

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

Reporters Without Borders / Reporters sans frontières (RSF)

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

<https://rsf.org/en>

Transparency register number

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

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* 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

Julie

Surname

Email Address of the organisation

secretariat@rsf.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

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

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

No improvement for the recommendation: "Take forward reforms to ensure that fair, transparent and non-discriminatory procedures are adhered to for the granting of operating licences to media outlets"; no legal reforms have been undertaken.

No improvement for the recommendation: "Take forward reforms to ensure an effective legislative framework for the independent governance and editorial independence of public service media, taking into account European standards on public service media" ; no legal reforms have been carried out.

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

The year 2025 brought no change in terms of strengthening the independence of national media regulators. In December 2025, the government presented a draft media law aimed at returning to the legal situation prior to 2015, when a right-wing coalition led by the Law and Justice party took power. The government believes that the planned changes will strengthen the independence of the state regulator, the National Broadcasting Council (KRRiT). However, according to a draft, this body is to continue to be elected by the political authorities (Sejm, Senate and the President), as it has been for years (since 1992 – the first act regulating the operation of the KRRiT). This method of selection has never led to strengthening the independence of the KRRiT as demonstrated by regular “political bargaining” over the composition of this body and sometimes unexpected - depending on the political situation - changes in the management of public media. Proposals made (https://siecobywatelska.pl/wp-content/uploads/2024/09/EMFA_uwagi_organizacji.pdf) by intergovernmental organizations during the first phase of consultations on the bill, aimed at involving civil society in the process of appointing the KRRiT (through the nomination of candidates for the KRRiT by these organizations), were not accepted. The Council is enshrined in the constitution and is to remain independent. The term of office of KRRiT members is 6 years, but may be shortened by a joint decision of the Sejm and Senate (to reject the annual report) approved by the President of Poland. With the votes of parliamentarians from the ruling coalition, the Sejm (June 25) and the Senate (September 25) decided not to adopt the report of the KRRiT, but it was not dissolved because the President Karol Nawrocki did not share the parliament's position on this matter. In the draft currently under consultation, the government proposes to repeal this regulation and to retain only the mechanism for dismissing individual members on the grounds specified in the Act. The political assessment of the activities of the National Broadcasting Council by the Sejm, Senate, and President is not to influence its functioning. It is also proposed to introduce a requirement for candidates to submit documents confirming the support of non-governmental organizations for their candidacy. So far, many government bills have been vetoed by Karol Nawrocki, a political opponent of the government. Therefore, the president's statement in an interview (<https://www.prezydent.pl/aktualnosci/wypowiedzi-prezydenta-rp/wywiady/wywiad-prezydenta-rp-dla-goscia-niedzielnego,112730>) that he is discussing media law with government representatives is something of a new development. However, it is difficult to say whether this will lead to the bill being accepted in the future. The National Media Council (RMN), established by the Act of 22 June 2016, as the body responsible for selecting public media authorities, has no independence from the parliamentary majority. Three members of the RMN are elected by the Sejm (lower house of parliament) by a simple majority vote, and two members are appointed by the President from among candidates nominated by opposition parliamentary factions. Taking advantage of its parliamentary majority, the current government removed Krzysztof Czabański from the position of RMN chairman on charges of conflict of interest and gained a majority in the five-member council when Wojciech Król, a member of the Civic Coalition, became its chairman (unlike the National Broadcasting Council, RMN members are not prohibited from belonging to a political party). It is clear that political affiliation plays a role in the decision-making of both market regulators. For many months, the current coalition ignored the existence of the RMN, while most members of the council did not accept the government's actions against public media, even though the courts confirmed the legality of these actions. The government plans to abolish the RMN under a new media law. On the one hand, the government made changes to management positions in public media in 2023 and 2024 through the Minister of Culture, while on the other hand, the RMN selected (<https://www.pap.pl/aktualnosci/rada-mediow-narodowych-wybrala-rady-programowe-min-polskiego-radia-oraz-tvp-0>) program councils in public radio whose term of office ended on 4 February 2025. This means that the power to make changes in public media formally rests with both of them: the Minister of Culture as the owner's representative, specifically with the liquidators appointed by him, and the RMN, which was appointed by the previous government.

