



# PRESS RELEASE: With the rule of law in decline, the Commission's reporting is not fit for purpose

For immediate release

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The European Commission's Rule of Law monitoring process is **not fit for purpose**, according to a leading European NGO, as the body publishes its annual report in the issue.

In a [statement](#) published today assessing the reporting process over the last five years the European Civic Forum (ECF) argues that it is **far too limited in scope** and **overlooks crucial elements**, such as the link between the rule of law, equality and cohesion inside societies, and the respect of human rights and civic freedoms. Furthermore, the process is hampered by the lack of an early-warning mechanism to address emerging threats at an early stage.

Moreover, the ECF is deeply concerned about the way the Commission has approached this year's report, including weak recommendations on civic space, **glaring omissions** of rule of law violations, and increasing concerns about the politicisation of the whole process.

## Rule of law in decline, despite 5 years of Commission reporting

While the Commission has struck a [positive tone](#) about the success of the process, this year's report outlines widespread violations of the rule of law in the EU. This confirms many of the findings in the ECF's [Civic Space Report 2024](#), released earlier this year and submitted as part of the Commission's Rule of Law consultation.

However, the Commission's report **barely scratches the surface of the problem**, overlooking crucial elements including the respect for human rights and civic freedoms.

In its statement, the ECF recommends that Commission expands the scope of the process, as hinted at in the recent political guidelines for the next Commission, to cover all areas relevant to the rule of law. In addition, the statement outlines the need for an **early warning mechanism**, to respond to emerging threats in real time, and not simply as part of an annual cycle.

## Glaring omissions add to questions about politicisation, while recommendations remain toothless

This year's report also makes several glaring omissions. In one notable example, while the report acknowledges some restriction on the right to protest, it makes no direct mention of the [unprecedented number of restrictions](#) on freedom of assembly, association and expression of solidarity with Palestinian people and calling for ceasefire in relation to the escalating violence in Israel and Palestine. This has been well-documented by the ECF and by [Amnesty International](#), among others. In several country chapters, it downplays the concerns expressed about police violence.

In another example, the report makes only a brief mention of France's controversial [Separatism Law](#) and makes no recommendation on the matter, despite ECF and our member LDH repeatedly raising our concerns with the Commission. Even more worrying, it makes no mention of the French government's disregard for its responsibilities in respecting the rule of law during the discussion of the migration law in Parliament. In the case of Poland, it fails to cover worrying developments at the Poland-Belarus border, despite concerns from civil society.

These glaring omissions are hard to ignore and raise serious questions about the process, particularly after reports in the media that the report publication was [delayed](#) by the Commission leadership for political purposes.

Furthermore, the Commission's recommendations remain weak and insufficient to address the problems at hand in the area of civic space. The report found that "significant progress or full implementation" was only made on 20% of the previous year's recommendations.

Commenting on the reporting process, ECF Vice President Jan Robert Suesser said:

*"Since the inception of the Rule of Law Report, the ECF has emphasised that ensuring the respect of the rule of law goes hand in hand with building inclusive societies. The **rule of law is stronger in countries that pursue cohesive and inclusive policies** and weaker in societies characterised by extensive inequalities, precarity and fragmentation.*

*"By limiting the purpose of the Rule of Law cycle to the sound functioning of the internal market, the Commission is following a misguided approach which is insufficient for having a real, sustainable impact."*

Commenting on the report publication, ECF Senior Policy and Advocacy Officer Aarti Narsee said:

*"Our monitoring has repeatedly show that the rule of law, civic space and democracy are under threat. However, this Commission's report drastically understates the problem. The omissions in this year's report raise serious questions about the process.*



*"If the Commission is serious about protecting the rule of law, it needs to expand the scope of the report, develop an early warning mechanism, and ensure that the report is immune from political influence. Civil society is ready to work with the Commission to achieve this."*

**\*\*\*ENDS\*\*\***

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## **About the European Civic Forum**

European Civic Forum is a network of more than 100 civil society organisations across 30 European countries. We work to protect civic space, enable civic participation and build civil dialogue for more equality, solidarity and democracy in Europe.

