



Justitsministeriets bidrag til Kommissionens retsstatsrapport for 2026

(1) Information on developments and measures taken to implement each of the recommendations addressed to your Member State in the 2025 Rule of Law Report

Recommendation 1: Step up efforts to complete the review of the legal aid system, taking into account European standards on legal aid.

The standing committee, the Judicial Council, is currently reviewing the Danish legal aid system. The Judicial Council acts as an advisory body for the Ministry of Justice regarding civil justice. The Judicial Council is expected to present its results by summer 2026, after which the Ministry of Justice will consider the council's recommendations.

Recommendation 2: Introduce rules on 'revolving doors' for ministers and on lobbying and ensure adequate control of asset declarations submitted by persons entrusted with top executive functions.

Regarding the recommendation to introduce rules on 'revolving doors' for ministers and on lobbying, and to ensure adequate control of asset declarations submitted by persons entrusted with top executive functions, reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021, 2023, 2024 and 2025.

Recommendation 3: Continue to advance with the process to reform the Access to Public Administrative Documents Act in order to strengthen the right to access documents, in particular by limiting the grounds for rejection of disclosure

requests, taking into account the European standards on access to official documents.

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021, 2022, 2023 and 2025.

The work in the expert committee that was established in February 2024 to prepare a proposal for a revised Access to Public Administration Files Act is currently expected to be concluded in the spring of 2026.

(2) Information on:

a. developments that are relevant for updating and following up on the assessment of the topics covered in the respective country chapter of the 2025 Report, including possible clarifications

- *In the boxes below, describe developments (updates or feedback) related to the topics covered in your country chapter of the 2025 Report (if not already covered under point (1)). You are invited to follow the order of topics as presented in the country chapter and insert direct references to the country chapter text, if convenient; and*

b. any other new developments not already covered under points (1) and (2)a. that you consider relevant

- *The list of topics provided **in the Annex** can provide guidance for this input.*

I. Justice System

A. Independence

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

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021.

2. 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)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2023.

3. Promotion of judges and prosecutors (incl. judicial review)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2023.

4. Allocation of cases in courts

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021.

5. 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)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021.

6. 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)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2021.

7. Independence/autonomy of the prosecution service

Reference is made to the Danish contribution to the Annual Rule of Law Report 2020.

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

Reference is made to the Danish contribution to the Annual Rule of Law Report 2020.

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

Reference is made to the Danish contribution to the Annual Rule of Law Report 2020.

B. Quality of justice

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

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2022 and 2025.

11. 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)

Reference is made to the Danish contribution to the Annual Rule of Law Report 2025.

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

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2021, 2022, 2024 and 2025.

13. 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)

Reference is made to the Danish contribution to the Annual Rule of Law Report 2023 regarding the development of new IT systems to support criminal and probate cases.

At this moment, four releases have been deployed: a public platform for probate cases, a system to review fines, a system for compulsory liquidation, and the first version of the system for case handling of criminal cases (now supporting preliminary hearings). The future releases will include case management systems for the rest of the estate probate cases and criminal cases.

In 2025, the Courts of Denmark's online database of court judgments and sentences ("Domsdatabasen") has been expanded with further rulings, and in December 2025 the database contained around 7.850 decisions. For further regarding "Domsdatabasen" reference is made to the Annual Rule of Law Report 2025.

14. 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)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2021, 2022, 2023, 2024 and 2025.

15. 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.

Reference is made to the Danish contribution to the Annual Rule of Law Report 2021.

16. Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

All judges in Denmark are generalists and can handle many different types of cases. The only exceptions are the Maritime and Commercial High Court and the Land Registration Court. The Maritime and Commercial High Court in Copenhagen is a superior special court that only handles certain types of cases, such as international commercial cases, competition cases, and cases about patents, design, or trademarks. Moreover, the court also deals with all cases from the Greater Copenhagen Area relating to bankruptcy, debt restructuring, reconstruction and compulsory winding-up of public and private limited companies. In the rest of the country, such cases are handled by the probate divisions of the district courts.

In principle, mediation can be used in all types of cases, except from criminal cases. Mediation is a voluntary offer of assistance from a mediator to assist in settling issues between parties to a case. The mediator could be a judge or a lawyer appointed to the task. The purpose of using mediation instead of a typical court case is that the parties find a solution themselves. Mediation is often less time-consuming than a typical court case. The mediation will end when the parties have reached a solution or if requested by either of the parties. The mediator may also end the mediation even if both parties want the mediation process to continue. If the parties to the mediation agree on a solution to their dispute, they enter into an agreement. If the parties fail to agree, the case will continue in court until a judgment is delivered in the case.

C. Efficiency of the justice system

E.g. Measures as regards length of proceedings, to address backlogs, ...

