

European Union 2026

Executive summary

For the seventh consecutive year, National Human Rights Institutions (NHRIs) in the European Union (EU) remain concerned about the overall state of the rule of law in the EU, as confirmed through ENNHRI's joint reporting.

In 2025, NHRIs in EU member States continued to play an active role towards upholding the rule of law, human rights and democratic vitality. They engaged in this through functions including: human rights recommendations to authorities; advice to right-holders; monitoring of national trends and challenges; capacity-building and training a diverse range of actors; targeted advocacy; and taking up new mandates, including those stemming from the EU acquis.

At the same time, NHRIs reported a range of interconnected challenges, including constraints on the enabling environment for NHRIs and civic space actors, limitations in participation in law-making processes, and the growing impact of disinformation on democratic systems. Such issues affect key components of the rule of law, pointing to a situation that requires coordinated, sustained, and decisive action by diverse actors at both national and EU levels.

The 2025 reporting period was also shaped by several important developments at EU level. Key policy initiatives included: the European Commission's 2025 [Charter Report](#) (mid-term review from the [2020 Charter Strategy](#)); the [European Democracy Shield](#) initiative; and the [European Civil Society Strategy](#). In this context, ENNHRI engaged actively with European partners, contributing to consultation processes and issuing recommendations with a view to strengthen the promotion and protection of human rights, democracy and the rule of law across the EU, including through the effective involvement of NHRIs.

ENNHRI welcomes the European Commission's continued commitment to consulting NHRIs in its annual Rule of Law reporting cycle. NHRIs' contribution to advancing the respect for the rule of law and fundamental rights has also been recognised across wider EU initiatives, including the Civil Society Strategy, the annual Charter reports and the corresponding Council Conclusions. This recognition comes amid increasingly difficult operating conditions for many NHRIs across the EU. Through their own national reports, recommendations, awareness-raising and regular engagement with state authorities, civil society and the broader public, NHRIs play a crucial role in reinforcing the impact and follow-up of the European Commission's Rule of Law report findings.

Against this backdrop, ENNHRI's 2026 Rule of Law report provides a thorough assessment of developments across the EU, alongside targeted recommendations to address identified shortcomings. The report draws on evidence from NHRIs and highlights both persistent structural issues and emerging risks. It also showcases the actions undertaken by NHRIs to monitor, prevent, and respond to the rule of law challenges at national level.

The report covers key thematic areas central to the rule of law, through the NHRI perspective, thereby providing actionable insights on the state of the rule of law in the European Union. It examines the enabling environment for NHRIs, including aspects reflecting NHRIs' establishment, independence, effectiveness, and resilience. Further, the report assesses the state of civil society space, which is increasingly constrained. A third section is dedicated to the overall state of democracy, with special attention devoted to disinformation and law-making processes. The final sections focus on structural human rights issues affecting the rule of law, as well as other rule of law challenges, as identified by ENNHRI members.

This publication constitutes ENNHRI's EU-focused rule of law report. It will be complemented by two forthcoming reports: one covering enlargement countries, and another providing a broader perspective on the rule of law across all of wider Europe.

NHRIs' establishment, independence, effectiveness and resilience

Five NHRIs in the EU were re-accredited with A-status over the last monitoring period: in Bulgaria (Ombudsman), Croatia, Estonia, Finland, and Latvia. In those Member States with B-status NHRIs, limited or no progress was reported on moving towards A-status accreditation. Significant progress has been made in Czechia where the Ombudsperson institution has been granted the NHRI mandate through primary legislation, paving the way for future accreditation.

In Malta, while there had been a legislative proposal to establish a Human Rights and Equality Commission with an NHRI mandate, separate from the Office of the Ombudsman, the recent dissolution of the Parliament resulted in the suspension of this process. Italy, while remaining the only EU Member State without an ENNHRI member or an institution working towards accreditation, has taken initial steps in setting up such a body. There has been no progress in Romania, where the applications for accreditation of two institutions remain pending, awaiting a policy decision from GANHRI.

A majority of EU NHRIs (from 21 Member States) continue to face challenges, impacting their effectiveness and operating space. These included: a lack of adequate funding and resources; challenges in the application of international standards on appointment of the decision-making body; lack of access to

information and to national authorities; and a lack of adequate follow-up by state authorities to recommendations issued by NHRIs.

While generally welcomed by NHRIs, the attribution of new mandates by state authorities, including those stemming from the EU acquis, has raised significant concerns when decided upon without prior consultation (with the NHRI) and without a corresponding increase in resources.

Furthermore, NHRIs across the EU face various threats, such as online attacks and defamatory campaigns directed against the institution and its work, as well as verbal and physical attacks against the institution, its work, and its staff. Over the 2025 monitoring period, 10 NHRIs reported such issues. Concerningly, public verbal attacks have sometimes originated from Members of the Parliament and state officials.

ENNHRI's key recommendations

ENNHRI calls on EU Member States to:

- respect and strengthen the enabling environment for strong and independent NHRIs;
- ensure adequate funding for NHRIs, in particular when assigning them new mandates, which should be defined and attributed in consultation with NHRIs;
- cooperate and follow-up on NHRIs' recommendations; and
- protect NHRIs from any form of intimidation, threats or attacks.

ENNHRI calls on the European Commission to:

- continue and strengthen its support for NHRIs across the EU in delivering their mandates, including those stemming from the EU acquis;
- ensure adequate resources for NHRIs mandates' deriving from the EU acquis, including through the upcoming 2028-2034 Multiannual Financial Framework and initiatives such as Agora EU;
- provide clear guidance on the mandate and role of NHRIs in the EU, including in relation to the implementation of EU law and policies, whether through a European Commission Recommendation on NHRIs or other appropriate means; and
- continue to speak out in support of NHRIs, including where they face threats, attacks or undue interference.

Civil society space and human rights defenders

Over the last reporting period, ENNHRI members in the EU confirmed that civic space has further deteriorated.

A majority of NHRIs in the EU pointed to structural challenges, such as a persistent lack of adequate funding for CSOs and HRDs, sometimes as the result of explicit barriers to funding, including from foreign sources. Meaningful consultation with CSOs and HRDs in law- and policymaking was reported to be significantly hampered by barriers such as tight consultation deadlines, lack of access to information, and lack of transparency in consultation processes. Laws and policies restricting freedom of association and peaceful assembly (including undue restrictions on protests) persist across the EU, resulting in adverse conditions for CSOs and HRDs to operate.

The report also identifies a worrying increase in verbal and physical attacks on CSOs and their representatives, including HRDs. These attacks come from a wide range of actors and may take different forms, with online threats and harassment being noted as particularly concerning by ENNHRI members. Other threats to CSOs and HRDs include the criminalisation of their work by state actors, strategic lawsuits against public participation (SLAPPs), and an overall rise in negative narratives surrounding their work. As for last year's report, some groups, including environmental defenders, women HRDs, and LGBTI defenders, are particularly impacted.

In order to address this, NHRIs have carried out a large array of activities to promote and protect civic space and HRDs. They promoted civic space by organising large-scale communication campaigns, joint meetings, roundtables, as well as trainings for national authorities, CSO representatives, HRDs, and journalists. Initiatives by NHRIs aimed at protecting civil society space and HRDs included monitoring on the situation of CSOs and HRDs nationally and on the implementation of relevant international and regional standards on HRDs protection. In addition, NHRIs issued recommendations to national authorities on strengthening and safeguarding civic space, and support to individuals included complaints-handling or legal assistance. NHRIs have stressed that these efforts require backing from authorities in the form of adequate funding and specific HRD protection mechanisms, also through dedicated legislation, both at national and European level.

ENNHRI's key recommendations

ENNHRI calls on EU Member States to:

- ensure access of CSOs and HRDs to predictable, stable, and secure sources of funding, including foreign funding;
- guarantee freedom of assembly and association, including with particular attention for those HRDs focusing on specific groups, such as women's rights, LGBTI rights, migrants, and environmental defenders; and
- take action to protect HRDs and CSOs from attacks and negative narratives.

ENNHRI calls on the European Commission to:

- implement the EU Civil Society Strategy with a focus on establishing dedicated national and EU-wide protection mechanisms for CSOs and HRDs; and
- support the central role of NHRIs in contributing to the protection, engagement and support of civil society and HRDs at national level.

Disinformation

Disinformation features prominently as an emerging challenge to democracy. Reports by ENNHRI members in the EU have stressed its cross-cutting nature, as it impacts fundamental rights and freedoms, erodes trust in institutions, and exacerbates entrenched issues such as discrimination and hate speech directed at groups such as the LGBTI community, migrants, and refugees.

ENNHRI members reported disinformation campaigns directed at NHRIs, CSOs, and HRDs as a recurring issue significantly hindering their work and safety. Disinformation, a complex and composite issue, requires a targeted, coordinated, and proportionate policy response. However, in many EU Member States, counter-disinformation measures taken by state authorities have raised human rights concerns, particularly where draft laws lacked adequate safeguards for freedom of expression, or where disproportionate measures were introduced without sufficient consideration of their necessity and proportionality.

NHRIs have assumed a crucial role in countering disinformation in various ways. Efforts have focused on increasing media literacy across society, and have also included initiatives such as independent fact-checking, and the establishment of expert advisory bodies.

ENNHRI's key recommendations

ENNHRI calls on EU Member States to combat the rise of disinformation, especially online and in the media, through:

- transparent, targeted, proportionate and rights-compliant policy and legal frameworks;
- monitoring;
- preventive approaches such as media literacy education; and
- measures to promote access to reliable, trustworthy and pluralistic sources of information.

ENNHRI calls on the European Commission to:

- pursue a comprehensive and coherent approach to tackling disinformation, including through initiatives such as the European

- Democracy Shield;
- recognise disinformation as stemming also from within the EU, as well as foreign interference;
 - strengthen monitoring of Member States' implementation of relevant EU policies on tackling disinformation; and
 - ensure that responses to disinformation remain consistent with fundamental rights.

Law-making processes

Challenges affecting law-making processes were reported across the EU. In general, several EU Member States lack mechanisms or processes that facilitate both general and targeted participation in the law-making process. At the same time, impact assessments, including human rights impact assessments, remain underused in many EU Member States. This limits meaningful consultation of NHRIs and makes it difficult to anticipate the effects of draft laws on both the rule of law and human rights. This is coupled with a lack of time allocated for consultation with NHRIs in the law-making process, and a widely reported use of fast-track or emergency procedures aimed at accelerating law-making processes. This represents a significant obstacle in securing meaningful NHRI consultation at all stages of the law-making process.

To address these issues, NHRIs have carried out awareness-raising activities alerting both the public and relevant actors, including parliamentarians, of the harmful effects of short consultation windows and underscoring the need for thorough and adequately paced law-making processes, including human rights impact assessments. ENNHRI members in the EU have reported issuing recommendations, opinions, monitoring reports, and statements on these concerns, and NHRIs have also provided analysis and input on specific legislative proposals.

ENNHRI's key recommendations

ENNHRI calls on EU Member States to:

- ensure that law-making processes are inclusive, transparent, and have a reasonable timeline for checks and balances;
- establish clear procedural requirements for timely and meaningful NHRIs, CSO and public consultation;
- limit the use of fast-track or emergency procedures to duly justified cases; and
- systematically carry out human rights impact assessments for draft legislation.

ENNHRI calls on the European Commission to:

- promote and apply high standards of transparent, inclusive, and well-

- structured law-making at EU level;
- ensure the systematic use of human rights impact assessments in legislative and policy proposals;
- improve the quality and accessibility of consultation processes; and
- avoid approaches that hinder effective scrutiny, such as rushed or package bills.

Persisting challenges for the rule of law and structural human rights issues in the EU

ENNHRI members continue to report a range of persistent and structural challenges affecting the rule of law across EU Member States, including pressures on media freedom and journalists, justice systems, checks and balances, and institutional integrity. These developments include political interference or pressure on independent institutions, delays in judicial proceedings, and weaknesses in the implementation of decisions from regional and international human rights bodies.

In addition, NHRIs reported that persistent challenges to the rule of law are closely intertwined with structural challenges in the protection of human rights. In particular, Member States' approaches to migration and asylum policies continue to raise concerns regarding the respect of fundamental rights in practice, including access to asylum, non-refoulement, and effective remedies. Deficiencies in these areas, such as the use of emergency measures, limited judicial oversight, and criminalisation of CSOs' work, have weakened safeguards, affected institutional accountability, and placed additional strain on checks and balances. This illustrated how the structural lack of respect for human rights has exacerbated broader rule of law concerns.

