



EUROPEAN  
COMMISSION

Brussels, 24.7.2024  
COM(2024) 800 final

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**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL  
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**2024 Rule of Law Report**

**The rule of law situation in the European Union**

{SWD(2024) 801 final} - {SWD(2024) 802 final} - {SWD(2024) 803 final} -  
{SWD(2024) 804 final} - {SWD(2024) 805 final} - {SWD(2024) 806 final} -  
{SWD(2024) 807 final} - {SWD(2024) 808 final} - {SWD(2024) 809 final} -  
{SWD(2024) 810 final} - {SWD(2024) 811 final} - {SWD(2024) 812 final} -  
{SWD(2024) 813 final} - {SWD(2024) 814 final} - {SWD(2024) 815 final} -  
{SWD(2024) 816 final} - {SWD(2024) 817 final} - {SWD(2024) 818 final} -  
{SWD(2024) 819 final} - {SWD(2024) 820 final} - {SWD(2024) 821 final} -  
{SWD(2024) 822 final} - {SWD(2024) 823 final} - {SWD(2024) 824 final} -  
{SWD(2024) 825 final} - {SWD(2024) 826 final} - {SWD(2024) 827 final} -  
{SWD(2024) 828 final} - {SWD(2024) 829 final} - {SWD(2024) 830 final} -  
{SWD(2024) 831 final}

## **RECOMMENDATIONS FOR BELGIUM**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Belgium has made:

- Some further progress on efforts to provide adequate human and financial resources for the justice system as a whole, taking into account European standards on resources for the justice system.
- No progress on strengthening the integrity framework, including by adopting rules on gifts and benefits for members of Parliament and by strengthening rule of revolving doors for Government and their private offices.
- Some progress on completing the legislative reform on lobbying, establishing a framework including a transparency register and a legislative footprint, covering both members of Parliament and Government.
- Some further progress on efforts to strengthen the framework for access to official documents, in particular by improving request and appeal processes, taking into account European standards on access to official documents.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Belgium to:

- Continue efforts to address the structural resource deficiencies in the justice system, taking into account European standards on resources for the justice system.
- Strengthen efforts to improve the efficiency of justice, particularly to reduce the length of proceedings based on comprehensive statistical data.
- Strengthen the integrity framework, including by adopting rules on gifts and benefits for members of Parliament and rules on revolving doors for government and their private offices.
- Complete the legislative reform on lobbying, establishing a framework including a transparency register and a legislative footprint, covering both members of Parliament and Government.
- Further continue efforts to strengthen the framework for access to official documents, in particular by improving request and appeal processes, taking into account European standards on access to official documents.
- Take measures to ensure compliance by public authorities with final rulings of national courts and the European Court of Human Rights.

## **RECOMMENDATIONS FOR BULGARIA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Bulgaria has (made):

- Some further progress on taking steps to adapt the relevant legislative framework to avoid long-term secondment of judges to fill in vacant positions, taking into account European standards on secondment of judges.
- Some progress on advancing with the preparation of legislative amendments aiming at improving the functioning of the Inspectorate to the Supreme Judicial Council and avoiding the risk of political influence, in particular by involving judicial bodies in the selection of its members.
- Fully implemented the recommendation to step up efforts to adapt the composition of the Supreme Judicial Council, taking into account European standards on Councils for the Judiciary.
- No progress yet on ensuring an improved effectiveness of investigations and a robust track record of prosecution and final judgments in high-level corruption cases and significant progress on the institutional reforms of the Anti-Corruption Commission.
- No progress on improving the integrity of top executive functions, taking into account European standards, in particular by ensuring that clear integrity standards for the Government as well as an appropriate sanctioning mechanism are in place.
- Some further progress on advancing with the work aimed at improving transparency in the allocation of state advertising, in particular with regard to state advertising contracted through intermediaries, such as media agencies.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan and the relevant country-specific recommendations under the European Semester, it is recommended to Bulgaria to:

- Take steps to adapt the relevant legislative framework to avoid long-term secondment of judges to fill in vacant positions, taking into account European standards on secondment of judges.
- Advance with the draft legislative amendments aiming at improving the functioning of the Inspectorate to the Supreme Judicial Council and avoiding the risk of political influence, in particular by involving judicial bodies in the selection of its members.
- Take forward the plans to adopt a mechanism for introducing safeguards in the appointment procedure of the Parliament-elected members of the Supreme Prosecutorial Council, ensuring their independence and taking into account European standards, particularly in view of the Council's role in the appointment and dismissal of the Prosecutor General.
- Ensure a robust track record of investigations, prosecutions and final judgments in high-level corruption cases and the effective performance of the Anti-Corruption Commission.
- Improve the integrity of top executive functions, taking into account European standards, in particular by ensuring that clear integrity standards for the Government as well as an appropriate sanctioning mechanism are in place.
- Further advance with the work aimed at improving transparency in the allocation of state advertising, in particular with regard to state advertising contracted through intermediaries, such as media agencies.

