



Fundamental Rights and the Rule of Law

Trends in the EU from a civil society perspective

05/11/2019 | 9:00 – 18:00 | EESC – JDE 62 | Brussels

Concept paper

1. Context

Fundamental Rights and the Rule of Law are key values of the European Union, as laid down in Article 2 of the Treaty on the European Union. To address increasing challenges all over Europe, the EU has developed over the years a toolbox which includes – among others – the [Rule of Law framework](#), [Infringement procedures](#), the [Article 7 procedure](#), some aspects of the [European Semester](#), the [EU Justice Scoreboard](#), the [Cooperation and Verification Mechanism](#), the inclusion of [fundamental rights in impact assessments](#), the proposed [Justice Programme](#) and [Rights and Values Programme](#).

In July 2019, the European Commission published a Communication entitled '[Strengthening the rule of law within the Union – A blueprint for action](#)', which details actions on the promotion, prevention, and response aspects. Concerning prevention, the Commission proposes to establish a "Rule of Law Review Cycle" to deepen its monitoring of rule of law related developments in the Member States. Concerning promotion, the Commission proposes *inter alia* to set-up "a yearly event on rule of law for dialogue with, and between, civil society organisations and policy-makers at EU level".

These developments correspond to proposals made by the EESC over the past years, notably through a number of key Opinions in the area of fundamental rights and the rule of law¹. As a sign of its increasing focus on the matter, the EESC created in 2018 a transversal Group on Fundamental Rights and the Rule of Law (FFRL), composed of 21 Members. So far, the FFRL Group has visited Romania (19-20 November 2018), Poland (3-5 December 2018), Hungary (29-30 April 2019), France (28-29 May 2019), Austria (3-4 June 2019), and it will soon visit Bulgaria (10-11 October 2019) and Italy (5-6 December 2019).

2. Objective of the conference

The conference aims to:

- present the EESC work on fundamental rights and the rule of law and build on the main findings of the EESC country visits (see below);

¹ See [SOC/536](#), [SOC/598](#), [SOC/599](#), [SOC/605](#), [SOC/627](#)

- identify key trends and create a dialogue with all relevant stakeholders some transversal questions (working groups);
- discuss avenues for solutions with key actors in the area of fundamental rights as well as the role the EESC could play as a channel for the civil society (possible creation of a stakeholder forum on fundamental rights and the rule of law).

On the occasion of this conference, the EESC publishes the interim report on the first country visits conducted in 2018 and 2019 by its Group on Fundamental Rights and the Rule of Law – which will visit all EU Member States. The objective of this process is not to single out specific countries but rather to highlight the trends on the European continent inasmuch as they develop in specific national contexts. In its work, the EESC Group on Fundamental Rights and the Rule of Law puts a focus on areas that are of particular importance to the civil society, including social partners: freedom of association, freedom of assembly, freedom of expression and freedom of the media, the right to non-discrimination, the rule of law. Through its interim report and this conference, the EESC aims to offer the basis for constructive dialogue amongst all stakeholders concerning developments that concern everyone in Europe.

3. Presentation of the day

The conference will open with high-level contributions, followed by comments from organised civil society, including social partners, on the socio-economic view on challenges to fundamental rights and the rule of law. Three key challenges will be discussed in workshops:

- Media
- Civic space
- Discriminated groups

Each workshop will tackle two key aspects:

- Identification:
Civil society organisations can monitor or be the targets of fundamental rights and rule of law backsliding, so they can play a decisive role in the prevention of further deterioration of the situation.
Key question: How can civil society organisations help identifying the issues, especially in the preventive phase?
- Inclusive solutions:
Participative democracy and the role of all civil society organisations are an essential complements of parliamentary democracy. In a system of good governance, authorities include everyone in the conception and implementation of public policies, which aim to reinforce the common good.
Key question: How can civil society organisations and the European Economic and Social Committee work with all relevant stakeholders (including the EU and national authorities) to find avenues for inclusive solution to the identified negative developments?