



TEXTS ADOPTED

P10_TA(2026)0147

The Commission's 2025 Rule of Law report

European Parliament resolution of 29 April 2026 on the Commission's 2025 Rule of Law report (2025/2239(INI))

The European Parliament,

- having regard to the Treaty on European Union (TEU), in particular Articles 2, 3(1), 3(3), second subparagraph, 4(3), 5, 6, 7, 11, 19 and 49 thereof,
- having regard to the Treaty on the Functioning of the European Union (TFEU), in particular to the articles thereof relating to respect for and the protection and promotion of democracy, the rule of law and fundamental rights in the Union, including Articles 70, 258, 259, 260, 263, 265 and 267,
- having regard to the Charter of Fundamental Rights of the European Union (the Charter),
- having regard to the case-law of the Court of Justice of the European Union (CJEU),
- having regard to the Commission communication of 8 July 2025 entitled '2025 Rule of Law Report – The rule of law situation in the European Union' (COM(2025)0900), and the annex thereto containing recommendations for the Member States,
- having regard to Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget¹ (the Rule of Law Conditionality Regulation),
- having regard to Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition

¹ OJ L 433 I, 22.12.2020, p. 1, ELI:
<http://data.europa.eu/eli/reg/2020/2092/oj>.

Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy² (the Common Provisions Regulation),

- having regard to Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union³ (the Financial Regulation), in particular Article 6(3) thereof,
- having regard to Regulation (EU) 2021/692 of the European Parliament and of the Council of 28 April 2021 establishing the Citizens, Equality, Rights and Values programme and repealing Regulation (EU) No 1381/2013 of the European Parliament and of the Council and Council Regulation (EU) No 390/2014⁴,
- having regard to the Commission's package of proposals for a Multiannual Financial Framework 2028-2034,
- having regard to UN instruments on the protection of human rights and fundamental freedoms, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of Persons with Disabilities (CRPD), the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, the Recommendations of the UN Forum on Minority Issues, and to the recommendations and reports of the UN Universal Periodic Review, as well as the case-law of the UN treaty bodies and the special procedures of the UN Human Rights Council,
- having regard to the UN Principles relating to the Status of National Institutions (the Paris Principles), adopted by UN General Assembly Resolution 48/134 of 20 December 1993,
- having regard to the UN declaration on human rights defenders, adopted in 1998, and the EU Guidelines on Human Rights Defenders, adopted in June 2004,
- having regard to the European Convention on Human Rights (ECHR), the European Social Charter, the case-law of the European

² OJ L 231, 30.6.2021, p. 159, ELI:
<http://data.europa.eu/eli/reg/2021/1060/oj>.

³ OJ L, 2024/2509, 26.9.2024, ELI:
<http://data.europa.eu/eli/reg/2024/2509/oj>.

⁴ OJ L 156, 5.5.2021, p. 1, ELI:
<http://data.europa.eu/eli/reg/2021/692/oj>.

Court of Human Rights (ECtHR) and the European Committee of Social Rights, and the conventions, recommendations, resolutions, opinions and reports of the Parliamentary Assembly, the Committee of Ministers, the Commissioner for Human Rights, the European Commission against Racism and Intolerance, the Steering Committee on Anti-Discrimination, Diversity and Inclusion, the Venice Commission and other bodies of the Council of Europe,

- having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence,
- having regard to the European Charter for Regional or Minority Languages and to the Framework Convention for the Protection of National Minorities of the Council of Europe,
- having regard to the 34th General Report on the 2024 activities of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of the Council of Europe,
- having regard to the 25th General Activity Report (2024) of the Council of Europe's Group of States against Corruption (GRECO),
- having regard to the memorandum of understanding between the Council of Europe and the European Union of 23 May 2007 and the Council conclusions of 17 December 2024 on EU priorities for cooperation with the Council of Europe in 2025-2026,
- having regard to the Council of Europe Convention on the Protection of the Profession of Lawyer, which was adopted on 12 March 2025 and opened for signature on 13 May 2025,
- having regard to Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings⁵,
- having regard to its resolution of 25 October 2016 with recommendations to the Commission on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights⁶,
- having regard to the Commission proposal of 20 December 2017 for a Council decision on the determination of a clear risk of a serious breach by the Republic of Poland of the rule of law (COM(2017)0835), issued in accordance with Article 7(1) TEU,
- having regard to its resolution of 7 February 2018 on protection and non-discrimination with regard to minorities in the EU Member

⁵ OJ L 65, 11.3.2016, p. 1, <http://data.europa.eu/eli/dir/2016/343/oj>.

⁶ OJ C 215, 19.6.2018, p. 162.

States⁷,

- having regard to its resolution of 1 March 2018 on the Commission's decision to activate Article 7(1) TEU as regards the situation in Poland⁸,
- having regard to its resolution of 19 April 2018 on the need to establish a European Values Instrument to support civil society organisations which promote fundamental values within the European Union at local and national level⁹,
- having regard to its resolution of 12 September 2018 on a proposal calling on the Council to determine, pursuant to Article 7(1) TEU, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded¹⁰,
- having regard to its resolution of 13 November 2018 on minimum standards for minorities in the EU¹¹,
- having regard to its resolution of 14 November 2018 on the need for a comprehensive EU mechanism for the protection of democracy, the rule of law and fundamental rights¹²,
- having regard to the Commission communication of 3 April 2019 entitled 'Further strengthening the Rule of Law within the Union - State of play and possible next steps' (COM(2019)0163),
- having regard to the Commission communication of 17 July 2019 entitled 'Strengthening the rule of law within the Union - A blueprint for action' (COM(2019)0343),
- having regard to its resolution of 7 October 2020 on the establishment of an EU Mechanism on Democracy, the Rule of Law and Fundamental Rights¹³,
- having regard to its resolution of 13 November 2020 on the impact of COVID-19 measures on democracy, the rule of law and fundamental rights¹⁴,
- having regard to its resolution of 17 December 2020 on the European Citizens' Initiative 'Minority SafePack - one million

⁷ OJ C 463, 21.12.2018, p. 21.

⁸ OJ C 129, 5.4.2019, p. 13.

⁹ OJ C 390, 18.11.2019, p. 117.

¹⁰ OJ C 433, 23.12.2019, p. 66.

¹¹ OJ C 363, 28.10.2020, p. 13.

¹² OJ C 363, 28.10.2020, p. 45.

¹³ OJ C 395, 29.9.2021, p. 2.

¹⁴ OJ C 415, 13.10.2021, p. 36.

signatures for diversity in Europe'¹⁵,

- having regard to its resolution of 11 March 2021 on the declaration of the EU as an LGBTIQ Freedom Zone¹⁶,
- having regard to its resolution of 10 June 2021 on the rule of law situation in the European Union and the application of the Conditionality Regulation (EU, Euratom) 2020/2092¹⁷,
- having regard to its resolution of 24 June 2021 on the Commission's 2020 Rule of Law Report¹⁸,
- having regard to a Directive of the European Parliament and of the Council on combating corruption, replacing Council Framework Decision 2003/568/JHA and the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union and amending Directive (EU) 2017/1371 of the European Parliament and of the Council,
- having regard to its resolution of 8 July 2021 on the creation of guidelines for the application of the general regime of conditionality for the protection of the Union budget¹⁹,
- having regard to its resolution of 16 September 2021 with recommendations to the Commission on identifying gender-based violence as a new area of crime listed in Article 83(1) TFEU²⁰,
- having regard to its resolution of 11 November 2021 entitled 'on strengthening democracy and media freedom and pluralism in the EU: the undue use of actions under civil and criminal law to silence journalists, NGOs and civil society'²¹,
- having regard to its resolution of 15 December 2021 on the evaluation of preventive measures for avoiding corruption, irregular spending and misuse of EU and national funds in case of emergency funds and crisis-related spending areas²²,
- having regard to its resolution of 8 March 2022 on the shrinking space for civil society in Europe²³,
- having regard to its resolution of 10 March 2022 on the rule of law

¹⁵ OJ C 445, 29.10.2021, p. 70.