## **RECOMMENDATIONS FOR CZECHIA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Czechia has made:

- Significant progress on continuing to advance the reform of the prosecution service retaining the original aim to introduce safeguards for the dismissal of the Prosecutor General and other chief public prosecutors, taking into account European standards on the independence and autonomy of the prosecution.
- Some progress on taking measures on reducing the length of proceedings and ensure independence of investigation and prosecution in high-level corruption cases.
- Some progress on strengthening the integrity framework for members of Parliament, in particular by complementing the existing rules as regards revolving doors and lobbying.
- Significant progress on completing the revision of legislation on conflicts of interest, including by clarifying the definition of beneficial ownership and no further progress in relation to further reforms relating to transparency of information on media ownership.
- Significant progress on strengthening the rules and mechanisms to enhance the independent governance of public service media taking into account European standards on public service media.
- Some further progress on advancing the legislative changes to establish a National Human Rights Institution taking into account the UN Paris Principles.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan, it is recommended to Czechia to:

- Take measures to address the remuneration of judges, and judicial and prosecutorial staff, taking into account European standards on resources and remuneration for the justice system.
- Take measures to reduce the length of proceedings and ensure independence of investigation and prosecution in high-level corruption cases.
- Take further measures to strengthen the integrity framework for all members of Parliament, in particular by complementing the existing rules as regards revolving doors and lobbying.
- Progress with further reforms relating to transparency of information on media ownership.
- Ensure that rules or mechanisms are in place to provide funding for public service media that is appropriate for the realisation of its public service remit while guaranteeing its independence.
- Continue to advance the legislative changes to establish a National Human Rights Institution taking into account the UN Paris Principles.

## **RECOMMENDATIONS FOR DENMARK**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Denmark has (made):

- Fully implemented the recommendation to ensure adequate human and financial resources for the justice system in the next multiannual framework, taking into account European standards on resources for the justice system.
- No progress on introducing rules on ‘revolving doors’ for ministers and on lobbying and ensure adequate control of asset declarations submitted by persons entrusted with top executive functions.
- Significant progress on ensuring the collection of data on investigations and prosecutions of corruption-related offences at national and local level.
- Some progress on the process to reform the Access to Public Administrative Documents Act in order to strengthen the right to access documents, in particular by limiting the grounds for rejection of disclosure requests, taking into account the European standards on access to official documents.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Denmark to:

- Complete the review of the legal aid system, taking into account European standards on legal aid.
- Introduce rules on ‘revolving doors’ for ministers and on lobbying and ensure adequate control of asset declarations submitted by persons entrusted with top executive functions.
- Advance with the process to reform the Access to Public Administrative Documents Act in order to strengthen the right to access documents, in particular by limiting the grounds for rejection of disclosure requests, taking into account the European standards on access to official documents.

## **RECOMMENDATIONS FOR GERMANY**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Germany has made:

- Some progress on stepping up efforts to ensure adequate resources for the justice system, including on the level of remuneration for judges, taking into account European standards on resources and remuneration for the justice system.
- Some progress on proceeding with plans to introduce a ‘legislative footprint’ to allow for the monitoring and tracing of all interest representatives who seek to influence and contribute to specific legislative texts.
- Some further progress on strengthening the existing rules on revolving doors by increasing consistency of the different applicable rules, the transparency of authorisations for future employment of high-ranking public officials, and the length of cooling-off periods for federal ministers and federal parliamentary state secretaries.
- No further progress on advancing with the plan to create a legal basis for a right to information of the press as regards federal authorities, taking into account European standards on access to official document.
- No progress yet on taking forward the plan to adapt the tax-exempt status for non-profit organisations with a view to address the challenges which the currently applicable rules present for their operation in practice, taking into account European standards on funding for civil society organisations.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Germany to:

- Take measures to ensure an adequate level of remuneration for judges and prosecutors, taking into account European standards on remuneration for the justice system.
- Further strengthen the ‘legislative footprint’ by disclosing all interest representatives’ inputs to legislation and by extending the scope to the parliamentary phase of the legislative procedure.
- Strengthen the existing rules on revolving doors by increasing the length of cooling-off periods for federal ministers and federal parliamentary state secretaries.
- Advance with the plan to create a legal basis for a right to information of the press as regards federal authorities, taking into account European standards on access to official documents.
- Take forward the plan to adapt the tax-exempt status for non-profit organisations with a view to address the challenges which the currently applicable rules present for their operation in practice, taking into account European standards on funding for civil society organisations.

## **RECOMMENDATIONS FOR ESTONIA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Estonia has made:

- Some further progress on ensuring that the guidelines on the conflict of interests are subject to an enforcement mechanism.
- Some further progress on efforts to ensure consistent and effective implementation of the right of access to information, taking into account European standards on access to official documents.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Estonia to:

- Continue the efforts to reform the Council for the Administration of Courts, taking into account European Standards on councils for the judiciary.
- Advance with the efforts to ensure consistent and effective implementation of the right of access to information taking into account European standards on access to official documents.
- Ensure effective public consultation in the context of the legislative process.