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2021, 2022, 2024 and 2025. Regarding statistics on the length of proceedings, reference is made to the European Commission’s European Scoreboard, page 13.¹

¹ [THE 2025 EU JUSTICE SCOREBOARD.](#)

At the end of 2025, a new political multiannual agreement on the financing of the Danish police and The Danish Prosecution Service was concluded. The agreement contained among other things, a significant strengthening of efforts to combat economic crime and substantial investments in the handling of criminal cases within the Danish Prosecution Service, including through the allocation of resources for the recruitment of additional prosecutors, which are expected to contribute to reducing the length of proceedings.

Reference is further made to the Danish contribution to the Annual Rule of Law Report 2024 regarding efforts to reduce the processing times at the courts. In this context, it may be noted that, in recent years, a number of additional judges have been appointed – which has also been the case in 2025 – and that the courts are currently engaged in efforts to reduce case backlogs.

The Ministry of Justice places a strong focus on reducing case processing time across the criminal justice system and continuously monitors these processing times. In this context, it should also be noted that the Ministry of Justice has continued a process aimed at ensuring that the most serious criminal cases (i.e. the cases that are expected to lead to sentencing) are prioritized within the criminal justice system. The initiative aims at reducing the average length of proceedings in criminal cases across the criminal justice system and streamline the processing and prioritization of criminal cases.

The Danish Court Administration has informed that there are no available statistics regarding corruption cases.

II. Anti-corruption framework

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

17. 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/specialized 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.

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2022 and 2024. Furthermore, all police districts and not only the Special Crime Unit (SCU) receive reports on and investigate cases of corruption. It is not possible

to specify the resources that the police districts have allocated to the prevention and investigation of corruption cases.

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

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2022 and 2023.

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

Reference is made to the Danish contribution to the Annual Rule of Law Report 2022.

B. Prevention

20. Measures to enhance integrity in the public sector in particular as regards high-level officials (including as regards incompatibility rules, revolving doors, codes of conduct, ethics).

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2024.

21. 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).

Measures have been taken to enhance transparency of political party funding.

From 1st July 2025, political parties and candidates are prohibited from receiving contributions from foreign donors. As a consequence of the ban, information about foreign contributions that parties and candidates have received and then returned to donors or alternatively transferred to the Ministry of the Interior and Health will be made public.

Moreover, in 2024, stricter rules on transparency about private contributions also came into force. The parliamentary parties' constituency organisations and parliamentary candidates are now obliged to report on private contributions received above a certain threshold (approx. 4,000 Euro in 2026) and anonymous contributions, regardless of whether the party's regional organisation applies for public party subsidies.

Finally, negotiations regarding the rules on transparency of political party financing are still ongoing. Due to the sensitive nature of political negotiations, Denmark cannot give any information about the contents of the negotiations at this stage. The Danish government remains mindful of further potential improvements of issues concerning transparency of political party financing. Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021, 2024 and 2025.

22. 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).

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.).

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021 and 2024.

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

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2021, 2022, 2023 and 2024.

24. 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, investor citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.

In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2021 and 2025.

25. Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

Reference is made to the Danish contribution to the Annual Rule of Law Report 2025.

C. Repression

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

Reference is made to the Danish contribution to the Annual Rule of Law Report 2021.

27. 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.

The Director of Public Prosecutions has updated the data regarding corruption.

The data is based on an extraction from the police case management system (POL-SAS). The data is subject to some uncertainty as POLSAS is a case management system and not an actual statistics system. The data is dynamic as registrations in POLSAS are not necessarily final. Thus, as a result of corrections or delayed updates in POLSAS, new convictions etc., changes may occur depending on the time of extraction of the information and post-registrations.

Dismissals, indictments and judgements are periodized by the point of time when report has been made, charge has been pressed or when judgements have been rendered. A periodically shift of data occurs, e.g. may the number of judgements in 2021 be related to indictments made in 2020.

Dismissals are differentiated by the number of cases, meaning the number of unique reference numbers that indicate individual violations of the law.

Indictments and judgements are assessed by the number of individual violations of the law as to where a perpetrator is attached. This means that a violation of the law with numerous perpetrators counts as two or more sets of criminal offences.

Data is updated on 3 January 2026.

