

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

Austrian League for Human Rights

Main Areas of Work

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

If "Other", please specify

entire spectrum of the Universal Declaration of Human Rights

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

500 character(s) maximum

The Austrian League for Human Rights was founded in 1926, making it Austria's longest-standing human rights organisation. We are committed to the implementation of and compliance with human rights and strive to cover the entire spectrum of the Universal Declaration of Human Rights.
<https://liga.or.at/>

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

Valerie

Surname

Gruber

Email Address of the organisation

v.gruber@liga.or.at

* 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

1) Involvement of the Judiciary in Appointment of Administrative Court Presidents

Austria has made no progress on implementing systemic judicial involvement in the process for appointing (vice-)presidents of administrative courts that aligns with European standards on judicial appointments.

Developments within the Period:

There has been no legislative proposal or formal governmental initiative launched between January 2025 and January 2026 to reform the appointment procedures for administrative court (vice-)presidents. Judicial bodies and stakeholders continue informal reflections on best practices, but these have not translated into a draft law or procedural change that would address the Recommendation.

This lack of progress means that the judicial leadership in Austria's administrative jurisdiction remains subject to executive-centric appointment procedures, without the enhanced judiciary role envisaged under European standards and the Commission's guidance.

2) Reform to Establish an Independent Federal Prosecution Office

Austria has shown limited progress toward establishing an independent Federal Prosecution Office and improving prosecution autonomy as recommended in the 2025 Rule of Law Report.

Official Government Initiative (7 July 2025):

In mid-2025, the Austrian Federal Government approved a foundational decision at the Ministerrat (council of ministers) to pursue a comprehensive reform of the prosecution service, including establishing a new independent and instruction-free Federal Prosecution Office (Bundesstaatsanwaltschaft). This measure was presented as part of a broad justice reform effort to strengthen rule of law safeguards and reduce potential political influence on prosecutorial decisions. Key features announced include:

- an independent and weisungsfreie (instruction-free) leadership distinct from the Minister for Justice;
- a collegial leadership panel (three members) appointed via an expert selection commission, from which the National Council would select Prosecutors General;
- a fixed non-renewable six-year term to enhance independence;
- steps toward de-politicising prosecutorial leadership selection.

It is positive to see that the government has moved beyond mere political commitment by adopting a Ministerial Council decision and setting out a blueprint for legislative reform. But now the reform has to be put into action: as of January 2026, concrete legal drafts remain under preparation; they have not yet become law or entered formal parliamentary deliberation. Implementation details (e.g., specific statutory language, enforcement mechanisms, scope vis-à-vis existing prosecution offices) are still being elaborated.

3) Specialised Anti-Corruption Prosecution:

While the reform blueprint envisages increased autonomy for prosecution generally, formal safeguards for a specialised anti-corruption prosecution's independent operation are not yet codified. Current structures (e.g., WKStA — Wirtschafts- und Korruptionsstaatsanwaltschaft) still operate under ordinary prosecutorial frameworks and reporting lines. The reform aims to enhance independence conceptually but has not yet delivered tangible, legally entrenched independence mechanisms for specialised prosecutors in this period.

Conclusions:

In the referenced period (Jan 2025–Jan 2026), Austria has made only incremental steps toward a more autonomous prosecution service, reflected in government decisions to structurally redefine prosecutorial leadership. However, institutional reform remains incomplete and pending legislative action. On the question of judicial appointment procedures for administrative courts, there has been no observable policy change or legal initiative to involve judicial actors in appointments, leaving the rule of law recommendation unaddressed.

A. Independence

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

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

5000 character(s) maximum

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

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

B. Quality of justice

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

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

5000 character(s) maximum

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

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

[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

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

Any other developments related to the justice system - please specify

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

1) Rules on Assets and Interests' Declaration for Members of Parliament

Limited progress has been made toward introducing effective rules on assets and interests' declaration for Members of Parliament (MPs), including monitoring and sanctioning mechanisms.

Responding to longstanding recommendations from the Council of Europe's GRECO and the Rule of Law Reports, the Federal Chancellery is ... drafting an asset declaration system for senior officials and MPs.

However, this remains in the conceptual/drafting phase and has not yet been enacted into law. There is no publicly adopted legislative text or binding mechanism yet in force.

The absence of effective and enforceable asset and interest disclosure rules for MPs remains a human-rights concern because such systems are essential to prevent conflict of interest, promote political integrity, safeguard democratic participation, and uphold public trust, key elements in anti-corruption and accountable governance frameworks.

2) Legislative Framework on Lobbying and Transparency Register

Despite the 2025 Rule of Law Report's call to adopt a legislative proposal to strengthen the lobbying framework, including a transparency register, no progress has been made during the reporting period on this recommendation.

The formal framework governing lobbying in Austria remains limited in scope, lacking comprehensive rules on registration, disclosure of meetings with public officials, and mechanisms to sanction non-compliance. No progress has been made on adopting a strengthened lobbying framework or transparency register.

A robust lobbying framework with transparency obligations is a foundational accountability tool in democratic systems:

- It helps ensure that public decision-making is accessible and understandable to the public.
- Without mandatory registration and disclosure, undue influence and opaque access to lawmakers may undermine equal participation rights and erode public trust in democratic institutions.
- Effective transparency is also vital for civil society and media to monitor influences on legislation affecting economic, social, and cultural rights.