## **RECOMMENDATIONS FOR IRELAND**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Ireland has made:

- Significant progress on ensuring that the reform of the appointment and promotion of judges, as regards the composition of the Judicial Appointment Commission, is taking into account European standards on judicial appointments.
- Some progress on continuing actions aimed at reducing litigation costs to ensure effective access to justice, taking into account European standards on disproportionate costs of litigation and their impact on access to courts.
- Fully implemented the recommendation on lobbying, made some progress on strengthening the existing ethics framework, including the monitoring and enforcement capacity of the Standards in Public Office Commission, but not on the strengthening and digitalisation of the asset declarations system.
- Significant progress on the reform of the Defamation Act to improve the professional environment for journalists taking into account European standards on the protection of journalists.
- Some further progress on taking measures to address legal obstacles related to access to funding for civil society organisations, as part of the reform of the Electoral Act.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Ireland to:

- Take forward the necessary legislative work aimed at reducing litigation costs to ensure effective access to justice, taking into account European standards on disproportionate costs of litigation and their impact on access to courts.
- Further strengthen the existing ethics framework, including the monitoring and enforcement capacity of the Standards in Public Office Commission, and strengthen and digitalise the asset declarations system.
- Complete the reform of the Defamation Act to improve the professional environment for journalists taking into account European standards on the protection of journalists.
- Ensure that rules or mechanisms are in place to provide funding for public service media that is appropriate for the realisation of its public service remit while guaranteeing its independence.
- Further continue efforts to address legal obstacles related to access to funding for civil society organisations, as part of the reform of the Electoral Act.



## **RECOMMENDATIONS FOR GREECE**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Greece has (made):

- Fully implemented the recommendation to address the need for involvement of the judiciary in the appointment of President and Vice-President of the Council of State, the Supreme Court and the Court of Audit taking into account European standards on judicial appointments.
- Some further progress on stepping up efforts to establish a robust track record of prosecutions and final judgments in corruption cases, including high-level corruption.
- Some further progress on taking forward the process of adopting non-legislative safeguards and significant progress on starting the legislative process in relation to the protection of journalists, building on the activities initiated by the Task Force, in particular as regards abusive lawsuits against journalists and their safety, in line with the adopted Memorandum of Understanding and taking into account European standards on the protection of journalists.
- Some progress on ensuring the effective and timely consultation in practice of stakeholders on draft legislation, including by allowing sufficient time for public consultation.
- Some further progress on taking further steps to evaluate the current registration system for civil society organisations, including by initiating a structured dialogue with CSOs, and assess whether there is a need to amend it.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan, it is recommended to Greece to:

- Continue efforts to establish a robust track record of prosecutions and final judgments in corruption cases, including high-level corruption.
- Further advance with the process of adopting legislative and non-legislative safeguards to improve the protection of journalists, in particular as regards abusive lawsuits against journalists and their safety, in line with the adopted Memorandum of Understanding and taking into account European standards on the protection of journalists.
- Step up the efforts to ensure the effective and timely consultation in practice of stakeholders on draft legislation, including by observing the statutory timeframe for public consultation.
- Strengthen efforts to evaluate the current legal framework for the registration system for civil society organisations and assess whether there is a need to amend it, while moving forward with a structured dialogue with CSOs.

## **RECOMMENDATIONS FOR SPAIN**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Spain has (made):

- Some progress on strengthening the statute of the Prosecutor General, but not regarding the separation of the terms of office of the Prosecutor General from that of the Government, taking into account European standards on independence and autonomy of the prosecution.
- Significant progress on renewing the Council for the Judiciary as a matter of priority and initiating, immediately after the renewal, a process in view of adapting the appointment of its judges-members, taking into account European standards on Councils for the Judiciary.
- No further progress on proceeding to adopt legislation on lobbying, including the establishment of a mandatory public register of lobbyists.
- Some progress on stepping up efforts to address the challenges related to the length of investigations and prosecutions to increase the efficiency in handling high-level corruption cases, including by finalising the reform of the Code of Criminal Procedure.
- No progress on strengthening the rules on conflicts of interest and asset declarations of persons with top executive functions by reinforcing the sanctioning power of the Office for Conflicts of Interest.
- No further progress on strengthening access to information, in particular via revision of the Law on Official Secrets, taking into account European standards on access to official documents.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Spain to:

- Continue to strengthen the statute of the Prosecutor General, in particular regarding the separation of the terms of office of the Prosecutor General from that of the Government, taking into account European standards on independence and autonomy of the prosecution.
- Building on the agreement of 25 June 2024, finalise the renewal of the Council for the Judiciary and take forward the process in view of adapting the appointment procedure of its judges-members, taking into account European standards on Councils for the Judiciary.
- Proceed to adopt legislation on lobbying, including the establishment of a mandatory public register of lobbyists.
- Step up efforts to address the challenges related to the length of investigations and prosecutions to increase the efficiency in handling high-level corruption cases, including by finalising the reform of the Code of Criminal Procedure.
- Strengthen the rules on conflicts of interest and asset declarations of persons with top executive functions, including by reinforcing the independence and sanctioning power of the Office for Conflicts of Interest.
- Advance with strengthening access to information, in particular via revision of the Law on Official Secrets, taking into account European standards on access to official documents.

## **RECOMMENDATIONS FOR FRANCE**

Overall, concerning the recommendations in the 2023 Rule of Law Report, France has made:

- Some further progress on completing ongoing projects aimed at full digitalisation of civil and criminal court proceedings.
- Significant further progress on ensuring adequate human resources for the justice system, particularly by completing the development of the workload measuring tools to better evaluate the needs.
- Some progress on ensuring that rules on lobbying activities are consistently applied to all relevant actors, including at top executive level.
- No progress in stepping up efforts to improve the transparency of media ownership, in particular, complex shareholding structures, building on the existing legal safeguards.

On this basis, and considering other developments that took place in the period of reference, it is recommended to France to:

- Further continue efforts to complete ongoing projects aimed at full digitalisation of civil and criminal court proceedings.
- Step up efforts to ensure that rules on lobbying activities are consistently applied to all relevant actors, including at top executive level.
- Step up efforts to improve the transparency of media ownership, in particular, complex shareholding structures, building on the existing legal safeguards.

