

European Union 2025

Executive summary

Through ENNHRI's joint reporting, National Human Rights Institutions (NHRIs) from across EU Member States confirm for the sixth consecutive year that the overall situation for rule of law remains concerning. This structural negative trend across the EU underpins the fundamental importance to more effectively address the challenges reported. Reflecting this, ENNHRI's report includes recommendations for action addressed to domestic and EU authorities and presents NHRIs' own actions taken to address the challenges identified.

ENNHRI welcomes the new European Commission's commitment to build a closer link between the recommendations in its Rule of Law Report and financial support under the EU budget, as well as reinforced application of enforcement measures under the Article 7 TEU Mechanism. ENNHRI also calls for more consistent assessment and reporting by the European Commission on Member States' follow-up to recommendations made. ENNHRI recommends that the European Commission further engages in dialogue and cooperation with NHRIs to advance follow-up to its recommendations, such as by further including NHRIs in follow-up dialogues with government and parliament and exchanging with NHRIs on their assessment and experience with advancing implementation of recommendations domestically. Through their own national reports with recommendations and regular engagement with state authorities, as well as civil society and the broader public, NHRIs can further amplify impacts from the European Commission's Rule of Law Reports.

ENNHRI welcomes the inclusion of four enlargement countries in the European Commission's Rule of Law Report, namely Albania, North Macedonia, Montenegro and Serbia. This contributes to supporting their reform efforts and ensuring the alignment of EU efforts to strengthen EU values, including the rule of law, among EU Member States and accession countries. In line with its membership encompassing EU accession countries, ENNHRI's members from the relevant enlargement countries developed national reports as part of ENNHRI's contribution to the European Commission's Rule of Law Report. Later this year, ENNHRI will include these in a dedicated report to DG ENEST covering all enlargement countries, including dedicated trends and recommendations, advancing further implementation of the EU values with a view to accession. Further, an upcoming ENNHRI report across the Council of Europe geography will support coherence between the EU's internal and external policies.

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 equally key 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 fundamental rights issues they identify as important in their specific domestic context.

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

NHRIs' establishment, independence and effectiveness

There has been noteworthy progress concerning the accreditation with A-status of the NHRI in Sweden. This brings the total of EU Member States with an internationally recognised A-status NHRI to twenty. Also, the establishment of the NHRI in the Czech Republic where a law was adopted expanding the Ombudsman mandate with an NHRI mandate has been considered as a 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 two institutions should be internationally accredited as NHRIs. No progress can be reported on the establishment of an NHRI in Italy, despite the European Commission's repeated recommendations. Further, limited or no progress is reported on the NHRIs with B-status in Belgium, Hungary and Slovakia. Of the four enlargement countries, Albania and Serbia are each equipped with an A-status NHRI, whereas the NHRIs from Montenegro and North Macedonia currently hold a B-status accreditation.

Worryingly, NHRIs across the EU 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 (including those derived from EU regulations) and budget cuts. Further, an insufficient level of follow-up and response to NHRIs' recommendations is reported, even when legal obligations exist for state authorities doing so, which undermines NHRIs' effectiveness and reflects disregard for the rule of law. In line with the generally deteriorating situation for rule of law and independent checks and balances, NHRIs in the EU also face a rising number of intimidation, threats and attacks with one in four EU NHRIs reporting this in relation to the past year.

ENNHRI's key recommendations

ENNHRI calls on EU Member States to respect and strengthen the enabling environment for strong and independent 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.

ENNHRI calls on the European Commission to further support addressing the structural challenges for NHRIs across the EU; through consistently reflecting this in its Rule of Law Report, through the adoption of an EU-wide European Commission [Recommendation on NHRIs](#) recalling internationally expected benchmarks on NHRI independence and enabling space, and by addressing specific threats to NHRIs with EU Member State 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 from EU Member States 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 disclose a worrying trend of limitations put on freedom of expression and freedom of association. The report also identifies serious obstacles in access to funding, as well as shortcomings in 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 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 LGBTQI defenders.

While the overall situation reported is negative, NHRIs carry out a variety of activities in support of CSOs and HRDs, in particular through monitoring and reporting, advise 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 EU Member States.

ENNHRI's key recommendations

ENNHRI calls on EU Member States to guarantee freedom of assembly and association, to ensure access of CSOs and HRDs to funding – including foreign funding – and to set up dedicated protection mechanisms for HRDs. These should include specific attention for groups specifically affected (such as women HRDs, LGBTQI defenders, and environmental defenders), in consultation and cooperation with NHRIs and CSOs.

ENNHRI calls on the European Commission to ensure prioritised and consistent attention to CSOs and HRDs through its annual Rule of Law Report and recommendations. Further, it recommends the European Commission to

strengthen the empowerment, promotion and protection of CSOs and HRDs through its upcoming Civil Society Strategy, to continue to ensure structural funding for CSOs and HRDs, and to ensure swift support for CSOs and HRDs when facing threats including through the set-up of a dedicated EU HRD protection mechanism, in consultation and cooperation with NHRIs.