In response to these persistent challenges, NHRIs continue to play a key role in monitoring, reporting, and addressing systemic rule of law concerns. Through their independent monitoring and assessments, public reporting, and engagement with national authorities, NHRIs contribute to identifying risks and promoting accountability. They also support the implementation of international and European human rights standards by issuing recommendations, intervening in public debates, and cooperating with state, civil society and other stakeholders. In doing so, NHRIs help to strengthen institutional resilience and uphold fundamental rights in the face of ongoing pressures on the rule of law.

ENNHRI's key recommendations

ENNHRI calls on the EU Member States to:

- ensure that all legislative, policy and administrative measures fully comply with international and European human rights standards,

including by addressing structural violations of human rights identified by NHRIs; and

- safeguard judicial independence and effective oversight in migration contexts by refraining from measures that unduly restrict independent actors' - including NHRIs' and CSOs' - work in this area.

ENNHRI calls on the European Commission to:

- strengthen the systematic inclusion of NHRI findings into the EU Rule of Law framework, including challenges identified by NHRIs, and supporting Member States in implementing reforms that enhance the protection of fundamental rights and the rule of law;
- strengthen the monitoring and enforcement of EU law in the field of migration and asylum, including by making use of infringement proceedings where systematic fundamental rights violations are identified; and
- promote and support the formal involvement of NHRIs in independent border monitoring mechanisms and in the oversight of migration-related measures, where this would add value.

European Union 2026

Introduction

About ENNHRI and NHRIs

The [European Network of National Human Rights Institutions \(ENNHRI\)](#) brings together 51 [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 promote and protect fundamental rights at the national level. NHRIs are established and function with compliance 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, a strong and independent NHRI in compliance with the UN Paris Principles is an indicator of 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 broad mandate and functions, independent NHRIs also serve as reliable sources of information on 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.

Since 2020, ENNHRI has been coordinating NHRIs' joint engagement with European rule of law mechanisms, including the EU. On the basis of a [common methodology](#), ENNHRI has published joint annual reports on the state of the rule of law in the [European Union and wider Europe](#) for seven consecutive years. Since 2025, ENNHRI also issues an annual report on the state of the rule of law in enlargement countries. ENNHRI's reports compile NHRIs' country-specific submissions, focusing on national rule of law situations, as well as 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.

ENNHRI's rule of law reporting has also fed into the network's responses to annual consultations by relevant counterparts ([EU rule of law monitoring cycle](#) , [EU annual report on application of the EU Charter, Enlargement Package](#)), as well as some specific thematic initiatives ([EU SLAPP initiative](#) (2021)), [EU Freedom of the Media Act](#) (2022), [Defence of Democracy Package](#) (2023), [European Internal Security Strategy](#) (2025), [European Democracy Shield](#) (2025), [EU Strategy on Civil Society](#) (2025)). In addition, ENNHRI's reporting has been used by ENNHRI members for their engagement with

national actors to seek responses to the identified rule of law challenges.

ENNHRI's 2026 EU Rule of Law report – both the regional overview, as well as country-specific chapters authored by ENNHRI EU members, – covers the following topics:

- NHRIs establishment, independence, effectiveness and resilience;
- Human rights defenders and civil society space;
- Disinformation;
- Law-making processes;
- Other persisting challenges for the rule of law, including structural human rights issues.

The regional trends on all of the above topics are included in the chapter on the overview of trends and challenges. Further information on all identified trends and more detailed in-country observations are included in the country reports.

Similar to its 2025 report, ENNHRI's 2026 Rule of Law report provides an in-depth analysis on civic space and human rights defenders, with a view to feeding into regional developments and to advancing progress on the ground, including through the European Commission's:

- Rule of law monitoring cycle in the EU;
- Enlargement Package;
- 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;

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, democracy and protect fundamental rights in the EU.

This year, ENNHRI's joint reporting met a complete response rate from NHRIs in EU Member States. For the one EU Member State without an ENNHRI member, Italy, ENNHRI Secretariat provided updates on its NHRI establishment progress.

This report is also a contribution to the European Commission's consultations on its [2026 rule of law report](#).

European Union 2026

NHRIs' establishment, independence, effectiveness, and resilience

ENNHRI welcomes the European Commission's 2025 Rule of Law [Report](#) in which the key role of NHRIs in ensuring healthy checks and balances was once again highlighted. The European Commission affirmed that NHRIs play an important role in promoting the respect for the rule of law. In its country-specific recommendations, the European Commission called on those Member States without an NHRI to step up their efforts to establish one, while urging several Member States to ensure an enabling space for the effective functioning of NHRIs. ENNHRI underlines the crucial importance of sustained commitment by the European Commission to ensuring the effective functioning of NHRIs across the EU, in full compliance with the UN Paris Principles. ENNHRI also welcomes the positive impact of country-specific recommendations, particularly in supporting the establishment of NHRIs in Member States where they are not yet in place.

ENNHRI invites the European Commission to address more consistently 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 encourages the European Commission to reiterate its call on Italy to establish an NHRI, and to Malta and Romania to commit to advancing the establishment of an NHRI in full compliance with the UN 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 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 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 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.

International accreditation status and SCA recommendations

Since ENNHRI's last EU Rule of Law report, five NHRIs from EU Member States were reviewed by the GANHRI Sub-Committee on Accreditation. The NHRIs in Bulgaria, Croatia, Estonia, Finland, and Latvia were reaccredited with A-status. In 2025, the SCA decided to defer the French NHRI's review to the second session of 2026. The institution retains its A-status during this period. Throughout 2026, three further EU NHRIs will be considered by the SCA, including the NHRIs in Ireland, the Netherlands, and Slovenia (in April 2026, with outcomes expected in May 2026).

In the EU, there are currently **20 Member States with A-status NHRIs**, **three Member States with B-status NHRIs** (Belgium, Hungary, Slovakia), and **four Member States without an accredited institution** (Czechia, Italy, Malta, and Romania).

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 were 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. In view of changes to the institution's legal basis in the context of the transposition of the EU Directive on Equality Bodies, the NHRI has engaged in consultations with state authorities for its legislative framework to be strengthened, including in line with the Paris Principles, through the inclusion of the NHRI mandate, as well as independence safeguards, in the enabling law. However, so far, no changes to the enabling framework have been made to strengthen the Centre's mandate as NHRI in full compliance with the Paris Principles.

There has been concrete progress in EU Member States without an accredited NHRI. In Czechia, the legislative basis of the Czech Public Defender has been strengthened and expanded to include a broad human rights promotion and protection mandate. The legislation was approved by the Senate in February 2025 and entered 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 - following technical advice on relevant international standards from ENNHRI - presented a [proposal](#) for a new Ombudsman Act, with the goal of extending its current mandate to include the promotion of human rights and fundamental freedoms, and thus strengthening its compliance with the Paris Principles and ensuring the establishment of an NHRI in Malta. In 2025, there was no substantive engagement from national authorities on the proposed bill. However, by the time of drafting this report, recent indications suggest that work is underway at governmental level to advance the establishment of an independent human rights and equality commission.

In Romania, the law establishing ENNHRI's member, the Romanian Institute for Human Rights (RIHR), dates back to 1991 and has not been amended since, although there were two legislative proposals in 2018 and 2020 respectively, aimed at strengthening its compliance with the Paris Principles. RIHR and the Romanian Ombudsman institution have both applied for accreditation. At the time of drafting, 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, at the time of writing, there continues to be no clear indication of a legislative proposal establishing an NHRI being close to adoption. In early 2026, ENNHRI engaged at technical level with national authorities to provide information on the Paris Principles and NHRI models. ENNHRI continues to remain available to support initiatives towards the establishment of an NHRI in Italy, an effort recently [echoed also by the Council of Europe Commissioner for Human Rights](#).

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 the SCA recommendations. Across the EU,

NHRIs are taking steps to do so, including, for example, the ENNHRI members in Belgium, France, Finland, Germany, Greece, Luxembourg, the Netherlands, Slovenia, and Sweden, among others.

ENNHRI plays a key role in supporting NHRIs to advocate towards national authorities to strengthen NHRIs' enabling environment and for their 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. 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 came into force in July 2025. As highlighted above, there is limited progress towards the establishment of an NHRI in Italy and Malta.

Regulatory framework

Recent developments across EU Member States confirm that the institutional landscape surrounding NHRIs continues to evolve. A number of ENNHRI members, including those in Belgium (FIRM-IFDH, Unia, Myria), Croatia, Czechia, France, Hungary, Lithuania and Latvia, reported on the **changes in their regulatory framework**. As confirmed throughout the reporting, the majority of these changes aim at strengthening the mandates and competences of the NHRIs. For example, in the case of Czechia and France, the governing framework of the NHRI was updated to enlarge competences and roles, while in Latvia changes clarified the National Preventive Mechanism (NPM) function of the NHRI within the existing institutional framework. A few of the reforms **addressed structural issues pertaining to the effective and independent functioning of the NHRI**, such as the strengthening of the institutional capacity or the financial and operational independence of the NHRI, as was the case in Greece and Luxembourg.

ENNHRI's 2026 Rule of Law reporting also confirms that ENNHRI members increasingly perform multiple mandates simultaneously. Many NHRIs have been given **new mandates** throughout 2025, particularly those **stemming from the implementation of relevant EU legislation** at the national level through entrusting a specific role to independent national bodies. For instance, in 2025, four additional Member States have appointed ENNHRI members as national authorities protecting fundamental rights in the use of high-risk Artificial Intelligence (AI) systems under Article 77 of the AI Act (in Belgium (FIRM-IFDH, Unia and Myria), Denmark, Finland (Parliamentary Ombudsman), and Latvia). In addition, Unia from Belgium acquired the mandate of 'trusted flagger' under the EU Digital Services Act, while the NHRI

from Hungary was appointed as the whistleblower protection mechanisms under the EU Whistleblower Protection Directive. Furthermore, in Sweden, a proposal is currently under consideration to entrust the NHRI with the mandate of the independent monitoring mechanism pursuant to the EU Anti-Trafficking Directive.

In the context of migration and asylum, some NHRIs have already been granted new mandates, while others are expected to receive new ones subject to pending legislative reforms affecting their regulatory frameworks. For instance, the French NHRI began exercising its advisory role in 2025 in relation to the monitoring mechanism under the EU Screening Regulation, the Estonian NHRI was designated as the independent monitoring mechanism (IMM) by law adopted in May 2026, while at the time of drafting this report, the NHRIs in Austria, Cyprus, Germany, the Netherlands and Slovenia are expected to be entrusted with this mandate under the same Regulation. Furthermore, the institution from Czechia has been designated to carry out the monitoring mechanism under the EU Asylum Procedure Regulation (new mandate entering into force in 2026) and, at the time of drafting, legislative processes are underway in Austria, Estonia, Germany and Slovenia to entrust their NHRIs with comparable responsibilities under this Regulation.

Furthermore, two ENNHRI members reported the integration of **new specialised Ombuds mandates into the institutions' regulatory framework**. In Czechia, the legislation that entrusted the Public Defender of Rights with the mandate of an NHRI in early 2025 also established the new position of a Defender of children's rights. In Lithuania, legislative amendments added the function of an Ombudsperson for Small and Medium-Sized Business. However, the NHRI has raised concerns related to the compatibility of the new office with the Institution's independence amid fears that the new Ombudsman might carry out lobbying activities in favour of interest groups, and there could be conflicts with the NHRI's broad human rights mandate. The Luxembourg NHRI was also entrusted with a new mandate in the area of monitoring public video surveillance; however, it indicated that the new mandate was not reflected in the institution's regulatory framework, and the role that the NHRI should play remains imprecise.

As a result, an increasing number of EU NHRIs are being entrusted with new mandates, including those stemming from the EU legislation, demonstrating a growing recognition of their independence, expertise and capacity to contribute to effective monitoring and accountability frameworks, and reflecting the increased reliance on EU NHRIs as key actors in ensuring the application of the EU acquis and fundamental rights compliance at national level.

