

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

The Office of the Chancellor of Justice

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

www.oiguskantsler.ee/en

Transparency register number

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

* 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

Margit

Surname

Sarv

Email Address of the organisation

info@oiguskantsler.ee

* 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

Estonia was recommended to continue ongoing efforts to reform the Council for the Administration of Courts, taking into account European standards on Councils for the Judiciary.

The second reading of the bill reforming the council was suspended in Riigikogu on 11.06.2025 (<https://www.riigikogu.ee/tegevus/eelnoud/eelnou/2df3cfc4-3ccc-4bc6-8886-d98cd5be4970/kohtute-seaduse-muutmise-ja-sellega-seonduvalt-teiste-seaduste-muutmise-seadus-kohtute-haldamise-tohustamine/>).

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

Under the Courts Act (<https://www.riigiteataja.ee/en/eli/521032025001/consolide>), besides the presidents of courts and the Supreme Court en banc, the Chancellor of Justice is the only external institution that may initiate disciplinary proceedings in respect of a judge. The final decision in disciplinary matters is made by the Disciplinary Chamber operating at the Supreme Court.

When deciding whether to initiate disciplinary proceedings, the Chancellor of Justice does not assess questions concerning the substance of the administration of justice. The Chancellor may only determine whether a judge has failed to perform official duties or behaved unworthily.

Mostly, however, people turn to the Chancellor of Justice in matters where the Chancellor cannot intervene. Most often people are dissatisfied with a court judgment or with the way the court has assessed evidence. In such cases people expect the Chancellor of Justice to intervene in court proceedings and assess the decision made by the court. This the Chancellor of Justice cannot do, since under the Constitution justice is administered by the courts and only a higher court may assess substantive questions of adjudication.

Nevertheless, every year there are also cases where the Chancellor of Justice reviews judges' work in the courts information system more closely in order to determine whether there are grounds to initiate disciplinary proceedings. During the reporting period there were 17 such cases. In none of them did the Chancellor of Justice find reason to initiate disciplinary proceedings against a judge.

Complaints submitted to the Chancellor of Justice concerned mainly the excessive length of civil proceedings. Judges dealing with civil cases have a heavy workload, and therefore proceedings have lengthened somewhat. People are confused when the court accepts a case but then nothing happens and no information is provided. Usually, inquiries are answered by explaining that the court processes cases in order of receipt and that the turn has not yet come for this particular case. But the person does not know how many cases the judge has to deal with and where their case stands in the queue.

Therefore, the Chancellor of Justice has repeatedly asked courts, where possible, to keep people informed about the progress of proceedings. There have also been some good examples where a judge has explained at the acceptance of a case how many cases are awaiting resolution and when the court can be expected to move forward with the particular case.

Complaints were also made that a court decision (an order to remedy deficiencies) was not understandable to the person, and that a judge's wording in a judgment was arrogant and inappropriate. In the first case, the Chancellor of Justice asked the court to explain clearly to the person what they must do. In the second case, the Chancellor of Justice did not find any inappropriate assessments or arrogant tone in the judgment, as alleged by the complainant.

In two cases, complaints were made about a judge's wording during a court hearing. Listening to the audio recordings of the hearings, no inappropriate wording or tone was found.

Text quoted from the subchapter on courts in the annual report about the activities of the Chancellor of Justice (<https://www.oiguskantsler.ee/annual-report-2025/rule-of-law#the-court-system>).

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

5000 character(s) maximum

II. Anti-Corruption Framework

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

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

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

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical/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

The Constitutional Committee of the Riigikogu requested the Chancellor of Justice's opinion on the draft Act to amend the Political Parties Act and the Credit Institutions Act (<https://www.riigikogu.ee/tegevus/eelnoud/eelnou/bfb79854-be0c-4491-9f3f-ab5efb60b4ac/erakonnaseaduse-ja-krediidiasutuse-seaduse-muutmise-seadus/>). The Chancellor of Justice asked the Riigikogu to consider abolishing the absolute ban on donations by legal persons (<https://www.oiguskantsler.ee/sites/default/files/2025-04/Arvamus%20erakonnaseaduse%20ja%20krediidiasutuse%20seaduse%20muutmise%20seaduse%20eelnou%20kohta.pdf>). The problem was highlighted by the Chancellor of Justice already in the 2017 written submission to the Riigikogu (<https://www.oiguskantsler.ee/sites/default/files/2024-11/Valimiskampaaniate%20rahastamise%20ning%20reklaami%20regulatsiooni%20ajakohasus%20ja%20p%C3%B5hiseadusp%C3%A4rasusest.pdf>).

