Regional 2025

Executive summary

For the sixth consecutive year, the overall situation for the rule of law across the Council of Europe region remains concerning. National Human Rights Institutions' (NHRIs) annual reporting shows a structural negative trend in the rule of law across Europe, which highlights the fundamental importance of more effectively addressing the challenges reported. Reflecting this, ENNHRI's report includes recommendations for action addressed to national and regional authorities and presents NHRIs' own actions taken to address the challenges identified.

For 2025, ENNHRI's report provides specific attention to the establishment, independence and enabling environment of NHRIs, which is essential for them to advance checks and balances and the rule of law. Further, the report focuses on the situation of civic space and human rights defenders, which are also crucial for a healthy rule of law. Finally, the report presents comparative information on justice systems and media freedom. In each national report, NHRIs have also highlighted specific rule of law or structural human rights issues they identify as important in their domestic context.

In the report, ENNHRI's members underline some progress, as well as new and persisting challenges affecting the rule of law.

NHRIs' establishment, independence and effectiveness

Across Europe there has been noteworthy progress concerning the establishment and international accreditation of NHRIs. Following the first-time accreditation of the Swedish NHRI with A-status, there are currently 29 European states with an A-status NHRI. The institutions in Switzerland and Liechtenstein have both applied for first-time accreditation. Also, the establishment of the NHRI in the Czech Republic, where a law was adopted expanding the Ombudsman mandate with an NHRI mandate, and the operationalisation of an Icelandic NHRI, is noteworthy progress. Limited progress was reported in Malta, where the Ombudsman presented to the government a proposal to expand its mandate to become the NHRI, and in Romania, where the government indicated that two institutions should be internationally accredited as NHRIs. Further, the High Commissioner for the Protection of Rights, Liberties and Mediation of Monaco joined ENNHRI in 2025, indicating its commitment to seeking NHRI accreditation in compliance with the Paris Principles.

There are currently seven European states with a B-status NHRI. Limited or no progress is reported on the NHRIs with B-status in Azerbaijan, Belgium, Hungary, Slovakia, Montenegro, Türkiye and North Macedonia. There are eight states in which a non-accredited ENNHRI member exists and has committed to taking steps towards accreditation (Andorra, the Czech Republic, Kosovo*, Liechtenstein, Malta, Monaco, Romania, and Switzerland). Furthermore, in Iceland, an institution has been recently established which works toward compliance with the Paris Principles. There are currently two Council of Europe Member States without an institution seeking compliance with the Paris Principles. No progress can be reported on the establishment of an NHRI in Italy, despite the European Commission's and ENNHRI's repeated recommendations, nor in San Marino.

Worryingly, NHRIs across Europe face increasing challenges that impact their effectiveness and operating space. Most reported is a lack of sufficient resources to carry out their broad and increasing mandates, as well as budget cuts. Further, an insufficient level of follow-up and response to NHRIs' recommendations is reported, even when legal obligations exist for state authorities to do so, which undermines NHRIs' effectiveness and reflects disregard for the rule of law. In line with the generally deteriorating situation for the rule of law and independent checks and balances, NHRIs across Europe also face a rising number of intimidation, threats and attacks with one in four European NHRIs reporting this in relation to the past year.

ENNHRI's key recommendations

ENNHRI calls on national authorities to respect and strengthen the enabling environment for NHRIs – to ensure adequate funding, to cooperate and follow up on NHRIs' recommendations, and to protect NHRIs from any form of intimidation, threats or attacks.

Further, ENNHRI calls on the last European states who have not yet established an NHRI, to advance on doing so, in line with international and regional requirements.

ENNHRI also calls on regional actors to support NHRIs' establishment and enabling space and to address specific threats to NHRIs with national authorities when they emerge, including at the highest political level.

Civil society space and human rights defenders

Shrinking space for civil society organisations (CSOs) and human rights defenders (HRDs) has again been confirmed and has further deteriorated. ENNHRI members raise serious concerns about laws and measures impacting on freedom of peaceful assembly and identified numerous cases of intimidation, harassment or violence before, during or after protests. NHRIs

also disclosed a worrying trend of limitations put on freedom of expression and freedom of association. The report also identifies serious obstacles for CSOs and HRDs to access funding, as well as shortcomings in their access to information and law- and policymaking processes. Last but not least, ENNHRI members identified a growing trend of negative attitudes, campaigns and stigmatisation of CSOs and HRDs, criminalisation of some of the work of HRDs, as well as attacks, threats and legal intimidation through SLAPPs against these actors. Some groups are especially impacted, including environmental defenders, women HRDs, and HRDs from LGBTQ+ community and other defenders of LGBTQ+ rights.

While the overall situation for civic space is reported to be negative, NHRIs carry out a variety of activities in support of CSOs and HRDs, in particular through monitoring and reporting, advising on (draft) laws impacting civic space, provision of legal assistance and individual complaints handling, and engagement with relevant international and regional protection mechanisms. At the same time, however, NHRIs report that dedicated HRD protection mechanisms, measures and laws with safeguards for HRDs are lacking in the large majority of European countries.

ENNHRI's key recommendations

ENNHRI calls on national authorities to prevent and address any undue restrictions on freedom of assembly, expression and association. National authorities should also ensure access of CSOs and HRDs to funding – including foreign funding (when sanctions are not in place) – and to set up dedicated national protection mechanisms for HRDs. These should include specific attention for groups specifically affected, as already mentioned above, in consultation and cooperation with NHRIs, other HRDs, and CSOs.

ENNHRI urges regional actors to strengthen their support for the protection and empowerment of CSOs and HRDs by consistently addressing the persistent challenges faced by them, including through dedicated follow-up with national authorities on the implementation of relevant regional judgments and recommendations. Regional actors, in particular the EU, should also offer a flexible and accessible financing framework for civil society organisations and human rights defenders at the European level, especially for those most at risk. Further, ENNHRI recommends the establishment and strengthening of regional HRD protection mechanisms to swiftly detect and respond to attacks and reprisals against HRDs.

Justice systems and the implementation of European Courts' judgments

Challenges affecting justice systems are widely reported, including delays in court proceedings, challenges to the independence and impartiality of the

judiciary, and obstacles in accessing legal aid. As for the latter, vulnerable groups have been especially affected, including survivors of domestic violence, persons with disabilities, asylum seekers and migrants, as well as women and transgender persons.

ENNHRI members also noted insufficient progress regarding the implementation of European Courts' judgments by state authorities. In some countries, NHRIs report that state authorities lack the political will to execute judgments of the European Court of Human Rights (ECtHR) or challenge the legitimacy of the ECtHR more broadly.

NHRIs provided examples of how they contribute to access to justice, including through legal assistance or individual complaints-handling, bringing third-party interventions, issuing reports and recommendations to address challenges identified. NHRIs also undertake actions to advance the implementation of European Courts' judgments. They raise awareness about the added value of execution of judgments for society and provide independent reports on the implementation of ECtHR judgments before the Committee of Ministers of the Council of Europe.

ENNHRI's key recommendations

ENNHRI underlines that national authorities should prioritise strategies, reforms and resources to ensure the efficiency of justice systems, to reduce the delay of proceedings, and to ensure access to legal aid, including for the most impacted groups. ENNHRI also calls on national authorities to strengthen and safeguard judicial independence, including by ensuring transparent and merit-based selection of judges, accountability and regulated dismissal processes.

National authorities should also implement regional actors' recommendations concerning justice systems and European Courts' judgments. The implementation of European Courts' judgments should be prioritised, particularly the execution of pilot and leading judgments of the ECtHR, because they reflect systemic challenges to the rule of law - especially when the importance of, or need for, implementation is challenged.

Media freedom

Numerous NHRIs reported on key challenges to media freedom, including harassment, threats and attacks against journalists and media outlets, strategic lawsuits against public participation (SLAPPs) as well as insufficient access to public interest information and documents. NHRIs also raise concerns over the spread of misinformation and disinformation, including by government authorities, and obstacles to the independence and effectiveness of media regulatory bodies.

NHRIs contribute to safeguarding media freedom in various ways. This includes

their monitoring and recommendations, providing advice on draft policies and laws, including on freedom of expression or access to information, through additional mandates (for instance, focal points on SLAPPs) or through following up on the implementation of judgments affecting media freedom and the protection of journalists.

ENNHRI's key recommendations

National authorities should introduce and enforce laws to protect journalists from threats and attacks. National authorities should introduce adequate measures to improve access to information as well as refrain from and effectively counter disinformation and hate speech, while ensuring respect for freedom of expression. National authorities should also ensure enabling space for independent and effective media regulatory bodies.

ENNHRI also recommends regional actors support the implementation of relevant European legislation, judgments and recommendations at the national level.

Regional 2025

ENNHRI's recommendations

Based on the findings of ENNHRI members, ENNHRI sets out the following detailed recommendations:

1. **ENNHRI invites regional actors to consistently address the rule of law backsliding, including in their recommendations, and to strengthen their implementation to effectively address the challenges identified across Europe, in consultation with NHRIs and civil society.**

More specifically, ENNHRI invites the Council of Europe and the European Union to:

- Ensure that rule of law recommendations fully address current rule of law challenges in a concrete, actionable and time-bound manner. Their implementation by national authorities should be monitored systematically to ensure effective follow-up with national authorities;
- Include the status of the implementation of rule of law recommendations as a regular topic of discussion and consideration in dedicated discussions and relevant forums, including at high political level, with the involvement of NHRIs and civil society in such dialogues;
- Undertake, when appropriate and available, enforcement actions in

case of persistent non-implementation of regional actors' rule of law recommendations.

2. **ENNHRI calls on national authorities to advance and regional actors to strengthen their support for the establishment of NHRIs and enabling space for NHRIs.**

Namely, ENNHRI calls on:

- National authorities to ensure adequate resources for NHRIs to carry out their mandate independently and effectively, as well as to ensure timely and reasoned responses and follow-up to NHRI recommendations, including by ensuring timely consideration and dialogue on NHRI reports with recommendations, and by introducing structured follow-up mechanisms;
- States with non-accredited institutions (Andorra, Czechia, Iceland, Liechtenstein, Malta, Monaco, Romania and Switzerland) and with B-status NHRIs (Azerbaijan, Belgium, Hungary, Montenegro, North Macedonia, Slovakia and Türkiye) to advance legislative and other measures to ensure an NHRI in full compliance with the UN Paris Principles and support the relevant institutions to seek A-status accreditation, including through meaningful consultation with ENNHRI's member in the relevant country and to make use of ENNHRI's technical advice in doing so;
- Italy and San Marino to advance on the establishment of an NHRI in compliance with the UN Paris Principles, including through technical support from ENNHRI;
- Regional actors to address structural issues affecting NHRIs' functioning;
- Regional actors to support NHRIs' establishment and enabling space and to address specific threats to NHRIs with national authorities when they emerge, including at the highest political level.