Overview of NHRIs' mandates deriving from EU

legislation

- **Focal point on SLAPPs:** Belgium, Romania.
- **Monitoring body on EU funds compliance with fundamental rights:** Belgium, Croatia⁽²⁾, Cyprus, Finland, Greece, Ireland, the Netherlands ⁽²⁾, Poland ⁽²⁾, Romania ⁽²⁾.
- **Forced return monitoring:** Bulgaria, Cyprus, Czechia, Latvia.
- **Whistleblower Protection Mechanism:** Belgium, Croatia, Hungary, Poland.
- **Reporting on trafficking in human beings:** Belgium, Germany, Ireland, Lithuania, Luxembourg.
- **Monitoring body under Asylum Procedure Regulation:** Austria ⁽¹⁾, Belgium, Czechia (as of June 2026), Estonia, Germany ⁽¹⁾, the Netherlands (as of June 2026), Slovenia ⁽¹⁾.
- **Border monitoring mechanism under Screening Regulation:** Austria ⁽¹⁾, Belgium, Cyprus ⁽¹⁾, Czechia, Estonia, France, Germany ⁽¹⁾, the Netherlands (as of June 2026), Slovenia ⁽¹⁾.
- **EU AI Act Art. 77 Body:** Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Finland (Ombudsman), Greece, Ireland, Latvia, Lithuania, Malta, the Netherlands, Spain.
- **Trusted flagger under Digital Services Act:** Belgium.

¹ *Expecting designation pending formal confirmation.*

² *The institution is not designated with this mandate; nevertheless, it participates in the relevant monitoring structures (as an observer or non-voting member) contributing its expertise and perspectives.*

For a better overview of NHRIs' mandates stemming from EU legislation, please check [this table](#).

While these additional competences strengthen the human rights monitoring ecosystem at the national level, they also place additional pressure on NHRIs and are often not accompanied by sufficient safeguards to ensure their effective and independent functioning in line with international and regional standards on NHRIs.

ENNHRI's 2026 Rule of Law reporting reaffirms the numerous **challenges NHRIs face in implementing multiple mandates, including those stemming from international treaties and/or the EU acquis**. For instance, a substantial number of institutions, including those from Belgium (FIRM-IFDH and Unia), Denmark, Finland, Germany, Greece, Ireland, Lithuania, Luxembourg, Poland, and Romania, confirmed the **insufficiency or uncertainty of financial and human resources** to carry out additional mandates. The NHRI from Greece also highlighted that specific and more technical mandates assigned to NHRIs require more specialised personnel and

further capacity-building.

Besides the need for adequate financial and human resources, some NHRIs from EU Member States also pointed to shortcomings in **clearly defining the obligations of the NHRI under these additional mandates**. This was observed in Denmark, Finland, Luxembourg, and Poland. For example, the NHRI from Luxembourg indicated that the new mandate in the area of monitoring public video surveillance was not reflected in the institution's regulatory framework, and the role that the NHRI should play remains imprecise. Additionally, the **lack of effective follow-up from national authorities or weak cooperation with other national coordination and monitoring bodies** were identified by NHRIs from Greece and Luxembourg.

Based on the identified challenges in implementing multiple mandates, several ENNHRI members advocate at national level for ensuring **adequate financial and human resources to fulfill the breadth and specificity of additional mandates**, while also highlighting the need for **support from national and regional authorities in implementing multiple mandates**. Some ENNHRI EU members such as Germany and the Netherlands welcomed the attribution of new mandates to their institution. Nonetheless, most ENNHRI EU members stressed the need for **prior consultation of NHRIs** when further mandates are assigned to the institution.

NHRIs' structural challenges, threats and resilience

ENNHRI's 2026 Rule of Law reporting confirms that NHRIs increasingly face structural challenges that hinder their ability to operate effectively and independently. These challenges are often intertwined, involving a combination of insufficient resources, an inadequate legal framework, and a rise in political pressure.

In almost half of EU Member States, NHRIs reported a structural **lack of sufficient or adequate resources for the NHRI** to carry out their mandates. This is the case in Belgium, Cyprus, Czechia, Denmark, Finland, France, Germany, Ireland, Lithuania, Luxembourg, Poland, and Romania. In some cases, such as in Belgium and Luxembourg, limited resources affected NHRIs' ability to fulfil all of their responsibilities, while in Finland, the NHRI's budget was reduced following broader public budget cuts. In Estonia, the NHRI reported that Riigikogu (the Parliament) did not support the Chancellor's request for budget increase for 2026, which may affect the institutional capacity of the NHRI due to the rise in petitions. In Croatia, the NHRI highlighted the continued lack of permanent office premises since 2020.

In addition, a few institutions, including those from Belgium (Unia), Czechia, Estonia, and Luxembourg, also stressed the **challenges related to the financial autonomy of the NHRI**, including when it comes to determining its

budget. Moreover, the NHRI's financial autonomy in Luxembourg still remains rather limited due to its administrative attachment to the Ministry of State, which hampers its liberty to carry out its activities and projects.

ENNHRI's 2026 Rule of Law reporting also confirms **challenges in adequate follow-up by state authorities to NHRI recommendations.**

These specific challenges were identified by ENNHRI members in 10 EU Member States, including in Belgium, Greece, Ireland, Luxembourg, Malta, the Netherlands, Romania, Slovakia, Slovenia and Sweden. For example, the Greek NHRI reported on the lack of follow-up and consideration of NHRI's recommendations regarding the draft law on restricting CSOs' action on migration and the possible criminalisation of humanitarian action. The Slovenian NHRI identified more than 100 previously issued recommendations that remain unimplemented, most of which relate to the rights of various vulnerable groups.

Some ENNHRI members also identified obstacles in systematic **access to information and to national authorities**, including in Czechia, Greece, Luxembourg, Poland, and Romania. These concerns mainly relate to the lack of granting access to classified information or documents upon NHRI request. In some cases, these challenges were particularly related to the conduct of the specific mandates of the NHRIs, such as in Luxembourg (monitoring public video surveillance systems) or Poland (mandate as the NPM). In the case of Greece, this relates to legislation preparation, for which the NHRI was not consulted in the early stages of the process.

Furthermore, six NHRIs, including in Ireland, Lithuania, Luxembourg, Portugal, Slovenia and Sweden reported **challenges in the selection and appointment of the decision-making body.** For instance, in Portugal, the appointment of a new Head of Institution is pending since June 2025 and, in Slovenia, the NHRI remained without an appointed Head of Institution for almost a year. The NHRIs from Lithuania, Slovenia, and Sweden highlighted the importance of a more transparent and open selection and appointment procedure for their decision-making body, in line with NHRI standards.

Some NHRIs reported challenges affecting their independence and effective functioning. For example, the Greek NHRI raised concerns about its designation as a voting member of the Special Committee on Fundamental Rights established under the Ministry of Migration and Asylum, noting that such participation within the executive branch may undermine its independence and compliance with the Paris Principles.

Moreover, several NHRIs from EU Member States reported facing **threats and attacks**, with **nearly one in five EU NHRIs** indicating experiences ranging from online and verbal attacks to, in one case, a physical incident targeting the Head of Institution.

Five EU NHRIs, including from Denmark, Estonia, Germany, Ireland, and Slovakia, were subjected to **online attacks or defamatory campaigns against the institution and its work**. For example, the NHRI from Ireland was subjected to a public commentary aimed at misrepresenting the status of the NHRI by portraying it as a “state-funded NGO” and disseminating misleading claims regarding its funding. In Germany and Denmark, the NHRIs and their representatives were subjected to online attacks and hostile reactions following publications related to their institutional work.

Six EU NHRIs also identified cases of increasing **verbal attacks against the institution**, in particular in Belgium (Unia), Croatia, Estonia, Luxembourg, Slovakia and Slovenia. In most of these cases, such attacks came from public actors. For example, the NHRI in Luxembourg reported verbal accusations from a far-right politician questioning its neutrality, ethical standards and representativeness, while the NHRI in Croatia reported defamatory statements made by the Prime Minister. In Slovenia, the Ombudsman faced public criticism portraying the institution as ineffective and an unnecessary public expense.

Another cause for concern was reported by the NHRI from Austria, which indicated a **physical attack against the Ombudsperson** during public consultation days. The incident was reportedly carried out by an individual who felt unfairly treated by a judge in civil proceedings.

On a more positive note, about seven ENNHRI members (in Cyprus, Greece, Malta, Poland, Portugal, Spain and Sweden) did not report any specific threats directed against them.

Response to threats seeking to undermine the independence and effectiveness of the NHRI and measures to strengthen the NHRI resilience

In the context of structural challenges, threats, and attacks, NHRIs are developing and employing practices to respond, and also highlight the importance of actions taken by regional and international partners to support them in doing so.

Many ENNHRI members focus on **emergency planning and preparedness policies and** have developed **specific action plans to increase their resilience**. This is the case in Cyprus, Finland, Germany, Greece, Ireland, Lithuania and Sweden. For example, the NHRI in Greece is developing an internal resilience strategy to systemise risk assessment procedures, clarify institutional response protocols, and strengthen internal coordination. It also created an internal task force to monitor emerging risks and propose preventive and corrective measures where necessary. Similarly, the NHRI in Lithuania strengthened cyber security, access controls, secure communications, incident response procedures, and installed protocols for managing harassment and threats.

At the same time, many ENNHRI members from EU Member States also **focus on building in-house capacities, increasing skills and expertise** to strengthen their resilience and capacities. This is the case in Croatia, Cyprus, Denmark, Finland, Germany, Greece, Lithuania, the Netherlands, Romania, and Sweden. For example, the NHRIs from Cyprus, Finland, Greece, Lithuania, the Netherlands, and Sweden specifically focused on capacity-building, organising targeted in-house trainings of relevant staff and experts to build their capacities or identify early warning signs of institutional pressure. In addition, the NHRIs from Germany and the Netherlands provided support and dedicated trainings to front-desk staff members respectively to enhance their capacity to handle challenging interactions (e.g. phone calls).

EU NHRIs also highlighted the importance of **building strategic partnerships with domestic and international actors**. For example, the NHRIs' approach to strengthening their resilience in Belgium (FIRM-IFDH, Combat Poverty), Croatia, Cyprus, Finland, Germany, Greece, and Slovakia builds on monitoring changes in their operating environment while engaging in cooperation with a broad network of national and international stakeholders. Some ENNHRI members also reported examples of positive awareness and recognition of their role, as well as efforts to maintain good relations with CSOs and the general public. This is the case, for example, in Belgium (Unia), Denmark and Slovakia. This is of particular importance given the relationship of mutual support between NHRIs and CSOs, especially in the face of threats.

Lastly, some NHRIs reported that they rely on the safeguards provided by their regulatory framework and national legislation, including provisions granting **functional immunity** to staff and protection under criminal law. This is the case for the NHRIs of Cyprus, Greece, Hungary, Luxembourg, and Portugal.

As highlighted in ENNHRI's new [Strategic Plan 2026-2030](#), and confirmed by ENNHRI's 2026 Rule of Law reporting, there is a stronger need for building NHRI resilience, enabling them to respond effectively to threats, address emerging or unpredictable challenges, and maintain compliance with the UN Paris Principles.

ENNHRI's recommendations

In light of these developments, targeted action is needed at both Member State and EU level to safeguard the independence and effective functioning of NHRIs.

ENNHRI calls on EU Member States to **respect and strengthen the enabling environment** for the establishment and function of strong and independent NHRIs in compliance with the UN Paris Principles, including by safeguarding their institutional independence and systematically supporting actions aimed at strengthening NHRI resilience. Furthermore, ENNHRI urges EU Member States

to **ensure adequate funding** for NHRIs, in particular when assigning them new mandates, which should be defined and attributed in consultation with NHRIs. EU Member States should consistently match the attribution of new mandates to NHRIs with corresponding increases in budget and resources, in line with international standards on NHRIs. Funding should be stable, multi-annual, and predictable as opposed to more precarious project-based approaches in order to allow continuity and adequate planning. EU Member States should also **consult with NHRIs prior to the attribution of new mandates**. Obligations of NHRIs under such mandates should be clearly and systematically defined in the regulatory framework.

Additionally, ENNHRI highlights the importance of EU Member States to cooperate and **follow-up on NHRIs' recommendations**. EU Member States should follow-up on recommendations and input from NHRIs in a timely and justified manner while detailing and justifying follow-up actions or lack thereof. Lastly, ENNHRI asks EU Member States to **protect NHRIs from any form of intimidation, threats or attacks**. EU Member States should in particular strengthen their support for NHRIs under threat, including by responding to and addressing cases of intimidation, harassment, and other threats seeking to undermine the independent and effective functioning of NHRIs.

