



#FundamentalRights
#RuleofLawRights4all

PERIOD 2020-2023

ACTIVITY REPORT

Ad hoc Group on
Fundamental Rights and the Rule of Law

Directorate C
LEGISLATIVE WORK

President: Cristian Pîrvulescu



European Economic
and Social Committee



Fundamental Rights and the Rule of Law

Table of Contents

1. Foreword by the President and Vice-presidents of the Group.....	3
2. Background and mandate	4
3. Calendar of meetings	5
4. Activities and main findings.....	6
4.1 Country visits	
4.2 Conferences	
4.3 Opinions and hearings	
5. Cooperation and communication	9
6. Evaluation	10
7. Future work	10
Appendix I - List of meetings and events	11

1. Foreword by the President and Vice-presidents of the Group

In a time with war on our continent, the rise to power of parties with fascist roots, and when CSOs and the European Parliament do not believe that all EU Member States are full democracies, the EU's founding values are under pressure like never before in the EU's history.

The EESC as the EU body representing civil society must therefore redouble its efforts to defend and promote the EU's values as laid down in Article 2 of the Treaty. We believe that constructive and inclusive dialogue on fundamental rights and the rule of law involving civil society as a key actor, in line with Article 11 of the TEU, is a must and the EU must urgently allocate more resources to this. The Fundamental Rights and Rule of Law Group (FRRL Group) has therefore concentrated its efforts on listening to and conveying the voice of civil society to the EU institutions and Member States. It has carried out country visits to create a dialogue about EU values, including fundamental rights economic and social rights and held conferences and hearings to discuss, among other things, how to address the impact of COVID-19, and has been involved in EESC opinions on diverse topics including, for example, the rule of law and the recovery, media freedom, and how to better communicate the rule of law.

All the Groups of the EESC, Employers, Workers, and Civil Society Organisations, believe that fundamental rights and the rule of law are necessary prerequisites to defend their interests and are the foundation for well-functioning and prosperous societies. The priorities of the FRRL Group are to continue the efforts to protect civic space, highlight challenges to the rule of law and promote the protection of fundamental rights, social rights and economic rights. It will continue to prioritise a socio-economic angle to fundamental rights and the rule of law, drawing on the expertise of the EESC in this field, and it will pursue its efforts undiminished in the upcoming new mandate to promote EU values and extend these rights to all.



Cristian PÎRVULESCU
President



Ozlem YILDIRIM
Vice-President



Helena DE FELIPE LEHTONEN
Vice-President

2. Background and mandate

The Group on Fundamental Rights and the Rule of Law (FRRL) was set up in 2018¹ as a horizontal body within the EESC and was tasked with enhancing the contribution of organised civil society in strengthening fundamental rights, democracy and the rule of law and responding to the shrinking civic space for civil society organisations. The operating rules for the Group on Fundamental Rights and the Rule of Law and its work programme were adopted by the Bureau on 10 July 2018.

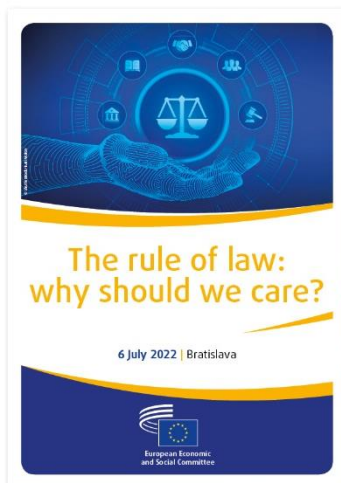


"The objective of the FRRL Group has been to promote a culture of fundamental rights and the rule of law within the EU"

The objective of the FRRL Group has been to promote a culture of fundamental rights and the rule of law within the EU, including respect for the European values listed in Article 2 of the TEU, the Charter of Fundamental Rights, and other instruments. Specifically, the Group aimed to help facilitate awareness-raising and communication and to strengthen the contribution of the EESC and the role of civil society in this area. In its work, it has focused on the role of civil society and addressed both collective and individual rights, and, given the EESC's mandate, also paid attention to economic and social rights.

¹ Bureau decision on the creation of the Ad Hoc group of 5 December 2017. On 18 April 2018, the Plenary approved the constitution of the FRRL with 18 members (later extended to 21) and the SOC section secretariat was charged with the administrative follow-up to this decision. The Group is politically dependent on the Bureau.