Section (Danish Criminal Code)	Decision type	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	Total
Criminal Code section 122 (Active bribery)	Reports	169	16	17	24	10	26	8	78	35	46	429
	Dismissals	2	-	2	2	2	1	-	-	1	5	15
	Judgments	3	9	18	5	18	6	33	6	41	49	188
	Withdrawal of charge (specified conditions)	-	-	2	2	-	1	1	-	1	1	7
	Withdrawal of charge	23	2	7	21	7	15	3	1	23	4	106
Criminal Code section 144 (Passive bribery)	Reports	166	11	23	93	4	25	3	92	33	46	496
	Dismissals	1	1	3	4	2	6	2	7	1	1	28
	Judgments	-	1	6	2	14	2	90	-	85	18	218
	Withdrawal of charge (specified conditions)	-	-	-	-	-	-	-	-	-	-	-
	Withdrawal of charge	4	1	2	13	3	77	4	3	9	-	116
Criminal Code section 155 (Misuse of public position)	Reports	119	145	113	160	199	288	550	921	116	632	3.243
	Dismissals	7	16	18	25	34	27	33	22	32	35	250
	Judgments	57	37	34	16	7	28	42	613	256	235	1.325
	Withdrawal of charge (specified conditions)	-	-	-	-	-	-	-	1	2	-	3
	Withdrawal of charge	9	10	25	59	21	41	30	17	25	224	462
Criminal code section 278 (Embezzlement of IT-equipment)	Reports	-	1	1	-	-	1	2	11	3	7	26
	Dismissals	-	1	-	-	-	-	-	5	5	-	11
	Judgments	-	-	-	1	-	1	1	-	1	8	12
	Withdrawal of charge (specified conditions)	-	-	-	-	-	-	-	-	-	1	1
	Withdrawal of charge	-	-	-	-	-	-	-	-	-	-	-
Criminal code section 278(1,1) (Embezzlement of items)	Reports	218	250	817	407	734	798	367	320	689	251	4.851
	Dismissals	45	25	39	55	54	79	148	114	94	90	743
	Judgments	168	459	41	602	375	172	480	147	175	371	2.990
	Withdrawal of charge (specified conditions)	3	2	1	3	15	3	17	7	3	1	55
	Withdrawal of charge	63	38	30	52	44	203	72	67	36	40	645
Criminal code section 278(1,2) (Embezzlement by omission)	Reports	1	3	-	4	1	5	2	2	2	1	21
	Dismissals	-	1	-	-	-	-	-	3	1	1	6
	Judgments	-	-	-	-	1	1	-	-	-	-	2
	Withdrawal of charge (specified conditions)	-	-	-	-	-	-	-	-	-	-	-
	Withdrawal of charge	1	2	-	-	-	-	-	-	2	1	6
Criminal code section 278(1,3) (Embezzlement of money)	Reports	3.677	2.200	4.657	3.334	2.965	879	1.658	4.382	1.762	292	25.806
	Dismissals	28	28	41	48	63	50	99	83	60	60	560
	Judgments	3.274	1.257	962	2.469	2.821	426	1.128	1.697	836	1.287	16.157
	Withdrawal of charge (specified conditions)	7	-	-	-	10	6	5	-	7	3	38
	Withdrawal of charge	513	146	191	1.439	207	444	223	399	124	61	3.747

Criminal code section 299	Reports	3	9	1	2	6	8	33	3	-	1	66
(Private sector bribery)	Dismissals	-	3	-	-	-	1	-	4	-	-	8
	Judgments	3	1	-	1	1	5	1	7	3	2	24
	Withdrawal of charge (specified conditions)											-
	Withdrawal of charge	7	2	-	-	2	11	2	9	-	-	33

28. 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).

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2022.

29. 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.

Reference is made to the Danish contribution to the Annual Rule of Law Report 2022.

III. Media pluralism and media freedom

A. Media authorities and bodies

Amendments to the Radio and Television Broadcasting Act

In July 2025, a bill on a new model for appointing members to the Danish Broadcasting Corporation (DR) was adopted. The bill implements a political agreement on a new appointment model for DR's board. This new way of appointing members to DR's board is a result of a broad political agreement and must ensure that DR has a professionally strong, independent and democratic rooted board with the required competences to lead DR.

This new model for appointing board members will come into force in 2027.

Political advertising transparency

The EU-regulation on transparency and targeting of political advertisement (TTPA) entered into force on October 10 2025. In Denmark, all necessary measures for a full implementation of TTPA has now been adopted. The Parliament adopted a proposal with the national implementation of the Regulation, which entered into force on July 1. Furthermore, an executive order to supplement national legislation has also been adopted on January 1 2026. The executive order establishes rules and measures concerning sanctions for infringement of the regulation.

European Media Freedom Act

The European Media Freedom Act (EMFA) entered into force on August 8 2025. In Denmark, all necessary measures for a full implementation of EMFA has now been adopted. The Parliament adopted a proposal with the national implementation of the Regulation, which entered into force on July 1. Furthermore, an executive order to supplement national legislation has also been adopted on August 8. The executive order establishes rules concerning the role of our national regulatory agency for media, media ownership, transparency, concentrations in the media market and state advertising.

The Radio- and Television Board.

The Radio and Television Board has been designated as the national regulatory authority for both EMFA and TTPA. With the amendment to the Radio- and Television Act, the Board has been granted with the necessary financial, human and technical resources to carry out its tasks in accordance with both EMFA and TTPA. In relation to this, a clarification is in order as the Board now consists of 12 members.

Appointment of the Danish Media Board

In December 2025, new members of the Danish Media Board were appointed for the period 2026-2029. The Media Board is responsible for processing applications for subsidies for news media and supervision of the recipients. The Media Board consists of 7 members including a chair and a vice-chair with competences concerning production of news, economics, the media market, journalistic innovation, media consumption, the democratic functioning of media, and technological developments.

