

## **Summary of the targeted stakeholder consultation for the 2024 Rule of Law Report.**

With the 2024 Rule of Law Report, the Commission continues its annual monitoring cycle on the Rule of Law situation in the European Union and its Member States initiated in 2020. The Report contains 27 Member State chapters and, for the first time, four chapters on certain enlargement countries Albania, Montenegro, North Macedonia and Serbia. The chapters contain detailed country specific assessments of the four pillars of the report: the justice system, the anti-corruption framework, media pluralism and media freedom, and other institutional issues related to checks and balances. The Commission thereby aims to promote dialogue on the rule of law and to prevent problems from emerging or deepening. The report provides an assessment of the developments since the 2023 Rule of Law Report and identifies new challenges in the Member States. For the enlargement countries, as the Reports are published for the first time, in addition to focussing on developments in the previous year, the country chapters also provide some baseline information.

In the preparation of the 2024 Rule of Law Report, the Commission has continued a close dialogue with the Member States, the enlargement countries and with stakeholders in order to ensure a transparent process with an objective and impartial assessment as well as mutual understanding of the issues raised. Through input received from the Member States and enlargement countries, country visits and stakeholder contributions the Commission was once again able to rely on a diversity of relevant sources.

As in previous years, the Commission has invited stakeholders to contribute and provide information on the rule of law situation across the European Union in a targeted stakeholder consultation, carried out from 7 November 2023 to 15 January 2024. Around 250 stakeholders<sup>1</sup> including international organisations, national independent authorities, interest representatives and civil society organisations provided information on:

- a) horizontal developments relating to the rule of law, meaning trends common to several or all Member States; and
- b) developments at national level relating to justice systems, anti-corruption framework, media pluralism, and other institutional issues related to checks and balances (i.e. the four pillars of the Report).

Those contributions once again proved to be a very helpful source of information for the Commission's work especially to identify and assess recent developments related to the national legal and institutional framework and its application in practice. In this context, the Report reflects the information provided by stakeholders where relevant and contributions are cited in the country chapters as appropriate, in line with the Report's methodology.

Apart from the targeted stakeholder consultation, the Commission has consulted with stakeholders during the country visits to each of the 27 Member States and four enlargement countries. Some of the stakeholders that contributed to the targeted stakeholder contribution

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<sup>1</sup> For the purposes of determining the number of stakeholders that contributed, stakeholders that did not include any information in the targeted consultation were not taken into account. Each separate stakeholder was counted only once regardless of the number of contributions they sent.

were also consulted as part of the virtual country visits, which made further discussions on their written contributions possible<sup>2</sup>.

The contributions by stakeholders are summarised below and listed in the Annex<sup>3</sup>. Concrete references to individual contributions below are made based on the consent of the stakeholders<sup>4</sup>.

## **Horizontal developments**

Several stakeholders provided information on horizontal developments and general trends related to the rule of law. These contributions were mainly received from European networks, EU agencies and other international organisations and civil society umbrella organisations, including from the Fundamental Rights Agency, the Council of Europe, the UN Human Rights Regional Office for Europe, the European Network of Councils for the Judiciary, the Council of Bars and Law Societies of Europe, the European Broadcasting Union, the European Federation of Journalists, the European Network of National Human Rights Institutions, the European Implementation Network, Civil Liberties Union for Europe and Civil Society Europe. The contributions elaborate on positive and negative general horizontal developments or trends, pertaining to the rule of law across the EU Member States as well as in some cases bringing country-specific information covering all 27 Member States, as well as covering certain developments in enlargement countries. In particular, these contributions cover the four pillars of the 2024 Rule of Law Report mentioned above: the justice system, the anti-corruption framework, media pluralism and media freedom and other institutional issues related to checks and balances.

As regards the justice system, stakeholders note efforts to increase the quality and efficiency of the justice system. Nonetheless, they also point to the necessity for the justice system to have access to sufficient resources in order to function appropriately. They put special emphasis on the link between lengthy procedures and a lack of resources. Undue political influence in the appointment and promotion of judges and prosecutors are also mentioned as potential challenges to the independence of the judiciary. Stakeholders underline the importance of consulting Councils for the Judiciary about changes regarding the judiciary. They note positive developments with regards to digitalisation.

As regards the anti-corruption framework, several stakeholders indicate that laws to ensure integrity and prevent conflicts of interest continue to be insufficient in many Member States. Stakeholders also deplore insufficient regulation on lobbying. Though the investigation and prosecution of many important corruption cases is underlined, stakeholders report that anti-corruption authorities still face difficulties in many Member States, especially in investigating and prosecuting high-level corruption. Some improvement is noted, however, in the field of transparency.

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<sup>2</sup> Information on organisations consulted during the virtual country visits can be found in Annex II of each Country Chapter.

<sup>3</sup> The contributions received, as well as the summary of the contributions, represent opinions of the stakeholders and cannot be regarded as the official position of the European Commission and its services and are therefore not binding.

<sup>4</sup> Participants to the consultation could choose to have their contribution published either with their personal details included, or published in an anonymized version, or not to have their contribution published at all.

