

2024 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, four editions of the Rule of Law Report have been published in 2020, 2021, 2022 and 2023.

The Commission would like to invite stakeholders to provide contributions to the 2024 Rule of Law Report. This survey provides information on the type of information and topics that will be covered in the 2024 Rule of Law Report, in order to allow stakeholders to provide input. More targeted input may be requested at a later stage of preparation of the 2024 Rule of Law Report, including in the context of country visits, or bilateral contacts.

The 2024 Rule of Law Report will continue to deepen the assessment under the existing four pillars, and will also follow-up on the implementation of the recommendations to Member States, that were issued as part of the 2023 Rule of Law Report. The contribution to be provided should include **(1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and (2) any other significant developments since January 2023^[1] falling under the ‘type of information’ outlined in section II.**

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.

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information

The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

A) Legislative developments

- Newly adopted legislation
- Legislative drafts currently discussed in Parliament
- Legislative plans envisaged by the Government

B) Policy developments

- Implementation 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, heads of independent authorities included in the scope of the questionnaire[2])

D) Any other relevant developments

- Respondents 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.

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should 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.

About you

* 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 (RSF)

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☒ Media Pluralism
- ☐ 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

612547127497-45

*** Country of origin**

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania
- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda
- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan
- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados

- ☐ Belarus
- ☐ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☐ Cyprus
- ☐ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark
- ☐ Djibouti
- ☐ Dominica
- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador
- ☐ Equatorial Guinea
- ☐ Eritrea
- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia
- ☐ Fiji
- ☐ Finland
- ☒ France
- ☐ Gabon

- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☐ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon
- ☐ Lesotho
- ☐ Liberia
- ☐ Libya
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Madagascar
- ☐ Malawi
- ☐ Malaysia
- ☐ Maldives
- ☐ Mali
- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius

- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania
- ☐ Russian Federation
- ☐ Rwanda
- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa
- ☐ San Marino
- ☐ Sao Tome and Principe
- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia
- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☐ Slovakia

- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☐ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu
- ☐ Venezuela
- ☐ Viet Nam
- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

Julie

Surname

Majerczak

Email Address of the organisation (this information will not be published)

* 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.**
- ☒ 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 2024 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 2024 RoL Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2023 Rule of Law Report and (2) any other significant developments since January 2023[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.

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

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 covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States, please fill in the questionnaire separately for each Member State. There is no limit to the number of contributions submitted by a single participant.

- ☐ 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

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2023 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

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

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 under section 2)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material)

(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

Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, particularly electronic communication 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 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 specialization, in particular specific courts or chambers within courts to deal with fraud and corruption 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 under section 2)

Length of proceedings

5000 character(s) maximum

Other - 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 2023 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 resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

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 and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training)

5000 character(s) maximum

General transparency of public decision-making (including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing)

5000 character(s) maximum

Rules and measures to prevent and address 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

If available to you, for the three preceding questions, you are also invited to provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given

5000 character(s) maximum

Sectors with high-risks of corruption in your Member State:

- Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement
- List other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen /residence investor schemes, urban planning, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

5000 character(s) maximum

Any other relevant measures to prevent corruption in public and private sector

5000 character(s) maximum

C. Repressive measures

Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery

5000 character(s) maximum

Data on the number of investigations, prosecutions, final judgments and application of sanctions for corruption offences (differentiated by corruption offence if possible) including for legal persons and high level and complex corruption cases) and their transparency, including as regards to the implementation of EU funds

5000 character(s) maximum

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions 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 non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Other - 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 2023 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

There has been no progress on the recommendation on the need to ensure fair, transparent and non-discriminatory procedures for the granting of concessions to the media. There has been some progress on the recommendation to strengthen rules and mechanisms to improve the independent management and editorial independence of public media, taking into account European standards for public media.