3. Calendar of meetings

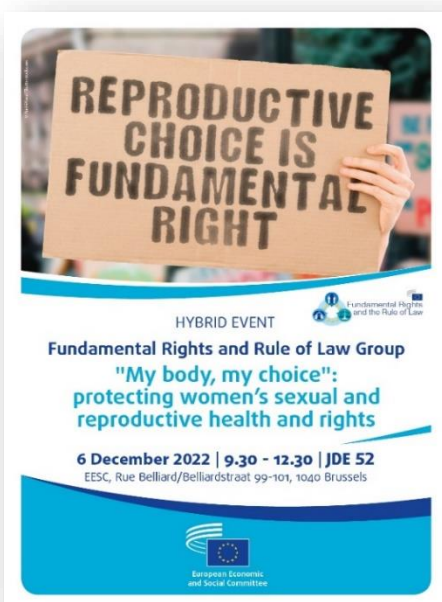


During 2022, among other activities the Group held a group meeting in the form of a hearing in Slovakia on the topic of "The rule of law: why should we care?"



The Group meets four times a year. During this term of office 10 Group meetings were held.

During the term of office, it held five hearings/input sessions linked to its group meeting to highlight themes that were particularly relevant during this period. First of all, the impact of COVID-19 influenced the work of the Group and more importantly had a big impact on the implementation of fundamental rights and the rule of law. The Group discussed the restrictive measures that were introduced during the crisis at its hearing on COVID-19: Mitigating Impact and Overcoming the Crisis - Fundamental rights and rule of law aspects. The Group also looked at how fundamental rights and the rule of law could be strengthened during the recovery. The Conference on the Future of Europe took place during this term of office, and the Group contributed with a discussion on the importance of EU values and citizens' movements to feature strongly in the Conference. Another issue that came into focus during this period was women's reproductive health and rights, and the FRRL Group held a hearing on this in December 2022. Finally, in order to enable national discussion and dialogue, the Group again held a hearing in a Member State, this time Slovakia.



4. Activities and main findings

4.1 Country visits

The Group has carried out **thirteen country visits** since December 2020 and will carry out another three before the end of the term of office, and it will be able to reach its objective to visit all EU Member States in the next term of office. Due to the pandemic, certain visits had to be postponed, and many had to be carried out virtually.

During the country visits, the main interlocutors of the FRRL delegation were representatives of organised civil society in the Member States. The FRRL Group has sought to meet a diverse and representative panel of national CSOs, as well as independent national human rights institutions.

The FRRL Group has always met the authorities of the visited countries before and during the country visit and has offered to have their observations on the country report published along with it.

The views put forward in the **country reports** have been the views of the representatives of organised civil society – they have not been an expression of the views of EESC members or the EESC. The group has adopted a **set of guidelines** for its organisation of country visits.



During the country visits, the Group has observed significant differences between countries in the nature and seriousness of challenges to fundamental rights and the rule of law. It has also seen the impact of COVID-19 measures, which have led to the restriction of rights. The proportionality and the temporary nature of such measures had been discussed during many country visits. The challenges raised span different levels of concern. The Group has highlighted trends in the EU that are developing in specific national contexts, intended as a contribution to a constructive dialogue. It published a **synthesis report** of seven of these visits in September 2022, [Fundamental Rights and The Rule of Law - National Developments from a Civil Society Perspective, 2020-2021](#). The next report to be published in 2023 in the new term of office will cover some of the visits carried out during the current term of office.

4.2 Conferences



The FRRL Group held two of its **Annual Conferences** on Fundamental rights and the Rule of Law, one concentrating on [Civil society perspectives on the European Rule of Law Mechanism](#) and the other on the implementation of the Commission's Country Specific Recommendations on the rule of law, [Putting the Rule of Law Report recommendations into action](#). Both conferences provided good opportunities for Civil Society Organisations to discuss the European Commission's Rule of law mechanism, their recommendations, and the FRRL Group's synthesis report of its country visits.

Commissioner Reynders reiterated during the conference in 2022 that it was a common responsibility to promote the rule of law. All EU institutions, Member States, courts, legal practitioners, as well as civil society organisations, had a role to play in this context.



Through its FRRL Group, the EESC continues to play its role in this regard through its diverse activities, including hosting conferences and hearings and writing opinions that highlight different aspects promoting the rule of law.

