

2026 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

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

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2026 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2026 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

(1) developments and measures taken in relation to the recommendations in the 2025 report,
(2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.

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

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.

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

Type of information to be included:

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

A) Legislative developments

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

B) Policy developments

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

C) Developments related to the judiciary / independent authorities

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

D) Any other relevant developments

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

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. To simplify your answers to the questionnaire, if there are no developments, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

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

* 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

Main Areas of Work

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

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

500 character(s) maximum

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 indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☒ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Surname

Email Address of the organisation

*** 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 as we will not be able to guarantee anonymisation of these elements.**
- ☐ 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 2026 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 for contribution.docx](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 and up to the date of submission[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

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

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

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

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

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland

- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☒ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the justice system (if applicable)

5000 character(s) maximum

While the promised Civil Reform Bill has been published, it ignores entirely the setting or guidelines on setting clear fee scales. Access to justice in civil litigation is being denied to SMEs because they are insured, and thus viewed as a mark for costs. Plaintiffs in civil proceedings enjoy an unqualified right of appeal when they lose their case, and do not pay their costs as a general rule.

Digitalisation of legal services is not advancing at any pace.

There is no improvement in the efficiency of the courts.

There is some apparent improvement in the statutory right to conclude proceedings, but this is yet to be seen as consistent. See <https://www.williamfry.com/knowledge/supreme-court-disregards-motive-for-companys-assignment-of-cause-of-action/>

The level of corruption in the public service is seen to be low.

The investigation and prosecution of corruption remains problematic, with investigations seen to take many years, and few prosecutions result. There appears to be an issue with retention of professional personnel in the CEA.

Further progress is required in enforcement of ethics, for example the Courts Service has been unable to evidence the prosecution of any cases under the new Perjury Act, despite serious reservations among SMEs about the veracity of grounding affidavits used in civil litigation.

The SIPO legislation is inadequate in stopping government ministers legislating in areas in which they have a professional or pecuniary interest.

While corruption in public procurement is not apparent, the non-availability of remedy (because High Court costs are so high and do not provide remedy against a defendant who is willing to appeal) to tenderers means that this cannot be definitively stated.

Reform of the defamation act is minimal, is not consistent with the anti-SLAPP directive, and will not protect retailers from "retail defamation." Government refuses to allow a harm test, which would prevent most retail defamation cases. This is a highly lucrative areas for the legal profession, and Ireland has 14 times the level of defamation litigation as England and Wales.

A. Independence

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

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

5000 character(s) maximum

The judiciary are seen to be independent, however concerns remain among users of legal services that the legal system ensures fees are generated by practitioners, irrespective of the merits of the case.

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

5000 character(s) maximum

Protections against the independence of the judiciary and prosecutors are high.

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

There remains an opacity to the promotion of judges. While access to the superior courts is nominally equal between solicitors and barristers, there remains the perception that judges of the superior courts prefer barristers to present cases.

Allocation of cases in courts

5000 character(s) maximum

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

5000 character(s) maximum

Judges independence is safely guarded.

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

5000 character(s) maximum

Accountability of judges is questioned, particularly in matters of lenience of criminal sentencing, in punishing evident misconduct in civil proceedings, and in personal conduct. No Irish judge has ever been removed from office, although at least two judges have resigned when matters of public concern were raised about them. The process of setting personal injuries guidelines was not seen as objective or scientific, but was seen as ensuring that personal injuries awards would be higher than those recommended by the Personal Injuries Commission.
See: <https://judicialcouncil.ie/assets/uploads/documents/Personal%20Injuries%20Guidelines%20Report.pdf>
The judge who oversaw the reduction in personal injuries awards was accused of "treason" by a member of the bar:
<https://www.irishtimes.com/news/crime-and-law/legal-world-divided-on-legacy-of-retiring-high-court-president-1.4865270>

Independence/autonomy of the prosecution service

5000 character(s) maximum

This is largely seen as independent.

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

5000 character(s) maximum

This is largely seen as independent.

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

5000 character(s) maximum

No significant developments have impacted the public perception of independence of the judiciary.