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

Follow-up on the Media Liability Committee recommendations

With reference to the 2025 report, the Media Liability Committee delivered its report in January 2025 with 7 recommendations regarding possibilities to update the current framework for media liability in view of the digital media reality.

In December 2025, the Danish Government, Green Left and the Red/Green Alliance came to an agreement on follow-up actions on the Media Liability Committee recommendations. The agreement includes the establishment of a media ombudsman. This ombudsman aims to oversee primarily alternative media actors, who are not registered with the Danish Press Council such as influencers, bloggers, and podcasters.

In regards to alternative media actors, the media ombudsman will have the power to decide whether alternative media actors' publications are made in contrary to good publishing ethics. The media ombudsman will also have the ability to conduct criminal proceedings and intervene in civil cases against alternative media actors.

The media ombudsman will also have a few competences related to mass media. In regards to the traditional mass media, the media ombudsman will be able to discuss and debate the current state of the media landscape, and the media ombudsman will be able to refer cases to the Danish Press Council for them to handle.

The media ombudsman will not decide whether the content and conduct of the traditional mass media are in conformity with sound press ethics. The media ombudsman will not have the ability to conduct criminal proceedings and intervene in civil cases against traditional mass media.

The bill implementing the media ombudsman is expected to be proposed to Parliament in 2026.

The Danish Committee on Future Media Support recommendations

In October 2025, the Danish Committee on Future Media Support has published its recommendations for a new media support model. The committee has specifically been tasked with examining how the current media support scheme can be made more platform- and technology-neutral as well as accommodate changing consumer behaviour, while still nurturing innovation and promote media pluralism. The Committee proposes that media support is consolidated into a single scheme for editorial production support for news publishing media.

The Committee has proposed eight criteria that, in combination, defines whether an individual news media title qualifies for support, including criteria on editorial identity and responsibility, independence and editorial resources, among others.

Furthermore, the Committee has proposed a modernized innovation support scheme that is more flexible, risk-tolerant and efficient. The scheme applies the same eligibility criteria for individual news media titles as those set out in the new basic media support model.

Follow-up actions to the recommendations is expected to be a part of the negotiation of a new media agreement (see below).

The Committee on the Evaluation of the TV 2 Regions

In December 2025, the Danish Committee on the Evaluation of the TV 2 Regions published its report. The committee has been tasked with examining the TV 2 regions and to develop scenarios for the future regional public service offerings. In

the report, the committee has set up 3 different scenarios as well as 7 recommendations concerning the organisation of the regional public service providers.

Follow-up actions to the recommendations is expected to be a part of the negotiation of a new media agreement (see below).

New Media Agreement

In Denmark, media policy is negotiated in multi-year media agreements with the current agreement covering the period 2023-2026. The media agreement is a central political agreement and decides the scope and direction of the media policy in Denmark. A new media agreement is therefore expected to be negotiated in 2026, however the specific content is not yet known.

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

36. Rules and practices guaranteeing journalist's 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.

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2023 2024, and 2025.

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

Reference is made to the Danish contribution to the Annual Rule of Law Report 2020.

The Commission Staff Working Document of 8 July 2025 on Denmark's 2025 Country Report states that "The Danish Union of Journalists encourages more transparency in reporting incidents in line with the action plan on the safety of journalists, which was adopted in 2022 and was meant to facilitate journalists' reporting of any harassment or threats".

Section 1 in the Danish Action Plan on the Safety of Journalists (hereafter the "action plan") stipulates that the Danish Union of Journalists and Danish Media, among other things, shall establish a dedicated email address to which journalists and media organisations can report any incidents of breaches on safety, and that the two parties (the Danish Union of Journalists and Danish Media) jointly prepare a semi-annual report on the reports received and the follow-up on the reports. The reports are monitored by a person appointed by the two parties (the contact point),

and the individual reports are categorized by the contact point, for example with regard to hate, threats, violence and sexual harassment.

Section 2 of the action plan further states that each report must be replied by the contact point by email with recommendations on how the breach of safety should be handled. It is further stated that the victim reports an alleged crime to the police. If the police initiate an investigation on the basis of the statement of the victim and the information otherwise available in the case, the police may, following a specific assessment, in the most serious cases involving threats to life assign the victim a designated police contact person to ensure continued dialogue and updates to the victim.

Thus, it follows from the action plan that the Danish Union of Journalists and Danish Media are responsible for receiving the reports on incidents of breaches on safety and jointly prepare a semi-annual report on the reports and the follow-up on the reports. The police are not involved in this work.

The Danish National Police may, however, refer to section 3 of the action plan, which stipulates that the Danish Union of Journalists, Danish Media, relevant ministries, the Danish National Police and the Director of Public Prosecutions are to meet semi-annually to discuss the current situation, including matters relevant to the topic. The meetings have yet to be convened.

38. 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).

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021, 2022, 2023 and 2025.

The work in the expert committee that was established in February 2024 to prepare a proposal for a revised Access to Public Administration Files Act is expected to be concluded in the spring of 2026.