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures adopted to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

Although it has been repeatedly stated that the institution ordering the media market should be independent, sufficient barriers to achieve this have never been erected in Poland. The current composition of the National Broadcasting Council (KRRiT) is mostly made up of people who are in various ways linked to the ruling party. The Council is shirking from the responsibility for monitoring subsequent elections. Given the government propaganda broadcast by the public media since the right wing took over governance in 2015, it is difficult to regard these elections as equal for all. The huge disproportion in the allocation of air time and the lack of equality in the portrayal of politicians from the ruling camp and the opposition are of no interest to the Council. None of the many complaints have resulted in reduction in the intensity of propaganda. In addition, it has become the rule that the chairman of the KRRiT decides alone, for example on financial penalties imposed on the media. And although he has the right to do so, previously the practice was collegial decision-making. The ruling party politicians also have full power in the new (since 2016) National Media Council. Members of the Council, which deals only with public media, are able to interfere in programming decisions of the public media by freely influencing the composition of the management and supervisory boards of TVP, Polskie Radio and the Polish Press Agency at any time and without giving any reasons. Internal procedures and practices are non-transparent, which facilitates control and complete marginalisation of 2 (out of 5) National Media Council members proposed by the opposition and, according to the law, subsequently appointed by the president.

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 scope of freedom in the implementation of the powers granted to the National Broadcasting Council (KRRiT) by the Constitution is still significantly limited. Its 5 members were appointed by the lower house of the Parliament (Sejm), the upper house (Senate) and the Polish President. The term of office of KRRiT members is 6 years. The current composition of the Council was selected in the fall of 2022. Until January 2016, the KRRiT had the responsibility for the appointment of supervisory boards of public radio and television. The fast changes made by the Law and Justice (PiS) party in power since 2015 shifted the whole system of appointments in public media to a partisan direction. The appointment competence was given to the newly created National Media Council (RMN) which is directly dependent on the parliamentary majority. It is the Sejm that appoints and dismisses three of the five members of the National Media Council in a simple majority vote (and the remaining two members put forward by the opposition are appointed by the President). The 2016 judgement of the Constitutional Tribunal (then still in its correct composition), which ruled that depriving the KRRiT of competence over public media is unconstitutional, was never implemented. In February 2020, in a letter to the Speaker of the Senate, the then Polish Ombudsman Adam Bodnar called for a new law which would restore the KRRiT's competence of appointing supervisory boards of the public media. It is known for many years that the system of appointments of public media management needs a reform to achieve more independence from the state. The new bill on the public media which aims to depoliticize them is already prepared by the so called "Civic Committee for the Public Media", but has so far not been proposed by any party (<http://www.mediapubliczne.org.pl/>). This is also what another draft presented in October 2022 in the Polish Senate (where the opposition has majority) in a public hearing is aiming for. It was prepared by a group of media experts. After the October 2023 elections, the new government of Prime Minister Donald Tusk overhauled the management of the public media despite the attempts of the former ruling party Law and Justice (PiS) to block the changes by occupying the media's premises. When the President Andrzej Duda refused to sign the budget comprising subsidies for the public media, the government imposed a liquidation procedure on the media. The opposition, which gained a parliamentary majority after the 15 October elections, has announced changes to the public media. While quick measures are needed in the context of a chaotic legal situation as a result of PiS's eight-year rule, transparency over the mid-term plans is necessary as a condition for restoring sustainable trust in line with the recommendations of the Council of Europe on the public media.

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 those working in the profession. The divisions have deepened in recent years due to polarisation on the political scene and politicisation of the public media. Thus two centres function: The Media Ethics Council created on the basis of the Council established in 1995, and the Centre for Monitoring and Freedom of the Press at the Polish Journalists' Association. The two bodies assess professional dilemmas in radically different ways, and the dividing line was between those who distanced themselves from the Law and Justice government (PiS) and criticised the political rhetoric of the public media (Media Ethics Council) and those who sympathised with the policies of the PiS government (Association of Polish Journalists with the Centre for Monitoring and Press Freedom). However, there are general rules of the profession adopted in 1995: the Ethical charter of the media and the Journalistic code of responsibilities. A good example of the different assessment of the situation by these two polarised journalistic communities is the situation during the last election campaign in 2023. The Civic Coalition conference (KO) organised in front of the Polish Television headquarters, which KO's leader Donald Tusk called a 'lie factory', was disrupted by TVP journalist Michał Rachoń, who did not allow the politician to finish his statement and tried to ask questions. After the incident, the KO politicians complained to the Media Ethics Council, which wrote that it could only judge journalistic publications, but