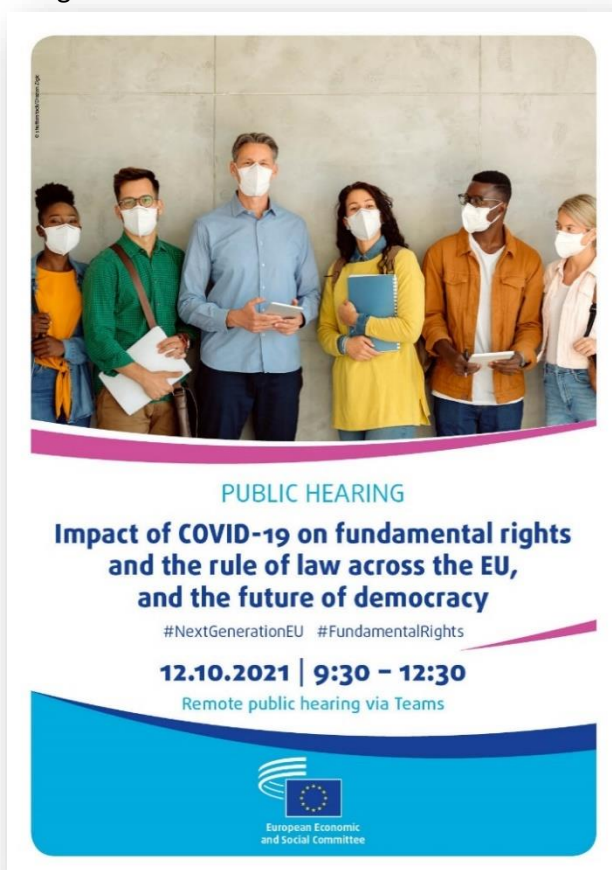


In February 2022, the FRRL Group also co-hosted a conference with the European Commission on [Safeguarding fundamental rights in the digital age](#). This conference concentrated on the European Commission's 2021 report on application of the Charter of Fundamental Rights in the EU, which was the first annual report with a thematic focus. This cooperation with the European Commission will continue in 2023.

4.3 Opinions and hearings

The Group has a mandate to suggest own-initiative opinions to all the sections for the to adopt, and members of the Group have also initiated opinions linked to the work of the FRRL Group. Furthermore, the European Commission has taken several initiatives in this field, adopting a New Strategy for the Implementation of the Charter of Fundamental Rights in 2020.

The opinions have dealt with a number of issues, including the impact of COVID-19 on fundamental rights and the rule of law across the EU, how to strengthen the rule of law during the recovery, media freedom, how to better communicate the rule of law, and finally also how to promote equality in the EU. Opinions linked to the Group have also explored transatlantic cooperation to promote the rule of law and environmental protection as a prerequisite for the respect for fundamental rights. The EESC has taken the opportunity to hold hearings on several of these topics in the context of the promotion of rights.



5. Cooperation and communication

The FRRL Group has visited all sections and the CCMI to explain the work of the Group and discuss opportunities for internal cooperation.



FRRL Delegation at the FRA premises

The FRRL Group has expanded external cooperation with all relevant stakeholders in the area of fundamental rights and the rule of law. In addition to country visits where the main interlocutors were national civil society organisations, the FRRL Group has also established regular contact with the main European CSO networks. The FRRL Group also had regular exchanges and deepened its relations with the EU Agency for Fundamental Rights (FRA), as well as the Council of Europe. In October 2021, the EESC held a hearing in connection with its opinion, "[The impact of COVID-19 on FRRL across the EU](#)". Part of this hearing was held as a workshop in the framework of the FRA Fundamental Rights Forum and was entitled "How did COVID impact fundamental social rights?". Contact between the Presidency of the FRRL Group and high-level officials from the European Commission, Members of the European Parliament, Member States and the Committee of the Region were maintained to promote cooperation. These activities have meant that the EESC has started new collaborations and gained in visibility.

The FRRL Group has also worked to improve communication on FRRL issues and adopted guidelines for its own work. In connection with the release of its [report](#) on national developments in the area of fundamental rights and the rule of law, the Group released promotional [videos](#), and it has developed a proposal for improved visibility of fundamental rights and the rule of law on the EESC website.

22/09/2022



2:09 | FR

Fundamental Rights and the Rule of Law - Ozlem Yildirim

22/09/2022



2:13 | RO

Fundamental Rights and the Rule of Law - Cristian Pîrvulescu

22/09/2022



1:53 | ES

Fundamental Rights and the Rule of Law - Helena de Felipe

6. Evaluation

Since the creation of the FRRL Group, the EU has played a more active role in defending the rule of law within the EU, which is the stated objective of the FRRL Group. The Commission now adopts an annual rule of law report, which contains country specific recommendations, something that the FRRL Group called for from the very beginning. Through its opinions, hearings and conferences, the EESC has helped influence the position of the Commission, drawn attention to topics from a socio-economic angle, and assisted in promoting fundamental rights and the rule of law, as it initially set out to do. It has continued to enable debate at national level by organising hearings locally and encouraging all parts of civil society, including social partners, to discuss these topics with the EESC during its country visits.

