

PORTUGAL

2025 Rule of Law Report – Targeted Questions

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Ministry of Justice

1. Regarding the recommendation to “step up efforts to improve the efficiency of the justice system, in particular of Administrative and Tax Courts”:
 - a. What is the state of play of the creation of specialised chambers in the administrative and tax superior courts enacted in 2023? *[in writing]* In case there is data available – is there evidence of their effects on efficiency?
 - b. What is the state of play of the creation of the second instance Administrative and Tax Court in Castelo Branco?
 - c. Are there any specific measures envisaged to address the high number of urgent judicial proceedings to compel the administration to decide, in particular regarding AIMA decisions?
 - d. Could you elaborate on the plans for the creation of a special arbitration tribunal for administrative cases, in particular regarding the mandatory or voluntary nature of the arbitration regime, and the scope of the cases that could be subject to this type of arbitration?
2. Regarding the recommendation to “Take forward measures to ensure the adequacy of the general criminal procedure legislation to efficiently deal with complex criminal proceedings”:
 - a. In addition to the information provided in the written input, could you provide a state of play of the measures envisaged in the GOP 2025-2029?
 - b. In particular regarding the proposed legislative changes regarding the criminal procedure, what is the timeline envisaged, and how are stakeholders being involved?
3. Could you provide an update on the efforts to improve the publication of judicial decisions?
4. Have there been any developments regarding the measures pertaining to the high number of cases concerning freedom of expression pending before the ECtHR, as reported in the 2025 Rule of Law Report?
5. The written contribution refers to the National Digital Strategy Action Plan 2026-27, which includes an action on ‘digital and AI in justice’. What are the key actions foreseen, and what does the code of conduct on AI in the justice area cover? What training is foreseen to support uptake of new tools such as ‘Assessor IA’?
6. *[in writing]* Please provide an update on the remaining vacancies of the map of personnel of judicial clerks.
7. Regarding the preparation of the National Anti-Corruption Strategy and its action plan for the period 2025-2028:
 - a. What is the state of play of their preparation, and how are stakeholders being involved in this process?
 - b. What is expected to be the relation between the new Strategy and the Anti-Corruption Agenda? Will the new Strategy overtake the Anti-Corruption Agenda?
 - c. What steps do you envisage in view of ensuring that annual monitoring reports on the implementation of the action plan will be published in the future?
 - d. Are there plans to evaluate the National Anti-Corruption Strategy 2020-2024?
8. What is the state of play of the implementation of the Anti-Corruption Agenda and what are the upcoming reforms, e.g. evaluation of the functioning of the Transparency Entity to assess the need for amendments to its legislative framework?
9. What is the state of play on the development of the announced corruption risk prevention plan applicable to executive positions?
10. Regarding the reform on the regulation of lobbying activities:

- a. What is the expected timing for the reform on lobbying to be fully completed? What are the outstanding steps to be completed before the entry into force of the law?
 - b. Are there any gaps to this framework that remain unaddressed by the recently adopted rules?
11. What is the state of play of the development of the new code of conduct? Are there yet any details about the sanctioning powers? What elements are expected to be included, e.g. the creation of a procedure and advisory body to deal with situations of conflict of interest involving the PM and more detailed practical guidance on integrity issues?

MENAC

1. What are the current priorities of MENAC and the upcoming activities?
2. Regarding the amendments to the structure and functioning of MENAC, which entered into force in May 2025:
 - a. How has this impacted its functioning? Did those amendments sufficiently address the issues at stake, in particular effectiveness and limited operational activities?
 - b. What are the remaining outstanding challenges to the functioning of MENAC?
 - c. Regarding the staffing of MENAC the objective is mentioned of ensuring MENAC will be able to conduct its tasks through its own stable staff. What is planned to ensure that MENAC reaches the necessary staffing levels to achieve this? Which aspects of MENAC's work will staff recruited in January and February 2026 contribute to? Does the issue of resources still constitute a challenge?
3. What has been the impact of the new enforcement capacity, namely the possibility of opening administrative offence proceedings and imposing fines?
4. Are there currently any plans to carry out any evidence-based analyses, tailored recommendations for sector-specific risks, or providing guidance in view of the legislative reforms?
5. What are currently the main sectors of high-risk of corruption?
6. What has been the impact of the new rules on the oversight of corruption cases, linked to reporting of all corruption-related case outcomes?
7. What is the state of play regarding implementation of the rules on whistleblowers? [*in writing*]
Could you please provide statistics in relation to the implementation of rules on whistleblowing?

