

2023 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 European rule of law mechanism, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, three editions of the Rule of Law Report have been published in 2020, 2021 and 2022.

In the preparation of the first three editions of the Rule of Law Report, the Commission has relied on a diversity of relevant sources, including from Member States, country visits, and stakeholders' contributions collected through the targeted stakeholder consultation [1]. The information provided has informed the Commission's country-specific assessments in preparing the Report. Building on the positive experience from the first three editions of the Rule of Law Report, the Commission is now inviting stakeholders to provide written contributions for the preparation of the 2023 Rule of Law Report through this targeted consultation.

The contribution to be provided should include (1) information on measures taken to implement the recommendations addressed to the Member State in the 2022 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 2022 [2] falling under the 'type of information' outlined in the next section.

The input should be short and concise and summarise information related to one or more of the areas referred to in the template. You are invited to focus on the areas that relate to the scope of work and expertise of your organisation. Existing reports, statements, legislation or other documents may be referenced with a link (no need to provide the full text). Stakeholders are encouraged to make references to any contributions already provided in a different context or to Reports and documents already published. Contributions should focus on significant developments both as regards the legal framework and its implementation in practice.

If you wish to submit information concerning several Member States, you will have to fill-in the questionnaire separately for each Member States (due to the size of the questionnaire). There is no limit to the number of contributions submitted by a single participant. In such cases, you are not required to repeat the information in the section "about you" that is non-mandatory nor the information on horizontal developments.

Please provide your contribution by **20 January 2023**. Should you have any requests for clarifications or encounter difficulties in filling in the questionnaire, you can contact the Commission at the following email

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

[1] For the consultation for the 2022 Report, see https://ec.europa.eu/info/publications/2022-rule-law-report-targeted-stakeholder-consultation_en

[2] Unless the information was already submitted in the consultation for the previous Rule of Law Reports.

Type of information

The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

Legislative developments

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

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

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, heads of independent authorities included in the scope of the questionnaire[1])

Any other relevant developments

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

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should not be repeated.

[1] 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

Chancellor of Justice of the Government of Finland

Main Areas of Work

- ☒ Justice System
- ☒ Anti-corruption
- ☐ Media Pluralism
- ☒ Other

If "Other", please specify

The Chancellor of Justice is an independent constitutional institution, which serves as the supreme guardian of the law in Finland. The Chancellor of Justice oversees the constitutionality and legality of the activities of the Government and the President of the Republic. The Chancellor of Justice also oversees that the courts of law and prosecutors, all public authorities and all entrusted with public tasks comply with the law and fulfil their duties. Chancellor also oversees that advocates, public legal aid attorneys and licensed legal counsels fulfil their duties by overseeing the supervision and disciplinary system of advocates, public legal aid attorneys and licensed legal counsels functions in accordance with the law and requirements of the fundamental rights and freedoms and human rights. Concurrently with Parliamentary Ombudsman the Chancellor of Justice is the general ombudsman-institution of Finland: citizens and legal persons can file complaints at the Chancellor of Justice about any public activities that they suspect to be illegal. Fundamental constitutional task of the Chancellor of Justice is to uphold the fundamental principles of the Constitution and the Constitution in general and safeguard the realisation of democracy and the rule of law as well as fundamental and human rights.

Specific remits of the Chancellor of Justice, in which supreme legality oversight and ombudsman functions are concentrated to the Chancellor of Justice, include pursuant to the Act on the division of tasks between the Chancellor of Justice of the Government and the Parliamentary Ombudsman (330/2022) to oversee:

1. The general principles for the development and maintenance of automated systems in administration;
2. Organisation of anti-corruption activities;
3. Public procurement, competition and state aid matters.

By Act on the Whistleblower Protection (Laki Euroopan unionin ja kansallisen oikeuden rikkomisesta ilmoittavien henkilöiden suojelusta 1171/2022) the Office of the Chancellor of Justice Acts additionally as the independent external reporting channel for whistleblowers.

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

500 character(s) maximum

<https://oikeuskansleri.fi/en/frontpage>

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

* Country of origin

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania
- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda
- ☐ Argentina
- ☐ Armenia

- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan
- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados
- ☐ Belarus
- ☐ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☐ Cyprus
- ☐ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark
- ☐ Djibouti
- ☐ Dominica
- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador
- ☐ Equatorial Guinea
- ☐ Eritrea

- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia
- ☐ Fiji
- ☒ Finland
- ☐ France
- ☐ Gabon
- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☐ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon
- ☐ Lesotho
- ☐ Liberia
- ☐ Libya
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Madagascar
- ☐ Malawi

- ☐ Malaysia
- ☐ Maldives
- ☐ Mali
- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius
- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania
- ☐ Russian Federation
- ☐ Rwanda
- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa
- ☐ San Marino
- ☐ Sao Tome and Principe

- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia
- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☐ Slovakia
- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☐ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu
- ☐ Venezuela
- ☐ Viet Nam
- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

Surname

Email Address of the organisation (this information will not be published)

* 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 2023 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 2023 Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member States in the 2022 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2022 Rule of Law Report and (2) any other significant developments since January 2022[1]. Please include a link to and reference relevant legislation/documents (in the national language and/or where available, in English) if relevant. Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

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.