The Chancellor of Justice noted that this prohibition, backed by the threat of sanctions, also applies to citizens' associations operating as legal entities. Yet in a democratic society, there is nothing harmful in preferring one candidate, electoral alliance, or political party in order to promote a worldview and to cooperate with them – on the contrary, such engagement is a natural part of the functioning of a healthy and free society. In municipal council elections, for instance, neighbourhood and village associations, as well as animal and forest protection groups, should be free to publicly support candidates.

At the same time, the Chancellor of Justice stressed that such cooperation must be transparent – in other words, it must be publicly known who supported whom, when, how, and to what extent. The influence of hostile foreign states must be excluded. The Chancellor of Justice considered that the already planned improvements to supervision measures in the draft Act would help ensure transparency.

By the time this report was completed, the Riigikogu had not yet adopted this Act.

Text quoted from the subchapter on supervision over financing of political parties in the annual report about the activities of the Chancellor of Justice (<https://www.oiguskantsler.ee/annual-report-2025/rule-of-law#supervision-over-financing-of-political-parties>).

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

Hopefully full data will be provided in government's report. Chancellor of Justice can provide data on waiving of parliamentary immunity, as addressed in the annual report about the activities of the Chancellor (<https://www.oiguskantsler.ee/annual-report-2025/rule-of-law#waiving-of-parliamentary-immunity>).

According to § 76 of the Constitution, a Member of the Riigikogu enjoys immunity and may be prosecuted and tried in court only on the proposal of the Chancellor of Justice with the consent of the majority of the members of the Riigikogu. This constitutional provision protects a Member of the Riigikogu, for example, against court proceedings initiated for the purpose of political persecution.

In 2025, the Prosecutor's Office submitted two requests to the Chancellor of Justice to waive parliamentary immunity from Members of the Riigikogu. The cases concerned possible fraud and possible embezzlement.

The Chancellor of Justice thoroughly examined the materials of the criminal cases and decided to propose to the Riigikogu to waive parliamentary immunity from both Members. The Chancellor of Justice found that the entire investigation thus far had been lawful and there was no reason to suspect that the charges brought against the Members of the Riigikogu stemmed from any improper (including political) motive.

The Riigikogu agreed with the Chancellor of Justice's proposals.

<https://www.riigikogu.ee/tegevus/eelnoud/eelnou/b3f23309-da28-4367-b687-7682348cd991/riigikogu-otsus-nousoleku-andmine-riigikogu-liikmelt-kalle-laanetilt-saadikupuutumatus-aravotmiseks-ja-tema-osas-kohtumenetluse-jatkamiseks/>

<https://www.riigikogu.ee/tegevus/eelnoud/eelnou/232f7bbd-a64b-4ebc-9af3-6d9691533e68/riigikogu-otsus-nousoleku-andmine-riigikogu-liikmelt-kalle-grunthalilt-saadikupuutumatus-aravotmiseks-ja-tema-osas-kohtumenetluse-jatkamiseks/>

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

There has been a lot of public attention in relation to a major political party being investigated for illicit funding suspicion. See news brief: <https://news.err.ee/1609875907/explainer-isamaa-investigated-for-illicit-funding-suspicion>

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

Estonia was recommended to further advance with efforts to ensure consistent and effective implementation of the right of access to information taking into account European standards on access to official documents.

There is no update of the developments resulting from the analysis regarding the implementation of the Public Information Act on the dedicated website (in Estonian): <https://www.justdigi.ee/era-ja-avalik-oigus/haldusoigus/avalik-teave#pt9>.