The Danish government (Socialdemokratiet, Venstre and Moderaterne) and Enhedslisten have, in agreement of 9 December 2025 on updating the media liability system in a digital media reality, agreed, among other things, to abolish the fee of DKK 150 for copies of e.g. judgments and rulings for media covered by the Media Liability Act. It is expected that a bill on this will be presented during the spring of 2026, and that the changes will come into force on 1 July 2026.

39. 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.

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2022 and 2024.

The Director of Public Prosecutions has no knowledge of SLAPP cases, where so-called strategic lawsuits are brought against journalists, editors, media organizations etc.

In general, the Prosecution Service's work in criminal cases – including criminal cases against journalists and cases under the Media Liability Act – is subject to a statutory principle of objectivity pursuant to section 96(2) of the Danish Administration of Justice Act, according to which the Prosecution Service must ensure that those criminally liable are held accountable, but also that the innocent is not prosecuted.

The principle of objectivity means that the Prosecution Service is also obliged to take into account any circumstances that indicate a suspect's innocence. The principle applies to all aspects of the work of the Prosecution Service.

The Prosecution Service tries criminal cases against journalists and the media according to the general rules of the Criminal Code and the Media Liability Act. The Media Liability Act establishes a special liability system for the content of mass media, with the overall purpose of ensuring the greatest possible freedom of expression and information, while ensuring that mass media can be held responsible for a media's editorial content. Among other things, the act stipulates who can be held criminally liable when unlawful offences have been committed through a mass media. The Media Liability Act does not contain substantive rules on criminal liability for the content of a mass medium. Instead, these rules must be found in other legislation, in particular chapter 27 of the Criminal Code on offenses against privacy and defamation.

The Media Liability Act's rules on liability apply when an offence is committed through the content of a medium. If, on the other hand, an offence results from, for example, the media's research methods, liability will instead be determined according to the general rules of the Criminal Code. The same applies to offences punishable by imprisonment for 6 years or more, regardless of whether the offences are committed through the content of a media, cf. section 25 of the Media Liability Act.

Section 28 of the Media Liability Act states that the Director of Public Prosecutions decides whether the Prosecution Service should press charge due to content of a mass media covered by the Act.

In relation to criminal cases against journalists and cases under the Media Liability Act, the Director of Public Prosecutions can generally inform that a referral system applies, according to which the local police district must refer the decision of pressing charges in media liability cases and cases where charges have been brought against a journalist for a criminal offence committed as part of the journalistic work, to the State Prosecutor. The State Prosecutor then submits the case to the Director of Public Prosecutions.

This applies both in cases where the offence is covered by the special liability rules in the Media Liability Act, where the Director of Public Prosecutions, pursuant to section 28 of the act, decides whether to bring charges, and in other cases of criminal offences committed as part of journalistic work. In both cases, a referral must be made to the Director of Public Prosecutions, regardless of whether the local police district or the State Prosecutor consider the charge to be unfounded.

The reason for the referral system is the desire for consistency in indictment practice. In this connection, it should be noted that there are very few cases nationwide each year and that this is a relatively complex area in which freedom of expression and information are given the greatest possible weight when deciding on the question of pressing charge in such cases.

The Ministry of Justice has asked the Director of Public Prosecutions to provide information on the number of cases concerning journalists and cases covered by the Media Liability Act that have been submitted to the Director of Public Prosecutions in the period 2020-2025. The Director of Public Prosecutions has conducted a search in the Director of Public Prosecutions' case management system 'Platina' for the relevant cases created in the requested period and informs the following:

Year	Number of cases concerning journalist not covered by the Media Liability Act	Number of cases covered by the Media Liability Act
2020	2	10
2021	1	11
2022	1	3
2023	1	1
2024	1	5
2025	0	2

Some of the cases in question, appear to relate to charges for violation of a court-ordered reporting restriction on identity of defendant or victim under section 31 of the Administration of Justice Act.

It should also be noted that the above figures only reflect how many cases have been referred to the Director of Public Prosecutions, cf. the referral system described above. The numbers include both cases where charges have been dropped and cases where charges have been brought against one or more defendants. A more detailed calculation of the number of dropped charges, indictments and convictions would require a manual review of the cases. It should also be noted that the creation of cases in Platina is done manually and is therefore based on an assessment.

IV. Other institutional issues related to checks and balances

A. The process for preparing, enacting and implementing laws

40. Framework, policy and use of impact assessments and evidence based policy-making, stakeholders² /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 and implementation phase (including guidance on how to implement legislation)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020, 2021, 2023 and 2024.

Regarding the implementation phase, all bills are required to contain an assessment of the expected consequences for businesses, governmental institutions, citizens and the environment. After a bill has been adopted and has entered into force, the responsible ministries oversee its effects through new case law or other inputs from relevant authorities, citizens, organizations and the general public debate.

