



Věra Jourová
Vice-President for Values
and Transparency

Johannes Hahn
Commissioner for Budget
and Administration

Didier Reynders
Commissioner for Justice

European Commission
Rue de la Loi, 200
B-1049 Brussels

10 February 2021

Subject: *Commission activities to follow-up on the 2020 Rule of Law Report*

Dear Vice-President for Values and Transparency, Věra Jourová,

Dear Commissioner for Budget and Administration, Johannes Hahn,

Dear Commissioner for Justice, Didier Reynders,

On 30 September 2020, the Commission presented its first overview of the rule of law situation in the European Union - 2020 Rule of Law Report. It indicated a number of serious concerns regarding the situation in a number of Member States as regards justice systems, anti-corruption framework, media pluralism and media freedom, and institutional issues linked to checks and balances.

From 1 January 2021, Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget (Conditionality Regulation) is applicable. Regulation on the Recovery and Resilience Facility (RRF Regulation) will enter into force on 19 February 2021. In order to

understand the potential follow-up activities of the Commission, we would like to ask the following questions.

1. Which concerns indicated in the 2020 Rule of Law Report have not been sufficiently address by the concerned MS and therefore remain valid after 1 January 2021 (country-by-country)? How will these concerns be addressed in the 2021 Rule of Law Report?
2. Which concerns referred to in question 1 are breaches of the principles of the rule of law within the meaning of Article 3 and 4(2) of the Conditionality Regulation (country-by-country)?
3. Which concerns referred to in question 2 affect or seriously risk affecting the sound financial management of the Union budget or the protection of the financial interests of the Union in a sufficiently direct way within the meaning of Article 4(1) of the Conditionality Regulation (country-by-country)?
4. Which concerns referred to in question 1 will be identified by the Commission as indications of disrespect of the rule of law during assessment of the recovery and resilience plans in accordance with the RRF Regulation (country-by-country)?

Yours sincerely,

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