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Committee on Civil Liberties, Justice and Home Affairs

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DRAFT REPORT

on the Commission's Rule of Law report – annual report 2026
(2026/2144(INI))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Michał Wawrykiewicz

PR_INI

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the Commission's Rule of Law report – annual report 2026

(2026/2144(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 17 July 2026 entitled '2026 Rule of Law Report – The rule of law situation in the European Union' (COM(2026)0900), and the annex thereto containing recommendations for the Member States,

– 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 budget[1] (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 Policy[2], (the Common Provisions Regulation),

– having regard to Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union[3] (the Financial Regulation), and in particular Article 6(3) thereof,

– 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

[1] OJ L 433 I, 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, 2024/2509, 26.9.2024, ELI: http://data.europa.eu/eli/reg/2024/2509/oj.

and of the Council and Council Regulation (EU) No 390/2014[4],

– having regard to the Commission's package of proposals for a multiannual financial framework 2028-2034,

– having regard to the UN instruments on the protection of human rights and fundamental freedoms,

– having regard to the European Convention on Human Rights, the European Social Charter, the case-law of the European Court of Human Rights (ECtHR) 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 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 rights[5],

– having regard to the Commission 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 7 February 2018 on protection and non-discrimination with regard to minorities in the EU Member States[6],

– 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 Poland[7],

– 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 founded[8],

– 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 rights[9],

– having regard to its resolution of 7 October 2020 on the establishment of an EU

[4] OJ L 156, 5.5.2021, p. 1, ELI: http://data.europa.eu/eli/reg/2021/692/oj.
[5] OJ C 215, 19.6.2018, p. 162.
[6] OJ C 463, 21.12.2018, p. 21.
[7] OJ C 129, 5.4.2019, p. 13.
[8] OJ C 433, 23.12.2019, p. 66.
[9] OJ C 363, 28.10.2020, p. 45.

Mechanism on Democracy, the Rule of Law and Fundamental Rights[10],

– having regard to the Commission communication of 7 October 2020 entitled ‘A Union of Equality: EU Roma strategic framework on equality, inclusion and participation’ (COM(2020)0620),

– having regard to the Commission communication of 3 March 2021 entitled ‘Union of Equality: Strategy for the Rights of Persons with Disabilities 2021–2030’ (COM(2021)0101),

– having regard to its resolution of 11 March 2021 on the declaration of the EU as an LGBTIQ Freedom Zone[11],

– 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) 2020/2092[12],

– having regard to its resolution of 24 June 2021 on the Commission’s 2020 Rule of Law Report[13],

– 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 budget[14],

– 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) TFEU[15],

– having regard to its resolution of 11 November 2021 entitled ‘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 society’[16],

– having regard to its resolution of 8 March 2022 on the shrinking space for civil society in Europe[17],

– having regard to its resolution of 10 March 2022 on the rule of law and the consequences of the ECJ ruling[18],

– having regard to its resolution of 19 May 2022 on the Commission’s 2021 Rule of Law Report[19],

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[10] OJ C 395, 29.9.2021, p. 2.
[11] OJ C 474, 24.11.2021, p. 140.
[12] OJ C 67, 8.2.2022, p. 86.
[13] OJ C 81, 18.2.2022, p. 27.
[14] OJ C 99, 1.3.2022, p. 146.
[15] OJ C 117, 11.3.2022, p. 88.
[16] OJ C 205, 20.5.2022, p. 2.
[17] OJ C 347, 9.9.2022, p. 2.
[18] OJ C 347, 9.9.2022, p. 168.
[19] OJ C 479, 16.12.2022, p. 18.

