

Mr Frans Timmermans  
Vice President  
European Commission  
Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of  
Fundamental Rights

Brussels, 12 January 2017

**Re: establishment of an EU mechanism on democracy, the rule of law and  
fundamental rights**

Dear Mr Timmermans,

I am writing in my capacity as Chair of Civil Society Europe, the Coordination of civil society organisations working towards civil dialogue and enabling civic space around the shared values of equality, solidarity, inclusiveness and democracy, established at the end of 2014 as a follow-up to the European Year of Citizens.

Together with the European Center for Not-For Profit Law and the European Foundation Center, we are writing in view of the European Commission's response to the European Parliament's proposal on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights.

We find this proposal particularly relevant in the light of the recent European Commission's decision to issue a second recommendation on the situation in Poland. Such a mechanism will help to safeguard the "EU 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 enshrined in article 2 of the EU Treaties.

As you may be aware, earlier this year Civil Society Europe, together with Civicus, conducted a [survey on civic space in Europe](#) in order to assess the perception of civil society organisations on key civic space freedoms (freedom of association, assembly, expression), challenges and opportunities, as well as their views on political trends in Europe. Although the framework and legal conditions for civic space are well in place in European Union countries, the survey results confirm some worrying developments in terms of the implementation of those rights. Of particular concern is the much lower rating of civic space by respondents from Central Eastern European Countries. According to the internal tracker of the European Center for Not-for-Profit Law, at least 12 legal initiatives over the past 2 years were launched or adopted in the EU countries that pose a threat to the freedoms of association or assembly.

We receive some alarming reports from a number of organisations working on human rights and civic space as well as grassroots movements on the situation of civil society especially in Hungary, Poland and Croatia. Case studies on these countries are being prepared together with our members. Also in many other EU countries reports indicate deteriorating conditions and means resulting in a shrinking civic space.

A closing civic space is one of the signs of a broader problem in the implementation of fundamental rights. The strength of civil society is indeed a condition to a healthy democracy as civil society organisations boost participation in democracy and hold decision makers accountable to respect of fundamental rights. For this reason we are pleased that the proposal specifically includes: freedom of expression and freedom of assembly and association, the promotion of civic space and effective mechanisms for civil dialogue.

More in general, we believe that the proposal of the European Parliament allows to develop a comprehensive and systematic approach by reviewing all EU countries on the implementation of fundamental rights and the rule of law.

We therefore urge you to prompt a positive response from the European Commission to present a proposal by next autumn. We very much look forward to taking part in its preparation and will welcome an opportunity for a dialogue in this respect.

We therefore invite you for an exchange of views on these issues at our forthcoming General Assembly in Brussels on Friday 28 April at a time of your convenience in the morning. We further believe that we would all benefit from exchanges between the European institutions and civil society on such important matters as this one.

Best regards,

Jean-Marc Roirant  
President Civil Society Europe

A handwritten signature in black ink, appearing to be 'JM', is positioned below the typed name.

**Supporting Organisations:**



European Center For Not-for-Profit Law

