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DRAFT REPORT

The Commission's 2024 Rule of Law report
(2024/2078(INI))

Committee on Civil Liberties, Justice and Home Affairs

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CONTENTS

Page

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION.....3

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the Commission's 2024 Rule of Law report (2024/2078(INI))

The European Parliament,

- having regard to the Treaty on European Union (TEU), in particular Articles 2, 3(1), 3(3), second subparagraph, 4(3), 5, 6, 7, 11, 19 and 49 thereof,
- having regard to the Treaty on the Functioning of the European Union (TFEU), in particular to the articles thereof relating to respect for and the protection and promotion of democracy, the rule of law and fundamental rights in the Union, including Articles 70, 258, 259, 260, 263, 265 and 267,
- having regard to the Charter of Fundamental Rights of the European Union (the Charter),
- having regard to the case-law of the Court of Justice of the European Union (CJEU),
- having regard to the Commission communication of 24 July 2024 entitled ‘2024 Rule of Law Report – The rule of law situation in the European Union’ ([COM\(2024\)0800](#)),
- having regard to 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 budget¹ (the Rule of Law Conditionality Regulation),
- having regard to Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy² (the Common Provisions Regulation),
- having regard to Regulation (EU) 2021/692 of the European Parliament and of the Council of 28 April 2021 establishing the Citizens, Equality, Rights and Values programme and repealing Regulation (EU) No 1381/2013 of the European Parliament and of the Council and Council Regulation (EU) No 390/2014³,
- having regard to the Universal Declaration of Human Rights,
- having regard to the UN instruments on the protection of human rights and fundamental freedoms, and the recommendations and reports of the UN Universal Periodic Review, as well as the case-law of the UN treaty bodies and the special procedures of the Human Rights Council,

¹ OJ L 433, 22.12.2020, p. 1, ELI: <http://data.europa.eu/eli/reg/2020/2092/oj>.

² OJ L 231, 30.6.2021, p. 159, ELI: <http://data.europa.eu/eli/reg/2021/1060/oj>.

³ OJ L 156, 5.5.2021, p. 1., ELI: <http://data.europa.eu/eli/reg/2021/692/oj>.

- having regard to the European Convention on Human Rights, the European Social Charter, the case-law of the European Court of Human Rights and the European Committee of Social Rights, and the conventions, recommendations, resolutions, opinions and reports of the Parliamentary Assembly, the Committee of Ministers, the Commissioner for Human Rights, the European Commission against Racism and Intolerance, the Steering Committee on Anti-Discrimination, Diversity and Inclusion, the Venice Commission and other bodies of the Council of Europe,
- having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence,
- having regard to the memorandum of understanding between the Council of Europe and the European Union of 23 May 2007 and the Council conclusions of 30 January 2023 on EU priorities for cooperation with the Council of Europe 2023-2024,
- having regard to the Commission’s reasoned proposal of 20 December 2017 for a Council decision on the determination of a clear risk of a serious breach by the Republic of Poland of the rule of law ([COM\(2017\)0835](#)), issued in accordance with Article 7(1) TEU,
- having regard to its resolution of 25 October 2016 with recommendations to the Commission on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights⁴,
- having regard to its resolution of 1 March 2018 on the Commission’s decision to activate Article 7(1) TEU as regards the situation in Poland⁵,
- having regard to its resolution of 19 April 2018 on the need to establish a European Values Instrument to support civil society organisations which promote fundamental values within the European Union at local and national level⁶,
- having regard to its resolution of 12 September 2018 on a proposal calling on the Council to determine, pursuant to Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded⁷,
- having regard to its resolution of 13 November 2018 on minimum standards for minorities in the EU⁸,
- having regard to its resolution of 14 November 2018 on the need for a comprehensive EU mechanism for the protection of democracy, the rule of law and fundamental rights⁹,

⁴ [OJ C 215, 19.6.2018, p. 162.](#)

⁵ [OJ C 129, 5.4.2019, p. 13.](#)

⁶ [OJ C 390, 18.11.2019, p. 117.](#)

⁷ [OJ C 433, 23.12.2019, p. 66.](#)

⁸ [OJ C 363, 28.10.2020, p. 13.](#)

⁹ [OJ C 363, 28.10.2020, p. 45.](#)