¹⁶ OJ C 474, 24.11.2021, p. 140.

¹⁷ OJ C 67, 8.2.2022, p. 86.

¹⁸ OJ C 81, 18.2.2022, p. 27.

¹⁹ OJ C 99, 1.3.2022, p. 146.

²⁰ OJ C 117, 11.3.2022, p. 88.

²¹ OJ C 205, 20.5.2022, p. 2.

²² OJ C 251, 30.6.2022, p. 48.

²³ OJ C 347, 9.9.2022, p. 2.

and the consequences of the ECJ ruling²⁴,

- having regard to its resolution of 19 May 2022 on the Commission's 2021 Rule of Law Report²⁵,
- having regard to its resolution of 9 June 2022 on the rule of law and the potential approval of the Polish national recovery plan (RRF)²⁶,
- having regard to its resolution of 15 September 2022 on the situation of fundamental rights in the European Union in 2020 and 2021²⁷,
- having regard to its resolution of 15 September 2022 on the proposal for a Council decision determining, pursuant to Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded²⁸,
- having regard to its resolution of 20 October 2022 on growing hate crimes against LGBTIQ+ people across Europe in light of the recent homophobic murder in Slovakia²⁹,
- having regard to its resolution of 10 November 2022 on racial justice, non-discrimination and anti-racism in the EU³⁰,
- having regard to its resolution of 24 November 2022 on the assessment of Hungary's compliance with the rule of law conditions under the Conditionality Regulation and state of play of the Hungarian RRP³¹,
- having regard to its resolution of 30 March 2023 on the 2022 Rule of Law Report – the rule of law situation in the European Union³²,
- having regard to its resolution of 18 April 2023 on the institutional relations between the EU and the Council of Europe³³,
- having regard to its resolution of 1 June 2023 on the breaches of the Rule of Law and fundamental rights in Hungary and frozen EU funds³⁴,

²⁴ OJ C 347, 9.9.2022, p. 168.

²⁵ OJ C 479, 16.12.2022, p. 18.

²⁶ OJ C 493, 27.12.2022, p. 108.

²⁷ OJ C 125, 5.4.2023, p. 80.

²⁸ OJ C 125, 5.4.2023, p. 463.

²⁹ OJ C 149, 28.4.2023, p. 22.

³⁰ OJ C 161, 5.5.2023, p. 10.

³¹ OJ C 167, 11.5.2023, p. 74.

³² OJ C 341, 27.9.2023, p. 2.

³³ OJ C, C/2023/442, 1.12.2023, ELI:
<http://data.europa.eu/eli/C/2023/442/oj>.

³⁴ OJ C, C/2023/1223, 21.12.2023, ELI:
<http://data.europa.eu/eli/C/2023/1223/oj>.

- having regard to the report of its Committee of Inquiry to investigate the use of Pegasus and equivalent surveillance spyware (PEGA) and to its recommendation of 15 June 2023 to the Council and the Commission following the investigation of alleged contraventions and maladministration in the application of Union law in relation to the use of Pegasus and equivalent surveillance spyware³⁵,
- having regard to its resolution of 11 July 2023 on the electoral law, the investigative committee and the rule of law in Poland³⁶,
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 6 December 2023 entitled 'No place for hate: a Europe united against hatred' (JOIN(2023)0051),
- having regard to its resolution of 18 January 2024 on the situation of fundamental rights in the European Union – annual report 2022 and 2023³⁷,
- having regard to its resolution of 18 January 2024 on extending the list of EU crimes to hate speech and hate crime³⁸,
- having regard to its resolution of 28 February 2024 entitled 'Report on the Commission's 2023 Rule of Law report'³⁹,
- having regard to its resolution of 29 February 2024 on deepening EU integration in view of future enlargement⁴⁰,
- having regard to Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 on establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act)⁴¹,
- having regard to its resolution of 24 April 2024 on ongoing hearings under Article 7(1) TEU regarding Hungary to strengthen the rule of

³⁵ OJ C, C/2024/494, 23.1.2024, ELI:
<http://data.europa.eu/eli/C/2024/494/oj>.

³⁶ OJ C, C/2024/3995, 17.7.2024, ELI:
<http://data.europa.eu/eli/C/2024/3995/oj>.

³⁷ OJ C, C/2024/5739, 17.10.2024, ELI:
<http://data.europa.eu/eli/C/2024/5739/oj>.

³⁸ OJ C, C/2024/5733, 17.10.2024, ELI:
<http://data.europa.eu/eli/C/2024/5733/oj>.

³⁹ OJ C, C/2024/6743, 26.11.2024, ELI:
<http://data.europa.eu/eli/C/2024/6743/oj>.

⁴⁰ OJ C, C/2024/6746, 26.11.2024, ELI:
<http://data.europa.eu/eli/C/2024/6746/oj>.

⁴¹ OJ L, 2024/1083, 17.4.2024, ELI:
<http://data.europa.eu/eli/reg/2024/1083/oj>.

law and its budgetary implications⁴²,

- having regard to the conclusion of the Article 7(1) TEU procedure in relation to Poland, as announced by the Commission on 29 May 2024, following steps taken by Poland to restore compliance with EU rule of law standards,
- having regard to the European Council conclusions of 27 June 2024, including a roadmap for future work on internal reforms,
- having regard to the EU Action Plan on Human Rights and Democracy 2020-2024 (JOIN(2020)0005), extended until 2027,
- having regard to the Commission report of 10 October 2024 entitled 'Funding to promote, protect and enforce fundamental rights - 2024 Annual report on the application of the EU Charter of Fundamental Rights' (COM(2024)0456),
- having regard to its resolution of 7 May 2025 on a revamped long-term budget for the Union in a changing world⁴³,
- having regard to the Commission proposal of 16 July 2025 for a Council regulation laying down the multiannual financial framework for the years 2028 to 2034 (COM(2025)0571),
- having regard to the Commission communication of 8 October 2025 entitled 'Union of Equality: LGBTIQ+ equality strategy 2026 - 2030',
- having regard to the Commission communication of 4 November 2025 entitled 'Communication on EU enlargement policy' (COM(2025)0690) and its accompanying staff working documents (the Enlargement Package of 4 November 2025),
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 12 November 2025 entitled 'European Democracy Shield: Empowering Strong and Resilient Democracies' (JOIN(2025)0791),
- having regard to the Commission communication of 12 November 2025 entitled 'EU Strategy for Civil Society' (COM(2025)0790),
- having regard to its resolution of 25 November 2025 on the proposal for a Council decision determining, pursuant to Article 7(1) TEU, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded⁴⁴,

⁴² OJ C, C/2025/3705, 17.9.2025, ELI:
<http://data.europa.eu/eli/C/2025/3705/oj>.

⁴³ Texts adopted, P10_TA(2025)0090.

⁴⁴ Texts adopted, P10_TA(2025)0283.

