

European Rule of Law Mechanism: input from Member States

2026 Rule of Law Report

The written input from Member States is a key source of information for the annual Rule of Law Report, as clearly set out in the Report's methodology. As every year, the Commission would hereby like to invite the national contact points to provide their input to the 2026 Rule of Law Report. Based on this input, further targeted questions may follow, as it was the case in previous years, to ensure that the Commission has all relevant information from Member States for the preparation of the 2026 Rule of Law Report. Such further targeted input will be sought in particular in the context of country visits or bilateral contacts, as well as during the consultation on the draft country chapters prior to the Report's adoption.

The 2026 Rule of Law Report will continue to assess rule of law related developments under the existing four pillars and will follow-up on the implementation of the recommendations to Member States that were issued as part of the 2025 Rule of Law Report. To facilitate the preparation of input by Member States, this year's questionnaire has been adapted. Member States are asked to provide information about:

- (1) developments and measures taken in relation to the recommendations in the 2025 report,
- (2) developments that are relevant for updating and following up on the assessment of the topics covered in the 2025 country chapter, as well as any other new developments related to the rule of law.

The input under these points should cover any developments since the adoption of the 2025 Rule of Law Report. The annex to this request for input sets out a checklist/guidelines on relevant topics falling within the Report's scope to help Member States prepare their input, building on experience from previous years.

Nature of the contribution

The input should preferably be in English and not exceed 30 pages. Relevant legislation or other documents may be referenced with a link (no need to provide the full text). The contributions will be published on the Commission's website upon explicit consent of the Member States. In order to avoid duplication and excessive administrative burden, please include where applicable explicit references to any relevant contribution already provided by your Member State in a different context (including under Council of Europe, OECD, OSCE and UN bodies or procedures) or to the previous Rule of Law Reports. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

Type of information to be included

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 input¹)

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.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable.

Please send us your contribution by **23 January 2026** to the following email address: rule-of-law-network@ec.europa.eu. In case you would have any questions or requests for clarifications, please do not hesitate to contact the Commission at the same email address.

Template for input

This template for input indicates the type of contribution sought from Member States for the 2026 Rule of Law Report and provides a suggested format of reply. However, Member States are free to decide on the precise format of their contribution, as long as the key points are covered.

(1) Information on developments and measures taken to implement each of the recommendations addressed to your Member State in the 2025 Rule of Law Report

In the below box, please describe relevant developments and the measures taken with a view to implement the recommendations, following the order of the recommendations as they were addressed to your Member State in the 2025 Rule of Law Report.

Recommendation 1 – Continue the ongoing efforts to reform the Council for the Administration of Courts, taking into account European standards on Councils for the Judiciary.

On January 15, 2026 the Ministry of Justice and Digital Affairs presented for consultation a draft law amending the Courts Act and Related Acts. Available in Estonian: <https://eelnoud.valitsus.ee/main/mount/docList/21f7e275-290a-462f-900c-7cdaeda066f0>

Section 40¹ paragraph 1 of the new draft law regulates the composition of the Council for the Judiciary.

Currently, the Council for Administration of Courts consists of the Chief Justice of the Supreme Court, five judges elected by the General Assembly of Judges for a term of three years, two members of the parliament (Riigikogu), an attorney-at-law appointed by the Bar Association, the Prosecutor General or a state prosecutor appointed by the Prosecutor General, and the Chancellor of Justice or a representative appointed by the Chancellor of Justice.

According to the amendment, the Council shall consist of the Chief Justice of the Supreme Court, two circuit court judges, three first instance judges, one member of the Riigikogu, an attorney-at-law appointed by the Bar Association, the Chancellor of Justice or a representative appointed by the Chancellor of Justice, the Secretary General of the Ministry of Justice and Digital Affairs or a representative appointed by the Secretary General of the Ministry of Justice and Digital Affairs, and the minister responsible for the field or his or her representative. Thus, compared to the current composition of the Council for Administration of Courts, the Prosecutor General or a prosecutor appointed by him or her will be excluded from the composition of the Council for the Judiciary, and

¹ Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

the Secretary General of the Ministry of Justice and Digital Affairs or his or her representative and the minister responsible for the field or his or her representative will be added. The presidents of the courts may participate in the work of the Council for the Judiciary with the right to speak.

The composition of the Council for the Judiciary is based on the objective of ensuring that the Council has as broad a composition as possible. The aim is to provide decisions with a perspective from outside the court system, as a result of which the Council for the Judiciary can take the needs of society and the parties to proceedings into account in the best possible way in the administration and development of the court system the needs of society and the parties to proceedings and to supplement the expertise of the Council for the Judiciary. At the same time, the participation of non-judicial members ensures that no court, court level or branch of the court system has a predetermined preponderance over others in the Council for the Judiciary.

Considering that the eleven-member Council for the Judiciary includes six judges, five of whom are elected by judges, the plenary assembly of judges is responsible for establishing the election procedure, and all levels and branches of the judiciary are represented, the composition of the Council for the Judiciary to be established complies with internationally recognized recommendations. It is recommended that the appointment of members of parliament to the Council for the Judiciary be avoided where possible, but given the need for cooperation between different branches of the state power, the appointment of one member of the Riigikogu to the Council is also justified. It is also justified to appoint the minister responsible for the field and the Secretary General of the Ministry of Justice and Digital Affairs as members of the Council for the Judiciary in order to ensure communication and cooperation between the judiciary and the executive even when the courts are given significantly more decision-making power and responsibility in the administration and development of the courts.