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

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

The Chancellor of Justice carries out the constitutional review of legislation of general application (<https://www.oiguskantsler.ee/en/areas-activity/constitutional-review>). In 2025, the Chancellor of Justice submitted 22 proposals to the Parliament, ministries, and local governments, urging alignment with the Estonian Constitution or initiating legislative measures. Six of these proposals have been implemented, while the rest are still in progress. If the proposal is ignored, the Chancellor of Justice shall submit a request to the Supreme Court to declare the legislation of general application unconstitutional or invalid. In 2025, the Chancellor submitted one new request to the Supreme Court for constitutional analysis.

The Chancellor of Justice also submits opinions to the Supreme Court in all other constitutional review proceedings. In 2025, the Chancellor provided 11 such opinions. The proceedings concerned for example Aliens Act, Fishing Act, Income Tax Act, Population Register Act and Planning Act. Read more in the subchapter on opinions submitted to the Supreme Court in the annual report about the activities of the Chancellor of Justice (<https://www.oiguskantsler.ee/annual-report-2025/rule-of-law#opinions-submitted-to-the-supreme-court>).

On the website of the Chancellor of Justice it is possible to follow the progress and implementation of constitutional review cases (in Estonian): <https://www.oiguskantsler.ee/tegevusvaldkonnad/pohiseaduslikkuse-jarelevalve/ettepanekud-ja-taotlused>

The opinions of the Chancellor of Justice have also been incorporated into the relevant consolidated texts in the Riigi Teataja (State Gazette) and are accessible via the dedicated button in the legal act view. Overall, more than 3,000 opinions of the Chancellor of Justice have been added to the State Gazette. See, e.g. opinions on Employment Contracts Act: https://www.riigiteataja.ee/akt_seosed.html?id=123122024006&vsty=OKS

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

The Chancellor of Justice received over 5500 applications in the previous reporting year. Close to half of them required Chancellor's intervention. The steady increase of the number of applications over the years is an indication that people trust the institution and find it to be effective in standing for their rights. Despite the rise in petitions, the increase of the Chancellor's budget has not been at the same pace as the growth in the number of appeals submitted to the Chancellor.

Since 2025, the budget requests of the constitutional institutions (including the Chancellor of Justice and the State Audit Office) are reviewed by the Finance Committee of the Riigikogu. Riigikogu did not support neither the Chancellor's nor the State Audit Office's budget request for 2026. The Chancellor's budget in 2026 increases only by the resources allocated for the performance of additional tasks and does not take into account the increase in workload in other areas. This may affect the capacity to fulfil the duties that the law requires of the Chancellor.

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

In 2025, the Chancellor of Justice submitted 22 proposals to the Parliament, ministries, and local governments, urging alignment with the Estonian Constitution or initiating legislative measures. Six of these proposals have been implemented, while the rest are still in progress. The Chancellor submitted one new request to the Supreme Court for constitutional analysis in 2025 and provided 11 opinions during ongoing constitutional review proceedings.

In addition, the Chancellor of Justice made 74 recommendations to state and local authorities on legality and good administration principles. Generally, the recommendations are acknowledged and implemented but some require more substantial reforms for follow-up.

Furthermore, 43 cases brought to the Chancellor's attention were resolved during proceedings. If an authority promptly rectifies unconstitutional provisions or adjusts practices, proceedings may be concluded without issuing formal proposals or recommendations.

On the updated website of the Chancellor of Justice the database of opinions allows access to the Chancellor's proposals, recommendations, and memoranda concerning compliance with human rights and the principles of the rule of law (<https://www.oiguskantsler.ee/seisukohad-ja-algatused/seisukohad>). Opinions can be searched by keywords, as well as by supervision results and institutions. It is also possible to follow separately the progress and implementation of constitutional review cases (<https://www.oiguskantsler.ee/tegevusvaldkonnad/pohiseaduslikkuse-jarelevalve/ettepanekud-ja-taotlused>).