- having regard to its resolution of 7 October 2020 on the establishment of an EU Mechanism on Democracy, the Rule of Law and Fundamental Rights¹⁰,
- having regard to its resolution of 13 November 2020 on the impact of COVID-19 measures on democracy, the rule of law and fundamental rights¹¹,
- having regard to its resolution of 17 December 2020 on the European Citizens’ Initiative ‘Minority SafePack – one million signatures for diversity in Europe’¹²,
- having regard to its resolution of 10 June 2021 on the rule of law situation in the European Union and the application of the Conditionality Regulation (EU, Euratom) 2020/2092¹³,
- having regard to its resolution of 24 June 2021 on the Commission’s 2020 Rule of Law Report¹⁴,
- having regard to its resolution of 8 July 2021 on the creation of guidelines for the application of the general regime of conditionality for the protection of the Union budget¹⁵,
- having regard to its resolution of 16 September 2021 with recommendations to the Commission on identifying gender-based violence as a new area of crime listed in Article 83(1) TFEU¹⁶,
- having regard to its resolution of 11 November 2021 on strengthening democracy and media freedom and pluralism in the EU: the undue use of actions under civil and criminal law to silence journalists, NGOs and civil society¹⁷,
- having regard to its resolution of 15 December 2021 on the evaluation of preventive measures for avoiding corruption, irregular spending and misuse of EU and national funds in case of emergency funds and crisis-related spending areas¹⁸,
- having regard to its resolution of 8 March 2022 on the shrinking space for civil society in Europe¹⁹,
- having regard to its resolution of 10 March 2022 on the rule of law and the consequences of the ECJ ruling²⁰,

¹⁰ [OJ C 395, 29.9.2021, p. 2.](#)

¹¹ [OJ C 415, 13.10.2021, p. 36.](#)

¹² [OJ C 445, 29.10.2021, p. 70.](#)

¹³ [OJ C 67, 8.2.2022, p. 86.](#)

¹⁴ [OJ C 81, 18.2.2022, p. 27.](#)

¹⁵ [OJ C 99, 1.3.2022, p. 146.](#)

¹⁶ [OJ C 117, 11.3.2022, p. 88.](#)

¹⁷ [OJ C 205, 20.5.2022, p. 2.](#)

¹⁸ [OJ C 251, 30.6.2022, p. 48.](#)

¹⁹ [OJ C 347, 9.9.2022, p. 2.](#)

²⁰ [OJ C 347, 9.9.2022, p. 168.](#)

- having regard to its resolution of 19 May 2022 on the Commission’s 2021 Rule of Law Report²¹,
- having regard to its resolution of 9 June 2022 on the rule of law and the potential approval of the Polish national recovery plan (RRF)²²,
- having regard to its resolution of 15 September 2022 on the situation of fundamental rights in the European Union in 2020 and 2021²³,
- having regard to its resolution of 20 October 2022 on the rule of law in Malta, five years after the assassination of Daphne Caruana Galizia²⁴,
- having regard to its resolution of 20 October 2022 on growing hate crimes against LGBTIQ+ people across Europe in light of the recent homophobic murder in Slovakia²⁵,
- having regard to its resolution of 10 November 2022 on racial justice, non-discrimination and anti-racism in the EU²⁶,
- having regard to its resolution of 24 November 2022 on the assessment of Hungary’s compliance with the rule of law conditions under the Conditionality Regulation and state of play of the Hungarian RRP²⁷,
- having regard to its resolution of 30 March 2023 on the 2022 Rule of Law Report – the rule of law situation in the European Union²⁸,
- having regard to its resolution of 28 February 2024 ‘Report on the Commission’s 2023 Rule of Law report’²⁹,
- having regard to its resolution of 1 June 2023 on the breaches of the Rule of Law and fundamental rights in Hungary and frozen EU funds³⁰,
- having regard to its recommendation of 15 June 2023 to the Council and the Commission following the investigation of alleged contraventions and maladministration in the application of Union law in relation to the use of Pegasus and equivalent surveillance spyware³¹,
- having regard to its resolution of 11 July 2023 on the electoral law, the investigative committee and the rule of law in Poland³²,

²¹ [OJ C 479, 16.12.2022, p. 18.](#)

²² [OJ C 493, 27.12.2022, p. 108.](#)

²³ [OJ C 125, 5.4.2023, p. 80.](#)

²⁴ [OJ C 149, 28.4.2023, p. 15.](#)

²⁵ [OJ C 149, 28.4.2023, p. 22.](#)

²⁶ [OJ C 161, 5.5.2023, p. 10.](#)

²⁷ [OJ C 167, 11.5.2023, p. 74.](#)

²⁸ [OJ C 341, 27.9.2023, p. 2.](#)

²⁹ OJ C, C/2024/6743, 26.11.2024, ELI: <http://data.europa.eu/eli/C/2024/6743/oj>.

