

2025 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, five editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2025 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2025 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

- (1) information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and**
- (2) any other significant developments since January 2024^[1] and up to the date of submission falling under the ‘type of information’ outlined below.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

If you would like to provide further specific **input related to the single market dimension in the Rule of Law report**, you can also respond to the additional targeted consultation available [here](#).

^[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable. To simplify your answers to the questionnaire, **if there are no developments, it is sufficient to indicate this** and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

About you

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities

☐ Other

* Organisation name

250 character(s) maximum

Reporters Without Borders (RSF)

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☒ Media Pluralism
- ☐ Checks and Balances
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://rsf.org/en>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

612547127497-45

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☒ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta

- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Julie

Surname

Majerczak

Email Address of the organisation

secretariat@rsf.org

*** Publication of your contribution and privacy settings**

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin) will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2025 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics - 2025 Rule of Law Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2024 Rule of Law Report and any other significant developments since January 2024 and up to the date of submission[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy

- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☒ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

5000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application /enforcement**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

No improvement for the recommendation: "Strive to ensure adherence to fair, transparent and non-discriminatory procedures in the awarding of media licenses". There is only a slight improvement for recommendation: " Strive to ensure an effective legal framework for independent management and editorial independence of the media and editorial independence of the public media, taking into account European standards for public media".

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

The institution that organizes the media market, the National Broadcasting Council (KRRiT), still cannot be considered independent, although the independence of its members is mentioned in the law, and the Council's very existence is enshrined in the Constitution. In Poland, sufficient barriers have never been created to achieve this. The current composition of the KRRiT is mostly people affiliated in various ways with the former ruling party (Law and Justice). After the 2023 elections, a group of parliamentarians from the current ruling center-liberal coalition filed (in May 2024) a motion to bring KRRiT chairman Maciej Swirski before the State Tribunal (which adjudicates responsibility for violating the Constitution or the law). The petitioners accuse the head of the KRRiT of violations in three different segments: blocking some 300 million zlotys from subscription fees for public radio and television, blocking concessions to private broadcasters (TVN, TVN24, Radio TOK FM, Radio ZET), and failing to conduct statistical surveys on the audience of TV stations in Poland. Should the Sejm pass a resolution to bring the case before the tribunal, Swirski would be

suspended. The Council's actions under his leadership have raised suspicions that it favors the previous government; shirking its responsibility to monitor successive elections, and failing to respond to government rhetoric broadcast by the public media in the period 2015-2023. Also still in place is the National Media Council (RMN), a new entity created in 2016 by the previous right-wing government to control public media. The current government dismissed its head Krzysztof Czabański on charges of conflict of interest. Thus, the current ruling coalition gained the majority in the 5-member council when Civic Coalition MP Wojciech Król became its chairman (council members, unlike the KRRiT, are not prohibited from belonging to a political party). Members of the Council, which deals exclusively with public media, can intervene in the programming decisions of public media at any time and for any reason by freely influencing the composition of the management and supervisory boards of TVP, Polish Radio and the Polish Press Agency. In practice, however, the RMN (which is arguably an unconstitutional body, since it took over powers from the constitutionally empowered KRRiT) is not working. The current government, ignoring its existence, has made a change in the public media itself by acting as the company's owner. Internal procedures and practices of RMN are non-transparent, facilitating control by a given political majority. The current cabinet plans to abolish the Council which would be a consequence of a parliamentary resolution adopted on December 19, 2023. It says that Law and Justice in 2016 took over public media "unprecedentedly in Poland's recent history, illegally and contrary to the Constitution of the Republic of Poland," in order to "use them for party and government propaganda purposes and to discredit and spread hate speech against the opposition and critics of the government." Many experts, journalists or lawyers believe that the KRRiT is not fulfilling its role, as it had little reaction to the propaganda content of the public media under the Law and Justice government. The KRRiT does not recognise the changes to the public media carried out by the current government. In September 2024, it issued a 'Calendar of the liquidation of public media in Poland'. It describes the change of authorities in the public media from the perspective of Law and Justice politicians. As it writes, 'the only arguments for the liquidation of the companies turned out to be assessments concerning the quality of programmes, expressed by the partisans of one political option in the country'. What it does not say, however, is that the public media under chairpersons appointed by the Law and Justice Party was described as a propaganda tube of that party.