3. **ENNHRI urges regional actors and national authorities to take firm actions to protect civil society organisations (CSOs) and human rights defenders (HRDs) from attacks and threats and to facilitate their sustainable funding.**

In particular, ENNHRI urges:

- National authorities to guarantee freedom of assembly, expression and freedom of association, by preventing and addressing undue restrictions on the work of civil society organisations and HRDs, including through legislation, policy and practice;
- National authorities to enhance protection of civil society and human

rights defenders from attacks and threats, including by setting up dedicated national HRD protection mechanisms, in consultation with NHRIs and other HRDs nationally;
- National authorities to set up an accessible financing framework, including by eliminating any undue obstacles in access to funding, also from foreign sources (when sanctions are not in place);
- Regional actors to strengthen their support for the protection and empowerment of CSOs and HRDs by consistently addressing the persistent challenges faced by civil society and human rights defenders through dedicated recommendations and by strengthening and establishing regional HRD protection mechanisms to swiftly detect and respond to attacks and reprisals against HRDs. Such mechanisms should include specific attention for groups specifically affected (such as women HRDs, LGBTQ+ defenders, HRDs working on migration, and environmental defenders), as well as take into account NHRIs' mandate and role in supporting civil society space and protecting other HRDs.
- Regional actors to offer a flexible and accessible regional financing framework to support civil society organisations and human rights defenders.

4. **ENNHRI calls on national authorities to prioritise, and regional actors to closely monitor and support, the timely and effective implementation of European Courts' judgments.**

Particularly, ENNHRI calls for:

- National authorities to respect the binding nature of judgments of the European Courts and to ensure their timely and effective execution, including by engaging with NHRIs and civil society through dedicated and efficient institutional and procedural frameworks;
- The Council of Europe and the European Union to strengthen their follow-up with and support for national authorities to ensure the timely and effective implementation of European Courts' judgments;
- The Council of Europe and the European Union to develop procedures of the ECtHR and the Court of Justice of the European Union (CJEU), respectively, to strengthen meaningful consultation with NHRIs, and provide sufficient resources and capacity-building opportunities for NHRIs on the implementation of European Courts' judgments, including through ENNHRI.

5. **ENNHRI urges further efforts by national authorities and regional actors to ensure the effective and independent functioning of justice systems.**

ENNHRI urges that national authorities:

- Prioritise strategies, reforms and funds to ensure the efficiency of justice systems and to reduce the backlog and the length of proceedings;
- Prioritise safeguarding judicial independence, including by ensuring transparent and merit-based selection, accountability and removal processes;
- Ensure effective access to legal aid, including for specifically affected groups such as migrants, women or transgender persons, victims of domestic violence, persons with disabilities;
- Timely and effectively implement regional actors' recommendations as well as European Courts' judgments, including those concerning justice systems (particularly pilot and leading judgments of the European Court of Human Rights), by introducing or amending the relevant laws, policies and measures to ensure effective and independent functioning of justice systems.

ENNHRI recommends that regional actors:

- Duly monitor the implementation of relevant regional recommendations and judgments concerning the area of justice systems;
- Engage with state authorities to advance the implementation of relevant regional recommendations and judgments concerning the area of justice systems.

6. **ENNHRI calls for firm actions by national authorities and regional actors to safeguard media freedom.**

More specifically, ENNHRI calls on:

- National authorities to introduce and enforce laws to protect journalists from threats and attacks, improve access to information and ensure enabling space for independent and effective media regulatory bodies, as well as refrain from and effectively counter disinformation and hate speech, while ensuring respect for freedom of expression;
- National authorities to advance on the application and implementation of the regional legal framework, as well as recommendations, concerning media freedom;
- Regional actors to support the implementation of relevant European legislation, judgments and recommendations at the national level.

7. **ENNHRI calls on regional actors and national authorities to consistently address the systemic human rights violations across Europe and implement a human rights-based approach**

to drafting laws and policies.

ENNHRI encourages:

- Regional actors to recognise and consistently address the systemic nature of human rights violations and their impact on the rule of law;
- Regional actors and national authorities to adopt a human rights-based approach when developing draft laws and policies, including those addressing migration, security, and situations of (post-) conflict.

Regional 2025

Introduction

About ENNHRI and NHRIs

The European Network of National Human Rights Institutions (ENNHRI) brings together 50 member institutions across wider Europe. It provides support for the establishment and strengthening of National Human Rights Institutions (NHRIs), a platform for collaboration, solidarity, and a common voice for NHRIs at the European level to enhance the promotion and protection of human rights, democracy and the rule of law in the region.

NHRIs are state-mandated bodies, independent of government, with a broad constitutional or legal mandate to protect and promote human rights at the national level. NHRIs are established and function with reference to the UN Paris Principles and act as a bridge-builder between the state and civil society. NHRIs cooperate with a variety of civil society actors, and bring an accurate overview of the human rights situation, with recommendations to governments, parliaments and other state bodies.

NHRIs are unique because their independence, pluralism, accountability and effectiveness are periodically assessed and subject to international accreditation, carried out by the UN-supported Sub-Committee on Accreditation (SCA) of the Global Alliance of NHRIs (GANHRI) with reference to the UN Paris Principles. This accreditation reinforces NHRIs as key interlocutors on the ground for rights holders, civil society organisations, state actors, and international bodies.

NHRIs are a key pillar for the respect of human rights, democracy and the rule of law. Moreover, strong and independent NHRIs in compliance with the UN Paris Principles have become an indicator of a healthy rule of law. The vital role of NHRIs in upholding human rights and the rule of law has been recognised by a wide range of actors, including the European Union, the Council of Europe, and the United Nations. Such recognition is reflected in policy documents such

as the UN Human Rights Council's Resolution on NHRIs, the Council of Europe's Reykjavík Declaration of the 4th Summit of Heads of State, as well as the Council of Europe's Committee of Ministers' Recommendation on the development and strengthening of effective, pluralist and independent national human rights institutions. At the EU level, the crucial role of NHRIs is reaffirmed in the European Commission's annual rule of law reports, annual reports on the application of the Charter, EU Strategy to Strengthen the application of the Charter of Fundamental Rights in the EU, and the Council Conclusions, as well as in the field of external relations - within the EU Action Plan on Human Rights and Democracy, the EU Enlargement Package and the revised Eastern Partnership framework

Methodology of ENNHRI's rule of law and human rights reporting

Given their unique position as an indicator of the rule of law, independent and effective NHRIs also serve as reliable sources of information on the rule of law compliance on the ground. NHRIs are in a key position to contribute to the rule of law monitoring mechanisms given their broad human rights mandate, structural engagement with a variety of stakeholders, and the close interconnection between the rule of law, democracy and human rights. Such consistent engagement also enhances the effective follow-up to NHRIs' rule of law recommendations by relevant national, European and international actors.

Considering the above, ENNHRI has been coordinating NHRIs' joint engagement with European rule of law mechanisms, based on a common methodology. On the basis of this methodology, since 2020, ENNHRI has published joint annual reports on the state of the rule of law in the European Union and wider Europe. ENNHRI reports compile NHRIs' country-specific submissions focusing on national rule of law situations, as well as present an overview of common trends reflecting NHRIs' findings on the state of the rule of law across Europe. Thus, NHRIs' independent reporting based on a common approach provides comparative information and is of unique value to monitoring by regional actors of respect for human rights, democracy, and the rule of law across the region. Earlier this year, ENNHRI published its report focusing on the rule of law situation in the European Union (ENNHRI's contribution to the European Commission's rule of law report consultations). Later this year, ENNHRI will publish a dedicated report focusing on the rule of law situation in enlargement countries.

ENNHRI's reporting has successfully ensured its timely response to annual consultations by relevant counterparts (EU rule of law monitoring cycle, EU annual report on application of the EU Charter, Enlargement Package, UN Assistant Secretary-General report on NHRI reprisals). This has also been the basis for submissions to some specific thematic initiatives when they emerged

(more recently – the Council of Europe's Committee of Ministers review of the implementation of the Recommendation 2018/11 on the need to strengthen the promotion and protection of civil society space, European Internal Security Strategy, European Democracy Shield. In addition, ENNHRI's reporting has been used by ENNHRI members for their engagement with national actors to inform responses to the identified rule of law challenges.

ENNHRI's 2025 report – both the regional overview as well as country-specific chapters authored by ENNHRI members – covers the following topics:

- NHRIs' establishment, independence and effectiveness;
- Human rights defenders and civil society space;
- Justice systems (and the implementation of European Courts' judgments);
- Media freedom; and
- Other persisting challenges for the rule of law, including structural human rights issues.

The regional trends on all the above topics are included in the chapter on the overview of trends and challenges. Further information on all identified trends and more detailed in-country observations is included in the country reports. This year's report also provides a focus on gender aspects of rule of law challenges. In addition, in this report and its country chapters, NHRIs provided insights on the implementation of the ECtHR and CJEU judgments, focusing on the cases relevant to human rights and the rule of law. ENNHRI members in their country chapters reflected whether any progress in the effective follow-up by relevant authorities to such judgments had been made, building on the information already provided in last year's report.

Furthermore, in 2025, ENNHRI's report ensures more in-depth analysis on civic space and human rights defenders, with a view to feeding into regional developments as means to advance progress on the ground, including by dedicated initiatives undertaken by the Council of Europe as well as the EU. The findings will also support continued engagement towards stronger protection of Human Rights Defenders in Europe.

This report also provides a deepened analysis of NHRI establishment, independence and effectiveness to update ENNHRI's baseline report on NHRIs in the context of the upcoming review at the Council of Europe of the implementation of the Committee of Ministers Recommendation 2021/1 on NHRIs.

Through targeted annual rule of law reporting, ENNHRI enhances its engagement with regional stakeholders to encourage positive change for the rule of law, human rights, and democracy. Based on this reporting, ENNHRI contributes to regional policy and standard-setting, while strengthening NHRIs' capacity to uphold the rule of law and protect human rights. This year,

ENNHRI's joint reporting met almost a complete response rate from ENNHRI members. For those states without ENNHRI members, the ENNHRI Secretariat provided updates on NHRI establishment progress.

Regional 2025

Independence, effectiveness, resilience and establishment of NHRIs

International accreditation status and SCA recommendations

Since ENNHRI's last regional rule of law report, nine NHRIs were reviewed by the GANHRI Sub-Committee on Accreditation (SCA). The NHRIs in Armenia, Denmark, Estonia, Finland, Georgia, and Greece were reaccredited with A-status, while the Swedish NHRI was accredited for the first time also with A-status, demonstrating full compliance with the Paris Principles. The reaccreditation of the Albanian and French NHRIs was deferred to the second SCA session in 2026.

In October 2025, four further NHRIs will be considered by the SCA, including the reaccreditation of the NHRIs in Bulgaria, Croatia, and Latvia. In addition, the NHRI in Liechtenstein will undergo accreditation for the first time.

Currently, across Europe, there are thirty-one A-status NHRIs, eight B-status NHRIs (Azerbaijan, Belgium (2), Hungary, Montenegro, North Macedonia, Slovakia, and Türkiye). There are eight states in which an ENNHRI member exists and has committed to taking steps towards accreditation (Andorra, the Czech Republic, Kosovo*, Liechtenstein, Malta, Monaco, Romania, and Switzerland). In Iceland, an institution has been established which works toward compliance with the Paris Principles. There are only two states without an institution working toward compliance with the Paris Principles (Italy and San Marino).