- having regard to its resolution of 18 December 2025 on the implementation of the rule of law conditionality regime⁴⁵,
- having regard to the Commission communication of 20 January 2026 entitled 'Union of Equality: Anti-Racism Strategy 2026-2030'(COM(2026)0012),
- having regard to the special reports of the European Court of Auditors of 17 December 2024 on Enforcing EU Law (28/2024), of 22 February 2024 on the Rule of Law in the EU (03/2024), and of 10 January 2022 on EU support for the rule of law in the Western Balkans (01/2022), to its review of 28 February 2024 on the Commission's rule of law reporting (02/2024), and to the special report on Transparency of EU funding granted to NGOs (11/2025) and to their respective recommendations,
- having regard to the Political Guidelines for the next European Commission 2024-2029, presented to Parliament on 18 July 2024 by Ursula von der Leyen, then candidate for President of the Commission, to the President of the Commission's State of the Union speech of 10 September 2025 in the European Parliament and to the Commission communication of 2026 of 21 October 2025 entitled 'Commission work programme 2026' (COM(2025)0870),
- having regard to the Eurobarometer surveys of 2024 and 2025,
- having regard to the findings of the Flash Eurobarometer 569 survey of September 2025 on EU challenges and priorities,
- having regard to the reports, surveys and opinions of the European Union Agency for Fundamental Rights (FRA),
- having regard to the submission by FRA to the Commission in the context of the preparation of the 2025 Rule of Law Report,
- having regard to the European Committee of the Regions opinion of 2 April 2025 entitled 'The local and regional perspective in the implementation of the Rule of Law in the European Union'
- having regard to the report of the Central European University's Democracy Institute Rule of Law Clinic entitled 'Rule of Law beyond the EU Member States – Assessing the Union's Performance 2025'
- having regard to the study requested by its Committee on Budgets entitled 'The tools for protecting the EU budget from breaches of the

⁴⁵ Texts adopted, P10_TA(2025)0343.

rule of law: the Conditionality Regulation in context'⁴⁶,

- having regard to its resolutions on breaches of democracy, the rule of law and fundamental rights in the Member States,
 - having regard to the feedback reports, mission reports, written questions and answers of its Democracy, Rule of Law and Fundamental Rights Monitoring Group (DRFMG)⁴⁷,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the opinions of the Committee on Legal Affairs and the Committee on Budgets and the opinion of the Subcommittee on Human Rights,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A10-0091/2026),
- A. whereas the EU is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, as set out in Article 2 TEU and as reflected in the Charter and enshrined in international human rights treaties; whereas the Charter is part of EU primary law; whereas these values are shared by all the Member States and should be upheld and actively promoted by the EU and each Member State individually in all their policies, both internally and externally in a consistent way; whereas Member States should ensure that there is no backsliding in the protection of the values enshrined in Article 2 TEU; whereas any undermining of these values poses a systemic threat to the rights and freedoms of the people living in the EU;
- B. whereas Article 49 TEU provides that any European state applying for membership of the EU must respect and commit to promoting the values referred to in Article 2 TEU; whereas accession must remain a strictly merit-based process grounded on compliance with the Copenhagen criteria, particularly those relating to democracy, the rule of law and human rights; whereas the Copenhagen criteria stipulate that these principles cannot be disregarded or reinterpreted after accession; whereas this adherence also requires

⁴⁶ Rubio, E. et al., 'The tools for protecting the EU budget from breaches of the rule of law: the Conditionality Regulation in context', European Parliament, Directorate-General for Internal Policies, Policy Department for Budgetary Affairs, April 2023.

⁴⁷ For all DRFMG monitoring activities, see: for last term: <https://www.europarl.europa.eu/committees/en/libe-democracy-rule-of-law-and-fundament/product-details/20190103CDT02662>, and for this term: <https://www.europarl.europa.eu/committees/en/working-group-democracy-rule-of-law-and-/product-details/20241205CDT13884>.

progressive alignment with the EU's policies and positions, including the common foreign and security policy, and in particular its human-rights-based approach;

- C. whereas the rule of law, fundamental rights, the functioning of democratic institutions, public administration reform and the economic criteria constitute the fundamentals of the EU accession process; whereas credible reforms and irreversible achievements in these areas are essential to ensure equality before the law and the practical enjoyment of fundamental rights;
- D. whereas in line with the European Council conclusions of 27 June 2024, internal reforms should progress in parallel with the enlargement process to ensure that the EU's policies are fit for the future;
- E. whereas the situation of persons belonging to minorities should be regularly monitored and reflected in the rule of law report;
- F. whereas the EU should uphold and actively protect, within its competences, the social and fundamental rights upon which it was built; whereas the persistent shortcomings in the protection of economic and social rights – including the right to fair and just working conditions, social security and protection, access to healthcare and education, support for access to adequate housing, and the principle of non-discrimination – must be regarded as a serious threat to the values enshrined in Article 2 TEU;
- G. whereas in 2025 the EU has faced serious challenges and democratic backsliding in its Member States in relation to the protection of the rule of law, democracy and fundamental rights, which are all intrinsically connected; whereas the 2025 Rule of Law Report identifies structural weaknesses in judicial systems, anti-corruption enforcement, public service, media governance and checks and balances, while also confirming the positive trajectory in several Member States and showing that the annual rule of law cycle continues to encourage and support progress;
- H. whereas FRA stresses in its Fundamental Rights Report 2025⁴⁸ that geopolitical changes and both legislative and societal developments put a strain on fundamental rights in the EU, and divisive identity politics play a role in increasing levels of racism and hate, inflicting suffering on people of various ethnic backgrounds and religious communities; whereas the report also notes that hate speech and harmful content continue to spread unchecked online, rapid digital changes and artificial intelligence (AI) developments threaten to exacerbate existing inequalities, and thousands of lives lost at sea

⁴⁸ European Union Agency for Fundamental Rights, 'Fundamental Rights Report 2025', Publications Office of the European Union, Luxembourg, 2025.

and allegations of ill treatment at borders raise alarms about the treatment of asylum seekers and migrants; whereas these trends threaten democratic values and equality, posing a risk to people's fundamental rights, and some people across the EU continue to struggle financially in the ongoing challenging socio-economic conditions which disproportionately affect those already at risk of poverty and exacerbate existing inequalities for disadvantaged groups; whereas despite the challenges faced in 2024, there are positive developments, such as EU legislation to regulate online spaces and AI, which seeks to ensure a digital environment that respects fundamental rights;

- I. whereas long-standing concerns persist in a Member State subject to Article 7(1) TEU proceedings regarding the systemic concentration of political power, the erosion of institutional checks and balances and the weakening of independent oversight authorities, despite repeated calls for corrective action;
- J. whereas despite the growing pressure on civic space across the EU, the 2025 Rule of Law Report does not sufficiently reflect the seriousness of this pressure and the structural threats involved, and limited recommendations have been issued; whereas the report does not adequately address persistent concerns regarding judicial independence, media freedom, corruption, and checks and balances in certain Member States;
- K. whereas restrictions on freedom of assembly, access to information, electoral integrity and discrimination have not been comprehensively addressed by the Commission in several Member States;
- L. whereas the CJEU, in Case C-713/23, held that a Member State must recognise, for the purposes of the rights conferred by EU law, a marriage between two EU citizens of the same sex lawfully concluded in another Member State where they exercised their freedom of movement and residence; whereas the CJEU found that refusing such recognition is contrary to EU law as it infringes both the freedom to move and reside and the fundamental right of respect for private and family life;
- M. whereas according to media freedom indices, within the EU, the dangerous proximity between the news media and those in power plays out through the opaque, unequal distribution of state advertising; whereas the media landscape is defined by conflicts of interest, and when regional outlets resist pressure, they face strategic lawsuits against public participation (SLAPPs) that drain their finances; whereas signs of hope are emerging, with some media sectors rebounding after reductions in legal pressures, others showing positive economic momentum, and several achieving high levels of press freedom;