In conclusion, first, the reform transforms the existing Court Administration Council from a merely advisory and coordinating body into a strategic decision-making organ of judicial governance. This strengthens institutional judicial self-government, a core requirement under European standards, by relocating key court administration and development functions from the executive to the judiciary itself.

Second, the composition of the Council for Judiciary is adjusted to reduce direct political influence. Notably, one member of the Riigikogu is replaced by the Secretary General of the Ministry of Justice and Digital Affairs. This change is intended to lower the level of parliamentary involvement in the council's work and to rebalance representation away from political actors, in line with European guidance that cautions against strong legislative dominance in judicial councils.

Third, the overall structure of the council reinforces the predominant role of judges in judicial governance. By ensuring that judges appointed or elected from within the judiciary retain a central position in the council, the reform follows the widely accepted European principle that at least half—and preferably a majority—of judicial council members should be judges chosen by their peers.

Fourth, the council's enhanced competences in areas such as court administration, strategic planning, and decisions affecting the organisation of courts further support its functional independence. European standards stress that compositional safeguards must be complemented by real powers; the reform addresses this by coupling changes in composition with substantive decision-making authority.

Taken together, these measures aim to ensure that the Council for the Judiciary's composition and role are consistent with European standards by limiting political representation, strengthening judicial participation, and embedding the council firmly within the system of judicial self-government rather than executive control.

Recommendation 2 – Further advance with efforts to ensure consistent and effective implementation of the right of access to information taking into account European standards on access to official documents.

In 2025 the Minister of Justice and Digital Affairs prepared two legislative intents and one draft law to modify Public Information Act.

With draft law (passed first hearing in the Parliament in December 2025) three changes are made for improving transparency. First, a data consent system will be established, allowing individuals to give, manage and withdraw their consents. Second, an authorisation management system will be created, enabling businesses to manage their authorisations (e.g. authorising an accountant to submit the annual report); use of these systems will be voluntary for users. Third, a Translation Gateway will be established, where public authorities can manage commissioned translation projects in a single integrated environment. This will help improve the quality of translations and support the vitality of the Estonian language in the digital society, as anonymised translation memories that are not subject to access restrictions will be shared as open data with the private sector as well. From 2027 onwards, the Translation Gateway will be open to everyone, enabling both machine translation and the use of anonymised translation memories.

First legislative intent (sent to public consultation in December 2025) makes use of data tracker obligatory to state information systems. Over the past two decades, Estonia has developed a digital state in which most public services are also available digitally. The digitalisation of public services requires continuous development of state information systems as well as smart data management and processing. This involves large-scale processing of personal data, which makes transparency of data processing and trust in the state particularly important. One tool to increase transparency is the data tracker, which allows individuals to see who accessed their data in state databases, when, and for what purpose. Currently, integration of data tracker is voluntary and covers only a small proportion of databases. The aim of the legislative intent is to analyse the possibilities of making the use of data tracker mandatory for all databases used for the performance of public tasks, in order to increase transparency of data processing and trust in the state.

The objective of the second legislative intent (will be sent to public consultation in the first quarter of 2026) is to analyse opportunities and propose solutions for achieving a situation in which (i) reasonable requirements and processes are established for the creation and maintenance of databases, ensuring the lawful and proper processing of data within them (both legally and technically); and (ii) all stakeholders operating across sectors have an accurate and up-to-date overview of the data held by the state. To this end, the requirements for the establishment and maintenance of databases (which holds most of the public information in Estonia), as well as for the publication of data descriptions, need to be modernised and the evident inefficiencies they contain eliminated.

On the bases of the Baseline Evaluation Report on the implementation of the Council of Europe Convention on access to official documents (CETS No. 205 –Tromsø Convention) Estonia and Council of Europe are in the discussion to have a follow-up round table on promoting national synergies in implementing the Tromsø Convention in Estonia.

The European Commission has made proposals for changes within the framework of the digital omnibus package. These amendments impact the Public Information Act as a whole. Therefore, the full review of the PIA has been suspended until the amendments come into force. The proposals include the transformation of the Open Data Directive (Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information) into a directly applicable regulation. As a result, once these amendments enter into

force, it will also be necessary to amend the Public Information Act, through which the Open Data Directive has been transposed into Estonian law.

