

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

Confindustria

Main Areas of Work

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

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

500 character(s) maximum

Transparency register number

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

27762251795-15

* 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

Marco

Surname

Meneghini

Email Address of the organisation

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* 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

A. Independence

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

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

5000 character(s) maximum

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

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

B. Quality of justice

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

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

5000 character(s) maximum

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

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

Nel corso del 2025 il Comitato tecnico-scientifico per il monitoraggio sull'efficienza della giustizia civile, sulla ragionevole durata del procedimento e sulla statistica giudiziaria, costituito presso il Ministero della Giustizia, nell'ambito dei lavori del Gruppo su “Impatto deflattivo sul contenzioso degli strumenti alternativi di risoluzione delle controversie”, ha proceduto alla somministrazione di un questionario per raccogliere informazioni quali-quantitative sugli effetti prodotti dalla riforma del processo civile entrata in vigore nel 2023 con un focus sull'analisi delle risposte pervenute dai Tribunali sull'istituto della mediazione demandata dal giudice .

Dall'analisi delle risposte pervenute dai Tribunali giudicanti al settembre 2025, emerge un quadro nazionale eterogeneo che mostra un uso tendenzialmente limitato della mediazione demandata dal giudice (molti uffici la definiscono “poco frequente” o “rara” in sezione) e la preferenza, quando possibile, per la conciliazione giudiziale in udienza (artt. 185, 185-bis, 420 c.p.c.).

In numerosi uffici giudiziari, la mediazione demandata è utilizzata in misura residuale o sporadica, talvolta limitata a pochi casi all'anno. In altri contesti è stata registrata una maggiore propensione all'invio delle parti in mediazione, favorita anche dall'adesione a progetti di collaborazione con università e ordini professionali.

I dati ufficiali delle analisi periodiche predisposte dalla Direzione Generale di Statistica e analisi organizzativa del Ministero della Giustizia evidenziano che nel primo semestre del 2025 sono state iscritte circa 87.416 mediazioni civili, molte delle quali “obbligatorie in quanto condizione di procedibilità ai sensi di legge” (78%). Le volontarie rappresentano circa il 9% del totale mentre quelle demandate dal giudice circa il 13%, delle quali l'85% dovute a improcedibilità per mancato rispetto dell'obbligo di esperire il tentativo di mediazione.

In questo quadro risulta fondamentale incentivare la formazione dei magistrati e degli addetti UPP, per favorire l'invio in mediazione demandata, nonché procedere alla definizione di criteri chiari e condivisi per la selezione delle cause che possono essere oggetto di mediazione, al fine di garantire un utilizzo mirato e strategico di questo strumento che Confindustria ritiene fondamentale per contribuire in modo incisivo alla deflazione del contenzioso giudiziario.

Più in generale in merito agli strumenti ADR, a nostro avviso, non risulta ancora in modo chiaro se le novità previste dalla Riforma della Giustizia, cd Cartabia, prevista dal PNRR, stiano contribuendo a implementarne l' utilizzo riducendo il contenzioso giudiziario.

Infatti, sempre analizzando i dati del Ministero della Giustizia, il confronto delle iscrizioni e delle definizioni delle mediazioni nel primo semestre 2025, con quelle dello stesso periodo del 2024, evidenzia un incremento di circa l'1% per le iscrizioni e un decremento di circa il 4% per le definizioni. Le iscrizioni riportano dati tendenzialmente stabili tra il 2024 e il primo semestre 2025.

In questo quadro, Confindustria ribadisce la necessità di integrare e rafforzare la cultura della mediazione, affinché non sia percepita come un mero adempimento formale, ma come un'opportunità concreta di composizione del conflitto, attraverso un piano formativo e informativo, rivolto a professionisti, cittadini e operatori economici per far comprendere i vantaggi economici, temporali e relazionali che la mediazione può offrire.

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

La ragionevole durata dei processi unitamente alla qualità delle decisioni giudiziarie (sia in termini di istruttoria che di motivazione) rappresentano priorità assolute per gli operatori economici. Tempi processuali troppo lunghi rischiano, infatti, di lasciare persone e imprese per anni nell'incertezza di un giudizio, con conseguenze reputazionali, patrimoniali e personali molto pesanti.