– 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)[20],

– having regard to its resolution of 15 September 2022 on the situation of fundamental rights in the European Union in 2020 and 2021[21],

– having regard to its resolution of 15 September 2022 on the proposal for a Council decision determining, 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 founded[22],

– 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 Slovakia[23],

– having regard to its resolution of 10 November 2022 on racial justice, non-discrimination and anti-racism in the EU[24],

– 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 RRP[25],

– having regard to its resolution of 30 March 2023 on the 2022 Rule of Law Report – the rule of law situation in the European Union[26],

– 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 funds[27],

– having regard to the report of its Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware (PEGA) of 8 May 2023 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 spyware[28],

– having regard to its resolution of 11 July 2023 on the electoral law, the investigative committee and the rule of law in Poland[29],

– having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 6 December 2023 entitled 'No place for hate: a Europe united against hatred' (JOIN(2023)0051),

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[20] OJ C 493, 27.12.2022, p. 108.
[21] OJ C 125, 5.4.2023, p. 80.
[22] OJ C 125, 5.4.2023, p. 463.
[23] OJ C 149, 28.4.2023, p. 22.
[24] OJ C 161, 5.5.2023, p. 10.
[25] OJ C 167, 11.5.2023, p. 74.
[26] OJ C 341, 27.9.2023, p. 2.
[27] OJ C, C/2023/1223, 21.12.2023, ELI: http://data.europa.eu/eli/C/2023/1223/oj.
[28] OJ C, C/2024/494, 23.1.2024, ELI: http://data.europa.eu/eli/C/2024/494/oj.
[29] OJ C, C/2024/3995, 17.7.2024, ELI: http://data.europa.eu/eli/C/2024/3995/oj.

– having regard to its resolution of 18 January 2024 on the situation of fundamental rights in the European Union – annual report 2022 and 2023[30],

– having regard to its resolution of 18 January 2024 on extending the list of EU crimes to hate speech and hate crime[31],

– having regard to its resolution of 28 February 2024 entitled ‘report on the Commission’s 2023 Rule of Law report’[32],

– having regard to Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 on establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act)[33],

– having regard to its resolution of 24 April 2024 on ongoing hearings under Article 7(1) TEU regarding Hungary to strengthen the rule of law and its budgetary implications[34],

– having regard to the conclusion of the Article 7(1) TEU procedure in relation to Poland, as announced by the Commission on 29 May 2024, following steps taken by Poland to restore compliance with EU rule of law standards,

– having regard to the Commission proposal of 16 July 2025 for a Council regulation laying down the multiannual financial framework for the years 2028 to 2034 (COM(2025)0571),

– having regard to the Commission communication of 8 October 2025 entitled ‘Union of Equality: LGBTIQ+ equality strategy 2026-2030’ (COM(2025)0725),

– having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 12 November 2025 entitled ‘European Democracy Shield: Empowering Strong and Resilient Democracies’ (JOIN(2025)0791),

– having regard to the Commission communication of 12 November 2025 entitled ‘EU Strategy for Civil Society’ (COM(2025)0790),

– having regard to its resolution of 25 November 2025 on the proposal for a Council decision determining, 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 founded[35],

– having regard to its resolution of 18 December 2025 on the implementation of the rule

[30] OJ C, C/2024/5739, 17.10.2024, ELI: http://data.europa.eu/eli/C/2024/5739/oj.
[31] OJ C, C/2024/5733, 17.10.2024, ELI: http://data.europa.eu/eli/C/2024/5733/oj.
[32] OJ C, C/2024/6743, 26.11.2024, ELI: http://data.europa.eu/eli/C/2024/6743/oj.
[33] OJ L, 2024/1083, 17.4.2024, ELI: http://data.europa.eu/eli/reg/2024/1083/oj.
[34] OJ C, C/2025/3705, 17.9.2025, ELI: http://data.europa.eu/eli/C/2025/3705/oj.
[35] OJ C, C/2026/1727, 24.4.2026, ELI: http://data.europa.eu/eli/C/2026/1727/oj.

of law conditionality regime[36],

– having regard to the Commission communication of 20 January 2026 entitled ‘Union of Equality: Anti-Racism Strategy 2026-2030’ (COM(2026)0012),

– having regard to the judgment of the CJEU of 21 April 2026 in Case C-769/22, Commission v Hungary,