There has been concrete progress in states without an accredited NHRI. In Czechia, the legislative basis of the Czech Public Defender has been strengthened and expanded to include a broad human rights promotion and protection mandate. The Parliament and the President approved the legislation in March 2025 and it came into force in July 2025. The legislation could pave the way for the future international accreditation of the Public Defender as an NHRI.

In November 2024, the Maltese Ombudsman institution presented a new proposed bill amending the Ombudsman Act, following technical advice on

relevant international standards from ENNHRI, with the goal of strengthening its compliance with the Paris Principles and ensuring the establishment of an NHRI in Malta. However, at the time of reporting, there has been no substantive engagement from national authorities on the proposed bill.

In Romania, the Romanian Institute for Human Rights and the Romanian Ombudsman institution have both applied for accreditation. The applications are pending policy guidance from the GANHRI Bureau on clarifying the application of Rule 6.3 of the SCA Rules of Procedure, regarding applications by more than one NHRI in a UN Member State.

In Switzerland, the Swiss Human Rights Institution was established with the intention of being the NHRI, in compliance with the Paris Principles. The institution began operations in early 2024 and has formally applied to the SCA for accreditation. The institution's compliance with the Paris Principles will be considered in the first session of 2026.

In 2025, the High Commissioner for the Protection of Rights, Liberties and for Mediation from the Principality of Monaco became an ENNHRI member, and in doing so committed to taking steps to full compliance with the Paris Principles and future accreditation.

Given these developments, Italy and San Marino are now the only Council of Europe Member States in which there is no institution either accredited as an NHRI or working towards compliance with the Paris Principles with a view to NHRI accreditation.

Regarding Italy, ENNHRI is aware that there are several legislative proposals for discussion at the level of the Chamber of Deputies and has engaged in public events organised by academia and civil society in Italy about these proposals. However, these proposals have been pending for several years, and there continues to be no clear indication of a legislative proposal establishing an NHRI being close to adoption.

Concerning San Marino, in 2018, the UN Human Rights Committee recommended that San Marino establishes an NHRI in conformity with the UN Paris Principles. On that occasion, San Marino informed that it did not envisage the establishment of an Ombudsman or NHRI in the country, due to its small size. It informed the Committee that some functions performed by the Ombudsman institution have been traditionally conferred upon the Captains Regent of the Republic of San Marino. There have been no developments since then in relation to the establishment of an NHRI in San Marino.

In seven countries in the ENNHRI region, B-status NHRIs are in place. In Belgium, there are two B-status NHRIs: the Federal Institute for the Protection and Promotion of Human Rights (FIRM-IFDH) and the Interfederal Centre for Equal Opportunity and Fight against Racism and Discrimination

(UNIA). Unia has been accredited with B-status since May 2018. In March 2023, the newly established FIRM-IFDH was also accredited with B-status. Legislative changes have been introduced in April 2024 strengthening FIRM-IFDH's mandate, including for greater compliance with the Paris Principles. Both the 2025-2029 Federal Government Agreement and the 2024-2029 Flemish Government Agreement mention that the governments will aim for A-status through a cooperation agreement.

In Montenegro, a working group consisting of experts from various fields, including representatives of the executive, legislative and judiciary branches as well as representatives of CSOs and the NHRI, has concluded work on a draft law on the NHRI, expected to be adopted in 2025. The draft law seeks to follow up on the SCA's recommendations, and if adopted, could strengthen the institution's compliance with the Paris Principles.

In North Macedonia, the Ombuds institution has held B-status since 2011. The NHRI has proposed amendments to its enabling legislation several times in the last years, however, these amendments have not been taken forward by national authorities. ENNHRI has supported both institutions in proposing amendments to their enabling laws.

In Slovakia, the Slovak National Centre for Human Rights has been accredited with B-status since March 2014. The Centre has strengthened its compliance with the Paris Principles through internal rules and practice and has been advocating with state authorities for its legislative framework to be strengthened. However, no changes to its enabling framework have been made so far, which would broaden its mandate to be an NHRI in full compliance with the Paris Principles.

In Hungary, the NHRI was downgraded from A-status to B-status in March 2022. The mandate of the NHRI has been extended since, including in 2024 with the protection of the rights of persons with disabilities and whistleblowers.

Follow-up to international and European actors' recommendations on NHRIs

NHRIs' reports point to the **need for input and action by other actors to achieve full implementation of SCA recommendations**. While some recommendations call for practical adjustments to the work of an NHRI and can be implemented unilaterally by the institution itself, others require action by the national parliament or government. NHRIs are encouraged by the SCA to advocate for national authorities to take steps towards realising its recommendations. NHRIs reported doing so, for example, in Albania, Bosnia and Herzegovina, Belgium (FIRM-IFDH), Germany, Greece, Great Britain, Luxembourg, Montenegro, North Macedonia, the Netherlands, Sweden, Türkiye and Ukraine, among others.

Some NHRIs have reported recent or upcoming legislative amendments specifically following up on SCA recommendations. For instance, the Albanian NHRI is currently drafting a new law to bring the institution's enabling law more closely in line with the Paris Principles and initiated the public consultation procedure about the proposed legislation. Furthermore, the Slovenian NHRI reported that the SCA recommendation on financial independence had been implemented by amendment to the enabling law, in line with the Constitutional Court's decision.

ENNHRI plays a key role in supporting NHRIs to advocate towards national authorities to strengthen NHRIs' enabling environment and for its legislation to comply with the Paris Principles. In addition, other regional actors, such as the Council of Europe, the European Commission and other EU institutions, could liaise with NHRIs to understand their needs in this regard and support effective change.

In cases where the implementation of SCA recommendations requires actions by national authorities, such as through legislative reform or allocation of additional resources, regional actors such as the Council of Europe and EU institutions, could further encourage national authorities to implement relevant SCA recommendations. It is important that regional actors engage and discuss with the relevant NHRIs the best avenues to support them in the implementation of SCA recommendations.

Regarding the follow-up to **the European Commission's country-specific recommendations in its annual rule of law report**, significant progress has taken place in the Czech Republic, where the draft law on the establishment of the NHRI was adopted and came into force in July 2025. Furthermore, some efforts were identified in relation to the establishment of NHRIs in Malta and Romania. Yet, these are mainly at the initiative of existing institutions rather than through action at the level of state authorities.

Last year, the European Commission in its annual rule of law report reiterated its recommendation to Croatia to further improve the follow-up to recommendations and ensure a more systematic response to information requests of the Ombudswoman. The Ombudswoman of Croatia noted some progress in this regard, while highlighting that the institution's 2022 and 2023 annual reports have still not been discussed by the Parliamentary plenary and that further actions by state authorities are needed to fully implement this recommendation. As the overview of trends shows, the lack of timely follow-up and systematic response to NHRI recommendations is a challenge common to many NHRIs in Europe. The regional actors could consider more consistent attention for this challenge in their actions – for instance the European Commission could further focus on this issue in its upcoming Rule of Law Report and the Enlargement Package.

In follow up to the **European Commission's enlargement report**, in Montenegro, a working group within the relevant ministries was established to amend the enabling law of the NHRI to strengthen its compliance with the Paris Principles, and a draft law has been proposed to the Parliament. In North Macedonia, the NHRI has several times proposed amendments to its law in follow-up to the Commission's recommendation to strengthen the institution's legislative framework, and to implement the SCA's recommendations. However, these have not been followed up by the state.

Regulatory framework

A number of ENNHRI members reported on the changes to their regulatory framework. Some ENNHRI members pointed to developments aiming to strengthen their mandate. This includes an amendment to the enabling law of the Estonian NHRI, which reported changes that will allow the institution to discuss its budget allocation directly with the Parliament, rather than through the government, strengthening its budgetary independence. Further, in Scotland, the NHRI was granted the power to intervene and take own-name cases in certain circumstances concerning the UN Convention on the Rights of the Child. The Moldovan NHRI's mandate has been extended to receive complaints from legal entities. The NHRI from Great Britain has been granted powers to take enforcement action in case of failure by organisations to take reasonable steps to prevent sexual harassment.

In 2024, NHRIs have also been given **new mandates**. The NHRIs from Belgium (FIRM-IFDH), Bosnia and Herzegovina, and the Netherlands were named National Preventive Mechanisms (NPM), while there are ongoing legislative amendments seeking to strengthen the role of the Latvian NHRI in its NPM functions. The NHRI from Liechtenstein has been appointed as the monitoring body under the UN Convention on the Rights of Persons with Disabilities (CRPD). The Lithuanian NHRI became a National Rapporteur on trafficking in human beings.

Several new mandates stem specifically from EU legislation, which envisages a specific role for independent national bodies. For example, ENNHRI is aware that 18 ENNHRI members from EU Member States have been appointed as national authorities protecting fundamental rights in the use of high-risk Artificial Intelligence (AI) systems under Article 77 of the AI Act. In addition, the Moldovan and the Polish NHRIs were mandated as whistleblower protection bodies. Further, the Belgian NHRI's (Centre for Equal Opportunities and Opposition to Racism - Unia) antidiscrimination mandate has been widened, while the Danish NHRI has been mandated to monitor gender balance in corporate bodies.

At the same time, some ENNHRI members were not given additional roles despite their readiness to undertake a new mandate – this was the case for the

Luxembourgish NHRI to be appointed fundamental rights body under EU AI Act, as well as the other Belgian NHRI (Unia) also to be allocated the mandate of the NPM. The NHRI from Armenia, since 2019, has been advocating for receiving an equality body mandate. While the NHRI has actively participated in working discussions of the legislative package put forward by the National Assembly in 2024, which includes a proposed amendment providing the NHRI with the equality body mandate, the proposed amendment has not been adopted yet.

Moreover, in several cases, while additional competences have been conferred upon NHRIs, these have not been accompanied by additional financial and human resources, contrary to international and regional standards on NHRIs, and exacerbating the already challenging budgetary situation for many NHRIs.

NHRIs across European countries highlighted the importance of ensuring that any additional mandate(s) for NHRIs are appropriately reflected in law and are met with adequate additional resources. This includes in relation to national mechanisms on trafficking (Germany, Slovenia) and gender-based violence (Germany), NPM (Belgium - FIRM-IFDH, Ireland, Ukraine), the independent monitoring mechanism under the CRPD and the Ombudsperson for Children (Slovenia), and generally for multiple mandates (Bosnia and Herzegovina).

Numerous ENNHRI members stressed that **further efforts by state authorities are needed to strengthen the NHRI regulatory framework**. In many cases, NHRIs amplified the recommendations made by relevant international and European actors, such as the European Commission, the Council of Europe and GANHRI's Sub-Committee on Accreditation (SCA). This is particularly relevant for NHRIs without accreditation or with B-status accreditation.