The opinions of the Chancellor of Justice have also been incorporated into the relevant consolidated texts in the Riigi Teataja (State Gazette) and are accessible via the dedicated button in the legal act view. Overall, more than 3,000 opinions of the Chancellor of Justice have been added to the State Gazette. See, e.g. opinions on Social Welfare Act: https://www.riigiteataja.ee/akt_seosed.html?id=130122025029&vsty=OKS

The recent annual report about the activities of the Chancellor of Justice can be found here: <https://www.oiguskantsler.ee/annual-report-2025/>

[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

The Chancellor of Justice monitors whether public authorities comply with the law in their activities, including the principles of good administration as set out in the Administrative Procedure Act (<https://www.riigiteataja.ee/en/eli/505122023003/consolide>). Good administrative practice requires, among other things, that public authorities communicate with people politely and purposefully. Institutions must also organise their work in such a way that no one is left in uncertainty or in an unclear situation because of their actions or inaction.

The overall picture of administrative practice is very mixed. Alongside capable and solution-oriented officials, there are, unfortunately, also some who are needlessly obstructive. Generally, people do not write to the Chancellor of Justice when they are satisfied with the actions of the state or local authorities, and their concerns are resolved quickly and properly. Rather, the Chancellor most often encounters cases where an official could have done their job better.

Read more in the subchapter on good administration and poor administration in the annual report about the activities of the Chancellor of Justice (<https://www.oiguskantsler.ee/annual-report-2025/good-administration-poor-administration>). The cases described concerned for example proving language proficiency, submitting a photo, paying a fee, applying for a grant, reaching officials and receiving responses.

[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

The Chancellor of Justice regularly inspects state authorities that conduct the interception of telephone calls and conversations, monitor correspondence, and collect, process, and use personal data in other covert ways. Continuous oversight aims to ensure that all covert operations are carried out lawfully, in accordance with existing legal norms and with full regard for fundamental rights. Even when the activities of these authorities are formally lawful, the Chancellor of Justice seeks to ensure that individuals' fundamental rights are always respected and to reduce public fear of unjustified surveillance.

During the past reporting year, advisers from the Chancellor's Office inspected the activities of the Internal Security Service and the Foreign Intelligence Service. The goal was to verify whether people's fundamental rights are protected when information is collected covertly for the purposes established in the Security Authorities Act (<https://www.riigiteataja.ee/en/eli/ee/522032019003/consolide/current>).

Although no violations of fundamental rights or serious deficiencies were found, the Chancellor of Justice still made several recommendations to strengthen the protection of individual rights.

The Chancellor's advisers also reviewed surveillance files at Tallinn, Tartu, and Viru Prisons, as well as in police stations under the Western and Eastern Prefectures of the Police and Border Guard Board. The inspections focused on the justification for opening surveillance files, the issuing of authorisations, the lawfulness of the surveillance operations, and compliance with the requirement to notify individuals of the surveillance measures taken.

The review focused on whether the surveillance measures used to collect information about crimes were lawful and absolutely necessary in each specific case. Attention was also paid to whether prisons and police units complied with the requirement to notify individuals about the surveillance measures.

In general, the handling of the reviewed surveillance files complied with the Code of Criminal Procedure (<https://www.riigiteataja.ee/en/eli/ee/527012016001/consolide/current>) and the internal rules established by the heads of surveillance authorities. Earlier recommendations made by the Chancellor of Justice had been taken into account.

Once again, the Chancellor made recommendations to prisons, the Police and Border Guard Board, and the Prosecutor's Office on how to improve the quality of surveillance operations and better protect individuals' rights. These proposals were based on findings from the reviewed files and discussions with officials.

Detailed summaries of inspections carried out in security and intelligence agencies are not public, as they contain classified or internal-use information. These summaries are sent to the institutions and authorities responsible for oversight, including the courts and the Riigikogu's Security Authorities Surveillance Select Committee, which are tasked with ensuring the legality of intelligence and surveillance activities.