- N. whereas journalists in several Member States continue to face smear campaigns, abusive lawsuits, intimidation and threats, leading to fear and self-censorship and weakening the public's right to information; whereas some journalists are forced to live under police protection;
- O. whereas its Committee of Inquiry on Pegasus and equivalent surveillance spyware (PEGA) found that such tools were unlawfully deployed in several Member States against journalists, civil society, lawyers, opposition figures and public officials; whereas it documented serious violations of privacy, data protection and freedom of expression, warning that such practices pose a systemic threat to democracy and fundamental rights in the EU; whereas the use of spyware surveillance technologies, such as Predator, Pegasus and Paragon Graphite, against journalists in the EU remains a matter of serious concern;
- P. whereas certain fundamental rights violations may have been linked to the use of some EU funds, notably in the areas of reception conditions for asylum seekers, the institutionalisation of persons with disabilities and of children, and certain urban regeneration housing and education projects⁴⁹; whereas certain EU funds may have been channelled into companies linked to intrusive surveillance technologies⁵⁰; whereas the management and oversight of EU funds should be strengthened in order to prevent such violations and ensure full compliance with the safeguards provided under EU law;
- Q. whereas concerns have been raised⁵¹ regarding EU restrictive measures introduced under Council Decision (CFSP) 2024/2643⁵² and Council Regulation (EU) 2024/2642⁵³, in particular as regards their potential impact on the rights of individuals, including

⁴⁹ Bridge EU, '1.1 Billion Euros, 63 Projects, Six Countries, One Pattern: How EU Funds Violate Fundamental Rights', (Bridge EU 2025).

⁵⁰ Business & Human Rights Resource Centre, 'EU: 39 Members of the European Parliament from 4 political groups call for answers regarding taxpayer funding fuelling spyware', Business & Human Rights Resource Centre website, (1 October 2025).

⁵¹ United Nations Office of the High Commissioner for Human Rights (OHCHR), 'European Union: Restrictive measures against academics negatively impact human rights, say UN experts', UN Office of the High Commissioner for Human Rights website, 26 January 2026.

⁵² Council Decision (CFSP) 2024/2643 of 8 October 2024 concerning restrictive measures in view of Russia's destabilising activities (OJ L, 2024/2643, 9.10.2024, ELI: <http://data.europa.eu/eli/dec/2024/2643/oj>).

⁵³ Council Regulation (EU) 2024/2642 of 8 October 2024 concerning restrictive measures in view of Russia's destabilizing activities (OJ L, 2024/2642, 9.10.2024, ELI: <http://data.europa.eu/eli/reg/2024/2642/oj>).

journalists, and the need to ensure that such measures are applied in accordance with the proportionality requirement under EU law, respect for due process, judicial oversight and adequate legal safeguards, in line with international human rights standards;

- R. whereas corruption remains a major concern for EU citizens, as shown by the 2025 Eurobarometer survey on corruption⁵⁴; whereas in particular, 69 % of those surveyed consider corruption to be widespread in their country and 51 % believe it is widespread within political parties; whereas the survey respondents overwhelmingly reject corrupt practices, with 71 % of them considering that it is never acceptable to do favours in exchange for advantages from public authorities, 74 % rejecting the giving of gifts and 80 % rejecting the giving of money to obtain such advantages; whereas 5 % of the people surveyed report having experienced or witnessed corruption in the past 12 months but only one in five reported it, and less than half of the respondents know where to report a case of corruption;
- S. whereas the Council of Europe's GRECO underlines in its 25th General Activity Report that fundamental reforms remain essential to strengthen the independence of the judiciary, prosecution and law enforcement, and to restore trust in public institutions, political leadership, the judiciary and law enforcement, which requires sustained anti-corruption efforts, stronger supervision and independent oversight, a robust and balanced framework for managing interactions between persons' with top executive functions and lobbyists and third parties influencing public decision-making, as well as the application of revolving door standards, and an unwavering commitment to transparency, accountability, justice and integrity; whereas further action is needed to ensure that access to information laws are comprehensive, effectively enforced and proactively implemented;
- T. whereas electoral integrity, equal suffrage and genuine political competition are essential components of the values enshrined in Article 2 TEU and must be systematically addressed in the rule-of-law monitoring of Member States, as well as of candidate and potential candidate countries;
- U. whereas the 34th General Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of the Council of Europe expresses serious concern about the significant increase in prison overcrowding, particularly in some Member States, which completely undermines the functioning of prisons and potentially exposes individuals to inhuman and degrading treatment, as it causes poorer living

⁵⁴ European Commission, 'Special Eurobarometer 561: Citizens' attitudes towards corruption in the EU in 2025', July 2025.

conditions, increased tension and violence, and a reduction in purposeful activities and preparation for prisoners' return to the community;

- V. whereas according to data⁵⁵ from FRA and the Council of Europe, inadequate healthcare, limited access to mental health support, and a growing number of suicides remain a serious concern in prisons in several Member States; whereas suicides and acts of self-harm underscore persistent and serious problems in detention systems; whereas particular attention is needed in juvenile facilities, where a lack of sufficient psychological care, education and reintegration measures exposes minors to further trauma and exclusion;
- W. whereas failures to implement or partial implementation of and persistent delays in executing judgments of the CJEU and of the ECtHR are not isolated cases but reflect persistent problems in several Member States and recurring issues in others;
- X. whereas the European Implementation Network and Democracy Reporting International highlight the fact that, across both the CJEU and the ECtHR, the implementation gaps relate largely to the same areas, namely judicial independence and access to justice, asylum and migration, detention conditions, equality and data/surveillance; whereas at the same time, there have been positive cross-cutting developments in certain Member States, demonstrating that compliance and improvement are possible where there is a clear political will and a genuine commitment to abide by the rulings of the international courts to uphold the rule of law⁵⁶;
- Y. whereas disinformation, algorithmic manipulation and insufficient transparency of online platforms undermine democratic debate, and enforcement under the Digital Services Act⁵⁷ seeks to address these risks;
- Z. whereas the limited attention given to recommendations under 'Other institutional issues related to checks and balances' raises

⁵⁵ European Union Agency for Fundamental Rights, 'Criminal Detention Database 2015-2022', FRA website; Aebi, M.F. and Cocco, E. 'SPACE I - 2024 - Council of Europe Annual Penal Statistics: Prison populations', Council of Europe, 2025; World Health Organization, 'Status report on prison health in the WHO European Region 2022' WHO Regional Office for Europe, Copenhagen, 2023.

⁵⁶ European Implementation Network and Democracy Reporting International, 'Justice Delayed and Justice Denied - Non-implementation of European Courts Judgments and the Rule of Law', 2025.