added that TVP had taken on the role of propaganda tube for the ruling party and that "Rachon probably violated the rules of social coexistence or common decency". A completely different assessment of the situation was made by the Centre for Monitoring and Press Freedom, which filed a notice with the public prosecutor's office regarding the obstruction and suppression of press criticism by Civic Coalition politicians. The National Broadcasting Council (KRRiTV) interprets its role as that of an advocate for viewers and users of media services. Any complaints about a programme can be submitted to the Council. It also controls the fulfilment of statutory requirements which apply to both public and licensed broadcasters, e.g. compliance by broadcasters with the Broadcasting Act (prohibition of discrimination, protection of minors, obligation to respect the religious beliefs of the audience, "in particular the Christian system of values" as written in Broadcasting Act). However, many experts, journalists or lawyers believe that the National Broadcasting Council is not fulfilling its role because it hardly reacts to the propaganda content of the public media.

B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

5000 character(s) maximum

State-owned companies have their own corporate procedures for purchasing services of which sponsorship and advertising expenditure. It is the Supreme Audit Office that can check whether SOEs spend money in a cost-effective manner. Members of management boards of SOEs are held accountable under the rules of proper management. Staffing supervisory boards with people loyal to the authorities but unprepared for such roles has been a phenomenon which the state has failed to tackle for many years. Politicians have used companies to build their spheres of influence. Despite the possibility to use the Polish Act on Access to Public Information, it can still be hard if not impossible to get information on state advertising under the pretext of protecting trade secrets. Since the Law and Justice party took power in 2015, the issue of advertising expenditure by companies with State Treasury shareholding has been purely political. Some media opposing the authorities are completely excluded from advertising expenditure (e.g. Newsweek, Polityka, TVN, Gazeta Wyborcza), while others enjoy a much higher share in the budgets of state-owned companies than their market share (such as Gazeta Polska, Do Rzeczy, W Sieci). A report by the Supreme Audit Office published in July 2023 shows that the expenditure of state-owned companies on media services grew dynamically in 2017-2019. In 2017, it amounted to PLN 162.2 million, a year later - already PLN 205.4 million. The record amount - PLN 281.9 million - was reached in 2019, the year in which the parliamentary elections took place. The main media contractor for the audited companies was public TVP (Telewizja Polska). The amount allocated by the State Treasury companies for media services is probably higher, because some companies - PKN Orlen, Energa, PGNiG SA - did not let the auditors in. After the elections in 2019, the state-owned companies stopped ordering services from the private TVN. The favouring of pro-government media by directing advertisements to them is noted by Prof. Tadeusz Kowalski, a media expert from Warsaw University, in his study published in March 2022. His analysis is based on Kantar's pricing data and covers advertising expenditures of 122 SOEs (or companies with dominant Treasury shareholding) and 70 ministries and central offices. The titles of Polska Press - a publishing house that was bought by the state-owned fuel company PKN Orlen, and which publishes more than 20 regional dailies - began earning heavily on advertising from state-owned companies, Kowalski noted. At the same time, according to the company Polskie Badania Czytelnictwa (Polish Readership Survey), the average sales of regional dailies in 2021 - most of which are owned by Polska Press - fell by 17.5 percent compared to 2020. "During the period of the United Right government, there has been a strong intensification of propaganda and promotional efforts in favour of party and state interests. However, the huge amounts of public spending did not serve to create social cohesion; rather, they were an instrument of manipulation, served to polarise attitudes in society and

were largely economically ineffective." - Prof. Tadeusz Kowalski concludes. During the campaign for the 2023 parliamentary elections, state-owned companies took part in promoting the referendum campaign - as the ruling party also organised a referendum with questions on state policy on election day. According to the law, entities that take part in the referendum campaign can promote or criticise the referendum and are entitled to free airtime in the public media for the referendum campaign. 13 foundations of state-owned companies applied to the State Electoral Commission and were accepted (a total of 68 entities participated). In this way, de facto with the money of State Treasury companies, the power camp could promote its message.