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

The scope of freedom in the implementation of the powers granted to the National Broadcasting Council (KRRiT) by the Constitution is still significantly limited. The current composition of the Council was selected in the fall of 2022. The fast changes made by the Law and Justice shifted the whole system of appointments in public media to a partisan direction. The appointment competence was given to the National Media Council (RMN) which is directly dependent on the parliamentary majority. It is the Sejm that appoints and dismisses three of the five members of the RMN in a simple majority vote (and the remaining two members put forward by the opposition are appointed by the President). The 2016 judgement of the Constitutional Tribunal (then still in its correct composition), which ruled that depriving the KRRiT of competence over public media is unconstitutional, was never implemented. After the October 2023 elections, the new government of Prime Minister Donald Tusk overhauled the management of the public media despite the attempts of the former ruling party Law and Justice (PiS) to block the changes by occupying the media's premises. The Minister of Culture Bartłomiej Sienkiewicz as the body exercising the ownership powers of the State Treasury, acting under the provisions of the Commercial Companies Code, appointed new supervisory boards of companies, which appointed new management boards. When the President Andrzej Duda refused to sign the budget comprising subsidies for the public media, the government imposed a liquidation procedure on the media. The liquidation process, although begun, does not have to be completed in the future. Instead, it allows for an easier replacement of staff; many people, especially those known for creating propaganda content, have been fired or left. At the end of December 2024, the new head of the National

Media Council, Wojciech Król, announced in an interview that parliament would take up a new media law in the summer or fall of 2025. When the Culture Ministry presented the concept of implementing EMFA into the Polish legal order in June 2024, many intergovernmental organizations including RSF sent comments to them. Although the culture ministry has taken some of the comments into account, there is no guarantee that the procedures for selecting public media authorities will be depoliticized. This is because the new law would still stipulate, as it did before 2015, a dominant role for the KRRiT - a politically elected body - in the procedure for selecting public media authorities. In its statement, RSF called for deeper changes. It is known for many years that the system of appointments of public media management needs a reform to achieve more independence from the state

(https://rsf.org/en/poland-rsf-s-recommendations-public-media-reform-are-partially-taken-account-government-must-do?fbclid=IwZXh0bgNhZW0CMTAAR0Dm_w1YHsDnnh6MvAa29fTZBo-VPZ8ymITOsSiG01GY7qGxrxPWGn_i5E_aem_0CHJl8mb0ZiCwCgVW1fi1g). On March 14, 2016, a coalition of people of culture, scholars and NGOs ("Civic Committee for the Public Media") signed the Citizens' Pact for Public Media. It also prompted major political groups to sign a pledge on June 21, 2016 to create legal guarantees for media "free from party, political and commercial dependencies." The coalition then prepared a draft law on public media in 2016 providing for the involvement of civil society in the selection of the boards of these media, without the dominant role of the KRRiT. Another draft presented in the Senate in 2022 by a group of media experts was prepared in a similar vein. While swift action was needed in the context of the chaotic legal situation as a result of eight years of PiS rule, a prerequisite for restoring lasting trust in the public media in line with the Council of Europe's recommendations, is to involve more the public in the selection of boards of directors and free them from the control of politically elected bodies. After all, the system put in place after 1989 did not result in an unbiased and financially stable media.

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

The Polish journalistic community does not have a common self-regulatory body with authority over all those working in the profession. The divisions have deepened in recent years due to polarisation on the political scene and politicisation of the public media. Thus two centres function: The Media Ethics Council created on the basis of the Council established in 1995, and the Centre for Monitoring and Freedom of the Press at the Polish Journalists' Association. The two bodies assess professional dilemmas in radically different ways, and the dividing line was between those who distanced themselves from the Law and Justice (PiS) government (which ruled from 2015 to 2023) and criticised the political rhetoric of the public media (Media Ethics Council) and those who sympathised with the policies of the PiS government (Association of Polish Journalists with the Centre for Monitoring and Press Freedom). After the change of government, the Association of Polish Journalists did not accept the argument that the government was making changes in the public media to stop partisan propaganda. In a statement issued, the association calls this "an outrageous and unlawful action by the team of Prime Minister Tusk and the Minister of Culture." In turn, it considers the legal action as non-existent and contrary to the law. This position did not change when the courts granted the government's motions and put all public media companies and the Polish Press Agency into liquidation, which was confirmed by entries in the National Court Register. Any complaints about a programme can be submitted to the National Broadcasting Council (KRRiT). It also controls the fulfilment of statutory requirements which apply to both public and licensed broadcasters, e.g. compliance by broadcasters with the Broadcasting Act (prohibition of discrimination, protection of minors, obligation to respect the religious beliefs of the audience, "in particular the Christian system of values" as written in Broadcasting Act).