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

The current method of selecting the state regulator KRRiT is as follows: Sejm – 2 members, Senate – 1, President – 2. The current composition of KRRiT consists mainly of people associated in various ways with the former ruling party Law and Justice (2015-2023). The chairman elected for the current term, Maciej Świrski, was suspended from his duties in connection with a Sejm resolution of 25 July 2025, to bring him before the State Tribunal (this tribunal judges the highest officials in cases of violation of the Constitution or laws). Świrski was accused, among other things, of blocking the payment of approximately PLN 300 million in license fees for public radio and television, blocking licenses for private broadcasters (TVN, TVN 24, Radio TOK FM, Radio ZET), and failing to conduct statistical research on television viewership in Poland. Although the State Tribunal's decision meant that Świrski automatically lost his position, the National Broadcasting Council (KRRiT) still decided to dismiss him. Agnieszka Glapiak became the new chairperson. Some media outlets wrote (<https://wiadomosci.onet.pl/kraj/maciej-swirski-odwolany-z-funkcji-przewodniczacego-krrit-wydal-oswiadczenie/klpgvvh>) that this was evidence of political conflict on the right. Świrski himself considered his dismissal unlawful, as only he, as chairman, could convene a council meeting. Similarly, the Constitutional Tribunal (which currently consists of judges who were improperly appointed during the previous government's term) ruled that the Sejm's decision to remove Świrski had no legal force. KRRiT members Agnieszka Glapiak, Hanna Karp, and Marzena Paczuska stated (<https://oko.press/na-zywo/na-zywo-relacja/swirski-odwolany-z-krrit-z-ta-decyzja-tez-sie-nie-zgadza>) that they “consider the Sejm's decision to be a politically motivated attack on a constitutional body.” In the draft media bill, the government proposes to restore the nine-member composition of the National Broadcasting Council. This composition would be appointed in the proportions provided for in the pre-2005 law, i.e., four members appointed by the Sejm, two by the Senate, and three by the President of the Republic of Poland. At the same time, the government wants to restore the rotation mechanism of the KRRiT's composition – while maintaining a 6-year term of office for each member – 1/3 of the members should be replaced every 2 years. According to the government, this would ensure a pluralistic and independent composition of the KRRiT. As for the National Media Council (RMN) appointed by the previous government, the Sejm appoints and dismisses three of the five members of the RMN by a simple majority of votes (the remaining two members nominated by the opposition are appointed by the president).

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

5000 character(s) maximum

The Polish journalistic community does not have a common self-regulatory body with authority over all members of the profession. In recent years, divisions have deepened due to the polarization of the political scene and the politicization of public media. As a result, there are two centers: the Media Ethics Council, established on the basis of the Council appointed in 1995 and recognized as an authority by a large group of independent media outlets, and the Press Freedom Monitoring Center at the Association of Polish Journalists. Both bodies assess professional dilemmas in radically different ways, with the dividing line being their attitude towards the Law and Justice (PiS) party, which ruled from 2015 to 2023, i.e., criticism of the political rhetoric of public media (Media Ethics Council) and, on the other hand, sympathy for the PiS government's policies and the changes that the party introduced in the media (Association of Polish Journalists and its Center for Monitoring and Press Freedom). After the change of government the Association of Polish Journalists did not accept the argument that the government was introducing changes to public media in order to stop party propaganda. In a statement, the union called this “scandalous and unlawful action by Prime Minister Tusk's team and the Minister of Culture.” In turn, it considers the legal actions to be non-existent and contrary to the law. This position has not changed since then, even though the courts have granted the government's requests and entered the new media authorities in the National Court Register. Any complaints regarding the program can be submitted to the National Broadcasting Council (KRRiT). It also monitors compliance with statutory requirements that apply to both public and licensed broadcasters, e.g., compliance broadcasters with the Broadcasting Act (prohibition of discrimination, protection of minors, obligation to respect the religious beliefs of viewers, “in particular the Christian system of values,” as stated in the Broadcasting Act).

