

Commission Report on the Application of CFR in 2017



Thomas Wahl

News

On 6 June 2018, the Commission published its annual report on the application of the EU Charter of Fundamental Rights (CFR) in the EU in 2017. It is the 7th report of its kind after the CFR became legally binding with the entry into force of the Lisbon Treaty on 1 December 2009. For the 2016 report, see [eucrim 2-2017](#), p. 54.

In its introductory remarks, the Commission stresses that the 2017 report shows that the structures and tools put in place – to promote a culture of fundamental rights in the EU and make the CFR a reality in people’s lives – have been functioning. However, fundamental rights also faced challenges in 2017, e.g., the threat to the independence of the judiciary in some EU Member States. This led the Commission to propose to the Council to adopt a decision against Poland finding a clear risk of serious breach of EU values. This mechanism, as foreseen in Art. 7(1) TEU, was applied for the first time in the history of the EU.

The report also voices concerns about the more difficult environment for civil society organisations active in the protection of fundamental rights in 2017. Focus of the report is put on “Women’s rights under attack – the topic of the annual colloquium on fundamental rights in 2017.

The report outlines the main developments in 2017 as to the application of the CFR both in/by the EU and in/by the Member States. It also summarises the most important judgments of the CJEU that give further guidance on the interpretation of the Charter’s provisions.

The report concludes that the Commission will further support the common Union values in 2018. The new financial framework proposed in May 2018 will help achieve this aim. In view of the forthcoming EP elections in 2019, the focus of the 2018 fundamental rights colloquium will be on “Democracy in the EU.” It will take place on 26-27 November 2018 in Brussels/Belgium and give participants the opportunity to discuss ways to foster free and open democratic participation in an era of increasingly low turnout at elections, populism, digitalisation, and threats to civil society.

AUTHOR

Thomas Wahl

Senior Researcher
Max Planck Institute for the
Study of Crime, Security and
Law

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