B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Despite the possibility to use the Polish Act on Access to Public Information, it can still be hard if not impossible to get information on state advertising under the pretext of protecting trade secrets. Since the Law and Justice party took power in 2015, the issue of advertising expenditure by companies with State Treasury shareholding has been purely political. Some media opposing the authorities were completely excluded from advertising expenditure (e.g. Newsweek, Polityka, TVN, Gazeta Wyborcza), while others enjoyed a much higher share in the budgets of state-owned companies than their market share (such as Gazeta Polska, Do Rzeczy, W Sieci). According to a report by the Supreme Audit Office published at the beginning of 2024, the audited state-owned companies (not all of which let the auditors in) spent a total of more than PLN 1 billion on the purchase of media services between 2017 and 2021. In the case of television, the companies spent the most money on the purchase of media services at public broadcaster TVP. As of 2019, the audited companies did not buy such services from the private station TVN. Also from the previous report published in July 2023, it can be seen that between 2017 and 2019, the expenditure of State Treasury companies on media services grew dynamically. The record amount - PLN 281.9 million - was reached in 2019, the year of the parliamentary elections. During the campaign for the 2023 parliamentary elections, state-owned companies took part in promoting the referendum campaign - as the ruling party also organised a referendum with questions on state policy on election day. After the elections won by the opposition, publishers expected a fairer distribution of state funds in the advertising market. At the same time, boards of directors were replaced in many state-owned companies, which stretched such decisions over time. In the middle of 2024, the Polish media began to report on the shift in state funding. Public Polskie Radio's advertising revenues fell by 41 per cent in the first half of 2024, 'Presserwis' found. The reason for such a large drop is the reduction in promotional spending by state-owned companies. The Agora concern (publisher of 'Gazeta Wyborcza') admitted that State Treasury companies have started to include it in their advertising budgets again. - We can see that the conspiracy against independent media has ended,' the company's president, Bartosz Hojka, said at one of the conferences. At the same time, less money started to flow to the right-wing media, the Wirtualnemedial portal reported. However, the proportions of these flows are difficult to determine. In the assumptions for the implementation of the EMFA, presented in June 2024, the Polish Ministry of Culture announces the imposition of an obligation on all public entities to develop rules for the spending of public funds for public advertising purposes and the obligation to make public information about their spending on an annual basis. It is worth noting here that a coalition of 11 NGOs which took part in the public consultation on the assumptions, in its call draws the government's attention to the lack of transparency in the spending of public funds at the local level. Municipalities or municipal companies do not want to provide information on the publication of advertisements in local newspapers, so it is not known what resources they allocate to this and how they select the media to which they outsource such a service. The Access to Information Act does not help; information is denied on the grounds that advertising by public companies is not public information or that it is "processed" information - requiring considerable work or covered by business confidentiality.

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions

- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

The key regulations on the issues related to editorial independence are in the following legal acts: the Press Law, the Broadcasting Act, and the statutes of individual media. Significant provisions in this area are also in documents on journalistic ethics. During the rule of Law and Justice, editorial independence was most strongly affected by the public media, which became a propaganda tube for the party. After the last elections, the new heads of public media publicly declared the return of editorial independence on more than one occasion, including doing so during talks with representatives of the RSF during the RSF's mission to Poland from 8 July to 11 July 2024. This is particularly important in a situation where the public media now fall directly under the authority of the Minister of Culture. The government plans to include provisions on editorial independence in a new media law. However, as the changes to the content of the programme under the Law and Justice government have shown, the key to maintaining editorial independence is the selection of professional staff who are not susceptible to political pressure. Meanwhile, the assumptions for this law presented in June 2024 still envisage the dominance of the National Broadcasting Council - a politically elected body - in the media staffing process.