– having regard to its resolution of 29 April 2026 on the Commission’s 2025 Rule of Law report[37],

– having regard to its resolution of 29 April 2026 on the situation of fundamental rights in the European Union in 2024 and 2025[38],

– having regard to the Commission communication of 6 May 2026 entitled ‘Enhancing the strategy for the rights of persons with disabilities up to 2030’ (COM(2026)0541),

– having regard to its resolution of 15 September 2026 on the findings and recommendations of the Special Committee on the European Democracy Shield[39],

– having regard to its resolution of 8 October 2026 on the upcoming EU anti-corruption strategy[40],

– having regard to the Political Guidelines for the next European Commission 2024-2029, presented to Parliament on 18 July 2024 by Ursula von der Leyen, then candidate for President of the Commission, to the President of the Commission’s State of the Union speech of 10 September 2025 in Parliament and to the Commission communication of 21 October 2025 entitled ‘Commission work programme 2026’ (COM(2025)0870),

– having regard to the reports, surveys and opinions of the European Union Agency for Fundamental Rights,

– having regard to its resolutions on breaches of democracy, the rule of law and fundamental rights in the Member States,

– having regard to the feedback reports, mission reports, written questions and answers of its Democracy, Rule of Law and Fundamental Rights Monitoring Group (DRFMG)[41],

– having regard to Rule 55 of its Rules of Procedure,

– having regard to the opinion of the Committee on Budgets, the Committee on Culture and Education and the Committee on Legal Affairs,

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[36] OJ C, C/2026/2159, 6.5.2026, ELI: http://data.europa.eu/eli/C/2026/2159/oj.
[37] Texts adopted, P10_TA(2026)0147.
[38] Texts adopted, P10_TA(2026)0146.
[39] Texts adopted, P10_TA(2026)0286.
[40] Texts adopted, P10_TA(2026)0341.
[41] For all DRFMG monitoring activities, see: for last term: https://www.europarl.europa.eu/committees/en/libe-democracy-rule-of-law-and-fundament/product-details/20190103CDT02662, and for this term: https://www.europarl.europa.eu/committees/en/working-group-democracy-rule-of-law-and-/product-details/20241205CDT13884.

– having regard to the joint letter from the Committee on Foreign Affairs and the Subcommittee on Human Rights,

– having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A10-0000/2026),

A. whereas the EU is founded on the values 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, as set out in Article 2 TEU and as reflected in the Charter and enshrined in international human rights treaties; whereas the Charter is part of EU primary law; whereas these values are shared by all the Member States and should be upheld and actively promoted by the EU and each Member State individually in all their policies, both internally and externally, in a consistent way; whereas Member States should ensure that there is no backsliding in the protection of the values enshrined in Article 2 TEU; whereas any undermining of these values poses a systemic threat to the rights and freedoms of the people living in the EU;

B. whereas Article 49 TEU provides that any European state applying for membership of the EU must respect and commit to promoting the values referred to in Article 2 TEU; whereas accession must remain a strictly merit-based process grounded on compliance with the Copenhagen criteria, particularly those relating to democracy, the rule of law and human rights; whereas the Copenhagen criteria stipulate that these principles cannot be disregarded or reinterpreted after accession; whereas this adherence also requires progressive alignment with the EU's policies and positions, including the common foreign and security policy;

C. whereas the rule of law, fundamental rights, the functioning of democratic institutions, public administration reform and the economic criteria constitute the fundamentals of the EU accession process; whereas credible reforms and irreversible achievements in these areas are essential to ensure equality before the law and the practical enjoyment of fundamental rights;

D. whereas the situation of persons belonging to minorities should be regularly monitored and reflected in the rule of law report;

E. whereas in 2026 the EU has faced serious challenges and democratic backsliding in some Member States in relation to the protection of the rule of law, democracy and fundamental rights, which are all intrinsically connected; whereas the 2026 Rule of Law Report identifies structural weaknesses in judicial systems, anti-corruption enforcement, public service, media governance and checks and balances, while also confirming the positive trajectory in several Member States and showing that the annual rule of law cycle continues to encourage and support progress;

