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Subject: SAR Europe: Position Paper on the European Commission's Annual Rule of Law Reports

Dear Ms Kempf,

I write in response to the European Commission's rule of law reporting cycle. Following an assessment of the previous rule of law reporting cycles, and in advance of the adoption of the next rule of law report, SAR Europe would like to share a number of recommendations that articulate how academic freedom, institutional autonomy and protection of scholars, are prerequisites or enabling conditions for the rule of law within the Union.

1. Scholars are watchdogs too. The European Union and its Member States must explicitly account for scholars and academic freedom in the rule of law monitoring work. SAR Europe supports the European Parliament resolution of 19 May 2022 on the Commission's 2021 Rule of Law Report which calls for the inclusion of all aspects of freedom of expression in the reporting cycle, including academic freedom.
2. Institutional Autonomy: The European Union and its Member States must explicitly consider in their rule of law reporting any measures enacted to support or impede the institutional autonomy of higher education institutions.
3. Shrinking Civic Space: The European Union and its Member States must recognise higher education institutions as civic spaces, and work to significantly enhance their inclusion within the rule of law consultation process.
4. Support coordination and synergies between new monitoring efforts: The European Union and its Member States should incorporate into rule of law reporting any relevant data collected through existing monitoring mechanisms on academic freedom and institution autonomy and contribute to the expansion of such mechanisms.

Please find support for these recommendations at the following paper:

<https://sareurope.eu/wp-content/uploads/2023/05/Position-Paper-on-the-European-Commissions-Annual-Rule-of-Law-Reports.pdf>

Please note that [Scholars at Risk Europe](#) is the European office of the global Scholars at Risk network. [Scholars at Risk](#) was founded in 2000 and is an international network of over 650 higher education institutions in 43 countries working to protect threatened scholars and to promote academic freedom. SAR's European office, hosted by Maynooth University, Ireland, supports and coordinates the activities of 13 Scholars at Risk sections and 11 partner networks across Europe to strengthen our collective voice at the European level and contribute to informed policymaking for the greater protection of scholars and increased respect for academic freedom worldwide. SAR Europe coordinates [Inspireurope+](#) an EU-funded, multi-partner initiative to support

researchers at risk, as well as [MSCA4Ukraine](#), an EU-funded fellowship scheme for displaced researchers from Ukraine. SAR Europe also works to expand, coordinate, and support advocacy in Europe to promote academic freedom, including convening the [European Coordinating Committee for Academic Freedom Advocacy](#). SAR Europe has Observer Status with the Council of Europe Steering Committee for Education ([CDEDU](#)), and is a member of the Coalition Against SLAPPs in Europe ([CASE](#)) and the Human Rights and Democracy Network ([HRDN](#)). For additional resources on academic freedom please consult our [website](#).

SAR Europe is ready to help with follow-up to these recommendations, as appropriate.

Many thanks for your time.

Ms Denise Roche

Denise Roche, (she/her)

Advocacy Manager



Scholars at Risk Europe
Maynooth University, Maynooth, Co. Kildare, Ireland.

Tel: +353 1 7086177



Web: <https://sareurope.eu/>

Twitter: @SAR_Europe