

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

COSPE - cooperazione per lo sviluppo dei paesi emergenti ETS

Main Areas of Work

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

If "Other", please specify

Environment and climatic justice, migration and inclusion, women's rights and gender equality

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

500 character(s) maximum

<https://www.cospe.org/chi-siamo/>

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

069910339313-06

* 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

Caterina

Surname

Carmassi

Email Address of the organisation

info@cospe.org

* 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

I. Justice System

Independence.

Most Member States maintain constitutional and legal safeguards for the independence of judges, prosecutors and Bars. Judicial councils or equivalent bodies continue to play a central role. However, common challenges include risks of politicisation in appointments and promotions, increased use of disciplinary proceedings, and public or political attacks on judicial decisions, all of which negatively affect public perception of independence.

In Italy, strong constitutional guarantees remain in place, notably through the "Consiglio Superiore della Magistratura". Nevertheless, recurring political and public debates on the role of the judiciary, disciplinary accountability and reforms of judicial governance have contributed to polarisation and may impact perceived independence. The independence of the Bar is generally ensured, though lawyers face increasing professional and reputational pressures.

Quality and efficiency.

Across Member States, digitalisation, training and specialisation of courts are key positive trends, often supported by EU funding. Persistent challenges include uneven access to justice, resource constraints, regional disparities and excessive length of proceedings.

Italy has made significant investments in digitalisation and procedural reforms aimed at reducing backlogs and improving efficiency, with tangible progress in some areas. However, disparities between regions, workload pressures and lengthy proceedings—especially in complex cases—remain structural issues.

II. Anti-corruption framework

Most Member States have established institutional frameworks combining prevention and repression, with increasing cooperation with EU bodies such as EPPO and OLAF. Nevertheless, limited resources, uneven enforcement of preventive measures, and obstacles to prosecuting high-level and complex cases (e.g. procedural complexity, statute of limitations) persist.

Italy has a relatively comprehensive anti-corruption framework, including preventive measures and specialised enforcement. While transparency and public procurement rules are well developed, corruption risks remain significant in certain sectors and at local level, and effectiveness continues to be affected by lengthy proceedings and implementation gaps.

III. Media pluralism and media freedom

Across the EU, concerns persist regarding media ownership concentration, political influence over public service media, threats and violence against journalists, and the use of defamation lawsuits and SLAPPs. While regulatory frameworks exist, enforcement and safeguards are uneven.

In Italy, long-standing issues related to media concentration and political influence remain relevant. Journalists continue to face threats, legal pressure and challenges in accessing public information, affecting media pluralism and freedom in practice.

IV. Checks and balances and enabling framework

In Italy, accelerated legislative procedures are widely used, while judicial review mechanisms remain strong even in very sensitive areas like personal liberties and criminal law. Common challenges across Member States include frequent use by the government of law decrees under alleged emergency that leads to a lack of control of the parliament over legislative acts. Insufficient follow-up to recommendations of independent authorities, and delays in implementing final national or supranational judgments like those of the ICJ and the ECtHR. Civil society organisations generally operate within formal legal frameworks but face funding instability, administrative burdens and, in some contexts, negative narratives.

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

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

The migrant detention centers in Albania (Gjader and Shengjin) present serious legal and constitutional challenges, raising questions about the legitimacy of the extraterritorial detention of asylum seekers. The system has demonstrated inefficiencies, with forced transfers often overturned by Italian courts, highlighting fundamental rights violations and procedural obstacles, including the EU Court of Justice's "Safe Countries" ruling.

What is particularly lamented is the violation of the right to defense and to a natural judge, pillars of the rule of law. The transfer to Albania of migrants rescued within Italian territorial waters or within Italy's search and rescue areas (and its resulting obligations under maritime and international law) hinders effective access to asylum procedures and judicial protections, making it difficult for judges to oversee detention and access to an effective legal defense.

This model creates a system of confinement outside national borders, jeopardizing respect for migrants' fundamental rights.