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

Member State covered in contribution [only one choice possible]

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

- ☐ 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

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the justice system (if applicable)

3000 character(s) maximum

Follow-up of the general and the country specific recommendations given in the European Union Rule of Law Report takes mainly place as part of the development and legislative initiatives and programmes already in place. Country specific recommendation gives additional weight on the initiative. Main horizontal development is the drafting and presentation to the Parliament a Government Report on the Administration of Justice (Valtioneuvoston selonteko oikeudenhoidosta VNS 13/2022 vp https://www.eduskunta.fi/FI/vaski/KasittelytiedotValtiopaivaasia/Sivut/VNS_13+2022.aspx). Chancellor of Justice as well as courts and other stakeholders were consulted in the drafting of the Report and the Chancellor of Justice has issued two opinions for the Parliament's Law Committee concerning the Report.

The Chancellor of Justice considered the Government Report on Administration of Justice a successful description of the current state, operating conditions and trends of judicial administration (statement of the Chancellor of Justice to the Legal Affairs Committee of Parliament, OKV/2823/22/2022). As a rule, the Finnish rule of law is solid and trust in the administration of justice plays a crucial role in it. The main problem areas are the length of legal proceedings and the high cost of legal proceedings, and the underfunding of the justice system. Even the best legislation and processes cannot prevent problems if the administration of justice does not have sufficient personnel to carry out its tasks. The safeguarding and development of judicial administration should be seen as a long-term programme safeguarding society. In addition to legislative changes, the development work and sufficient training of the judicial administration's own and independent actors as well as the courage to use the powers already included in the law, for example in the management of processes, play an essential role in improving the efficiency of the processes.

In connection with the report mentioned above, the Chancellor of Justice also highlighted the promotion of electronic services and electronic working methods as well as the need to ensure the interoperability of the information system process chain. In the information system solutions of the judicial administration, it is necessary to pay attention not only to the authorities but also to ensuring that the services are available to attorneys and licensed legal counsels.

National Courts Administration (Tuomioistuinvirasto – Domstolsverket) has continued on a broad base to develop court administration and support for the courts. Deputy Chancellor of Justice has carried out an inspection of the National Court Administration in November 2022 (inspection report OKV/2387/71/2022).

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)

3000 character(s) maximum

The independence of courts is in practice at an outstanding level in Finland albeit some additional constitutional guarantees for justice (courts, prosecutor general and national enforcement authority) and for supreme legality oversees the Chancellor of Justice and the Parliamentary Ombudsman could be considered. The Chancellor of Justice discussed the independence of the courts and its guarantees as well as the appointment procedure in his constitutional report K 17/2021 vp to Parliament, p. 104-113. The Chancellor of Justice safeguards independence and oversees the appropriateness of the judicial appointment procedure. In practice, the Chancellor of Justice's control of legality may require the return of a problematic appointment proposal to the judicial Appointments Board for re-preparation. Provisions on this matter could also be laid down in an Act of Parliament.

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)

3000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

3000 character(s) maximum

Allocation of cases in courts

3000 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)

3000 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)

3000 character(s) maximum

For the independence of defence attorneys in criminal proceedings the Chancellor of Justice Decision OKV /3128/10/2021 highlights some significant procedural aspects to be respected in case of any suspicions of the abuse of the attorney-client privileges. The Chancellor of Justice issued an admonition to two special prosecutors in the prosecution district of Southern Finland. In violation of their official duties, the prosecutors had obtained information from the complainant for the preliminary report of the police in a manner that was likely to give the impression of circumventing the obligations concerning the conduct of a criminal investigation. The Chancellor of Justice also drew the attention of another special prosecutor to the obligation to comply with the procedural provisions of the Act on the Openness of Government activities when considering requests for information. The Chancellor of Justice noted from the perspective of an external observer, the purpose of the messages sent by the prosecutors seemed to be to obtain information from the complainant for the preliminary investigation of the police for what purpose the prosecutors submitted their responses to the police. The prosecutors' actions gave the impression that the aim was to circumvent the provisions of the Criminal investigation Act and the right of the suspect not to contribute to the investigation of his or her offence. Even though the prosecutors did not have such a purpose, impression from outsiders alone was conducive to compromising trust in the appropriateness of the prosecutors' actions. The Chancellor of Justice considered the conduct of prosecutors as a rule a serious mistake. The fact that prosecutors had by their own conduct attempted to investigate the content of the confidential discussions held by the attorney-at-law and his or her client, while acting as the opposing prosecutors, made the procedure more problematic. However, it did not appear in the case that the conduct of the prosecutors had caused concrete damage.