(2) Information on:

a. developments that are relevant for updating and following up on the assessment of the topics covered in the respective country chapter of the 2025 Report, including possible clarifications

- *In the boxes below, describe developments (updates or feedback) related to the topics covered in your country chapter of the 2025 Report (if not already covered under point (1)). You are invited to follow the order of topics as presented in the country chapter and insert direct references to the country chapter text, if convenient; and*

b. any other new developments not already covered under points (1) and (2)a. that you consider relevant

- *The list of topics provided **in the Annex** can provide guidance for this input.*

I. Justice Systems

A. Independence

Relevant topics to be covered in your contribution include:

1. Appointment and selection of judges², prosecutors and court presidents (incl. judicial review)

1) In 2025, new chief justices were appointed to the Harju District Court, Viru District Court, and Tartu Administrative Court. The chief judge of the Harju District Court, Astrid Asi, was released before the end of her term after being appointed Prosecutor General. Following a competition organized by the Ministry of Justice and Digital Affairs, Liina Naaber-Kivisoo, head of the Viru District Court, was appointed chief judge of the Harju District Court on 17 April 2025. A separate competition led to the appointment of judge Priit Kama as chief judge of the Viru District Court on 17 June 2025. Ene Andresen assumed office as chief justice of the Tartu Administrative Court on 1 January 2026. The term of office of chief justice lasts seven years. The procedure for appointing court presidents has not changed.

2) At the beginning of 2025, there were 7 vacant judge positions.³ On 17 June 2025, the Minister of Justice and Digital Affairs announced a competition to appoint two judges, one to the Harju District Court and one to the Tallinn Circuit Court of Appeal. On 14 July 2025, the Minister announced a competition to appoint a judge to the Tallinn Administrative Court. As of 31 December 2025, 13 judge positions remain vacant. The procedure for appointing and selecting judges has not changed.

3) In spring 2025 the Ministry of Justice and Digital Affairs proposed a plan to merge courts of the same type. Currently, Estonia has four district courts, two administrative courts and two circuit courts. Under the proposal, four district courts would be merged into one district court, the two administrative courts into one administrative court, and the two circuit courts into one circuit court. Following feedback from stakeholders on the draft act, as well as the financial and constitutional analyses commissioned by the Ministry of Justice and Digital Affairs, the Ministry has decided to withdraw the proposal to merge courts of the same type and will not pursue it further.

² The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts.

³ [Kohtunikond 2025. aasta alguses - Kohtute aastaraamat](#)

4) The draft act amending the Salaries of Higher State Servants Act to restore full indexation of judges' salaries, which have been temporarily reduced, was submitted to the Government but was later withdrawn.

In court disputes, the Administrative Court have dismissed the complaints of the judges who believe that the legal basis for determining a judge's salary is in conflict with the Constitution. The complainants requested partial annulment of the orders insofar as they did not grant an official salary in the additional amount of 286.57 euros per month, as well as obligating the chief judge of the courts to confirm an official salary of 5,979.95 euros per month, to pay the difference between the official salary and the salary actually paid, and pay interest on the unpaid amounts.

The Administrative Court held that the reduction in judges' salaries (from 5,979.95 euros to 5,693.38 euros), although unpleasant, was lawful and did not violate the principle of judicial independence and is in accordance with the Constitution. Although the judges' salary increased less than usual, it remained sufficient to ensure judicial independence, exceeding the Estonian average by 2.9 times. The Administrative Courts warned the legislator that although the temporary salary cut for 2024-2027 is permissible, the preservation of the dignity of the judicial office must be monitored. The court decision has not entered into force.

The disputes have been referred to the Circuit Court of Appeal. The Circuit Court of Appeal have not yet decided on accepting the appeals for proceedings.

5) The budget for 2025 is 61 451 355 euros, which is 642 443 euros more than in 2024, when the budget was 60 808 912 euros.

B. Quality of justice⁴

Relevant topics to be covered in your contribution include:

10. Accessibility of courts (e.g. court/legal fees, legal aid, language)
11. Resources of the judiciary (human/financial/material⁵), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year),
12. Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)
13. 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)⁶

We are currently developing a functionality that will enable changes to a person's data resulting from court decisions to be automatically transmitted from the Court Information System (KIS) to the population register. The court enters the data into the Court Information System, and the operative part of the court decision is generated from the entered data. The court can change and supplement the operative part. The court signs the decision, and the data automatically goes to the population register. This solves the problem that data reaches the population register with a delay, as the data currently is entered manually.

At the end of 2025, we added a virtual assistant to the court's digital case file. This virtual assistant

⁴ Under this topic, Member States are not required to give statistical information but should provide input on the type of information outlined under section 2.

⁵ Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.

⁶ Factual information presented in Commission Staff Working Document of 2 December 2020, SWD(2020) 540 final, accompanying the Communication on Digitalisation of justice in the European Union, COM(2020) 710 final and Figures 40 to 48 of the 2025 EU Justice Scoreboard, does not need to be repeated.

enables users of the case file to analyze the contents of the file, generate summaries, and produce translations.

14. *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)*
15. *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.*
16. *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.*

Amendments made to the Courts Act that came into force on 1 January 2023 established civil and offence departments in district courts. All judges specialize in either civil or criminal cases. Otherwise, no further changes have been implemented as the allocation of cases according to the judge's specialization continues to adhere the distribution plan approved by the full court.

Pursuant to section 44 of the Courts Act, the Judicial Training Council is responsible for the training of judges. In addition to judges, it is comprised of representatives of the Prosecutor's Office, the Ministry of Justice and Digital Affairs and the University of Tartu. Members of the Training Council who are judges are elected by the Court *en banc*. The Supreme Court's Legal Information and Judicial Training Department provides support services to the Judicial Training Council and organizes training.