The first transfers of migrants from Italy to Albania (early 2025) were unsuccessful in validating the transfers by the judiciary, highlighting procedural illegitimacy but also resulting in exorbitant costs (from the construction of the centers to the implementation of the procedural, security, and jurisdictional mechanisms that govern their management).

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

The unity of jurisdiction, which the reform promoted and envisaged by the current government disrupts, guarantees uniformity of professional training, despite the distinction between the roles of the prosecutor and the judge, and therefore serves as a safeguard for all.

The reform removes magistrates' ability to elect their own representatives, who will be chosen by drawing lots.

By proposing the establishment of two CSMs and the overall reform results in an unreasonable increase in the personnel and infrastructure costs required for the functioning of the two proposed CSMs, an increased risk of self-referentiality among prosecutors, for whom a single self-governing body is now established, and, above all, a weakening of the magistrates, who are chosen regardless of their specific expertise and willingness to engage in a delicate self-governing body (they would be in fact randomly chosen). Every other representative body in Italy is composed of candidates and elected representatives.

Finally, the reform transfers disciplinary power to a High Court, whose composition, compared to the old CSM, reduces the percentage of magistrates. With respect to this new body, the greatest concerns concern the judging panels established within the High Court to assess individual cases. These panels will be formed in a manner yet to be defined: for now, the law only states that magistrates "will be represented" on them—but does not specify in what number or proportion. A political majority could, for example, pass a law according to which its representatives, in a majority, judge the magistrate. The risk of pressure, interference, and intimidation, therefore, exists. Furthermore, High Court decisions cannot be appealed to the Supreme Court of Cassation, but only to another panel of the High Court itself.

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

Another critical measure would be included in the reform, in case the referendum approved the modification of the Constitution: the establishment of a High Disciplinary Court with the power to exercise disciplinary jurisdiction over ordinary magistrates, both judges and prosecutors, whose decisions will be appealable, on merits, only before the High Court itself. This provision appears to be an unreasonable derogation from the constitutionally guaranteed right to defense and exposes every ordinary magistrate to the risk of being subjected to a judgment that is neither reviewable nor subject to change by a new body whose members will be predominantly non-judicial.

Furthermore, there are prospective political aspects regarding the context within which the reform is set, which, as mentioned, places strong pressure on the judiciary and its independence.

Independence/autonomy of the prosecution service

5000 character(s) maximum

Currently, in Italy, judges and prosecutors train and take the competitive exam together, embarking on the same career path and then taking on different roles (judging or prosecuting). The choice to switch careers can be made only once in a lifetime, and to do so, they must move to another city or region, which, according to data, already represents a strong disincentive. Indeed, this transition almost never occurs (in 2024, just 42 out of nearly 9,000 magistrates made the transition: 0.4%). Therefore, a de facto separation of functions already exists.

While it is true that career separation exists in other European systems, it is also true that in Italy this requirement in no way corresponds to a need for greater justice or to the available data. Suffice it to say that the high percentage of trials that end in acquittal (i.e., the judge rejects the prosecutor's requests) demonstrates that, under this system, the judge is already "third-party and impartial," as required by the Constitution (Article 111), and does not rule in favor of the prosecutor simply because they are "colleagues."

Along with their careers, magistrates share the same jurisdictional culture: in practice, judges and prosecutors share a public function; the prosecutor is not required to "win," but must also seek evidence to exonerate the accused. This is a safeguard for the protection of suspects and defendants (the lawyer, on the other hand, being a private party, is not required to also seek evidence against him).

The reform seeks to use greater financial resources for an unnecessary purpose, while simultaneously diverting them from far more urgent issues such as staff shortages. These other structural factors are also those that impede the elimination of the backlog and the speedy conclusion of cases.