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 operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- 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

The key regulations on the issues related to editorial independence are in the following legal acts: the Press Law, the Broadcasting Act, and the statutes of individual media. Significant provisions in this area are also in documents on journalistic ethics. However these principles don't prevent the public media from conveying a biased view of the world in line with government propaganda. A similar process began at the publishing house Polska Press, which in March 2021 was taken over by the state-owned company Orlen. A staff reshuffle took place there - journalists with many years of experience left and were replaced by people from conservative circles. Reports from journalists indicate that Orlen CEO Daniel Obajtek's promise to maintain editorial independence have not been kept. It remains to be seen what the opposition, which has gained the ability to form a government after the October 2023 elections, will do with the publishing house Polska Press and to what extent it will want to influence its programme line. There is no prohibition on combining the function of a member of the National Media Council with the function of MP. Meanwhile, for active politicians, participation in the National Broadcasting Council (KRRiT) is prohibited by the Constitution. According to the Broadcasting Act, public broadcasting units are required to prepare and submit to the National Broadcasting Council, by April 30 of a given calendar year, a report for the previous calendar year on the implementation of the public mission. In 2023 the activity of KRRiT chairman Maciej Świrski in initiating proceedings and financially penalising the media increased. His decisions encroaching on editorial independence were particularly controversial. For example, in March 2023, KRRiT started an investigation into TVN's documentary on child abuse in the church and claims of negligence by former Pope John Paul II. Radio Zet was fined 476,000 PLN after proceedings were launched by KRRiT in February 2023 for "promoting false information" and "threatening public security" after a reporter claimed Ukraine's President Zelensky had been ushered through Poland by US secret services without the knowledge of Polish authorities. He single-handedly fined radio station TOK FM PLN 80 000 for hate speech and discriminatory content, as well as humiliation and violations of the dignity of World War II victims, including Jews after the journalist in the programme criticised a textbook. Meanwhile, Świrski has refused to rule on public Radio Szczecin's exposing the identity of a victim of child abuse until the public prosecutor's office has completed its investigation. The chairman of the KRRiT has also imposed arbitrary fines based, inter alia, on the vague notion of protecting the 'raison d'état'. In its recommendations to the new Polish government, RSF proposes to remove this vague notion (Article 18 of the Broadcasting Act) which is open to over-interpretation.

Applications for a licence to distribute radio or television programs for the next period, must be submitted to the state regulator (KRRiT) no later than 12 months before the expiration of the licence held. A licence may be denied only if any of the circumstances indicated in the law apply to the broadcaster. The private TVN24 news channel had to wait 19 months for a decision on the matter. In two judgments in 2022, the Provincial Administrative Court in Warsaw found "inaction" on the part of the National Broadcasting Council (KRRiT) in renewing TVN24's licence and a "gross violation of the law" in the case of TVN7's licence. Both channels are part of TVN, which is controlled by the U.S.-based Discovery. TVN is under pressure by the authorities when it dares to criticise them. If, in December 2021, the president had not vetoed a law passed by the ruling majority known as "lex TVN" and resulting in protests in defence of freedom of expression, Discovery would have been forced to sell most of its shares on the station. In November 2023, the National Broadcasting Council, after more than 11 months of TVN's application, issued a decision to extend the station's licence for another ten years. The chairman of this body, Maciej Świrski (appointed as a candidate of the ruling party) called in 2018 for ruling party politicians to boycott TVN, which, in his opinion, does not tell the truth.