Justice systems and the implementation of European Courts' judgments

Challenges affecting justice systems are widely reported, including delays in court proceedings in more than half of the EU Member States, challenges to the independence and impartiality of the judiciary in at least a third of the EU Member States, and obstacles to access to legal aid with particular groups being especially affected, including asylum seekers and migrants, as well as women and transgender persons. ENNHRI members from EU countries also noted little progress regarding the implementation of European Courts' judgments by state authorities. In some EU Member States, state authorities lack the political will to implement their international obligation to execute ECtHR judgments 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, referring to such judgments in their reports and recommendations, third-party interventions, awareness-raising of the added value of execution of judgments for society, or providing independent reports on implementation of ECtHR judgments before the Committee of Ministers.

ENNHRI's key recommendations

ENNHRI underlines that EU Member States should prioritise further efforts, reforms and funds to ensure the efficiency of justice systems, to reduce the delay of proceedings, and to ensure access to legal aid, including for specifically affected groups such as migrants, women or transgender persons. ENNHRI also calls on EU Member States to strengthen and safeguard judicial independence, including by ensuring transparent and merit-based selection, accountability and removal processes. EU Member States should also timely and effectively implement the European Commission's and other international actors' recommendations and judgments concerning justice systems.

The implementation of European Courts' judgments should be prioritised, particularly pilot and leading judgments of the European Court of Human Rights, as they reflect systemic challenges to the rule of law in EU Member States – especially when these rulings are (intentionally) not implemented.

ENNHRI recommends the European Commission to systematically monitor the EU Member States' implementation of the European Courts' judgments and

issue country-specific recommendations in its annual Rule of Law Reports in case of persistent non-execution of these judgments. The European Commission should initiate infringement proceedings in case of persistent non-implementation of the CJEU judgments relating to systemic issues which violate EU law, and where relevant, follow-up through enforcement measures such as blocking of EU funds.

Media freedom

Key challenges are reported affecting media freedom, including insufficient access to public interest information and documents, harassment, threats and attacks against journalists and media outlets, as well as strategic lawsuits against public participation (SLAPPs). NHRIs also raise concerns over the spread of misinformation and disinformation, including by government authorities, as well as the independence and effectiveness of media regulatory bodies. The most far-reaching negative trend was identified in Slovakia, where the public broadcaster was replaced by a new public broadcaster influenced by the executive, and where government authorities are reported to engage more with outlets known for spreading disinformation rather than with independent media.

NHRIs contribute to safeguarding media freedom in various ways. This includes through their monitoring and recommendations, providing advice on draft policies and laws including on freedom of expression or access to information, or through following-up on implementation of judgments affecting media freedom and the protection of journalists. Some NHRIs also have been mandated with roles in relation to relevant EU regulation, such as being appointed as focal point on SLAPPs to counter attempts to silence pluralistic public debate and protect journalists and other rights defenders.

ENNHRI's key recommendations

ENNHRI recommends that EU Member States should improve access to information. They should refrain from and effectively counter disinformation and hate speech, while ensuring respect for freedom of expression. EU Member States should effectively protect journalists from threats and attacks and ensure independent and effective media regulatory bodies.

The European Commission should closely monitor and follow-up the implementation of EU regulation of relevance to media freedom and freedom of expression, including the EU anti-SLAPP Directive and the EU Media Freedom Act.

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ENNHRI's recommendations

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 NHRI's 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 NHRI 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 in supporting civil society space and protecting other HRDs;
 - 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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Introduction

About ENNHRI and NHRIs

The [European Network of National Human Rights Institutions \(ENNHRI\)](#) brings together 49 [National Human Rights Institutions \(NHRIs\)](#) across wider Europe, including 30 ENNHRI members in 26 EU Member States. It provides support for the establishment and strengthening of 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 fundamental rights at the national level. NHRIs are established and function with reference to the [UN Paris Principles](#) and act as bridge-builder between the state and civil society. NHRIs cooperate with a variety of civil society actors, and bring an accurate overview of the fundamental rights situation, with recommendations to governments, parliament and other state bodies.

NHRIs are unique because their independence, pluralism, accountability and effectiveness is periodically assessed and subject to international accreditation, carried out by the UN 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 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 fundamental 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. 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](#).

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 fundamental 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, including in particular the EU, 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 the EU. Thus, NHRIs' independent reporting based on a common approach provides comparative information and is of unique value to monitoring by EU and other regional actors of respect for human rights, democracy, and the rule of law across the region. This year, ENNHRI will also publish two additional reports - focusing on the rule of law situation in EU accession's countries, as well as covering the wider Council of Europe region.

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 Secretary-General report on NHRI reprisals](#)). This has also been the basis for submissions to some specific thematic initiatives when they emerged ([EU SLAPP initiative](#) (2021)), [EU Freedom of the Media Act](#) (2022), [Defence of](#)

[Democracy Package](#) (2023), [European Internal Security Strategy](#) (2025)). 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 EU 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;
- Other persisting challenges for the rule of law, including structural fundamental rights issues.