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

3000 character(s) maximum

Independence/autonomy of the prosecution service

3000 character(s) maximum

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

3000 character(s) maximum

The Chancellor of Justice supervises the conduct of the disciplinary board when it performs public supervision of attorneys-at-law, public legal aid attorneys and licensed lawyers, and safeguards the independence of the disciplinary board and the entire Bar and its members. The Chancellor of Justice made a significant decision in respect of the independence of supervision in a complaint concerning the procedure of the Secretary General of the Finnish Bar Association to start to perform duties in the disciplinary board, which must be independent of the bar association. The disciplinary board handles and resolves disciplinary matters concerning attorneys-at-law and issues a recommendation on a fee dispute between an attorney-at-law and his or her client. The disciplinary unit prepares the aforementioned disciplinary and fee dispute matters to be dealt with by the disciplinary board. The Secretary General of the Finnish Bar Association had decided to stand in for the head of the control Unit operating under the Finnish Bar Association and worked both as Deputy head of the control Unit and as Secretary General of the Finnish Bar Association. Under section 6a, section 5 of the Advocates Act, an official belonging to the disciplinary unit may not participate in the performance of matters of the bar association other than those related to supervision, if participation may endanger the independence and impartiality of the performance of the disciplinary unit's duties. The actions of the Secretary-General, simultaneously as the acting Director of the disciplinary unit and at the same time as the Secretary-General of the Finnish Bar Association may, objectively assessed, compromise the impartiality and independence of the disciplinary unit (decision of the Chancellor of Justice on a complaint matter OKV/1233/10/2020). In 2022, the Chancellor of Justice made a judicial review visit to both the disciplinary board and the Finnish Bar Association. Questions concerning the independence of enforcement were also brought up in this context.

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

3000 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 under section 2)

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

3000 character(s) maximum

Resources of the judiciary (human/financial/material)

(Material resources refer e.g. to court buildings and other facilities)

3000 character(s) maximum

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

3000 character(s) maximum

Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)

3000 character(s) maximum

Technology of the courts was also a theme when the Deputy Chancellor of Justice visited the National Courts Administration in November 2022 (OKV/2387/71/2022). The selection of the subject was based on delays in the electronic distribution of sentences by district courts, for which reason the Deputy Chancellor of Justice in his decision of May 2022 requested the court administration office to state how the distribution of sentences and the use of supportive automation had been taken into account in the new information system (OKV/411/70/2020 et al.). In addition, there had been problems in the technology of the courts in two cases solved by the Deputy Chancellor of Justice (OKV/709/10/2022 and OKV/2886/10/2021) where recording of evidence had failed. The courts themselves have also expressed a wish to develop the information systems used in the courts in the cases considered (see e.g. OKV/1545/30/2022 and OKV/1729/31/2022). In March 2022, the Deputy Chancellor of Justice issued, on his own initiative, a decision on a matter under investigation concerning instructions and support services in Swedish for the information systems of the courts. In his decision, the Deputy Chancellor of Justice noted that problems in information systems and the lack of instructions or support available for them may in practice have a significant impact on the judicial activities of courts and thus also on the realisation of citizens' legal protection (OKV/1230/70/2020).

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

3000 character(s) maximum

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

3000 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)

Length of proceedings

3000 character(s) maximum

Length of proceedings on some matters remain a significant problem and challenge in Finland's justice system. For delays and passivity in the proceedings the main legal remedy available is a complaint to the Chancellor of Justice or the Parliamentary Ombudsman. The proceedings in Finland's general courts were one of the discussion themes during the Deputy Chancellor of Justice's inspection visit to the Supreme Court in October (OKV/2161/71/2022). It was pointed out during the discussion, that the human resources of courts have long been insufficient and that the resources situation in relation to the number and nature of the cases handled varies from one part of the country to another, which affects the length of court proceedings. In this respect, the situation is worst in growth areas and especially in the Helsinki metropolitan area.

In 2022, the Deputy Chancellor of Justice issued several decisions on the delays in processing cases in administrative courts. On his own initiative in the matter being investigated (OKV/3503/70/2021), he stated that the processing times of environmental matters at both the Centre for Economic Development, Transport and the Environment for Southwest Finland and the Vaasa Administrative Court were unreasonably long, in some cases as much as five or six years in total. He has requested them to provide updated information on the use of additional resources and their development measures, as well as their impact on the processing times of environmental matters, at the latest on 31 May 2023. Furthermore, in three cases (OKV/1333/10/2021, OKV/2866/10/2021 and OKV/2963/10/2021), he drew the attention of the Administrative Court to the right guaranteed by the Constitution to have his case dealt with without undue delay and, in one case, the conception of the delay in processing the case to the Administrative Court (OKV/404/10/2022). In addition, in spring 2022, the Deputy Chancellor of Justice initiated an investigation of the processing times of appeals concerning the publicity of documents in administrative courts (OKV/659/70/2022). The matter is still under discussion.