## **RECOMMENDATIONS FOR CROATIA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Croatia has made:

- Significant progress on continuing structural efforts to address the remuneration of judges, state attorneys and judicial staff, taking into account European standards on resources and remuneration for the justice system.
- Significant progress on adopting comprehensive legislation in the area of lobbying, including on persons with top executive positions, and set up a public register of lobbyists.
- Some progress to increase the efficiency of investigations and prosecution of corruption offences, but not on revising the Criminal Procedure Code and the Law on the Office for the Suppression of Corruption and Organised Crime, as set out in the Anti-Corruption Strategy.
- No progress on advancing with strengthening the framework for a fair and transparent allocation of state advertising, by establishing clear criteria, good practices and oversight measures to guarantee the effective functioning of the public tender procedure for local and regional media.
- Some further progress on the recommendation to make further efforts to address the issue of strategic lawsuits against public participation targeted at journalists, including by reviewing the legal provisions on defamation and encouraging wider use of procedural rules that allow dismissing groundless lawsuits, taking into account the European standards on the protection of journalists.
- Some further progress was made on further improving the follow-up to recommendations and ensuring a more systematic response to information requests of the Ombudsperson.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan, it is recommended to Croatia to:

- Revise the Criminal Procedure Code and the Law on the Office for the Suppression of Corruption and Organised Crime, in line with the Anti-Corruption Strategy, so as to further increase the efficiency of investigations and prosecution of corruption offences.
- Step up efforts to strengthen the legal framework and oversight mechanisms to ensure a fair and transparent allocation of state advertising at national, regional and local level, including the public tender procedure.
- Continue efforts to address the issue of strategic lawsuits against public participation targeted at journalists, including by reviewing the legal provisions on defamation and encouraging wider use of procedural rules that allow dismissing groundless lawsuits, taking into account the European standards on the protection of journalists.
- Further improve the follow-up to recommendations and ensure a more systematic response to information requests of the Ombudsperson.

## **RECOMMENDATIONS FOR ITALY**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Italy has made:

- Some further progress on continuing the efforts to further improve the level of digitalisation for criminal courts and prosecutors' offices.
- Some further progress on adopting comprehensive conflicts of interest rules and no further progress on adopting lobbying regulation to establish an operational lobbying register, including a legislative footprint.
- No further progress on effectively and swiftly addressing the practice of channeling donations through political foundations and associations and introducing a single electronic register for party and campaign finance information.
- No further progress on continuing the legislative process to reform and introduce safeguards for the regime on defamation, the protection of professional secrecy and journalistic sources, taking into account the European standards on the protection of journalists.
- No further progress on continuing efforts to establish a National Human Rights Institution taking into account the UN Paris Principles.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan, it is recommended to Italy to:

- Continue efforts to further improve the level of digitalisation for criminal courts and prosecutors' offices.
- Adopt the pending legislative proposal on conflicts of interest and adopt comprehensive rules on lobbying to establish an operational lobbying register, including a legislative footprint.
- Effectively and swiftly address the practice of channelling donations through political foundations and associations and introduce single electronic register for party and campaign finance information.
- Continue the legislative process on the draft reform on defamation, the protection of professional secrecy and journalistic sources while avoiding any risk of negative impacts on press freedom and ensure it takes into account European standards on the protection of journalists.
- Ensure that rules or mechanisms are in place to provide funding for public service media that is appropriate for the realisation of its public service remit and to guarantee its independence.
- Step up efforts to establish a National Human Rights Institution taking into account the UN Paris Principles.

## **RECOMMENDATIONS FOR CYPRUS**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Cyprus has made:

- Some progress on strengthening the independence and the accountability of the Prosecution Service, including by providing for a possibility of review of the decision of the Attorney General not to prosecute or to discontinue proceedings, taking into account European standards on independence and autonomy of the prosecution.
- Some progress on ensuring that the recently established Independent Authority against Corruption has the financial, human and technical resources to effectively perform its competences.
- Significant progress on introducing rules on asset disclosure for elected officials to establish regular and comprehensive filing, combined with effective, regular and full verifications.
- No progress on adopting legislation to ensure fair and transparent distribution of advertising expenditure by the state and state-owned companies.
- Some further progress on advancing with the process aimed at strengthening the rules and mechanisms to enhance the independent governance of public service media taking into account European standards on public service media.
- Some further progress on proceeding with the adoption of the framework for the effective and timely consultation of stakeholders in the legislative process and ensure its implementation.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan, it is recommended to Cyprus to:

- Take forward plans to adopt legislation aiming to provide a clearer distinction between the advisory and the prosecutorial functions of the Attorney General and take measures to establish an effective review of its decisions not to prosecute or to discontinue proceedings, taking into account European standards on independence and autonomy of the prosecution.
- Continue the efforts to ensure that the Independent Authority against Corruption has the human and technical resources to effectively perform its competences.
- Ensure the effective implementation of rules on asset disclosure for elected officials to establish regular and comprehensive filing, combined with effective, regular and full verifications.
- Adopt legislation to ensure fair and transparent distribution of advertising expenditure by the state and state-owned companies.
- Further advance with the process aimed at strengthening the rules and mechanisms to enhance the independent governance of public service media taking into account European standards on public service media.
- Continue efforts to ensure the effective and timely consultation of stakeholders in the legislative process and address shortcomings.