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

5000 character(s) maximum

There is no legal obligation on any authority to inform the public about media ownership and there is no official database available to the public regarding media ownership. The conclusions of ownership are drawn, for example, on the basis of readership surveys published by the Związek Kontroli Dystrybucji Prasy (Press Distribution Control Union). Information on the ownership structure can be found in the annual reports of the National Broadcasting Council. The business names can be traced by analysing the data available in the National Court Register. But 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.

The National Radio and Television Council (KRRiT) and the Office for Competition and Consumer Protection (UOKiK) are responsible for protecting media pluralism. The ruling Law and Justice party (PiS) has long suggested that it would try to bring foreign owned media outlets under national control. It did so at the end of 2020 when the state-controlled oil company Orlen announced that it bought 20 out of 24 regional titles published by Polska Press belonging to German Passauer capital group. The UOKiK gave its approval. On the other hand, it did not agree to the takeover of Eurozet by Agora, the publisher of, inter alia, "Gazeta Wyborcza", often critical of the government. In Feb. 2023, the Court of Appeal made a final ruling overturning the decision of the President of UOKiK prohibiting Agora from acquiring the remaining 60% stake in Eurozet. Agora immediately took over 11% of the shares and is now the majority shareholder of Eurozet. The President of Agora said that the verdict confirms that the ban was a political decision in line with the ruling party's efforts to obstruct or restrict the activities of free media in Poland. The Ombudsman challenged Orlen's acquisition of regional press saying that the state-controlled media present a one-sided picture. In June 2022, however, the Court of Competition and Consumer Protection in Warsaw ruled that it would be up to consumers to decide whether or not they would continue to use the media taken over by state companies. The Ombudsman has appealed to the Prime Minister to amend the Competition Law to ensure that media freedom is protected. The Ombudsman stresses that no public authority has the authority to assess press market concentration from the point of view of media pluralism and freedom of obtaining and disseminating information. In his opinion, this is a serious gap in the legal order.

Serious competition for the independent press also comes from publications issued directly by local governments. For several decades article 10 of the Act on Communal Economy has been used for this purpose. According to it, a municipality may, outside the sphere of public utility, engage in "advisory, promotional, educational and publishing activities for the benefit of local government". Additionally under Art. 7 of the Act on Municipal Self-Government, the commune's own tasks include matters related to "promotion of the commune" and "support and dissemination of the idea of self-government". In practice, hundreds of publications are in competition with the regular press and sometimes publish advertisements. According to a

survey conducted by the Local Social Research Bureau on behalf of the Media Forum Foundation published in Dec. 2023, respondents make very little distinction between independent local media and local government publications. The ability to identify publications affiliated with the authorities was declared by only 17% of respondents.

Due to doubts about TVN's ownership structure, the state regulator (KRRiT) delayed the reconcessions for its channels TVN Seven and TVN 24. The ruling party prepared an amendment to the Broadcasting Law in 2021 that would have hit TVN directly and forced the owner to sell its majority stake in TVN. The ruling majority interpreted the Broadcasting Act in such a way that it accused Discovery of circumventing the law. TVN was at the time owned by a company registered in Holland, in fact controlled by the US group Discovery. Hence, it was alleged that the 'hidden' owner controlling TVN was a US and not a European company while TVN benefits from the regulations concerning European companies. In Dec. 2021, President Duda vetoed the amendment to the law. As of mid-2022, TVN is owned by Discovery Communications Benelux. However, when the KRRiT awarded the licence to another channel of this group, HGTV, in April 2023, it stated that it was still carrying out work in connection with the analysis of the ownership structure of TVN, which since 8 April 2022 has been owned by the US conglomerate Warner Bros Discovery, formed by the merger of WarnerMedia and Discovery. It was explained that "the proceedings conducted in this case are aimed at investigating the compliance of the capital composition of TVN S.A. with media law".