F. whereas, following the parliamentary elections held on 12 April 2026 in Hungary, the new parliamentary majority and government have initiated reforms aimed at restoring the rule of law in the country, and following the Commission's positive assessment of the remedial measures adopted by Hungary and its proposal of 23 September 2026[42], the

[42] Commission proposal of 23 September 2026 for a Council implementing decision pursuant to Article 7(2) of Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a

Council adopted an implementing decision on 13 October 2026[43] lifting the measures imposed on Hungary under Regulation (EU, Euratom) 2020/2092 by Council Implementing Decision (EU) 2022/2506[44] and repealing that decision;

G. whereas journalists in several Member States continue to face smear campaigns, abusive lawsuits, intimidation and threats, leading to fear and self-censorship and weakening the public's right to information; whereas some journalists are forced to live under police protection;

H. whereas corruption remains one of the major concerns for EU citizens;

I. whereas failures to implement or partial implementation of and persistent delays in executing judgments of the CJEU and of the ECtHR are not isolated cases but reflect persistent problems in several Member States and recurring issues in others;

J. whereas the DRFMG within Parliament's Committee on Civil Liberties, Justice and Home Affairs has the mandate to monitor breaches of democracy, the rule of law and fundamental rights, and the fight against corruption within the EU; whereas for more than eight years, the DRFMG has assessed the state of the rule of law, democracy and fundamental rights across the EU through dedicated sessions on Member States and horizontal topics, and ad hoc delegations; whereas monitoring is a technical exercise that strengthens integrity systems and enhances institutional resilience and should remain independent from political influence; whereas although embedded within the parliamentary framework, the DRFMG has a long-standing commitment to refrain from party-political considerations and to base its assessments on established standards and evidence-based judgment, and has produced valuable input into the EU's work on the rule of law;

Justice systems

1. Reaffirms that the rule of law is founded on the binding nature of law on all public authorities and on the effective right of every individual to have access to an independent and impartial tribunal;

2. Stresses the importance of independent judicial systems and access to free legal aid in ensuring equal access to justice;

3. Recalls that robust national legal systems are indispensable in Member States and in candidate and potential candidate countries;

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general regime of conditionality for the protection of the Union budget, concerning a written notification from Hungary with regard to Council Implementing Decision (EU) 2022/2506 of 15 December 2022 (COM(2026)0516).

[43] Council Implementing Decision (EU) 2026/2324 of 13 October 2026 lifting measures for the protection of the Union budget against breaches of the principles of the rule of law in Hungary and repealing Implementing Decision (EU) 2022/2506 (OJ L, 2026/2324, 21.10.2026, ELI: http://data.europa.eu/eli/dec_impl/2026/2324/oj).

[44] Council Implementing Decision (EU) 2022/2506 of 15 December 2022 on measures for the protection of the Union budget against breaches of the principles of the rule of law in Hungary (OJ L 325, 20.12.2022, pp. 94, ELI: http://data.europa.eu/eli/dec_impl/2022/2506/oj).

4. Recalls the need to guarantee the autonomy of the prosecution service, thereby preventing any political interference in its work;

5. Stresses the important role of the national councils of the judiciary in safeguarding judicial independence and underlines the need to ensure their independence from undue influence by the executive and legislative branches;

6. Stresses that non-implementation of domestic and international judgments, including instances of deliberate non-compliance, remains a systemic concern in some Member States;

7. Highlights the pivotal role of the CJEU, the ECtHR and their judgments in upholding the rule of law across the EU; calls on the Member States to implement promptly and effectively the judgments of the CJEU and the ECtHR;

8. Stresses that the non-implementation of CJEU and ECtHR judgments undermines the authority of European courts;

Anti-corruption framework

9. Reiterates that corruption is a serious threat to democracy, the rule of law and the fair treatment of all citizens;

10. Stresses that the EU's full membership in the Council of Europe's Group of States against Corruption is necessary, moving beyond its current observer status;

