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Liberties' Rule of Law Report 2024

PERSISTENT CHALLENGES: JUDICIARY, MEDIA FREEDOM, AND CORRUPTION RAISE CONCERNS ALSO IN 2023

- **It is the most extensive independent report submitted to the EU**
- **Increasing bans on protests, especially for climate and pro-Palestine demos**
- **The Centre for Peace Studies from Croatia contributed to the report with 36 other human rights organisations from across the EU**

The rule of law in the EU continued to deteriorate in 2023, as governments further weakened legal and democratic checks and balances, according to the newly published Liberties Rule of Law Report 2024. Restrictions on the right to peaceful protest have increased significantly, but in many cases are applied selectively to pro-Palestine and climate protests only. The full report can be downloaded [here](#).

In its fifth edition since 2019, the report identifies the most striking violations of justice, corruption, media freedom, journalists' safety, checks and balances, civic space and systemic human rights concerns in the European Union in 2023. The comprehensive analysis, a collaboration of 37 human rights organisations covering 19 EU countries, is the most in-depth 'shadow reporting' exercise on the rule of law to date by an independent civil liberties network. The European Commission considers these findings in its annual monitoring of the rule of law, confirming the international relevance of the report.

In Croatia, significant challenges persist across various domains, with particular concerns surrounding the judiciary, deteriorating media freedom, and rampant corruption at both high and low governing levels. Little to no progress has been observed in areas such as checks and balances, fostering an enabling environment for civil society, and addressing systemic human rights issues. The evaluation of the justice system reveals stagnant conditions, with efforts to compensate judicial personnel falling short and reduced accessibility to legal aid. Moreover, proposed amendments to the Criminal Code threaten freedom of expression by potentially criminalizing the dissemination of information related to criminal cases. Attacks on journalists persist, alongside a high incidence of Strategic Lawsuits Against Public Participation (SLAPPs). Efforts to ensure fair allocation of state advertising and combat SLAPPs have seen minimal advancement since the publication of the EU Commission's Rule of Law Report in 2023. Similarly, anti-corruption measures have stagnated, with no progress in regulating state advertising, establishing clear criteria, or amending relevant legislation. The national country report was produced by the Centre for Peace Studies and the Croatian Platform for International Citizen Solidarity - CROSOL. Croatia Country Report is available [here](#).

In well-established democracies, such as [France](#), [Germany](#), and [Belgium](#), the Report unveils occasional but not endemic challenges to the rule of law. The real concern arises when there's a possibility of an extremist party gaining control, as this could turn these sporadic issues into a systemic problem in the future. In other older democracies, for example, [Italy](#) and [Sweden](#), where the far-right has come into power and is gradually eroding the rule of law, the decay seems to be a gradual process. This might be attributed to the resilience of these older democratic institutions, making them more resistant to takeover attempts. Fortunately, this provides pro-democracy advocates with the opportunity to mobilize, rally support, and counteract these undermining forces. In emerging EU democracies, the rule of law trajectory can swing rapidly – either towards recovery or decline. A case in point is [Slovakia](#), where the recently established government, inspired by Hungary's model, is



systematically dismantling democratic structures. Meanwhile, in [Slovenia](#), the new pro-democracy administration is actively working to mend the situation. [Poland's](#) experience highlights the intricate challenge of restoring the rule of law without inadvertently breaking the very legal foundations one seeks to revive. On the other hand, [Hungary](#) underscores the limitations of relying solely on EU pressure and sanctions for reform. Despite legislative changes, the real shift necessitates ongoing support for democracy at the grassroots level, as institutional capture remains a persistent obstacle to genuine change.

Sara Kekuš, Director of programs of the Centre for Peace Studies, said:

"The numerous challenges we have been writing about for the past five years in the rule of law reports indicate a slow but steady capture of institutions and a decline in democratic standards. The attitude towards civil society, shortening the period for public consultation on laws and other regulations, fast-tracking legislation, along with a high level of corruption, lengthy judicial proceedings, and narrowing space for media freedom, are clear indicators of a possible undemocratic future for Croatia. For the next five-year period, we expect an upward trajectory in implementing recommendations from both the Commission and our rule of law reports, so that our country can realize its full democratic potential for its citizens."

Balazs Denes, Executive Director of the Civil Liberties Union for Europe (Liberties), said:

"Liberties Rule of Law Report 2024 shows that intentional harm or neglect to fix breaches to the rule of law by governments if left unaddressed, can evolve into systemic issues over time. The growing far right, building on these abuses, will very quickly dismantle European democracy if the European Commission does not use the tools at its disposal, including infringement proceedings or conditional freezing of EU funds, in a much more assertive way. There is no need to wait until a captive state like Hungary's emerges with an irremovable anti-democratic regime."

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