Other - please specify

3000 character(s) maximum

In many cases decided in 2022, the delay in processing the cases was observed in both general courts and administrative courts. The most serious sanction for the delay was a notice issued by the Deputy Chancellor of Justice to the District Judge concerning a delay in the preparation of a civil case (OKV/2754/10/2021) concerning the objection to the distribution of the estate, the total processing time of which had been over five years. In addition, the Deputy Chancellor of Justice, on his own initiative, drew attention to criminal proceedings in a matter being investigated (OKV/127/70/2021) and in another matter that has been heard as a complaint in the same district court so that the right to bring charges for offences cannot become time-barred during the district court proceedings (OKV/2850/10/2020). In another case, the Suppleant to the Deputy Chancellor of Justice drew the attention of District Judges who considered precautionary measures, to their obligation of urgently processing applications for precautionary measures (OKV/742/10/2021). There were also delays in submitting appeals from district courts to the Court of Appeal (OKV/1106/31/2020 and OKV/1603/31/2020) and in submitting district court judgments to the enforcement authorities (OKV/411/70/2020 etc.).

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 2022 Report regarding the anti-corruption framework (if applicable)

3000 character(s) maximum

Significant legislation has been enacted or are in legislative process in Finland with regard to the development of the anti-corruption framework. In the reform of the division of tasks between the supreme guardians of law, the duties of the supreme guardian of legality concerning the general organisation of anti-corruption activities were centralised to the Chancellor of Justice (Section 2, subsection 2 of the Act on the Division of the duties of the Chancellor of Justice and the Parliamentary Ombudsman 330/2022). Concurrently the Office of the Chancellor of Justice has been designated as the centralised independent external reporting channel for whistleblowers pursuant to the Act on the Whistleblower Protection (Laki Euroopan unionin ja kansallisen oikeuden rikkomisesta ilmoittavien henkilöiden suojelusta 1171/2022). Also legislative work on the preventive rules and criminalisation of the sale of influence advances.

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 authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

3000 character(s) maximum

Concerning eventual corruption investigations and other high profile investigation regarding members of the Government, it is worth noting that the Chancellor of Justice and Parliamentary Ombudsman are both special prosecutors with prosecutorial powers pursuant to section 110 of the Constitution. The Chancellor of Justice and the Parliamentary Ombudsman can both investigate as guardians of law a suspected illegal activity of a Member of Government without political decision and can also, according to practise, request the police to perform preliminary pretrial criminal investigation (on the practical considerations see Chancellor of Justice Decision OKV/363/1/2019 in which an alleged defamation in the course of ministerial duties by that time Minister of Defence was following a complaint and a deferral by the Police handled by the Chancellor of Justice, see p. 5-7 of Decision OKV/363/1/2019).

Chancellor of Justice has during 2022 performed, or is performing, investigations concerning eventual illegal activities by a Member of the Government (see Suppleant to the Deputy Chancellor of Justice Decision OKV /1542/10/2021 on 5.12.2022 on the unduly paid breakfast benefits to Prime Minister; still pending investigation on the former Minister of Finance concerning eventual undue invoicing of private media training from public money; OKV/1109/10/2020, OKV/1001/2020, OKV/999/10/2020 and OKV/996/10/2020).

In the Act on Finland's Participation to Activities of the European Public Prosecutor Office (EPPO) section 19 defines that requests of lifting of privileges and immunity of a Member of Government in Finland pursuant to Article 29 of the Council Regulation (EU) 2017/1939 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') shall be made to either Chancellor of Justice or Parliamentary Ombudsman, who can using their powers continue also investigations and forward a report requesting for prosecution to the Constitutional Law Committee of the Parliament in accordance with the rules and procedures laid in sections 114 – 116 of the Constitution. There is specific similar provision concerning national prosecutors and police but the same procedure can be applied.

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

3000 character(s) maximum

Following an expert seminar organised by the Speaker of the Parliament, to which the Chancellor of Justice and Parliamentary Ombudsman both contributed the Ministry of Justice prepared a background memorandum on the current state and development needs related to the Minister's criminal liability and prosecution permission procedure in case of a Member of a Parliament's criminal liability for his action in Parliament. The memorandum was finalised and published 30.8.2022 (see <https://oikeusministerio.fi/hanke?tunnus=OM005:00/2022> on the evaluation and the memorandum). There is no specific plan for follow up yet.