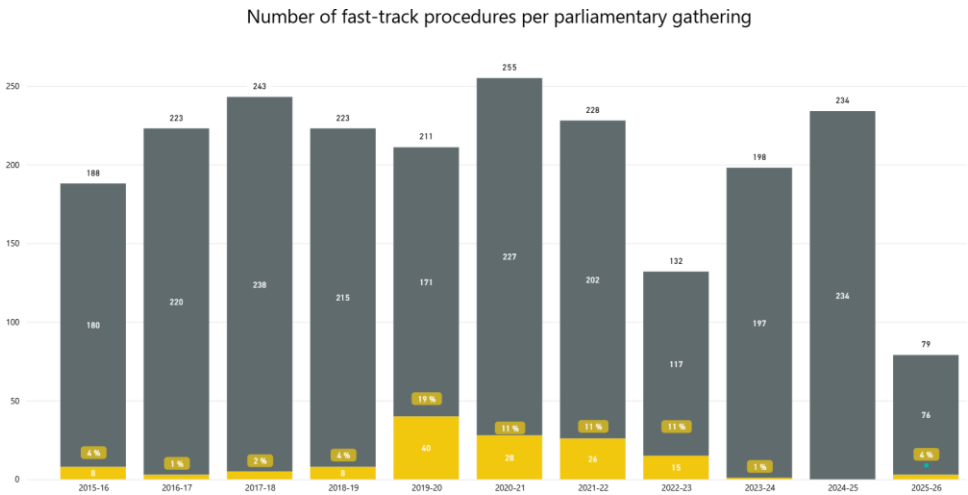
Furthermore, non-binding guidelines may be issued with the purpose of informing about the intended use and interpretation of new legislation. Such guidelines can either be issued prior to the entry into force or at a later time with the purpose of informing about previous practice and experience.

41. 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)

² This includes also the consultation of social partners.

Reference is made to the Danish contribution to the Annual Rule of Law Report 2025.

The graph below illustrates updated data regarding the number of adopted bills since 2015, including bills where there have been less than 30 or 40 days from the bills’ proposal to their adoption (fast-track procedure).



NOTE: The data contains bills that have the status of ratified or adopted. Fast-track bills are defined as bills whose processing time from the day after submission to the 3rd reading is less than 40 days in 2024-25 and 2025-2026 and less than 30 days in previously parliamentary sessions. Bills that have the status of ratified or adopted, but do not contain either a submission date or 3rd reading date are included in the data as "Not fast-track". If a bill is divided into sub-bills (A, B and C version), only the divided versions of the initial bill are included. Due to ft.dk's registration practice, the submission date for a bill does not appear on divided bills, but only on initial bills. For this reason, the submission date for divided bills is obtained from the initial bill. Bills are grouped by parliamentary session (first Tuesday in October to the day before the next first Tuesday of October). Data is dynamic and reflects data on ft.dk at the time data is obtained. Any registration errors and deficiencies on ft.dk are thus also represented in this statement. Source: ft.dk 05-01-2026.

42. Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

Reference is made to the Danish contribution to the Annual Rule of Law Report 2025.

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

The overall framework for the adoption of laws during a state of emergency is found in section 23 of the Constitution. The section reads as follows:

“In an emergency the King may, when the Folketing cannot assemble, issue provisional laws, provided that they shall not be at variance with the Constitution Act, and that they shall always, immediately on the assembling of the Folketing, be submitted to it for approval or rejection.”

No provisional law has been issued under the Constitution of 1953.

The Minister of Defence and the Minister for Resilience and Preparedness have certain authorities during war or other extraordinary circumstances.

According to section 17 of The Defence Act (Consolidation Act No. 582 of 2017-05-24 as amended), the Minister of Defence may, during war or other extraordinary circumstances, (1) without a court order, take measures as referred to in section 72 of the *Constitution* against telephone calls, postal shipments and other communication, (2) regulate and control sailing and fishing within Danish territorial waters and exercise control over sailing of Danish ships and (3) regulate and control air traffic within Danish airspace and exercise control over the air traffic of Danish aircrafts. Under the mentioned circumstances, citizens must also make their property available for the defence in return for compensation.

According to certain other acts, the Minister of Defence may during times of crises or war and during other circumstances expropriate property or means of transportation in return for compensation, including Act on the Provision of Transportation Means for Military Defence and Civil Defence (Act No. 228 of 1992-04-08 as amended) and Act on Expropriation for Military Purposes (Act No. 225 of 1954-06-11).

According to section 38(4) of The Emergency Management Act (Consolidation Act No. 1741 of 2025-12-19 as amended), during times of crises or war the Minister for Resilience and Preparedness, or an individual authorised by the Minister, may without a court order initiate seizure with a view to expropriation.

With the exception of section 23 of the Constitution, as described above, judicial review and parliamentary oversight in states of emergency follow the ordinary mechanisms as applicable outside state of emergency.

44. Regime for constitutional review of laws

Reference is made to the Danish contribution to the Annual Rule of Law Report 2020.

