

Vice-President Frans Timmermans
European Commission
Rue de la Loi 200
1049 Brussels
Belgium

15 December 2016, Brussels

Subject: EU Mechanism on Democracy, the Rule of Law and Fundamental Rights

Dear Commissioner Timmermans,

Ever since the initiation of the European project, the rule of law has formed a cornerstone of the European construction and is one of the founding principles of our Union. We believe it to be essential to protect the fundamental rights enshrined in the Treaties and to ensure compliance with the principles of the rule of law. As the guardian of the Treaties, the Commission has an important role to play in this regard.

Although current mechanisms such as the European Commission Framework for the Rule of Law and the recently evaluated Council's Annual Rule of Law Dialogue have constituted an important step forward, the European Union's institutional arrangements ensuring that Member States fully respect founding values enshrined in Article 2 of the Treaties remain limited. Systemic breaches to the rule of law in EU Member States have revealed the need to strengthen the EU's capacities to effectively and adequately respond to such rule of law threats.

We therefore express our full support for the European Parliament's resolution of 25 October 2016 on the establishment of an EU Mechanism on Democracy, the Rule of Law and Fundamental Rights. The proposed Union Pact for Democracy, the Rule of Law and Fundamental Rights will enable the EU to identify rule of law threats at an early stage and will provide a periodic review of the rule of law situation in Member States based on the principles of objectivity, non-discrimination and equal treatment. This will contribute to preventing and correcting breaches of EU values in all Member States, thereby fostering the credibility of the EU and helping to reinforce mutual trust and stability in the Union. Building on existing instruments, the Pact will allow us to create a shared culture of democracy, the rule of law and fundamental rights and will help EU citizens to engage in an ongoing process of defining common standards and shared values.

We would like to stress the fundamental role of civil society, the social partners and non-governmental organisations in the protection of the principles of the rule of law, as enshrined

in the Parliament's legislative own initiative report. We believe that the expertise of those organisations that work intensively on the rule of law, democracy and fundamental rights should be acknowledged, and that their monitoring work should be taken into account in the proposed mechanism. Furthermore, engaging in meaningful dialogue with civil society, the social partners and non-governmental organisations will contribute to building and strengthening democracies across Europe.

We therefore warmly encourage you in your role as Commissioner for Better Regulation, Inter-Institutional Relations, Rule of Law and Charter of Fundamental Rights to submit a legislative proposal for the conclusion of a Union Pact for Democracy, the Rule of Law and Fundamental Rights.

Yours Sincerely,

Petros Fassoulas - Secretary General, European Movement International

Luca Vicentini - Secretary General, European Trade Union Confederation

Frederic Vallier – Secretary General, Council of European Municipalities and Regions

Joanna Maycock – Secretary General, European Women's Lobby

Allan Pall - Secretary General, European Youth Forum

Jeremy Wates - Secretary General, European Environmental Bureau

Evelyne Paradis - Executive Director, ILGA-Europe (European Region of the International LGBTI Association)

Carl Dolan - Director, Transparency International EU

Antonella Valmorbida - Secretary General, The European Association for Local Democracy