In Moldova, Montenegro, North Macedonia, Slovakia, Slovenia, Sweden, Switzerland and Türkiye, ENNHRI members highlighted the relevance of bringing their enabling law into full compliance with the UN Paris Principles, in line with SCA recommendations. The NHRI in Luxembourg, notably, is advocating for a change to its enabling law in follow-up to SCA recommendations, to ensure its accountability to parliament rather than government, and thereby strengthening its independence. The NHRI from North Macedonia raised concerns over the Parliament's failure to adopt long-awaited amendments to the Law on the Ombudsman. In Albania, the NHRI took the initiative to draft a new Law on the People's Advocate, aiming to align it with SCA recommendations, international standards and best practices.

Similarly, the Scottish NHRI called on the state authorities to make amendments to its enabling law, including provisions to strengthen its powers, to recruit more members of the Commission, and to promote greater pluralism in line with the Paris Principles. The ENNHRI member from Switzerland

highlighted that it should have the mandate to carry out investigations in specific cases, which would allow the institution to work on individual cases. Legislative amendments to the NHRIs' regulatory frameworks have been proposed in Montenegro (through a dedicated working group under government), and in Ukraine (at the initiative of the NHRI), and remain under consideration. In Moldova, the NHRI has recommended changes to its law, in follow-up to the SCA's recommendations, particularly to strengthen the functional immunity and protection for the institution and its staff.

In addition, ENNHRI members in Malta and Romania are advocating for significant legislative changes in relation to independence safeguards and a broad mandate to pave the way for international accreditation of their institution.

A significant challenge in relation to NHRIs' legislative frameworks relates to **selection and appointment processes of NHRIs' leadership**. Particularly, the NHRIs from Lithuania, Slovenia, and Sweden highlighted the importance of legislative changes that would implement the SCA's recommendations to ensure a participatory and transparent selection and appointment of their decision-making body. The Lithuanian, Swedish and Polish NHRIs highlighted the relevance of legislative changes to clarify the grounds and process for dismissal of the NHRI decision-making body. In Slovenia, amendments to the legislation regarding the selection and appointment process remain pending, while the selection of a new Ombudsperson has been ongoing for several months following the end of the previous office-holder's mandate. The institution has advocated extensively to ensure that the amended proposals implement the SCA recommendation for a more merit-based, transparent, and participatory selection and appointment process.

After years of delay in the appointment of a new head of institution, caused by the lack of political consensus on the head of institution election, the Albanian NHRI strongly advocated that this should be addressed. Similarly, in North Macedonia, the significant delays in filling in positions of several deputy Ombuds should also be addressed. These delays in appointments persisted throughout the year, namely due to a lack of coordination by the Parliament and delays caused by the national elections.

Various NHRIs reported sufficient legal provisions protecting heads of institution and staff from legal liability for official acts taken in good faith (functional immunity). However, some NHRIs, including in Luxembourg, pointed to the need to strengthen the overall national protection framework, for example, through additional policy or legislative measures that would protect NHRIs from other attacks and threats. The Moldovan NHRI has advocated for amendments to strengthen provisions protecting the NHRI and its staff from civil and criminal liability for their work. In addition, in Bosnia and Herzegovina, the NHRI highlighted the gaps in the implementation of protection measures

concerning threats against the NHRI.

Enabling and safe space for NHRIs

The majority of ENNHRI members confirmed that state authorities in their respective countries have a generally **good awareness of the NHRI mandate, independence and role**. However, shortcomings in this regard are reported in several states. NHRIs from Albania, Denmark, Greece, Montenegro, the Netherlands, Scotland, Serbia, Slovenia, Sweden and Switzerland underlined that recognition and understanding of the NHRI's role among state authorities could be improved; while NHRIs from Finland, Ireland, Lithuania, North Macedonia and Switzerland noted low awareness. The Finnish NHRI explained that authorities have difficulties in understanding the NHRI's position and its broad mandate.

NHRI's **access to information, and to law and policymaking processes,** is overall good in numerous European countries. It seems that this overall positive reflection correlates with relatively good awareness by state authorities of the NHRI's role. At the same time, around one in four ENNHRI members identified obstacles in access to information and decision-making processes, including in Albania, Belgium, Bosnia and Herzegovina, Greece, Kosovo*, Lithuania, Luxembourg, North Macedonia, Scotland, Slovakia and Ukraine, where state authorities are not obliged to ask NHRIs to provide opinions on legislative drafts, and NHRIs often are not asked to submit information during legislative and policy processes. In this regard, the NHRI from Bosnia and Herzegovina underlined that further efforts by state authorities were necessary to ensure systematic consultation with the NHRI on draft laws and policies with human rights impact, while the Greek NHRI more specifically pointed out the need to introduce a standing invitation for the NHRI to join the Parliamentary debate on the draft laws with a human rights impact.

Several NHRIs reported obstacles to accessing information and legislative consultation processes, such as in North Macedonia, where the NHRI was not invited to provide its opinion on the draft laws with human rights implications, in Moldova, where sometimes the draft laws are not published on governmental websites, or when these relate to politicised topics, including, for example, the rights of migrants (Netherlands). The Northern Ireland NHRI recommended that access to law- and policymaking processes could be further improved by law and policy makers systematically carrying out and publishing human rights impact assessments. Moreover, the NHRIs from Belgium (Unia) and Latvia reported on the obstacles to access to the courts' data.

In situations where NHRIs submit recommendations to legislative or decision-making processes, several NHRIs have reported insufficient engagement from national authorities with the NHRI's substantive information and recommendations. This trend was identified by NHRIs from Belgium, France,

Georgia, Ireland, Luxembourg, North Macedonia and Sweden, while the NHRIs from Albania, Finland and Slovenia reported short and overlapping consultations hindering the possibility of meaningful engagement in the process.

The **lack of adequate resources** for NHRIs to carry out their mandate appears to be the most consistently recurring problem in the vast majority of European countries. Only around one in five ENNHRI members informed that they considered their budget adequate (in Austria, Azerbaijan, Cyprus, Estonia, Georgia, Hungary, Kosovo*, Latvia, Norway, Portugal and Spain). The significant majority of ENNHRI members reported that the resources provided to their institutions were not sufficient to fulfil the breadth of their mandates. In some cases, the situation of NHRIs even worsened due to budgetary cuts, such as in Belgium (Unia) and France. In North Macedonia, funding cuts have led to a seriously inadequate budget, resulting in significant staff shortages. The NHRI in Great Britain reported that its financial autonomy should be strengthened. The Swedish NHRI has requested that its funding increases to meet the levels foreseen by the preparatory works to the enabling law and for its operations to reach full capacity.

Some NHRIs reported that their budgets were overall adequate to perform their core functions yet underlined that they should be increased to ensure that the NHRI can effectively fulfil its increasing responsibilities and additional mandates (including those stemming from international treaties and the EU acquis) as well as to continue to progressively improve their operations (Armenia, Denmark, Croatia, Finland, Montenegro, Sweden and Türkiye).

This year's ENNHRI report also confirms **widespread challenges in follow-up by state authorities to NHRI recommendations**. In some European countries, state authorities failed to provide responses to ENNHRI members' recommendations, including in Belgium, Bosnia and Herzegovina, the Czech Republic, Ireland, Luxembourg, Montenegro, North Macedonia, Romania and Sweden. In North Macedonia, the Parliament failed to adopt a legal amendment that would ensure state authorities' obligation to follow up on the NHRI's recommendations and report back on the progress. The non-implementation of NHRIs' recommendations also posed a significant issue across Europe.

In numerous countries, there are no specific measures in place to ensure state authorities' timely and reasoned responses to recommendations issued by NHRIs – this is the case in Bosnia and Herzegovina, Denmark, Finland, France, Germany, Liechtenstein, the Netherlands, North Macedonia, Romania, Slovakia and Sweden. In North Macedonia, the Parliament failed to adopt a legal amendment that would ensure state authorities' obligation to follow up on the NHRI's recommendations and report back on the progress. In almost half of European countries, state authorities are legally obliged to respond to NHRI's recommendations or inquiries). In Belgium, the NHRI (FIRM-IFDH) may request

a written explanation on the follow-up to its recommendations by relevant bodies. Yet, even when such a legal obligation is in place, challenges are reported, such as in Northern Ireland (concerning the Windsor Framework) and Slovenia.

Some progress can be noted in relation to practices by states to follow up on NHRI recommendations. It is worth noting that in Croatia, the government established a new methodology to track the implementation of recommendations issued by the NHRI, following up on the European Commission's recommendation. In Armenia, Azerbaijan, Bosnia and Herzegovina, Estonia, Greece, Moldova and Serbia, the NHRIs themselves established a dedicated mechanism (a database, within the annual reporting or through special reports) collating their recommendations and assessing progress in their implementation by state actors in a systematic manner. In Albania and Kosovo*, such mechanisms to track the implementation of the NHRI's recommendations were established by state authorities. An improvement of state authorities' follow-up or a high level of implementation of NHRI's recommendations was reported only in a handful of European countries, namely Austria, Cyprus, Finland, Hungary, Latvia and Serbia.

Numerous NHRIs' reports confirm that NHRIs are facing increased **intimidation, threats and attacks, with one in four European NHRIs reporting this.** This aligns with the overall trend of challenges to the rule of law and shrinking space for human rights actors, which has been accompanied by rising rhetoric against NHRIs and their work. Online attacks and hate speech against the NHRI were recorded by the NHRIs in Armenia, Bosnia and Herzegovina, Croatia, Luxembourg and Slovakia, while the Croatian, Montenegrin and Polish NHRIs reported on written threats addressed to them. The Dutch NHRI reported on hostile emails and comments on social media in response to the NHRI's position on specific issues. In several cases, these threats are related to work undertaken by the institution to address specific human rights issues in the country, including rights of LGBTQ persons or migrants. In some instances, the mandate of NHRIs was questioned by state authorities. This was the case in Moldova, where the NHRI faced threats of legal actions against it by authorities following the publication of the NHRI's report identifying the violation of international standards by the police in a specific case. In Armenia, certain political actors obstructed the activities of the NHRI, including by encouraging people not to engage with the NHRI.

In Croatia and Kosovo*, a persistent lack of consideration by the Parliament of the NHRI's annual reports (or even voting against it as in the case of Kosovo*) can also be perceived as threats and undue pressure. In Belgium, state authorities have been attempting to undermine the independence or effective functioning of one of the NHRIs (Unia) through significant budget cuts. NHRIs from Germany and Luxembourg faced threats from far-right political parties.

In the context of threats and attacks on NHRIs, it is important to note that the majority of ENNHRI members reported that while there were measures in place to safeguard functional immunity of NHRI leadership, there continued to be a lack of specific measures to more holistically protect NHRIs, and their staff from other forms of threats, attacks and harassment.

Regional 2025

Human rights defenders and civil society space

Civil society organisations and human rights defenders play a vital role in a healthy system of checks and balances. NHRIs are human rights defenders, and they also have the mandate to promote and protect other human rights defenders. Each year, numerous reports by relevant stakeholders, including civil society organisations and NHRIs, point to the ongoing shrinking space for civil society actors. This year's ENNHRI report prioritises this topic to provide relevant information on the current challenges affecting the enabling space for civil society.