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

3000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training). Please provide figures on their application

3000 character(s) maximum

General transparency of public decision-making, including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing

3000 character(s) maximum

Rules and measures to prevent conflict of interests in the public sector. Please specify the scope of their application (e.g. categories of officials concerned)

3000 character(s) maximum

The Government has submitted to Parliament a proposal for acts on a waiting period related to the duties of a minister and on amending section 1 of the Act on the enforcement of a fine (HE 192/2022), which also aims to prevent risks associated with the ministers' revolving doors phenomenon and to maintain trust. The proposal is based on the recommendations of the 2018 evaluation report on GRECO as Finland and the decision of the Chancellor of Justice on complaints concerning the conduct of the former Minister of Transport and Communications concerning his transfer to the Board of Directors of the Bank (OKV/327/1 /2019, 4 December 2019). In the decision, the Chancellor of Justice considered the proposed type of regulation necessary. Draft Government Proposal was subject to Chancellor of Justice prior constitutional review opinion (Statement by Chancellor of Justice, OKV/772/21/2022 (pdf)) and the final draft Government Proposal was also subject to constitutionality review by the Chancellor of Justice. The Chancellor of Justice remarks concerning the proposal were taken into account in a satisfactory manner in the final drafting adopted by the Government. Chancellor of Justice sees this as an important improvement.

Measures in place to ensure whistleblower protection and encourage reporting of corruption.

3000 character(s) maximum

As part of the implementation of the EU Whistleblower Protection Directive (EU) 2019/1937, Finland has enacted the Act on the protection of persons who report breaches of European Union and national law (1171/2022), which entered into force on 1 January 2023. The act itself also reinforces anti-corruption work. The Act lays down a duty for the Office of the Chancellor of Justice to maintain a centralised external channel for reporting misconduct. The centralised external reporting channel of the Office of the Chancellor of Justice is an external reporting channel maintained by an independent body referred to in the Whistleblower protection Directive.

Since 1 January 2023, the Office of the Chancellor of Justice has maintained a centralised external reporting channel for persons who cannot use the organisation's own reporting channel to submit notifications. You can submit your reports in writing and orally. The Office of the Chancellor of Justice transfers the reports to the competent authorities through a centralised channel. By 20 January 2023, the use of the centralised external reporting channel of the Chancellor of Justice has still been very limited. In addition, the Office of the Chancellor of Justice is responsible for providing advice on the centralised external reporting channel and the competent authorities as well as for the national reporting to the Commission referred to in Article 27, paragraph 2 of the Whistleblower protection Directive. As part of his general supreme legality oversight, the Chancellor of Justice monitors that the authorities responsible for the investigation fulfil their obligations and that the processing and investigation of reports is appropriately organised in all sectors. The Chancellor of Justice may also intervene in structural problems that arise through the protection of reporting persons. This is important in Finland's situation, as the risks and problems of corruption in Finland are mainly structural corruption.

List the sectors with high-risks of corruption in your Member State and list the relevant measures taken /envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. public procurement, healthcare, citizen investor schemes, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

3000 character(s) maximum

On the basis of the general oversight practise the Chancellor of Justice sees local government and its public procurement and companies owned by the local government as well as the newly created Welfare counties (hyvinvointialueet) at the regional level of government and with general duty of organization and production of health care and social services with significant public procurement and co-operation contracting as specifically vulnerable for corruption. This also follows from the weaker audit and internal legality and good governance oversight arrangements.

Any other relevant measures to prevent corruption in public and private sector

3000 character(s) maximum

C. Repressive measures

Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery

3000 character(s) maximum

Efforts to strengthen the criminal law framework for combating corruption have continued. The Ministry of Justice has prepared a draft government proposal proposing the criminalisation of the abuse of influence referred to in Article 12 of the Council of Europe Criminal law Convention on corruption by adding a new section 14c to chapter 16 of the Criminal Code, which would be called an offence of trading in influence, and withdrawal of Finland's reservation to the Convention, which has been amended several times since then. The Chancellor of Justice has issued a statement on ex ante regulatory control on the draft proposal (OKV /2506/21/2022). The Chancellor of Justice supported the adoption of a new penal provision and its formulation in such a way that the reservation made to the Convention can be withdrawn at the same time. In her opinion, however, it was more justified to use the expression "to declare that he or she has [...] influence" instead of the expression "to notify or suggest that he or she has [...] influence" in the proposed definition of an offence of trading in influence. The Chancellor of Justice also considered it justified that the proposed criteria include the definitional element referred to in the provision of the Convention in further preparation that the promising, offering and giving of remuneration to an intermediary could take place "directly or indirectly". In the opinion of the Chancellor of Justice, the grounds for the government proposal with regard to the definitional element of abstract danger must be specified in further preparation.

