EESC FRRL Group
Annual conference
Wednesday 4 November (10:00-13:00)



SUMMARY

The seventh EESC FRRL Group's annual conference will provide a platform for debate of the annual EC rule of law report, as well as of the recent country visits carried out by the FRRL Group to North Macedonia, Poland, Bulgaria, Germany, Hungary, and Albania[1].

EESC Members, civil society representatives (including social partners), EU institutions and other stakeholders will discuss the main recent developments in the EU in the area of fundamental rights and the rule of law, as well as the EU response notably through the rule of law review mechanism.

[1] EESC Fundamental Rights and Rule of Law Group reports are available at: https://www.eesc.europa.eu/en/sections-other-bodies/other/ad-hoc-group-fundamental-rights-and-rule-law/frrl-group-country-visits-reports
North Macedonia: 10-11 March 2026; Poland: 15-16 December 2025; Bulgaria: 11-12 December 2025; Germany: 28-29 August 2025; Hungary: 23-24 June 2025; Albania: 2-3 April 2025.

Nicolaas BEL, Deputy Head of Unit, Rule of Law, European Commission Directorate-General for Justice and Consumers (JUST.C1), highlighted the EESC's important role as a partner of the Commission in engaging with civil society and fostering participatory democracy and inclusive policymaking. Presenting the 2026 Rule of Law Report, he described an overall positive while uneven trajectory across Member States and the four enlargement countries covered, with reforms progressing in the area of justice and anti-corruption while concerns remain in some countries. He noted that almost all Member States now have anti-corruption strategies and highlighted the new EU anti-corruption directive, adopted in April 2026 and to be transposed by June 2028, while pointing to remaining challenges concerning investigative capacity, lobbying, conflicts of interest and asset declarations. On media freedom, he stressed the new framework provided by the European Media Freedom Act and the continued monitoring of journalists' safety and access to information. Regarding checks and balances, he pointed to improvements in legal certainty and legislative quality but also, as regards some Member States, to excessive use of emergency legislative procedures, insufficient stakeholder involvement and restrictions affecting civil society, including funding and peaceful assembly. Mr Bel stressed that dialogue should be matched by decisive action where necessary, including infringement proceedings and budgetary instruments, and highlighted the stronger link envisaged between Rule of Law Report recommendations and EU financial support under the Commission's proposal for the future MFF. He concluded by inviting stakeholders to contribute to the consultation in preparation for the 2027 report, describing rule of law monitoring as a collective annual exercise in which civil society plays a key role.

José Antonio MORENO DÍAZ, President of the FRRL Group, stressed that since 2018 the Group has visited all EU Member States and now also candidate countries, where its engagement has a preventive purpose: identifying fundamental rights and rule of law problems before accession rather than confronting them afterwards. He emphasised the close relationship between socioeconomic pressures, democratic participation and trust, warning that democracy must deliver for people and protect social rights if it is to withstand the rise of far-right and anti-democratic forces. The FRRL Group therefore deliberately considers civil, political, economic and social rights together and examines how they are experienced in people's everyday lives. Its latest visits revealed recurring implementation gaps between adequate frameworks on paper and their practical application, alongside concerns over meaningful participation and civic space, media freedom, effective equality and different but interconnected rule of law challenges. Mr Moreno Díaz stressed in particular that human rights are universal and cannot be understood as rights only for Europeans, or only for white Europeans, pointing to discrimination affecting Roma, migrants, women, LGBTIQ people and persons with disabilities. He described the EESC as an institutional bridge able to bring evidence from grassroots organisations into European debate, while stressing that the visits provide snapshots rather than exhaustive judgements on countries. He concluded on an optimistic but vigilant note: people can only defend human rights when they know them, making awareness and timely action essential to protecting fundamental rights and the rule of law.

Kersty McCOURT, Senior Advocacy Advisor at Liberties (Civil Liberties Union for Europe), stressed the importance of systematic rule of law monitoring to identify trends and early warning signs, detect emerging challenges from a regional perspective and enable action against backsliding and the restoration of the rule of law. Drawing on Liberties' 2026 gap analysis, she highlighted a persistent divide between Commission recommendations and changes on the ground: 54% of recommendations showed no or only limited progress, 33% some progress, 9% significant progress and only 4% were fully implemented. Moreover, 96% of recommendations were repeated from previous years, with only seven new recommendations introduced in 2026, while over half of Member States had at least one recommendation showing no progress. McCourt distinguished between situations where insufficient

progress reflects a lack of political will and those involving complex problems: in the former, recommendations should trigger other elements of the EU rule of law toolbox, including legal action, conditionality and, in extreme cases, Article 7, while complex reforms require clearer steps, benchmarks and timelines. She drew particular attention to checks and balances, where Liberties' members identified the greatest decline despite this being the area in which the Commission has historically issued the fewest recommendations. Weaknesses concerning freedom of association and assembly, legislative processes and the independence of institutions can constitute early warning signs that, taken together, develop into structural problems. She concluded that rule of law monitoring must ultimately translate from identifying trends and warning signs into concrete action.