A disturbing phenomenon in recent years has been the encroachment of the chairman of the National Broadcasting Council into the area of editorial independence. This has to do with the power of the KRRiT chairman to impose penalties on the media when the basis for doing so is a provision that is open to interpretation. He can impose a penalty for violation of article 18 of the Broadcasting Act, which stipulates, inter alia, that 'programmes may not promote actions contrary to the law, to the Polish *raison d'état* and attitudes and views contrary to morality and social good (...)' and should respect the religious beliefs of the audience, 'and in particular the Christian system of values'. Meanwhile according to article 13. 1. 'The broadcaster independently shapes the programme'. The Press portal calculated that Maciej Świrski (head of the Council since September 2022) has fined media outlets more than PLN 1.3 million in a year and a half. Unlike previous heads of the Council, he often used article 18 and made decisions single-handedly. In May 2024, the Regional Court in Warsaw ruled that, in breach of the law, Świrski had fined Radio ZET in 2023 (PLN 476,000) and that the fine was grossly excessive. At issue was material alleging that the Americans had transported Volodymyr Zelensky through Poland without informing the Polish services. Świrski considered this information to be fake news violating the Polish *raison d'Etat*. However, RSF found (https://x.com/RSF_inter/status/1692190885646123291) that the broadcaster did not want to reveal its sources, so it could not answer all KRRiT's questions. In a precedent-setting manner, the chairman also began to collect fines from media outlets without waiting for the outcome of court trials in which the broadcaster's appeal against the fine was considered. Some experts sounded the alarm that the chairman went beyond his remit when, in April 2024, with the help of the Tax Office, he enforced a fine of PLN 550,000 against TVN for the report "Franciszkańska 3", which presented evidence that John Paul II knew about paedophilia in the Church and long before he became Pope. This happened even though the broadcaster appealed to the court and was still waiting for a final judgment.

The courts also pointed out violations of the law by the KRRiT in extending the licence. Applications for a licence to distribute radio or television programs for the next period, must be submitted to the state regulator (KRRiT) no later than 12 months before the expiration of the licence held. A licence may be denied only if any of the circumstances indicated in the law apply to the broadcaster. The Provincial Administrative Court in Warsaw found 'inaction' on the part of the National Broadcasting Council (KRRiT) in extending TVN24's licence and a "gross violation of the law" in the case of TVN7's licence. Świrski was fined PLN 60,000 for 'blatant and obvious inaction' in extending the TVN Style concession. The private news channel TVN24 (of the same US owner) had to wait 19 months for a decision on the case.

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

The Broadcasting Law already obliges audiovisual broadcasters to provide viewers with easy access to information about the ownership structure. The provisions of the Press Law (article 27) impose information obligations on the press; each copy of periodicals, agency services, and other similar press printed matter must bear the name and address of the publisher or other competent authority in a visible and accustomed place. There is no legal obligation on any authority to inform the public about media ownership and there is no official database available to the public regarding media ownership. The conclusions of ownership are drawn, for example, on the basis of readership surveys published by the Związek Kontroli Dystrybucji Prasy (Press Distribution Control Union). Information on the ownership structure can be found in the annual reports of the National Broadcasting Council. The business names can be traced by analysing the data available in the National Court Register. But this assumes that we know what name we are looking for. Therefore it is difficult to obtain quick and comprehensive information on media ownership in Poland. In the assumptions for the implementation of EMFA presented by the Ministry of Culture, it is proposed that the media ownership database be maintained by the KRRiT. Broadcasters, providers of on-demand audiovisual media services, providers of video sharing platforms and press publishers would be obliged not only to make the information data available to recipients of their services, but also to provide updated data to the KRRiT via an electronic form made available free of charge to all service providers. According to the Culture Ministry's proposal, press publishers will be obliged to publish information about shareholders, or stockholders, on principles analogous to those in force in the Broadcasting Law. The coalition of 11 NGOs that took part in the public consultation stressed that the most important thing from the point of view of EMFA implementation is to map what media operate at the local government level, as this information is the most difficult to obtain, due to its dispersion. They stressed that in terms of transparency of the media ownership structure, although it is usually possible to determine the publisher of a given title, the problem remains determining the real beneficiaries. The law allows for complex ownership structures, which makes it difficult to identify the real owners. The NGOs also pointed out in their comments that it would be useful to consider making state advertising conditional on media registration in the database . In response to this demand, the culture ministry wrote that it seems too far-fetched (Public Consultation Report, page 82: <https://www.gov.pl/web/kultura/prezentujemy-raport-z-konsultacji-spolecznych-zalozen-do-ustawy-medialnej>).