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

Poland has robust laws protecting journalistic sources. However, the United Right, which was in power since 2015, regularly put them to the test. A change in the political situation after the elections on 15 October 2023 in which the opposition gained the ability to form a government may change this situation. A journalist can be exempted from secrecy through litigation - with the possibility of appeal to the court – only in exceptional cases. However, this may not apply to data identifying the journalist's informants. The prosecutor's office has consistently demanded that Gazeta Wyborcza journalist Katarzyna Włodkowska reveal the name of an informant in the case she described about the background of the murder of former Gdańsk mayor Paweł Adamowicz. In October 2022, the Court of Appeals in Gdańsk legally removed her obligation of journalistic secrecy on the grounds of "the good of the administration of justice." However, the journalist refused to name the informant. Her fourth hearing took place on 29 November 2023. This time, she faces immediate imprisonment - depending on the provision used, from 30 days (Article 287(2) of the Code of Criminal Procedure) to five years (Article 239(1) of the Criminal Code), as she once again refused to provide an informant. The case took an unexpected turn in 2023 and Włodkowska sued the court for infringement of personal rights. As she wrote: "What is at stake here is not the welfare of justice, but an attack on journalistic secrecy and free media." In the written justification of the verdict in the Adamowicz murder case, the court accused the journalist of lying both in the article about the murder and in explaining to the court why she did not want to give an informant. "She gave the public a fictionalised state of affairs in order to build popularity capital on such a well-known and important story at the time," reads the justification revealed on www.press.pl The District Prosecutor's Office in Zielona Góra discontinued in the spring of 2022 the investigation of Gazeta Wyborcza journalist Piotr Bakselerowicz, whose laptop computer was seized by police under journalistic secrecy. He was suspected of sending criminal threats aimed at a Law and Justice politician. On October 2, 2021, police entered the journalist's apartment without a court order. The court rejected the newspaper's complaint against this action because the taking of the official laptop was authorised, admittedly after the fact, by the prosecutor. On 18 May 2023, the Ministry of Digitalisation confirmed an attack by Russian hackers on several Polish news websites. This is the subject of an alert on

the Council of Europe platform. Sites such as 'Gazeta Wyborcza', 'wPolityce', 'Super Express' and 'niezależna.pl' were affected. In an interview with Wirtualna Polska, Janusz Cieszyński, Minister of Digitalisation, admitted that his ministry knew about the attacks in advance and immediately passed on the warning to website owners.

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

5000 character(s) maximum

In recent years, journalists have drawn attention to the inadequate police protection during demonstrations. On 28 October 2020, Gazeta Wyborcza journalist Magda Koziol was hit in the stomach and thrown to the ground as she tried to film a group of 30 black-clad men during a woman's march in Wrocław. On 11 November 2020, several journalists and photojournalists were injured by police officers as they covered protests during the Independence March organised by far right and nationalist groups in Warsaw. Among those injured were Tomasz Gutry, a 74-year-old photojournalist who was shot in the face with a rubber bullet from a distance of several meters. Photojournalist Agata Grzybowska was accused of violating the bodily integrity of a police officer during a demonstration in 2020. On 26 October 2023, she was finally acquitted by the court. On 23 November 2020, 668 journalists and photojournalists from 189 media outlets appealed to the police to stop actions that impede the work of the media and thus restrict press freedom. In June 2021, the Ombudsman sent a letter to the Public Prosecutor's Office in which he stated that "the Ombudsman observes with concern information from traditional and social media about cases of physical violence used by police officers against journalists covering public gatherings." 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). The police often explain their actions with the desire to ensure safety. Only that the balance between this task and creating a safe environment for journalists has not been achieved. An example is an incident in October 2022 after which the ombudsman demanded an explanation from the police. A police officer, under Article 19(5) of the Law on Assemblies, ordered a TVN24 journalist to leave the demonstration only on the basis of a request from the demonstration organiser, to whom the journalist was trying to ask questions while accompanying him on his march. The ombudsman wrote to the police that, according to the law, an organiser can remove a participant only in 3 cases: if he or she violates the law with his or her behaviour, if he or she prevents the assembly, if he or she attempts to thwart the assembly. Not so for simply asking questions. However, the police decided that the organiser's request was justified. During a protest in Warsaw on 14 July 2023, a group of police officers brutally detained freelance photojournalist Maciej Piasecki while he was working, as can be seen in a video filmed by activists whose protest Piasecki was recording. No charges have been brought against him. In March 2023, the European Court of Human Rights communicated to the Polish government the complaints of Maciej Nabrdalik and Maciej Moskwa. The case concerns the brutal detention of photojournalists by Polish Army soldiers near the Polish-Belarusian border. During their detention they were handcuffed tightly for about an hour, until the police arrived. During this time, the soldiers, among other things, searched the car and looked through the contents of the memory cards of the journalists' cameras, even though the photojournalists had warned that they contained material covered by journalistic confidentiality.