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

In Poland, there are no detailed legal regulations concerning the expenditure of funds allocated to so-called state advertising by public entities. All public finance sector entities are required to comply with the provisions of the Public Finance Act and the Public Procurement Law when spending public funds. Despite the possibility of invoking the Act on Access to Public Information, obtaining information on state advertising may still be difficult, if not impossible, under the pretext of protecting trade secrets. In addition, the issue of the presence of local government entities on the media market as media service providers or press publishers has remained unresolved for years. This leads to unfair competition between independent local media and local governments that use public funds. This problem is not limited to local governments engaging in publishing activities. Newspapers published by municipalities (often free of charge) contain paid advertisements and announcements, not only from businesses but also from public entities. It is therefore impossible to determine to what extent individual parties in power actually influence public opinion through publications prepared with public money and distributed locally. For many months, the current government has been declaring its intention to ban local governments from publishing in this form (it was planned to reduce the number of publications per year). It even made specific promises in mid-2025 in the assumptions for the new media law. Unexpectedly, however, in the second phase of consultations, it withdrew all provisions relating to this without justification. Competition between local government publications and the independent press poses a threat to the local media market, which is why RSF's recommendations (https://rsf.org/sites/default/files/medias/file/2023/10/Poland_%2015%20recommendations%20to%20end%20%20the%20vicious%20circle%20of%20media%20polarisation.pdf) to the current government included a proposal to clearly label local government publications as political communication. The Watchdog Poland Civic Network reports (<https://siecobywatelska.pl/uwagi-do-ustawy-medialnej/>) that at the local level, it is much more difficult to implement a transparent procedure for placing state advertisements in the media. Municipalities and municipal companies are unwilling to provide information on the publication of advertisements in local newspapers, so it is unclear how much money they spend on this and how they select the media outlets to which they commission such services. The Watchdog Poland Civic Network reports that at the local level, it is much more difficult to implement a transparent procedure for placing state advertisements in the media. Municipalities and municipal companies are unwilling to provide information on the publication of advertisements in local newspapers, so it is unclear how much money they spend on this and how they select the media outlets to which they commission such services. During the rule of the Law and Justice party (2015-2023), the issue of advertising expenditure by companies with State Treasury shareholding was purely political. Some media outlets opposed to the government were completely excluded from advertising spending (e.g., Newsweek, Polityka, TVN, Gazeta Wyborcza), while others enjoyed a much larger share of state-owned enterprises' budgets than their market share (e.g., Gazeta Polska, Do Rzeczy, W Sieci). After the change of government in 2023, the media reported on the transfer of state-owned companies' advertising to media outlets that they had previously avoided. However, it is difficult to determine the proportions of these flows.

In the draft amendment to the Act on the National Broadcasting Council, presented in December 2025, the government proposes a definition of state advertising and a provision according to which 'The broadcaster is obliged to provide viewers with easy, direct and permanent access to information on the total annual amount of public funds allocated to it for state advertising'.

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

Key regulations concerning editorial independence are contained in the following legal acts: the Press Law, the Broadcasting Act, and the statutes of individual media outlets. Important provisions in this regard are found in the media ethics charter. During the Law and Justice government (2015-2023), the principle of editorial independence in public media was violated in an unprecedented manner, turning them into propaganda mouthpieces for the party. Following the recent elections and personnel changes in the public media, the new heads of these media outlets have publicly declared a return to the principles of independence enshrined in the statutes of public radio and television. Formally, however, the public media remain under the direct authority of the Ministry of Culture, pending a new media law that is expected to restore the constitutional order that existed before 2015. This order was violated when the powers over public media were taken away from the state media regulator (KRRiT) and transferred to a new body National Media Council (RMN). The Broadcasting Act gives the RMN complete freedom to dismiss public media authorities – it does not specify the grounds for dismissal, nor does it require such decisions to be justified or even communicated in advance. The current provisions of the Broadcasting Act do not establish procedures for appointing media authorities, and the criteria to be used in their selection are general and allow for discretion in the selection of public media authorities. The current system of financing public media does not ensure stable funding at a level that guarantees the independent performance of statutory duties. The media are financed by direct government subsidies because the radio and television licence fee system is inefficient – very few people pay the fees.