Ministry of Finance – Inspeção Geral de Finanças (IGF)

- 1) Could you please further elaborate on the corruption-related elements regarding specific reports or findings in 2025?
- 2) What are currently the high-risk sectors for corruption? Could you elaborate on any main trends identified in these sectors?
- 3) Regarding the control on local authorities, in addition to the information provided in writing, could you elaborate on the main trends observed and outcomes of these controls?
- 4) What is the current state of play and perspectives regarding the preventive control over contracts financed or co-financed from the EU funds? Do you think that the ex-post control will be sufficient in order to prevent corruption risks?

1. With regards to the Lusa news agency and its new governance model, as mentioned in your written input, could you provide some additional information on the appointment and dismissal procedures for the Management Board?

The procedures for the appointment and dismissal of the three members of the Management Board are set out in Article 11 of Lusa's Statutes.

Regarding their appointment, these members are elected by the General Meeting of Shareholders after a non-binding opinion from the Advisory Board (paragraph 2). They must be selected from among individuals of recognised integrity, independence, and suitability for the role (paragraph 3).

No later than 15 days before issuing its opinion, the Advisory Board shall receive the curricula of the proposed candidates, together with the company's strategic plan and the guiding principles and objectives to be pursued during the corresponding term of office [paragraph 4(a)–(b)].

After the election, the composition of the Management Board is published on Lusa's website, along with the members' curricula and the Advisory Board's opinion (paragraph 5).

The election of the Management Board members must comply with the State Corporate Sector Act (Decree-Law 133/2013 of 3 October, as amended) and the Public Manager Statute (Decree-Law 71/2007 of 27 March, as amended) (paragraph 9). Accordingly, the members of the Management Board are also subject to a non-binding opinion from CRESAP, the Public Administration Recruitment and Selection Commission..

The dismissal of Management Board members may only occur through a reasoned decision of the General Meeting of Shareholders, and after the individuals concerned have been heard, in any of the following circumstances (paragraph 10):

- a) A supervening failure to meet the conditions referred to in paragraph 3 (i.e., if their reputation, independence, or aptitude for the role is no longer ensured).*
- b) Repeated failure to comply with the guidelines and objectives laid down in the management contract, the activity plan, or the company's strategic plan.*
- c) Serious violation—by act or omission—of the law or of the company's articles of association.*
- d) Breach of the rules on incompatibilities and impediments.*
- e) Breach of the duty of professional secrecy.*

It should be noted that, although the Portuguese State has always held a majority shareholding in Lusa, this is the first time that the Government has proactively carried out a comprehensive revision of the Statutes expressly aimed at strengthening institutional checks and balances and reducing the scope for direct governmental influence over the Agency's governance. This revised

framework reinforces external and internal accountability mechanisms, namely through the creation and role of the Advisory Board — which includes representatives of the media sector and of Lusa's workforce, including journalists — as well as through dedicated arrangements for parliamentary monitoring of the Agency's activity.

2. Are there any developments to the existing framework regarding access to documents, including politicians' assets' declarations?
3. According to your input, the technical work on the transposition of the anti-SLAPP Directive is complete. Can you provide information on the timeline of the adoption of the Directive?
4. In your written input, you mention the implementation status of several points of the Media Action Plan. Could you provide any information on the implementation status of the points that are not mentioned, including those related to measures countering the "news desert" phenomenon in the interior of the country? In particular, what is the status of the planned reform of the Media Transparency Law? Could you provide further information on measures to support the recruitment of journalists?

Measures countering the "news desert"

*The Government approved, on 26 of March, a Decree-Law duplicating the **State support of the local publications shipping costs** (support has increase from 40% to 80%).*

Alongside, the Government implemented a measure to ensure the distribution and public sale of newspapers in municipalities not currently covered by existing distribution networks. In parallel, preparations are underway for the launch of an international public procurement procedure for newspaper distribution services, with the aim of ensuring that newspapers remain available for purchase throughout the entire national territory, in response to forecasts indicating that, in the short term, newspapers could cease to be commercially available in many municipalities.