ENNHRI calls on the European Commission to continue and strengthen its **support for NHRIs across the EU in delivering their mandates including those stemming from the EU acquis**. Moreover, ENNHRI invites the European Commission to ensure **adequate resources for NHRIs mandates deriving from the EU acquis**, including through the upcoming 2028-2034 Multiannual Financial Framework and initiatives such as Agora EU. In addition, ENNHRI recommends the European Commission to provide **clear guidance on the mandate and role of NHRIs in the EU**, including in relation to the implementation of EU law and policies, whether through a European Commission Recommendation on NHRIs or other appropriate means.

As considered in the [mid-term review of the EU Charter Strategy](#), the European Commission is invited to adopt a dedicated guidance 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 NHRI is in place. Lastly, ENNHRI encourages the European Commission to continue to **speak out in support of NHRIs, including where they face threats, attacks or interference of any kind**. The European Commission should in particular enhance its monitoring and support for NHRIs facing pressure or attacks, including by ensuring timely responses to such incidents.

European Union 2026

Civil society space and human rights defenders

Civil society organisations (CSOs) and human rights defenders (HRDs) are key actors in the system of checks and balances in healthy democracies. They play an essential role in safeguarding EU values - the rule of law, fundamental rights and democracy - as they serve as watchdogs, raising awareness about essential issues, while often representing diverse groups in vulnerable situations. As underlined in the [EU Strategy for Civil Society](#), their contribution is essential in fostering citizens' engagement, democratic participation, and inclusive public discourse. Acting as unique independent public bodies with a broad human rights mandate, NHRIs also play a pivotal role in protecting, empowering, and supporting CSOs and HRDs. At the same time, NHRIs are human rights defenders themselves and often face risks similar to other HRDs.

Reporting by ENNHRI members reveals important gaps in the national protection of CSOs and HRDs across the EU, while also indicating that a deteriorating environment for CSOs and HRDs remains an issue. As highlighted in the 2023 [Council Conclusions](#), unjustified restrictions on their operating space present a threat to the rule of law.

This year, ENNHRI's EU Rule of Law reporting confirms the need to strengthen further the protection and promotion of civil society space in the EU. ENNHRI members affirm that numerous structural challenges and threats encountered by CSOs and HRDs may reduce and ultimately discourage their participation in democratic discourse at the national level. Furthermore, as reflected in the NHRIs' country reports, these issues also present considerable difficulties for CSOs and HRDs within the European context in terms of monitoring, reporting, and supporting the enforcement of EU values. Hence, there is a need to systematically address these challenges at both national and regional level.

Situation of civil society organisations and human rights defenders and their enabling environment

Only five NHRIs from EU Member States (Austria, Cyprus, Estonia, Portugal and Spain) indicated that CSOs and HRDs operate within **open environments** and maintain **strong cooperation with national authorities**.

Six ENNHRI EU members, from Czechia, Denmark, Lithuania, Luxembourg, Poland and Slovenia, rate the enabling environment as generally open; however, already pointing to **warning signs of narrowing of the enabling**

environment for CSOs and HRDs, related to access to **financial resources** or increasing **political pressure** and public stigmatisation of the CSOs and HRDs. For example, the ENNHRI member from Czechia highlighted that for CSOs working in the area of migration and foreigners' rights, the enabling framework remains formally open, but CSOs and HRDs are highly dependent on short-term, project-based public funding. The NHRI from Lithuania highlighted that in the media sphere, concerns were raised about initiatives perceived as increasing political pressure on the public broadcaster, including audits and proposed legal changes.

The majority of ENNHRI members in the EU confirm the continuous trend of a further narrowing of the environment for the functioning of CSOs and HRDs. The Institutions from 10 EU Member States (Belgium, Croatia, Finland, France, Germany, Greece, the Netherlands, Romania, Slovakia and Sweden) assessed the **enabling environment for CSOs and HRDs as narrowing**. The ENNHRI members from Belgium, Greece, Slovakia, Sweden, and Romania report that many CSOs and HRDs continue to be **a target of harassment, threats and disinformation campaigns**, while the NHRIs from France, Germany, Greece and the Netherlands also report on increasing pressure on CSOs and HRDs, including the increasing number of cases resorting to the **use of criminal prosecution, preventive law enforcement measures, or increased surveillance by national authorities**.

As highlighted by several NHRIs from EU Member States, some CSOs and HRDs were particularly targeted due to their areas of work, including on environmental protection, migration, minorities, the rights of LGBTI communities, or those expressing solidarity with Palestinians. Taken together, these developments contribute to a chilling effect on public participation and to fostering increased self-censorship among civil society actors and individuals.

Structural challenges for civil society organisations and human rights defenders

Findings by ENNHRI members point to several **structural challenges for CSOs and HRDs nationally**, including declining public funding, barriers in access to law and policy-making, excessive administrative burdens, and challenges related to growing restrictions on the right to association and assembly.

NHRIs from 14 EU Member States (Belgium (FIRM-IFDH, Unia), Croatia, Ireland, Finland, France, Germany, Greece, Lithuania, Luxembourg, the Netherlands, Poland, Romania, Slovakia, and Sweden) report on serious obstacles in access to funding, either due to **the lack of adequate funding for CSOs and HRDs**, or a **significant reduction of public funding**.

The ENNHRI members from Ireland, Czechia, and the Netherlands particularly

pointed to the fact that the lack of adequate funding for CSOs concerns mainly those CSOs and HRDs working on the rights of vulnerable groups, including women's rights and gender equality, the rights of asylum seekers, and the rights of victims of crime. For example, a significant reduction in public funding in the Netherlands had major consequences for the work of the Dutch Council for Refugees (VluchtelingenWerk Nederland), one of the largest organisations providing support to asylum seekers, significantly reducing its operational capacity. Moreover, in relation to the funding architecture, many NHRIs also underline that CSOs and HRDs face **difficulties in securing stable and predictable funding** and remain **heavily dependent on project-based funding** (Croatia, Germany, Greece, Lithuania, Sweden, Poland), which weakens organisational sustainability, can disrupt activities' continuity, and may have a negative effect on employee and knowledge retention.

Besides barriers in access to public funding, some NHRIs also reported on the challenge of encountering **explicit barriers in access to funding from foreign sources** as in France, Hungary, and Slovenia.

More than half of the ENNHRI EU members also identified **shortcomings in access to law and policy-making and meaningful public consultation for CSOs**, as evidenced in Croatia, Czechia, Cyprus, Estonia, Finland, France, Greece, Ireland, Luxembourg, Poland, Romania, Slovakia, Slovenia, and Sweden. These shortcomings are particularly related to **short deadlines for public consultations**, as identified, for example, by Estonia, Finland, Greece and Slovenia, or to a **lack of participatory processes and meaningful public consultations** as evidenced in Croatia, Czechia, Cyprus, Finland, Greece, Ireland, Lithuania, Luxembourg, Poland, Romania, Slovakia, and Sweden. For instance, the NHRI from Sweden reported that the engagement of CSOs can take the form of informative sessions rather than consultations, while the NHRI of Finland underlined that the decision-making processes have become less transparent and participatory, and **often the input by many CSOs is not reflected in the outcome. Additionally, in the case of Estonia, Finland, Greece, Luxembourg and Poland, the meaningful public consultation was impacted also by the lack of access to information.**

Furthermore, **excessive administrative controls or audits were also identified by NHRIs as posing a structural challenge for the CSOs and HRDs** in some EU states (Belgium, France, Greece, Ireland, Poland, Romania, Slovakia). For instance, the NHRI from Poland pointed to excessive bureaucracy and formalities faced by CSOs, further complicated by novel developments such as digitalisation and cashless transactions, which may not be well understood by many categories such as persons with disabilities or older persons. The Greek NHRI highlighted the new regulatory framework, particularly concerning the CSOs working on migration, which includes mandatory registration obligations for organisations and

their individual members and employees. Moreover, the NHRI in Slovakia also reported on the resolution passed by the Government mandating members of the Government to report information on the intention to conclude financial contracts with CSOs in advance.

Similarly, numerous ENNHRI members raised serious concerns about the laws and policies adopted, which negatively impact the right to association or assembly or to protest (Belgium (FIRM-IFDH, Unia), Croatia, France, Finland, Germany, Greece, Ireland, Luxembourg, Netherlands, Romania, Slovakia, and Slovenia). For example, in Belgium and Germany, measures were taken in relation to protesters expressing solidarity with Palestine, impacting the right to freedom of expression and peaceful assembly. The Belgian NHRI (FIRM-IFDH) also highlighted that strict authorisation procedures and the application of municipal administrative sanctions still contribute to the weakening of the freedom of assembly. Lastly, the NHRI from Croatia reported on the lack of clarity of specific provisions of the legislation regulating the right to freedom of assembly in relation to their interpretation and practice, which can have a potentially disrupting effect on organising protests.

Threats to civil society organisations and human rights defenders

ENNHRI's Rule of Law reporting also confirms that CSOs and HRDs in the EU continue in many cases to operate under serious threats, with a rising number of verbal or physical attacks, a growing trend of negative attitudes, stigmatisation, hostile public rhetoric directed at CSOs and HRDs, increasing cases of intimidation and harassment, surveillance by state actors, cases of transnational repression, criminalisation of the work of HRDs or increasing use of judicial harassment through SLAPPs. Some groups, such as women HRDs, LGBTI defenders, environmental defenders, or those supporting migrants and asylum seekers remain at higher risk.

Thirteen ENNHRI members from EU Member States raised concern over the **growing negative trend of verbal attacks directed against CSOs and HRDs** due to their work. Such instances were identified in Belgium (FIRM-IFDH), Croatia, Denmark, Estonia, Germany, Greece, Lithuania, Luxembourg, the Netherlands, Romania, Slovakia, Slovenia and Sweden. In some cases, these attacks particularly concern CSOs and HRDs working on the rights of groups in situations of vulnerability or working on politically sensitive contexts. For instance, the NHRIs of Belgium, Croatia, Germany, and Sweden noted the increase in assaults and violence, especially targeting women, members of the LGBTI community, faith communities, and other minority groups. The NHRIs from Belgium (FIRM-IFDH), Croatia, Germany, and Sweden also reported on **physical attacks directed against CSOs and HRDs** due to

their work, with the Croatian NHRI reporting a number of death threats and other physical assaults against journalists having been recorded. Women, LGBTI communities, and faith communities were identified as being subjected to increased risk of such attacks.

Many ENNHRI members in EU Member States also reported a trend of **growing negative narratives, pressure, and stigmatisation of CSOs and HRDs** by state authorities and the wider public (Belgium (FIRM-IFDH), Czechia, Denmark, Germany, Greece, Luxembourg, the Netherlands, Romania, Slovakia, and Sweden). Yet again, CSOs and HRDs working on topics including the rights of women and LGBTI persons (Belgium, Czechia, Denmark, the Netherlands, Slovakia), faith communities (Sweden), or on the topic of asylum and migration (Greece, the Netherlands) were particularly targeted. In Romania, political and reputational pressure, as well as public and media narratives stigmatising CSOs and HRDs as foreign-influenced or politically biased, were highlighted.

Twelve ENNHRI members reported that CSOs and HRDs are increasingly the targets of **online threats or harassment**. These concerned Belgium (FIRM – IFDH), Croatia, Denmark, Finland, Germany, Lithuania, Luxembourg, the Netherlands, Romania, Slovakia, Slovenia and Sweden. For instance, the NHRI from Germany identified an increase in social media posts negatively portraying CSOs, while the NHRIs in Finland and Luxembourg highlighted that online hate speech and harassment continue to be a problem targeting especially ethnic minorities, women HRDs, LGBTI HRDs, as well as journalists.

Some ENNHRI members also identified cases of **intimidation, harassment or violence before, during or after protests** (Belgium (FIRM-IFDH), Estonia, Germany, Lithuania, the Netherlands, Poland, Romania and Slovenia), where often certain groups were specifically targeted, such as environmental defenders. Environmental defenders are also increasingly targeted by the **use of surveillance technologies**, as highlighted by the NHRI in Finland, where telephone surveillance of four environmental HRDs active in Extinction Rebellion was debated and its legality is being examined in court.