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

Poland has robust laws protecting journalistic sources. Only in exceptional cases, a journalist can be released from secrecy through legal proceedings - with the possibility of appeal to the court . However, one recent ruling by the European Court of Human Rights shows that domestic law does not provide sufficient safeguards to prevent the excessive use of surveillance and undue intrusion into private life(https://hfhr.pl/upload/2024/05/judgment-pietrzak-and-bychawska-siniarska-and-others-v_-poland-complaints-about-polish-legislation-on-secret-surveillance.pdf). This judgment, when confronted with the negative experience of the use of Pegasus software between 2017 and 2023 in Poland (although there was no information that the surveillance involved journalists), raises the question of how much journalistic confidentiality is protected. NGOs consulting on the government's proposals to implement EMFA believe that the government is wrong to assume that journalists' protection is sufficient (Comments of NGOs on the assumptions of the media law (p. 35: <https://hfhr.pl/aktualnosci/item-142515321>). They stress, "the system of control and supervision of

the services is still ineffective, and judicial review of requests for operational control is illusory.” They see the lack of additional safeguards in the EMFA implementation concept as an expansion of the powers of the services and a legalization of the use of surveillance software against journalists. The Panoptykon Foundation stresses that Polish services can conduct operational control in far more situations than EMFA provides - for example, when they are investigating a crime of unlawfully obtaining information (punishable by up to 2 years' imprisonment). In 2020, journalist Ewa Siedlecka filed a lawsuit for violation of personal rights by the Polish state. “I have the right to know whether I was under surveillance,” - she stressed. The court confirmed (June 4, 2024) that Siedlecka's right to privacy had been violated - because the authorities had not released the documents she had requested. At the same time, since Polish regulations do not provide a path for providing her with this information, the authorities, who did not do so, did not break the law. The journalist has filed an appeal. Responding to NGOs' claims about the possible surveillance of journalists, the Culture Ministry wrote (Public Consultation Report, page 35 : <https://www.gov.pl/web/kultura/prezentujemy-raport-z-konsultacji-spoecznych-zalozen-do-ustawy-medialnej>) that the ECHR ruling on the Bychawska-Siniarska complaint came shortly before the government's proposals to implement EMFA was put out for public consultation. The Culture Ministry has referred comments made by NGOs to the Ministry of Internal Affairs and Administration and the Ministry of Justice to verify how the ECHR judgment will affect Polish laws. The Culture Ministry declared its active participation if work is undertaken on the regulations in question to ensure their compliance with EMFA requirements.

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

The RSF has seen no progress in initiating cooperation between police and journalists to develop procedures to protect journalists during demonstrations, or to protect them from aggression and hate speech on the Internet, or to provide personal protection for investigative journalists and journalists covering corruption, organized crime or terrorism. This becomes particularly important in the situation of war in Ukraine. On the platform of the Council of Europe, RSF joined the alert on the case of investigative journalist Grzegorz Rzeczkowski, who publicly stated that he feared for his life because he had been threatened by people with Russian connections, which he wrote about in his articles and book. There are no longer the mass demonstrations that took place under the Law and Justice government, so there are no recorded attacks on journalists. However, the state should initiate cooperation with journalist organizations and develop appropriate procedures. In November 2021, police issued the instruction in connection with the upcoming Independence Day celebrations and “with a view to the safety of journalists and photojournalists”. The instruction was drafted without prior consultation with journalists. Some points in this instruction are questionable, in particular: - Equip yourself with a reflective vest that says PRESS (some journalists may not want to wear it to avoid becoming a target of attacks); - Position yourself at the edge of the crowd and try not to get in the middle of the action. If you find yourself in the middle of two sides, back off immediately (journalists are not protesters and should enjoy the right to cover police operations and for this reason work in places inaccessible to protesters - the police have to ensure their security). During a protest in Warsaw on July, 14, 2023, a group of police officers brutally detained freelance photojournalist Maciej Piasecki while he was working. In March 2023, the European Court of Human Rights communicated to the Polish government the complaints of Maciej Nabrdalik and Maciej Moskwa. The case concerns the brutal detention of photojournalists by Polish Army soldiers near the Polish-Belarusian border. Progressive polarization in Poland manifested itself under the Law and Justice government in restricting the work of journalists. It happened that employees of public media (accused at the time of transmitting government propaganda) were not allowed into opposition meetings. In turn, private media were repeatedly not allowed into press meetings of state-owned companies. During the current term of government, on January 22, 2024, a journalist and cameraman from Republika Television were not allowed into a press conference of the Ministry of Culture. After the Ombudsman intervened, the head of the Culture Ministry, Bartłomiej