7. Perspective

During the upcoming term of office, the FRRL Group will finish the first cycle of country visits, and finalise the visit to every Member State. It will review its modus operandi and see how additional complementarity to the Commission's Annual Rule of Law Reports can be reached. It will continue issuing opinions across sections and organise hearings and conferences to raise awareness about issues that are important to the EESC, and work towards an increased role for civil society on all issues related to fundamental rights and the rule of law. The Group will continue developing its work and ensure visibility to fundamental socio-economic rights from its special vantage point.

Appendix I – List of meetings and events

	As of 29 October 2020	2021	2022	Until 25 April 2023	Total
FRRL meetings	10/12/20	09/03/21 18/06/21 14/09/21 14/12/21	17/02/22 06/07/22 04/11/22 06/12/22	15/02/23	10
Fact-finding missions	21-22/12/20 Denmark	21-22/04/21 Germany 28-29/06/21 Ireland 30/9-1/11/21 Czech Republic 14-15/10/21 Spain 25-26/11/21 Cyprus 15 and 17/12/21 Lithuania	5-6/05/22 Greece 2-3/06/22 Finland 5-6/07/22 Slovakia 6-7/10/22 Portugal 13-14/10/22 Sweden 17-18/11/22 Slovenia	2-3/03/23 Luxembourg 30-31/03/23 Croatia 20-21/04/23 Belgium	16
Conferences and hearings organised by the FRRL/ relevant section	10/12/20 – Input Session – "COVID-19: Mitigating Impact and Overcoming the Crisis"	09/03/21 – Public Hearing – "Fundamental rights, the rule of law and the post-COVID-19 recovery" 17/03/21 – Public Hearing – "European Democracy Action Plan" (SOC/672) 20/04/21 – Public Hearing – "Empowering civil society, rights defenders and justice practitioners and strengthening awareness of Charter rights" (SOC/671) 16/07/21 – Public Hearing – "A strong transatlantic partnership based on the common values of democracy and the rule of law,	11/02/22 – Online EESC-EC Conference – "Safeguarding fundamental rights in the digital age" 25/05/22 – Public Hearing – "Improving equality in the EU (SOC/724)" 06/07/22 – Public Hearing – "The rule of law: why should we care?" 18/07/22 – Public Hearing – "Communicating fundamental rights and the rule of law (SOC/725)" 20/07/22 – Public Hearing – "Initiative against abusive		17

		<p>key in tackling global challenges and preserving the international order" (REX/534)</p> <p>14/09/21 – Input session – "EU values in the Conference on the Future of Europe – giving the floor to citizens' movements"</p> <p>17/9/21 -Public Hearing – "Environmental protection as a prerequisite for respect for fundamental rights" (NAT/824)</p> <p>29/10/2021 – Public Hearing – "The Recovery and the Rule of Law" (SOC/692)</p> <p>04/11/21 – Conference – "Civil society perspectives on the European Rule of Law Mechanism"</p> <p>10/12/21 – Public Hearing – "The impact of COVID-19 on fundamental rights and the rule of law across the EU, and the future of democracy" (SOC/691)/ workshop in the framework of the FRA Fundamental Rights Forum entitled "How did COVID impact fundamental social rights?".</p>	<p>litigation targeting journalists and rights defenders" (SOC/734)</p> <p>26/09/22 – Conference – "Fundamental rights and the Rule of Law - Putting the Rule of Law Report recommendations into action"</p> <p>06/12/22 – Public Hearing – "My body, my choice: protecting women's sexual and reproductive health and rights"</p>		
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Appendix II – List of opinions initiated by and linked to the FRRL Group during this term of office

Opinions initiated by FRRL:

- [SOC/635](#) – Securing media freedom and diversity in Europe;
- [SOC/691](#) – The impact of COVID-19 on fundamental rights and the rule of law across the EU and the future of democracy;
- [SOC/692](#) – Rule of law and the recovery fund;
- [SOC/724](#) – Improving equality in the EU;
- [SOC/725](#) – Communicating Fundamental Rights and the Rule of Law.

Opinions linked to FRRL:

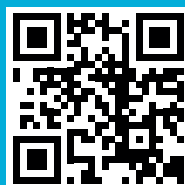
- [REX/534](#) - A strong transatlantic partnership based on the common values of democracy and the rule of law, key in tackling global challenges and preserving international order;
- [SOC/671](#) - Implementation of the Charter of Fundamental Rights;
- [SOC/672](#) - European democracy action plan;
- [SOC/734](#) - Initiative against abusive litigation targeting journalists and rights defenders;
- [SOC/742](#) - European Media Freedom Act;
- [NAT/824](#) - Environmental protection as a prerequisite for respect for fundamental rights.



**European Economic
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