The absence of a strengthened lobbying regime thus continues to pose structural risks to political integrity and accountability, with direct implications for citizens' rights to transparent and participatory governance.

3) Broader Anti-Corruption Context and Related Developments

Transparency and Integrity Measures

While not directly tied to the two named recommendations, a few developments in the reporting period indirectly

support transparency norms:

- Freedom of Information Reform: A new Information Freedom Act entered into force on 1 September 2025, abolishing the archaic “Amtsgeheimnis” (official secrecy) and enshrining proactive disclosure of government information. Public authorities must now publish information of general interest and respond to access requests, strengthening transparency culture.
- Transparency Database Expansion: Amendments adopted in mid-2025 require publication of state funding above €1,500 in the national transparency database, expanding public visibility of financial flows and reducing opacity in public spending.

These measures enhance public oversight and information rights, strengths in the broader accountability and anti-corruption architecture, even if they do not substitute for specific asset declaration or lobbying laws.

Conclusions:

From January 2025 to January 2026, Austria’s follow-up on key anti-corruption framework recommendations of the 2025 Rule of Law Report remains partial and incomplete. The human-rights implications of this matter are substantive: the slow pace in adopting accountability frameworks for political actors risks perpetuating structural vulnerabilities in democratic governance and weakens civil society’s ability to hold public officials accountable.

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

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

5000 character(s) maximum

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

5000 character(s) maximum

B. Prevention

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application/enforcement 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

[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

C. Repression

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

III. Media pluralism and media freedom

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

5000 character(s) maximum

Fair Distribution of State Advertising

The 2025 Rule of Law Report recommended that Austria take steps to ensure proper implementation and enforcement of fair distribution of state advertising. However, the existing legal framework does not include enforceable mechanisms to ensure a fair distribution of state advertising across media outlets. It requires transparency of contracts but stops short of setting objective, competitive, or media-pluralism-oriented award criteria. There is also no statutory cap on amounts that public bodies can allocate to individual outlets, which prior reporting has identified as a risk factor for independence and plurality.

The rules governing state advertising allocation remain tied to public procurement law, which technically provides non-discriminatory access to contracts for a range of media providers. However, procurement processes are outsourced to agencies, and criteria often revolve around quantitative metrics such as audience reach rather than editorial quality, plurality, or editorial independence safeguards.

While lower spending, which has been observed in the last year, may reduce potential leverage over media outlets, this decrease is due to budget constraints rather than a structured fairness reform. There is no evidence of criteria or programming changes that would systematically link advertising allocation to editorial independence, plurality, or equitable access for smaller outlets.

Fair distribution of state advertising relates directly to Article 10 of the European Convention on Human Rights

(ECHR) and EU Charter rights on freedom of expression and information. When public funds are allocated in a manner perceived as politically discretionary or opaque, this can chill pluralistic discourse and exert indirect pressure on editorial independence. The absence of objective criteria and enforceable safeguards leaves room for perceptions or realities of politicised allocations, undermining trust in media as a democratic forum.

Conclusions:

In the January 2025–January 2026 period, Austria's measures on state advertising distribution stem primarily from transparency enhancements rather than substantive reform of fairness and enforcement mechanisms. As Human-rights stakeholders we continue to highlight the need for objective criteria, sanction mechanisms, and structural protections against political influence in advertising allocation to strengthen media pluralism, editorial independence, and democratic discourse. Limited fiscal shifts in spending do not substitute for structural safeguards ensuring equitable access and resistance to undue government influence.

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

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

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

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

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

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

In the 2025 report's assessment of Austria, stakeholders pointed to ongoing challenges in funding, operational sustainability, and political pressures facing CSOs, even though the legal framework (especially a reformed tax framework for civil society organisations) showed some positive adjustments. However, concerns remain that budget constraints and anticipated public spending cuts will impact available funding for CSOs, limiting their capacity to uphold human rights and rule of law norms.

CSOs across thematic areas have raised concerns that broader budget cuts in the Austrian public sector (linked to fiscal consolidation efforts) will reduce the overall pool of public funding available for their work, even where legal and administrative frameworks have improved. Stakeholders expect funding constraints to have a direct impact on both domestic and international CSO activities, threatening civil society's ability to sustain long-term operations, contribute to policy debates, and monitor public institutions.

Without predictable and adequate funding, CSOs - especially those working on human and socio-economic rights, anti-discrimination, and governance oversight - face constraints in their freedom of association, freedom of expression, and ability to act as independent monitors of rule of law and fundamental rights.

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

[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

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

Political Pressures and Public Scrutiny of CSO Funding

In August 2025, Austria witnessed a far-right parliamentary inquiry (FPÖ) targeting NGO funding. The inquiry submitted over 2,000 questions to ministries about the finances, state support, and memberships of more than 700 organisations, prompting concerns among civil society actors that this constitutes politically motivated scrutiny and stigmatisation of NGO work. The scale and tone of the inquiry clearly risks intimidating CSOs, creating public mistrust, and fostering narratives that portray civil society as a “parallel government.”

Subsequently, the government announced a task force to scrutinise public financing of NGOs, led by the Ministry of Finance and intended to assess whether state funding delivers tangible public benefit. This step has to be strongly criticised as reinforcing politically charged oversight rather than building trust or support mechanisms for CSOs.

While oversight of public funds is a legitimate democratic function, when framed or deployed in a manner that singles out civil society actors or is perceived as politically driven, it can chill civic engagement and constrain CSO autonomy.

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

Contact

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