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

5000 character(s) maximum

In September 2025, a training event for lawyers was organized in collaboration between the CNF and the Scuola Superiore dell'Avvocatura. The conference, held in Rome, was initially titled "War and Human Rights: Gaza, the West Bank, and Israel. Human Rights Violations in Gaza and the Occupied Territories." Participating lawyers received training credits, similar to any other conference organized by legal organizations. The conference was criticized for its alleged lack of adversarial process and its approach, deemed unbalanced by the Association of Jewish Lawyers (AGE), regarding the ongoing conflict. The criticism stemmed from the participation of Francesca Albanese (UN Special Rapporteur on the Palestinian Territories), who was deemed "biased," despite her role being directly vested in the United Nations Human Rights Council, a body representing all UN member states and having a specific and impartial mandate. It certainly does not intervene to defend an ideological position, but rather to reconstruct the legal reality of the Israeli occupation in the occupied Palestinian territories.

While protests within a democratic society are legitimate, the serious event that makes the matter worthy of being highlighted here is the fact that, following protests from an association based solely on ethnic-religious affiliation, the CNF decided to revoke the three training credits initially planned for the event, citing a lack of adversarial process required for professional training (a reason never cited at other events, such as, for example, the multiple training sessions currently being held on the grounds that should support the referendum's Yes vote on the constitutional reform on the separation of judicial careers, but which never feature speakers with opposing viewpoints to those of the government). The CNF expanded the panel of speakers, adding speakers with professional profiles completely unsuited to dialogue with a UN special rapporteur and without any specific training, as well as those with partisan interests, such as arguing that the United Nations' viewpoint was biased and therefore should be challenged. The conference was held on September 4th, despite the CNF's formal backtracking on accredited training and the barrage of calls for the CNF President's resignation, highlighting the serious exposure and vulnerability of legal bodies and the legal profession as such to external political and ideological pressure.

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

The 2025 Budget Law (Law No. 207 of December 30, 2024) introduced significant changes to citizenship matters, establishing a unified fee of €600 for disputes regarding the determination of Italian citizenship, both through consular and judicial channels. There are numerous constitutional doubts regarding this matter.

1. Violation of the Right to Defense (Art. 24 of the Constitution)

The €600 fee is due for each appellant, even if the application is filed jointly in the same proceeding (for example, between members of the same family).

Criticism: The high fee, especially for multiple appeals, risks making the right to defense, guaranteed by Art. 24 of the Constitution, inaccessible or "effectively prohibitive" for the less well-off, posing a financial barrier to access to justice.

2. Violation of the Principle of Reasonableness (Art. 3 of the Constitution)

The new legislation introduces a significant disparity in treatment compared to the past, transforming citizenship into a paid service rather than a verifiable right. This measure creates a clear disparity between those who can afford to file an appeal and those who cannot, discriminating against descendants by blood (often residing abroad) who must go to court due to lengthy consular proceedings.

3. "Solve et Repete" Effect

Although the fee is not an administrative penalty, the imposition of a large sum as a condition for obtaining recognition of a fundamental right (citizenship) is reminiscent of the "solve et repete" (pay and then act) principle, which is deemed incompatible with access to judicial protection.

4. Discrimination and Nature of the Right

This budget law aims to disproportionately affect foreigners of Italian origin. Citizenship by right of blood is not an "acquisition" but an "ascertainment" of a status that has already existed since birth, making such a high cost for its recognition absurd.

Although questions had already been raised on this issue during the last consultation, the 2025 Report on the Rule of Law in Italy made no mention of the issue and no recommendations were made to Italy in this regard. Despite the attention of this Commission on this important topic, no mention has been made with this regard in the 2025 Eu rule of law report - Italy country chapter.

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

In Italy, as part of the post-pandemic push toward digitalization, appointment booking has been introduced at almost all police stations through the "PrenotaFacile" portal (prenotafacile.poliziadistato.it), which was introduced to digitally manage appointments for residence permits and other Immigration Office services. This system is often criticized for its technical malfunctions and the barriers it creates, particularly for foreign citizens. The PrenotaFacile system is frequently inaccessible or ineffective due to widespread technical issues, frequently described by users.

Equally frequently, it produces error messages indicating that the maximum number of possible bookings has been exceeded, making it impossible to schedule an appointment. It also creates completely unreasonable barriers to access to justice and relationships with public administrations by automating procedures by recognizing only certain identity documents but not others, or certain personal statuses but not others.