## **RECOMMENDATIONS FOR LATVIA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Latvia has made:

- No progress on taking measures to ensure adequate safeguards against undue political influence in the appointment of Supreme Court judges, taking into account European standards on judicial appointments.
- Some further progress on ensuring the effective implementation of the legislation on lobbying, including the setting-up of a special lobby register.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Latvia to:

- Take measures to ensure adequate safeguards against undue political influence in the existing appointment procedure for Supreme Court judges, taking into account European standards on judicial appointments.
- Continue work on the effective implementation of the legislation on lobbying, including the setting up of a special lobby register.

## **RECOMMENDATIONS FOR LITHUANIA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Lithuania has made:

- Some further progress on continuing the reform of the legal aid system by ensuring adequate conditions for the participation of legal aid providers, taking into account European standards on legal aid.
- Some further progress on continuing efforts to improve the transparency of the system of appointments to judicial positions, notably to the Supreme Court, taking into account European standards on judicial appointments.
- Significant progress on continuing efforts to provide adequate resources for the justice system, including on the level of remuneration for prosecutors and non-judicial staff, taking into account European standards on resources and remuneration for the justice system.
- Significant progress on providing adequate human and financial resources for the functioning of the Office of the Parliamentary Ombudspersons, taking into account European standards on resources for Ombudsinstitutions and the UN Paris Principles.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Lithuania to:

- Finalise the reform of the legal aid system, in particular by reducing the administrative burden and ensuring adequate conditions for the participation of legal aid providers, taking into account European standards on legal aid.
- Continue efforts to improve the transparency of the system of appointments to judicial positions, notably to the Supreme Court, taking into account European standards on judicial appointments.
- Continue efforts to provide adequate human and financial resources for the justice system, taking into account European standards on resources for the justice system.



## **RECOMMENDATIONS FOR LUXEMBOURG**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Luxembourg has (made):

- Fully implemented the recommendation to continue with the process to adopt the reform on making legal aid more accessible.
- Significant progress on evaluating the implementation of the new legislation on lobbying the Parliament and the functioning of the transparency register but no progress on ensuring that it meets the transparency requirements set out in the Parliament's rules of procedures.
- Some further progress on ensuring the implementation of measures adopted in relation to the time for processing of requests for disclosure of official documents, taking into account European standards on access to official documents.
- Some progress on improving the legislative decision-making process by providing wider possibilities for stakeholders to participate in public consultations.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Luxembourg to:

- Strengthen efforts to achieve full digitalisation of civil, criminal and administrative proceedings.
- Step up efforts to increase the information contained in the transparency register, including by covering all the information set out in the Parliament's rules of procedures.
- Take forward the reform of the legal framework for the disclosure of official documents, taking into account European standards on access to official documents.
- Improve the legislative decision-making process notably at the level of Parliament by increasing the transparency and involvement of stakeholders in the public consultations.

## **RECOMMENDATIONS FOR HUNGARY**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Hungary has made:

- No progress on improving the transparency of case allocation systems in lower-instance courts, taking into account European standards on case allocation.
- No progress on adopting comprehensive reforms on lobbying and revolving doors, and further improve the system of asset declarations, providing for effective oversight and enforcement.
- No progress yet on establishing a robust track record of investigations, prosecutions and final judgments for high-level corruption cases.
- No progress on introducing mechanisms to enhance the functional independence of the media regulator taking into account European standards on the independence of media regulators.
- No progress on strengthening the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.
- No progress on adopting legislation to ensure fair and transparent distribution of advertising expenditure by the state and state-owned companies.
- No progress on fostering a safe and enabling civic space and remove obstacles affecting civil society organisations, including by repealing legislation that hampers their capacity of working, in particular the immigration tax.

On this basis, and considering other developments that took place in the period of reference, in addition to recalling the obligation to comply with the rule of law-related rulings of the ECJ and the rule of law-related infringement procedures referred to in the country chapter, the Commission's assessment under the general regime of conditionality, the relevant concerns raised in the Article 7(1) TEU procedure initiated by the European Parliament, the relevant commitments made under the Recovery and Resilience Plan, and the relevant country-specific recommendations under the European Semester, it is recommended to Hungary to:

- Improve the transparency of case allocation systems in lower-instance courts, taking into account European standards on case allocation.
- Take structural measures to increase the remuneration of judges, prosecutors, and judicial and prosecutorial staff, taking into account European standards on remuneration for the justice system.
- Adopt comprehensive reforms on lobbying and revolving doors, and further improve the system of asset declarations, providing for effective oversight and enforcement.
- Establish a robust track record of investigations, prosecutions and final judgments for high-level corruption cases.
- Introduce mechanisms to enhance the functional independence of the media regulatory authority taking into account European standards on the independence of media regulators.
- Adopt legislation to ensure fair and transparent distribution of advertising expenditure by the state and state-owned companies.

- Strengthen the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.
- Remove obstacles affecting civil society organisations and foster a safe and enabling civic space, including by repealing legislation that hampers their capacity of working, in particular the immigration tax.