The regional trends on all 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 are 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 from EU Member States 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 feed into regional developments as means to advance progress on the ground, including:

- analysis and recommendations concerning civil society carried out by the European Commission within its rule of law monitoring cycle in the EU, as well as within the Enlargement Package;
- European Commission's [upcoming](#) EU Strategy to support, protect and empower the civil society, [European Democracy Shield](#), and other relevant proposals for stronger HRD protection mechanisms in the European Union – in follow up to the European [Commission report](#) and [Council Conclusions](#) which called for action by States to protect HRDs in the EU, as well as the need to establish an EU protection mechanism to prevent and ensure prompt identification, reporting and investigation of threats against HRDs;
- ENNHRI's strategic engagement with the Council of Europe in the implementation of the Secretary General's [Roadmap](#) on Civil Society Engagement and continued support for the implementation of [Recommendation 2018\(11\)](#) on the protection and promotion of civic

space, including recognition of NHRIs' contribution to civic space.

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, fundamental 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 fundamental rights in the EU. This year, ENNHRI's joint reporting met almost a complete response rate from NHRIs in EU Member States. For those States without ENNHRI members, the Secretariat provided updates on NHRI establishment progress. The present – sixth – ENNHRI's annual report is a contribution to the European Commission's consultations on its [2025 Rule of Law Report](#).

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Independence, effectiveness, resilience and establishment of NHRIs

ENNHRI welcomes the European Commission's 2024 Rule of Law [Report](#), in which the key role of National Human Rights Institutions (NHRIs) in ensuring healthy checks and balances was again highlighted. The European Commission affirmed that NHRIs' freedom to operate is directly relevant to the rule of law and, in its country-specific recommendations, called on several EU Member States to step up their efforts to establish and ensure enabling space for NHRIs. ENNHRI underlines the crucial importance of ongoing commitment by the European Commission to ensuring effective functioning of NHRIs in EU countries and welcomes the positive impact that country-specific recommendations made in relation to the establishment of the NHRI in countries without one yet and supporting enabling space for the effective functioning of NHRIs in some EU Member States (namely in Lithuania and Poland).

ENNHRI invites the European Commission to more consistently address in its annual Rule of Law Report challenges faced by EU NHRIs as highlighted in this report, especially in relation to funding, follow-up to NHRI recommendations and the need to address increasing intimidation and threats to NHRIs. ENNHRI

also encourages the European Commission to reiterate its call on Italy to establish an NHRI, and to Czechia, Malta and Romania to commit to advancing the establishment of an NHRI in full compliance with the Paris Principles, in consultation with ENNHRI's associate members in the country and making use of ENNHRI's technical support. ENNHRI also encourages the European Commission to recommend States with B-status accredited NHRIs (Belgium, Hungary, Slovakia) to advance legislative or other appropriate measures to ensure an NHRI in full compliance with the UN Paris Principles, including through meaningful consultation with ENNHRI's members in the country and by making use of ENNHRI's technical advice.

Furthermore, ENNHRI calls on the European Commission to adopt in this legislature a dedicated Recommendation on NHRIs in line with [ENNHRI's proposal](#). NHRIs are the only independent national bodies with a broad mandate to promote and protect all human rights, encompassing the EU Charter of Fundamental Rights, and working with all other relevant actors in-country, including through their pluralistic set-up. A dedicated Recommendation would confirm NHRI's role in advancing the key EU values of fundamental rights, democracy, and the rule of law (Article 2 TEU). It would also set out clear and consistent guidelines, with reference to the UN Paris Principles, for what is expected from EU Member States to facilitate a strong and independent NHRI and provide a key EU benchmark to prevent and address undue obstacles, threats and intimidation to NHRIs while these increasingly occur.

International accreditation status and SCA recommendations

Since ENNHRI's last EU rule of law report, six NHRIs from EU Member States were reviewed by the GANHRI Sub-Committee on Accreditation (SCA). The NHRIs in Denmark, Greece, Lithuania, Portugal and Spain 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.

Throughout 2025, six further EU NHRIs will be considered by the SCA, including the NHRIs in Estonia, Finland, France (in March 2025, with outcomes expected in April 2025) and Bulgaria, Croatia, and Latvia (in October 2025). In the EU, there are currently twenty Member States with A-status NHRIs, three Member States with B-status NHRIs (Belgium, Hungary, Slovakia), and four EU Member States without an accredited institution (Czechia, Italy, Malta, and Romania).

There has been concrete progress in EU members 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 legislation was approved by the Senate in February 2025 and expected to come 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.

Given these developments, Italy is now the only EU Member State in which there is no institution working towards compliance with the Paris Principles with a view to accreditation as an NHRI. 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 years, and there continues to be no clear indication of a legislative proposal establishing an NHRI being close to adoption.

In three EU Member States, B-status NHRIs are in place. In Belgium, two B-status NHRIs co-exist; 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 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 Slovakia, the Slovak National Centre for Human Rights has been [accredited](#) with B-status already 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 strengthen its broad mandate as NHRI in full compliance with the Paris Principles.

In Hungary, the NHRI has been 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 whistle-

blowers.

Of the four enlargement countries covered by the European Commission's annual rule of law report, Albania and Serbia are each equipped with an A-status NHRI, whereas North Macedonia's NHRI and the NHRI from Montenegro currently hold a B-status accreditation and have advocated for amendments which would strengthen their legislative frameworks.

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 to advocate for these actors to take steps towards realising these recommendations. Across the EU, NHRIs are taking steps to do so, including, for example, the NHRIs in Belgium, Germany, Greece, Luxembourg, the Netherlands, and Sweden, among others.