The Broadcasting Act provides for penalties for broadcasters, e.g. for violations relating to advertising or licence conditions, but the Chairman of the Council may also impose penalties for programme content (Article 18), e.g. for promoting activities contrary to the law, Poland's *raison d'état* or public morality. Some of these formulations are open to numerous interpretations, and the penalties imposed can have a chilling effect on journalists. This is evidenced by the penalties imposed on broadcasters in recent years. In May 2024, the Regional Court in Warsaw overturned the decision of the chairman of the National Broadcasting Council to impose a fine of PLN 476,000 on Radio Zet, the highest in the history of Polish radio. The chairman of the then National Broadcasting Council Maciej Świrski ruled that Radio Zet had violated the law by broadcasting what he considered to be misinformation to the public about the Ukrainian president's visit to Poland. He considered this information to be false news that violated Poland's *raison d'état*. RSF stated (https://x.com/RSF_inter/status/1692190885646123291) that the broadcaster did not want to reveal its sources, so it could not answer all of the National Broadcasting Council's questions. The courts also pointed to violations of the law by the National Broadcasting Council in extending the licence. Applications for a licence to broadcast radio or television programmes for the next period must be submitted to the national regulator (KRRiT) no later than 12 months before the expiry of the existing licence. A licence may only be refused if any of the circumstances specified in

the Act apply to the broadcaster. In recent years, the chairman has been accused of delaying licence decisions. This was done, for example, by the Polish Senate when analysing the KRRiT report in 2025. The chairman of the council himself said during his speech in the Senate that the current regulations do not clearly regulate the deadlines for dealing with licence matters.

The Polish legal system provides for two models of control over capital concentration in the media market: antitrust control (President of the Office of Competition and Consumer Protection); regulatory control (National Broadcasting Council). These systems operate independently of each other. No public administration body examines the impact of concentration on media pluralism.

[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

The Broadcasting Law already obliges audiovisual broadcasters to provide viewers with easy access to information about the ownership structure. These entities are required to provide viewers with easy, direct and permanent access to information about: the name of the programme, the name of the broadcaster, the names and surnames of the members of the broadcaster's governing bodies, the address of the registered office, the main shareholders or stockholders (in the case of commercial companies), the beneficial owners of the provider disclosed in the Central Register of Beneficial Owners, all media services provided by the provider. The provisions of the Press Law (Article 27) impose information obligations on the press; each copy of periodicals, agency services, and other similar press printed matter must bear the name and address of the publisher or other competent authority in a visible and customary place.

There is no official database available to the public regarding media ownership. Conclusions about ownership are drawn, for example, on the basis of readership surveys published by the Press Distribution Control Union. Information on the ownership structure can be found in the annual reports of the National Broadcasting Council. Business names can be traced by analysing the data available in the National Court Register. However, this assumes that we know what name we are looking for. Therefore, it is difficult to obtain quick and comprehensive information on media ownership in Poland. In the draft amendment to the Act on the National Broadcasting Council, presented in December 2025, it is proposed that the media ownership database be maintained by the KRRiT. The coalition of 11 NGOs that took part in the public consultation stressed that the most important thing from the point of view of EMFA implementation is to map what media operate at the local government level, as this information is the most difficult to obtain, due to its dispersion. They stressed that in terms of transparency of the media ownership structure, although it is usually possible to determine the publisher of a given title, the problem remains determining the real beneficiaries. The law allows for complex ownership structures, which makes it difficult to identify the real owners. The NGOs also pointed out in their comments that it would be useful to consider making state advertising conditional on media registration in the database. In response to this demand, the culture ministry wrote that it seems too far-fetched (Public Consultation Report, page 82: <https://www.gov.pl/web/kultura/prezentujemy-raport-z-konsultacji-spolecznych-zalozen-do-ustawy-medialnej>).