EU NHRIs also explicitly mentioned a worrying trend of **increasing attempts to criminalise the work of HRDs** (Greece, France, Luxembourg, and Poland) or the **use of preventive law enforcement measures** (France, Germany, the Netherlands) to increase pressure on the CSOs and HRDs due to their work. For example, the Greek NHRI reported on the legislative developments concerning the draft law targeting CSOs working on migration that opens the way to the criminalisation of humanitarian action by introducing felony-level criminal sanctions where affiliation with a registered NGO may be treated as an aggravating circumstance in relation to allegation of smuggling/facilitation-related offences, without any substantive justification. At the same time, the draft law would allow for the removal of organisations from the official registry upon the mere initiation of criminal proceedings against one of their members,

even in the absence of any judicial assessment or conviction. Several ENNHRI members also evidenced that CSOs and HRDs were targeted with **strategic lawsuits against public participation (SLAPPs)**. These examples were identified mainly in Belgium (FIRM-IFDH), Croatia, Germany, Greece, Poland, Romania, Slovakia, Slovenia, and Spain. The Greek NHRI also reported on the wide use of “eco-SLAPPs” as a way of deterring the work of environmental defenders.

Additionally, the Belgian NHRI (FIRM-IFDH) and German NHRI reported on **transnational repression of human rights defenders**. The Belgian NHRI identified an example of a situation of physical aggression committed by representatives of a non-European state during a demonstration in Belgium to denounce violations committed by the leaders of that state, while the NHRI of Germany highlighted that cases of transnational repression often go unrecognised or are not systematically recorded, whereas (administrative) responsibilities and safe points of contact are unclear to those affected, and existing legal instruments have only a limited effect.

National frameworks to support and protect human rights defenders and civil society organisations

ENNHRI’s 2026 Rule of Law reporting reaffirms the persisting **deficiencies in establishing mechanisms to protect and support HRDs and CSOs at the national level** across EU Member States. Only a very limited number of examples of existing measures to protect HRDs and CSOs at the national level were identified by a few ENNHRI members.

The existence of **specific laws protecting the rights of the HRDs** was identified only in one ENNHRI member, Poland, while also two EU NHRIs, namely Finland, and the Netherlands, confirmed the existence of **specific practical protection mechanisms for CSOs and HRDs, such as emergency response systems, or safe houses**. Most of these protection mechanisms aim at providing relocation support for foreign HRDs. For instance, the NHRI in Finland reported that the country hosted the first two foreign HRDs as part of the pilot programme for the temporary protection and support for human rights defenders, funded by the Ministry of Foreign Affairs and coordinated by Artists at Risk. The aim of the programme is to provide temporary relocation for foreign HRDs in need of rest and respite and to provide an opportunity for HRDs to continue their work for the promotion of human rights, to network, to access training opportunities, and to rest. Similarly, the Dutch NHRI also highlighted that the Dutch government cooperates with other states to support HRDs, while also supporting the [Shelter City](#) project, that provides HRDs who are seriously threatened with the opportunity to reside in the Netherlands for three months.

A few more ENNHRI EU members confirmed that their respective states have

established **specific national strategies, other guidelines or action plans to protect HRDs and/or ensure their inclusion in human rights action plans**, namely Estonia, Finland, Germany, Lithuania, Portugal, Romania and Slovakia. Positive examples were identified by the NHRI from Lithuania, where the Government implements a specific action plan on the protection, safety, and empowerment of journalists, as a key category of HRDs, and where secondary state-guaranteed legal aid can be provided to whistleblowers regardless of income thresholds.

Despite these positive examples, the information provided by most NHRIs from EU Member States confirms the persisting **significant gaps in the protection of HRDs** at national level. Eleven ENNHRI members (Belgium (FIRM-IFDH), Croatia, Cyprus, Germany, Greece, Lithuania, Luxembourg, the Netherlands, Romania, Slovakia, and Sweden) particularly identified the **absence of a dedicated legal framework or policies providing for the protection of HRDs** as well as the **absence of support structures for HRDs** as the most significant gap in the protection system. The absence of such structured institutional protection mechanisms means that support often remains ad hoc and informal, limiting its effectiveness and consistency. A few NHRIs (Belgium (FIRM-IFDH), Germany, and Slovakia) also identified **a lack of sufficient funding or predictable financing opportunities** as further deepening the deficiencies in the protection of HRDs nationally. Furthermore, a number of EU NHRIs (including Croatia, Luxembourg, the Netherlands, and Slovenia), reported that the **lack of public awareness** regarding the role and work of HRDs and CSOs, as well as regarding the pressure under which they operate, is an additional reason for the lack of further support.

ENNHRI has [welcomed](#) the EU Civil Society Strategy as an important step in protecting and supporting the HRDs and CSOs across Europe. The findings from the 2026 Rule of Law reporting confirm significant gaps in dedicated protection for human rights defenders in the EU. ENNHRI continues to advocate for the establishment of interconnected 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.

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

As previously highlighted, on the basis of their broad human rights mandate and pluralist engagement with various entities – NHRIs are key national actors to protect, support, and empower CSOs and other HRDs. They do so by [working closely](#) with CSOs, including through capacity building and awareness raising, monitoring and reporting on threats, attacks, and harassment of CSOs and HRDs, and advocating for the adoption and strengthening of the national legislative measures to support civil society space and human rights defenders.

By their very mandate, NHRIs act as bridge builders between CSOs and national authorities while remaining independent of them. In the face of increasing challenges faced by CSOs and HRDs nationally, ENNHRI's 2026 reporting reaffirms that NHRIs undertake a variety of activities and participate in initiatives to support civil society space and HRDs.

The significant majority of the NHRIs from EU Member States have promoted civil society space and human rights defenders through carrying out **promotion and communication campaigns** aimed at increasing the understanding and respect for the role of CSOs and HRDs nationally. This is the case in particular in Belgium (FIRM-IFDH), Croatia, Cyprus, Denmark, Finland, France, Greece, Germany, Hungary, Latvia, Luxembourg, the Netherlands, Portugal, Romania, Slovakia and Sweden. Similarly, the significant majority of ENNHRI Members also organised **joint meetings and roundtables** to engage with CSOs and HRDs nationally and facilitate dialogue, exchange of information, and strengthen collaboration. This was reported, in particular, by Austria, Belgium, Croatia, Cyprus, Czechia, Denmark, Estonia, France, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Romania, Slovakia, Slovenia and Sweden.

Some ENNHRI members (including Belgium (Unia), Czechia, Estonia, Finland, France, Germany, Hungary, Ireland, Poland, Portugal, Romania, Slovakia, Slovenia, and Sweden) also specifically focus on carrying out **capacity-building activities** to strengthen CSOs and HRDs and their activities in the protection of human rights. For example, the NHRI from Ireland developed specific guidance for CSOs on how to engage with the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), monitoring the implementation of CEDAW, while the NHRI from Finland developed a specific rule of law training for journalists to strengthen their knowledge and understanding of different aspects of the rule of law, including its link to human rights protection.

In addition to activities aimed at promoting the civil society space and HRDs, a large number of ENNHRI EU members also engage in actions or initiatives specifically focusing on **protecting the civil society space and HRDs**. Thirteen ENNHRI members carry out **monitoring and reporting** on the situation of CSOs and HRDs, including Belgium, Croatia, Cyprus, Denmark, France, Greece, Hungary, Ireland, Latvia, Luxembourg, the Netherlands, Slovakia, and Sweden. For example, the NHRI in Greece has established two monitoring mechanisms to gather evidence-based data on risks and violations affecting CSOs in the areas of migration and forced returns, and of racist violence respectively. Through these structured institutional channels, civil society concerns are transmitted to national and international actors by reducing the CSOs' vulnerability and strengthening their reliability. Furthermore, many of these NHRIs issue annual and dedicated thematic reports, and engage with relevant international and regional monitoring

mechanisms regarding the situation of civic space. For instance, the 2025 edition of the 'Annual Report on Human Rights in the Netherlands' of the Dutch NHRI delves into the state of civic space in the country. The research was carried on the basis of the monitoring methodology developed by a Belgian NHRI (FIRM-IFDH).

At the same time, a substantial majority of ENNHRI EU members also issue **recommendations and/or opinions to national authorities and/or advise on (draft) laws impacting civic space and HRDs**. These include ENNHRI members in Belgium, Cyprus, Denmark, Estonia, France, Germany, Greece, Ireland, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and Sweden. For example, the NHRI from Luxembourg issued an opinion on a draft bill widening the possibility to issue removal orders of individuals considered by the authorities as causing a disturbance, alerting to the implications of such a bill on freedom of assembly, while the NHRI from Greece intervened in written form when legislative or policy developments threatened civic freedoms or risk criminalising human rights and humanitarian work.

Almost half of the ENNHRI EU members also have competence to address **complaints** submitted by individuals, and they do so also in the matters signalled or faced by CSOs and HRDs. These include Austria, Belgium (Unia), Cyprus, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovenia and Spain. Some NHRIs, including those from Belgium (Unia), Denmark, Hungary, Latvia, Poland and Spain also provide **legal assistance or advice**. For example, the Danish NHRI intervened before courts and provided support to lawyers in a number of human rights cases, including the case concerning the legislation referred to as the "ghetto legislation." The case was referred to the Court of Justice of the European Union, which [delivered its judgment in December 2025](#).

Several NHRIs from EU Member States also provide dedicated support to CSOs and HRDs through **carrying out their specific mandates**. These NHRIs include Belgium (FIRM - IFDH), Estonia, Latvia, the Netherlands, Poland, Romania, Slovenia and Spain. For example, NHRIs from Estonia, Latvia, Slovenia and Spain use their NPM mandate, while the Estonian NHRI uses its mandates as a monitoring body under the UN Convention on the Rights of Persons with Disabilities (CRPD) and as an ombudsman for children under the UN Convention on the Rights of the Child (CRC). Furthermore, the NHRI from Belgium (FIRM - IFDH) is mandated to provide support measures to whistleblowers, while the NHRI in Poland conducts preliminary verification of reports and provides whistleblowers with information and advice.

Lastly, in terms of **institutional HRD protection mechanisms**, the NHRI from Estonia reported providing focal points towards whom defenders of human rights, rights of the child, or rights of people with disabilities can turn.

ENNHRI's recommendations

In light of the challenges identified, targeted measures are needed to further protect and enable the work of HRDs and CSOs both at national and EU level.

ENNHRI calls on EU Member States to ensure access of CSOs and HRDs to **predictable, stable, and secure sources of funding**, including foreign funding. Furthermore, ENNHRI urges EU Member States to guarantee **freedom of assembly and association**, by preventing and addressing undue restrictions, including with particular attention for those HRDs focusing on specific groups, such as women's rights, LGBTI rights, migrants, and environmental defenders. Lastly, ENNHRI emphasises that EU Member States should take action to **protect HRDs and CSOs from attacks and negative narratives**. In particular, EU Member States should intensify their efforts to protect civil society and human rights defenders from disinformation campaigns, attacks and threats – whether physical, verbal, or online – including by setting up dedicated national HRD protection mechanisms.

ENNHRI calls on the European Commission to **implement the EU Civil Society Strategy with a focus on establishing dedicated national and EU-wide protection mechanisms** for CSOs and HRDs. For example, a dedicated EU HRD protection mechanism could help identify early warning signs, map risks as well as register attacks and ensure timely responses to these. In addition, ENNHRI invites the European Commission to **support the central role of NHRIs in contributing to the protection, engagement and support of civil society and HRDs** at national level. In this regard, the European Commission should ensure the sustainable and inclusive access of CSOs and HRDs (including NHRIs) to EU funding, for example through their inclusion in the upcoming 2028-2034 Multi-Annual Financial Framework, to support their roles.

European Union 2026

Democracy - checks and balances, disinformation, and other topics

Safeguarding democracy and enhancing the democratic resilience of societies and institutions are vital for preserving the core values of the European Union. Democracy is not only a foundational value of the EU, but also a precondition for the effective protection of fundamental rights and the functioning of the rule of law. It is essential for fostering peace, security, economic development, competitiveness, and social cohesion. However, in the current geopolitical,

economic, and security context in and around the EU, democracy, the respect for the rule of law, and fundamental rights are under constant internal and external pressure. These pressures include, inter alia, the rapid spread of disinformation, declining public trust in institutions, and shortcomings in democratic governance processes. In these challenging times, ENNHRI [welcomes](#) the initiative of the European Commission to introduce a strategic framework to better protect and promote democracy in Europe through the [European Democracy Shield](#). Initiatives such as this underline the importance of coordinated action to address emerging threats to democratic integrity.