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

According to the Act of 6 September 2001 on access to public information - this is any information on public matters. The right of access to public information includes: obtaining public information, inspection of official documents, admission to meetings of collegial bodies of public authorities coming from universal elections and obtaining up-to-date knowledge on public matters. Everyone has the right of access to public information. A request for information may only relate to public information that has not been made available in the Public Information Bulletin or the Central Repository. Access to public information should be guaranteed without undue delay, but no later than within 14 days from the date of the request. When this deadline cannot be met, the entity shall set a new deadline, but no longer than 2 months. Access to public information may be restricted due to: the protection of classified information, the protection of other secrets protected by law, the privacy of an individual or the secrecy of an entrepreneur (with the exception of persons performing public functions, when the information is related to the performance of such function or when the individual or entrepreneur waives their right). The authority refuses to release public information in the form of an administrative decision. A refusal decision is subject to appeal to a higher level authority. In practice, there are numerous violations of the Act, as the Supreme Audit Office reported in its 2023 report. These include delays of up to two and a half years in responding to a request for public information, leaving requests unanswered or incomplete information in the Public Information Bulletin. Many problems with obtaining public information are also seen by NGOs such as Watchdog Poland. It is about responding to these requests after the deadline or extending the deadline. Possible appeals are time-consuming - they can take many months. A lot of controversy has been stirred up by the restrictions introduced by the Polish authorities along the border with Belarus. Groups of refugees regularly try to enter Poland, but many are pushed out. Dead bodies have been found in the forest. Journalists have been unable to report on the situation after a ban on entry to the border strip, introduced through a state of emergency on 2 September 2021, and lasting until early December 2021. After that the ruling party subsequently amended the Law on State Border Protection, so that the interior minister imposed a ban on staying in the border area until the end of 2022. From 1 January 2023, the restrictions are regulated by another governor's decree - issued in September 2021, on the prohibition of staying in the entire section of the "border road strip" on the border with Belarus, i.e. on the external EU border. This ban does not apply only to owners of land lying in the border road lane. The Law on State Border Protection defines the 'border road strip' as an area 15 metres wide, counting inland from the state border line. The first president of the Supreme Court, whose appointment is being questioned for formal reasons, wants to try to limit access to information. Małgorzata Manowska wants the Constitutional Tribunal to review the constitutionality of the Act on Access to Public Information. The proposal strikes at the foundations of this law. The mere fact that it has been filed may mean that courts may delay in issuing their rulings pending the resolution of a legal question. Seventeen news outlets protested against her application to the tribunal filed in February 2021. The hearing was adjourned twice. By the time of writing this, no new date had been set. In October 2022, more than a dozen NGOs submitted proposals to politicians to amend the Access to Information Law. They propose, for example: real sanctions for avoiding openness, removing from laws provisions indicating that any information is not public information, eliminating the definition of public information which, in their view, leads to a narrowing of openness. The polarisation advancing in Poland was also manifested in the restriction of journalists' work. There are cases of public media workers (accused of passing government propaganda) not being allowed to attend meetings. There were also cases of private media being excluded from press meetings held by state-owned companies. The most important problems related to obtaining information by the journalistic community are, according to a Watchdog Polska report from December 2023: long response times to asking questions, laconic answers and the fact that just asking a question may have consequences (two journalists from Bielsko-Biała, including Mirosław Jamro, were charged with inciting police officers to reveal secrets, but on the recommendation of the general prosecutor the proceedings were dropped).

