



European Commission -
Speech
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Speech by Commissioner McGrath at the Law Society of Ireland's Centre for Justice and Law Reform summer school

Brussels, 26 June 2025

Ladies and gentlemen, friends and esteemed guests. Good afternoon.

Let me begin by expressing my sincere thanks to Eamon Harrington, President of the Law Society of Ireland for the kind invitation to participate in the inaugural Summer School hosted by the Centre for Justice and Law Reform. I am also grateful to Mark Garrett for his generous words of introduction. As the European Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection, it is both a pleasure and a privilege to address you today about the challenges facing democracy and the rule of law. These are not just abstract principles. They form the foundation of our societies shaping how we live, how we govern and how we protect rights and freedoms. Like any foundation they require vigilance and care. That is why the theme for my remarks, **"Safeguarding democracy and the rule of law in times of challenge"**, could not be more timely or more important.

We find ourselves in an era where erosion of democratic norms is not just a theoretical risk, but a growing reality. The **gradual weakening of public trust, laws, and institutions** poses a direct threat to the freedoms and values we've worked hard to establish and protect. One of the most serious challenges we face is **creeping authoritarianism**. This is not about sudden coups or dramatic power grabs. It is about the slow concentration of power in the hands of a few, often at the expense of long-standing democratic principles. This erosion often proceeds quietly, through a systematic dismantling of safeguards designed to protect our rights and freedoms such as: changes to legal and constitutional frameworks, manipulation of electoral processes, and the weakening or silencing of an independent media. Closely aligned to such development is the **undermining of judicial independence**. Without an independent judiciary, laws are subject to the whims of those in power. The rule of law becomes fragile, unable to protect the rights of individuals, hold governments to account, or serve justice impartially. When people see courts as unfair or lacking independence they begin to lose faith in the very idea of justice. In such circumstances, **rebuilding trust** requires transparency, accountability, and consistent engagement with communities. To this end we must showcase the successes of democratic institutions to demonstrate that democracy can and does deliver real results. Across the EU, many citizens feel disconnected from the democratic processes that shape their lives. This disconnection can lead to apathy and worse create space for harmful ideologies to take hold. In response, the EU has an important role in making political and civic engagement **simpler and more accessible**. And let's not overlook the urgent need to protect our societies against **disinformation and manipulation** which threaten to undermine informed public debate and democratic legitimacy.

Tackling these challenges is where the **European Democracy Shield** comes into play. This is an initiative that President von der Leyen has entrusted me to lead, and I will be presenting it later this year. Work on the Shield should be seen as a **continuum of the Commission's broader efforts** to strengthen the resilience of our democratic systems. While we are still in the process of defining the precise scope of the Democracy Shield, I can share some preliminary insights. In the recent public consultation, we received nearly 4,000 replies to the questionnaire and over 1,500 replies to the call for evidence with over 90% of submissions coming from citizens. These are being thoroughly analysed and we will report on the findings, but I can highlight already some key points that we are exploring.

First, this initiative aims at **protecting our democracies from foreign information manipulation and interference**. Misinformation and disinformation have become potent tools in manipulating public opinion, undermining electoral processes, and inciting division in society. In responding to these threats, our goal is to strengthen the EU's capacity to **prevent, detect, analyse and respond**

to these threats in a timely and coordinated manner. Ultimately, we must ensure that **voters have access to facts - not fiction** when making the decisions that shape our future. To this end, we will increase our support for **fact-checking**, including by setting up a dedicated EU network of fact-checkers. This will allow us to **strengthen pre-bunking and debunking** across the entire EU. We are also exploring ways in which existing structures and frameworks could be reinforced and, if possible, better streamlined, so as to **increase operational cooperation** among Member States and between them and the EU institutions.