Laws, measures and practices negatively impacting civil society and human rights defenders

Reports from ENNHRI members confirmed the worrying trend of further shrinking space in which civil society organisations (CSOs) and human rights defenders (HRDs) function. ENNHRI members identified many laws and measures negatively impacting CSOs and HRDs across Europe.

Numerous NHRIs' reports confirm that laws and measures affecting the full realisation of **freedom of peaceful assembly** are becoming pervasive across Europe. The NHRIs from Belgium, Finland, Georgia, Great Britain, Luxembourg, the Netherlands and Switzerland reported on ongoing legislative proposals or adopted legislative amendments limiting freedom of assembly. In Georgia, the law included vague and disproportionate limitations to peaceful protests (such as administrative detention), while in Bosnia and Herzegovina, according to the NHRI, the laws failed to fully protect freedom of assembly. In Poland, freedom of assembly was affected by the temporary ban on staying in a specific area in the border zone with Belarus, and in the Netherlands, assemblies were banned by emergency ordinances issued by local authorities, each of which raise concerns over their proportionality. In Türkiye, the NHRI observed the interruptions of demonstrations. In Slovakia, limitations on freedom of assembly were introduced in the name of national security, while in Sweden, such measures were proposed in a draft law.

NHRIs from Albania, Armenia, Belgium, France, Georgia, Germany and Poland identified disproportionate use of force and measures by law enforcement during assemblies. For instance, in Armenia, the NHRI raised serious concerns over the use of stun grenades, and violation of procedural rights of persons deprived of liberty. In Belgium and Germany, the assemblies in support of Palestine were particularly targeted by relevant authorities. In Scotland some student assemblies in support of Palestine were subject to restriction by university authorities. In Northern Ireland, the NHRI found that legislative gaps in addressing hate crimes also indirectly affected the safe exercise of freedom of assembly, in particular by vulnerable groups.

European NHRIs also identified many cases of **intimidation, harassment or violence against protesters before, during or after protests**. For example, this was a case in Montenegro and Northern Ireland. In Albania, Armenia, Croatia, Finland, France, Georgia, Poland and Slovenia, NHRIs reported that excessive use of force was used against protesters by law enforcement, while in Croatia – the excessive force was also used by private security companies. In Armenia and Georgia, the use of disproportionate measures by authorities led to mass and arbitrary arrests, and in Georgia there was evidence of targeted individual assaults against protestors. In the Netherlands, the NHRI reported on allegations of violence, which are under investigation. NHRIs reported that certain groups were specifically targeted: environmental defenders in Croatia, Finland, Germany, and France; and, in Lithuania and Slovakia, LGBTQ+ activists and individuals. In certain countries, NHRIs also raise concerns over the use of surveillance technologies by state authorities during protests, such as in France and the Netherlands.

Reports from European NHRIs revealed that **freedom of expression** was also widely under pressure. This was a case in Belgium, Bosnia and Herzegovina, Croatia, Denmark, Georgia, Germany, Luxembourg, Moldova, the Netherlands, Northern Ireland, Slovakia and Poland. In the Netherlands, the NHRI reported on the proposals for such measures impacting freedom of expression, especially in the context of the right to peaceful protests. In Denmark, Danish law does not provide for sufficient protection of public servants in relation to them exercising freedom of speech, while in Georgia, limitations to free speech were identified. In Northern Ireland, outdated blasphemy laws had a chilling effect on freedom of expression. The reports also revealed challenges in ensuring the balance of rights: while in Belgium hate speech to some extent remains unpunished, in Germany, the measures introduced to address online disinformation and hate speech might lead to unlawful content removal and a precarious lack of transparency. Further, in Bosnia and Herzegovina shortcomings in relevant legislation were reported; in Türkiye, broadcast bans; and in Moldova; gaps in checks and balances resulted in undue restrictions on freedom of expression.

In a number of European countries, ENNHRI members recognised worrying

limitations **on freedom of association**. In some countries, the obstacles concerned burdening bureaucracy (Romania), authorities specifically hindering trade unions' activities (Albania, Kosovo*, North Macedonia) or difficulties in access to relevant documents (Luxembourg, Poland), which impact the activities of CSOs. One of the most far-reaching restrictions on freedom of association were introduced in Georgia following the adoption of so-called foreign agents law. In other countries, NHRIs identified attempts to hinder the functioning of CSOs. This was a particular case in France, where the grounds for dissolution of associations were broadened by a law; in Slovakia, where the attempts to introduce a 'foreign agent' law were undertaken; in Greece, where the excessive registration requirements for CSOs persist, and in the Netherlands, where new measures affecting the representation of associations have been proposed. In several countries, such as Albania, Belgium, Croatia and Slovakia, NHRIs observed **harassment in the form of excessive administrative controls and audits**.

NHRIs also emphasised that there were attempts to criminalise the activities of organisations addressing climate change (in Germany) and categorise organisations as 'terrorist' organisations (in Belgium). In this vein, it is worth noting that the overall trend of **criminalisation of work of human rights defenders** was identified by NHRIs in Belgium, Bosnia and Herzegovina, Croatia, Germany, Slovakia and Ukraine.

ENNHRI members stressed that civil society organisations and human rights defenders faced **serious obstacles in access to funding** across Europe. These challenges concerned, for instance, a lack of sufficient funding (in the Czech Republic, Poland and Romania) or reductions in available public funding (in Croatia, Finland, France, Germany, Ireland, Northern Ireland and Sweden). In Finland, the radical cuts in the funding of CSOs took place in the context of austerity measures introduced. In Slovakia, there were attempts to limit CSOs' access to foreign funding, while in Georgia this worrying limitation was implemented through legislation.

In the Netherlands, a proposed law has been under a drafting process and potentially would limit access to funding for civil society. In Belgium, Croatia and Estonia, the obstacles in the availability of funding reported were of an administrative nature; in Belgium (in the region of Flanders) due to a requirement for CSOs to apply for funding every 5 years; in Croatia due to late payments to CSOs; and in Estonia due to financial gaps caused by delays in public calls. The Scottish NHRI has heard reports from CSOs in receipt of Scottish Government funds that they feel social pressure to limit their criticisms or are perceived to have done so because they receive Government funding.

In many European countries, NHRIs also reported on **shortcomings in access to information, and to law- and policymaking processes** for civil society.

The shortcomings in ensuring meaningful public consultations were particularly identified in Croatia, Estonia, Finland, Kosovo*, Lithuania, Luxembourg, the Netherlands, North Macedonia, Poland, Romania, Slovakia, and Sweden. For instance, in Estonia, Finland and Romania, ENNHRI members noted short deadlines for public consultations, while the NHRIs from Croatia and Lithuania emphasised the lack of due consideration of the proposals provided by CSOs. The ENNHRI members from Kosovo*, Luxembourg, Slovakia and Sweden revealed an overall reluctance of state authorities to engage with CSOs within consultation processes.

Similarly, in numerous countries, European NHRIs identified obstacles in access to information by CSOs, as evidenced in Belgium, Bosnia and Herzegovina, Croatia, Estonia, Finland, Luxembourg, Moldova, Poland, Scotland, Slovakia and Ukraine. These could be caused by a new potentially arbitrary notion of ”extensively excessive” search for information carrying a fee (in Slovakia) or fees imposed on information on paper exceeding 20 pages (Moldova); refusal of access to certain premises (in Croatia and Poland); gaps in legislative basis to enable access to information (Bosnia and Herzegovina); long and complex procedures required to access official documents and difficulties in challenging refusals (in Belgium); and insufficient accessibility of information for linguistic minorities, as well as restrictions and obstacles in access to information due to war (Ukraine).

The shrinking space for civil society organisations and human rights defenders has been made worse by the **growing negative attitudes, orchestrated campaigns and stigmatisation** of these actors by state authorities and the wider public. This was particularly the case in numerous European states – such as Albania, Belgium, Croatia, Finland, Georgia, Germany, Lithuania, Moldova, Montenegro, the Netherlands, Northern Ireland, Slovakia, Slovenia and Sweden. For instance, in Georgia, Moldova, Slovakia and Sweden, orchestrated smear campaigns and/or threats against civil society actors were detected. In Albania and Slovenia, the negative attitudes towards CSOs were also coming from public actors, while in Germany it was reported that the pressure on these actors was perpetuated by the rise of right-wing extremism and polarisation of society. Furthermore, NHRIs from Armenia, Croatia, France, Germany, Slovakia and Sweden raised concerns over a growing climate of **repression against environmental defenders,** while in Finland, they faced negative attitudes.

NHRIs from a number of European countries voiced their concerns over **attacks on CSOs and HRDs** and their work, namely in Armenia, Belgium, Bosnia and Herzegovina, Croatia, Germany, Georgia, Lithuania, Northern Ireland, Slovakia, Slovenia, Sweden and Ukraine. CSOs and HRDs also faced **threats and harassment** both online and offline. Such instances were identified in Albania, Belgium, Croatia, Finland, Georgia, Germany, Kosovo*, Lithuania, Slovakia, Slovenia, Sweden and Ukraine. Women HRDs were more likely to face threats, for instance, in Albania, Belgium, Croatia, France,

Northern Ireland, Slovenia and Sweden. NHRIs from Armenia, Moldova, Montenegro and Switzerland specifically pointed to the spread of **hate speech**, particularly online (in Moldova this concerned discriminatory anti-LGBTIQ+ rhetoric during elections). In Belgium, Croatia, Kosovo*, Serbia and Slovakia, organisations and defenders protecting LGBTQ+ rights were a particular target of attacks, while in Armenia, CSOs and HRDs advocating for the rights of vulnerable groups more broadly were targeted.

Several NHRIs evidenced **transnational repression of human rights defenders**. For example, the French and Luxembourgish NHRIs confirmed that foreign HRDs were affected by actions carried out by enterprises originating from their respective countries. In France, national HRDs were victims of foreign attacks, while in Belgium there have been cases of surveillance by foreign actors against HRDs and, in one instance, a SLAPP against an HRD in another State's jurisdiction. In Lithuania, such an attack was carried out against an HRD with the citizenship of a third country. In Belgium, HRDs were targeted with **strategic lawsuits against public participation (SLAPPs)** in foreign jurisdictions. Overall, a worrying number of SLAPP actions was identified by NHRIs from Albania, Armenia, Croatia, France, Germany, Slovakia and Slovenia.

Protection of human rights defenders

Reporting by ENNHRI members revealed important gaps in the protection of HRDs in Europe. Specific national protection mechanisms for civil society and HRDs were identified in some countries. In Albania, the Parliamentary Resolution on the Protection of HRDs, along with the designation of the Albanian NHRI as the focal point for HRD protection, represent meaningful steps in strengthening the enabling environment for HRDs. On the other hand, in Finland, France and Germany, governmental support was offered only to HRDs from abroad, while in the Netherlands, Sweden and Ukraine, such a support mechanism is provided by CSOs.