The aim of training of judges is to improve and update their professional knowledge and skills. Training of judges is based on the strategies for training of judges and annual training programs. The strategy for the training of judges and the training programs is prepared based on the training needs of judges and the analysis of the training results. For assessing the training needs of judges, all available sources of information about the court system are gathered (e.g communication with judges and court officials, also with other persons and institutions which have contacts within courts, feedback on trainings, case law analyses, questionnaires, research etc).

Judges' training includes mostly legal training and skills training. Legal training is divided into training for civil judges, criminal judges and administrative law judges. If judges are interested, they can participate in trainings of other areas as well. The annual training plans sets out the subjects of the trainings, the lecturers and the duration of the trainings. Lecturers are acknowledged specialists from Estonia and abroad. Online registration for the upcoming year's training is open to judges in November.

The 2025 training plan for judges included various training courses in the field of civil law, including contract law, consumer credit, and European Union case law etc.⁷

C. Efficiency of the justice system⁸:

E.g. Measures as regards length of proceedings, to address backlogs, ...

According to the procedural statistics of 2025, civil cases were resolved in district courts on average in 129 days, criminal cases were resolved on average in 263 days in general criminal proceedings, 38 days in simplified proceedings and 47 days in misdemeanour cases. Administrative cases were resolved in the first instance courts on average in 142 days. The average processing

⁷ Kohtunike koolitusprogramm 2025 [Koolitusprogramm 2025.pdf](#)

⁸ Under this topic, Member States are not required to give statistical information but should provide input on the type of information outlined under section 2.

time for appeals was 243 days in civil cases, 72 days in criminal cases and 399 days in administrative cases.

The draft act amending the Code of Civil Procedure and the Code of Administrative Court Procedure is being prepared to be submitted to the Government in 2026. The draft act aims to reduce the workload of courts, improve the efficiency of civil and administrative court proceedings, and strengthen protection against irresponsible lending.

II. Anti-Corruption Framework

An anti-corruption prevention policy team consisting of three people has been established within the Ministry of Justice. As a result, a new anti-corruption action plan is expected to be completed by the end of 2026, and a comprehensive revision of the Anti-Corruption Act has been initiated.

The preparation of the new anti-corruption strategic framework is underway. The action plan drafting process has started, and one-to-one meetings with stakeholders are currently taking place to map potential challenges, agree on which areas will be covered by the action plan, and identify measures to address them. The draft action plan will be discussed with relevant stakeholder groups and the anti-corruption network, and the first version is planned to be presented in September.

In addition to policy development, this unit is also tasked with taking a systematic approach to corruption prevention and developing tools to help identify and prevent corruption risks across different sectors, thereby ensuring a comprehensive approach to corruption prevention.

As of January 2026, the Ministry of Justice and Digital Affairs has concluded a contract with Korruptsiooni vaba Eesti MTÜ (Transparency International Estonia), which will provide the whistleblowing advisory centre service over the next four years, both to reporting persons and to public authorities and companies that are required to receive reports.

In addition, the 2026 plan includes updating the e-learning course on conflict of interest and corruption prevention, as well as modernising the related test questions. Work will also begin on developing a law-enforcement-specific e-learning course, with a focus on corruption in the private and financial sectors.

On the enforcement side, last year's crime statistics have not yet been compiled. The data will become available within a month and can be supplemented, if necessary, during the Rule of Law meetings.

B. Prevention

Relevant topics to be covered in your contribution include:

21. *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).*

The Government has approved the draft reform of the political party financing framework. The Government approved the amendments of the Political Parties Act in February 2025 and in March

2025, the first reading of the draft was held in the Parliament. The draft law addresses the main shortcomings of the rules in place with regard to the political party financing framework. It foresees extending the investigative powers of the Political Parties Financing Surveillance Committee, regulating the return of prohibited donations as well as clarifying financial reporting obligations of political parties.

The draft Act is currently still pending before the Parliament. It passed its first reading in April 2025; however, legislative proceedings have since stalled.

At the end of 2025, the Parliament accepted into proceedings two additional draft Acts amending the Political Parties Act. One seeks to impose an obligation on the Political Party Funding Supervision Committee to submit a separate annual report on its activities to the Parliament, while the other seeks to establish a cap on donations made by natural persons (neither draft Act has yet reached the first reading in the Parliament).

In the field of public procurement transparency and effective supervision of public procurement are ensured in the central Public Procurement Register, <https://riigihanked.riik.ee>. Publishing public procurement data in the register is mandatory from the simple procurement thresholds set out in law (EUR 30,000 for goods and services, EUR 60,000 for works). Also, it is possible to use the register for organizing small-scale procurements below the specified threshold, and, following the Ministry of Finance's recommendation, many authorities actively use this possibility. 98% of public procurement is carried out as e-procurement, i.e. e-tenders are accepted and tender evaluation takes place in the e-procurement portal. Confirmation of the absence of a conflict of interest is also ensured technologically. Public procurement data is also available to anyone interested as machine-processable open data. Public procurement supervision and law enforcement agencies are guaranteed a more thorough technological access to public procurement data for preventive activities, investigation, analysis and supervision. Past year, the Ministry of Finance conducted an oversight and published a summary on how authorities applied ecofriendliness criterias in public procurement (https://fn.ee/sites/default/files/documents/2025-11/Keskkonnahoidlike%20n%C3%B5uete%20kontrolli%20kokkuv%C3%B5te_31.10.2025.pdf).