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 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 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**, significant progress has taken place in the Czech Republic, where the draft law on the establishment of the NHRI was adopted and is expected to come 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 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 the EU. The European Commission could consider more consistent attention for this challenge in its upcoming Rule of Law Report.

Regulatory framework

A number of ENNHRI members from EU Member States reported on the changes in 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.

In 2024, NHRIs have also been given **new mandates**. Several new mandates stem from EU legislation, which envisages a specific role for independent national bodies. For example, ENNHRI is aware that 18 ENNHRI members 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 Polish NHRI was mandated as a whistleblower protection body. The Belgian NHRI's (Centre for Equal Opportunities and Opposition to Racism - Unia) antidiscrimination mandate has been widened, while the Danish NHRI is mandated to monitor gender balance in corporate bodies. Further, the NHRIs from Belgium (Federal Institute for the Protection and Promotion of Human Rights - FIRM-IFDH) 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 Lithuanian NHRI became a National Rapporteur on trafficking in human beings.

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 Belgian NHRI (Unia) to be allocated the mandate of the NPM. Moreover, in several cases, while additional competences have been conferred upon the NHRI, 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 EU NHRIs.

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 the Sub-Committee on Accreditation. This is particularly relevant for NHRIs without accreditation or with B-status accreditation. Accordingly, 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. In Slovakia and Slovenia, the NHRIs highlighted the relevance of bringing its 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.

A prevalent challenge in relation to EU 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.

The NHRIs in several EU Member States, highlighted the importance of ensuring that any additional mandate(s) for NHRIs are appropriately reflected in both law and adequate additional resources, in relation to national mechanisms on trafficking (Germany, Slovenia) and gender-based violence (Germany), NPM (Belgium - FIRM-IFDH, Ireland), independent monitoring mechanism under the CRPD and the Ombudsperson for Children (Slovenia).

NHRIs in the EU generally 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 and Poland, point to the need to strengthen the overall national protection framework, for example, through additional policy or legislative measures that would protect NHRIs from broader attacks and threats.

Enabling and safe space for NHRIs

The majority of ENNHRI members from EU Member States confirmed that state

authorities in their respective countries have generally good **awareness of the NHRI mandate, independence and role**. However, some shortcomings in this regard are reported in several states. NHRIs from Denmark, Greece, the Netherlands, Slovenia, and Sweden underlined that recognition and understanding of the NHRI's role among state authorities could be improved. NHRIs from Finland, Ireland and Lithuania noted low awareness of state authorities regarding the mandate of NHRIs. The Finnish NHRI explained that authorities have difficulties in understanding the NHRI's position and its broad mandate.

NHRI's **access to information and law and policymaking processes** is good in the majority of EU Member States. It seems that this overall positive reflection correlates with relatively good awareness by state authorities of the NHRI's role. At the same time, some NHRIs identified obstacles in systematic access to information and decision-making processes, including in Belgium, Greece, Lithuania, Luxembourg and Slovakia, where state authorities are not obliged to ask NHRIs to provide opinions on legislative drafts, and NHRIs are not invited to submit information during legislative and policy processes. In this regard, the Greek NHRI reiterated the need to introduce a standing invitation for the NHRI to join the Parliamentary debate on the draft laws with a human rights impact.

In addition, in contexts where NHRIs submit recommendations to legislative or decision-making processes, several NHRIs have reported insufficient engagement with the substantive information and recommendations by NHRIs during policy-making processes from state authorities. This trend was identified by NHRIs from Belgium, France, Ireland, Luxembourg and Sweden, while the NHRIs from Finland and Slovenia reported short and overlapping consultations hindering the possibility of meaningful engagement in the process. Moreover, the NHRIs from Belgium (Unia) and Latvia reported on the obstacles to access to the courts' data. Several NHRIs reported obstacles to accessing information and legislative consultation processes, particularly when these relate to politicised topics, including, for example, the rights of migrants (Netherlands).

The **lack of adequate resources** for NHRI's to carry out their mandate appears to be the most consistently recurring problem in the large majority of EU Member States. Only seven EU NHRIs informed they consider their budget adequate (in Austria, Cyprus, Estonia, Hungary, Latvia, Portugal and Spain). The other EU ENNHRI members reported that the resources provided to their institutions were not sufficient to ensure the breadth of their mandates. In some cases, the situation of NHRIs worsened due to budgetary cuts, such as in Belgium and France. 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/or the EU acquis) as well as to continue to

progressively improve their operations – this was the case in Denmark, Croatia, Finland and Sweden.

This year's ENNHRI report also confirms **wide-spread challenges in follow-up by state authorities to NHRI recommendations**. In some EU countries, state authorities failed to provide replies to ENNHRI members' recommendations, including in Belgium, the Czech Republic, Ireland, Luxembourg and Romania.