11. Calls on the Member States to publish, adopt, update, monitor, implement and revise their national strategies on preventing and combating corruption;

12. Acknowledges the key role of the European Public Prosecutor's Office (EPPO) in safeguarding the rule of law and in combating corruption in the EU, as well as in effectively protecting the EU's financial interests from criminal activity;

13. Calls for the Member States and candidate and potential candidate countries, as well as EU institutions, bodies, offices and agencies, to establish or strengthen preventive measures against corruption;

14. Calls on EU agencies, offices and institutions, such as Europol, Eurojust, the European Court of Auditors, the EPPO and the European Anti-Fraud Office to improve their cooperation;

15. Underlines that freedom of information and access to information of public interest is a fundamental right and an essential component of transparency, democratic accountability and the fight against corruption;

16. Urges the Member States and candidate and potential candidate countries to ensure prompt, thorough and impartial investigations of corruption cases;

17. Recognises the crucial role of whistleblowers in exposing corruption and promoting transparency in both the public and private sectors;

The protection of journalists, and media pluralism and freedom

18. Calls on the Member States and candidate countries to ensure the protection of journalists and other media professionals in the EU;

19. Recalls that freedom of expression of free media is a cornerstone of democratic societies and an essential element of the rule of law; notes with concern the increase in administrative and criminal measures targeting academics, journalists and human rights defenders;

20. States that the assassination of investigative journalists constitutes a direct attack on the rule of law, as it not only undermines the capacity of citizens and institutions to hold those in power accountable, but also represents one of the most extreme forms of censorship, posing a direct threat to freedom of expression and the functioning of democratic institutions; stresses that threats, harassment and campaigns against journalists, including those that are politically motivated, create a chilling effect on investigative reporting and must trigger prompt, thorough, independent and effective investigations;

21. Notes with concern the use of increasingly intrusive surveillance technologies, including AI-based tools, notably where their deployment may disproportionately interfere with fundamental rights, such as privacy, freedom of assembly or media freedom;

22. Expresses deep concern at the increasingly well-documented allegations of unlawful surveillance and espionage targeting EU institutions;

23. Condemns any undue political interference in the management of public media;

24. Expresses concern that recommender systems may amplify polarising content and create information ‘echo chambers’, posing serious risks to democratic debate and media pluralism;

25. Welcomes initiatives to promote free, independent and pluralistic media, such as the European Media Freedom Act (EMFA); calls on the Member States to immediately fulfil their obligations to ensure its swift and full implementation;

26. Calls on the Member States to fully and in a timely manner implement the Anti-SLAPP Directive[45] and Commission Recommendation (EU) 2022/758[46];

Checks and balances

[45] 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).

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

27. Calls on the Member States to refrain from excessive use of accelerated legislative procedures and emergency decrees where doing so risks undermining the stability, quality and democratic legitimacy of lawmaking;

28. Calls on the Member States to ensure the independence and impartiality of national human rights institutions (NHRIs), ombudspersons, equality bodies and national media regulatory authorities, and to provide them with adequate and stable financial, human and technical resources to allow them to fulfil their mandates effectively; urges Member States that have not yet established an NHRI to do so in accordance with the UN Paris Principles;

Civil society space

29. Emphasises the crucial role played by a strong and unhindered civil society, as well as by independent authorities and ombudspersons, in promoting and upholding democracy, equality, the rule of law and fundamental rights, and in ensuring accountability for both state and private actors through their watchdog role;

30. Recognises the role of civil society and non-governmental organisations in protecting minorities and combating discrimination, calling for fair and equitable access to support;

Fundamental rights, equality and non-discrimination

31. Stresses that the protection and promotion of fundamental rights constitute an essential pillar of the rule of law and a core obligation for all Member States under Article 2 TEU;

32. Underlines that Member States' legal frameworks must guarantee equality before the law and the right not to be discriminated against, including in judicial proceedings;