The information provided by ENNHRI members confirms the insufficiency in the national measures protecting HRDs across Europe. Furthermore, at present, there is no central mechanism that holistically addresses HRDs' protection needs at the European level. For instance, existing mechanisms are focused largely on providing support to HRDs outside of the EU only. Further, existing mechanisms are often focused on specific (groups of) HRDs only, such as the Council of Europe Safety of Journalists Platform or the procedure at the Council of Europe Office of the Secretary-General which is limited to HRDs having faced reprisals for their work with the Council of Europe.

ENNHRI has consistently advocated for the establishment of both national and regional mechanisms for the protection of HRDs in Europe, including through strengthening the role of NHRIs to protect HRDs at the national level. In this vein, ENNHRI encourages further efforts by European actors to develop and

strengthen mechanisms to support, protect and empower civil society, including through the establishment of protection mechanisms for HRDs and the recognition of the specific role NHRIs play, as the next section will elaborate.

Activities of NHRIs to support civil society space and human rights defenders

In line with the UN Paris Principles, NHRIs are pluralistic institutions, reflective of various strands of civil society in a country, and function as bridge-builders between state authorities and civil society. NHRIs do so through close engagement with civil society organisations (CSOs) and human rights defenders (HRDs) when carrying out their mandate. This has also been confirmed in their 2025 reporting.

The significant majority of ENNHRI members carry out **monitoring** of the situation of CSOs and HRDs and issue **recommendations and opinions** to address the challenges impacting enabling space for civil society, prompting appropriate actions from relevant authorities. For example, NHRIs in Croatia, the Netherlands and Sweden included a dedicated focus on CSOs and HRDs in their annual reports. Similarly, the Georgian NHRI systematically included its findings on the situation of HRDs in its annual or thematic human rights reports. The NHRI from Moldova submitted a dedicated proposal on HRDs to the Ministry of Justice to officially recognise this group and ensure implementation of effective protection measures.

Some NHRIs carried out targeted research on the situation of HRDs in their countries: one NHRI from Belgium (FIRM-IFDH) published a dedicated report on the challenges faced by national HRDs, while the Swedish NHRI was undertaking preparations for a dedicated survey on the situation of HRDs. In Albania, the NHRI regularly monitors the situation of HRDs, and issues recommendations to address challenges identified in collaboration with civil society. The NHRI from Portugal included civil society actors' perspectives in its human rights studies, and the Croatian NHRI reported on the situation of civil society to the Parliament.

Some NHRIs confirmed that they were providing **specific support to or receiving advice from women human rights defenders and LGBTQ+ human rights defenders**. For instance, in Estonia and Sweden, the NHRIs included them in their Advisory bodies; in Croatia, they were a part of the NHRI's thematic network; and in Liechtenstein, they are a part of the NHRI's annual roundtable on gender equality. The NHRIs from Armenia, Bosnia and Herzegovina, Lithuania, Ireland and Slovakia supported activities to advance LGBTQ+ rights, while the Belgian NHRIs closely collaborate with and support organisations protecting LGBTQ+ rights.

The substantial majority of ENNHRI members also carry out **capacity-building** activities to strengthen civil society actors and their activities in the protection of human rights. These include dedicated trainings and workshops, as well as information campaigns. Around half of ENNHRI's members have the competence to address **complaints** submitted by individuals, and they do so also in the matters signalled or faced by CSOs and HRDs.

ENNHRI members from Georgia and Kosovo* support the protection of HRDs through **amicus curiae briefs** submitted to national courts, including in follow-up to complaints filed by CSOs and HRDs. Some NHRIs, including those from Belgium (Unia), Bosnia and Herzegovina, Denmark, Moldova, Montenegro, North Macedonia, Poland, Spain and Türkiye provided **legal assistance** as well.

Some NHRIs provide dedicated support to civil society actors through their **specific mandates** – for instance, NHRIs in Armenia, Belgium (FIRM-IFDH), Croatia, Great Britain, Hungary, Moldova, Northern Ireland and Poland are responsible authorities for the protection of whistleblowers. NHRIs from Latvia, Portugal and Spain use their NPM mandate, and the Estonian and Montenegrin NHRIs use their mandate as a monitoring body under the CRPD. Notably, the NHRI from Albania was appointed as the focal point for HRD protection.

European NHRIs are also committed to promoting the activities of CSOs and HRDs and their enabling space, which is illustrated by **joint meetings and roundtables** organised by ENNHRI members in the majority of European countries. Some ENNHRI members carried out **promotion campaigns and awareness-raising activities (**in particular in Belgium (FIRM-IFDH), Ireland, Kosovo*, Moldova, the Netherlands, North Macedonia, Romania, Serbia, Spain, Slovenia, Sweden and Norway). Lastly, some NHRIs are involved in awarding prizes to CSOs and HRDs in recognition of their efforts to promote and protect human rights – this is the case in Belgium (Unia), Denmark, France, Hungary, Poland, Serbia, Spain and Ukraine.

Furthermore, NHRIs also support the enabling space and address challenges faced by CSOs and HRDs through **engagement with relevant international and regional mechanisms**. This includes various contributions to UN processes in support of CSOs and HRDs, carried out by NHRIs from Albania, Croatia, Denmark, France, Great Britain, Greece, Hungary, Liechtenstein, Moldova, Northern Ireland, Scotland, Slovakia, and Spain. Some NHRIs reported engagement with OSCE ODIHR, such as in the case of NHRIs from Armenia, Estonia, Moldova, Slovakia and Spain. ENNHRI members from Albania, Bosnia and Herzegovina, Great Britain, Liechtenstein, Scotland and Moldova highlighted their engagement with the Council of Europe on the topic. ENNHRI members from EU Member States closely engage with EU actors on the protection of civic space.

In the same vein, ENNHRI also reports on this topic to the UN, the Council of Europe and EU. For instance, ENNHRI provided detailed input during the consultation process of the Council of Europe's Steering Committee for Human Rights (CDDH) report on the state of the implementation of the 2018 Recommendation on the need to strengthen the protection and promotion of civil society space in Europe. In its submission to the report, ENNHRI reiterated the need to further prioritise the strengthening of the protection of civic space and rights defenders. Specific recommendations advanced by ENNHRI include the need to establish and strengthen comprehensive national and regional protection systems for human rights defenders and to ensure that Member States actively support NHRIs in their critical role as protection mechanisms.

Regional 2025

Functioning of justice systems

The effective functioning of justice systems and access to justice for individuals are a prerequisite for effective protection and remedies for victims of human rights violations. On the basis of their broad human rights mandate, NHRIs are well-positioned to monitor and address shortcomings in access to justice faced by individuals, as well as systemic challenges within a state. NHRIs do so through a wide variety of functions: by engaging and issuing recommendations to relevant authorities; by contributing to discussions on the improvement of justice systems; handling individual complaints; advising individuals on access to justice; and promoting access to justice for groups in a vulnerable situation. With this year's ENNHRI report, NHRIs provided information on significant challenges currently affecting access to justice and effective judicial protection in Europe.

ENNHRI members' reporting confirmed that one of the most prevalent challenges in the area of justice are persisting **delays in court proceedings**. Some NHRIs, for example from Austria and Portugal, noted that this was a particular issue in relation to the cases in the area of asylum and migration. In Albania, the NHRI found that the new judicial map did not help in addressing such delays; while in Ukraine, the court process is exacerbated by long-standing vacant judicial positions. Likewise, the NHRIs from Albania, Moldova and North Macedonia noted the insufficient number of judges.

In Moldova and Montenegro, backlogs in court cases pose systemic challenges to the effectiveness of national justice systems. In Slovenia, the NHRI reported on the long-standing issue of the backlog of cases in the Administrative Court, while in Northern Ireland, the NHRI observed slow progress in simplifying and speeding up committal processes. Ensuring the effective functioning of justice

systems and timely court proceedings is not only of relevance for the principle of rule of law but is a crucial element of the right to effective remedy and the right to a fair trial within a reasonable time, as protected under both the European Convention on Human Rights and the EU Charter of Fundamental Rights.

Challenges in the area of **independence and impartiality of the judiciary** were identified in numerous European countries. These include verbal attacks by governmental officials against judges, such as in Slovakia. Other developments which may diminish the independence of judiciary include the legal proposals in Belgium, which would reinforce disciplinary control exercised on judges. NHRIs from Belgium (FIRM-IFDH), Germany and Sweden pointed out insufficient protection of the independence and impartiality of judges and/or lay judges in the existing legislation. The NHRIs from Albania, Moldova and North Macedonia raised concerns over the political influence on the judiciary as well as the lack of transparency in the processes of selection and appointments of judges. Other ENNHRI members – from Albania, Bosnia and Herzegovina, Finland, Georgia, North Macedonia, Poland, Romania, Slovakia and Ukraine - underlined the need to introduce further reforms to improve and safeguard the independence and impartiality of judges. The NHRIs from Finland, Germany and Türkiye noted the ongoing initiatives to strengthen the independence of the judiciary.

Shortcomings in **access to legal aid** have been significant in many European countries. ENNHRI members emphasised the insufficient access to legal aid, in Azerbaijan, Bosnia and Herzegovina, Hungary, France, Greece, Latvia, the Netherlands, Norway, Serbia, Slovenia and Switzerland. In Lithuania and Northern Ireland, it particularly affects asylum seekers. Several NHRIs also specifically raised that the insufficient access to legal aid was exacerbated by budget cuts (in the Netherlands), underfunding (Great Britain, Scotland), high costs of legal aid (Armenia) and insufficient remuneration for state legal aid (in Croatia, Estonia and Türkiye).

Many ENNHRI members – namely from Belgium, Great Britain, Ireland, Kosovo*, Latvia, Lithuania, Moldova, Scotland and Türkiye – stressed the importance of considering the needs of groups in a vulnerable situation, such as victims of domestic abuse, persons with disabilities, persons living in poverty, asylum seekers, victims of discrimination, and persons living in rural areas. The NHRIs from Denmark and Great Britain noted the ongoing work on the reforms of access to legal aid. In Great Britain, the government efforts to strengthen access to justice include the expansion of legal aid in domestic abuse and family law cases, and the launch of a long-term review of civil legal aid, alongside increased funding for criminal legal aid. Meanwhile in Denmark, reforms aimed at strengthening the free legal aid framework have been delayed.

Across Europe, ENNHRI members also raised that there were shortcomings in ensuring the full **respect for fair trial standards**. In the Netherlands, this related to the protection of the right to asylum; in Greece, this concerned the presumption of innocence and the right to be present at criminal trials; in Sweden – the system with politically nominated lay judges, in Belgium – the increased use of municipal administrative sanctions, while in the Netherlands, the deficiencies stemmed from the insufficient accountability of law enforcement bodies. ENNHRI members from Albania and Kosovo* highlighted the impact of delays in proceedings on the right to a fair trial. In Türkiye, the violations of the right to a fair trial were found by the European Court of Human Rights every year. In Georgia, fair trial standards were impacted by the lack of effective legal assistance. The NHRI of Serbia identified a number of complaints indicating the violation of the right to a fair trial.