Furthermore, the Government has approved a draft law amending the broadcasting rights regime to extend the obligation to provide airtime during presidential, legislative, European elections, and referendums, to local radio stations. Currently, local radio stations are only entitled to airtime during municipal elections. This proposal should increase the revenues of local radio stations namely in regions affected by "news desert", thereby contributing to their sustainability.

Media Transparency Law

In 2024, the National Regulatory Authority for the Media (ERC) has proposed amendment to the Transparency Law (Law No. 78/2015, of July 29), to the Parliament and the Government. The main

proposals focused namely on the penalty regime, the confidentiality of shareholder agreements, exemption from reporting obligations (for entities that engage in media activities on an ancillary basis), among others.

This will be taken into account in the Media code, which will revise the legislation that rules media activities, to be submitted to Parliament.

In line with its regulatory powers, as provided for in Law No. 78/2015 (Law on Transparency), the Portuguese Regulatory Authority for the Media (ERC) launched, on 12 December 2025, a public consultation on a draft amendment to Regulation No. 835/2020 on transparency rules concerning the main sources of financing and the annual corporate governance report of entities pursuing media activities.

These amendments aim to ensure compliance with Article 6 of the EMFA, inter alia, through:

- a specific obligation to disclose the amounts of public funds allocated to State advertising and advertising revenues originating from public authorities or bodies in third countries;*
- a clarification that the reporting obligation covers all entities — public or private — accounting for more than 10% of total income, including the exact percentage, the relevant items and the legal basis of such income. This clarification ensures coverage not only of advertising directly assigned by public authorities or entities, but also of advertising where the promoting entity is a public authority or entity, even if the contract is concluded through communication or advertising agencies or equivalent intermediaries. This measure aims to prevent circumvention of transparency obligations and to ensure that all institutional advertising financed with public funds is duly identified and disclosed;*
- the possibility, at the request of ERC, to extend the reporting obligation to entities within the attribution chain of the legal person carrying out media activities, as well as to other entities with common ownership or shared management;
the obligation to provide a biographical note containing professional and academic information on the members of the governing bodies, including an indication of any positions held in the preceding 12 months that may qualify them as politically exposed persons, within the meaning of the legislation on the prevention of money laundering and terrorist financing. This requirement contributes to the EMFA's objective of preventing risks of illegitimate interference in editorial policy by enhancing transparency regarding potential overlaps between political, economic and media power.*

The Media Action Plan initially foresaw two specific incentives to support the recruitment of journalists:

- an incentive to hire journalists on permanent contracts, and*
- a targeted incentive to support the hiring of a media outlet's first journalist, particularly aimed at local and regional media.*

However, these two measures are currently being reprogrammed. The objective of supporting journalist recruitment remains, but the policy tools to achieve it are being adjusted.

5. Do you have any planned initiatives or measures related to countering disinformation?

Within the domestic legal framework, there are no specific provisions to counter disinformation, and so there are also no specific provisions in place to penalize disinformation.

Nevertheless in The Portuguese Charter of Human Rights in the Digital Age (Law No. 27/2021, of 17 May, in its current version) stipulates in its article 6 that "the State shall ensure that the European Action Plan against Disinformation is complied with in Portugal, in order to protect society against natural or legal persons, de jure or de facto, who produce, reproduce or disseminate narratives considered to be disinformation".

The Concession Contract for the Public Service of Radio and Television expressly establishes an obligation for the Concessionaire to include, within its daily news services, regular programmes or dedicated segments aimed at combating disinformation and reinforcing fact-checking mechanisms.

Beyond this, despite the existence of laws that deal with several practices that may be related to or qualified as acts of disinformation, there are currently no other provisions specifically aimed to combat disinformation. Freedom of expression is constitutionally protected in Portugal and can only be restricted in exceptional situations, when those restrictions are approved by law and are necessary guarantee the respect of other fundamental rights.

*Public policies to counter disinformation are mainly addressed through the **National Plan on Media Literacy** approved last year which is structured around four strategic objectives:*

- 1. Promoting media literacy across all audiences.*
- 2. Fighting disinformation and fake news.*
- 3. Encouraging responsible and informed content consumption.*
- 4. Fostering informed and active citizenship*

The implementation of the plan, foresees some awareness actions and resources to contribute to strengthen citizens resilience to disinformation.