At the same time, ENNHRI [highlights](#) that NHRIs play a vital role in strengthening and building resilient democracies. As independent state bodies with mandates grounded in international human rights standards, NHRIs contribute to ensuring that democratic systems remain anchored in the protection of fundamental rights and the rule of law. Through their pluralistic composition, close cooperation with diverse strands of civil society, and accessibility to citizens, [NHRIs are well-positioned](#) to support the democratic participation of a wide range of actors and views, while contributing to democratic and inclusive decision-making that does not leave anyone behind. They also play a key role in monitoring and advising on legislative and policy processes, promoting transparency, information integrity and facilitating dialogue between authorities and the public. In addition, NHRIs' work reinforces the democratic ecosystem through their support for pluralistic and independent media and their contribution to safeguarding an enabling space for civil society.

Against this background, ENNHRI's 2026 Rule of Law report examines key challenges affecting democratic resilience across EU Member States. This year's report specifically aimed to gather inputs on the topics of disinformation and law- and policy-making processes, including the use of accelerated procedures, human rights impact assessments, stakeholder consultation, and barriers to inclusive participation. This thematic focus reflects growing concerns that both the information integrity and the quality of legislative processes are critical determinants of the health of democratic systems in the EU.

Disinformation

Emerging technologies, including artificial intelligence (AI), offer significant benefits and are increasingly used for public governance and communication purposes. At the same time, their rapid development and deployment have fundamentally transformed the information ecosystem, creating new vulnerabilities that can be exploited at scale. While these technologies can enhance access to information and public engagement, their misuse can also pose serious risks to the rule of law, democracy, and human rights, notably

through the amplification and targeting of disinformation.

Disinformation presents a growing threat to democratic governance in the EU. The scale, speed and sophistication with which false or misleading information can be produced and disseminated have increased significantly. These dynamics facilitate the widespread circulation of manipulated or deceptive content, often designed to exploit societal divisions and target vulnerable groups. In addition, coordinated disinformation campaigns, whether domestic or foreign, seek to distort public debate, influence democratic processes, and erode trust in institutions. Disinformation contributes to increased polarisation, weakening the conditions for informed and inclusive democratic participation.

Human rights implications of the spread of disinformation

Throughout ENNHRI's 2026 Rule of Law Reporting, a significant number of NHRIs raised concerns over the spread of disinformation, including instances involving state actors or public authorities, and confirmed its increasingly far-reaching human rights implications. These include adverse impacts on the freedom of thought, freedom of expression, and access to reliable information, as well as the right to privacy and the right to participate in public life. NHRIs also expressed concerns on the chilling effects of disinformation on public discourse, civic engagement, and trust in democratic institutions.

The key concern was raised in relation to the negative impact of the spread of disinformation on the **public trust in democratic institutions**. Fourteen ENNHRI members from EU Member States reported a decline in trust in democratic institutions, including Belgium (FIRM-IFDH), Cyprus, France, Germany, Greece, Hungary, Ireland, Lithuania, Luxembourg, the Netherlands, Poland, Romania, Slovakia, and Spain. This trend reflects broader concerns that disinformation not only distorts public debate but also weakens institutional legitimacy and accountability. For instance, the NHRI from Germany reported that media disinformation and defamation negatively affected the process of electing judges to the Federal Constitutional Court, noting that a professor withdrew candidacy following an unprecedented defamation campaign against her. Similarly, the NHRI from the Netherlands shared findings from its research suggesting that AI-generated and propagated disinformation erodes trust in democratic institutions by undermining citizens' ability to access and assess accurate and reliable information about current events. In addition, the NHRI from Greece reported that sustained negative rhetoric and misleading narratives have weakened public confidence in institutional accountability mechanisms, further undermining the perceived effectiveness of democratic oversight structures.

Based on their human rights monitoring and reporting, nine ENNHRI members (from Belgium (FIRM-IFDH), Croatia, Estonia, France, Lithuania, the Netherlands, Romania, Slovakia and Slovenia) identified a significant and

growing **impact of disinformation on the right to freedom of thought and the right to hold opinions without interference**, underlining concerns that the integrity of individual opinion-forming processes is increasingly being undermined by manipulated and misleading information environments. In particular, NHRIs pointed to the ways in which disinformation, especially when amplified through digital technologies, can distort individuals' ability to form opinions freely and independently. The NHRI from the Netherlands highlighted that the conclusions of their above-mentioned research demonstrate the negative impact of AI on the right to hold opinions without interference, notably through its use in generating and disseminating disinformation.

Equally, 10 ENNHRI members (in Belgium (FIRM-IFDH), Croatia, Cyprus, Estonia, Greece, Ireland, Poland, Romania Slovakia and Slovenia) confirmed the particular negative impacts of the spread of disinformation on **the freedom of expression**. In relation to this, the NHRI from Ireland, particularly highlighted the lack of transparency in funding of far-right media platforms and lack of countermeasures of State to tackle misinformation and disinformation, while the NHRI from Slovakia, for example, highlighted that vulnerable population groups such as migrants and asylum seekers were particularly targeted by disinformation. In addition, the NHRI from Greece noted sustained negative narratives concerning refugees, migrants and civil society organisations working in these areas, often portraying them as threats to social order and national security, distorting public debate and undermining the conditions for informed and pluralistic democratic discourse. Such narratives were also reported to contribute to self-censorship among journalists, civil society actors, and human rights advocates, as hostile framing of these topics often creates a chilling effect on reporting, thereby further constraining freedom of expression in practice.

Nine ENNHRI Members also raised concerns over the **negative impact of disinformation on the right to participation in public life, including elections** (in Belgium (FIRM-IFDH), Cyprus, Estonia, France, Greece, Ireland, Poland, Romania, and Slovakia). In this context, the NHRI from Greece reported that xenophobic and misleading narratives, as well as disinformation targeting migrants and refugees, fuel social polarisation, legitimise hostilities, and weaken social cohesion. Such dynamics create tangible barriers to the meaningful participation of affected communities in public life, further exacerbating marginalisation and exclusion from democratic processes.

Three NHRIs from EU Member States (Estonia, Slovakia and Slovenia), identified the **right to privacy** as one of the rights being seriously impacted by the spread of disinformation. These concerns relate in particular to the use of personal data in the targeting and dissemination of disinformation, as well as to harassment and smear campaigns directed at individuals. For example, the NHRI from Slovakia specifically reported on disinformation and smear campaigns against NGOs and their staff, while the leading government party

was among the largest sponsors of hateful advertisements.

In addition to this, some ENNHRI members, including from Croatia, Denmark, Greece, Luxembourg, and Romania, particularly highlighted that **certain groups, for example, in view of their age, gender, race, ethnicity, religion or any other characteristics, are most affected by the spread of misinformation and disinformation**. These findings point to the intersection between disinformation and structural inequalities whereby existing vulnerabilities are further exacerbated within distorted information environments.

For example, the NHRIs from Denmark and Greece specifically reported that refugees and migrants are among the groups most affected by disinformation campaigns, further contributing to their stigmatisation. The NHRI from Luxembourg reported that members of the LGBTI community, as well as women, are frequently the target of disinformation, sometimes even amplified by political actors, including parliamentarians. Similarly, the institution from Romania confirmed that certain groups, including ethnic minorities, older adults, and socially marginalised communities, are more susceptible to disinformation due to limited access to reliable information or lower levels of media literacy. Finally, the NHRI from Croatia also highlighted a concerning example referring to a criminal case in which an individual falsely claimed a physical attack from a migrant, while the injuries were later found to be self-inflicted. Such incidents underscore how disinformation not only undermines democratic discourse but also deepens social divisions and disproportionately impacts those already at risk of discrimination.

Actions taken by the NHRIs to address disinformation

ENNHRI has previously [emphasised](#) that [NHRIs are well placed](#) to ensure independent public oversight and accountability in the context of AI and digitalisation. Through their mandates, NHRIs contribute to ensuring that human rights standards are coherently reflected in policy documents and regulatory instruments addressing the digital environment. This role has also been reflected in the [EU Artificial Intelligence Act](#), pursuant to which an NHRI can be nominated by its national government to act as an Article 77(2) body, tasked with contributing to fundamental rights impact assessments and oversight mechanisms under the AI Act.

ENNHRI's 2026 Rule of Law reporting further confirms the essential and multifaceted role of NHRIs in addressing disinformation. Using their promotional mandate, many ENNHRI members from the EU provided positive examples of actions and initiatives undertaken nationally to **raise awareness** about the human rights implications of the spread of disinformation, while strengthening public resilience through **education and outreach**. Seven ENNHRI members from EU Member States (Cyprus, Denmark,

Estonia, France, Poland, Romania, and Slovakia) reported concrete activities in this regard. For example, the institutions in Romania and Slovakia organised targeted trainings and workshops aimed at raising awareness, while those in Denmark, Estonia, and Romania focused more generally on engagement with the general public and public education, while maintaining an informed and evidence-based public debate on human rights. Such initiatives are particularly important in countering the effects of disinformation without undermining freedom of expression.

In addition, NHRIs make use of their advisory and monitoring mandates to address the human rights implications of the spread of disinformation. This includes **issuing opinions, (thematic) reports, or public statements**, as well as providing **guidance and recommendations to authorities on policy and legislative measures** in this area. Such activities were particularly reported by the NHRIs from Belgium (FIRM-IFDH), Croatia, Cyprus, Greece and Luxembourg.

NHRIs also engage in **institutional cooperation and partnerships** with civil society organisations, public authorities and regional actors to address disinformation in a coordinated and effective manner. This was the case for the NHRIs from Cyprus, Greece and Ireland.

Overall, these examples illustrate the added value of NHRIs in addressing disinformation through a human rights-based approach, combining awareness-raising, education, and independent advice, while contributing to a more resilient and informed democratic environment.

National follow-up on the recommendations and findings on countering disinformation issued by European actors

On a positive note, some ENNHRI Members in the EU reported steps taken at national level to ensure effective follow-up on the recommendations and findings by European actors in the area of countering disinformation. These developments suggest a growing recognition among state authorities of the need to address disinformation through coordinated, rights-based approaches. Positive examples were identified by the ENNHRI members from Cyprus, Denmark, Estonia, Germany, the Netherlands, Poland, and Romania.

Most of the reported measures focus on **strengthening media literacy and education** as key tools to enhance societal resilience against disinformation. Such initiatives are essential to empower individuals to critically assess information and to support informed participation in democratic life. This approach was highlighted in particular by ENNHRI members in Denmark, Estonia, Germany, the Netherlands and Romania. For example, the NHRI from Denmark reported on the guidance issued by the Danish Agency for Digital Government, which advises citizens, businesses and public authorities to remain aware that AI systems can generate inaccurate outputs and may reflect

or reinforce existing biases. This type of guidance contributes to raising awareness of the risks associated with emerging technologies and supports more responsible use of digital tools.

In Estonia, media literacy has been integrated into school curricula, while in the Netherlands, the Ministry of Education, Culture and Science is implementing an initiative aimed at strengthening citizens' media literacy skills. Similarly, the NHRI from Germany reported on civil society projects aimed at countering disinformation, funded by the Ministry of Foreign Affairs. These initiatives focus on strengthening social resilience, including through the promotion of media literacy.

Beyond educational and awareness-raising measures, several NHRIs also pointed to developments related to the implementation and **alignment with EU legislative frameworks** addressing the digital and media environment. For instance, the NHRIs from Cyprus and the Netherlands reported on steps taken to implement the EU Digital Services Act, while the NHRI from Greece highlighted the adoption of new legislation aimed at aligning national frameworks with the EU Media Freedom Act. Such measures are indicative of efforts to strengthen regulatory safeguards for a transparent and pluralistic information environment.

At the same time, some ENNHRI members raised **concerns regarding the human rights implications of certain national measures adopted to counter disinformation**. For instance, the NHRI in Denmark reported that concerns were raised in relation to a new media responsibility agreement foreseeing the establishment of an independent media ombudsman, with some stakeholders cautioning that a state-established mechanism of this kind may risk undue interference with press freedom. The NHRI in France noted that a ban on the social media platform TikTok introduced in the context of the crisis in New Caledonia was found by a national court to constitute a disproportionate interference with freedom of expression, including the right to communicate and receive information, notably due to its indeterminate duration. Similarly, the NHRI in Greece reported that while legislative reforms have been introduced to align with EU legislation, such reforms remain limited in scope and structural issues persist in relation to access to reliable information.