B. Independent authorities

45. Independence, resources, capacity and powers (including effective access to relevant data) 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

Danish Institute for Human Rights

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2022. However, it is corrected that in relation to the inclusion of *resources* for the Danish Institute for Human Rights, Denmark provides financial support to both the national and international work of the Institute. DIHR’s national work is financed by the Appropriation Act of 2026 with an allocation of DKK 43,8 million in 2026.³

Further, DIHR receives an annual grant to support its international work (DKK 50.0 million are planned for 2026).⁴ In addition, DIHR receives a number of grants and funding for its international activities from the European Commission and several bilateral donors inside and outside of EU.

The Board of Equal Treatment

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2022.

The Parliamentary Ombudsman

Concerning the functioning of the Parliamentary Ombudsman, reference is made to the Danish contribution to the Annual Rule of Law Report 2020.

According to the Appropriation Act of 2026, Section 3, the Parliament allocated DKK 119,3 million DKK in annual funding of the Ombudsman institution in 2026.⁵

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

Danish Institute for Human Rights

According to the Danish Institute for Human Rights’ report to the Danish Parliament, Human Rights in Denmark 2024⁶, the Institute published more than 75 responses to draft legislation or executive orders sent out for external consultation and other publications including analyses of human rights and recommendations to the relevant Ministries or authorities. The report further contains concerns raised

³ The Appropriation Act of 2026 § 06.11.13.10

⁴ The Appropriation Act of 2026 § 06.32.08.85

⁵ The Appropriation Act of 2026 § 03.21.01.10

⁶ [Beretning Menneskerettigheder i Danmark 2024](#)

by the Institute, e.g. issues relating to discrimination of Greenlandic Inuit/Kalaallit/Greenlandic people in Denmark and the rights of persons with disabilities.

The Board of Equal Treatment

The Board of Equal Treatment's annual report 2024⁷ contains summaries of decisions made by the board in 2024, and articles focusing on topics from the past year, e.g. gender identity, cases of harassment and a number of cases regarding refusal to allow people with disabilities to bring service dogs with them to healthcare services. Furthermore, the report mentions the large number of reports received by the board and possible misuse of rights. The number of reports results in prolonged processing time and in one case the Board of Equal Treatment rejected to process complaints from one person for a two-year period, since they had made more than 430 reports to the Board of Equal Treatment. In addition, the annual report contains statistics, e.g. on the number of cases received in the Board of Equal Treatment, the number of decided cases in the Board of Equal Treatment and the number of cases distributed by the outcome of the case.

The Parliamentary Ombudsman

According to the Ombudsman's annual report of 2024⁸, the institution handled a total of 6,439 cases of which 906 cases led to an investigation (183 full investigations and 723 shortened investigations). 81 of those (full) investigations led to criticism, formal or informal recommendations etc. Consolidated figures on the follow-up by public authorities of such recommendations do not exist. However, as stated in the Annual Rule of Law Report 2020, public authorities in practice adhere to the Ombudsman's recommendations.

Rigsrevisionen (the Auditor General)

Rigsrevisionen is the national audit agency of Denmark, responsible for auditing the use of public funds by the state and ensuring that government finances are managed lawfully and efficiently. It is headed by the Auditor General, operates independently of the government, and reports its findings to the Danish Parliament (Folketinget). Audit reports are published on Rigsrevisionen's website. Rigsrevisionen regularly prepares follow-up reports, and the results of these are likewise published on its website.

47. Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities,

⁷ The report is available in Danish at this link: [Ligebehandlingsnvnets-rsberetning-2024-original.pdf](#)

⁸ [Folketingets Ombudsmands beretning for 2024](#)

Reference is made to the Danish contribution to the Annual Rule of Law report 2025.

C. Accessibility and judicial review of administrative decisions

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

Reference is made to the Danish contribution to the Annual Rule of Law Report 2023.

49. 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).

Reference is made to the contribution to the question above regarding transparency of administrative decisions and sanctions.

50. Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

Reference is made to the Danish contribution to the Annual Rule of Law Report 2025.

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

Reference is made to the Danish contribution to the Annual Rule of Law Report 2024.

52. 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

Reference is made to the Danish contribution to the Annual Rule of Law Report 2020.

53. Oversight, including by courts, of the use of intrusive surveillance software by national authorities

Pursuant to Chapter 71 of the Danish Administration of Justice Act, the police are empowered to employ a range of coercive measures, including interference with

the confidentiality of communications and the interception of data. The application of such measures requires in principle a court order, however, in cases of urgency (*periculum in mora*), police may initiate interception without prior court approval. In cases of such urgency, depending on the type of measure, judicial review either must occur as soon as possible and no later than 24 hours after initiation or a subsequent court order can be requested. The application of measures involving interference with the confidentiality of communications and the interception of data is generally subject to a number of conditions, including the necessity and proportionality of the interception, the degree of suspicion against the person concerned, the seriousness of the criminal offence under investigation, and the relevance of the measure to the investigation.