³⁰ OJ C, C/2023/1223, 21.12.2023, ELI: <http://data.europa.eu/eli/C/2023/1223/oj>.

³¹ OJ C, C/2024/494, 23.1.2024, ELI: <http://data.europa.eu/eli/C/2024/494/oj>.

³² OJ C, C/2024/3995, 17.7.2024, ELI: <http://data.europa.eu/eli/C/2024/3995/oj>.

- having regard to its resolution of 19 October 2023 on the rule of law in Malta: six years after the assassination of Daphne Caruana Galizia, and the need to protect journalists³³,
 - having regard to its resolution of 18 January 2024 on the situation of fundamental rights in the European Union – annual report 2022 and 2023³⁴,
 - having regard to Resolution 2262 (2019) of 24 January 2019 of the Parliamentary Assembly of the Council of Europe on promoting the rights of persons belonging to national minorities,
 - having regard to the recommendations and reports of the Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities, the Representative on Freedom of the Media and other bodies of the Organization for Security and Co-operation in Europe (OSCE), to the cooperation between the EU and the OSCE on democratisation, institution-building and human rights and to the annual OSCE hate crime report, in which participating states have committed themselves to passing legislation that provides for penalties that take into account the gravity of hate crime, to taking action to address under-reporting and to introducing or further developing capacity-building activities for law enforcement, prosecution and judicial officials to prevent, investigate and prosecute hate crimes,
 - having regard to its PEGA Inquiry Committee report and to its recommendation of 15 June 2023 to the Council and the Commission following the investigation of alleged contraventions and maladministration in the application of Union law in relation to the use of Pegasus and equivalent surveillance spyware³⁵,
 - having regard to the feedback reports, mission reports, written questions and answers of its Democracy, Rule of Law and Fundamental Rights Monitoring Group (DRFMG)³⁶,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the opinion of the Committee on Legal Affairs,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A10-0000/2025),
- A. whereas the Union is founded on the common values enshrined in Article 2 TEU of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities – values that are common to the EU Member States;

Justice and corruption

1. Underlines that fair and accessible justice is a basic rule of law (RoL) principle that requires an independent judiciary; reiterates that access to justice is essential for citizens to exercise rights, challenge discrimination and hold decision makers accountable;

³³ OJ C, C/2024/2656, 29.4.2024, ELI: <http://data.europa.eu/eli/C/2024/2656/oj>.

³⁴ OJ C, C/2024/5739, 17.10.2024, ELI: <http://data.europa.eu/eli/C/2024/5739/oj>.

³⁵ OJ C, C/2024/494, 23.1.2024, ELI: <http://data.europa.eu/eli/C/2024/494/oj>.

³⁶ [For all DRFMG monitoring activities, see: https://www.europarl.europa.eu/committees/en/libe-democracy-rule-of-law-and-fundament/product-details/20190103CDT02662.](https://www.europarl.europa.eu/committees/en/libe-democracy-rule-of-law-and-fundament/product-details/20190103CDT02662)

2. Notes that the Commission has found structural challenges to improving the efficiency of the judiciary of some Member States³⁷; stresses the need for transparent and merit-based appointments for high-level judicial positions, without political interference;
3. Calls on the Member States to implement pending judgments promptly and urges the Commission to assess the consequences for compliance with EU law and to launch infringement procedures if needed;
4. Welcomes the revision of the Victims' Rights Directive³⁸ to close legal gaps, ensuring that victims can access justice and receive support;
5. Reiterates its call on the Commission to swiftly conclude negotiations on the EU's membership of the Council of Europe's Group of States against Corruption (GRECO) and demands that the annual RoL report cover EU institutions;
6. Notes the trend of some Member States delaying or not implementing CJEU judgments and calls for the implementation of these judgments to be prioritised;
7. Calls on the Member States to enhance transparency and accountability in public institutions by strengthening anti-corruption frameworks, ensuring the establishment of independent oversight bodies, fostering protection for whistle-blowers, improving integrity frameworks and lobbying for legislation; regrets the lack of relevant progress made in tackling high-level corruption in some Member States;

Media pluralism and freedom

8. Welcomes initiatives such as the European Media Freedom Act (EMFA)³⁹ and calls for its swift implementation; calls on the Member States to improve transparency in the allocation of state advertising; calls on the Commission to provide the Member States with the necessary assistance for transposing the EMFA;
9. Calls on the Member States to fully implement the Anti-SLAPP (strategic lawsuits against public participation) Directive⁴⁰ and Commission Recommendation (EU) 2022/758 of 27 April 2022 on protecting journalists and human rights defenders who engage in public participation from manifestly unfounded or abusive court proceedings ('Strategic lawsuits against public participation')⁴¹, and to adopt comprehensive domestic anti-SLAPP measures to protect journalists and provide support for those facing risks;