This has created a real "barrier to access" for many users, resulting in public administration inefficiency and the need for digital skills: The system requires access via SPID or CIE, which excludes or significantly complicates the process for those less accustomed to technology or in vulnerable situations.

The malfunction, combined with high demand, significantly prolongs the time it takes to secure an appointment, lengthening the bureaucratic process for renewing or issuing permits. Users are often required to pay legal fees or seek professional assistance. Furthermore, a criminal network that "buys" appointments has developed around booking appointments.

In cases of technical inaccessibility, practical alternatives (such as physically showing up) are often complex or unavailable, condemning users to a bureaucratic "loop."

Discrimination Against Foreigners

Several associations and court rulings have highlighted how the PrenotaFacile system, in practice, is discriminatory, especially for asylum seekers, resulting in unequal treatment compared to Italian citizens and creating greater administrative obstacles for foreigners. The online system is often inadequate to address the urgency and necessity of formalizing asylum requests, transforming a right into an inaccessible process.

The Council of State has previously condemned the "systematic inefficiency" of certain administrative procedures, emphasizing the need to ensure that digitalization does not become a tool of exclusion. Essentially,

although this does not involve direct access to the judicial system, in the case of asylum seekers in particular, fundamental human rights are at stake, which cannot be limited by de facto barriers and completely exempt from any judicial review.

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

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

RSF Ranking 2025: According to Reporters Without Borders, Italy has fallen to 49th place in the global ranking, registering one of the most serious situations in Western Europe.

Gag Lawsuits: There has been an increase in SLAPPs (silencing lawsuits) aimed at silencing journalists and activists.

The most concerning fact is that, despite the recommendation made in the 2025 report to Italy, no further progress on continuing the legislative process on the draft reform on defamation, the protection of professional secrecy and journalistic sources while avoiding any risk of negative impacts on press freedom and ensure it takes into account European standards on the protection of journalists.

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 2025, the landscape of civil law and freedom of expression in Italy underwent a significant deterioration, culminating in a downgrade by leading international observers. The data highlights a shrinking civic space, described as "obstructed" due to regulatory interventions and practices. 1 CIVICUS Monitor formally classified Italy as a country with "obstructed" civic space in its December 2025 report, downgrading from its previous rating.

This rating places Italy on par with nations with known democratic limitations, such as Hungary.

The most critical areas concern freedom of association, assembly, and expression, with intimidation and arbitrary restrictions against activists and organizations implemented primarily through the enactment of the "Security Decree" (provocatively also called the "anti-Gandhi" decree). Approved in June 2025, this legislative package represents a tool for restricting rights, introducing new crimes and harsher penalties for peaceful protests, including environmental protests or protests in support of migrant rights, but also for worker pickets and union strikes.

Participation in non-violent demonstrations risks being punished with disproportionate penalties, discouraging grassroots democratic participation.

There have been reports of abuses of measures such as urban DASPOs, residence bans, and movement restrictions to limit dissent.

Among the most serious incidents of 2025, the detention of 22 activists for seven hours during a peaceful protest against the sale of weapons is noteworthy.

Freedom of assembly has been particularly under attack for expressions of solidarity with Palestine or for climate causes, as highlighted in the CIVICUS report of December 2025.

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

As of 2025, despite continued international calls, no substantial concrete progress has been made towards establishing a fully-fledged independent National Human Rights Institution (NHRI) in Italy, compliant with the Paris Principles. The topic is absolutely silenced and no discussion or information is promoted on it.

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

The deportation of rescued migrants to Albanian detention centers outlined a model that blatantly conflicts with the ruling of the Court of Justice of the European Union (CJEU) of August 1, 2025 (cases C-758/24 and C-759/24), which established that a country cannot be designated "safe" if it does not offer protection to its entire population. This ruling prohibits the designation of a country as safe if it excludes specific minorities or areas. This ruling called into question the definition of "Safe Countries" (Safe Countries Decree), effectively blocking the basis for the detention and immediate repatriation of migrants to Albania. This is in line with a general lack of alignment and delay in adapting to the international courts judgements (both the CJEU and ECtHR).