Confindustria esprime una valutazione complessivamente positiva delle riforme della giustizia previste dal PNRR, in particolare della riforma del processo civile, perché da un lato mirano a ridurre il contenzioso che arriva nelle aule di giustizia e la durata dei procedimenti e, dall'altro, a snellire e razionalizzare la procedura in ogni grado di giudizio incentivando altresì l'utilizzo degli strumenti alternativi di composizione delle controversie. Sul piano concreto, il PNRR ha agito su più livelli: sul piano delle regole, con le riforme del processo civile e penale – le riforme Cartabia – inserite come milestone del Piano; sul piano organizzativo, con la creazione e il rafforzamento dell'Ufficio per il Processo e l'ingresso di nuove figure di supporto ai magistrati, sul piano tecnologico, con l'estensione del processo civile telematico, il fascicolo digitale obbligatorio e l'avvio di una banca dati nazionale delle sentenze civili.

Questa impostazione ha già permesso di raggiungere risultati positivi in termini di riduzione dell'arretrato e dei tempi di definizione dei procedimenti, che fanno ben sperare per il conseguimento degli obiettivi previsti dal PNRR per il 2026, già raggiunti peraltro nel settore penale (riduzione, rispetto al 2019, del 40% dei tempi di trattazione delle cause e del 90% delle cause civili pendenti al 31 dicembre 2022; riduzione, rispetto al 2019, del 25% dei tempi di trattazione di tutti procedimenti penali.)

Bisogna però rilevare che, se i dati sono incoraggianti, gli stessi evidenziano anche una disomogeneità territoriale, in termini di efficienza degli uffici, con alcune situazioni critiche in determinate città. Dall'ultimo monitoraggio statistico degli indicatori PNRR, svolto dalla Direzione Generale di Statistica del Ministero della Giustizia, emerge che per le Corti di appello le pendenze residue sono concentrate per circa il 50% nelle sedi di Roma e Napoli, seguite dalle Corti di Catanzaro e Palermo. In primo grado il 70% delle pendenze residue si concentra in 33 sedi, tra cui i tribunali metropolitani di Roma e Napoli e le sedi di Bari e Santa Maria Capua Vetere.

Il Governo, anche per affrontare queste criticità, ha deciso di varare ad agosto scorso "Misure urgenti in

materia di giustizia” (DL 8 agosto 2025, n. 117) per lo smaltimento delle pendenze. Il provvedimento prevede, tra l'altro, l'impiego straordinario di magistrati addetti all'Ufficio del massimario e del ruolo presso le sezioni civili della Corte; l'utilizzo di giudici “a distanza”, fino a 500, chiamati a tenere udienze online nei 48 Tribunali più in sofferenza; nonché incentivi economici per chi accetterà il trasferimento nelle 8 sedi delle Corti d'appello più in difficoltà.

La riflessione di Confindustria è che il rafforzamento degli organici nelle sedi più in difficoltà non può restare solo una risposta straordinaria. Per proseguire l'azione di efficientamento avviata con il PNRR, l'incremento stabile del numero di magistrati e di personale amministrativo, compresi gli addetti UPP, negli uffici e nelle Corti maggiormente gravate dovrebbe essere considerato una scelta strutturale di politica della giustizia.

Passando ad una valutazione più generale sugli sforzi fatti per migliorare l'efficienza del sistema giudiziario, riteniamo che uno dei principali meriti del PNRR sia stato quello di non essere solo un grande piano di spesa, di riforme e di investimenti, ma di aver sperimentato un nuovo metodo di governo, gestione e programmazione al quale la pubblica amministrazione italiana non era abituata.

Storicamente in Italia la Pubblica Amministrazione ha privilegiato il rispetto degli adempimenti formali e delle procedure. Il PNRR ha chiesto, invece, di partire da obiettivi misurabili e da indicatori di performance e di costruire intorno ad essi organizzazione, competenze e strumenti, condizionando l'erogazione delle risorse al conseguimento dei risultati entro scadenze definite.

È ciò che molti definiscono ormai “metodo PNRR” che ha cambiato il modo di lavorare anche nel settore della giustizia. La giustizia civile soffriva da decenni di processi lunghi, arretrati consistenti e interventi frammentati; con il PNRR si è affrontato il problema con un programma pluriennale di riforme e investimenti, legato a obiettivi misurabili e a un monitoraggio costante, che ha imposto a Ministero e uffici giudiziari di usare in modo sistematico i dati – disposition time, clearance rate, arretrato – come leva di governo.

Sarà fondamentale continuare ad applicare questo metodo di lavoro anche dopo giugno 2026.

Any other developments related to the justice system - please specify

5000 character(s) maximum

Negli ultimi anni si è assistito in Italia a un progressivo ampliamento dell'ambito di applicazione di misure di prevenzione nate per contrastare la criminalità organizzata di stampo mafioso a fattispecie di illegalità d'impresa non riconducibili a tali fenomeni patologici.