The ENNHRI member from Romania noted the impact of emergency laws that contained automatic suspension of processing some cases, while the NHRI from Northern Ireland underlined that the prolonged use of non-jury trials under temporary legislation raised further concerns. The NHRI from Luxembourg raised concerns over the gaps in access to compensation for victims of crimes; while in Scotland, criminal justice reforms were proposed in response to the concerns of victims of sexual violence which were later reassessed due to concerns about the cumulative impact for an accused's right to fair trial. Finally, the NHRI from Slovenia emphasised the importance of full and transparent implementation of the ECtHR judgment in the case related to the violation to the right to a fair trial, namely the case *X and Others v. Slovenia*, which found multiple violations of the right to a fair trial, in particular the right to a "tribunal established by law", the principle of the "natural judge", and the right to private life in family law matters due to irregularities in judicial case reallocation.

In many European countries, the NHRIs identified significant challenges regarding the **timely and effective execution of national courts' judgments**. This was the case in Albania, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, France, Kosovo*, Malta, Moldova, Norway, Poland, Romania, Serbia and Türkiye. It is worth noting that the persistent lack of execution of national courts' judgments issued in some areas posed a systemic problem, such as in asylum cases in Belgium or remedies for rights violations (including those of a financial nature) in Moldova. In Ukraine, the issue identified by the NHRIs concerned the lack of an effective mechanism to facilitate the implementation of the Constitutional Court's judgments.

ENNHRI members from various European countries (Albania, Azerbaijan, Belgium, Bosnia and Herzegovina, the Czech Republic, Kosovo*, Luxembourg, Poland, Romania, Scotland, Ukraine and Türkiye) also found the **delays and a lack of publication of courts' judgments** as a significant issue affecting access to justice and the functioning of justice systems. The NHRI from

Scotland underlined that the lack of systematic publication of court judgments led to transparency issues and the difficulty of retrieving human rights-related data.

Some ENNHRI members noted shortcomings in relation to **specialisation and training of judges**, namely in Belgium, Bosnia and Herzegovina, Croatia (in relation to training), Cyprus, France, Luxembourg, Northern Ireland, Romania and Scotland. In Poland, shortcomings in relation to the professionalism of judges were identified. The NHRIs from Northern Ireland and Scotland particularly noted the need to ensure trainings on gender-sensitive matters (such as sexual and domestic violence).

Some challenges in access to justice and the functioning of justice systems **disproportionately impacted women and transgender persons**, as evidenced by numerous NHRIs. For instance, this has been identified in relation to women and victims of gender-based violence, namely by NHRIs in Albania, Cyprus, France, Germany, Greece, Ireland, Kosovo*, Moldova, Northern Ireland, Romania, Scotland, Slovakia, and Spain. ENNHRI members from Belgium and Poland noted challenges faced by transgender and non-binary individuals - in Belgium due to a legal lack of gender registration for non-binary individuals, and in Poland concerning access to legal gender recognition for transgender individuals.

Regional 2025

Implementation of European Courts' judgments

The implementation of European Courts' judgments is an essential element of the rule of law and yet questioned by some actors across Europe. It is of particular importance for ENNHRI and NHRIs to continue shining a light on the challenges identified in the implementation of European Courts' judgments. The timely and effective execution of the judgments of the ECtHR and CJEU is an important indicator of respect for the rule of law by state authorities and is crucial for ensuring effective protection of the European Convention on Human Rights (the Convention) and EU acquis, including the EU Charter of Fundamental Rights (the EU Charter). In this context, the information and recommendations by NHRIs on how to fully implement the judgments of European Courts provide valuable guidance for national authorities on how to advance the execution of judgments and ensure closer alignment with the rule of law.

In some countries, NHRIs observed some progress in relation to the execution

of certain judgments of European Courts – notably in Armenia, Bosnia and Herzegovina, Lithuania, Montenegro, North Macedonia, Poland, Portugal, Slovakia and Sweden. The NHRI from Moldova noted the positive developments in strengthening the institutional mechanism to facilitate the implementation of judgments, in consultation with civil society representatives and the NHRI. At the same time, there is a **need for national authorities to step up on their international obligation to implement European Courts' judgments in a** timely and effective manner and ensure full realisation of the rights enshrined in the Convention and the EU Charter.

For instance, significant challenges with the execution of European Courts' judgments were observed in Belgium, France, Georgia, Greece and Spain. In Belgium and France, ENNHRI members reported on the persistent and intentional non-implementation of ECtHR judgments, leading to the perpetuation of violations of rights enshrined in the Convention. The Danish NHRI particularly raised serious concerns over the fact that the legitimacy of the ECtHR and its judgments has been undermined by politicians. At the same time, this has not been the case only in Denmark. For instance, the ECtHR judgment in the case in the case *Verein KlimaSeniorinnen Schweiz and Others v. Switzerland* was strongly criticised by Swiss authorities. In fact, the ENNHRI member from Switzerland reported that Swiss authorities, as a result, proposed an initiative to sponsor an additional protocol to the Convention to limit the competences of the ECtHR.

In May 2025, nine governments of Council of Europe Member States issued an open letter calling for a 'new and open-minded conversation about the interpretation of the Convention', in particular in relation to migration cases. In its statement, ENNHRI called on the Council of Europe Member States to respect and protect the independence of the European Court of Human Rights). It set out how, in a context of increasing polarisation and conflict across Europe and the world, the Court is a pillar for peace, democracy, the rule of law, and for protecting human rights for all individuals in Europe - within the system of checks and balances that state parties chose to build together.

ENNHRI members carry out numerous **activities to support the implementation of the European Courts' judgments** in their respective countries. A significant majority of ENNHRI members referred to the judgments of European Courts in their **annual and thematic reports** and **recommendations** to state authorities, in this way encouraging appropriate actions by relevant state actors to ensure implementation. Similarly, many NHRIs focused on **awareness-raising** activities to inform the general public of the importance of the judgments issued by European Courts and their relevance for the rights of individuals. ENNHRI members from 17 European countries confirmed their **engagement with the national coordinator of the execution of judgments of the European Court of Human Rights** to advance implementation (in Albania, Croatia, the Czech

Republic, Denmark, Finland, Germany, Great Britain – including Northern Ireland, Ireland, Lithuania, Moldova, Montenegro, the Netherlands, North Macedonia, Poland, Switzerland, Ukraine and Türkiye). Further engagement and consultation with NHRIs on the effective follow-up to the ECtHR judgments, especially in countries where such cooperation has not yet been established, is encouraged.

Almost one third of ENNHRI members included focus on **engagement with national courts** to enhance the implementation of jurisprudence of the ECtHR and the CJEU, particularly in Albania, Belgium, Denmark, Estonia, Germany, Great Britain, Ireland, Moldova, Montenegro, the Netherlands, Northern Ireland and Ukraine. A similar number of NHRIs included the execution of European Courts' judgments in the context of their **educational activities**. This is the case in Armenia, Belgium, Bosnia and Herzegovina, Cyprus, Estonia, Georgia, Greece, Lithuania, Moldova, Montenegro, Northern Ireland, Norway, Romania, Slovakia, Spain and Ukraine. Lastly, ENNHRI members from Armenia, Belgium, Bosnia and Herzegovina, Croatia, the Czech Republic, Finland, France, Georgia, Germany, Great Britain, Moldova, Switzerland and Ukraine provided **Rule 9 submissions** to the Council of Europe's Committee of Ministers to provide objective information on the status of the implementation of the judgments of the ECtHR and advance implementation.

NHRIs also reflected how they can step up their actions to support the implementation process. For instance, the Dutch NHRI underlined the importance of the NHRI's enquiries regarding the implementation status of the judgments, while the Spanish NHRI highlighted the added value of Rule 9 submissions provided to the Council of Europe's Committee of Ministers.

Several ENNHRI members also recommended **what could be further done by state authorities to advance the implementation of European Courts' judgments**. First of all, European NHRIs issued recommendations to state authorities to take concrete actions to duly execute European Courts' judgments. This was particularly noted by ENNHRI members from Belgium, Estonia, France, Ireland, Lithuania, Norway, Romania and Türkiye. More specifically, the NHRI from France called on state authorities to ensure that national legislation aligns with EU law and the Convention, as well as the jurisprudence of the CJEU and the ECtHR. Also, the NHRI from Moldova stressed the need to align national legislation with European standards.

The Irish NHRI urged the national authorities to commit to a clear time-bound implementation plan for the judgment issued by the ECtHR in the case O'Keeffe v. Ireland and also pointed out the need to ensure a fair and accessible scheme that provides redress for victims of human rights violations. The NHRI from Finland underlined the need to further strengthen national systems to follow up on the ECtHR judgments while raising awareness of all levels of public administration of these judgments. Likewise, the Scottish NHRI noted the need

to facilitate training and guidance for public bodies, particularly in the area of criminal justice, to fully implement the relevant judgments by the ECtHR. Furthermore, the ENNHRI member from Romania recommended to state authorities to carry out much-needed structural reforms in line with the standards enshrined in ECtHR jurisprudence.

NHRIs in their reports also called on state authorities to further engage with civil society and NHRIs to advance the implementation of ECtHR judgments. The Croatian NHRI recommended the inclusion of stakeholders, including civil society organisations and academia, in the process of enforcement of the ECtHR decisions, including by seeking their involvement in the process of drafting action plans and reports on the implementation of judgments. Similarly, the Georgian NHRI noted that adequate cooperation with the local civil society is also of paramount importance in monitoring the execution of the ECtHR's judgments. Also, the NHRI from Norway emphasised the need to ensure the effective implementation of ECtHR judgments, in consultations with NHRIs and civil society. Furthermore, the NHRIs from Georgia and Scotland recommended that the role of national parliaments in the execution of ECtHR judgments should be strengthened.

Regional 2025

Media freedom, pluralism and safety of journalists

Media freedom and pluralism are key elements of a healthy rule of law. Enabling space for the work of media outlets and journalists ensures greater accountability and transparency of state authorities and other actors. Safeguarding media freedom and pluralism also ensures the realisation of freedom of expression enshrined in the European Convention on Human Rights and the EU Charter of Fundamental Rights. Therefore, safeguarding freedom and pluralism of media remains a topic of consideration for NHRIs. On the basis of their monitoring, they advise how to address identified shortcomings and what the appropriate solutions are to be undertaken by relevant authorities. They also follow up on the implementation of judgments affecting media freedom and the protection of journalists.

The most reported challenge affecting media freedom across Europe was **harassment, threats and/or attacks against journalists and media outlets**, in some cases by public actors, such as in Albania, Bosnia and Herzegovina, Croatia, Finland, Georgia, Greece, Kosovo*, Moldova, Montenegro, North Macedonia, Northern Ireland, Slovakia and Slovenia. Journalists were subjected to attacks during protests in Armenia, Belgium,

Georgia and France. Often the victims of such attacks and threats were **women journalists**, as pointed by ENNHRI members from Albania, Bosnia and Herzegovina, Belgium, Latvia, the Netherlands, Scotland, Slovakia and Slovenia.