Slobodan TRENDAFILOV, President of the Federation of Trade Unions of Macedonia, argued that social dialogue in North Macedonia remains too focused on institutional procedures rather than achieving agreements and improving workers' lives. While a legal framework, an Economic and Social Council and mechanisms for social partner participation exist, their existence does not guarantee workers an effective voice. He noted that the Council had met only three or four times a year depending on the Prime Minister's availability, while labour legislation had been amended repeatedly without adequate consultation of social partners. Collective bargaining remains at a standstill in the private sector, while existing collective agreements are insufficiently respected in the public sector. Mr Trendafilov called for consultation before political decisions are taken, respect for signed collective agreements and stronger enforcement of labour legislation, including through labour inspections and clear accountability for violations of workers' rights. Social dialogue should produce measurable improvements in wages, working conditions and job security. He also called for social partners, particularly representative trade unions, to have a more formal role in rule of law and accession monitoring, providing the Commission with independent evidence based on workplace realities. The rule of law, he concluded, concerns not only whether laws are adopted, but whether they are respected and implemented.

Juliana HOXHA, Founding Director of Partners Albania for Change and Development, argued that the continuing protests in Albania reflect concerns extending well beyond their original environmental trigger, having developed into a wider mobilisation around corruption, socioeconomic conditions, accountability and the functioning of institutions. She linked these developments to the weakening of checks and balances and to an accession process increasingly perceived as taking place between the government and the Commission rather than being socially owned. While reaffirming Albania's strong European orientation, she warned that legal approximation risks becoming a tick-box exercise focused on adopting large volumes of legislation and advancing negotiations without sufficient attention to implementation, public participation or tangible benefits for citizens. The speed of legislative change leaves stakeholders insufficient opportunity to scrutinise or absorb new rules, while discrepancies between critical findings in EU reports and more positive public statements can undermine trust in EU institutions. Ms Hoxha called for fair assessments, clear messages, access to information and meaningful civil society involvement in accession reforms and EU financial instruments, stressing that powerful funding mechanisms can themselves create risks where adequate checks, scrutiny and transparency are lacking. She concluded that the Commission has particular leverage in enlargement countries and should use it to ensure that accession maintains high democratic and rule of law standards, rather than allowing backsliding already observed within the EU to be reproduced in future Member States.

Peter NADORI, Member of the Médiafórum Managing Board and Managing Director of Direkt36, described a substantially healthier media environment in Hungary following the recent political change. Before the elections, government messaging had dominated billboards and public service media, while hundreds of formerly independent outlets had come under government-adjacent control and significant public advertising expenditure was directed towards those media. Much of this system stopped immediately following the elections. At the same time, Mr Nadori stressed that independent media and a degree of pluralism had survived, with journalists continuing to investigate corruption and matters of public interest despite being portrayed as foreign or anti-Hungarian actors. He welcomed the end of government propaganda in public service media and reforms affecting media legislation and regulatory bodies, including new appointment procedures and the participation of recognised media freedom experts, while acknowledging that a parliamentary supermajority still entails risks and that the new arrangements must be judged in practice. Looking ahead, he identified the European Media Freedom Act as the principal EU instrument for strengthening media pluralism, with a new Hungarian media law expected to be designed in line with the EMFA. He also highlighted challenges related to large online platforms and the importance of the Digital Services Act and Digital Markets Act for the wider media environment.

Donika KOLEVA, Organisational Development Manager at CONCORDIA Bulgaria Foundation, highlighted the gap between formal legal equality and the everyday experience of Roma children and families exposed to poverty and social exclusion. She stressed that structural discrimination often operates subtly through the functioning of institutions and public services rather than through explicit exclusion. A service may formally exist but remain effectively inaccessible because of transport, administrative barriers, inadequate professional capacity or failure to treat beneficiaries with dignity, meaning that formally equal provisions do not necessarily produce equal outcomes. Ms Koleva also warned against institutional practices that confuse poverty or social exclusion with inadequate parental capacity, or fail to consider the barriers facing Roma children in education. A further source of discrimination is the absence of meaningful Roma participation in the design of policies and services affecting them, with consultations too often remaining formal. Institutions should therefore critically examine their procedures, standards, resource allocation and service delivery, invest in staff capacity and measure outcomes rather than simply count programmes. She supported integrating equality and non-discrimination more systematically into rule of law monitoring, using qualitative and disaggregated data to assess whether legal provisions actually improve people's lives. As an example, she referred to pregnancy examinations available to uninsured Roma women in Bulgaria but insufficiently accessed because of limited awareness and administrative reimbursement obstacles for medical practitioners.