In numerous EU 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 the Czech Republic, Denmark, Finland, France, Germany, the Netherlands, Romania, Slovakia and Sweden. In several EU Member States, state authorities are legally obliged to respond to NHRI's recommendations or inquiries (in Austria, Estonia, Hungary, Poland, Portugal and Slovenia), while in Belgium, it is the NHRI (FIRM-IFDH) who 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 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 this regard. In Estonia and Greece, the NHRIs themselves established a dedicated mechanism (a database or within the annual reporting) collating their recommendations and assessing progress in the implementation of these by state actors in a systematic manner. The improvement of state authorities' follow-up or a high level of implementation of NHRI's recommendations was reported only in a handful of EU countries, namely Austria, Cyprus, Finland, Hungary, and Latvia.

NHRIs' reports confirm that NHRIs are facing increased **intimidation, threats and attacks with one in four EU 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 with rising rhetoric against NHRIs and their work. Online attacks and hate speech against the NHRI were recorded by the NHRIs in Croatia, Luxembourg and Slovakia, while the Croatian and the Polish NHRIs reported on written threats addressed to them. In the Netherlands, the Dutch NHRI reported on hostile emails and comments on social media in response to the NHRI position on specific issues. In several cases, these threats related to work undertaken by the institution to address specific human rights issues in the country, including rights of LGBTQI persons or migrants.

In Belgium, state authorities attempted to undermine the independence or

effective functioning of the NHRI (through announced significant budget cuts to the Belgian Unia). 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 EU ENNHRI members reported that while there are measures in place to safeguard functional immunity of NHRI leadership, there continues to be a lack of specific measures to more holistically protect NHRIs, and their staff from other forms of threats, attacks and harassment.

European Union 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, as underlined in the [Council Conclusions](#). 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 continuously shrinking space for civil society actors to operate. This year's ENNHRI report prioritises this topic to provide relevant information on the current challenges affecting the enabling space for civil society. In light of the upcoming EU Civil Society Strategy, there is a momentum to identify the most pressing issues in this area and recommend appropriate and firm responses from the European Commission and EU Member States to counter the deterioration of the environment for the functioning of civil society organisations and human rights defenders.

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

Reports from EU 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 numerous laws and measures negatively impacting CSOs and HRDs across the EU.

NHRIs from eight EU Member States raised serious concerns about laws and measures affecting the full realisation of **freedom of peaceful assembly**. The NHRIs from Belgium, Finland, Luxembourg and the Netherlands reported on ongoing legislative proposals or adopted legislative amendments limiting freedom of assembly. In Poland, some assemblies were banned by invoking emergency laws, and in the Netherlands, assemblies were banned by emergency ordinances issued by local authorities that raise concerns over their proportionality. In Slovakia, limitations on freedom of assembly were

introduced in the name of national security, while in Sweden such measures are proposed in a draft law. NHRIs from Belgium, France, Germany and Poland identified disproportionate use of force and measures by law enforcement during assemblies. In Belgium and Germany, the assemblies in support of Palestine were particularly targeted by authorities.

Ten EU NHRIs identified cases of **intimidation, harassment or violence against protesters before, during or after protests**. For example, this was a case in Sweden, while, in particular, in Croatia, Finland, France, Poland and Slovenia, NHRIs reported that excessive use of force was used against protesters by law enforcement, while in Croatia – also by private security companies. In the Netherlands, the NHRI reported on allegations of violence, which are under investigation. Sometimes, certain groups were specifically targeted: environmental defenders in Croatia, Finland, Germany, France; and LGBTQ+ activists and individuals in Lithuania and Slovakia. 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.

At the same time, NHRIs also disclosed worrying examples of limitations put on **freedom of expression** in Belgium, Croatia, Denmark, Germany, Luxembourg, the Netherlands, 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. 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.

In almost half of the EU countries, ENNHRI members recognised worrying limitations on **freedom of association**. In some countries, the obstacles concerned burdening bureaucracy (Romania) or difficulties in access to relevant documents (Luxembourg, Poland), which impact the activities of CSOs. 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 envisaged. In several countries, such as Belgium, Croatia and Slovakia, NHRIs observed **harassment in the form of excessive administrative controls and audits**.

NHRIs also emphasized that the attempts to criminalise the activities of organisations addressing climate change (in Germany) and label organisations

by categorising them 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, Croatia, Germany and Slovakia.

In half of the EU Member States, ENNHRI members stressed that civil society organisations and human rights defenders face **serious obstacles in access to funding**. These challenges concern, 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 and Sweden). In Finland, the radical cuts in the funding of CSOs took place in the context of austerity measures put in place. In Slovakia, there were attempts to limit CSOs’ access to foreign funding, while in the Netherlands, the law has been under drafting process and potentially would limit access to funding of civil society. In Belgium, Croatia and Estonia, the obstacles in the availability of funding reported were of an administrative nature; in Belgium 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.

In many EU countries, NHRIs also reported on **shortcomings in access to information and law- and policymaking processes** for civil society. The shortcomings in ensuring meaningful public consultations were particularly identified in Croatia, Estonia, Finland, Lithuania, Luxembourg, the Netherlands, 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 NHRIs from Luxembourg, Slovakia and Sweden revealed an overall reluctance of state authorities to engage with CSOs within consultation processes.

Similarly, in numerous EU Member States, NHRIs identified obstacles in access to information by CSOs, as evidenced in Belgium, Croatia, Estonia, Finland, Luxembourg, Poland, and Slovakia. These could be caused by a new potentially arbitrary notion of „extensively excessive” search for information carrying a fee (in Slovakia), refusal of access to certain premises (in Croatia and Poland), and long and complex procedures required to access official documents and difficulties in challenging refusals (in Belgium).

