

## European Union 2025

### ENNHRI's recommendations

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Based on the findings of ENNHRI members across the EU Member States, ENNHRI sets out the following detailed recommendations to the European Commission, as well as other relevant regional actors, and EU Member States:

**1. ENNHRI invites the EU institutions to strengthen the implementation of the EU rule of law toolbox to effectively address the rule of law challenges in the EU, in consultation with NHRIs and civil society.**

More specifically, ENNHRI invites:

- The European Commission to strengthen the implementation of its country-specific recommendations by initiating enforcement actions (infringement procedures, rule of law conditionality, the procedure under Article 7 TEU) against EU Member States in the case of the persistent lack of implementation of the European Commission's recommendations;
- The Council of the European Union to systematically assess the implementation of the European Commission's recommendations during country-specific rule of law dialogues and engage with NHRIs in line with the 2023 Presidency [Conclusions](#) on the evaluation of the annual rule of law dialogue;
- The European Parliament to step up its engagement with NHRIs in the monitoring of the rule of law and fundamental rights, in particular within the work of the LIBE Democracy, Rule of Law and Fundamental Rights Monitoring Group (DRFMG).

**2. ENNHRI calls on EU Member States to advance and the European Commission to strengthen their support for the establishment of and enabling space for NHRIs**

Namely, ENNHRI calls on:

- The European Commission to adopt a dedicated Recommendation on NHRIs to further anchor NHRIs' role in advancing the key EU's common values of fundamental rights, democracy, and rule of law enshrined in Article 2 TEU, while clarifying what is expected from EU Member States to facilitate that a strong and independent NHRIs is in place;
- The European Commission to consistently and systematically reflect key challenges faced by NHRIs across EU Member States in its annual

Rule of Law Report and beyond, and continue to encourage EU Member States to take action to strengthen NHRIs' legislative frameworks and enabling space, in line with international and regional standards on NHRIs;

- The European Commission to strengthen support for NHRIs under threat, including by responding to and addressing with state authorities cases of intimidation, harassment, and other threats seeking to undermine the independent and effective functioning of NHRIs across the EU;
- The EU Member States 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;
- EU Member States with non-accredited institutions (Malta, Czechia, Romania) and with B-status NHRIs (Belgium, Hungary and Slovakia) to advance legislative and other measures to ensure an NHRI in full compliance with the UN Paris Principles, including through meaningful consultation with ENNHRI's (associate) members in the country and to make use of ENNHRI's technical advice in doing so.
- Italy to advance on the establishment of an NHRI in compliance with the UN Paris Principles, including through technical support from ENNHRI;

**3. ENNHRI urges the European Commission and EU Member States to take firm actions to protect civil society organisations (CSOs) and human rights defenders (HRDs) from attacks and threats and to ensure their sustainable funding.**

In particular, ENNHRI urges:

- The European Commission to consistently include dedicated attention to persistent challenges faced by civil society and human rights defenders in its annual Rule of Law Reports and country-specific recommendations;
- The European Commission to include in its upcoming EU Civil Society Strategy:
  - a focus on protection from threats, attacks and undue restrictions on the work of CSOs and HRDs, including NHRIs. This should include the establishment of an EU internal HRD protection mechanism to ensure swift detection and responses to attacks as well as reprisals against HRDs, for their work on the implementation of EU fundamental rights and values. Such a mechanism should take into account NHRIs' mandate and role

- flexible and accessible financing framework for all civil society organisations and human rights defenders at the EU level, including in the upcoming Multiannual Financial Framework.
  - EU Member States to guarantee freedom of assembly 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.
  - EU Member States 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;
  - EU Member States to set up an accessible financing framework, including by eliminating any undue obstacles in access to funding, also from foreign sources.
4. **ENNHRI underlines that EU Member States should prioritise, and the European Commission closely monitor and support, the timely and effective implementation of European Courts' judgments.**

Particularly, ENNHRI recommends:

- The European Commission to systematically monitor the EU Member States' implementation of the judgments issued by the Court of Justice of the EU and the European Court of Human Rights and issue country-specific recommendations in its annual Rule of Law Reports in case of persistent non-execution of these judgments;
  - The European Commission to follow up on the implementation of European Courts' judgments with EU Member States, including through national dialogues, while initiating infringement proceedings in case of persistent non-implementation of the CJEU judgments relating to systemic issues which violate EU law, including fundamental rights issues, and, where relevant, follow-up through enforcement measures such as blocking of EU funds;
  - The EU Member States to ensure the timely and effective execution of European Courts' judgments and engage with NHRIs and civil society through dedicated institutional and procedural frameworks.
5. **ENNHRI urges further efforts by the European Commission and EU Member States to ensure the effective and independent functioning of justice systems.**

ENNHRI urges:

- The EU Member States to prioritise efforts, reforms and funds to ensure the efficiency of justice systems and to reduce the backlog and the length of proceedings;
- The EU Member States to prioritise safeguarding judicial independence, including by ensuring transparent and merit-based selection, accountability and removal processes;
- The EU Member States to ensure effective access to legal aid, including for specifically affected groups such as migrants, women or transgender persons;
- The EU Member States to timely and effectively implement the European Commission's and other international actors' recommendations as well as European Courts' judgments concerning justice systems by introducing or amending the relevant laws, policies and measures to ensure effective and independent functioning of justice systems;
- The European Commission to closely monitor the implementation of its country-specific recommendations by EU Member States in relation to the justice systems or identified persistent challenges in justice systems, including concerning judicial independence,
- The European Commission to initiate enforcement actions in case of systemic violations of EU law in the area of justice.

## **6. ENNHRI calls for firm actions by the European Commission and EU Member States to safeguard media freedom.**

More specifically, ENNHRI calls for:

- EU Member States to urgently advance on the application and implementation of the Digital Services Act, the EU Whistleblower Directive, the European Commission's country-specific recommendations on media freedom issued in its annual Rule of Law Reports, and the European Commission's Recommendation on the protection, safety and empowerment of journalists, as well as to prioritise transposition of the European Media Freedom Act and the EU anti-SLAPP Directive;
- EU Member States to improve access to information and introduce and enforce laws to protect journalists from threats and attacks, ensure independent and effective media regulatory bodies, as well as refraining from and effectively countering disinformation and hate speech, while ensuring respect for freedom of expression.
- The European Commission to further monitor and support the implementation of the Digital Services Act, the EU Whistleblower Directive, the European Commission's country-specific recommendations on media freedom issued in its annual Rule of Law Reports, and the European Commission's Recommendation on the

protection, safety and empowerment of journalists, and to provide support to EU Member States in transposition of the European Media Freedom Act and the EU anti-SLAPP Directive;

**7. ENNHRI calls on the European Commission and EU Member States to consistently address the systemic fundamental rights violations in EU Member States and implement a fundamental rights-based approach to drafting laws and policies, including those addressing European and national security.**

ENNHRI encourages:

- The European Commission to dedicate a separate chapter in its annual Rule of Law Report on structural fundamental rights violations across the EU, including specific recommendations on addressing such structural breaches;
- The European Commission and EU Member States to adopt a fundamental rights-based approach when developing draft laws and policies, including those addressing migration and security.

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