## **RECOMMENDATIONS FOR MALTA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Malta has made:

- Some progress on addressing the need for involvement of the judiciary in the procedure for appointment of the Chief Justice, taking into account European standards on judicial appointments and the opinion of the Venice Commission.
- Some further progress on strengthening efforts to improve the efficiency of justice, particularly to reduce the length of proceedings.
- Some progress on addressing challenges related to the length of investigations of high-level corruption cases, and no progress on establishing a robust track record of final judgments.
- Some progress on adopting legislative and other safeguards to improve the working environment of journalists, and no progress on access to official documents, taking into account European standards on the protection of journalists and on access to official documents.
- No progress on strengthening the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.
- No progress yet on establishing a National Human Rights Institution taking into account the UN Paris Principles.
- Some progress on public participation in the legislative process, but no formal framework has been established.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan, it is recommended to Malta to:

- Pursue the draft reform endorsed by the Government to involve the judiciary in the procedure for appointment of the Chief Justice.
- Further strengthen efforts to improve the efficiency of justice including by providing additional resources, particularly to reduce the length of proceedings.
- Continue efforts to address challenges related to the length of investigations of high-level corruption cases and step up efforts to establish a robust track record of final judgments.
- Adopt legislative and other safeguards to improve the working environment of journalists including on access to official documents, taking into account European standards on the protection of journalists and on access to official documents.
- Strengthen the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.
- Step up measures to establish a National Human Rights Institution taking into account the UN Paris Principles.
- Introduce a formal framework for public participation in the legislative process.

## **RECOMMENDATIONS FOR THE NETHERLANDS**

Overall, concerning the recommendations in the 2023 Rule of Law Report, the Netherlands has made:

- Some further progress on efforts to improve the level of digitalisation of the justice system, in particular as regards the publication of judgments.
- Some further progress on completing the revision of rules on revolving doors involving former ministers and state secretaries, including a two-year cooling-off period and restrictions on paid activities.
- Some progress on establishing stricter transparency rules on lobbying for members of the Government and Parliament.
- Some further progress on a comprehensive follow-up to the childcare allowances affair, involving all relevant state authorities, building also on the work of the State Commission on the Rule of Law.

On this basis, and considering other developments that took place in the period of reference, it is recommended to the Netherlands to:

- Continue efforts to address shortages in human resources and challenging working conditions in the justice system.
- Complete the revision of rules on revolving doors involving former ministers and state secretaries, including a two-year cooling-off period and restrictions on paid activities.
- Establish stricter transparency rules on lobbying for members of the Government and Parliament.
- Enhance the governance of public service media and its ability to uphold journalistic standards, taking into account European standards on public service media.
- Ensure an adequate follow-up to the recommendations of the State Commission on the Rule of Law, strengthening the legal protection of citizens.

## **RECOMMENDATIONS FOR AUSTRIA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Austria has (made):

- No progress on addressing the need for involvement of the judiciary in the procedures for appointment of court presidents of administrative courts, taking into account European standards on judicial appointments and the selection of court presidents.
- No further progress on taking forward the reform to establish an independent Federal Prosecution Office, taking into account European standards on the independence and autonomy of the prosecution, including to ensure the independent operation of the specialised anti-corruption prosecution.
- No progress on introducing effective rules on assets and interests' declaration for Members of Parliament, including effective monitoring and sanctioning mechanisms.
- No progress on adopting legislation to strengthen the framework on lobbying, including on its scope, supervision and enforcement.
- Some further progress on taking steps to reform the framework for the allocation of state advertising by public authorities at all levels, in particular to improve the fairness of its distribution.
- Fully implemented the recommendation on advancing with the reform on access to official information taking into account the European standards on access to official documents.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Austria to:

- Address the need for involvement of the judiciary in the procedures for appointment of court presidents of administrative courts, taking into account European standards on judicial appointments and the selection of court presidents.
- Take forward the reform to establish an independent Federal Prosecution Office, taking into account European standards on the independence and autonomy of the prosecution, including to ensure the independent operation of the specialised anti-corruption prosecution.
- Introduce effective rules on assets and interests' declaration for Members of Parliament, including effective monitoring and sanctioning mechanisms.
- Adopt a legislative proposal to strengthen the framework on lobbying, including a transparency register.
- Take steps to ensure proper implementation and enforcement as regards the fair distribution of state advertising.

## **RECOMMENDATIONS FOR POLAND**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Poland has (made):

- Some progress on separating the function of the Minister of Justice from that of the Prosecutor-General and significant progress on continuing efforts to ensure functional independence of the prosecution service from the Government.
- No progress on strengthening the existing integrity rules by introducing lobbying rules and some progress on standardising online system for asset declarations of public officials and Members of Parliament.
- Some progress on ensuring independent and effective investigations and prosecutions, no progress on addressing the broad scope of immunities for top executives, and no progress yet on abstaining from introducing impunity clauses in legislation in order to enable a robust track record of high-level corruption cases.
- Some progress on ensuring that fair, transparent and non-discriminatory procedures are adhered to for the granting of operating licences to media outlets.
- Some progress on strengthening the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.
- Fully implemented the recommendation to ensure a more systematic follow-up to findings by the Supreme Audit Office and to ensure, as a matter of urgency, the appointment of the College Members of the Supreme Audit Office in order to ensure its effective functioning.
- Significant progress on improving the framework in which civil society operates and fully implemented the recommendation to continue such efforts regarding the Ombudsperson, taking into account European standards on civil society and Ombudsinstitutions.