B. Quality of justice

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

[single market relevance] Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

The Civil Reform Bill is referred to above. Justice, while usually fair and independent, takes too long, and is too expensive. "Access to Justice" considerations mean that personas who have not been injured or defamed can extract unjustified settlement from innocent defendants who cannot afford the fees for endless litigation. The fees associated with large cases can be ruinous, and approach the value of the underlying dispute: <https://www.irishtimes.com/crime-law/courts/2025/12/12/evidence-tendered-by-john-magnier-over-tipperary-land-dispute-was-entirely-false-court-hears/>
In the case of defamation actions, the fees incurred will frequently exceed the damages awarded: <https://www.irishtimes.com/crime-law/courts/2025/05/31/bbc-faces-legal-costs-bill-of-more-than-3m-after-jury-finds-it-defamed-gerry-adams/>
In Adams V BBC, the plaintiff won €100,000 in damages, while legal costs will exceed €3m.

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

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

5000 character(s) maximum

While there are complaints about inadequate resources in our courts system, it is evident that there is a substantial deadweight of litigation taking place that could be avoided through use of state-provided ADR mechanisms such as the Injuries Resolution Board. Ireland has 148 times the level of personal injuries litigation through its courts as England and Wales, despite our Injuries Board assessments being so generous.

[single market relevance] Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

There appears to be an absence of CPD training for judges, and judges of the lower courts regularly depart from decisions of the higher courts in matters of liability in personal injuries cases. This is colloquially referred to as "the luck of the draw."

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

5000 character(s) maximum

Use of digitalisation is not yet widespread.
The standard of annual reports and data available from the Courts Service is poor:
<https://www.courts.ie/annual-reports/annual-report-2024>
Access to judgments is good, once persons know how to use the search facility here:
<https://www2.courts.ie/Judgments?sort=asc:DateUploaded&page=0>

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

5000 character(s) maximum

Courts statistics are poor in standard (see above). We would prefer data to be provided similar to:
https://assets.publishing.service.gov.uk/media/666094e7d470e3279dd3367d/Royal_Courts_of_Justice_Annual_Tables-_2023.ods

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

5000 character(s) maximum

[single market relevance] 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.

5000 character(s) maximum

The Family Court is seen as a good and customer facing court.
The Commercial Court is seen as a highly professional court, but expensive to access.

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 in the introduction)

[single market relevance] Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

5000 character(s) maximum

Proceedings remain long by international comparison, and can be unfairly extended by one party. See this case, which is as yet undecided as to whether a breach of contract exists:
<https://theucdlawreview.com/2024/08/12/case-note-mccool-controls-and-engineering-ltd-v-honeywell-controls-systems-ltd-2024-iesc-5/>

Any other developments related to the justice system - please specify

5000 character(s) maximum

The Planning and Development Act 2024 is a serious effort to tackle inordinate delays with Ireland's planning system, but its efficacy will only be measured over time.
<https://www.irishstatutebook.ie/eli/2024/act/34/enacted/en/html>

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 2025 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

Comments above, Ireland is generally perceived as a low-corruption jurisdiction.

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/specialised resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

The relevant authorities (GNECB and CEA), have yet to develop a reputation for timely and effective investigation and prosecution of white-collar crime.
The LSRA have yet to develop a reputation for tackling frivolous or vexatious prosecution of civil litigation by legal practitioners.

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

5000 character(s) maximum

Their independence does not appear to have suffered attack on their independence, and they are immune to investigation by the Ombudsman.

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

5000 character(s) maximum

B. Prevention

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

5000 character(s) maximum

SIPO rules require strengthening regarding politicians legislating where they have a conflict of interest.

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

5000 character(s) maximum

General transparency rules here are good.

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

5000 character(s) maximum

See above re SIPO. Ministers should be required to declare conflicts of interest in areas where they are responsible for primary or secondary legislation.

The current declaration does not require this:

<https://assets.sipo.ie/media/286003/85802fd6-23d1-41b4-bbf0-9cd068ef7bf5.docx>

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

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

5000 character(s) maximum

[single market relevance] 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 residence 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.*

5000 character(s) maximum

The unaffordability of access to justice makes this a difficult area to quantify. Only contracts in the seven-digit value of euros are worth legal intervention.