Sienkiewicz, explained that the station was not accredited "due to the hate speech that is a permanent part of the message created on the air." This was met with criticism from the Ombudsman, who recalled that only the National Broadcasting Council has the statutory authority to evaluate a broadcaster's performance of its obligations related to program content. RSF, too, directed questions on the matter to the Ministry of Culture, but received no response. In July 2024, the District Court of Warsaw ruled (inconclusively, an appeal was filed) that this was illegal and ordered the station to apologize. According to press.pl, which investigated the case, TV Republika is allowed into the ministry for press conferences after Sienkiewicz was replaced in this position by Hanna Wroblewska, but still the station's employees are not allowed into press conferences of the PM. The Warsaw District Prosecutor's Office Warsaw-City Center, following the complaint, launched an investigation into the obstruction of press criticism of journalists. Polarization is also revealed through verbal attacks by politicians on journalists. In December 2024, Gazeta Wyborcza reported that former Prime Minister Mateusz Morawiecki publicly accused TVP journalist Justyna Dobrosz-Oracz of maintaining contacts with Pavel Rubtsov, a GRU agent, when the journalist asked about the prosecutor's investigation of Morawiecki. Law and Justice (PiS) spokesman Rafal Bochenek demanded that the Speaker of the Sejm check whether Wirtualna Polska journalist Patryk Michalski should be allowed into the Sejm. The accusations were accompanied by a massive attack by social media trolls who spread falsehoods about Michalski. PiS MEP Jacek Ozdoba said on a Radio Zet program that there are journalists at TVN who are disposable to the ruling government team, and one of them, Katarzyna Kolenda-Zaleska, is "at Donald Tusk's beck and call."

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

According to the Law on Access to Public Information of September 6, 2001, the right of access includes: access to official documents, admission to meetings of collegial public authorities of popular election, and obtaining up-to-date knowledge of public affairs. Access should be guaranteed without undue delay, but no later than 14 days from the date of application. When this deadline cannot be met, the entity shall set a new deadline, but no longer than 2 months. In practice, there are numerous violations of the law, as the Supreme Audit Institution reported in its 2023 report. Delays in responding to requests have been as long as two and a half years. Possible appeals are time-consuming - they can take many months. According to the last available report on openness of the Watchdog Poland organization (the survey was made in 2023), the most common reason for withholding information indicated by institutions was: the requested data was deemed not to be public information, the requested information did not exist or the authority did not have it. The organization believes that changes are needed, such as: making it mandatory to hire staff to take full care of openness, treating the development of the right to information in the context of the process of digitization and new technologies, reviewing the right to information in Poland and repairing areas that already do not work in practice. Disputes over whether information constitutes public information are among the most common. The organization also investigated the conditions for journalists' access to information. Administrative courts have placed additional requirements on them. A journalist employed by an editorial office must prove that he has authorization to act from the editor-in-chief. Those acting on their own (freelancer,) are required to provide the court with a certified copy of the district court's order confirming that they have a registered press title. Polish independent media also have other problems with access to information. When contacting public institutions, journalists regularly invoke the Press Law. Often in response, however, they learn that the only mode available for obtaining information is that under the Access to Public Information Act. The problem is that this mode significantly affects the time it takes to obtain a response and thus the value of the information itself, the importance of which usually depends on the ability to confirm it efficiently. Thus, offices can effectively extend the deadline for providing a response. In the case of requests made under the Press Law, journalists pointed out that the length of time it takes for authorities or institutions to respond can vary widely

- from immediate responses to a two-week wait. There are also cases in which interesting information is published first by the so-called “government media” (publications issued by various local authorities or institutions), and only then is this information passed on to independent media. Journalists also received laconic answers. This way of providing information in a selective manner indicates so-called “cherry picking,” that is, singling out information that is favorable to the institution. Officials may also “hide” behind spokespersons to avoid direct communication with the media.

The government has announced favorable changes for journalists; article 156 § 5b of the Criminal Procedure Code, added during the implementation of the anti-terrorism directive, is to be repealed. This provision excluded the possibility for so-called third parties, i.e. journalists among others, to gain access to the files of completed pre-trial proceedings under the Law on Access to Public Information. If the announcement is carried out, documents from these files will be obtainable in a much less formalized manner.