The Ministry's conclusions and recommendations aim to help prevent similar mistakes in the future. Competition in public procurement has increased: the average number of bidders rose from 3.6 in 2023 to 4.4 in 2024 and reached 4.8 by April 2025. This indicates growing attractiveness of public procurement, which improves the price-quality ratio and resource efficiency. The Public Procurement Review Committee in resolving procurement disputes before court proceedings remain effective. Court decisions rarely overturn the committee's rulings. Great attention is also paid on increasing the level of professionalisation of buyers – a competency matrix ([Kasulik teave, õigusaktid | Rahandusministeerium](#)) for public procurement specialists has been prepared, in cooperation with the OECD, and dedicated trainings were offered.

III. Media Pluralism and Media Freedom

1. Overall context and key indicators

Estonia has a well-functioning dual media system, where an independent public service media provider (Estonian Public Broadcasting – ERR) operates alongside professional private media. This ecosystem contributes to a strong enabling environment for media freedom and pluralism. Estonia continues to perform at a very high level internationally: in the 2025 World Press Freedom Index Estonia is ranked 2nd globally.

Estonia's generally strong media environment, with high media ownership transparency, and a high level of concentration in the media market.

2. Media authorities and bodies (independence, resources, and role)

Audiovisual media services are regulated under the Media Services Act. The Act sets out core principles for media services and includes provisions on, inter alia, source protection, public disclosure obligations regarding media service providers, and self-regulatory instruments.

The Consumer Protection and Technical Regulatory Authority (CPTRA) operates as the competent authority in this domain and is assessed to operate independently from political and economic influences, with staffing strengthened compared to earlier years.

We acknowledge the need for additional resources to deal with all the tasks and obligations of the CPTRA. At the same time, we know that strict austerity and budget cuts are parts of the Government fiscal policy in mid-term perspective. It means that the questions linked to restricted resources stay among the main challenges in the work of CPTRA in coming years. We can say that the work of CPTRA in the field of media services has been efficient and very intense, in general CPTRA has still managed to fulfil the main tasks and obligations. But if the widening of competences of the CPTRA without necessary additional resources will continue, it could be very complicated to cover all the areas of the national regulatory authority, including new ones, equally efficiently.

In parallel with statutory regulation, Estonia relies on a mature system of media self-regulation, including the Code of Ethics for the Estonian Press and the work of press councils as non-judicial complaint-handling mechanisms.

3. Transparency of media ownership and media concentration

Ownership transparency. Estonia provides a high level of transparency regarding ownership structures. The ownership information is widely available and that beneficial ownership data is accessible, supported by a complaint mechanism. In addition, the Media Services Act requires the disclosure of key information about the media service provider, including core identification data and contact details, and defines a media service provider as a natural or legal person, which ensures that transparency and obligations apply across corporate forms.

The Estonian media market features a high level of concentration and that, at that time, there were no additional media-specific concentration rules beyond general competition law.

In order to ensure swift and comprehensive alignment with the European Media Freedom Act (EMFA), Estonia has prepared draft legislative amendments (for parliamentary proceedings) that will operationalise the remaining EMFA-related details through amendments to the Media Services Act and other related legislation, including measures linked to EMFA requirements on concentration-related assessments (Article 22) and related procedural safeguards.

4. Safeguards against interference in editorial content and public service media

Estonian law contains baseline safeguards for editorial autonomy and integrity.

Regarding public service media, Estonia is finalising amendments to the Estonian Public Broadcasting Act to introduce a four-year framework agreement model for stable, predictable and transparent financing of ERR, aimed at strengthening institutional independence and aligning national arrangements with EMFA expectations on public service media funding procedures. (Draft legislation prepared for Riigikogu proceedings; intended adoption in the coming months.)

5. Protection of journalists and journalistic sources; access to information; SLAPP-related context

Source protection. Estonia provides robust protection of journalistic sources and confidential communications. The Media Services Act establishes the principle of source protection and limits disclosure of information enabling identification of a source, subject to narrowly framed exceptions.

Estonian Supreme Court practice confirms the centrality and strength of source protection in civil proceedings.

In order to reflect EMFA Article 4 personal scope with full legal certainty, Estonia has prepared draft amendments to extend protections also to persons who, due to a regular or professional relationship with a media service provider or its editorial staff, may have information about journalistic sources (draft amendments to be adopted in the coming months).

Access to information. Estonia's general framework for public access to information is strong.

SLAPP-related developments. Estonia has continued preparatory work connected to the EU anti-SLAPP Directive, Estonian Journalists Association is established as SLAPP contact point.

6. Transparency and control over allocation of public funds for state advertising

Estonia's legal framework already contains strong horizontal safeguards for transparency, objectivity and control in the spending of public funds, including for advertising purchases:

Public procurement rules: state advertising is procured under the Public Procurement Act, which provides the rules governing procurement procedures, oversight and review mechanisms; procurement-related information is disclosed in accordance with access-to-information rules.