⁵⁷ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2065/oj>).

further concerns, as this thematic area is very broad and covers a wide range of issues;

- AA. whereas although the methodology of the Commission's annual rule of law report has improved over time, it still does not always use clear and operational benchmarks for assessing Member States under each pillar, which makes it harder to compare conditions across Member States and to ensure uniform standards, and can lead to weakening the reliability of the rule of law report as an early-warning and preventive mechanism;
- AB. whereas according to the 2025 rule of law analysis by Liberties EU⁵⁸, since 2022, about one third of all Member States have shown little or no progress in implementing the Commission's recommendations; whereas nine countries consistently have five to eight recommendations that remain unimplemented; whereas 61 % of the recommendations assessed in 2025 have shown little or no progress since 2022; whereas 93 % of all the Commission's 2025 recommendations are repetitions from previous years (with 71 % dating back to 2022) and only nine new recommendations were introduced in 2025; whereas in 2025, only 6 % of recommendations could be considered fully implemented;
- AC. whereas the DRFMG within Parliament's Committee on Civil Liberties, Justice and Home Affairs has the mandate to monitor breaches of democracy, the rule of law and fundamental rights, and the fight against corruption within the EU; whereas for more than seven years, the DRFMG has assessed the state of the rule of law, democracy and fundamental rights across the EU through dedicated sessions on Member States and horizontal topics, and ad hoc delegations; whereas monitoring is a technical exercise that strengthens integrity systems and enhances institutional resilience and should remain independent from political influence; whereas although embedded within the parliamentary framework, the DRFMG has a long-standing commitment to refrain from party-political considerations and to base its assessments on established standards and evidence-based judgment, and has produced valuable input into the EU's work on the rule of law;
- AD. whereas the Commission's 2026 work programme notes the need for an integrated annual rule-of-law cycle with a common pace, clear milestones and the active contribution of all the EU institutions; whereas respect for the rule of law remains imperative to safeguard all EU funds;
- AE. whereas Parliament has repeatedly called for a stronger link between respect for the rule of law and access to EU funds, including

⁵⁸ Civil Liberties Union for Europe, 'European Commission's Rule of Law Report 2025 - Gap Analysis'.

by strengthening the connection between the recommendations contained in its annual rule of law resolution and financial support from the EU budget; whereas the Commission has, on several occasions, committed itself to reinforcing such links, including in the State of the Union address delivered by Commission President Ursula von der Leyen on 10 September 2025;

- AF. whereas the use of rule-of-law instruments must remain impartial and based exclusively on verifiable fact-finding and legal reasoning, free from instrumentalisation or political bargaining;
- AG. whereas in her opinion of 5 June 2025 in Case C-769/22, Advocate General Ćapeta concluded that Article 2 TEU can serve as a separate legal basis for infringement proceedings in cases where the negation of a value is the root cause of other breaches of EU law, and she proposed that the CJEU declare that, by adopting Law LXXIX of 2021, Hungary has infringed the Electronic Commerce Directive⁵⁹, the Services Directive⁶⁰, the Audiovisual Media Services Directive⁶¹, the General Data Protection Regulation⁶², Article 56 TFEU, Articles 1, 7, 8(2), 11 and 21 of the Charter and Article 2 TEU;
- AH. whereas the Commission's annual rule of law report should continue to assess Member States and candidate countries; whereas compliance of EU institutions, bodies, offices and agencies with the rule of law should continue to be ensured through the EU judicial system and the oversight of the European Ombudsman; whereas the Commission's rule of law report should also transparently assess the compliance of EU institutions, bodies, offices and agencies with rule-of-law standards, thereby allowing shortcomings within the EU institutions to be addressed more effectively and enhancing the EU's

⁵⁹ Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') (OJ L 178, 17.7.2000, p. 1, ELI: <http://data.europa.eu/eli/dir/2000/31/oj>).

⁶⁰ Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market (OJ L 376, 27.12.2006, p. 36, ELI: <http://data.europa.eu/eli/dir/2006/123/oj>).

⁶¹ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1, ELI: <http://data.europa.eu/eli/dir/2010/13/oj>).

⁶² Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

credibility by subjecting its own institutions to scrutiny;

- AI. whereas Member States must ensure that their national human rights institutions (NHRIs) are established and accredited and that they operate in full compliance with the UN Paris Principles; whereas the independence, pluralism, financial security, appropriate resourcing, effective mandate and statutory authority of the NHRIs are indispensable for their mission to effectively promote and protect fundamental rights and monitor rule-of-law standards and the functioning of democratic checks and balances; whereas Member States should be called on to safeguard NHRIs from political interference;

Justice systems

1. Reaffirms that the rule of law is founded on the binding nature of law on all public authorities and on the effective right of every individual to have access to an independent and impartial tribunal, and that these two dimensions are inseparable and mutually reinforcing;
2. Underlines that fair and accessible justice is a basic rule of law principle that requires an independent judiciary; reiterates that equal access to justice for all citizens is essential;
3. Stresses the importance of independent judicial systems and access to free legal aid in ensuring equal access to justice; reiterates that adequate resources, including infrastructure and personnel, are crucial to improving justice systems;
4. Calls on the Member States, candidate and potential candidate countries to take the necessary measures to ensure structurally independent, efficient and impartial judicial systems, as well as access to free legal aid, in accordance with their obligations under EU law and national law, thereby guaranteeing equal access to justice for all, which is essential for citizens to exercise their rights, challenge discrimination, and hold decision-makers accountable; reiterates the need for concrete actions to improve access, particularly for marginalised and vulnerable groups
5. Stresses that ensuring judicial independence and effective access to justice requires – as a minimum – automated and random case allocation systems, with narrowly defined and reviewable grounds for derogation; transparent, law-based and depoliticised appointment and promotion procedures, ensuring that judicial councils or equivalent bodies have a substantial majority of judicial members elected by their peers, in line with Venice Commission standards, and that the executive cannot exercise discretionary control over appointments, including to court presidencies and supreme courts; stable and objective rules on and adequate judicial remuneration; sufficient resources, including funding, infrastructure, and qualified staff;

6. Recalls that robust national legal systems are indispensable in Member States, candidate and potential candidate countries, given that the Commission relies on national judicial authorities to enforce EU law, and that they are fundamental to judicial cooperation across the EU and to fostering mutual trust;
7. Notes that the Commission has found that there are structural challenges with regard to improving the efficiency, accessibility and quality of the judiciary of some Member States and of candidate and potential candidate countries; stresses the need to improve the monitoring of these challenges, particularly in countries at an advanced stage of the accession process; strongly believes that training is a key factor in guaranteeing the independence of judges, as well as the quality and efficiency of the judicial system; calls on the Member States to invest in judicial training, digitalisation, legal aid, and access to justice for marginalised and vulnerable groups; encourages the Member States to ensure training opportunities for judges; strongly believes that training should be multidisciplinary; reiterates that adequate resources, including funding, infrastructure and qualified personnel, are crucial for the efficiency and accessibility of the justice system; stresses the utmost importance of the EU's strong support in this field;
8. Invites the Member States to seize the opportunities offered by digitalisation to enable simplification, improved efficiency and accessibility, time savings and reduced data storage costs;
9. Underlines serious concerns regarding excessive political influence over judicial appointments, disciplinary panels, promotions and case allocation, including through newly created judicial structures that bypass existing safeguards and facilitate executive interference, especially in Hungary;
10. Recalls that the 2025 Rule of Law Report demonstrates that many of the deep-rooted deficiencies identified in previous years persist in Hungary, namely judicial independence continues to be questioned, the prosecution service still lacks robust safeguards against political influence, legislative processes remain opaque with limited public consultation, and efforts to defend media freedom, pluralism and civic space have not produced meaningful results;
11. Stresses the need for the impartiality of judges; recalls that the appointment and promotion of judges must be determined solely by their qualifications, as the judges are essential for safeguarding judicial independence; recalls that the criteria for nominations and appointments to high-level judicial positions must be fully transparent and without undue political or external interference; recalls that transparent and impartial procedures must also apply for the dismissal of judges; calls on the Commission to monitor and ensure that the principle of non-regression, as clarified by case-law

of the CJEU, is fully respected by Member States, in particular with regard to the appointment of judges, so as to prevent any backsliding in the area of judicial independence;