An important change introduced by the new Speaker of the Sejm, Szymon Hołownia, is that as of October 31, it is possible to take part in consultations of all parliamentary and civic bills on the Sejm's website. Public consultations have also been made mandatory for draft government documents.

However, there is no change when it comes to restricting journalists' access to the Polish-Belarusian border. The current cabinet introduced (June 13, 2024) again, like the previous one (the ban was in effect from September 2021 to June 2022) a decree to close the buffer zone on the border, on the grounds of security. The media can enter the zone after obtaining permission from the Border Guard Commander, but they do not have the freedom necessary to do their jobs. In the application, the journalist indicates the area and the time he will be in the zone. However, the permit does not entitle him to enter the strip of border road 15 meters wide from the border line. According to the border guard, the change - from the practice of the previous government - is that the journalist does not have to move in the company of a border guard officer.

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

During a meeting with the RSF mission to Poland in June 2024, Justice Minister Adam Bodnar announced that during the Polish EU Council Presidency the government will promote an effective European action against SLAPPs. A few months earlier in April 2024, during an anti-SLAPP conference in Warsaw, the minister announced that the Civil Law Codification Commission would be working on the implementation of the European directive as well as the Criminal Law Codification Committee will be tasked with dealing with provisions 212 (defamation) and 216 (insult) of the Criminal Code. On January 15, 2025 the Ministry of Justice published a draft law prepared by the Civil Law Codification Commission which will be finalized as a government proposal. The draft provides, for example, that the court may decide on its own that a particular lawsuit is primarily intended to suppress public debate, dismiss it and impose a fine on the plaintiff. Article 212 is one of the more commonly used in SLAPP cases. Qualified defamation by means of mass communication is punishable by a fine, restriction of liberty or imprisonment of up to one year. The scope of SLAPP-type lawsuits is very difficult to estimate in Poland; there are few reports on the subject, judges' awareness of the definition of SLAPP is low. The most reported SLAPPs in the media were directed against nationwide media. However, in the area of local media, there is almost no knowledge of the exact number of SLAPPs. With the departure of the Law and Justice government (2015-2023), the situation most likely improved for mainstream media. Between 2015 and 2023, ‘Gazeta Wyborcza’ and the Wyborcza.pl website were bombarded with an avalanche of lawsuits, indictments, pre-litigation summonses and unsubstantiated requests for rectification from individuals and institutions affiliated with the then ruling camp. In total, according to the newspaper's legal department, this amounted to more than 140 civil suits and, in addition, a dozen or so indictments under Article 212 § 2 of the Penal Code. This legal action was - according to the daily's lawyers - unprecedented in the history of ‘Gazeta Wyborcza’. Between 2015 and 2024, some 90 such civil lawsuits were completed. However, around 50 SLAPPs are still pending. Currently, the ruling political

camp has abandoned the practice of obstructing press criticism with SLAPP-type legal remedies, according to Gazeta's legal department in response to a question from RSF. In its 2024 report Helsinki Foundation for Human Rights reported that SLAPP-type proceedings are most often initiated based on provisions of civil law (infringement of personal rights), criminal law (defamation) and also the Press Law (rectification). The Foundation believes that the judiciary practice has developed an approach that avoids the use of instruments existing in Polish law that would allow for the prompt dismissal of at least some SLAPP cases. In defamation cases, some courts emphasize that criminal law should be used as a last resort; thus, they discontinue cases in which the protection of reputation should be pursued through civil rather than criminal means. During the conference in Warsaw, Paweł Czajkowski, a lawyer for the Agora concern, presented the results of a survey on SLAPP conducted among local and national publishers and journalists. It shows that:

- More than 2/3 of journalists have encountered the problem of SLAPPs.
- Only a handful of local editorial boards can afford a lawyer, meanwhile the flood of requests for rectification sometimes paralyzes their operations.
- Since civil lawsuits can take 6-8 years, a journalist must have legal assistance during this time. This means that a large part of an editorial office's budget must be allocated to such assistance.
- The most frequently mentioned public institutions in the context of SLAPP are: KRRiT, local government bodies and tax offices.
- The chilling effect is caused by the KRRiT's focus on the application of the generally worded article 18 of the Media Law.