Strategic lawsuits against public participation (SLAPPs) were specifically reported in Albania, Belgium, Croatia, Great Britain, Greece, Luxembourg, Slovakia and Slovenia. The Scottish NHRI reported on incidents that might amount to SLAPPs. In Great Britain, the NHRI noted the unwillingness of state authorities to introduce new legislation to counter SLAPPs. In Armenia, Georgia, Germany and France, the NHRIs notified about **attacks against journalists during public assemblies**, including from law enforcement officers. In Georgia, Great Britain and Northern Ireland, the NHRI raised concerns over the **use of surveillance** by state authorities against journalists and a lack of sufficient protection in this area. In Georgia and Poland, there were cases of purposeful obstruction of the work of journalists by public authorities.

General shortcomings in relation to **access to public interest information and documents** were equally concerning for NHRIs across Europe. This was the case in Albania, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, Denmark, Estonia, Finland, Georgia, Great Britain, Greece, Liechtenstein, Luxembourg, Moldova, Poland, Slovakia, Spain, Switzerland and Ukraine. More specifically, these shortcomings included wide exemptions from access to public information for journalists and the wider public, such as the case in Denmark and Ukraine, and the differing interpretation of the relevant law in Finland. In Finland there were reports of refusals of access to relevant information.

The NHRI in Georgia stressed the need for a comprehensive legal reform to address challenges in this area, including to address disproportionate balance of interests in access to information. In Belgium, the ENNHRI members deemed a reform on access to public documents as unsuccessful in advancing the access, and in Albania, the NHRI noted the weak implementation of the law on access to information. In Germany, the NHRI raised concerns over the problem of criminalisation of the disclosure of court documents by journalists, which could affect freedom of expression. In Estonia and Liechtenstein, the NHRI noted that access to information remains a challenge for media outlets. In Liechtenstein there were obstacles in accessing information on vulnerable and marginalised groups. In Moldova, accessibility and language barriers affected access to public information. In Greece, increasing difficulties in accessing information in the area of asylum and migration were identified.

Another widely reported challenge in the area of media freedom is the spread of **misinformation and disinformation**. This was identified especially by ENNHRI members from Azerbaijan, Bosnia and Herzegovina, Croatia, France, Germany, Great Britain, Ireland, Kosovo*, Moldova, Montenegro, the

Netherlands, Northern Ireland, Romania, Poland, Slovakia, Slovenia and Switzerland. For instance, in Slovakia, the NHRI noted the increased engagement of government representatives with media outlets known for spreading disinformation or misinformation, while ceasing communication with mainstream independent media. The Irish NHRI and the ENNHRI member from Romania noted that disinformation and misinformation campaigns were driven by far-right groups. In Romania, this was particularly the case during the electoral campaign for the presidential elections at the end of 2024. In France, the NHRI raised concerns over the spread of the narrative that represents migrants mostly as male, while women on the move remain invisible in the political debates.

The Dutch NHRI reported on the growing, potential threat of misinformation and disinformation distributed through social media and international streaming services and media platforms. The NHRI from Northern Ireland also confirmed increasing concerns about disinformation, especially online. In Moldova, disinformation also continued to pose a threat in the current geopolitical context. Finally, the NHRIs from Ireland, Poland and Slovenia noted the insufficient legal framework in this area. The Slovenian NHRI reported on the shortcomings of the draft Media Act with regard to proportionality as well as adequate measures to address hate speech and illegal content. Similarly, a lack of such adequate measures was identified in Bosnia and Herzegovina.

In several European countries, NHRIs raised concerns over the **independence and effectiveness of media regulatory bodies**. This is the case in Bosnia and Herzegovina, Croatia, Finland, Greece, Kosovo*, Liechtenstein, Luxembourg, Montenegro, North Macedonia, Poland and Slovakia. In particular, the functioning of the media regulatory bodies was affected by budget cuts (such as in Finland), a lack of sufficient transparency (in Croatia), a lack of independence (in Bosnia and Herzegovina), planned reforms undermining their independence (in Slovakia), concerns over the constitutionality of the appointment process (in Greece), and concerns over the dismissal processes and political influence (Kosovo*).

An overall **decline in media independence** was identified in Albania, Bosnia and Herzegovina, Germany, Kosovo*, North Macedonia, Romania, Slovakia and Switzerland, with a problem of political influence appearing in some of these countries (Albania, Romania and Slovakia). In Poland, the NHRI reported on the same alarming situation regarding media independence as in recent years. In Germany, the NHRI mentioned several courts’ rulings regarding the independence of media.

At the same time, a **decline in media pluralism** was reported in Albania, Finland, Moldova, the Netherlands, North Macedonia and Switzerland, due to concentration of media ownership. Media pluralism was further affected in the following ways: in Bosnia and Herzegovina, due to a lack of transparency of

media ownership; and in Slovakia, due to the worrying transformation of the public media broadcaster. In Poland, problems with media outlets funded by local authorities have been affecting media pluralism for many years. In Liechtenstein, the NHRI reported on a very limited number of media outlets and challenges in access to public funding.

Regional 2025

Other challenges to the rule of law and human rights

While ENNHRI's joint reporting on the rule of law focused on specific issues of concern addressed above (NHRI establishment, independence and effectiveness; civic space and HRDs; justice systems; and media freedom), ENNHRI members also reported on other key rule of law and human rights challenges of particular importance within their domestic context. In their country reports, ENNHRI members provided examples of specific threats to checks and balances and anti-corruption, as well as structural human rights issues impacting the rule of law.

Several ENNHRI members pointed out the challenges affecting healthy **checks and balances**. These include: changes aiming at weakening state institutions in Slovakia; marginalising the role of independent institutions in North Macedonia; a lack of appointment of heads of independent authorities in Slovenia; delays in the appointment of the Chief State Prosecutor in Kosovo*; and attempts of the executive branch to influence judicial decisions in Romania. In Finland and Germany, there were concerns over the system of constitutional review. In the case of Germany, this led to the reform of the Constitutional Court. In Northern Ireland, where post-Brexit the government is required to ensure alignment with EU law standards, including with relevant current and future CJEU case-law, there were concerns about the slow progress in aligning national law with EU equality directives and CJEU judgments.

ENNHRI members from Ireland, Romania, Slovakia, and Moldova underlined the need to improve the quality of the law-making process. In the case of Romania and Slovakia, this is due to the excessive use of expedited law-making procedures. The Estonian and Scottish NHRIs warned about the worrying usage of administrative orders and decisions instead of legislative frameworks to regulate human rights issues. In the case of Scotland, this relates to acts of Parliament which set broad policy intentions or outcomes, leaving the substantive content of such policy acts to be developed at a later stage through secondary legislation. Meanwhile, in Moldova, concerns about the lack of transparency and public participation in the decision-making process on

legislative amendments were highlighted.

Furthermore, NHRIs identified serious shortcomings in relation to checks and balances in the area of **migration** as well as **security**. For instance, some NHRIs, namely those from Belgium, Finland, Germany and Lithuania, raised concerns over the lack of compliance with human rights standards of migration laws, policies and practices in their countries, introduced often with a justification to address security risks. In Belgium, the structural human rights issues stemmed from the persistent lack of respect for the rights of asylum seekers.

Furthermore, some NHRI reported on serious gaps in the realisation of the right to asylum. In Greece, the need to conduct independent and efficient investigations on the informal forced returns (pushbacks) was identified, while in Bosnia and Herzegovina delays and, in some instances, a lack of decisions regarding asylum status of migrants were reported. In Northern Ireland, following a ruling from the High Court, the UK government is in the process of proposing new laws, in view of replacing some provisions of the Illegal Migration Act 2023, which breached both the ECHR and EU standards (under the Windsor Framework).

A few NHRIs reported on specific challenges in the area of **anti-corruption**. The ENNHRI members from North Macedonia, Romania and Slovakia noted the insufficient actions by state authorities to combat corruption and ensure accountability. More broadly, the Belgian members identified the impact of organised crime on the rule of law and growing intimidation against state authorities, including law enforcement actors and journalists. While some progress was noticed in Albania and Kosovo* through, respectively, the establishment of an anti-corruption commission and the adoption of new anti-corruption laws, ENNHRI members in both countries underlined that the issues persisted.

In Albania, challenges to tackle corruption at the highest levels continued, while in Kosovo*, the newly adopted anti-corruption laws were referred to the Constitutional Court, delaying their impact. Similarly, while some GRECO recommendations concerning the fight against corruption were implemented in Liechtenstein, there are still two pending follow-up actions by relevant authorities. In Bosnia and Herzegovina, issues with corruption in public institutions remained, underpinning the need for transparent appointment procedures and de-politicisation of public administration.

In terms of other **structural human rights issues**, some ENNHRI members reported on the challenges in the full realisation of **economic and social rights**. For instance, NHRIs from Germany and Hungary underlined the challenges affecting the full realisation of the right to education, while the German NHRI reported on the persisting discrimination in the areas of

employment and housing. The ENNHRI member from Kosovo* raised concerns over the impact of the economic crisis on vulnerable communities. Several NHRIs noted the shortcomings in access to healthcare and the respect for the rights of patients. The NHRIs from Denmark and Hungary indicated shortcomings in relation to the rights of patients – in Hungary, there was a need to ensure fair access to justice in this area, while in Denmark, the concerns were raised in relation to the excessive use of coercive measures in psychiatric care. The Albanian NHRI reported a lack of a dedicated medical institution for forensic psychiatric patients. The NHRI of North Macedonia reported on the significant challenges in the respect for the rights of persons with disabilities.

In the area of **AI and digitalisation**, the ENNHRI members from Belgium, Great Britain and Spain raised concerns over the impact of the use of AI by state authorities on human rights and the rule of law. Furthermore, the NHRI from Portugal noted the obstacles in equal access to services of public administration due to progressive digitalisation. The Irish NHRI raised concerns over the shortcomings in the collection and access to equality data. The Danish NHRI reiterated the challenges stemming from the ongoing mass collection and retention of information by intelligence services and a lack of adequate legal guarantees. Similarly, the Scottish NHRI raised concerns over the potential introduction of live facial recognition technology.

Three NHRIs also reported on the issues arising in **situations of (post-)conflict**. In Northern Ireland, the NHRI highlighted the ongoing legal developments concerning reconciliation. The ongoing reforms in this aspect raised concerns over their human rights and rule of law compliance and, in particular, access to justice. In Ukraine, in the context of the ongoing war, key concerns included hindered access to justice, the lack of rehabilitation services for war veterans, and the absence of legal frameworks for recognising disabilities among released civilians. Children’s rights have been severely impacted by Russia’s war of aggression, with issues like mass deportations, militarised education, and inadequate protection for displaced children abroad, including guardian appointment challenges. In Moldova, the NHRI reported on worsening rights violations, deprivation of liberty, and restriction in access to remedies, in the Transnistrian region controlled by unconstitutional authorities.

References

This list of references covers the whole report.

* This designation is without prejudice to positions on status and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

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