Secondly, we will continue to work to uphold **fairness and integrity of elections**. By dedicating resources and expertise to this fight, we reaffirm our commitment to ensuring our elections across Europe remain **free and fair, and shielded from external interference**. The conduct and organisation of elections are the competence and responsibility of the Member States. However, the Commission supports them in ensuring the **fairness and integrity** of electoral processes, including through the **European Cooperation Network on Elections** (ECNE). As part of a dedicated **European Cooperation Network on Elections** questionnaire, Ireland reported on its *Electoral Reform Act 2022*, addressing challenges such as disinformation, misinformation, and manipulative or inauthentic behaviour during election campaigns. We greatly **appreciate Ireland's active cooperation** in this vital area. Ireland's contribution sets a positive example in our collective efforts at fighting threats to democracy. We are also looking at other ways to reinforce our support for democratic processes by focusing on: The safety and security of political candidates and elected representatives, equal opportunities for political parties and candidates, especially in a digital landscape shaped by online platforms, and robust election-related risk-management including cybersecurity. **Transparency** in the online environment is a **crucial element of free and fair elections**. Users of online platforms should be clearly informed when **algorithms** are being used to promote political content especially when these algorithms are driven by personal data or target individuals based on their characteristics. They also have the right to know whether political content is sponsored or paid for and by whom. The effective enforcement of the **Digital Services Act** and the **Regulation on Political Advertising** will be essential to achieving this transparency.

Thirdly, under the European Democracy Shield, we will also aim to strengthen **societal resilience, enhance preparedness, and foster greater citizen engagement**. We are actively exploring ways to **enhance digital and media literacy to foster critical thinking** from an early age. This will help build societal resilience against challenges such as foreign information manipulation, disinformation, and cyber threats. We must also find more effective ways to **encourage active citizens participation** in elections, democratic dialogue, and public policymaking. There is much to be learned from the best practices of Member States, including local initiatives that promote democratic engagement and ensure inclusive participation. Moreover, by promoting **transparency and speaking in plain, accessible language**, we can bring more people back into the democratic conversation. Clear and relatable communication contributes to everyone feeling that they have a voice and a stake in our democratic processes. It is especially important to engage younger generations by speaking compellingly about the value and relevance of democracy in their daily lives.

Finally, supporting civil society organisations and ensuring the media can operate freely, fairly and independently is crucial to a healthy democracy. These stakeholders are on the frontline of defending our rights and democratic values. They provide citizens with reliable information, help navigate a complex media landscape, and play a vital role in holding those in power to account. We are also considering further actions in other areas, including ways to support independent and trustworthy **research** and protect it from possible interference. In parallel, we are preparing an **EU Civil Society Strategy** to protect, support and strengthen engagement with civil society organisations across the EU. Our recently launched public consultation on the Strategy will remain open until 5 September, so I invite you all to participate and have your say.

A crucial pillar of democratic resilience is economic stability. The rule of law is fundamental to the functioning of the EU single market where: laws are applied effectively and uniformly, businesses can operate across Member States on an equal footing with domestic companies, and public budgets are spent in line with the applicable rules. In that sense the Rule of Law has a **direct and measurable impact on prosperity, investment and competitiveness**. A fair and transparent legal framework provides **certainty for businesses, confidence for investors, and reassurance for consumers**. It is also essential to **fostering mutual trust** among Member States and enable businesses to **operate on an equal footing** across borders. Both of these objectives depend heavily on the rule of law and its significance in ensuring that laws are applied uniformly and transparently.

The rule of law is not only a democratic imperative, it is also an economic asset providing a stable operating environment that gives the EU and its Member States a global **competitive edge**. That is why the EU's commitment to building a strong and competitive Europe is inseparable from efforts to safeguard the rule of law. As President von der Leyen announced in her political guidelines, during my term we will add a **single market dimension to our annual Rule of Law Report**. The **Report serves as a preventive instrument enabling us to monitor developments** in all Member States and to identify and **address challenges at an early stage** through dialogue and, where needed, targeted recommendations. By integrating a single market dimension to the Report, we will also be better equipped to directly address rule of law issues that impact companies, especially SMEs, operating across borders.

In response to the **unprecedented challenges to the Rule of Law** within the EU in recent years, the Commission has developed a wide range of instruments to **promote the rule of law, prevent risks to it, and respond effectively to threats**. I want to emphasise that in the EU, dialogue **always** comes first. However, if dialogue fails to **deliver** results, **decisive action becomes necessary**. The Commission has the power to **launch infringements and propose the suspension or reduction of EU funds** in cases of serious breaches of rule of law principles. Respect for the Rule of Law will remain **a fundamental condition for EU funds**. In this regard, the EU's next budget – the Multiannual Financial Framework that will take effect from 2028 – will also include **strong Rule of Law safeguards**.