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

Poland has robust laws protecting journalistic sources. Only in exceptional cases, a journalist can be released from secrecy through legal proceedings - with the possibility of appeal to the court. However, the protection of journalistic sources is not effective. In 2024, the police, Border Guard, National Revenue Administration and other services gained access to telecommunications data, i.e. information about who we call and send text messages to and where we are at the time. The Electronic Communications Law requires telecommunications companies to store data for one year and make it available to the authorities upon request. This includes journalists' data. All this takes place without judicial oversight, through access to billing records. Knowing who a journalist has been talking to makes it possible to identify their sources. In addition one recent ruling by the European Court of Human Rights shows that domestic law does not provide sufficient safeguards to prevent the excessive use of surveillance and undue intrusion into private life(https://hfhr.pl/upload/2024/05/judgment-pietrzak-and-bychawska-siniarska-and-others-v_-poland-complaints-about-polish-legislation-on-secret-surveillance.pdf). This judgment, when confronted with the negative experience of the use of Pegasus software between 2017 and 2023 in Poland (although there was no information that the surveillance involved journalists), raises the question of how much journalistic confidentiality is protected. NGOs consulting on the government's proposals presented in 2025 regarding the implementation of EMFA believe that the government is wrong to assume that journalists' protection is sufficient (Comments of NGOs on the assumptions of the media law (p. 35: <https://hfhr.pl/aktualnosci/item-142515321>). They stress, "the system of control and supervision of the services is still ineffective, and judicial review of requests for operational control is illusory". The Ombudsman believes that it is necessary to review the list of cases in which operational surveillance may be used. According to the Ombudsman's report, this is currently possible in 42% of criminal cases. The standards of the European Court of Human Rights indicate that this scope is too broad and that the right to use such tools should be limited to the most serious crimes (<https://www.prawo.pl/prawnicy-sady/kontrola-operacyjna-w-polsce-wciaz-bez-nalezytego-nadzoru,535965.html>) In November 2025, the government submitted a draft bill amending the Internal Security Agency Act and other service acts for inter-ministerial consultation. According to Panoptikon, an organisation that analyses threats to freedom and privacy, the draft introduces a groundbreaking possibility for courts to review how the services carry out operational control. Currently, the court only grants consent to requests such as wiretapping. However, it emphasises that for the law to be effective, the 'possibility' should be replaced with an 'obligation' and the courts should be given the means to carry out this obligation. In terms of legal guarantees of independence, public media remain directly subordinate to the government. The Minister of Culture may at any time dismiss the liquidator of Public Television, i.e. the person who has been managing the medium for two years following the decision to put public media into liquidation.

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

On the platform of the Council of Europe, RSF joined the alert on the case of investigative journalist Grzegorz Rzeczkowski (<https://fom.coe.int/en/alerte/detail/107641633;globalSearch=false>), who publicly stated that he feared for his life because he had been threatened by people with Russian connections, which he wrote about in his articles and book. After several months of investigation, the prosecutor's office discontinued the case in November 2025. Rzeczkowski told RSF that, in his opinion, the Polish authorities had not conducted a thorough investigation. Another cause for concern is that the person considered to be the perpetrator had died, as confirmed by the prosecutor's office in correspondence with RSF. RSF also joined the alert concerning Wojciech Czuchnowski, a journalist for Gazeta Wyborcza, who filed a criminal complaint for harassment and intimidation after publishing one of his articles about a high-ranking government official (<https://fom.coe.int/en/alerte/detail/107643598;globalSearch=false>). During the 2025 presidential campaign, the prosecutor's office initiated proceedings based on a complaint filed by Marcin Rybak, a journalist for "Gazeta Wyborcza", against Przemysław Czarnek, a member of parliament representing the Law and Justice party. He threatened to shut

down the Onet portal as, in the journalist's opinion, a reprisal for reporting on the then-candidate Karol Nawrocki. The prosecutor's office in Poznań has launched an investigation after Lech Poznań football team fans displayed a banner targeting journalist Piotr Żytnicki at the city stadium during a match ("Żytnicki a pedophile. Confirmed by informants"). A spokesman for the Poznań prosecutor's office said that proceedings had been initiated ex officio. The RSF has seen no progress in initiating cooperation between police and journalists to develop procedures to protect journalists during demonstrations, or to protect them from aggression and hate speech on the Internet, or to provide personal protection for investigative journalists and journalists covering corruption, organized crime or terrorism. This becomes particularly important in the situation of war in Ukraine. The ruling of the European Court of Human Rights in the case of journalist Ewa Siedlecka is of significant importance for the protection of journalists during demonstrations. The Court ruled (<https://hfhr.pl/aktualnosci/siedlecka-p-polsce-wyrok-etpc>) that the approximately three-hour detention of journalist Ewa Siedlecka, who was participating in a demonstration in 2017, first in a police cordon and then in the courtyard of a building along with other persons whose identity had been checked, constituted a violation of her right to liberty and security of person. On 30 August, Maria Rożek and Lena Grycel from the Activist Journalism Collective regained their freedom after 34 hours. They were detained by the police in Gdańsk while documenting a protest at the historic gate of the Gdańsk Shipyard. No charges were brought against them; they were questioned as witnesses. The court ruled that the detention was unjustified and, moreover, had been conducted improperly. During the Independence March in 2020, several journalists experienced violence from the police, but the case was dismissed because the perpetrators were not identified. The police officers wore helmets covering their faces and did not have ID badges, so it was impossible to identify who had used a baton. The state should establish cooperation with journalistic organisations and develop appropriate procedures. In November 2021, police issued the instruction in connection with the upcoming Independence Day celebrations and "with a view to the safety of journalists and photojournalists". The instruction was drafted without prior consultation with journalists. Some points in this instruction are questionable, in particular: - Equip yourself with a reflective vest that says PRESS (some journalists may not want to wear it to avoid becoming a target of attacks); - Position yourself at the edge of the crowd and try not to get in the middle of the action. If you find yourself in the middle of two sides, back off immediately (journalists are not protesters and should enjoy the right to cover police operations and for this reason work in places inaccessible to protesters - the police have to ensure their security). Polarisation in Polish society has resulted in cases of verbal attacks by politicians on journalists. Law and Justice Senator Wojciech Skurkiewicz announced an apology to public television journalist Justyna Dobrosz-Oracz following an incident in parliament at the end of 2025. The matter was taken up by the Parliamentary Committee on Rules, Ethics and Senatorial Affairs. Skurkiewicz addressed the journalist in a manner deemed offensive and attempted to turn off the microphone attached to her clothing.