Furthermore, the investment made in Lusa news agency is an important effort to combat disinformation as it contributes to strengthen an information space where journalistic information is central.

6. Apart from strengthening the cooperation between security forces and journalists, as mentioned in your written input, what are the other aspects of the National Plan for the Safety of Journalists and what steps are being taken for their implementation?

*The Ministerial Order n. 1777/2026, 9 February recently published, has appointed the members of the **National Committee for the Safety of Journalists and Other Media Professionals**, foreseen in the Council of Ministers Resolution No. 51/2025 of 17 March.*

This Committee has the function of supporting the coordination of the implementation and continuous improvement of the National Plan for the Safety of Journalists and Other Media Professionals.

The Director of the Task Force on Media Public Policies (#PortugalMediaLab) chairs the Committee and the representatives appointed by the following entities will take part in it:

- a) Superior Council of Magistrates;*
- b) Regulatory Council of the Media Regulatory Authority;*
- c) Attorney General;*
- d) Chief of Staff of the Armed Forces;*
- e) Commander-General of the National Republican Guard;*
- f) National Director of the Public Security Police;*
- g) National Director of the Judicial Police;*
- h) Director of the National Cybersecurity Centre;*
- i) Journalists' Union;*
- j) Journalists' Professional Card Commission;*
- k) Media Confederation.*

The first meeting of the National Committee took place on 30th March and a second meeting is scheduled for the 22nd of June.

Furthermore, a Protocol of collaboration between public entities participating in the Committee is being prepared as well as a Protocol with organizations representing journalists and media sector organizations.

Regarding training, several regular actions have been implemented in 2025 and are foreseen in 2026, mainly through the Protocol Center for Professional Training for Journalists (Cenjor).

*The Protocol Center for Professional Training for Journalists (Cenjor), in collaboration with the Judicial Studies Centre, the Superior Judicial Council, and the Journalists' Professional License Commission held two training courses addressed to both to judges and journalists under the motto **"Magistrates and journalists in dialogue: Removing obstacles and building bridges of communication to strengthen the rule of law"**. The first session was dedicated to the theme "Justice and Media – Public interest vs. the interest of the public" (Lisbon, 16 June). The second session was dedicated to the theme "The representation of Justice in the media – What impact on social construction?" (Braga, 11 July). This partnership is in place since 2022.*

*Cenjor held a training course on **"Journalistic coverage of disasters"** in Azores in September and October 2025. It covered topics useful in risky reporting contexts, such as: i) covering natural*

disasters; ii) reporting during emergencies; iii) practical training for field conditions. A second edition is foreseen in 2026.

In April 2026, Cenjor will held a training course dedicated to journalists' security entitled "[Journalists Security – threats, confidentiality and protection](#)". The objective is to share knowledge and provide a toolbox with practical means of protection for journalists needs to carry their activity in the various contemporary risk contexts (safety measures in environments of war and armed conflict, as well as in hostile environments of various kinds, protection processes in digital environment, most appropriate strategies for dealing with threats or hostile actions that can damage a professional's reputation.

Secretariat-General of the Government

1. Regarding the reform on the regulation of lobbying activities:
 - What is the expected timing for the reform on lobbying to be fully completed? What are the outstanding steps to be completed before the entry into force of the law?
 - Are there any gaps to this framework that remain unaddressed by the recently adopted rules?
2. What resources, both human and financial, are envisaged for the purpose of completing and running the Lobbying Register?
3. What is the state of play of the development of the new code of conduct? Are there yet any details about the sanctioning powers? What elements are expected to be included, e.g. the creation of a procedure and advisory body to deal with situations of conflict of interest involving the PM and more detailed practical guidance on integrity issues?
4. How do you intend to move forward with finalising the legislative footprint system and what is the timeframe foreseen for this? Is there any expected interplay with the new lobbying regulation?
5. What are the next steps towards the launch of the IT system supporting the government's legislative process, and by when should it be able to provide information on interactions with internal and external stakeholders regarding legislative initiatives?
6. How does PLANAPP work together with lead ministerial departments in conducting studies and reports to support development and monitoring of public policies? Are sufficient resources foreseen to allow such support to be provided for all key legislative acts?