An **independent judiciary is a cornerstone of any democratic society** serving as a check against abuse of power and executive overreach. When judicial independence is eroded or when judges fear reprisal for their rulings, the entire legal system's integrity is compromised. Without independent courts, **there can be no** rule of law, **no** freedom and **no** equality – in short, **no** conditions under which **citizens** can live freely, and **enterprise** can flourish. And to put it simply – **without** respect for the rule of law, there can be **no functioning European Union**. It is of paramount importance that the Court of Justice of the European Union – at **the pinnacle** of the EU legal order – can continue its crucial work without interference of any kind. It is important to remember that **national judges** are Union judges tasked with upholding EU law in close cooperation with the Court of Justice through the preliminary ruling mechanism. This is why it is fundamentally important to ensure that national courts in all Member States are **independent, efficient**, high in **quality** and **resilient**. Encouragingly we see that several Member States are taking concrete steps to strengthen the **independence** and **resilience** of their justice systems, and the Commission is fully **supporting** these initiatives.

For example, **in Poland**, an Action Plan on the Rule of Law – adopted by the Government – is currently being implemented, with a view to **restoring** judicial independence and reinforcing the rule of law. In **Germany**, a constitutional amendment was adopted in December 2024 seeking to safeguard the independence of the Federal Constitutional Court by preventing any future attempts to undermine its role. And in **Finland**, a working group on “rule of law guarantees and the development of the judicial system” has been established to explore new ways to **strengthen** judicial independence, enhance legal protection and promote a user-centred approach to justice. Beyond the judiciary, allow me to also **highlight** the key role of **legal practitioners and their representative associations** in **guaranteeing** access to justice, **ensuring** the protection of fundamental rights, including the right to a fair trial. An effective justice system depends on lawyers being able to advise and represent their clients, independently and safely. So let me assure you that the Commission will **always stand ready** to support Member States in their efforts to **reinforce** the resilience of their national justice system and strengthen rule of law safeguards.

The **Court of Justice of the European Union (CJEU)** plays a critical role in upholding the rule of law and **safeguarding judicial independence across the Union**. Its rulings set important precedents and establish an important framework to ensure EU law is applied uniformly, fairly and without fear or favour. In recent years, the Commission has not hesitated to take enforcement action to **uphold** the rule of law and judicial independence in Member States. For example, the Commission launched several infringement proceedings against Poland to protect Polish judges from threats to their independence and to uphold EU law. The Commission also initiated infringement proceedings against Hungary's so-called “Child protection law”, where 16 Member States and the European Parliament intervened in support of the Commission's position. The Commission considers that this law violates internal market rules, the fundamental rights of individuals particularly those of LGBTIQ+ individuals, and the core values of the Union as laid down in Article 2 of the Treaty on the European

Union. The case is currently pending before the Court of Justice and an Opinion of the Advocate General was delivered on 5 June. As Commissioner, I am determined to continue fulfilling the Commission's role as **Guardian of the Treaties**, including **referring matters** to the Court of Justice where this is necessary to uphold Union law. **The rule of law must never be taken for granted**. We must remain vigilant and ensure that it is robust, adaptable, and capable of meeting the challenges of our time.

Beyond our borders, **the EU stands as a beacon for democracy and the Rule of Law**. People look to us to set the standard, and to promote and defend democratic values wherever they are under threat. In a world facing the rise of authoritarian regimes and political instability, our leadership matters. That means building partnerships, supporting democratic transitions, and standing up for human rights across the globe – all of which are essential to our mission. While the road ahead may be long, the fight to **defend democracy is a path worth traveling** for the sake of freedom, justice, and equality. Each one of us has a role to play. It's our **collective responsibility** to uphold the values we cherish and to protect the rights of every individual. As you know **Ireland will assume the Presidency** of the Council of the European Union in the second half of next year, and I look forward to close cooperation with the Irish Government on the many challenges, and opportunities, that we anticipate over the coming months. I encourage you then to **stay informed and actively engage** with developments as we approach what will be a critically important period for Europe. There is still much more to achieve. Let us work together to ensure that future generations inherit **a world where democracy not only survives but thrives**.

Thank you for your attention and I wish you well in your well for productive and enlightening discussions.

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