In addition, if personal data is processed, it is possible to complain to a relevant data protection supervisory authority about the processing of personal data. The supervisory authority may also, depending on the circumstances, handle cases on its own initiative. This is also the case, when processing is done for law enforcement purposes, including by way of surveillance. Regardless of the right to bring the matter before a supervisory authority, cases about violations of data protection rules can generally also be brought before the courts.

D. The enabling framework for civil society

54. 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)

Reference is made to the Danish contributions to the Annual Rule of Law Reports 2020 and 2022.

55. 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.

The Danish Criminal Code contains provisions on violence, threats, harassment and defamation. In addition, the Criminal Code contains provisions in sections 266 b and 81, no. 6, against hate crimes based on ethnic origin, faith, disability, sexual orientation and gender identity. Furthermore, the Criminal Code Section 81, no. 7 states that it is an aggravating circumstance if the crime was motivated by the victim's lawful statements in the public debate.

56. 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)

The Danish government and a wide range of the political parties in the Danish Parliament have agreed on a new model for state funding of the civil society. The agreement was concluded on the 24th of October 2025 and covers the social, health, employment, equality, senior, immigration and integration areas.

The new model aims to heighten the transparency, foreseeability and stability of state funding to the civil society.

The aim is, that a model will be based on objective criteria and a new board of civil society representatives will be created. The board will be the granting authority.

The implementation process of the new model has begun, and will continue until the model enters fully into force by 1st of January 2028.

In addition to the new funding model civil society organisations can have access to government funding by temporary and permanent grants from political agreements and various applications pools.

Reducing Bureaucratic Burdens for Voluntary Civil Society Organisations.

In August 2025, the Danish Government presented a package of 30 initiatives aimed at ensuring that volunteers and civil society organisations are not overburdened by disproportionate administrative requirements. The initiatives span a wide range of areas and follow up on recommendations from a broad and inclusive partnership with civil society.

October 2025 agreement on a new funding model for Danish civil-society organisations — current progress and forthcoming steps, including development of grant criteria, governance arrangements and operational rollout

The implementation process has been started, including the process of developing the grant criteria, governance arrangements and operational rollout. The process will continue until the new model will enter into force, first by a partial roll out in 2027 and fully in 2028.

The civil society are included in the process of developing the new model in order to ensure that the knowledge, experiences and perspectives of the civil society are included in the final grant criteria etc.

The grant criteria, governance arrangements and operational rollout are to be negotiated with the parties from the October 2025 agreement.

E. Initiatives to foster a rule of law culture

This can include 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.): ...

Reference is made to the Danish Contributions to the Annual Rule of Law Reports 2020, 2021, 2022, 2023, 2024 and 2025.

With respect to the negotiations regarding the rules on transparency of political party financing and the results hereof, the negotiations are still ongoing. As stated above under the question regarding “*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)*”, Denmark cannot give any information about the contents of the negotiations at this stage. However, it is expected that the negotiations will foster public debate.

With respect to legislative developments, the act on freedom of speech for public sector employees entered into force on 1 July 2025. The act codifies the current rules on public employees’ freedom of speech and creates a comprehensive overview of the rules.

Cross-pillar elements: cross-border rule of law issues related to the Single Market

If you are aware of any significant challenges concerning the Single Market faced by businesses or citizens from your Member State in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, please highlight them in your input

We note specific challenges arising within the Single Market framework related to Hungary’s national legislation and amendments hereof impacting both the free movement of goods and services. These challenges illustrate potential barriers for businesses and citizens engaging in cross-border activities and may undermine the principles of the Single Market.

We highlight the challenges on the rules on the free movement of goods posed by the Government of Hungary’s draft amendment of the Government Decree No

210/2009 of 29 September 2009 notified to the Commission on 30 May 2024 (TRIS notification 2024/0288/HU), which lays down that:

‘In the case of mail order trading, products which are intended for children and the essential element of which is the direct, natural or self-intended representation of sexuality or the promotion or portrayal of sex reassignment or homosexuality or gender identities that do not correspond to the sex assigned at birth, may be marketed in such a way that the commercial communication enabling the transactional decision to purchase must include the information “Sensitive content!” in a clearly visible manner.’

This amendment raises concerns under Article 5.1 of Directive (EU) 2015/1535 related to the conditions of carrying out commercial activities as it introduces documentation and labelling requirements that could hinder product trade within the internal market, including between Denmark and Hungary as well as other Member States. Such measures represent a restriction on suppliers wishing to place their products on the Hungarian market and may lead to adverse effects on product demand, increased costs for businesses, and significant barriers to trade. These obstacles are inconsistent with the principles of free movement of goods under EU law.

We take further note of potential challenges regarding the freedom to provide services, specifically addressing service providers’ access to the Hungarian market. In this context, infringement proceedings resulting in cases brought before the European Court of Justice (C-829/24 and C-769/22) highlight systemic national practices that may restrict service providers’ rights to provide services in Hungary. These cases exemplify broader concerns about unequal treatment or disproportionate administrative measures potentially used to deter cross-border economic activities.