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 EU Member States – such as Belgium, Croatia, Finland, Germany, Lithuania, the Netherlands, Slovakia, Slovenia and Sweden. For instance, in Slovakia and Sweden, orchestrated smear campaigns and/or threats against civil society actors were detected, in Slovenia, the negative attitudes towards CSOs were also coming

from public actors, while in Germany the pressure on these actors was perpetuated by the rise of right-wing extremism and polarisation of society. Furthermore, NHRIs from Croatia, France, Germany and Slovakia raised concerns over a growing climate of **repression against environmental defenders**, while in Finland they faced negative attitudes.

NHRIs from several EU countries voiced their concerns over **attacks on CSOs and HRDs** and their work, namely in Belgium, Croatia, Germany, Lithuania, Slovakia, Slovenia and Sweden. CSOs and HRDs also faced **threats and harassment** both online and offline. Such instances were identified in Belgium, Croatia, Finland, Germany, Lithuania, Slovakia, Slovenia and Sweden. Women HRDs were more likely to face threats, for instance, in Belgium, Croatia, France, Slovenia and Sweden. In Belgium, Croatia and Slovakia, organisations and defenders protecting LGBTQ+ rights were a particular target of attacks.

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 Belgium and France, national HRDs were victims of foreign attacks. 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, the worrying number of SLAPP actions was identified by NHRIs from Croatia, France, Germany, Poland, Slovakia, Slovenia and Spain.

Protection of human rights defenders

Reporting by ENNHRI members revealed important gaps in the protection of HRDs in EU Member States. Specific national protection mechanisms for civil society and HRDs were identified in one EU country only, namely Spain. On the other hand, in Finland, France and Germany, the governmental support was offered only to HRDs from abroad, while in the Netherlands and Sweden, such a support mechanism is provided by CSOs.

The information provided by ENNHRI members confirms the insufficiency in the national measures protecting HRDs across the European Union. ENNHRI has continuously [advocated](#) for the establishment of both national and regional mechanisms for the protection of HRDs in the EU, including through strengthening the role of NHRIs to protect HRDs at the national level. In this vein, ENNHRI welcomes the European Commission's decision to develop an EU Strategy to support, protect and empower civil society and invites the European Commission to recognise therein the need to ensure protection mechanisms for HRDs and 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 from EU Member States 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. Some NHRIs carried out targeted research on the situation of HRDs in their countries; the 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. 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, and in Croatia, they were a part of the NHRI's thematic network. The NHRIs from Lithuania, Ireland and Slovakia supported activities to advance LGBTQ+ rights, while the Belgian human rights institutions closely collaborate with and support LGBTQ+ organisations.

The substantial majority of EU 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 the EU ENNHRI 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. Several NHRIs, including those from Belgium (Unia), Denmark, Poland and Spain, provided **legal assistance** as well. Several NHRIs provide dedicated support to civil society actors through their **specific mandates** – for instance, NHRIs in Belgium (FIRM-IFDH), Croatia, Hungary, and Poland are responsible authorities for the protection of whistleblowers who report on breaches of EU law. NHRIs from Latvia, Portugal and Spain use their NPM mandate, and the Estonian NHRI uses its mandate as monitoring body under UN Convention on the Rights of Persons with Disabilities (CRPD).

NHRIs from EU Member States 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 EU countries. Some ENNHRI members carried out **promotion campaigns and awareness-raising activities** (in particular in Belgium (FIRM-IFDH), Ireland, the Netherlands, Romania, Spain, Slovenia and Sweden). 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, and Spain.

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 contributions to UN processes in support of CSOs and HRDs, carried out by NHRIs from Croatia, Denmark, France, Greece, Hungary, Slovakia, and Spain, or involvement with OSCE ODIHR, such as in the case of NHRIs from Estonia, Slovakia and Spain. ENNHRI members from EU Member States closely engage with EU actors on the protection of civic space, and the present report and its recommendations are an example of this engagement. In the same vein, ENNHRI also reports on this topic to the UN and the Council of Europe.

European Union 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. 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 EU Member States. NHRIs identified issues that require appropriate actions and responses from both national authorities as well as regional actors, such as the European Union, to ensure EU Member States uphold core EU values, including the rule of law.

More than half of EU ENNHRI members underlined the persisting **delays in court proceedings** in their countries. Several 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, while in Slovenia, the NHRI reported

on the long-standing issue of the backlog of cases in the Administrative Court. Ensuring 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 remedies and the right to a fair trial within a reasonable time secured under both the EU Charter of Fundamental Rights and the European Convention on Human Rights.

Almost one-third of ENNHRI members from EU countries reported on challenges in the area of **independence and impartiality of the judiciary**. These include verbal attacks by governmental officials against judges, such as in Slovakia, as well as developments which may diminish the independence of judiciary – for example the legal proposals reinforcing disciplinary control exercised on the judges in Belgium. Several NHRIs from Belgium, Germany and Sweden pointed out insufficient protection of the independence and impartiality of judges and/or lay judges in the existing legislation. Other ENNHRI members – from Finland, Poland, Romania and Slovakia underlined the need to introduce further reforms to improve and safeguard the independence and impartiality of judges. The NHRIs from Finland and Germany noted the ongoing initiatives to strengthen the independence of the judiciary.