12. Recalls the need to guarantee the autonomy of the prosecution service, thereby preventing any political interference in its work; calls on the Member States to further strengthen safeguards to ensure the impartiality of prosecutors, in light of the varying structures of national prosecution services; urges them to advance reforms in line with the recommendations of the 2025 Rule of Law Report, including enhanced protections for judicial independence and the autonomy of prosecutors in the context of parliamentary inquiries, as well as measures such as decoupling the term of office of the Prosecutor General from that of the Government; calls on the Commission to review the reforms implemented in this regard and to monitor their effectiveness; calls for disciplinary procedures for judges and prosecutors to be reformed to preclude their use by political authorities to exert control over the judiciary, and to ensure that they are handled by independent bodies;
13. Condemns the misuse of the judicial system for political purposes, including the persecution of political opponents and interference in corruption investigations; stresses that politically motivated prosecutions undermine public trust in constitutional principles and EU standards; highlights the importance of guaranteeing the autonomy and independence of the prosecution service, thereby preventing any political interference in its work, especially from the government; highlights the role of transparent appointment processes for prosecutors as a key factor in maintaining public confidence in criminal justice; condemns the abuse of amnesties and pardons for the benefit of politicians, as it threatens the principle of equality before the law; highlights its concern about repeated attacks on judges and prosecutors who are conducting high-profile political investigations linked to cases of corruption and abuse of power perpetrated against political opponents;
14. Stresses the important role of the national councils of the judiciary in safeguarding judicial independence, as they serve as a buffer between the judiciary and other branches of power, including in matters such as appointments, career development, and justice system management;
15. Underlines that, where Councils for the Judiciary exist, their composition and functioning should be in line with the standards established by the Venice Commission and the Council of Europe, including that the Council is to be composed either of judges exclusively or, when mixed with non-judges, a substantial majority of members are to be judges elected by their peers, while non-judicial members may be appointed through transparent democratic procedures to ensure pluralism and legitimacy, and that the

executive cannot exercise discretionary control over appointments, in order to ensure independence and prevent undue influence, which has been endorsed by the CJEU;

16. Welcomes the Commission's assessment in its report of the reforms undertaken, and notes that some Member States have made progress and are taking legislative initiatives to strengthen the independence and effectiveness of Councils for the Judiciary where they exist;
17. Stresses that an effective and properly functioning justice system in the Member States requires independent bars and lawyers who can carry out their duties freely and without undue pressure or interference, given their crucial role in safeguarding the rule of law and defending fundamental rights and freedoms; further emphasises that full respect for the core principles of the legal profession, including lawyer-client confidentiality, is essential;
18. Deplores the fact that there are still concerns about the remuneration levels of judges and judicial staff in several Member States, making posts unattractive and therefore difficult to fill;
19. Expresses serious concern at the growing trend to structurally question the role and legitimacy of an independent judiciary thereby challenging the proper functioning of the justice system as such and underlines that judicial independence constitutes a prerequisite for the legitimacy of judicial authority, the enforceability of court decisions and public trust in justice; recalls that the principle of the balance of powers implies that no public authority may escape judicial review, and deplores narratives that seek to delegitimise it; recalls that criticism of judges is unacceptable when it seeks to obstruct or discredit the exercise of that constitutional function; distinguishes clearly between legitimate criticism of judicial decisions and attacks targeting the legitimacy of national and international courts as institutions; condemns any attempt, whether direct or indirect, to influence, intimidate or hinder judges in the exercise of their duties, including through disciplinary pressure or public attacks undermining their authority; reaffirms that international courts derive their legitimacy from the sovereign will of the states that established them and from the democratic procedures governing the election of their judges, and that their role is essential for the effective protection of fundamental rights;
20. Calls on the Commission to address political attacks on judges and judicial intimidation, to ensure independent judicial systems, including protection from political interference; stresses that the significant number of threats and attacks suffered by justice

professionals and in particular lawyers⁶³ poses a direct threat to democracy and the rule of law; calls on the Member States to sign and ratify the Council of Europe Convention for the Protection of the Profession of Lawyers and to use all appropriate means to ensure the defence and freedom of expression of lawyers; calls on the Commission to put forward, without delay, a draft Council Decision enabling the EU to sign and conclude the Convention, and highlights the need for swift agreement on this decision;

21. Recalls that professional associations of judges and prosecutors, together with civil society actors, play an important role in fostering the rule of law on the ground, in defending judicial independence and in contributing to public debate;
22. Calls on the Member States to refrain from making excessive use of accelerated procedures or emergency decrees, as these negatively impact the stability and quality of lawmaking and democracy; calls on the Member States to set up transparent lawmaking processes following systematic consultation with various stakeholders;
23. Welcomes the national reforms undertaken in some Member States to strengthen judicial independence, and calls on Member States, candidate and potential candidate countries to continue taking the necessary measures to ensure independent judicial systems and access to free legal aid, thereby guaranteeing equal access to justice for all;
24. Welcomes the role of the European Network of Ombudsmen and underlines that cooperation should go beyond mere information exchange, notably through the systematic use of query procedures, allowing national ombudsman's offices to seek authoritative answers at EU level when facing obstacles in the application of EU law, thereby strengthening their leverage vis-à-vis national authorities; regrets that ombudsman's offices are not always consulted in a systematic manner in the preparation of the rule of law report, despite their key role in detecting shortcomings in the implementation of EU law; therefore calls for more structured and consistent involvement of national ombudsmen in EU-level processes, in order to better identify systemic issues affecting several Member States and to support the Commission in addressing shortcomings in the effective application of EU law;
25. Calls on the Member States to strengthen the independence of national oversight bodies;
26. Calls for the EU and its Member States to continue to strengthen their support for European and international justice institutions, starting with the reinforcement of internal judicial cooperation

⁶³ Council of Bars and Law Societies of Europe, 'CCBE report on threatening behaviour and aggression towards lawyers', 2024.

mechanisms based on mutual trust between the judicial systems of the various Member States and of candidate and potential candidate countries;

27. Welcomes the revision of the Victims' Rights Directive⁶⁴ to close legal gaps, ensuring that victims can access justice and receive support, including avenues to review decisions in criminal proceedings concerning victims, provisions on support and protection of victims, access to compensation, as well as effective data collection, better allocation of resources for upholding the rights of the victims of crimes, and respect for the victims' privacy and the protection of their personal data when reporting a crime, regardless of residence status, and that personal data is not shared with the offender;
28. Stresses that non-implementation of domestic and international judgments remains a systemic concern in some Member States, as highlighted by recent FRA findings and stakeholder submissions; notes with serious concern the growing backlog and slowing progress in the implementation of leading judgments of the ECtHR across the EU, as evidenced by the fact that, as of 1 January 2025, 650 leading ECtHR judgments remained pending full implementation in EU Member States, compared to 624 in January 2024 and 616 in the year before; notes further that 45.7 % of leading judgments delivered in respect of EU Member States over the past 10 years are still pending implementation, compared to 44 % at the end of 2023 and 40 % at the end of 2022; further notes that, by the end of 2024, the average implementation time for leading ECtHR judgments concerning EU Member States had reached 5 years and 4 months, compared to 5 years and 2 months in 2023 and 5 years and 1 month in 2022, thereby highlighting a structural and worsening compliance deficit⁶⁵; believes that the Commission should treat serious non-implementation as a priority topic in political dialogue with national governments and parliaments;
29. Highlights the pivotal role of the CJEU in upholding the rule of law across the EU; endorses further initiatives to enhance the resources and the capabilities of the CJEU to effectively address further challenges to the rule of law;
30. Calls on the Member States to implement pending judgments of the CJEU and the ECtHR promptly; suggests that the EU institutions establish a monitoring unit, building on and, where necessary, reinforcing relevant existing structures and resources of the Union

⁶⁴ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57, ELI: <http://data.europa.eu/eli/dir/2012/29/oj>).