As regards media freedom and media pluralism, stakeholders voice increasing concerns about freedom of expression, protection of the right to information and protection of journalists. Particularly, the contributions report on attempts of political and economic pressure and control over media operators as well as safety concerns for journalists. Furthermore, stakeholders mention arbitrary accreditation practices and ongoing challenges related to the independence of the media and the transparency of media funding and ownership as well as the ongoing use of Strategic Lawsuits Against Public Participation (SLAPPs) whereby hope is partially set on the implementation of the EU Anti-SLAPP package.

As regards other institutional issues related to checks and balances, stakeholders highlight that the lack of a formal framework for the consultation of stakeholders or their insufficient application in practice in the legislative process remains problematic in a number of Member States and report ongoing challenges for civil society organisations, e.g. with regards to administrative procedures or funding. Other Member States, as stakeholders acknowledge, have continued to improve the quality of the legislative process following the trend already noted in the previous Rule of Law Reports. Stakeholders further voice concern about the non-implementation of judgments of domestic and supranational courts. Also, stakeholders are voicing their concerns about the state of the freedom of assembly. As positive developments, contributions highlight that in many Member States there is a growing public awareness of the rule of law and its importance for society.

#### **Annex: list of contributors \***

\* When filing out the targeted stakeholder consultation, stakeholders could choose between public or anonymous contributions as well as having the option to not have their contribution published. Those that chose the option to remain anonymous or not have their contributions published are not included in this list.

- ActiveWatch
- aditus foundation
- AEAJ
- Alliance for Insurance Reform
- Amnesty International Belgium-Flanders
- Amnesty International Hungary
- Amnesty International Italy
- APADOR-CH
- Asociación de Fiscales
- Asociación Impulso Ciudadano
- Asociación Judicial Francisco de Vitoria
- Asociación Profesional de la Magistratura
- Asociación profesional de la magistrature
- Asociația Centrală pentru Legislație Nonprofit (Center for Not-for-Profit Law in Romania)

- Asociația Oscar Filiala Bistrița Năsăud
- Association Center for Public Innovation
- Association HazteOir.org
- Association of Judges of Slovakia
- Austrian Federal Economic Chamber Hungary
- Austrian Ombudsman Board
- Austrian Supreme Court Justice
- Aω Research & Consulting
- Balticada Investigations Studio
- Barreau de Paris
- Border Violence Monitoring Network Bulgaria
- Border Violence Monitoring Network Greece
- Border Violence Monitoring Network Romania
- Bulgarian Institute for Legal Initiatives Foundation (BILI)
- Bundesrechtsanwaltskammer
- Center for peace, non-violence and human rights
- Center for the Study of Democracy
- Centre for Democracy and Law Miko Tripalo
- Centre for Legal Resources (CLR)
- Centre for Peace Studies
- Citizens Network Watchdog
- Civil Liberties Union for Europe
- Civil Society Europe
- Colegio Nacional de Letrados de la Administración de Justicia
- Comité luxembourgeois pour l'UNICEF A.S.BL. (UNICEF Luxembourg)
- Committee to Protect Journalists Bulgaria
- Committee to Protect Journalists France
- Committee to Protect Journalists Germany
- Committee to Protect Journalists Greece
- Committee to Protect Journalists Hungary
- Committee to Protect Journalists Italy
- Committee to Protect Journalists Latvia
- Committee to Protect Journalists Malta
- Committee to Protect Journalists Netherlands
- Committee to Protect Journalists Poland
- Committee to Protect Journalists Romania
- Committee to Protect Journalists Slovak Republic
- Conférence des Bâtonniers
- Conseil National des Barreaux
- Consejo General de la Abogacía Española
- Consejo General del Poder Judicial (Spanish Counsel for the Judiciary)
- Consiglio Superiore della Magistratura
- Constitutional Court Latvia
- Constitutional Court of the Czech Republic

- Constitutional Court of the Republic of Latvia
- Council of Bars Law Societies of Europe
- Council of Europe
- Croatian Journalist Association
- Croatian Platform for International Citizen Solidarity-CROSOL
- Danish Bar and Law Society
- Democracy Reporting International
- Deutscher Anwaltsverein
- Deutscher Richterbund
- DKolektiv
- Dutch Supreme Court
- EBU Operating Eurovision and Euroradio
- ENNHRI
- Eötvös Károly Institute
- EPAC/EACN
- Esquerra Republicana de Catalunya
- European Association of Judges
- European Civic Forum
- European Implementation Network
- European Movement International (EMI)
- European Network of Councils for the Judiciary (ENCJ)
- European Partnership for Democracy
- European Union Agency for Fundamental Rights (FRA)
- Expert Forum Association
- Federation of Western Thrace Turks in Europe (ABTTF)
- Finnish Human Rights Centre
- FIRM-IFDH
- Foreign Press Association
- Foreign Press Association (Greece)
- Foro Judicial Independiente
- Free Press Unlimited Greece
- Free Press Unlimited Netherlands
- Front Line Defenders
- Fundación Save the Children
- Fundatia pentru Dezvoltarea Societatii Civile (Civil Society Development Foundation)
- Funky Citizens
- General Prosecutor's Office Spain
- Generalitat de Catalunya
- Glopolis
- GONG
- Greek Council for Refugees (GCR)
- Green Action
- Háttér Society
- Hay Derecho Foundation