Twelve EU ENNHRI members reported on the challenges concerning **access to legal aid**. More specifically, they emphasized the insufficient access to legal aid, as in Hungary, France, Greece, Latvia, the Netherlands, Slovenia as well as in Lithuania, where it specifically affects asylum seekers. Several NHRIs also specifically raised that the insufficient access to legal aid was exacerbated by budget cuts (in the Netherlands) and insufficient remuneration for state legal aid (in Croatia and Estonia). The ENNHRI members from Belgium, Latvia, Lithuania and Ireland stressed the need to consider the needs of vulnerable groups, including persons living in poverty, asylum seekers, while the Danish NHRI noted the ongoing work on the reform of access to legal aid.

In seven EU Member States – in Belgium, Croatia, Cyprus, France, Malta, Poland and Romania – the NHRIs identified significant challenges regarding the **timely and effective execution of national courts' judgments**. It is worth noting that the persistent lack of execution of national courts' judgments issued in migration cases has been a serious systemic problem in Belgium. ENNHRI members from five EU Member States (Belgium, the Czech Republic, Luxembourg, Poland and Romania) 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.

Seven ENNHRI members from EU Member States noted shortcomings in relation to **professionalism, specialisation and training of judges**, namely in Belgium, Croatia (in relation to training), Cyprus, France, Luxembourg, Poland, and Romania. Seven EU ENNHRI members raised that there were gaps in **respect for fair trial standards**. In particular, in the Netherlands, this

referred 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 – to the increased use of municipal administrative sanctions, while in the Netherlands, the deficiencies stemmed from the insufficient accountability of law enforcement bodies. The ENNHRI member from Romania noted the impact of emergency laws that contained automatic suspension of processing some cases, while the NHRI from Luxembourg raised concerns over the gaps in access to compensation for victims of crimes. Finally, the NHRI from Slovenia noted the need for state authorities to duly implement the judgment issued by the European Court of Human Rights in the case X and Others v. Slovenia to ensure full respect for the right to a fair trial.

Some ENNHRI members also reported on **measures taken in their countries to follow up on the recommendations concerning justice systems**, issued by European actors, such as the European Commission in the [2024 EU Rule of Law Report](#), the Council of Europe, and the OSCE. Several ENNHRI members, namely from Estonia, Greece, Romania and Spain, noted the ongoing justice systems reforms which aim to implement the relevant regional actors' rule of law recommendations. ENNHRI members from Belgium, Germany, Portugal, and Romania confirmed the ongoing need for and efforts to ensure sufficient resources for national justice systems. At the same time, ENNHRI members from Belgium, Germany and Greece raised concerns over the lack of appropriate actions by state authorities to fully implement the European Commission's rule of law recommendations concerning the functioning of justice systems.

Some challenges in access to justice and the functioning of justice systems **disproportionately impacted women and transgender persons**, as evidenced by several NHRIs. For instance, this has been identified in relation to women and victims of gender-based violence, namely in Cyprus, France, Germany, Greece, Ireland, Romania, 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.

European Union 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 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 principle of the rule of law.

In some countries, NHRIs observed some progress in relation to the execution of certain judgments of European Courts – notably in Lithuania, Poland, Portugal, Slovakia and Sweden. 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 the ECtHR and the CJEU were observed in Belgium, France, Greece and Spain. The Danish NHRI particularly raised serious concerns over the fact that the legitimacy of the ECtHR and its judgments has been undermined by politicians. 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.

ENNHRI members from EU Member States carry out numerous **activities to support the implementation of the European Courts' judgments** in their respective countries. A significant majority of EU 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. More than half of the EU 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 nine EU Member States (Croatia, the Czech Republic, Denmark, Finland, Germany, Ireland, Lithuania, the Netherlands and Poland) confirmed their engagement with the national coordinator of the execution of judgments of the European Court of Human Rights to advance implementation.

Almost one third of EU ENNHRI members focused on the engagement with national courts to enhance the implementation of jurisprudence of the ECtHR and the CJEU, particularly in Belgium, Denmark, Estonia, Germany, Ireland, and the Netherlands. Around one quarter of EU NHRIs included the execution of European Courts' judgments in the context of their educational activities. This is the case in Belgium, Cyprus, Estonia, Greece, Lithuania, the Netherlands,

Romania, Slovakia, and Spain. Lastly, ENNHRI members from Belgium, Croatia, the Czech Republic, Finland, France and Germany 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 inquiries regarding the implementation status of the judgments, while the Spanish NHRI highlighted the added value of so-called Rule 9 submissions provided to the Council of Europe's Committee of Ministers.

Several ENNHRI members also reflected on **what could be further done by state authorities to advance the implementation of European Courts' judgments**. First of all, EU NHRIs called on 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 and Romania. 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. 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*. The Irish NHRI 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. The NHRI from Slovenia emphasised the importance of full and transparent implementation of the ECtHR judgment in 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" and the principle of the "natural judge", and the right to private life in family law matters due to irregularities in judicial case reallocation. Furthermore, the ENNHRI member from Romania stressed the need for state authorities to carry out much-needed structural reforms in line with the standards enshrined in ECtHR jurisprudence. Finally, the Croatian NHRI recommended the inclusion of other 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.