These examples highlight the need to ensure that responses to disinformation must be carefully designed to avoid unintended restrictions on fundamental rights, in particular freedom of expression and access to information.

ENNHRI's recommendations

On the basis of the identified challenges from the spread of disinformation and its impact on public debate and fundamental rights, coherent and rights-compliant responses are needed to address this phenomenon effectively.

ENNHRI calls on EU Member States to combat the rise of disinformation, especially online and in the media, through **transparent, targeted, proportionate and rights-compliant policy and legal frameworks**. EU Member States should ensure that any counter-disinformation measures are lawful, necessary, and proportionate, and they tackle discriminatory narratives, especially against the most vulnerable groups. In this regard, EU Member States could strengthen cooperation with NHRIs, civil society, and independent media actors in developing and implementing such responses to disinformation. Furthermore, ENNHRI invites EU Member States to advance on their **monitoring** procedures, and to adopt preventive approaches such as **media literacy education** for the general public. Lastly, ENNHRI urges EU Member States to take measures to promote **access to reliable, trustworthy and pluralistic sources of information**.

ENNHRI calls on the European Commission to pursue a **comprehensive and coherent approach to tackling disinformation**, including through initiatives such as the European Democracy Shield. Furthermore, ENNHRI invites the European Commission to **recognise disinformation as an EU-wide issue, stemming from foreign and domestic actors within the EU**. Additionally, ENNHRI urges the European Commission to **strengthen monitoring of Member States' implementation of relevant EU legislation and policies** on tackling disinformation. In particular, the European Commission should monitor the implementation of the EU Digital Services Act, the EU Media Freedom Act, and the EU AI Act to ensure that implementation and enforcement of such key legal frameworks are consistently grounded in fundamental rights, particularly the freedom of expression, access to information and the right to privacy. Lastly, ENNHRI stresses the need for the European Commission to ensure that **responses to disinformation remain consistent with fundamental rights**. In this context, the European Commission should ensure the meaningful involvement of NHRIs and civil society actors in the design, implementation and monitoring of such measures to strengthen their legitimacy, effectiveness and rights compliance.

Law-making processes

A healthy system of institutional checks and balances is central to the rule of law and depends on the quality, transparency, accountability, and inclusiveness of the processes for enacting laws and policies. Ensuring that legislation, regulatory frameworks and policies are developed through clear, participatory and evidence-based procedures is essential not only for democratic legitimacy and checks and balances as part of the rule of law, but also for the effective protection of fundamental rights. Participatory law- and policy-making processes, including ensuring broad engagement of NHRIs, CSOs, HRDs and the wider public, are crucial to maintaining a thriving democratic and rule of law-compliant space within the EU, and to ensuring that

diverse perspectives are reflected in decision-making. Such processes contribute to better-quality legislation, strengthen public trust in institutions, and support the overall resilience of democratic systems.

ENNHRI has [underlined](#) the need for more transparent, inclusive and effective engagement of citizens, civil society and NHRIs in law- and policy-making processes. However, ENNHRI's 2026 rule of law reporting again confirms that **significant challenges affecting the decision and law-making processes** continue to exist across EU Member States, including a lack of clear provisions on participation in the law-making process, insufficient timeframes for public consultations, frequent use of fast-track procedures or emergency procedures, and a lack of systematic human rights impact assessments.

More than half of EU ENNHRI Members (18) reported on the issue of **limited and inconsistent use of impact assessments, including human rights impact assessments**. These include NHRIs from Belgium, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Greece, Ireland, the Netherlands, Latvia, Lithuania, Luxembourg, Poland, Romania, Slovakia, and Sweden. The absence of systematic and robust impact assessments was identified as a key gap in ensuring that legislative and policy initiatives comply with fundamental rights and rule of law standards. For example, the NHRI from Sweden highlighted the absence of systematic human rights impact assessments in the context of government inquiries, noting that this makes it more difficult to identify potential risks at an early stage and conduct adequate necessity and proportionality assessments.

The NHRI from Estonia raised concerns over the use of surveillance devices and access to data systems by state authorities, which in some cases have not been subject to thorough impact assessments, including from a fundamental rights perspective. The NHRI from France further noted that impact assessments are conducted exclusively by government administrations and do not sufficiently address human rights considerations, while the NHRI from Greece reported that the absence of systematic human rights impact assessments often results in the need for frequent post-adoption amendments to legislation. These findings underscore the importance of embedding comprehensive and timely impact assessments into law-making processes, as a key safeguard to ensure transparency, accountability, and the effective protection of fundamental rights.

Similarly, 17 ENNHRI members, including Belgium (Unia), Croatia, Czechia, Denmark, Estonia, Finland, Germany, Greece, Hungary, Ireland, Luxembourg, the Netherlands, Poland, Romania, Slovakia, Slovenia and Sweden, highlighted the problem of **insufficient time allocated for public consultations**. NHRIs reported that consultation periods are often too short to allow for meaningful engagement by stakeholders, including civil society, NHRIs, and the general public. In some cases, such shortcomings were identified in the context of the

transposition of EU Law, as mentioned by the NHRIs from Ireland, Germany, and Luxembourg. As noted by the NHRI in Slovenia, consultation periods tend to be particularly limited in relation to politically sensitive legislative proposals. The restricted timeframes in practice limit the possibility for meaningful participation and for evidence-based contributions, thereby reducing the quality and inclusiveness of the law-making process, as reported by the NHRIs in Greece and Slovenia.

Furthermore, a number of ENNHRI members raised serious concerns about **shortcomings in ensuring meaningful public consultations** (including Belgium (FIRM-IFDH, Unia, Myria), Cyprus, Czechia, Finland, France, Greece, Ireland, Lithuania, Luxembourg, the Netherlands, Romania, Slovakia, Slovenia and Sweden). These findings indicate that there are broader structural weaknesses affecting the quality and effectiveness of participatory law-making processes across EU Member States.

In 14 ENNHRI members (including Belgium (FIRM-IFDH, Unia, Myria), Cyprus, Czechia, Finland, France, Greece, Ireland, Luxembourg, the Netherlands, Romania, Slovakia and Slovenia), these shortcomings are directly related to **the lack of mechanisms and processes enabling both general and targeted participation in law-making processes**. In particular, NHRIs pointed to the lack of institutionalised channels to ensure that stakeholder input is systematically collected, aggregated and considered by legislators. For instance, the NHRI in Slovakia pointed to the problem of the absence of a parliamentary mechanism to ensure structured public consultation, which would enable Members of the Parliament to hear collective views and comments from a range of stakeholders. Similarly, the NHRIs in Finland and Luxembourg stressed the predominance of a formalistic approach to consultation processes, noting that the input from NHRIs, CSOs or the wider public is often acknowledged but not meaningfully considered in legislative outcomes. The NHRIs in Cyprus and the Netherlands also highlighted that, in many cases, persons potentially directly affected by proposed legislation (e.g. persons with disabilities) are not adequately or systematically included in consultation processes, further limiting the inclusiveness and representativeness of law-making.

For seven ENNHRI members, these shortcomings relate rather to **the lack of clear provisions on participation in the law-making processes**. These include Croatia, Cyprus, France, Greece, Lithuania, Romania and Slovenia. In the case of Romania, the ENNHRI member reported that consultation documents are often complex, technical and only available online, which creates barriers for inclusive participation.

Eleven ENNHRI members also raised concerns about the **wide application of fast-track or emergency legislative procedures**. These cases include Belgium (FIRM-IFDH, Unia), Czechia, France, Greece, Hungary,

Lithuania, Poland, Romania, Slovakia, and Slovenia. The NHRIs reported that the frequent reliance on accelerated procedures can significantly reduce opportunities for meaningful parliamentary scrutiny, stakeholder consultation and public debate. While in some countries such concerns relate generally to draft laws coming from the Government, as reported by the NHRI from France, in others, they are linked to specific legislative areas, such as the example highlighted by the NHRI from Slovakia, pointing to the use of a series of fast-track procedures to amend the Criminal Code. Similarly, as reported by the NHRI in Greece, hasty legislative procedures can include the widespread use of omnibus law-making, whereby laws regulate multiple unrelated topics, which then leads to frequent short-term revisions of newly adopted legislation. Lastly, the NHRI in Slovenia reported that there is a tendency to prioritise rapid legislative responses in situations of heightened public pressure, as was the case following the events in Novo Mesto in 2025.

Overall, these findings point to the overall weakness of participatory, transparent, and evidence-based law-making across several EU Member States. The combined use of accelerated procedures, insufficient consultation time, limited human rights impact assessments, and reactive legislative approaches risks reducing the quality of democratic deliberation and undermining meaningful stakeholder participation. In turn, these practices may negatively affect legal certainty, the protection of fundamental rights, and public trust in legislative processes, highlighting the need for stronger procedural safeguards and more consistent application of rule of law standards in law-making.

NHRIs' actions or initiatives to address challenges identified in the context of law-making processes

ENNHRI has previously [stressed](#) that NHRIs, by virtue of their independent mandate, expertise in human rights standards, and privileged access to national authorities, provide essential advice and support to ensure law- and policy-making processes comply with human rights obligations. In this capacity, they are well-positioned to strengthen law-making processes, by serving as independent bridges between international human rights standards and domestic legislative frameworks, thereby contributing to more transparent, inclusive and rights-compliant law making.

The findings from ENNHRI's 2026 Rule of Law reporting confirm that in 2025, many NHRIs in EU Member States continued to actively engage in efforts to address and mitigate the identified challenges in the context of law-making processes. Through a combination of advisory, monitoring, and promotional functions, NHRIs sought to strengthen procedural safeguards, improve the quality of legislative processes, and enhance the integration of human rights considerations at all stages of law-making.

Several ENNHRI members from EU Member States highlighted the importance

of **raising public awareness regarding shortcomings in law-making processes**. This was reported by NHRIs from Belgium (FIRM-IFDH, Unia, Myria), Czechia, Finland, Greece, Luxembourg, the Netherlands, Sweden, and Slovakia. By publicly identifying and communicating concerns related to transparency, participation, and legislative quality, NHRIs contribute to fostering accountability and encouraging improvements in governance practices. For instance, in the context of the implementation of the EU Migration and Asylum Pact, the NHRIs from Czechia, the Netherlands, and Sweden raised serious concerns about the lack of broad, transparent and/or sufficiently lengthy consultation processes, while also calling on the relevant actors to address and remedy these shortcomings.

Besides raising public concerns, many ENNHRI members continue to issue relevant **recommendations and proposals** aimed at strengthening the legality, proportionality, transparency and participatory nature of law-making processes. This was reported, for example, by the NHRIs from Belgium (FIRM-IFDH), Cyprus, Estonia, Hungary, Greece, Lithuania and Portugal. Through such recommendations, NHRIs seek to address structural shortcomings and promote alignment of legislative processes with rule of law and human rights standards.

Some ENNHRI members also concentrate on developing practical **guidance and providing capacity-building opportunities for stakeholders engaged in law-making processes**, as exemplified in Belgium, Greece, Romania, and Sweden. For instance, the NHRI of Sweden formulated specific guidance on conducting human rights impact assessments within government inquiries, aimed at supporting more systematic and rights-based approaches to policy development. The NHRI from Greece reported engaging in structured pre-legislative dialogues with relevant ministries prior to the submission of draft laws to Parliament, enabling substantive discussion of human rights implications at an early stage of the legislative process. Meanwhile, the ENNHRI members of Belgium and Romania organised seminars, workshops, and roundtable discussions to enhance the capacity of public authorities, policymakers, and other relevant stakeholders to integrate human rights considerations into legislative processes.

In addition, NHRIs contribute to strengthening accountability through monitoring functions. Two NHRIs, from Denmark and the Netherlands, reported actively **monitoring national legislative processes and/or publishing monitoring reports** on the implementation of international human rights obligations. Such activities support greater transparency and provide an evidence base for improving law-making practices.