⁶⁵ European Implementation Network, 2025 Report.

institutions and agencies, to monitor the implementation of CJEU and ECtHR judgments relating to democracy, the rule of law and fundamental rights in EU and candidate countries, and calls on the Commission to develop a public scoreboard or an equivalent tool to track such implementation, to fully integrate the relevant findings into the annual rule of law report, and to systematically issue tailored, country-specific recommendations, with a particular focus on Member States that persistently fail to implement CJEU and ECtHR judgements; calls on the Commission to analyse data on non-compliance with country-specific views of UN treaty bodies, drawing on data collected by EU agencies, in particular the Fundamental Rights Agency; reiterates that effective implementation of judgments is essential to ensuring protection of the fundamental rights enshrined in the TEU, TFEU, the Charter and the ECHR;

31. Urges the Commission to use enforcement tools more decisively in cases of persistent non-implementation, assessing whether they warrant proceedings under Article 258 TFEU, Article 260 TFEU, and, where relevant, budgetary conditionality;
32. Calls on the Member States to adopt measures to support implementation with clear timelines, responsibilities and parliamentary oversight, and to safeguard judicial independence and ensure that national courts are not hindered from consistently applying ECtHR and CJEU case law;
33. Recalls that the rule of law is undermined when democratically adopted laws face institutional obstruction or resistance from certain judicial or administrative sectors going beyond legitimate review or scrutiny, preventing their proper implementation; underlines that democratic states must ensure mechanisms for political and social reconciliation, prevent the excessive judicialisation of political conflicts, and reinforce democratic dialogue;
34. Underlines the clear link between rule-of-law backsliding and serious violations of fundamental rights, including the lack of due process for detainees, misuse of pre-trial detention, incitement to hatred in political or institutional discourse, and restrictive measures targeting civil society organisations; firmly believes that the Commission should assess how Member States address these violations of rule-of-law principles and fundamental rights, and increase its efforts to ensure an accessible, effective and impartial justice system; notes with alarm the use of extraordinary legal procedures and executive decrees to reshape the judicial landscape beyond the scope of normal parliamentary scrutiny, mirroring patterns previously identified as incompatible with the separation of powers;
35. Calls on the Commission to address prison conditions as a rule-of-law concern, in the light of widespread overcrowding, inadequate living conditions and rising suicide rates, which undermine detainees'

fundamental rights across Member States' penitentiary systems; calls on the Member States to take measures to ensure that detention conditions in prisons, including juvenile facilities, are in line with fundamental rights standards, by addressing overcrowding, ensuring access to healthcare and psychological support, and strengthening suicide prevention measures; welcomes the initiatives undertaken by some Member States to address overcrowding, and stresses the need for further structural measures, including coherent strategies to reduce prison populations and prioritise non-custodial measures and other alternatives to imprisonment;

Anti-corruption framework

36. Reiterates that corruption is a serious threat to democracy, the rule of law and the fair treatment of all citizens, that it hampers economic development, erodes public trust in institutions, and creates vulnerabilities which may be exploited by external actors at both national and EU levels;
37. Regrets that public confidence in the fight against corruption remains low, as two-thirds of Europeans believe that high-level corruption cases are not pursued sufficiently, more than half consider government action ineffective and nearly half doubt the impartial application of anti-corruption measures; highlights significant gaps in reporting mechanisms and public awareness; considers this a clear call for the EU to intensify its work to prevent and combat corruption;
38. Is deeply concerned by corruption cases that have emerged within European institutions and stresses that the rule of law requires that persons holding public office cannot act arbitrarily or abuse their power for personal gain; calls on EU institutions to fully apply the principles of good governance, including transparency, accountability, and integrity;
39. Stresses that the EU's full membership in GRECO, beyond its current observer status, is necessary to address the existing asymmetry whereby all EU Member States are evaluated by GRECO while EU institutions themselves are not, thereby limiting coherence across the EU's integrity framework; emphasises that the Commission cannot reasonably be expected to self-assess in matters of integrity and anti-corruption, and that recourse to a recognised, independent external monitoring is essential to ensure credibility, transparency and public trust; stresses the importance of sending a clear political signal that EU institutions are themselves subject to the same level of scrutiny and standards as national authorities; recalls that EU membership of GRECO would strengthen the alignment of rules, ensure methodological consistency, improve transparency, accountability and efficiency in the management of EU funds, the legislative process and the work of the EU institutions, while

enhancing cooperation with Member States, candidate countries and neighbouring countries in the fight against corruption;

40. Calls on the Commission to swiftly conclude the negotiations on the EU's full membership of GRECO; notes that EU accession may follow two legal routes, either by a direct request to accede to the GRECO Agreement or, more straightforwardly, through accession to one or both Council of Europe anti-corruption conventions (ETS No 173 and/or 174), which would automatically entail GRECO membership; therefore calls on the Commission to pursue without delay the most efficient legal pathway to full GRECO membership and to ensure that the annual rule of law report also covers EU institutions;
41. Urges the Member States to fully implement all Council of Europe GRECO recommendations;
42. Calls on the Member States to publish, adopt, update, monitor, implement and revise their national strategy on preventing and combating corruption, establishing objectives, priorities, and corresponding measures and the means to meet these objectives, in order to ensure that action against corruption is mainstreamed in all relevant policy sectors;
43. Acknowledges the key role of the European Public Prosecutor's Office (EPPO) in safeguarding the rule of law and in combating corruption in the EU, as well as in effectively protecting the Union's financial interests from criminal activity; encourages the Commission to closely monitor participating Member States' level of cooperation with the EPPO in subsequent reports, and to make full use of its tools where cooperation is deficient; supports the reinforcement of the EPPO's monitoring, coordination and operational powers with a view to strengthening its capacity to investigate and prosecute corruption in the Member States; calls on the Commission to accelerate the revision of the EPPO Regulation in order to enhance operational cooperation and data-analysis support between the EPPO and Europol; urges all Member States that have not yet done so to join the EPPO in order to enhance the effectiveness of the fight against corruption, particularly in relation to the protection of EU funds;
44. Calls on the Member States, candidate countries and potential candidate countries, as well as EU institutions, bodies, offices and agencies, to establish or strengthen preventive measures against corruption, such as specialised and independent anti-corruption institutions, transparent management of EU funds, strengthened or proper enforcement of transparency requirements in decision-making, such as registers of lobbyists and reporting obligations on political funding, ensuring a high level of transparency in the relevant EU policy areas, codes of conduct for public officials, mandatory asset declarations and verification thereof, early warning systems, and clear rules on conflict-of-interest and revolving-door

practices;