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

Poland passed a law on access to public information on 6/09/2001. Since then, the practice of applying the law is being forged in the courts. For example, the definition of an internal, technical or working document has become the subject of analysis. It was not until 2024 that the European Court of Human Rights ruled (https://siecobywatelska.pl/wp-content/uploads/2024/03/SOWP_ETPCz_EN.pdf) that the existing line of administrative court rulings in these matters deviated from European standards. More and more experts (<https://www.prawo.pl/kadry/dostep-do-informacji-publicznej-mankamenty-ustawy,530939.html>) are talking about the need to amend the law because it is not an effective tool; the procedure can be used indefinitely to delay the disclosure of information. Meanwhile, an important step towards transparency was the adoption of a law that will launch the Central

Register of Contracts on 1/07/2026. It will contain information on all contracts, without any monetary threshold, signed by public finance sector entities. Commentators (<https://www.money.pl/gospodarka/powstanie-centralny-rejestr-umow-koalicja-mowi-o-jawnosci-samorzadowcy-wsciekli-7226409758743456a.html>) point out that the creation of a central register of contracts is a milestone for citizen control of public finances. After a delay of more than two years, a whistleblower protection law was passed in 2024. The law sets out rules for protecting whistleblowers who report violations of the law and obliges employers to develop procedures for reporting irregularities. However, it does not cover violations of labor law, which disappointed social organizations. On the other hand, a ruling issued by the Supreme Administrative Court in December 2025 may have quite unfavorable consequences for the transparency of public life. The court ruled that decisions on the application of clemency by the president are not public information within the meaning of the Act on Access to Public Information.

The international situation is causing restrictions that affect the work of journalists. The government has decided to amend the Homeland Defense Act, which means that the photography bans introduced therein will be less burdensome for reporters. Photojournalists complained that the law was too restrictive and subject to numerous interpretations. From 12/08/2025, the ban on photography will no longer cover the enigmatically defined "objects of particular importance to the security or defense of the state." It has been limited only to military units and special service facilities, provided they are specially marked. The new regulations also simplify the procedure for issuing photography permits and mitigate the penalties for violating the ban. The legislator has abandoned the penalty of arrest, limiting it to a fine. A buffer zone of approximately 100 km on the Polish-Belarusian border is still not fully accessible to the media. These restrictions on movement in the zone for people who do not live there are still being extended by the current government and mean that the media can enter the zone only after obtaining permission. According to a report on transparency (https://siecobywatelska.pl/wp-content/uploads/2025/01/raport_jawnosc_2024.pdf) in Poland published in early 2025 by the Citizens' Watchdog Network Poland, the situation has improved slightly in the sense that, since 2024, journalists who have obtained permission to stay in the zone no longer need to be escorted by officers.

Shortly after the current coalition came to power in 2023, there were cases of right-wing media representatives being denied access to press conferences. In December 2025, the District Court in Warsaw upheld a complaint by Telewizja Republika and ordered (<https://niezalezna.pl/polska/wielki-dzien-i-wielki-sukces-wolnosci-slowa-sakiewicz-o-wygranej-w-sadzie-z-prokuratura/559177>) the prosecutor's office to continue its investigation into the Ministry of Culture and Prime Minister Donald Tusk's office denying the station's journalists access to press conferences.