Krzysztof IZDEBSKI, Director for Advocacy and Development at the Stefan Batory Foundation, stressed that it is much easier to dismantle the rule of law than to restore it. Poland's situation is particularly complex because of deep political polarisation and conflict between political institutions. He warned that democrats seeking to reverse previous backsliding can themselves become comfortable using methods inherited from autocratic governments, particularly when pressure exists to deliver rapid change. Good intentions should therefore not replace scrutiny of standards, rules, institutions and laws. Referring to the Constitutional Tribunal and debates around "militant democracy", he warned against approaches in which the desired democratic outcome becomes more important than the process used to achieve it. Such practices can create an image of "democratic hypocrisy", undermine institutional credibility and give future governments arguments for repeating the same methods. Restoring legality must therefore go hand in hand with restoring trust, since, as he put it, Poland risks becoming a "legal heaven" but a "hell for trust towards institutions". At EU level, Mr Izdebski called for greater

consistency, questioning decisions to restore funding and end rule of law procedures before reforms had fully materialised. He advocated stronger civil society and independent expert involvement in verifying government claims and stressed that EU action ultimately needs to be credible and effective rather than limited to formal procedures and box-ticking.

Luise BUBLITZ, Lawyer and Case Coordinator at Gesellschaft für Freiheitsrechte (GFF), presented Germany as a country where courts and institutions remain broadly resilient but where important early warning signs for civic space are emerging. She identified three particular vulnerabilities. First, legal uncertainty concerning the political engagement and tax-exempt status of civil society organisations, reinforced by narratives questioning their neutrality and legitimacy, can encourage self-censorship; she referred in particular to parliamentary scrutiny of NGOs and increased vetting of organisations seeking public funding. Second, she highlighted concerns over the increasing use of criminal-law measures in response to protests, citing responses to pro-Palestinian demonstrations and the application of Section 129 of the German Criminal Code, designed for organised crime, against climate activists. Even where courts subsequently correct restrictive measures, their initial use can create a chilling effect by making participation in protests appear risky. Third, she highlighted the use of otherwise lawful parliamentary mechanisms by the the far right to target civil society through extensive inquiries and smear campaigns. While welcoming the European Democracy Shield and Civil Society Strategy, Ms Bublitz warned against focusing predominantly on external interference when significant threats to democracy are home-grown. She called for stable long-term core funding for civil society, stronger and more binding follow-up mechanisms and an early-warning approach that not only identifies emerging risks but acts on them.

Ideas emerging from the **Q&A discussion** focused on the effectiveness, consistency and credibility of EU action to protect the rule of law. The Commission recalled that Rule of Law Report recommendations are not legally binding, while legally binding instruments such as the European Media Freedom Act provide stronger avenues for action in specific areas, and pointed to the possibility of strengthening links between rule of law recommendations and EU funding under the future MFF. Participants nevertheless stressed that monitoring and repeated recommendations must be accompanied by effective follow-up and accountability, warning that insufficient action can create frustration among civil society and undermine trust in both national and EU institutions. The discussion also highlighted the importance of systematically involving civil society and independent experts in verifying government accounts of reforms, ensuring meaningful participation in enlargement and funding processes, and looking beyond formal compliance to implementation and actual outcomes. Different perspectives were expressed on the proportionality of public-authority responses to protests in Germany, illustrating the wider challenge of protecting freedom of assembly in increasingly polarised contexts. Participants further called for existing rule of law achievements at EU level to be safeguarded, raised concerns about democratic backsliding developing faster than institutional responses, and questioned whether the EU primarily needs new instruments or more determined use of those already available. The discussion concluded with a call for stronger civil society participation, timely action on early warning signs and consistent application of rule of law standards in both Member States and candidate countries.

Karolina DRESZER-SMALEC, Member of the FRRL Group, drew three overarching messages from the conference. First, the rule of law extends beyond judicial independence and functioning institutions to people's ability to exercise rights, organise, speak freely and participate in public life, civil society and journalists' independence, and meaningful social dialogue. Second, despite national differences, common patterns include growing political polarisation, pressure on independent organisations and

media, weak social dialogue and insufficient meaningful consultation. Less visible pressures on civil society include administrative burdens, financial pressure, public attacks and challenges to organisations' legitimacy. Assessment should therefore examine laws' practical effects, not just their provisions. Third, she called for a stronger European response translating monitoring and recommendations into real change through clear follow-up and accountability. Civil society should be an equal partner, and European funding should support democratic participation, pluralism and independent civil society rather than create barriers. She concluded that protecting the rule of law is a shared responsibility of institutions, civil society, trade unions, independent media, professional associations and active citizens. Its ultimate test is whether democratic institutions work for everyone and make European values visible in everyday life.

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