Public Procurement Register: procurement notices, contract information and review decisions are publicly browsable via the state e-procurement environment.

Financial reporting and audit: the Accounting Act provides the general legal basis for accounting and financial reporting.

Independent external audit of public spending: the National Audit Office operates as an independent state body exercising economic control to assure the Riigikogu and the public that public-sector funds are used legally and effectively.

At the same time, to ensure swift and explicit compliance with EMFA Article 25, Estonia is preparing targeted amendments to the Media Services Act introducing a dedicated provision on the publication of information on allocation of public-sector funds for state advertising. The planned provision requires public-sector bodies to publish the EMFA Article 25(2) information annually in an electronically accessible and user-friendly manner, and mandates CPTRA to compile an annual analytical report and publish the results (draft amendment prepared for Riigikogu proceedings; intended adoption in the coming months).

Regarding relevant case law we point out that on December 23, 2025, a judgment of the Tallinn Circuit Court entered into force concerning three precepts issued by the CPTRA in 2022 to temporarily restrict retransmission of certain media services. These restrictions were imposed due to the incitement of hatred and violence, the justification of war, and the resulting threat to national security prevalent in those services and based on Audiovisual Media Services Directive

Article 3(5) (Directive 2010/13/EU).

The court found that in the case of two precepts, the measures were lawful and proportionate, considering the nature and scope of the violation.

Regarding the first precept issued by the CPTRA, the court noted that although the amendments to the Audiovisual Media Services Directive (Directive (EU) 2018/1808) were to be applied as of September 19, 2020, the amendments arising from the Directive had not yet entered into force in national law by the time the precept was issued thus CPTRA did not have competence to restrict retransmission based on urgent procedure as stated in the Directive. The court's assessment in this respect concerned the legal basis and timing of the authority's powers rather than a substantive evaluation of the media content or of freedom of expression as such. The judgment clarified the limits of the authority's competence at the relevant time, and CPTRA has taken note of and fully respects the court's interpretation.

Subsequently, the Estonian Parliament adopted amendments to the Media Services Act empowering CPTRA to issue urgent precepts in situations of this kind. These amendments were passed on 16 February 16, 2022 and entered into force on March 9, 2022.

IV. Other institutional issues related to check and balances

A. The process for preparing, enacting and implementing laws

The Estonian input for the 2026 Rule of Law Report could in particular provide information on the following topic: Have there been any steps taken to address the areas for further improvement in the consultation process for legislation, identified by the Government last year?

Further improvement in the consultation process

In 2025, most of the co-creation process of Estonia's 7th national open government action plan took place. The action plan was sent for approval on January 9th and was approved by the government on January 15th. The action plan focuses on two main topics: first, Estonia will develop skills that help the public sector operate more openly, collaborate, and engage people and stakeholders. Second, Estonia will create an infrastructure that supports data-driven decision-making, transparency, and high-quality, user-friendly services. With these, Estonia will move step by step towards an open, trustworthy, and people-centered state. The action plan will be then translated and presented to the Open Government Partnership.

The Ministry of Justice and Digital Affairs is planning to make changes in the rules for good legislative practice and legislative drafting. The plan is to bring the principles of lawmaking and

guidelines for regulatory techniques into better alignment with actual practice, simplify requirements, and create the prerequisites for more meaningful impact analyses.

One of the changes will be made regarding the requirements for drafting a legislative intent. As mentioned in the 2025 Rule of Law Report, the Chancellor of Justice has recommended to save time by replacing the legislative intent by a clearly worded small-scale draft law and explanatory memorandum.⁹ This change will not be made, because the legislative intent helps to ensure the principle that lawmaking is transparent, that participation takes place at the earliest possible stage, and that laws are not changed lightly.

However, changes will be introduced to reduce the amount of mandatory information required for a legislative intent. The revised content requirements will be more discussion-oriented, emphasizing substantive analysis of the issue and the range of possible solutions. Greater flexibility will be provided to reflect the specific nature and needs of each topic or problem. By simplifying these requirements, lawmakers are more likely to use the legislative intent, thereby enhancing transparency in lawmaking and increasing stakeholder participation in the consultation process. These changes will take effect in 2026. Regarding the length of the consultation periods during the preparatory phase of legislation, ensuring sufficient time for stakeholders has somewhat improved; however, it is still an area for further improvement.

Enforcing the “one in, one out” rule

The government coalition has set the goal of reducing state regulation and administrative burden. To achieve this, a rule was established in 2025 that when introducing any new requirement that imposes an administrative burden on businesses and citizens, the existing requirements will be reviewed and a way to reduce the burden will be found (“one in, one out” policy). The rule entered into force on the 25th of May 2025 and is already actively being applied. The Ministry of Justice and Digital Affairs supervises compliance with the rule.

Revision of regulations

The Ministry of Justice and Digital Affairs reviewed all regulations, which are issued by either the government or ministers to implement and specify the implementation of laws. The aim of the revision of regulations was to reduce bureaucracy for companies and people, and to increase legal clarity.