On this basis, and considering other developments that took place in the period of reference including the closure of the Article 7(1) procedure by the European Commission and in view of the Action Plan on the Rule of Law aimed at strengthening judicial independence, and in addition to recalling the obligation to comply with the rule of law related rulings of the Court of Justice of the EU and the rule of law related infringement procedures referred to in the country chapter as well as recalling the relevant commitments made under the Recovery and Resilience Plan , it is recommended to Poland to:

- Continue efforts to separate the function of the Minister of Justice from that of the Prosecutor-General and to ensure functional independence of the prosecution service from the Government.
- Strengthen the existing integrity rules by introducing lobbying rules and a standardised online system for asset declarations of public officials and Members of Parliament.
- Continue efforts to ensure independent and effective investigations and prosecutions, address the broad scope of immunities for top executives and remove previously introduced impunity clauses in legislation in order to enable a robust track record of high-level corruption cases.
- Pursue efforts to ensure that fair, transparent and non-discriminatory procedures, are adhered to for the granting of operating licences to media outlets.

- Pursue efforts to ensure an effective legislative framework for the independent governance and editorial independence of public service media, taking into account European standards on public service media.
- Continue the on-going process to improve the framework in which civil society operates, taking into account European standards on civil society organisations.



## **RECOMMENDATIONS FOR PORTUGAL**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Portugal has made:

- Some progress on continuing efforts to ensure adequate human resources of the justice system, in particular regarding non-judicial staff, and some further progress in improving its efficiency, in particular of Administrative and Tax Courts.
- Significant further progress on continuing efforts to strengthen the transparency of allocation of cases, in particular by monitoring the implementation of the new rules on electronic allocation.
- Some further progress on continuing to ensure sufficient resources for preventing, investigating and prosecuting corruption, including for the new Anti-Corruption Mechanism.
- Some further progress on ensuring the effective monitoring and verification of asset declarations by the Transparency Entity.
- Some further progress in finalising the reforms to improve the transparency of law-making, particularly on the implementation of impact assessment tools.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan, it is recommended to Portugal to:

- Step up efforts to ensure adequate human resources of the justice system, in particular regarding judicial clerks, and continue efforts to improve its efficiency, in particular of Administrative and Tax Courts.
- Take measures to ensure the adequacy of the general criminal procedure legislation to efficiently deal with complex criminal proceedings.
- Continue efforts made to ensure sufficient resources for preventing, investigating and prosecuting corruption, including for the new Anti-Corruption Mechanism.
- Ensure the effective monitoring and verification of asset declarations by the Transparency Entity.
- Finalise the reforms to improve the transparency of law-making, particularly on the implementation of impact assessment tools.

## **RECOMMENDATIONS FOR ROMANIA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Romania has made:

- Some further progress on completing the process initiated to take into account the recommendations in the opinion of the Venice Commission on the Justice Laws.
- Some further progress on ensuring adequate human resources for the justice system, including for the prosecution services, taking into account European standards on resources for the justice system.
- Some progress on taking measures, in particular at an operational level, to address remaining concerns about the investigation and prosecution of criminal offences in the judiciary, including as regards corruption offences, taking into account European standards.
- No progress on introducing rules on lobbying for Members of Parliament.
- No progress on strengthening the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.
- No further progress on ensuring effective public consultations before the adoption of legislation.
- Some progress on obtaining the accreditation of a National Human Rights Institution taking into account the UN Paris Principles.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan, it is recommended to Romania to:

- Complete the process initiated in view of taking into account the recommendations of the Venice Commission on the Justice Laws, including through consultations and evaluations in view of further improving the Justice Laws at a next opportunity.
- Continue efforts to ensure adequate human resources for the justice system, including for the prosecution services, taking into account European standards on resources for the justice system.
- Take measures, in particular at an operational level, to ensure efficient investigation and prosecution of criminal offences in the judiciary, including as regards corruption offences, taking into account European standards.
- Introduce rules on lobbying for Members of Parliament.
- Step up efforts to strengthen the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.
- Step up efforts to ensure effective public consultations before the adoption of legislation.
- Take forward the process for obtaining accreditation for two National Human Rights Institutions, taking into account the UN Paris Principles.

## **RECOMMENDATIONS FOR SLOVENIA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Slovenia has made:

- Significant further progress on taking forward the process to ensure that rules on parliamentary inquiries contain adequate safeguards for independence of judges and state prosecutors, taking into account European standards on judicial independence.
- Some progress on ensuring that the reform of judicial appointments contains adequate safeguards for judicial independence, taking into account European standards on judicial independence.
- Some progress on taking measures to increase the remuneration of judges and state prosecutors, taking into account European standards on resources and remuneration for the justice system.
- Some further progress on the recommendation to adopt the new anti-corruption strategy and action plan with concrete measures and a timeframe for their implementation, and some progress to step up efforts to ensure a track record of investigations, prosecutions and final judgments in corruption offences, including in high-level cases.
- Some progress on starting the legislative process and taking forward the process of adopting non-legislative safeguards in relation to the protection of journalists, particularly online, taking into account European standards on the protection of journalists.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan, it is recommended to Slovenia to:

- Finalise the legislative process to amend the rules on parliamentary inquiries with adequate safeguards for independence of judges and state prosecutors, taking into account European standards on judicial independence.
- Take further measures to ensure that the reform of judicial appointments contains adequate safeguards for judicial independence, taking into account European standards on judicial independence.
- Finalise the measures to increase the remuneration of judges and state prosecutors, taking into account European standards on resources and remuneration for the justice system.
- Complete the adoption of the new anti-corruption strategy and action plan and begin implementation and take measures to ensure a track record of investigations, prosecutions and final judgments in corruption offences, including in high-level cases.
- Further advance with the process of adopting legislative and non-legislative safeguards to improve the protection of journalists, particularly online, taking into account European standards on the protection of journalists.
- Ensure that rules or mechanisms are in place to provide funding for public service media that is appropriate for the realisation of its public service remit while guaranteeing its independence.