33. Deplores the lack of progress in equality and non-discrimination policies in some Member States and persistent gaps in the implementation of current EU anti-discrimination legislation;

34. Calls on all Member States to protect LGBTIQ+ rights in full compliance with EU law, the Charter, and relevant CJEU and ECtHR case-law;

35. Condemns incidents of hate crime and hate speech online and offline, motivated by any grounds of discrimination;

36. Is concerned about the backlog in the protection of the rights of persons belonging to minorities, which are too often overlooked; calls on the Member States to ensure that their legal frameworks and policies do not result in discrimination; recalls Parliament's proposal to include the protection of minority rights in the rule of law report and calls on the Commission to propose EU measures to safeguard minority and language rights;

37. Highlights the widespread discrimination faced by Roma communities, including antigypsyism, segregation in housing, education and access to services, and securitisation practices;

38. Calls for effective safeguards to ensure a safe online space and to tackle hatred, discrimination and disinformation; stresses the need for the full, rights-based application of the Digital Services Act[47], Digital Markets Act[48], the AI Act[49], the Anti-SLAPP Directive and the EMFA;

39. Highlights that the lack of progress towards establishing community-based services for persons with disabilities raises serious concerns regarding compliance with fundamental rights obligations;

40. Calls on the Commission and the Member States to take effective action against gender-based violence, online and offline, including by adding it to the list of 'EU crimes'; calls for an EU legislative proposal on combating rape as defined by the lack of consent and the full implementation of EU rules on violence against women;

The rule of law and the EU budget

41. Stresses that the protection of the rule of law is indispensable to safeguarding the EU's financial interests;

42. Stresses the need to strengthen the link between the recommendations addressing the most persistent violations in the annual rule of law report and budgetary tools, including the next multiannual financial framework;

43. Insists that the measures required for the release of EU funding, as defined by the relevant decisions taken under the Common Provisions Regulation, the Recovery and Resilience Facility Regulation[50] and the Rule of Law Conditionality Regulation, must be assessed consistently as part of the same seamless and coherent toolbox;

44. Reiterates that the Rule of Law Conditionality Mechanism forms an integral part of the EU's financial governance toolbox; recalls that the Conditionality Regulation has been a key tool in protecting the EU's financial interests against breaches of the rule of law and should be applied whenever its legal conditions are met across the entire EU budget;

The rule of law and the single market dimension

45. Welcomes the fact that a single market dimension is part of the rule of law report, as it underlines the link between rule-of-law standards and the overall health of the EU's economic environment;

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[47] 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).
[48] 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: http://data.europa.eu/eli/reg/2022/1925/oj).
[49] Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) (OJ L, 2024/1689, 12.7.2024, ELI: http://data.europa.eu/eli/reg/2024/1689/oj).
[50] Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17, ELI: http://data.europa.eu/eli/reg/2021/241/oj).

46. Proposes that the Commission continues to foster the single market dimension, as it is essential to ensure both a well-functioning single market and a resilient democratic system;

Rule of law at the core of the enlargement process and the EU's external action

47. Reiterates that the values enshrined in Article 2 TEU must be fully and unequivocally respected not only by current Member States but also by candidate and potential candidate countries throughout the entire accession process, and on a continuous basis thereafter;

48. Calls for a rigorous, continuous and in-depth evaluation of the rule of law in all countries undergoing an accession process;

Improving the Commission's reporting process

49. Calls on the Commission, in future editions, to define and publish clear and operational benchmarks and indicators under each pillar, and to apply them consistently and transparently across all Member States;

50. Calls on the Commission to improve and clarify its methodology for assessing the implementation of recommendations issued in previous editions of the rule of law report, and to introduce clear and harmonised assessment categories, such as 'fully implemented', 'partially implemented' and 'not implemented', with clearly defined criteria, in order to ensure consistency, transparency and comparability across all Member States;

51. Deplores the fact that essential elements from Parliament's resolutions have not been fully taken into account;

52. Calls on the Commission to be more transparent about the criteria it uses to select information from civil society, international bodies, national authorities and other stakeholders in the reporting process;