Data on investigation and application of sanctions for corruption offences, including for legal persons and high level and complex corruption cases and their transparency, including as regards to the implementation of EU funds

(Please include, if available the number of (data since 2019): indictments; first instance convictions; first instance acquittals; final convictions; final acquittals; other outcomes (final) (i.e. excluding convictions and acquittals); cases adjudicated (final); imprisonment / custodial sentences through final convictions; suspended custodial sentences through final convictions; pending cases at the end of the reference year)

3000 character(s) maximum

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

3000 character(s) maximum

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

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

III. Media Freedom and Pluralism

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding media freedom and pluralism (if applicable)

3000 character(s) maximum

Government has continued the reform of the Act on the Openness of Government (621/1999) and a proposal to ensure better access to documents and information in criminal matters (HE 273/2022) on which also the Chancellor of Justice has issued a prior constitutionality review opinion (OKV/2051/21/2022). The Chancellor of Justice strongly supports the objective of striving for a more balanced conclusion in the publicity of criminal investigation records between publicity and the protection of private life. The proposed amendment should therefore respond to the current criticism against too strict secrecy. The amendment will not directly eliminate the ambiguity of the application of the provision.

The bill proposes that a larger share of the information on which the decision is based be publicly available during pretrial investigation and consideration of charges. However, access to the information would be conditional on the fact that access to the information would not likely cause damage, significant harm or undue suffering to the party concerned. The information must be necessary for understanding the grounds for the decision. In the legality oversight practise of the Chancellor of Justice some areas of improvement in the Openness in the Government Act has been recognized, see for example OKV/348/10/2020 and in several cases the tension between right to privacy and protection of personal data and access to documents. On that tension the current legislation does not give sufficiently clear guidance to authorities and courts to support correct application of the law (see for example Deputy Chancellor of Justice Decision OKV/2530/10 /2020).

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

3000 character(s) maximum

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

3000 character(s) maximum

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

3000 character(s) maximum

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 (including any rules regulating the matter)

3000 character(s) maximum

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 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

3000 character(s) maximum

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

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

Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications

3000 character(s) maximum

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

3000 character(s) maximum

Access to information and public documents (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)

3000 character(s) maximum

Finland's access to information law, Act on the Openness in the Government (621/1999) sets strict timetables for responding to freedom of information requests on access to documents. While decisions concerning refusal to grant access are subject to judicial review, the remedy on passivity and delays in

granting access is complaint to Chancellor of Justice or Parliamentary Ombudsman (on the application practise concerning newly established Welfare Counties see Deputy Chancellor of Justice Decision OKV /1631/10/2021 and concerning local government Deputy Chancellor of Justice Decision OKV/1867/10/2020 and OKV/471/10/2021).

Chancellor of Justice has reminded authorities of their duty to enhance transparency in his Decision OKV/472 /10/2020 . The Chancellor of Justice communicated to the Finnish Institute for Health and Welfare his or her views on the duty of the authorities to promote openness and to process requests for information in such a way that the time span does not render the processing unnecessary for the person requesting information. He informed the institution of his or her view that the processing of the matter must not require, for example, that the person must take action to promote the realisation of his or her rights through a complaint.

Significant review decision concerns access to data on the modelling of covid-19 (OKV/461/70/2020, OKV /458/70/2020) in which the Chancellor of Justice emphasised wide access to data and realization of the access of various societal actors. The Chancellor of Justice found out that Ministry of Health and Social Affairs approach to access did not enhance transparency in the best possible way. From the perspective of applying the Act on the Openness of Government activities, it is also essential that data and information other than traditional official documents are easily and quickly accessible and that the data is also available in accordance with the principles of open data and open data. This decision can be regarded as a generally applicable precedent case.

According to the Chancellor of Justice, the provisions of the Act on the Openness of Government activities concerning the production and sharing of information and the obligation to provide information should be interpreted in line with the EU Directive on open data and the re-use of information held by the public sector, among other things. The Chancellor of Justice communicated the views it presented in the decision on assessing the publicity of the information used in the modelling, on the openness of the authorities' activities and on the active promotion of openness to the Ministry of Social Affairs and Health and drew the Ministry's attention to these aspects. He requested the Ministry of Social Affairs and Health to explain how it has, on the basis of the views presented in the decision, initiated measures to improve the transparency of its own administrative branch.