## **RECOMMENDATIONS FOR SLOVAKIA**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Slovakia has made:

- No progress on introducing measures to ensure that the members of the Judicial Council, notably those not elected by judges, are subject to sufficient guarantees of independence as regards their dismissal, taking into account European standards on independence of Judicial Councils.
- No progress on ensuring that sufficient safeguards are in place and duly observed when subjecting judges to criminal liability for the crime of “abuse of law” as regards their judicial decisions.
- No progress yet on introducing proposals to regulate lobbying and to strengthen the legislation on conflicts of interest and asset declarations.
- No progress on taking measures to improve the coordination among the different law enforcement entities and ensure the objectivity of prosecutorial decisions, and no legislative amendments were advanced to restrict the power of the Prosecutor-General to annul prosecutorial decisions with a view to promoting a robust track record of high-level corruption cases.
- No progress on enhancing the independent governance and editorial independence of public service media taking into account the European standards on public service media.
- Some progress on advancing with the process to establish legislative and other safeguards to improve the physical safety and working environment of journalists, including the reform of defamation law, taking into account European standards on the protection of journalists.
- No progress on ensuring effective public consultation and stakeholder involvement in the law-making process.

On this basis, and considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan, and the relevant country-specific recommendations under the European Semester, it is recommended to Slovakia to:

- Introduce measures to ensure that the members of the Judicial Council, notably those not elected by judges, are subject to sufficient guarantees of independence as regards their dismissal, taking into account European standards on independence of Judicial Councils.
- Ensure that sufficient safeguards are in place and duly observed when subjecting judges to criminal liability for the crime of “abuse of law” as regards their judicial decisions.
- Introduce proposals to regulate lobbying and to strengthen the legislation on conflicts of interest and asset declarations.
- Ensure the effective and independent investigation and prosecution of high-level corruption cases with a view to establishing a robust track record, including by preventing any undue interference in such cases and by restricting the use of the Prosecutor-General’s powers to annul final investigatory and prosecutorial decisions.
- Strengthen the rules and mechanisms to restore and further safeguard the independent governance and editorial independence of public service media taking into account European standards on public service media.

- Advance with the process to establish legislative and other safeguards to improve the physical safety and working environment of journalists, including the reform of defamation law, taking into account the European standards on the protection of journalists.
- Ensure effective public consultation and stakeholder involvement in the law-making process, including by avoiding excessive use of the fast-track procedure.

## **RECOMMENDATIONS FOR FINLAND**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Finland has made:

- Significant progress on the recommendation to continue to follow-up on the report on the assessment and future development trends of the court system, and some progress on progressing with the reform of the appointment of lay judges, taking into account European standards on judicial independence.
- No further progress on adopting legislation on trading in influence and some progress on continuing to take steps to propose a revision on the criminal offence of foreign bribery.
- No progress on strengthening the integrity and accountability framework applicable to ministers and other persons entrusted with top executive functions by adopting a code of conduct for them.
- Some further progress on advancing with the reform of the Act on the Openness of Government Activities to ensure effective and wider access to documents taking into account the European standards on access to official documents.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Finland to:

- Continue the work of the working group ‘Rule of Law Guarantees and Development of the Judicial System’ with a view to strengthen the independence of the justice system and increase the quality of legal protection.
- Reform the appointment of lay judges, taking into account European standards on judicial independence.
- Adopt legislation on trading in influence and propose a revision on the criminal offence of foreign bribery.
- Strengthen the integrity and accountability framework applicable to ministers and other persons entrusted with top executive functions by adopting a code of conduct for them.
- Further advance with the reform of the Act on the Openness of Government Activities to ensure effective and wider access to documents taking into account the European standards on access to official documents.

## **RECOMMENDATIONS FOR SWEDEN**

Overall, concerning the recommendations in the 2023 Rule of Law Report, Sweden has made:

- No progress on ensuring that the nomination system of lay judges safeguards their independence, taking into account European standards on judicial independence.
- Fully implemented the evaluation on the scope, impact and implementation of the rules relating to revolving doors that cover top executive functions in the Government.
- Some progress on strengthening the fight against foreign bribery by amending the existing legal definitions to improve on the prosecution of, and final judgments in foreign bribery cases.
- Some further progress on continuing efforts to ensure that the on-going reforms to the legal framework for the funding and operation of civil society organisations do not unduly affect civil society engagement.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Sweden to:

- Ensure that the nomination system of lay judges safeguards their independence, taking into account European standards on judicial independence.
- Ensure the appropriate follow-up to the evaluation of the rules on revolving doors.
- Strengthen the fight against foreign bribery, by amending the existing legal definitions to improve on the prosecution of, and final judgments in foreign bribery cases.
- Continue efforts to ensure that the reforms to the legal framework for the funding and operation of civil society organisations do not unduly affect civil society engagement.