With the war in Ukraine, a new thread of lawsuits has also emerged regarding ties to Russia. RSF is following the proceedings of two journalists who cover the issue in Poland: Grzegorz Rzeczkowski and Tomasz Piątek. Three SLAPP lawsuits are currently pending against Rzeczkowski - one criminal, two civil. There are currently 8 civil and criminal cases pending against Piątek - all of which he assesses as SLAPPs. In November 2024, the anti-SLAPP Polish Working Group, made up of several organizations, moved to propose legal changes. They propose extending protection to all such cases, not only cross-border as in the European directive, but also domestic. They want an exemption for the Treasury and local government entities in cases of reputation protection. They also call for consideration of whether it is necessary to repeal certain provisions (e.g., on insulting a public official or constitutional organ of the Republic of Poland).

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

Ahead of the Polish general election on 15 October 2023, RSF published 15 recommendations aimed at improving press freedom in the country.

Addressing the problem of local government media for the independent press, RSF called for local government publications to be clearly marked. Recent government proposals go even further by providing for a ban on publications that can be mistaken for independent press, a very promising and important step. It will undoubtedly strengthen independent journalists in the local market, which is crucial in a situation of frequent financial difficulties, and their operations in a small area which often require great courage in maintaining independence and not yielding to pressure from authorities and business.

A much-anticipated step was to move away from the policy of "repolonization" of the Polish media and withdraw from the idea of state investment in media companies. Chairman of the Orlen oil company Ireneusz Fąfara announced in January 2024 that the process of selling the Polska Press publishing house, which the Law and Justice government acquired in March 2021 would begin in June 2025. The previous government had staffed the editorial board with people affiliated or sympathetic to the party and promises to preserve editorial independence were not kept; online portals and regional newspapers began to sympathize with the then government. In 2023, the ethics board of Norway's sovereign oil fund, which owns 0,4 percent of Orlen, placed the conglomerate on a watch list because of the consequences of the Polska Press takeover for press freedom and freedom of expression in Poland. The publishing house has in its portfolio a national news portal i.pl, it is the publisher of 22 regional dailies, its portals have reached a total of more than 16.4

million real users.

In the case of public media, the Polish authorities have embarked on a path of change - that they say is - intended to restore constitutional order to public media in line with a 2016 Constitutional Court ruling. Personnel changes have been made, and those currently in charge of the media declare that they will maintain their editorial independence; there is no information that this has not happened, apparently for audiences the strong propaganda language used by the public media under the Law and Justice government has disappeared. Personnel, however, remain under the direct authority of the Culture Ministry. Although a new media law has not been enacted, its premises were presented in June 2024 as part of the EMFA implementation project. RSF, which submitted its comments as part of the public consultation, believes that the guarantees provided there for the editorial independence of public media are not strong enough. As the law proceeds, it is crucial to guarantee independent leadership in the public media, sustainable, independent funding, and strengthen editorial independence. The government's assumptions for the media law include the RSF's recommended - transparent and fair - system for distributing public advertising and funds to the media. However, not included - as in the recommendations - the Journalism Trust Initiative launched by RSF to identify trustworthy media.

There is no change regarding the RSF recommendation - to refrain from arbitrary investigations and sanctions against private media. Nor does the government plan to change the vague concept of "raison d'Etat" (article 18 of the Broadcasting Law), a provision that is often the basis for such actions. The Culture Ministry informed that the government will not make changes to article 18. According to the ministry, however, "the proposed reform of the KRRiT will contribute to a more in-depth discussion during the use of this provision"(Public Consultation Report, page 90).

Improvement is needed to ensure access to the government and party officials by all private and public media, including by responding favorably and in a timely manner to their invitations to programs and to their requests for information. Implementation of European legislation on SLAPPs and those laws that will protect journalists from this phenomenon is expected. It is also necessary to set up safeguards for journalists so that they can perform their duties despite the provisions of the Criminal Code, which expand the scope of crimes to include those committed by "means of information and telecommunication system." It is necessary to implement measures to ensure the protection of journalists in accordance with the recommendations of the European Commission, also for those targeted by online attacks and for their coverage of corruption, organised crime or terrorism as well as in the face of threats to those who investigate Russian plots in the public sphere.

Poland is ranked 47 out of 180 countries in RSF's World Press Freedom Index for 2024.

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'^[1]/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

5000 character(s) maximum

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

5000 character(s) maximum

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

5000 character(s) maximum

Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e. g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

Contact

rule-of-law-network@ec.europa.eu