Measures to follow up on the findings or recommendations on strengthening law-making processes by European actors

A positive trend was also noted by a few ENNHRI members regarding the active engagement of national actors and **progress in implementing findings and recommendations** issued by European actors **aimed at strengthening law-making processes**. This was particularly the case in Cyprus, the Netherlands, Poland, and Romania, where concrete procedural steps have been taken to enhance consultation frameworks, extend the duration of public consultation periods, and strengthen the use of impact assessments. These developments indicate progress in the engagement by national authorities aiming at aligning legislative practices with rule of law benchmarks, including those developed by the Council of Europe, the Venice Commission, and OSCE.

While these examples remain limited, they demonstrate the potential for meaningful improvements when European-level recommendations are effectively translated into national practice. Sustained efforts will be required to ensure consistent implementation of evidence-based and inclusive law-making across all EU Member States. As reported by the NHRI from Greece, several measures remain largely procedural in nature and have yet to translate into substantive improvements in practice. This highlights the need to ensure that reforms go beyond formal compliance and effectively enhance the quality, inclusiveness, and rights-based nature of law-making processes.

ENNHRI's recommendations

Against this background, it is important to ensure that law-making processes are transparent, participatory, and evidence-based, and that they fully integrate fundamental rights considerations from the outset.

ENNHRI calls on EU Member States to ensure that **law-making processes are inclusive, transparent, and have a reasonable timeline for checks and balances**. Furthermore, ENNHRI invites EU Member States to establish **clear procedural requirements for timely and meaningful CSO and public consultation, including also NHRIs**. For example, EU Member States could consider institutionalising pre-legislative consultation mechanisms including structured dialogues as a standard step in law-making processes to ensure early identification of human rights risks. Additionally, ENNHRI urges EU Member States to **limit the use of fast-track or emergency procedures to duly justified and exceptional cases**. Lastly, ENNHRI reiterates the importance of **systematically carrying out comprehensive impact assessments, including human rights impact assessments** for draft legislation to ensure compliance with relevant national, regional, and international standards.

ENNHRI calls on the European Commission to **promote and apply high standards of transparent, inclusive, and well-structured law-making** at EU level. By upholding such standards in its own processes, the EU can further support good legislative practices, reinforce accountability, and serve as a

reference point for Member States in strengthening the quality and legitimacy of law-making. Moreover, ENNHRI urges the European Commission to ensure the **systematic use of human rights impact assessments** across all EU legislative initiatives and at all stages of the EU law- and policy-making processes. ENNHRI further recommends to the European Commission to **improve the quality and accessibility of consultation processes** by ensuring structured dialogue and meaningful participation of relevant stakeholders. Lastly, ENNHRI invites the European Commission to **avoid expedited procedures** that hinder clarity, transparency and effective scrutiny at the expense of meaningful stakeholder deliberation. Any fast-track procedures or accelerated procedures for legislative acts should remain exceptional, justified and subject to adequate safeguards.

European Union 2026

Other challenges to the rule of law and human rights

Structural human rights issues which reflect persistent challenges for the rule of law

ENNHRI members highlight that broader structural human rights challenges continue to affect significantly the rule of law environment across EU Member States. These issues often reflect systematic and long-standing deficiencies that require sustained and comprehensive responses.

Many ENNHRI members reported persistent structural human rights issues impacting the rule of law in the area of **asylum and migration**. Eight ENNHRI members (from Belgium, Czechia, Finland (Human Rights Centre), France, Germany, Greece, Luxembourg and Slovakia) raised serious concerns regarding ongoing and systemic violations of the rights of migrants, including refugees and people seeking asylum. They also reported increasingly restrictive policies and legislative developments that risk undermining protection-sensitive asylum and migration frameworks. For example, the NHRIs from Czechia, Germany, Slovakia, and Sweden identified practices that disproportionately expose migrants to discrimination, create obstacles in accessing their rights in practice, and in some cases deny individuals access to appropriate administrative procedures. The NHRIs from Germany and Luxembourg in particular raised concerns about the adoption of restrictive national policies, including measures such as refusals or limitations on entry for people seeking asylum (either under specific conditions or without any procedure), as well as the suspension of family reunification for beneficiaries of subsidiary protection. The NHRI from Greece reported on the systematic

practice of informal forced returns, which the European Court of Human Rights found to be in breach of articles 3, 5, and 13 of the European Convention on Human Rights.

Beyond the area of migration, a few other NHRIs, including Belgium, France, and Slovakia, also pointed to the **erosion of public trust or authority in the institutions** as a broader structural human rights concern. While this issue has also been linked to the impact of disinformation, several NHRIs emphasised that declining trust in state institutions is itself a structural human rights issue affecting the rule of law. In France and Slovakia, such erosion of public trust was reported in relation to the national judicial system, where NHRIs identified instances of direct attacks by members of the executive or other political actors, coupled with insufficient responses from the authorities responsible for safeguarding institutional integrity. The NHRI from Belgium reported a broader trend of public authorities challenging the authority of the judiciary and undermining the principle of separation of powers. In Sweden, the NHRI expressed its concern that both the authority of the European Convention of Human Rights and that of the Court are increasingly being called into question in the political debate. These trends raise broader concerns about respect for international human rights obligations and their role within domestic legal systems.

Concerns were also raised regarding **detention conditions and the protection of the rights of persons deprived of liberty**. In particular, overcrowding in penitentiary institutions was identified as a persistent structural issue in Belgium and Hungary, alongside the situation of detainees held in prison without sufficient and appropriate therapeutic support. The Swedish NHRI also reported concerns regarding prison overcrowding, noting that the focus of the Swedish criminal policy over the last decade including the tightening of certain penalties in Swedish criminal policy, have resulted in a significant increase in the number of inmates, with occupancy rates rising and double occupancy becoming the norm.

Lastly, some ENNHRI members from EU Member States also highlighted challenges concerning the **full realisation of social rights and deficiencies concerning social protection systems**. The NHRIs from Finland and Germany raised concerns about reforms to the welfare and social security systems, while the NHRI from the Netherlands stressed the lack of an adequate standard of living as well as persistent discrimination and its disproportionate effect on groups already suffering economic hardships. These findings point to the interconnected nature of social rights, equality, and non-discrimination, and their importance for ensuring inclusive and resilient societies grounded in the rule of law.

ENNHRI's recommendations

Addressing structural human rights issues remains essential to strengthening the respect for the rule of law across the EU, particularly in areas such as migration where violations of human rights are observed.

ENNHRI calls on the EU Member States to ensure that all legislative, policy and administrative measures **fully comply with international and European human rights standards, including by effectively addressing structural violations of human rights identified by NHRIs**. EU Member States should ensure that the national legal framework is equipped to address asylum- and migration-related issues in a way that is compliant with established regional and international standards, with due heed paid to human rights. ENNHRI urges EU Member States to safeguard **effective oversight in migration contexts** by refraining from measures that unduly restrict independent actors' – including NHRIs' and CSOs' – work in this area. In this regard, EU Member States should implement the EU Pact on Migration and Asylum in compliance with international human rights standards, including through the establishment of dedicated independent monitoring bodies and their close collaboration with other regional and national actors monitoring fundamental rights in the context of migration. Recommendations made by monitoring bodies, both regional and national, should be considered and followed, while **implementation of judgments** by the European Court of Human Rights should be ensured. Lastly, ENNHRI urges EU Member States to refrain from contributing, for instance, through statements by the executive or government officials, to the **erosion of public trust** in key institutions such as the national judicial system or regional courts such as the European Court of Human Rights.

ENNHRI calls on the European Commission to further strengthen the **systematic inclusion of NHRI findings into the EU Rule of Law framework**, including by consistently addressing challenges identified by NHRIs, and supporting Member States in implementing reforms that enhance the protection of fundamental rights and the rule of law. Furthermore, ENNHRI encourages the European Commission to **strengthen the monitoring and enforcement of EU law in the field of migration and asylum**, including by making use of infringement proceedings where systematic fundamental rights violations are identified. Additionally, ENNHRI invites the European Commission to promote and support the **formal involvement of NHRIs in independent border monitoring mechanisms and in the oversight of migration-related measures**, where this would add value.

Other persisting challenges or key developments for the rule of law

Throughout ENNHRI's 2026 Rule of Law reporting, many ENNHRI members from the EU identified a range of additional persisting challenges or developments affecting the national rule of law environment. These concerns span **media**

freedom, the functioning of the judiciary, and the overall system of checks and balances, and often reflect structural weaknesses with cumulative impacts on democratic governance.

Some ENNHRI members raised concerns over the **state of media freedom and pluralism**, as well as **excessive restriction of freedom of expression**, coupled with **concerns of censorship**. As regards the **independence and effectiveness of media regulatory bodies**, the most significant issues were reported by the NHRI from Slovakia, which alerted on the dissolution of the public broadcaster and its replacement by a newly established institution operating for an extended period with an incomplete board and interim budget, as well as the amendment to the Media Services Act aimed at transforming the regulatory body for media services into a new body. It warned that politically driven selection processes for leadership positions in this new body risk concentrating influence within a single centre of power.

The NHRIs from Belgium, Finland, Greece, and Luxembourg pointed to the **rising pressure targeting journalists and the restriction of freedom of expression**. For example, the NHRI from Finland highlighted ongoing legal proceedings involving two journalists convicted for disclosing state secrets in relation to a 2017 publication, noting concerns regarding the confidentiality of proceedings and the uncertainty surrounding the criminalisation of journalistic activities (e.g. gathering material and article preparations) in the judgment. In addition, the NHRI from Greece reported the absence of adequate legislative or non-legislative measures to prevent SLAPPs, alongside numerous incidents affecting journalists, including harassment, physical assaults, obstruction or restriction of access to information, and criminalisation.

Several ENNHRI members also raised concerns about the **effective functioning of justice systems**, which require appropriate actions and responses from national authorities to uphold the rule of law. The NHRIs from Austria, Greece, Portugal, Slovenia and Spain underlined the **persisting delays in court proceedings**, while the NHRI from Spain additionally highlighted the **lack of adequate training and specialisation of judges**, especially in cases involving violence against women. Furthermore, the NHRIs from Greece, Ireland and Luxembourg reported concerns regarding **non-implementation or incomplete implementation of judgments from regional and international bodies**.

Moreover, some ENNHRI members pointed to the persistent challenges affecting the healthy **system of checks and balances**. These cases include NHRIs from Estonia, France, Germany, Greece, Poland, and Slovakia. For instance, the NHRIs from France, Germany, and Slovakia identified raising concerns of **increasing political influence or attacks against judicial authorities**, aiming to weaken the institutions and undermine their independence.

Furthermore, the NHRI from Slovakia reported on challenges **weakening whistleblower protection**. The NHRI from Poland continues to stress the persisting challenges regarding the **composition of the National Council of the Judiciary**, which remains dominated by representatives of Parliament and the Government, and challenges regarding the **lawfulness of the appointment to the position of National Prosecutor**.

The NHRI from Estonia also reported on issues concerning **transparency in the state budget** impacting the Parliament's powers, as the activity-based state budget introduced in recent years gives the executive branch too much freedom to decide on the use of budgetary funds, while those decisions must be made by Parliament.

Lastly, a few ENNHRI members highlighted the persisting challenges of **non-ratification or incomplete incorporation of key human rights instruments** as an additional concern for the rule of law. For instance, this concerns the continued absence of ratification of the Optional Protocol to the Convention against Torture in the case of Ireland, and the transposition of Protocol no. 12 to the European Convention on Human Rights in the national legislation in the case of Malta.

ENNHRI's recommendations

In view of the persistent challenges identified in relation to justice systems, media freedom and pluralism, and institutional checks and balances, continued efforts are needed at both Member State and EU level to strengthen the effective functioning of the rule of law across the Union.

ENNHRI calls on the EU Member States to **safeguard judicial independence**, to ensure the effective functioning of the justice system in law and in practice, and to reinforce safeguards for the separation of powers. This includes addressing persistent issues related to delays in court proceedings, lack of adequate training and specialisation of judges, their independence, lack of implementation/compliance with regional standards and judgements, as well as effective safeguards against interference with the judiciary. In addition, ENNHRI stresses the importance for EU Member States to ensure full and timely implementation of judgments from national courts as well as regional courts, such as the European Court of Human Rights and the Court of Justice of the European Union. Furthermore, ENNHRI urges EU Member States to **refrain from any measures which might further restrict freedom of the media**, except in duly justified cases, and to **address the rising pressure targeting journalists and media workers**.

ENNHRI calls on 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.

