during that year between the available overall budget envelope and amount of funding per grant. This was translated into a sharp reduction of the overall number of beneficiaries. Being such a core part of their functioning, and as a result particularly in the aftermath of the COVID-19 pandemic, several youth organisations found themselves in a situation where they had to sharply downscale their activities and operations. Whereas this has been addressed as per the call in 2023, it showcases how crucial access to funding is for a well-functioning youth civil society.

In more severe cases, governments also actively block organisations from accessing funding from certain private or philanthropic sources, claiming there is a political agenda behind the given funding.

Youth organisations and youth civil society as a whole perform a number of functions that are necessary in promoting basic human rights and democracy, and serves as a safeguard against tyranny, oppression, and other anti-democratic tendencies. In this sense, local, national and European public institutions and governments hold a responsibility to ensure that there is appropriate and meaningful funding available for youth organisations and improve already existing mechanisms, particularly to reach also smaller organisations in countries where they are not supported by the government and where there is a fear of government repression.

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

3000 character(s) maximum

One of the main examples of civil dialogue between youth and EU institutions is the EU Youth Dialogue - priorly known as Structured Dialogue, which is taking place in the framework of the EU Youth Strategy. At national level, the EU Youth Dialogue is steered by the so-called National Working Groups, which are conformed among other actors by National Youth Councils, the main representative bodies of youth civil society in EU Member States. In certain EU Member States these National Youth Councils are undergoing governmental pressure, being sidelined through non representative parallel structures, and in some cases being systematically left out of the National Working Groups. This is particularly worrying taking into account that by Council Resolution, National Youth Councils should have a leading role in those Working Groups.

The results of the Conference for the Future of Europe also outline recommendations on citizens panels. In this context, we would like to highlight the importance of not allowing this display of direct democracy to replace representative democracy and the strong place for the expertise of organised civil society representing millions of Europeans, including the younger generation, which does not have such a formalised, recognised place in EU decision-making.

The original Conference on the Future of Europe process brought together the European institutions, national and local representatives, the Committee of Regions, the Economic and Social Committee, Social

Partners, Civil Society and the European Youth Forum to craft the outcomes together. During these discussions, the group took the original European Citizens Panel recommendations as a basis and worked to shape the final outcomes together.

It was with the richness of this additional input from all partners that allowed important measures to be included that will materially enhance the lives of young people and future generations to come, particularly in terms of labour market access, democratic participation and tackling intergenerational inequalities.

Unlike the other institutions and actors involved in the CoFoE, civil society and representative youth organisations do not have a formal, regulated mechanism to input their views into EU decision making. Therefore, if the citizens' panels continue in conjunction with just the standard EU legislative process, it will be these instrumental voices of civil society and representative youth organisations that are left out and unable to contribute to the debate as they did in the original CoFoE process.

Having these additional voices is a crucial part of a democratic Europe. As such there should be an adoption of an interinstitutional agreement on EU civil dialogue as part of a Civil Society Strategy at EU level. This would concretely recognise civil society's expert advisory role and bring them onto the same level of EU partnership and recognition as the Social Partners.

E. Initiatives to foster a rule of law culture

Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society etc.)

3000 character(s) maximum

The capacity of transnational and European civil society organisations to feed into the rule of law process is hindered by the structure of the Rule of Law Report consultation, which as of now only acknowledges Member State-based consultations. This is translated into further difficulty on the side of such organisations to underline transnational trends concerning the state of rule of law and civic space throughout the continent.

This is problematic for various reasons. Firstly, several European civil society organisations are composed by member organisations present in multiple EU Member States. However, this does not equal a fully in-depth expertise of these organisations regarding all rule of law and civic space issues in each specific country; indeed one of the main added values of such organisations lies in drawing the linkages, correlations and trends between the diverse national realities and pooling them together under one umbrella.

This connects to the second reason why it is necessary to have a dedicated space for European organisations to feed into the targeted stakeholder consultation of the Rule of Law Report. When democracies find themselves under pressure, civic spaces shrink and the rule of law is put at stake, those are rarely standalone developments in individual countries and are the result of interconnected anti-democratic tendencies. European civil society organisations play a key role in ensuring that the interconnectivity of those tendencies is brought to light.

Other - please specify

3000 character(s) maximum

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