The revision was carried out in three stages. First, the regulations on the Riigi Teataja website were organized, removing regulations that were essentially already exhausted or had lost their validity. Second, all valid regulations were reviewed at the ministerial level to identify regulations that were excessively burdensome for people, companies and associations. Third, an internal bureaucracy revision is underway, where it is being assessed which inter-agency processes and rules could be simplified.

As a result, it turned out that over 300 regulations regulate issues that no longer exist and therefore have been or will be repealed. The process of reducing state regulation and administrative burden will be continued in 2026.

⁹ 2025 Rule of Law Report, Estonia, p. 14.

B. Independent authorities

Relevant topics to be covered in your contribution include:

45. *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 institutions¹⁰*

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

Since 2025, the budget requests of the constitutional institutions are reviewed by the Finance Committee of the Riigikogu. Riigikogu did not support the Chancellor's budget request for 2026. The Chancellor's budget in 2026 increases only by the resources allocated for the performance of additional tasks and does not take into account the increase in workload in other areas. This may affect the capacity to fulfil the duties that the law requires of the Chancellor.

The Gender Equality and Equal Treatment Commissioner of Estonia points out that the Equal Treatment Act (§15) stipulates the independence of the Commissioner's office.

While the Commissioner hasn't experienced direct attempts to influence the substance of his work, there have been occurrences involving policymakers which indicate the potential change. In June 2025, the Minister of Justice and Digital Affairs proposed in public media¹¹ to merge the Commissioner's office with the Chancellor of Justice. On day-to-day operations, the Commissioner has experienced the proposal by the Government to reduce the office space rental costs by moving the office in the same premises with the Chancellor of Justice. These discussions are still on-going.

In 2025 Estonian Government continued to implement austerity measures, where public sector institutions are expected to cut their budgets 10% over three years. Following the instructions, also the Commissioner's office's budget was cut. However, considering the small size of the office, these cuts have a significant impact on the ability of the office to fulfil its mandate.

The Commissioner also notes that the Government has and will be extending the list of tasks and mandates of the Commissioner but has not foreseen any stable budget to fulfil these tasks.

The Commissioner received 280 appeals in 2025, which is a significant rise compared to 2024 (230 appeals). The increase is also due to a newly developed AI-based application called Valdur, which regularly screens job advertisements. Valdur analyses these advertisements from the perspective of gender equality and equal treatment and flags those that may be discriminatory. Since becoming operational in late 2025, Valdur has contributed to an increase in the share of the Commissioner's cases initiated on the Commissioner's own initiative.

Similarly to the previous period, the Commissioner continues to be concerned about the declining of transparency and engagement in the public consultation process of legislative proposals.

46. *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.*

In 2025, the Chancellor of Justice submitted 22 proposals to the Parliament, ministries, and local governments, urging alignment with the Estonian Constitution or initiating legislative measures.

Six of these proposals have been implemented, while the rest are still in progress. The Chancellor submitted one new request to the Supreme Court for constitutional analysis in 2025 and provided 11 opinions during ongoing constitutional review proceedings.

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

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

On the updated website of the Chancellor of Justice the [database of opinions](#) allows access to the Chancellor's proposals, recommendations, and memoranda concerning compliance with human rights and the principles of the rule of law. Opinions can be searched by keywords, as well as by supervision results and institutions. It is also possible to follow separately the progress and implementation of [constitutional review cases](#).

The annual report about the activities of the Chancellor of Justice can be found [here](#).

D. The enabling framework for civil society

1) On 20 November 2025, the Parliament (*Riigikogu*) convened an *Important National Matter* (OTRK) debate dedicated to civil society development and participatory democracy, reaffirming the role of civic space as a structural element of Estonia's democratic system.

Opening the debate, the Minister of the Interior, Mr Igor Taro underlined that an open, inclusive, and resilient civil society is essential for safeguarding democracy, public trust, and internal security. The discussion recognised Estonia's strong performance in liberal democratic indicators and civic participation, while also identifying structural challenges related to unequal participation, long-term sustainability of civil society organisations, and consistency of public funding practices.

Expert interventions focused on participatory and deliberative democracy, including the institutional role of collective petitions and digital participation platforms in enabling citizen involvement beyond elections. The debate also highlighted the contribution of civil society and volunteers to crisis preparedness and civil protection, framing civic engagement as a component of democratic resilience.

In its conclusions, the Riigikogu put forward two institutional proposals of relevance to civic space governance:

- the initiation of an update of the Estonian Civil Society Development Concept (EKAK), in force since 2002, to ensure its alignment with current democratic, digital, and security contexts; and
- the establishment of a cross-party parliamentary support group for civil society, aimed at strengthening structured dialogue, oversight, and cooperation between Parliament and civil society actors.

2) As of 31 December 2025, the process of updating the Code of Ethics for civil society organisations, led by the Network of Estonian Nonprofit Organizations (NENO) as the strategic partner of the Ministry of the Interior, was in an advanced stage. Meetings with the working group

¹⁰ Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>

¹¹ [Pakosta liidaks võrdõigusvoliniku ja õiguskantsleri kantselei | Eesti | ERR](#)

were held both online and in person to assess the need to modernise the Code of Ethics. It was concluded that recent developments, including the increasing use of artificial intelligence, necessitate a review of the Code's wording and structure. The advocacy specialist consolidated the input received and prepared a revised draft of the Code. The updated version is expected to be finalised in 2026, followed by consultations with civil society organisations, the collection of practical examples, and awareness-raising activities.