There are cases of journalists being denied access to public meetings of state institutions. Ewa Ivanova, a journalist for Gazeta Wyborcza, and Mariusz Jałoszewski, a journalist for OKO.press, notified (https://wyborcza.pl/7,75398,32256562,oko-press-i-wyborcza-skladaja-zawiadomienie-na-manowska-za.html#s=Embed_link-K.C-B.1-L.2.zw) the prosecutor's office of a suspected crime of suppressing press criticism and obstructing access to public information. The notification is related to an attempt to remove journalists from a session of the State Tribunal on 3/09/2025.

In 2021, Małgorzata Manowska, who holds the position of First President of the Supreme Court, filed a motion to declare part of the law on access to public information unconstitutional. The Constitutional Tribunal has not yet considered the motion.

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

On 20/11/2025, during a meeting of the Committee on Culture, National Heritage, and Media, Arkadiusz Myrcha, a representative of the Ministry of Justice, presented the assumptions of a draft law implementing the EU anti-SLAPP directive. The minister announced that the draft could be submitted to the Council of Ministers

after the new year and to the Sejm in the first quarter of 2026. An opinion on the draft was prepared by the so-called Polish anti-SLAPP working group, a coalition of organizations: ARTICLE 19 Europe, the Helsinki Foundation for Human Rights, the Watchdog Poland Civic Network, the National Federation of NGOs and the Stefan Batory Foundation. The organizations support the direction of the changes, but believe that in its current form, the bill may not provide real protection against procedural abuses. They welcome the fact that the draft goes beyond the EU minimum, covering domestic cases as well as cross-border ones. It also includes two procedures for early termination of proceedings: dismissal of a claim as manifestly unfounded and dismissal of a claim as an abuse of procedural law. It introduces additional protective measures: financial penalties, the obligation to publish the judgment, and reimbursement of the full costs of the proceedings. However, in the opinion of these organizations, the adopted solutions are too narrow and too formalized:

- the draft refers to the concept of “manifestly unfounded action” existing in Polish law, which is interpreted extremely restrictively in case law. The Helsinki Foundation has examined court practice: half of the district courts have never applied this institution in cases concerning the protection of personal rights, and the few cases that have been heard concerned precisely such bizarre claims. The Foundation believes that if the courts continue to interpret this concept as they have done so far, the instrument of early termination of proceedings will remain dead. Especially since SLAPPs are constructed by professional law firms that are able to give them the appearance of legal sense.
- there is no real guarantee of the speed of proceedings – organizations propose a 6-month deadline for all categories of cases; - contrary to the requirements of the directive, it will still be up to the defendant to prove that their actions were not unlawful; - no compensation for SLAPP victims – the draft only provides for reimbursement of legal costs, without compensation for stress, financial losses, or restrictions on public activity;
- lawsuits by public authorities against citizens have not been ruled out. Public authorities should be prohibited from suing citizens to protect their reputation. In Poland, municipalities, districts and the State Treasury can sue critics using public funds. The draft does not change this, which experts consider to be a serious shortcoming.
- the retention of provisions on defamation and insult (Art. 212 and 216) in the Polish Criminal Code means that the solutions contained in the draft will not be effective. The organizations are calling for the full decriminalization of defamation and insult, in line with international standards. SLAPPs in Poland are often based on criminal instruments, especially defamation charges under Article 212 of the Criminal Code (qualified defamation by means of mass communication is punishable by a fine, restriction of liberty or imprisonment of up to one year) which has been opposed by journalists for years.

As reported by the Prawo.pl portal, the chairman of the Civil Law Codification Commission, Prof. Marek Safjan, said that the final shape of the bill is not yet decided, as the Ministry of Justice and the Commission are analyzing the comments submitted. He says (<https://www.prawo.pl/prawnicy-sady/ustawa-antyslapp-owa-bedzie-jeszcze-poprawiana,535845.html>) that the government is working on a wide range of issues related to the protection of personal rights, including violations of personal rights on the internet.