³⁷ [Commission communication of 24 July 2024 entitled '2024 Rule of Law Report' \(COM\(2024\)0800\), Annex with recommendations, pp. 1, 9, 11, 19 and 24.](#)

³⁸ [Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA \(OJ L 315, 14.11.2012, p. 57, ELI: <http://data.europa.eu/eli/dir/2012/29/oj>\).](#)

³⁹ [Regulation \(EU\) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU \(European Media Freedom Act\) \(OJ L, 2024/1083, 17.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1083/oj>\).](#)

⁴⁰ [Directive \(EU\) 2024/1069 of the European Parliament and of the Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings \('Strategic lawsuits against public participation'\) \(OJ L, 2024/1069, 16.4.2024, ELI: <http://data.europa.eu/eli/dir/2024/1069/oj>\).](#)

⁴¹ [OJ L 138, 17.5.2022, p. 30., ELI: <http://data.europa.eu/eli/reco/2022/758/oj>.](#)

10. Urges the Member States to protect media freedom and pluralism, prevent the concentration of media ownership and combat disinformation, particularly through robust laws and independent regulators; underlines the democratic importance of independent, stable public broadcasting and the need to ensure the funding of public service media;
11. Strongly condemns state control and political interference in media operations and calls for greater efforts to ensure the safety and protection of journalists;

Civil society organisations

12. Agrees with the Commission's assessment that civil society organisations (CSOs) and human rights defenders (HRDs) are essential for the balance of power;
13. Is concerned by the growing trend of CSOs and HRDs facing further legal restrictions, a lack of funding, and attacks; calls for an enabling and supportive framework for civil society and reiterates the importance of adopting the Anti-SLAPP Directive and Commission Recommendation (EU) 2022/758 to protect CSOs; considers that the Commission and the Member States should expand funding for CSOs;

Equality and non-discrimination before the law

14. Recalls that Member States' legal frameworks must enshrine equal legal treatment and promote equality and the right of individuals not to be discriminated against in judicial proceedings; calls on the Commission to act in cases of non-compliance with these principles; recognises that free movement of persons within the EU should not be hindered by discriminatory practices;
15. Calls on the Commission and the Member States to extend the EU's legal basis in this area and put forward a proposal on hate crime and speech; calls on the Council to adopt Directive 2008/140⁴²;
16. Calls for the legal protection of women, for gender-based violence to be added as a crime under EU law, for an EU proposal on consent-based rape laws and for access to safe, legal abortion to be enshrined in the Charter;
17. Underlines that all citizens, regardless of their nationality, place of birth or regularity of arrival in the Member States, must be equal before the law and encourages the Commission and the Member States to further tackle nationality-based discrimination; calls on the Commission to ensure that the Member States respect the RoL in their national plans when implementing the Pact on Migration and Asylum;
18. Calls for continued action to be taken against discrimination and crimes targeting minority groups and national, ethnic, linguistic and religious minorities; urges the Commission to add a pillar to the annual RoL report on strengthening the fight against all forms of discrimination;

⁴² [Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation \(COM\(2008\)0426\)](#).

Single market and the RoL

19. Highlights the importance of the RoL in ensuring the functioning of the single market and reaffirms that judicial systems, effective anti-corruption frameworks and the protection of media freedom are crucial for fair competition, legal certainty and trust among economic operators⁴³;

RoL tools and the economic dimension

20. Calls on the Commission to further develop a direct link between preventive and reactive instruments and to launch infringement procedures through the application of Article 7 TEU, the general conditionality mechanism and horizontal enabling conditions in the Charter;
21. Underlines the need for a comprehensive conditionality mechanism ensuring compliance with the RoL across EU law, beyond its budgetary dimension; urges the Commission to present a proposal broadening the scope of this mechanism;
22. Calls for an introduction to smart conditionality that would allow EU funds to bypass national governments undermining the RoL and be distributed directly to municipalities, non-governmental organisations and other actors that uphold EU values;

Checks and balances

23. Calls on the Member States to refrain from excessively using accelerated procedures, as these negatively impact the quality of lawmaking and democracy; calls on the Member States to set up transparent lawmaking processes following the systematic consultation of various stakeholders;
24. Calls on the Member States to strengthen the independence of national oversight bodies in order to ensure resources and freedom from political interference; stresses the importance of civil society and HRDs in promoting accountability and protecting fundamental rights; deplors restrictions on civil society activity;
25. Is concerned about foreign interference in the Member States, including social media manipulation and disinformation; notes the unacceptable initiatives of Elon Musk to use social media platforms to manipulate public opinion in various Member States; calls on the Commission and the Member States to monitor this and to apply the Digital Services Act⁴⁴ and the Digital Markets Act⁴⁵, including in response to Meta's recent decision on fact-checking mechanisms;