3) A shadow report on the allocation of state budget funding to civil society organisations has been completed in 2025, comparing funding practices in the period 2023–2025 with those of ten years earlier. The funding practices of ministries were assessed across six categories: public interest, effectiveness, inclusiveness, transparency, accessibility, and capacity. As a methodological update, the colour-coded system introduced in the previous shadow report was also converted into a five-point scale, allowing for an assessment of changes in average performance.

The analysis indicates an overall trend towards improvement. The cross-sectoral aggregate score of all ministries that have introduced strategic partnership practices has increased by 0.5 points or more. Other ministries likewise show a slight improvement or, at a minimum, stability in their aggregate scores compared to the situation ten years ago. Two ministries constitute exceptions: one was not assessed in the previous shadow report, while the other recorded a decrease of 0.2 points. The report and its conclusions have been shared with all ministries and presented to both the National Audit Office and civil society organisations. In 2026, dissemination of the findings will continue, and the input will also be used in the revision of guidance materials on public funding.

4) An action plan was prepared by the Network of Estonian Nonprofit Organizations for updating the guidance materials on public funding, including an outline for a chapter on strategic partnerships. Support was also provided for the harmonisation of partnership practices through consultations and feedback during the revision of funding regulations in several ministries. In addition, work was initiated on the development of an interim evaluation methodology, which is expected to create the preconditions in 2026 for a systematic assessment of the functioning of strategic partnerships from both the perspective of ministries and that of strategic partners.

As the Parliament adopted amendments to the State Budget Act at the end of 2025 (please see below) that also affect funding for civil society organisations (assessed by Ministry of the Interior and its strategic partners as a step backwards) this may influence the progress of updating the guidance materials. While the Ministry of the Interior and the Network of Estonian Nonprofit Organizations were not able to prevent the amendments in 2025, the latter plans to pursue advocacy activities in 2026 to seek renewed changes.

5) The Parliament adopted amendments to the State Budget Act in December 2025. The amendment includes proposal by the Ministry of Finance which restricts eligibility for operating grants primarily to legal bodies of the central government, effectively shifting civil society organisations towards project-based funding. While the proposal is justified by the need for uniform rules and oversight, civil society organisations were not involved in the drafting of this part of the proposal, nor was the Ministry of the Interior, which is responsible for the field of civil society.

The Network of Estonian Nonprofit Organizations (NENO) engaged in the process of the State Budget Act and the Act Amending the State Budget Act (Bill No. 736 SE in the Riigikogu) on its own initiative in summer 2025, as the amendments affect the rules governing the funding of civil society organisations. Nevertheless, NENO, as the umbrella organisation for the sector, was not involved in the drafting of the bill.

On 27 October 2025, the Ministry of the Interior submitted amendment proposals to the Riigikogu Finance Committee concerning the draft Act on the State Budget Act and the Act Amending the State Budget Act, which had been prepared jointly by the Ministry of the Interior and the Network of Estonian Nonprofit Organizations (NENO). The proposal was not taken into account by the Riigikogu Finance Committee. The amendment sought, at a minimum, to preserve the current situation in which ministries are able in practice to provide operating grants to civil society organisations. NENO noted that if the intention is to genuinely clarify and improve the funding framework for organisations, this would require a thorough discussion and sufficient time. Such a process was not considered realistic within the scope of the current legislative procedure; therefore, the amendment proposal did not pursue broader structural changes (although the withdrawal of points 51–56 of the bill from the legislative process was identified as a possible alternative).

Consequently, two possible approaches to amending the legislation were identified by NENO:

1. To delete paragraphs 2–3 of § 53¹ from point 54 of the bill, which stipulate that only a legal bodies of the central government may be eligible for operating grants, unless otherwise provided by law.
2. To amend paragraph 2 of § 53¹ in point 54 of the bill to stipulate that a legal bodies of the central government, a non-profit association, or a foundation may be eligible for operating grants, unless otherwise provided by law.

Overall, it was emphasised that a pause in the process was necessary which would allow sufficient time to properly discuss the provisions affecting the funding of civil society organisations, with the involvement of all relevant stakeholders.

On the 20 November 2025 *Important National Matter* (OTRK) debate dedicated to civil society development, the Minister of the Interior, Mr Igor Taro, commented on the situation as follows: *“I have a genuine concern that the proposed approach would represent a return to a project-centred model, undermine strategic partnerships, and make cooperation more unstable, particularly in policy areas where civil society organisations function as an ‘extension’ of the state in achieving public objectives. This would not strengthen, but rather weaken, the partnership between the state and civil society.”*

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

If you are aware of any significant challenges concerning the Single Market faced by businesses or citizens from your Member State 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, please highlight them in the box

*below.*¹²

As regards the publication of your written input, please indicate whether you¹³:

☒ Consent

☐ Do not consent

¹² 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.

¹³ Should you wish to amend the input submitted ahead of the Report's publication, please simply indicate so to the Commission services which will ensure that the correct version is published.