



EUROPEAN COMMISSION

*Brussels, 2.8.2019
C(2019)5934 final*

Dear President,

The Commission would like to thank the Bundesrat for its Opinion on the Communication to the European Parliament, the European Council and the Council – Further strengthening the Rule of Law within the Union, State of play and possible next steps {COM (2019) 163 final}.

On 17 July 2019, the Commission adopted its Communication on strengthening the rule of law within the Union - A blueprint for action {COM (2019) 343 final}, which sets out a range of concrete initiatives grouped around three pillars: promoting a rule of law culture; preventing rule of law problems; and responding effectively to breaches of the rule of law.

To promote a common rule of law culture across Europe, the Commission will follow up on the idea of a dedicated annual event for dialogue with civil society. It will make full use of funding possibilities to empower stakeholders, including civil society, to promote the rule of law, and set up a dedicated communication strategy on the rule of law. The Commission will strengthen cooperation with the Council of Europe and other international organisations, as well as with judicial networks and national Parliaments. The Commission calls on the European Parliament, the Council and Member States to engage fully in this process.

To prevent rule of law problems from emerging, the Commission has decided to set up a Rule of Law Review Cycle, including an annual Rule of Law Report covering all EU Member States. This additional system will assist early detection of emerging rule of law problems wherever they appear. The Commission will deepen its monitoring of rule of law developments and invite all Member States to engage in a mutual exchange of information and dialogue, including through a network of national contact persons. There should be a dedicated follow-up on the annual report with the European Parliament and the Council. The Commission will also further develop the EU Justice

*Mr Daniel GÜNTHER
President of the Bundesrat
Leipziger Straße 3 - 4
D – 10117 BERLIN*

Scoreboard and strengthen the dialogue with other EU institutions, Member States, European political parties and stakeholders.

For an effective common response to rule of law breaches, the Commission will continue to make full use of its enforcement powers, if early detection and prevention measures are not effective. The Commission will adopt a strategic approach to infringement proceedings, bringing cases to the Court of Justice of the EU as necessary. In the light of the time sensitivity of such cases, the Commission will request interim measures and expedited procedures when needed. The Commission will also constructively support Member States in de-escalation and resolution of rule of law issues for the situation to be restored in a sustainable manner. In addition, the Commission calls on the European Parliament and the Council to reflect on a collective approach to managing cases under Article 7 of the Treaty on European Union with clear procedural rules.

The Communication takes account of the many contributions received, and the Commission very much appreciated receiving the Bundesrat's input in this context, in particular the recommendation to continue addressing developments relating to the Rule of Law in the Member States.

The Commission hopes that this Communication brings an answer to the concerns expressed by the Bundesrat in its Opinion and looks forward to continuing the political dialogue in the future.

Yours faithfully,

Member of the Commission