



EUROPEAN COMMISSION

*Brussels, 15.1.2021*

*C(2021) 282 final*

*Dear President,*

*The Commission would like to thank the Bundesrat for its Opinion on the Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: 2020 Rule of Law Report - The rule of law situation in the European Union {COM(2020) 580 final}.*

*The Commission fully agrees with the Bundesrat on the importance of direct dialogue with Member States and their competent authorities under the rule of law mechanism, and their close involvement in the preparation of the rule of law report. The mechanism is a preventive tool, aimed at preventing challenges from emerging or deepening. Its objective is to stimulate a constructive debate on upholding the rule of law and encourage all Member States to examine how challenges can be addressed, learn from each other's experiences and show how the rule of law can be further strengthened, in full respect for national traditions and national specificities. The Commission confirms that the dialogue established for the 2020 Rule of Law Report in the country visits with the national authorities, including with the representatives of the German Länder on the issues which are in their competence, will continue, and that Member States will be given adequate time to provide their written input for the next edition of the rule of law report.*

*In addition to the preventive rule of law mechanism, the EU rule of law toolbox provides for different instruments to respond to a variety of situations. The Commission, in its role as the Guardian of the Treaties, will continue to make use of all tools at its disposal to uphold the rule of law.*

*The Commission shares the Bundesrat's views on the importance of discussing the report, including its country chapters, in the Council and welcomes the two constructive discussions organised by the German Presidency of the Council as part of the Council Annual Rule of Law Dialogue. The Commission also welcomes the debates on its rule of law report within the Bundesrat, recognising the essential role of national Parliaments for upholding the rule of law at national level. The Commission would welcome the opportunity to pursue the debate on the 2020 Rule of Law Report with the members of the Bundesrat.*

*Mr Reiner HASELOFF  
President of the Bundesrat  
Leipziger Straße 3 - 4  
D-10117 BERLIN*

*The Commission hopes that these comments address the issues raised by the Bundesrat and looks forward to continuing our political dialogue.*

*Yours faithfully,*

*Maroš Šefčovič  
Vice-President*

*Didier Reynders  
Member of the Commission*