Read more in the subchapter on covert surveillance in the annual report about the activities of the Chancellor of Justice: <https://www.oiguskantsler.ee/annual-report-2025/surveillance-society#covert-surveillance>

D. The enabling framework for civil society

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

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

5000 character(s) maximum

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

5000 character(s) maximum

Petitions submitted to the Chancellor of Justice and reports in the media have revealed that, at times, state authorities make administrative decisions without a proper legal basis. Generally, the problem lies in the desire to act faster or in a more convenient and efficient way, or simply because it is not realised that in a specific procedure such actions are not prescribed by law. Sometimes the law is then amended afterwards so that it corresponds to actual administrative practice. This seems to be a problem that deepens year after year.

The erosion of the principle of legality was seen during the reporting year above all in relation to the use of surveillance devices and access to data systems.

For instance, it has come to light that the state had, for years, used automatic number plate recognition cameras to record all passing vehicles, even though until the adoption of the respective legislation by the Riigikogu on 8 October 2025, there was no legal basis for such mass data collection (<https://news.err.ee/1609684643/interior-minister-legal-regulation-of-license-plate-cameras-subject-to-analysis>).

In addition to surveillance devices, state-run databases and information exchange systems also require clear regulation. For example, the Financial Intelligence Unit has plans to create a system that would analyse data from various state registers to detect potential money laundering – yet without assessing the proportionality and the constitutionality, or risks of such large-scale data processing (<https://news.err.ee/1609793370/riigikogu-committees-back-changes-to-money-laundering-superdatabase-law>). The draft amendments are anew under discussion in the Riigikogu (<https://www.riigikogu.ee/tegevus/eelnoud/eelnou/952fb8a3-cbe5-49b8-b36b-9b641d6ddd19/rahapesu-ja-terrorismi-rahastamise-tokestamise-seaduse-ning-rahvusvahelise-sanktsiooni-seaduse-muutmise-seadus/>).

Problems have also emerged with the new Enforcement Register (<https://news.err.ee/1609735437/justice-chancellor-state-agencies-can-access-banking-secrets-without-rules>). Authorities gained access to banking secrecy, including account statements, even before the register's statutes were established. The Chancellor noted that protecting fundamental rights requires that such restrictions be set out in the law, not in subordinate regulations (<https://www.oiguskantsler.ee/sites/default/files/2025-08/Taitmisregister%20ja%20andmejalgija.pdf>). Now steps are being taken to enable individuals to see which queries have been made about them (<https://news.err.ee/1609772619/justice-ministry-changes-data-privacy-law-after-misuse-scandals>; <https://news.err.ee/1609886842/estonia-planning-to-make-data-tracker-mandatory-for-all-public-databases>). However, the law still does not clearly define which data can be accessed via the register.

Another concern related to checks and balances is that the activity-based state budget introduced in recent years gives the executive branch too much freedom to decide on the use of budgetary funds. Those decisions must be made by the Riigikogu. In addition, a general and vague budget does not allow for effective oversight to ensure that public funds are used lawfully and for their intended purpose.

Due to the lack of transparency in the state budget Riigikogu appears to lack an overview of what public authorities spend money on, including activities that restrict fundamental rights very intensively. For example, the Chancellor of Justice pointed out that no public money may be spent, nor any financial obligations incurred, for the development or use of technology restricting fundamental rights before a law to that effect has been adopted (<https://www.err.ee/1609675808/madise-pohioigusi-piirava-tehnoloogia-jaoks-ei-tohi-kulutada-sentigi-riigi-rahaga>).

In the Chancellor's view (<https://www.oiguskantsler.ee/sites/default/files/2025-08/Riigieelarve%20seaduse%20muutmise%20seaduse%20eelnou.pdf>), the latest amendments to the State Budget Act (<https://www.riigiteataja.ee/akt/119122025001>) do not solve these problems. According to the amendments, the information on the breakdown of expenditures by economic content was moved from the annex into the main text of the law. However, the minister would still be able to change this breakdown with minor limitation and without the need to initiate amendments to the annual budget law. The Chancellor of Justice finds that the Riigikogu should be the one to decide above all on the breakdown of expenditures by economic content.

Read more in the relevant subchapters in the annual report about the activities of the Chancellor of Justice:
<https://www.oiguskantsler.ee/annual-report-2025/chancellor-s-year-in-review>
<https://www.oiguskantsler.ee/annual-report-2025/rule-of-law>

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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