In particolare, il riferimento è, da ultimo, all'applicazione dell'amministrazione giudiziaria, di cui all'articolo 34 del Codice Antimafia, nella filiera della moda, sulla base di valutazioni indiziarie legate a presunte carenze organizzative o a ipotesi di agevolazione colposa del reato di sfruttamento della manodopera. Qui sta un punto tecnico rilevante: la soglia di attivazione è inferiore a quella penale, perché l'intervento si fonda su “indizi” di un coinvolgimento strutturale (non episodico) dell'impresa nel favorire illeciti altrui, anche in chiave di colpa organizzativa (filieri opache, subappalto non governato, assenza di tracciabilità e di due diligence sui fornitori). Tale estensione di strumenti antimafia a fattispecie di reato che, pur gravi, non presentano quel grado di contiguità con la patologia mafiosa è del tutto irragionevole. Il tema è evitare che strumenti concepiti per un rischio “qualificato” (infiltrazione mafiosa) diventino la risposta standard a criticità organizzative o a condotte colpose lungo la filiera, senza un presidio rigoroso di necessità, proporzionalità e nesso funzionale con la ratio antimafia.

L'applicazione di misure fortemente invasive in assenza di una condanna penale o di un accertamento pieno del fatto rischia di determinare effetti di paralisi dell'attività d'impresa, con ricadute immediate su lavoratori, fornitori, territori e reputazione aziendale. Nel caso dell'art. 34 l'impatto è per definizione “forte”: l'amministratore giudiziario affianca o sostituisce gli organi, con un mandato di ristrutturazione della governance e introduzione di controlli; la durata può estendersi nel tempo (un anno e ulteriori eventuali proroghe) e la pubblicità dell'intervento può incidere immediatamente su affidamenti commerciali, continuità dei contratti e accesso al credito, amplificando gli effetti sulla filiera.

Confindustria ribadisce da tempo l'esigenza di un ritorno ai principi imprescindibili di garanzia, recuperando quel modello di diritto penale che legittima l'intervento punitivo solo quando è strettamente necessario e proporzionato alle esigenze di tutela

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

Con riferimento alla disciplina whistleblowing, Confindustria ha proseguito nel proficuo lavoro di confronto con ANAC che a novembre 2025 ha pubblicato le nuove Linee Guida sui canali interni di segnalazione. L'Autorità ha tenuto conto di molte osservazioni segnalate dal sistema delle imprese (rapporto con il sindacato, organizzazione del canale all'interno dei gruppi di imprese, fasi di gestione della segnalazione) riconoscendo alcuni principi importanti per un efficiente e utile funzionamento di questo strumento di contrasto a comportamenti illegittimi, compresa la corruzione.

Infatti, una corretta predisposizione del canale di segnalazione interno, che tiene conto delle caratteristiche organizzative e dimensionali delle imprese, favorisce la concreta attuazione e il rispetto della disciplina, prevenendo e ostacolando la commissione di illeciti.

Richiamiamo, inoltre, l'attenzione su quella che è ormai divenuta un'urgenza per il sistema delle imprese: la riforma della disciplina della responsabilità amministrativa degli enti, di cui al Decreto legislativo n. 231/2001. La ratio perseguita dal legislatore nel 2001 era quella per cui, in una logica di contrasto preventivo dei fenomeni della criminalità del profitto, tra i quali sono annoverati anche la corruzione nazionale e internazionale, si affidava alle imprese virtuose un ruolo proattivo nella prevenzione, mediante l'adozione dei modelli organizzativi. Nel tempo, però, si è prodotto un profondo scollamento tra la norma e la sua applicazione concreta ed è, quindi, non più rinviabile un intervento di revisione complessiva.

In questa direzione, Confindustria ha partecipato al Tavolo tecnico istituito presso il Ministero della Giustizia per la riforma della disciplina. Le istanze di Confindustria, in parte recepite, si sono concentrate sul rispetto alla situazione attuale, si prospettano alcuni passi in avanti (specie in termini di semplificazione e valorizzazione dei MOG e di attenzione alle condotte riparatorie per agevolare la celere uscita dal giudizio dell'ente) Lo scorso dicembre il Tavolo ha concluso i lavori, sottoponendo un progetto di riforma al Ministro della Giustizia. L'auspicio è che la proposta venga rapidamente trasmessa in Parlamento per l'avvio del dibattito.

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

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

B. Independent authorities

Independence, resources, capacity and powers (including effective access to relevant data) of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

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

5000 character(s) maximum

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

5000 character(s) maximum

[single market relevance] Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

C. Accessibility and judicial review of administrative decisions

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

D. The enabling framework for civil society

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

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

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

5000 character(s) maximum

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

5000 character(s) maximum

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

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

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

5000 character(s) maximum

Supporting document upload

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

Contact

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