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

Article 212 is one of the more commonly used in SLAPP cases. Ordinary defamation is punishable by a fine or restriction of liberty. Qualified defamation by means of mass communication is punishable by a fine, restriction of liberty or imprisonment of up to one year. According to the Watchdog Polska organisation, SLAPP cases are severely underestimated. The difficulty in determining the scale of the phenomenon stems from a lack of awareness that a pending case may be a SLAPP case; a reluctance on the part of some to inform the public that such a case has been brought against them; and a feeling of intimidation. In reports prepared by the Coalition Against SLAPP in Europe (CASE), Poland is in the first place when it comes to the number of SLAPP lawsuits. The 2023 report states that 128 such cases were identified in Poland between 2013 and 2023. The daily newspaper "Gazeta Wyborcza" (owned by the Agora conglomerate) is one of the most frequently sued. In a summary provided to RSF in October 2023 by "Gazeta Wyborcza", it had 97 active civil cases and 8 criminal cases. All of them were brought against journalists and editors of the daily and the wyborcza.pl website, as well as the publisher (Agora SA) in connection with the publication of press articles (cases initiated by politicians, activists, administrative bodies, State Treasury companies and other entities associated/cooperating with the ruling camp for the period from November 2015). According to data provided to the Watchdog Polska organisation by the Ministry of Justice, in 2021, district courts convicted 158 people under Article 212 § 2 of the CC. A year later, in 2022, the figure was almost identical at 160 people. During this period, there has been a noticeable increase in the number of conditional discontinuations of proceedings, which may indicate that the courts are looking for less stringent solutions in some cases. This may be related to a growing awareness of the phenomenon of SLAPPs. Also noteworthy is the establishment of a Polish working group against SLAPP in September 2022, formed by Article 19 Europe, the ClientEarth Prawnicy dla Ziemi Foundation, the Helsinki Foundation for Human Rights, the All-Poland Federation of Non-Governmental Organisations, and the Watchdog Polska Civic Network (<https://hfhr.pl/aktualnosci/-razem-przeciwko-slapp>). The aim of the group is to support those affected by SLAPP, to work towards changing practice and legislation in Poland, and to analyse the phenomenon itself.

Other - please specify

5000 character(s) maximum

Ahead of the general election on 15 October 2023, Reporters Without Borders published 15 press freedom recommendations drafted in cooperation with Polish experts and media (<https://rsf.org/en/elections-poland-meetings-rsf-government-and-opposition-s-leading-candidates-commit-media-freedom>). It is crucial that for the sake of transparency and independence of the public media the government presents a mid-term roadmap of the reform of the public media and submits it to a public consultation involving experts and civil society. More specifically and in the context of the European Media Freedom Act, the restoration of the constitutional prerogatives and of the independence of KRRiT should be a priority.

RSF also asked the Polish authorities how they implemented the European Commission's recommendation on journalists' safety. The Polish culture ministry said it thought Poland's legislation already complied with many of the provisions in the European recommendation, and reported that it was currently at the stage of collecting data on the best practices of other state institutions responsible for applying the recommendation before considering legislative amendments designed to improve Poland's implementation. Based on the responses gathered from several countries, the RSF made its recommendations for protecting journalists (<https://rsf.org/en/member-states-must-do-more-implement-european-commissions-recommendation-journalists-safety>).

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

5000 character(s) maximum

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

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 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 of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

5000 character(s) maximum

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

5000 character(s) maximum

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

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

Follow-up by the public administration and State institutions to final (national/supranational, including the European Court of Human Rights) court decisions, as well as available remedies in case of non-implementation

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 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 for protection 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

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

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

Measures to foster a rule of law culture (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

Other - please specify

5000 character(s) maximum

Contact

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