Recommendations

⁴³ [Commission communication of 24 July 2024 entitled '2024 Rule of Law Report', \(COM\(2024\)0800\), p. 5.](#)

⁴⁴ [Regulation \(EU\) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC \(Digital Services Act\) \(OJ L 277, 27.10.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2065/oj>\).](#)

⁴⁵ [Regulation \(EU\) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives \(EU\) 2019/1937 and \(EU\) 2020/1828 \(Digital Markets Act\) \(OJ L 265, 12.10.2022, p. 1, ELI: <https://data.europa.eu/eli/reg/2022/1925/oj>\).](#)

26. Encourages the Commission to use clearer language to evaluate compliance with the values enshrined in Article 2 TEU; calls for a greater focus on implementing country-specific recommendations, with follow-up mechanisms and measurable benchmarks; proposes a comprehensive RoL monitoring mechanism involving all EU institutions, Member States and candidate countries in order to foster uniformity; suggests creating a permanent group to monitor RoL violations by Member States;
27. Stresses the importance of independent judicial systems and access to free legal aid for ensuring equal access to justice; reiterates that adequate resources, including infrastructure and personnel, are crucial for improving justice systems;
28. Calls on the Commission to conclude negotiations on the EU's membership of GRECO as a milestone in fighting corruption;
29. Calls on the Member States to ensure media freedom, independence and pluralism and to fight disinformation; urges swift implementation of the EMFA;
30. Highlights the role of civil society and independent oversight bodies in monitoring and supporting the implementation of the RoL Report's recommendations; calls for a structured civil dialogue framework to integrate civil society contributions into the annual RoL cycle, as recommended by the European Economic and Social Committee (EESC)⁴⁶ and civil society networks⁴⁷; reiterates the importance of broad consultation when drafting the report;
31. Stresses that peaceful assembly and freedom of association and expression are fundamental rights protected by international law and are essential for democracy and government accountability; condemns the increased pressure on these rights and notes the trend of restricting them; calls on the Member States to thoroughly investigate the excessive use of force and discriminatory treatment by law enforcement agencies;
32. Considers that the Commission and the Member States should improve funding mechanisms for CSOs and initiatives that strengthen the judiciary and uphold court independence; recommends that the Commission draft a strategy for protecting civil society and HRDs;
33. Urges the Commission to introduce a new pillar in the annual RoL report focusing on combating all forms of discrimination;
34. Reiterates its call on the Commission to further integrate reactive tools into the RoL report, such as the Article 7 TEU procedures, the general conditionality mechanism and infringement procedures⁴⁸;
35. Stresses the importance of embedding RoL milestones in funding instruments such as the RRF; deplores the release of EU funds to Hungary despite deficiencies in that

⁴⁶ [EESC opinion of 14 February 2024 entitled 'Strengthening civil dialogue and participatory democracy in the EU: a path forward'](#).

⁴⁷ [Civil Society Europe, 'Joint Civil Society Contribution on Civic Space to the 2024 Annual Rule of Law Report', June 2024.](#)

⁴⁸ [Hungarian Helsinki Committee, Disregard for EU values: a snapshot of RoL issues in Hungary in light of the Article 7 procedure, 12 November 2024.](#)

country's judicial independence and anti-corruption frameworks; recommends suspending disbursements until all RoL benchmarks are met;

36. Believes that EU-level interinstitutional dialogue and cooperation on the RoL should be strengthened; calls for the establishment of a permanent interinstitutional dialogue on the RoL involving, among others, Parliament, the Council and the Commission; calls on the Council to make its RoL dialogue more inclusive by inviting other institutions, such as the Venice Commission, the Human Rights Commissioner and representatives of Parliament, to its sessions;
37. Recommends that the Commission and the Member States monitor foreign interference, particularly social media use for manipulation and malicious purposes, including its use by individuals such as Elon Musk to influence public opinion and spread disinformation in Europe; underlines that the Commission must ensure that the RoL is properly implemented within the EU institutions and calls for the inclusion of the EU institutions in its annual RoL report evaluation;
38. Welcomes the Commission's initiative to include Albania, Montenegro, North Macedonia and Serbia in its annual RoL report and encourages a close evaluation of the RoL in these accession countries;

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39. Instructs its President to forward this resolution to the Council and the Commission.