- Hellenic League for Human Rights,
- Helsinki Foundation for Human Rights Poland
- HIAS Greece
- High Court of Cassation Italy
- Hrvatsko novinarsko društvo | Croatian Journalists' Association
- Human Rights House Zagreb
- Human Rights Watch France
- Human Rights Watch France
- Human Rights Watch Germany
- Human Rights Watch Greece
- Human Rights Watch Greece
- Human Rights Watch Hungary
- Human Rights Watch Italy
- Human Rights Watch Poland
- Human Rights Watch Spain
- Hungarian Association of Judges (MABIE)
- Hungarian Civil Liberties Union
- Hungarian Civil Liberties Union
- Hungarian Helsinki Committee
- IMME
- Institute for Market Economics
- Institute of Public Affairs
- International Press Institute Czech Republic
- International Press Institute Greece
- International Press Institute Hungary
- ISME Irish SME Association
- Juezas y Jueces para la democracia
- K-Monitor
- La Società della Ragione NGO
- Libera. Associazioni, nomi e numeri contro le mafie
- MEDEL (Magistrats Européens pour la Démocratie et les Libertés) Belgium
- MEDEL (Magistrats Européens pour la Démocratie et les Libertés) France
- MEDEL (Magistrats Européens pour la Démocratie et les Libertés) Italy
- MEDEL (Magistrats Européens pour la Démocratie et les Libertés) Italy
- MEDEL (Magistrats Européens pour la Démocratie et les Libertés) Romania
- MEDEL (Magistrats Européens pour la Démocratie et les Libertés) Spain
- MEDEL (Magistrats Européens pour la Démocratie et les Libertés) Poland
- MEDEL (Magistrats Européens pour la Démocratie et Libertés) Hungary
- MEDEL (Magistrats Européens pour la Démocratie et Libertés) Portugal
- Meijers Committee
- Mertek Media Monitor
- National Federation of Polish NGOs
- Nederlands Juristen Comité voor de Mensenrechten
- Netherlands Bar

- Netherlands Helsinki Committee
- Network of the Presidents of the Supreme Judicial Courts of the European Union
- NGO Support Centre
- Nyt Europa
- OECD
- Office of the Ombudsman Malta
- Ökotárs – Hungarian Environmental Partnership Foundation
- Ombudsperson's Office Latvia
- Ordre des Barreaux Francophones et Germanophone de Belgique
- OSCE Parliamentary Assembly Cyprus
- Osservatorio Balcani Caucaso Transeuropa (OBCT) / Centro per la Cooperazione Internazionale (CCI)
- Oxygen for Democracy
- Parliamentary Ombudsman Finland
- Pavithra World
- Permanent Electoral Authority Romania
- PIC Legal Center for the Protection of Human Rights and the Environment
- PICUM
- Plataforma Civica por la Independencia Judicial
- Political Capital
- Protovoulia Pothen Esches
- Public Defender of Rights of Slovakia
- Rainbow Families Croatia
- Reconstruction of the State and the Network for the Protection of Democracy
- Refugee Support Aegean (RSA)
- Reporters United
- Reporters Without Borders Bulgaria
- Reporters Without Borders France
- Reporters Without Borders Germany
- Reporters Without Borders Greece
- Reporters Without Borders Greece
- Reporters Without Borders Hungary
- Reporters Without Borders Malta
- Reporters Without Borders Poland
- Reporters Without Borders Slovak Republic
- Republika
- Res Iudicata Judges for Social Awareness Association
- Saeima (Parliament)
- Slovak Bar Association
- Societat Civil Catalana
- State Chancellery Latvia
- Stefan Batory Foundation
- Suomen Asianajaliitto - The Finnish Bar Association
- Superior Council of Magistracy Romania

- Supreme Cour of Spain
- Supreme Court of Estonia
- Supreme Court of Ireland
- Supreme Court of Slovenia
- Supreme Court of the kingdom of Spain
- Syndicat de la juridiction administrative
- The Austrian Federal Economic Chamber
- The Bar of Ireland
- The Curia of Hungary (A Kúria Nemzetközi Főosztálya)
- The Daphne Caruana Galizia Foundation
- The Good Lobby
- The Irish Environmental Network, IEN
- The Office of The Chancellor of Justice
- Transparency International España
- Transparency International Hungary
- Transparency International Ireland
- Transparency International Netherlands
- Udruga RODA
- UN Human Rights Regional Office for Europe (OHCHR)
- Union of Journalists in Finland
- Unión Progresista de Fiscales
- Vereinigung der österreichischen Richterinnen und Richter
- Vouliwatch
- Vrhovni sud Republike Hrvatske / Supreme Court of the Republic of Croatia
- Youth Initiative for Human Rights – Croatia
- Zagreb Pride
- Zweites Deutsches Fernsehen