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

In 2025, the situation in Italy regarding SLAPPs (Strategic Lawsuits Against Public Participation) against journalists remained critical, with a significant increase in judicial intimidation, despite the approaching deadline

for the implementation of the European Anti-SLAPP Directive.

Here are the main developments and key points that emerged during 2025:

Increase in cases and decline in press freedom: Reporters Without Borders (RSF) ranked Italy 49th in 2025, dropping three places from 2024 and placing it among the worst in Western Europe. In 2025, cases of journalists under threat increased by 78% according to the FNSI.

Implementation of EU Directive (2026 Deadline): Italy is at a crossroads in implementing the European Directive (EU 2024/1069), which must be implemented by May 2026. The directive introduces the possibility of early dismissal of unfounded cases and costs for those who bring abusive actions.

Implementation Obstacles: During 2025, the government expressed resistance, excluding the implementation of the anti-SLAPP Directive in the 2025 European Delegation Law.

Parliamentary Initiatives: Despite the increase in complaints, at the end of 2025, motions were presented to the Chamber of Deputies for the protection of journalists, highlighting the need to take action against SLAPPs (citing cases such as that of Sigfrido Ranucci/Report).

Persistence of structural criticalities: The reform of press defamation, long requested by the Constitutional Court (ruling 150/2021) to avoid disproportionate penalties, was not completed in 2025.

New Code of Ethics: The new Code of Ethics for Journalists, which aims to strengthen professional ethics even in complex contexts, came into force on June 1, 2025.

In short, 2025 was a year of high tension and no immediate structural measures, with the Order of Journalists and the FNSI continuing to urge urgent and full implementation of European legislation to combat abuse of the judicial system.

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

the landscape for financial support of civil society organisations (CSOs) and human rights defenders (HRDs) in Italy is characterized by a "narrowed" civic space due to government restrictions and political pressure.

In March 2025, the Italian Government via the Agency for Development Cooperation (AICS) launched a €21 million call for proposals focusing on humanitarian assistance in Ukraine, targeting civil society active in the region. At the same time no progress has been made on humanitarian corridors regarding the evacuation of Palestinians from Gaza area. Even those who are granted with VISA by national courts, are left without any support and unattended by the consular network in their attempt to flee the war zones, also through the support of national organizations.

Regarding the support for Human Rights Defenders (HRDs): While a 2024 Parliament resolution requested that the government create a, "shelter cities initiative" and consider special visas for HRDs at risk, by 2025, reports suggest a disconnect between this rhetoric and actual financial increases for HRDs, which remains low. No specific VISA or national VISA are granted to HRDs and despite the former statements and commitments of Italy in front of the HR Council, no progress has been made on this. On the opposite, the majority of the times entry VISAS are denied on a generic "migratory risk" even to well known HRDs.

Tax Wedge Reduction: The 2025 Budget Law extended tax wedge reductions for workers, which helps stabilize the labor market, potentially benefitting the employment costs of non-profits.

"5 per mille" and Donations: Italy maintains its "5 per mille" (5‰) tax designation system, which allows taxpayers to donate a portion of their income tax to voluntary organizations, providing a vital source of revenue for many NGOs, although specific 2025 procedural changes are often adjustments within the broader Third Sector Code reforms.

Corporate Tax Incentives: The 2025 Budget includes incentives for companies, including a reduced corporate tax rate (20% instead of 24%) for those that reinvest 80% of profits, providing a potential, though indirect,

source of corporate social responsibility (CSR) funding.

Centralized Grant Management: A shift towards more centralized management of EU-funded projects (under the 2021-2026 NRRP) has aimed to improve transparency, though studies indicate that overall transparency in NGO funding remains limited. On the other side, this tendency has the effect of preventing grass roots organization and smaller CSOs by accessing funding

Despite the financial support, the CIVICUS Monitor rates Italy's civic space as "narrowed," citing the criminalization of solidarity regarding migration and limited consultation with civil society on new regulations.

While support for social services (elderly, disabled, minors) is high, funding for human rights defenders, particularly those focusing on migration or civil rights, has faced restrictions.

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

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