[single market relevance] 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)

5000 character(s) maximum

There is no available evidence regarding corrupt access to permitting. However, media investigations have revealed issues of concern that authorities find difficulty in dealing with:

<https://www.rte.ie/news/investigations-unit/2015/1207/751833-rte-investigates/>

C. Repression

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

5000 character(s) maximum

Our investigatory and enforcement framework is not strong in this area.

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

5000 character(s) maximum

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

5000 character(s) maximum

Defamation laws continue to render media investigation of corruption cases highly risky. The "public interest" defence has never succeeded in an Irish court. This links to a respected legal academic's views on our defamation laws:

<https://www.cearta.ie/category/defamation/>

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

5000 character(s) maximum

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

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

Our observations on defamation are above. We will submit correspondence to the Commission on our submissions to the Department of Justice.

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

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

5000 character(s) maximum

It is too early for us to comment on the efficacy of our new regulator in this regard:
<https://www.cnam.ie/>

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

5000 character(s) maximum

As above

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

5000 character(s) maximum

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

[single market relevance] Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

We have no evidence of interference. However, concern remains that the removal of VAT from newspapers, and the very high levels of advertising by state agencies on broadcast media represent a disincentive for those outlets to criticise Government.

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- **[single market relevance]** information on specific legal provisions and procedures applying to media service providers, including as regards granting /renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

[single market relevance] Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

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

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

5000 character(s) maximum

The Defamation Ament Bill (still in the Senate) does not go far enough to protect ECHR rights, and has been objected to by a lрге number of civil society bodies. However, the Department of Justice is determined to advance the bill without amendment, in an apparent attempt to protect legal incomes.
<https://www.indexoncensorship.org/2025/07/irelands-defamation-amendment-bill-fails-to-protect-public-interest-speech/>

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

See above on defamation. This is an informed academic (and therefore independent) legal website analysing our current defamation proposals:
<https://www.cearta.ie/>

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

5000 character(s) maximum

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

We are not aware of any deficiencies legal obstacles related to access to funding for civil society organisations as noted in the 2025 report. Indeed, Ireland has a very high number of publicly funded NGOs, which enjoy an opaque funding environment. Indeed, Government closed down the agency which accounted for NGO spend here:
<https://benefactslegacy.com/>

A. The process for preparing, enacting and implementing laws

[single market relevance] Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'*/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 in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

** This includes also the consultation of social partners*

5000 character(s) maximum

The regulatory impact assessment system has been noted to be poor by the SME sector. The Revenue are exempt from these procedures, and therefore do not have to consult with business, nor conduct RIAs. This has led to the introduction of measures such as Revenue Enhanced Reporting Requirements without the need for a cost benefit analysis.

<https://www.revenue.ie/en/employing-people/becoming-an-employer-and-ongoing-obligations/err-jan-2024/index.aspx>

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

5000 character(s) maximum

[single market relevance] Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

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

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers (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

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

5000 character(s) maximum

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

5000 character(s) maximum

[single market relevance] 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

C. Accessibility and judicial review of administrative decisions

[single market relevance] Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

5000 character(s) maximum

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

5000 character(s) maximum

[single market relevance] Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

D. The enabling framework for civil society

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

5000 character(s) maximum

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

5000 character(s) maximum

See commentary above on the inadequacy of the Defamation Amendment Bill in protecting civil society bodies and journalists. Ireland's defamation laws are also used to silence the victims of sexual assault and rape. The amendment proposals also fail to address SLAPPs which are not defamation lawsuits; e.g. use of bogus or vexatious complaints to the Workplace Relations Commission under the Equality Acts in order to extract unjustified settlements from companies.

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

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

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

5000 character(s) maximum

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

5000 character(s) maximum

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

If there are any significant challenges concerning the Single Market you have been facing 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, that you would like to highlight, please do so here.

Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.

5000 character(s) maximum

Supporting document upload

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

a96f0a50-55d8-45d2-a881-19f38d0b9348/ISME_Meeting_Minister_O_Callaghan_10.02.25.pdf
51d14813-923d-4459-8cdd-3b543c455125/ISME_Minister_O_Callaghan_06.05_25__Defamation_.pdf
ca699afc-fd4e-4d1c-bd87-17c1f80a5c7c/ISME_Minister_O_Callaghan_17.06.25__Defamation_.pdf
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Contact

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