53. Calls on the Commission, in the process of drafting the rule of law report, to seek stronger collaboration and to carry out prior consultation with Parliament;

54. Calls on the Commission to issue recommendations that are more operational, clearly distinguishing those relating to serious and systemic issues and those relating to less significant issues;

Horizontal recommendations

55. Regrets the fact that the Commission and the Council have so far rejected its offer to enter into an interinstitutional agreement on democracy, the rule of law and fundamental rights;

56. Strongly believes that the EU institutions must fulfil their obligations regarding the rule of law, and underlines that assessing the adherence of EU institutions to the values enshrined in Article 2 TEU, including the EU's internal consistency in upholding these

values across its policies and external actions, is essential in order to safeguard the EU's credibility and legitimacy;

The annual cycle on the rule of law

57. Stresses that the EU has developed a comprehensive set of instruments to safeguard the rule of law; insists that greater complementarity between the work of each EU institution and enhanced accountability for the implementation of these instruments are essential; emphasises that the credibility of the EU's rule-of-law framework depends on the political will to use current mechanisms to their full potential, and on the EU institutions themselves fully complying with and upholding the rule of law in their own actions;

58. Notes that the proposal for an integrated annual cycle on the rule of law, mentioned by the President of the Commission in the 2025 State of the Union address, and the reinforcement of the link between budgetary tools and the rule of law in the Commission's multiannual financial framework 2028-2034 are elements aligned with Parliament's own proposals;

59. Encourages a series of improvements, based on the Commission's rule of law report, to enhance the continuity, coordination and impact of the annual rule-of-law cycle;

a) establishing a specific date for the annual publication of the Commission's rule of law report, preferably in June;

b) incorporating into its rule-of-law analysis, both its general communication and its country-specific assessments, references to internationally recognised and independent indicators, as well as comparable authoritative sources;

c) safeguarding impartiality in the Commission's assessment and subsequent action when addressing rule-of-law issues in the Member States; ensuring an impartial assessment process; strengthening the Commission's cooperation with EU and international bodies, to enable it to assess compliance with, and the upholding of the rule of law within the EU institutions themselves;

d) ensuring that recommendations are formulated in clear and precise wording;

e) clarifying the methodology governing the formulation of its recommendations;

f) distinguishing recommendations relating to serious and systemic concerns from the other observations;

g) linking recommendations identified as serious and systemic to the release of funds;

h) assessing not only the degree of implementation of previous recommendations but also, where necessary, issuing new ones;

i) including in each country chapter of the rule of law report a dedicated section on the implementation of judgments of both the CJEU and the ECtHR;

j) including in the analysis a dedicated section on the transposition and

implementation of EU legislation when it relates to safeguarding the rule of law;

60. Stresses that, at a later point in the cycle, Parliament must fully exercise its powers and prerogatives deriving from the Treaties through its resolution in response to the Commission's rule of law report, and proposes that Parliament's resolution;

a) be adopted by March at the latest, to ensure that its input can be duly taken into account;

b) make fuller use of existing structures, in particular the DRFMG;

c) bring together the most relevant findings;

d) highlight best practices;

e) assess the implementation of the Commission's previous annual recommendations;

f) include an in-depth analysis of all countries for which an Article 7 procedure has been activated or for which serious and systemic rule-of-law concerns have been identified in the Commission's reporting;

61. Requests that the Council take due account of the findings and recommendations set out in the Commission's rule of law report, and of Parliament's resolution adopted in response thereto;

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

ANNEX: DECLARATION OF INPUT

The rapporteur declares under his exclusive responsibility that he did not include in his report input from interest representatives falling within the scope of the Interinstitutional Agreement on a mandatory transparency register[1], or from representatives of public authorities of third countries, including their diplomatic missions and embassies, to be listed in this Annex pursuant to Article 8 of Annex I to the Rules of Procedure.

[1] Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register (OJ L 207, 11.6.2021, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2021/611/oj).