The scope of SLAPP-type lawsuits is very difficult to estimate in Poland; there are few reports on the subject, judges' awareness of the definition of SLAPP is low. The most reported SLAPPs in the media were directed against nationwide media. However, in the area of local media, there is almost no knowledge of the exact number of SLAPPs. The SLAPP problem affected the media and activists in Poland, especially in 2015-23, when PiS nominees created an entire system of legal harassment of critics. A report by one of the largest journalistic organizations, the Society of Journalists, showed that between 2015 and 2021, a total of 187 legal actions targeting journalists were recorded, including 58 criminal cases. The years of PiS rule showed that SLAPPs were primarily backed by politicians from the ruling party, ministries, government agencies, state-owned companies, and foundations associated with representatives of the authorities.

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

5000 character(s) maximum

Ahead of the Polish general election on 15/10/2023, RSF published 15 recommendations aimed at improving press freedom in the country. Addressing the problem of local government media for the independent press, RSF called for local government publications to be clearly marked. As mentioned above, the government first presented a profound reform concerning local government publications in the assumptions to the draft law implementing EMFA, and in the second stage of consultations, it withdrew from this and did not introduce the relevant provisions into the draft law amending the Broadcasting Act presented in December 2025. A much-anticipated step was to move away from the policy of "repolonization" of the Polish media and withdraw from the idea of state investment in media companies. Unlike its predecessor, the current government does not have the "repolonization" of Polish media on its agenda. However, it has not yet put Polska Press Publishing House, bought in 2021 by the state-owned giant PKN Orlen, up for sale. Orlen CEO Ireneusz Fąfara announced the sale of Polska Press in June 2024, three months after taking office. Last year, he announced (https://www.press.pl/tresc/90385,prezes-orkenu_-_proces-sprzedazy-polska-press-moze-ruszy-w-przyszlym-roku?source=Pressletter&utm_source=newsletter&utm_medium=email&utm_campaign=Pressletter&uid=3330) that the publishing house was undergoing restructuring and that it could be sold in 2026. In December 2024, the government added the private television stations TVN and Polsat to the list of strategic companies, which means that their sale or change of ownership requires government approval. The idea is to protect them from, for example, a takeover that would be dangerous from the point of view of Polish national interests. Some lawyers (<https://www.prawo.pl/biznes/tvn-i-polsat-jako-spolki-strategiczne-prawnicy-maja-watpliwosci,530512.html>) pointed out that telecommunications companies may be included on the list, but there is no provision providing a basis for including media companies on it. In the case of public media, the Polish authorities have embarked on a path of change - that they say is -intended to restore constitutional order to public media in line with a 2016 Constitutional Court ruling. Personnel changes have been made, and those currently in charge of the media declare that they will maintain their editorial independence; there is no information that this has not happened, apparently for audiences the strong propaganda language used by the public media under the Law and Justice government has disappeared. Personnel, however, remain under the direct authority of the Culture Ministry. Although a new media law has not been enacted, its premises were presented in June 2024 as part of the EMFA implementation project and the draft was presented in December 2025. Public consultations are ongoing. RSF, which submitted its comments as part of the public consultation, believes that the guarantees provided there for the editorial independence of public media are not strong enough. As the law proceeds, it is crucial to guarantee independent leadership in the public media, sustainable, independent funding, and strengthen editorial independence. The government's assumptions for the media law include the RSF's recommended - transparent and fair - system for distributing public advertising and funds to the media. However, not included - as in the recommendations - the Journalism Trust Initiative launched by RSF to identify trustworthy media. However, there are plans to abolish the National Media Council and, in line with RSF recommendations, to implement the Constitutional Court's judgement of 13 December 2016 stating that it is unconstitutional to completely exclude KRRiT from the procedure of staffing of public broadcasting companies. The government plans not to change the vague concept of "raison d'Etat" (article 18 of the Broadcasting Law), a provision that is often the basis for arbitrary investigations and sanctions against private media. Improvement is needed to ensure access to the government and party officials by all private and public media, including by responding favorably and in a timely manner to their invitations to programs and to their requests for information. Implementation of European legislation on SLAPPs and those laws that will protect journalists from this phenomenon is expected. It is also necessary to establish safeguards for journalists with regard to access to billing information and surveillance capabilities. It is necessary to implement measures to ensure the protection of journalists in accordance with the recommendations of the European Commission, also for those targeted by online attacks and for their coverage of corruption, organised crime or terrorism as well as in the face of threats to those who investigate Russian plots in the public sphere. Poland is ranked 31 out of 180 countries in RSF's World Press Freedom Index for 2025.

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

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