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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 EU Charter of Fundamental Rights and the European Convention on Human 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. The below information is also relevant more specifically for the European Commission in view of the monitoring of the implementation of [European Media Freedom Act](#) as well as [EU Anti-SLAPP directive](#).

ENNHRI members from EU Member States provided insights on challenges affecting media freedom in their countries. Almost half of EU ENNHRI members reported on the general shortcomings in relation to **access to public interest information and documents**, for example, in Belgium, Croatia, Denmark, Estonia, Finland, Greece, Luxembourg, Poland, Slovakia and Spain. More specifically, these included wide exemptions from access to public information for journalists and the wider public, such as the case in Denmark and the differing interpretation of the relevant law in Finland, in both cases leading to refusals of access to relevant information. In Estonia, the NHRI noted that access to information remains a challenge for media outlets, while in Belgium, the ENNHRI members deemed a reform on access to public documents as unsuccessful. In Germany, the NHRI raised concerns over the problem of criminalisation of disclosure of court documents by journalists, which could affect freedom of expression. In Greece, increasing difficulties in accessing information in the area of asylum and migration.

Secondly, a significant number of EU NHRIs reported **harassment, threats and/or attacks against journalists and media outlets**, in some cases by public actors, such as in Croatia, Finland, Greece, Slovakia and Slovenia. Journalists were subjected to attacks during protests in Belgium and France. ENNHRI members from Belgium, Latvia, the Netherlands, Slovakia and Slovenia stressed that often the victims of such attacks and threats are women journalists. **Strategic lawsuits against public participation** were specifically reported in Belgium, Croatia, Greece, Luxembourg, Slovakia and Slovenia. In Germany and France, the NHRIs notified about attacks against journalists during public assemblies, including from law enforcement. In Poland, there were cases of purposeful obstruction of the work of journalists by public authorities.

The third most reported challenge in the area of media freedom is the spread

of **misinformation and disinformation**. These were identified especially by ENNHRI members from Croatia, France, Germany, Ireland, the Netherlands, Romania, Poland, Slovakia and Slovenia. For instance, in Slovakia, the NHRI noted the increased engagement of the representatives of the government 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 a particular 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 in migration 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. 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.

In several EU Member States, NHRIs raised concerns over the **independence and effectiveness of media regulatory bodies**. This is the case in Croatia, Finland, Greece, Luxembourg, 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), and planned reforms undermining their independence (in Slovakia), concerns over the constitutionality of the appointment process (in Greece).

An overall **decline in media independence** was identified in Germany, Poland, Romania and Slovakia, with a problem of political influence appearing in Romania and Slovakia in particular. 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 Finland and the Netherlands due to media ownership concentration issues, in Poland due to problems with media outlets funded by local authorities, as well as in Slovakia due to the worrying transformation of the public media broadcaster.

In relation to some EU Member States, NHRIs provided information on the state of play regarding **follow-up by state authorities on the recommendations issued by the European Commission** concerning media freedom. In this context, some progress was identified in Croatia, Cyprus and Spain as a result of measures introduced to protect freedom of media and journalists, in the Netherlands and Poland, where there are ongoing works on the reforms of public media, as well as in Luxembourg, where the draft law on access to official documents was presented. At the same time, an insufficient or even a lack of progress in the implementation of relevant recommendations issued by the European Commission was noted in Finland, Germany, Greece and

Romania.

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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 (such as 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 fundamental 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 fundamental rights issues impacting the rule of law.

Several ENNHRI members from EU Member States pointed out the challenges affecting healthy **checks and balances**. These include changes aiming at weakening state institutions in Slovakia, a lack of appointment of heads of independent authorities in Slovenia, attempts of the executive branch to influence judicial decisions in Romania and attempts of the executive branch to control the judiciary in Belgium. In Greece, the need to conduct independent and efficient investigations on the informal forced returns (pushbacks) was identified. 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. ENNHRI members from Ireland, Romania and Slovakia underlined the need to improve the quality of law-making process. In the case of Romania and Slovakia, this is due to the excessive use of expedited law-making procedures. The Estonian NHRI warned about worrying usage of administrative orders and decisions instead of legislative frameworks to regulate fundamental rights issues.

Furthermore, several 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 to address security risks. In Sweden, the NHRI reported on some laws and measures introduced in response to security threats, which might disproportionately impact fundamental rights, such as anti-discrimination and the right to privacy.

A few NHRIs reported on specific challenges in the area of **anti-corruption**. The ENNHRI members from 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 organized crime on the rule of law and growing intimidation against state authorities, including law enforcement, as well as journalists.

In terms of other **structural fundamental 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. 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. In the area of **AI and digitalisation**, the ENNHRI members from Belgium and Spain identified the impact of the use of AI by state authorities on fundamental rights and the rule of law. Furthermore, while 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. In Belgium, the structural fundamental rights issues stemmed from the persistent lack of respect for the rights of asylum seekers.