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

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

From the perspective of applying the Act on the Openness of Government activities, it is also essential that data and information other than traditional official documents are easily and quickly accessible and that the data is also available in accordance with the principles of open data and open data. The Chancellor of Justice has issued an extensive decision on the openness of decision-making on the management of the coronavirus pandemic, which is also generally significant as a preliminary ruling (OKV/461/70/2020 and OKV /458/70/2020). The Chancellor of Justice considered it important that the right of access to information and the principle of openness are implemented extensively in decision-making concerning the management of the coronavirus epidemic. According to him, this will ensure the right and de facto possibilities of different actors to participate in societally significant decision-making related to the management of the epidemic and

to assess it. He was of the opinion that in order to guarantee extensive openness and inclusion, the openness of modelling and the grounds for the decisions based on them should be improved. According to the Chancellor of Justice, the provisions of the Act on the Openness of Government activities concerning the production and sharing of information and the obligation to provide information should be interpreted in line with the EU Directive on open data and the re-use of information held by the public sector, among other things. In 2022, the Chancellor of Justice continued to monitor the adequacy of the measures required by his decision.

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the system of checks and balances (if applicable)

3000 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 (particularly consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process

[1] *This includes also the consultation of social partners*

3000 character(s) maximum

In recent years, and largely due to the pandemic situation, the proposals have sometimes been prepared and submitted to the general meeting of the Government for decision on a very tight schedule. The Chancellor of Justice has demanded that members of the Government be guaranteed a sufficient minimum period of time for the members of the Government participating in the decision-making to familiarise themselves with the proposal and to enable the Chancellor of Justice's control of legality referred to in the Constitution. Despite the tight schedule, the contents of some forty government proposals, the rationale for their enactment, the Government Decree and their rationale were amended during the audit preceding the government plenary session in 2021, for example. Shortcomings in consultation and an excessively tight schedule had a negative impact on the quality of law drafting in some cases (See the Constitutional Report of the Chancellor of Justice to Parliament K 19/2022 vp, pp. 47-49 and, among other things, the statement on proactive legislative enforcement referred to in the Constitution OKV/1538/21/2021, regulation on the prevention of the coronavirus in border traffic).

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)

3000 character(s) maximum

The Chancellor of Justice has highlighted the need for a comprehensive reform of both the Communicable Diseases Act and the Emergency Powers Act in Report K 17/2021 vp of 2020. Constitutional Law Committee of the Parliament concurred with needs of review of legislation and the constitutional regulation of state of emergencies in Constitution and in the Emergency Preparedness Act (Constitutional Law Committee Report on the Report of the Chancellor of Justice, PeVM 1/2022 vp).

The Government's work was characterised by the fight against the coronavirus pandemic throughout the year. The Government submitted to Parliament 246 government proposals, 57 of which were directly related to the coronavirus epidemic and 15 were amendments to the Communicable Diseases Act. In 2021, 61 government decrees were issued under the Communicable Diseases Act. Without exception, the proposals related to the epidemic were urgent. Previous legislation proved to be deficient in many respects. In addition to the normal weekly session, more than half of the government plenary sessions in 2021 were extraordinary sessions (Constitutional report of the Chancellor of Justice to Parliament K 19/2022 vp, p. 47).

The Chancellor of Justice has made several decisions concerning Covid-19 measures and called the Government to improve legislation and has, de facto, prevented passing of poorly drafted legislation.

Concerning the Government proposal for a temporary amendment to the Communicable Diseases Act proposes that the use of the EU digital certificate for access to restaurants, other premises and events be expanded. According to the Chancellor of Justice, complicated regulation would become even more difficult to understand, especially from the perspective of citizens, companies and other actors. The grounds for the proposal were very inadequate. The government proposal was too incomplete to meet the requirements for submission to Parliament (statement of the Chancellor of Justice OKV/3449/21/2021). This was a de facto veto on the proposal.

According to the Chancellor of Justice the implementation of the economic support granted by Business Finland to address the COVID-2019 pandemic with the existing unsuitable and incomplete models left room for improvement. It was justified to develop preparedness for unpredictable situations by creating models for rapid response to unexpected situations and by drawing up rules and guidelines for opposition, which would be shaped into better changing situations (Decision of the Chancellor of Justice on his own initiative OKV/939 /70/2020).

Regime for constitutional review of laws

3000 character(s) maximum

Under section 74 of the Constitution, the parliamentary Constitutional law Committee has the primary role in the prior constitutionality review of laws in the Parliament. Section 108 of the Constitution of Finland gives the Chancellor of Justice a specific task of independent constitutionality and legality oversight of the Government, which includes prior constitutional review of draft Government Proposals to Parliament and constitutionality review of the Government decrees as well as the task of overseeing legislative preparation and observance of the good legislative practise. The Chancellor of Justice has reformed the threshold of intervention and updated working practises in the prior constitutionality review (see Constitutional Report to the Parliament of the Chancellor of Justice K 19/2022 vp, p. 12-21, Chancellor of Justice letter to the Government and Government ministries Procedures for ex ante oversight of legality in Government decision-making, 24.3.2022, OKV/702/24/2022). In the practice of the Chancellor of Justice, seven typical of cases of reference to the Constitution and Gravity of eventual Constitutional problems have been identified:

- 1) the proposal has no essential connection to the Constitution and the legislator has wide discretion;
- 2) a proposal that is unproblematic from the point of view of the Constitution;
- 3) a proposal containing an interpretation of the Constitution prepared within the framework of an established Constitution;
- 4) a proposal containing a new and tense interpretation of the Constitution; whereas the legislator has room for manoeuvre in which the Government seeks new interpretations;
- 5) a government proposal seeking openly to amend the interpretation of the Constitution established on the issue of enactment order of enactment — in democracy the Government has and must have the right to do so;
- 6) a proposal that is fundamentally inadequate from the perspective of the Constitution; and

7) a proposal clearly in violation of the Constitution, EU law or of international obligations and hence exceeding the powers of the Parliament and the Government.

(Report of the Chancellor of Justice, K 19/2022 vp, pp. 16-19).

In practice the Chancellor of Justice has requested more often corrections and rectifications to Government Proposals and Decrees and used more frequently his de facto right of suspensive veto in the Government. This change of the Chancellor of Justice practices of intervention followed from his internal reflection and review of needs and general criticism on the safeguards for the rule of law during the Covid-19 pandemic. The lower threshold of intervention by the Chancellor of Justice improves the opportunities of the Parliament, to focus on the exercise of its legislative powers. New practice also generally improves the quality of legislation and realization of fundamental rights and human rights.

COVID-19: provide update on significant developments with regard to emergency regimes/measures in the context of the COVID-19 pandemic

- judicial review (including constitutional review) of emergency regimes and measures in the context of COVID-19 pandemic
- oversight (incl. ex-post reporting/investigation) by Parliament of emergency regimes and measures in the context of COVID-19 pandemic
- processes related to lessons learned/crisis preparedness in terms of the functioning of checks and balances

3000 character(s) maximum

Suspending statutory visa and residence permit services solely through the Ministry's policies and instructions was contrary to the principles of the legality and lawfulness of administration laid down in section 2, subsection 3 of the Constitution, and the procedure did not comply with the provisions of section 9, subsection 4 of the Constitution. The Chancellor of Justice brought to the attention of the Ministry for Foreign Affairs his view of shortcomings in the procedure and proposed that the Ministry for Foreign Affairs initiate careful preparation of legislative amendments to address situations in which it is necessary to reduce or interrupt the statutory activities of diplomatic missions. (Decision of the Chancellor of Justice on one's own initiative OKV/2830/70/2020)

When preparing health security instructions for schools and educational institutions and in co-operation between different responsible authorities, it is important to ensure not only that the instructions are up to date but also that they are clear, understandable and that they can be followed in practice. The functioning of the guidelines and recommendations concerning health security measures and the monitoring of their effectiveness are a matter of protecting fundamental rights, and an effort should be made to ensure sufficient financial resources for the education sector also in the future (Decision of the Chancellor of Justice on one's own initiative OKV/2733/70/2021).

A decision on the quarantine of a child had not been issued without delay as required by the Administrative Procedure Act. The grounds for the decision on quarantine were limited. The reasons did not indicate why the complainant's child had been estimated to have been exposed to the coronavirus. The quarantine message did not meet the requirement of providing advice free of errors in terms of content or good language use laid down in the Administrative Procedure Act (Decision of Deputy Chancellor of Justice in complaint OKV/126/10/2021).

The Chancellor of Justice drew the attention of the Ministry of Social Affairs and Health that the infectious diseases medical system based on the Communicable Diseases Act must, in all circumstances, act in a

manner required by legal protection and good governance and that a lack of resources is not a justification for restricting fundamental and human rights. Other needs for amendments to the Communicable Diseases Act had emerged widely in connection with the coronavirus pandemic, and it would be most sensible to implement the development needs examined in the solution as part of the overall reform of legislation. The Ministry of Social Affairs and Health must notify by 1 September 2023 of the measures it has taken (Decision of the Chancellor of Justice on the complaint OKV/419/10/2022).

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#>)

3000 character(s) maximum

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

3000 character(s) maximum

The reform of the division of tasks between Chancellor of Justice and the Parliamentary Ombudsman was enacted and entered into force on 1.10.2022 (see Act on the division of tasks between the Chancellor of Justice of the Government and the Parliamentary Ombudsman (330/2022)). The first experiences of the reform are very positive with regards to use of resources, specialization and addressing the societal needs for independent constitutional legality oversight.

C. Accessibility and judicial review of administrative decisions

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

3000 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)

3000 character(s) maximum

Follow-up by the public administration and State institutions to final (national/supranational) court decisions, as well as available remedies in case of non-implementation

3000 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 and dissolution rules)

3000 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 for protection 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.

3000 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)

3000 character(s) maximum

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

3000 character(s) maximum

E. Initiatives to foster a rule of law culture

Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society etc.)

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

Contact

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