45. Calls on all the EU institutions, bodies, offices and agencies to strengthen their anti-corruption measures with regard to the disclosure and management of conflicts of interest, open access to information, and rules regulating the interaction of EU institutions, bodies, offices and agencies with the private sector;
46. Calls on EU agencies, offices, and institutions, such as Europol, Eurojust, the European Court of Auditors, the EPPO and the European Anti-Fraud Office (OLAF) to improve their cooperation, in particular through a review and strengthening of the EU anti-fraud architecture, including ensuring that OLAF has adequate resources, so as to ensure more effective detection, prevention and prosecution of violations of the rule of law where these have direct or indirect repercussions on the financial interests of the Union;
47. Calls for the reinforcement of preventive measures against revolving-door practices in judicial systems, in particular in candidate and potential candidate countries, to prevent judges and prosecutors from taking up governmental and political positions that could lead to conflicts of interest and harm the integrity and impartiality of the judicial system;
48. Expresses deep concern about the situation in some Member States where specialised anti-corruption bodies have been dismantled, absorbed into less independent structures, or had their competences reallocated in ways that reduce their independence or allow prosecutorial or police powers to be used for political purposes; notes that these developments have led to sharp declines in investigations and prosecutions of corruption cases, including high-level cases, and undermine the effectiveness of national anti-corruption frameworks, as evidenced by recent expert analyses; points out that the prosecution service is a key element in the capacity of a Member State to fight crime and corruption; regrets any governmental or political interference in criminal investigations, including corruption and related offences;
49. Calls on the Member States to guarantee the independence, impartiality, specialisation and adequate resourcing of disciplinary boards, prosecution services, anti-corruption agencies and the judiciary, in accordance with the recommendations of the United Nations Convention against Corruption (UNCAC) and GRECO;
50. Welcomes the new Directive on combating corruption, which updates and strengthens the EU's legal framework in line with the UNCAC; welcomes in particular the harmonisation at EU level of the definition of core corruption offences, including bribery in the public and private sectors, misappropriation, trading in influence, obstruction of justice, illicit enrichment, concealment and serious

abuses of public function; recalls that the offence of abuse of office and other similar offences fall within the scope of the Directive, form an integral part of the regulatory framework on anti-corruption and transparency, and are at odds with international conventions on tackling corruption; welcomes the strengthening of criminal sanctions for both natural and legal persons, including custodial sentences of at least three to five years, disqualification from public office and exclusion from access to public funds, as well as turnover-based fines for companies; notes the reinforced rules on jurisdiction, enabling Member States to prosecute certain offences committed abroad; welcomes the enhanced preventive framework, including the obligation to have specialised anti-corruption bodies or organisational units in place, carrying out regular risk assessments and ensuring protection for whistleblowers and cooperating persons; stresses that the Directive on combating corruption emphasises that while fully respecting all relevant rules in national constitutions, constitutional principles and laws, unduly shielding individuals, in particular holders of public office, from accountability for corruption offences might undermine public trust in a way incompatible with the objectives of this Directive; further stresses that Member States should have a system in place for the recording, production and provision of anonymised statistical data on the number of pardons related to convictions regarding Articles 7, 8, 9 and 10 of the Directive; urges all Member States to swiftly and fully implement the Combating Corruption Directive;

51. Stresses that the rule of law requires public officials, in both the EU institutions and the Member States, to act transparently and in the public interest, without abuse of power or arbitrary decision-making; calls on the Member States, candidate and potential candidate countries to promote a culture of integrity through regular anti-corruption training for public officials, law enforcement and judiciary, and by actively engaging civil society;
52. Underlines that freedom of information and access to information of public interest is a fundamental right and an essential component of transparency, democratic accountability and the fight against corruption; notes that the Commission's rule of law report systematically covers this area, including unjustified restrictions, delays or obstacles to accessing public information; calls on Member States to guarantee timely, effective and non-discriminatory access to information held by public authorities, and to refrain from legislative or administrative measures limiting transparency or hindering public scrutiny, where they are incompatible with the EU Charter of Fundamental Rights;
53. Expresses concern that recent criminal law reforms reducing sanctions and limitation periods for anti-corruption offences resulted in the discontinuation of hundreds of corruption-related cases, including those involving serious offences, weakening deterrence,

fostering a climate of impunity and eroding trust in public institutions;

54. Notes that in Hungary the concentration of executive influence over prosecutors, combined with legislative reforms enabling the closure of corruption cases or the weakening of penalties, mirrors patterns of systemic backsliding previously identified by Parliament in the context of Article 7 TEU proceedings;
55. Urges the Member States, candidate and potential candidate countries to ensure prompt, thorough and impartial investigations of corruption cases, with particular priority given to cases involving high-level officials, in order to safeguard the rule of law, uphold public trust and ensure accountability at all levels of government; calls, furthermore on the Member States to follow up on such cases within a reasonable time frame so as not to foster a sense of impunity among citizens;
56. Calls on the Member States to align their legal provisions on the criminal liability of high-level officials, as defined in the Directive on combating corruption, and to reduce legal and procedural barriers that hinder judicial authorities from swiftly examining relevant cases;
57. Calls on the Commission to systematically report on, and differentiate between, the track record of investigations, indictments and final convictions in high-level corruption cases in each Member State; further calls on the Commission to identify situations of persistent impunity as structural vulnerabilities with significant implications for the protection of the EU budget, and to include these findings in the anti-corruption chapter of the rule of law report;
58. Recognises the crucial role that whistleblowers play in exposing corruption and promoting transparency across both the public and private sectors; stresses the need to ensure they are effectively protected against retaliation and harassment; calls for the further strengthening of independent and autonomous whistleblower protection authorities and for their integration into broader national anti-corruption frameworks; urges the Member States and candidate countries to protect and further strengthen protection for whistleblowers and journalists reporting on corruption or mismanagement of EU funds, by ensuring confidential reporting channels, effective remedies against retaliation, and the protection of investigative journalism and freedom of expression; calls for the introduction of specific aggravating circumstances in criminal law for offences committed against journalists when such acts are motivated by or connected to their professional activities;

The protection of journalists, and media pluralism and freedom

59. States that the assassination of investigative journalists constitutes a

direct attack on the rule of law, as it not only undermines the capacity of citizens and institutions to hold those in power accountable, but also represents one of the most extreme forms of censorship, posing a direct threat to freedom of expression and the functioning of democratic institutions; stresses that threats, harassment and campaigns against journalists, including those that are politically motivated, create a chilling effect on investigative reporting and must trigger prompt, thorough, independent and effective investigations;

60. Strongly condemns the surveillance of journalists, in particular by means of spyware, including the Paragon Graphite case, as well as the targeting of journalists and civil-society actors in several Member States, which constitutes a breach of freedom of expression and media freedom, and undermines the principles of democracy; highlights the importance of protecting journalists and the confidentiality of their communications from any form of unlawful or arbitrary surveillance; welcomes efforts aimed at strengthening safeguards against such practices; stresses the need to strengthen existing safeguards, including judicial review, necessity and proportionality assessments and effective redress mechanisms, as well as the enforcement of EU law;
61. Remains concerned about the limited follow-up given by the Commission to the recommendations of Parliament's Committee of Inquiry into the use of Pegasus and equivalent spyware, considers that their full and timely implementation would significantly strengthen the EU's capacity to prevent abuses and uphold fundamental rights; calls on the Commission to report regularly to Parliament, in particular to its Committee on Civil Liberties, Justice and Home Affairs (LIBE), on the state of implementation of those recommendations; calls on the Commission to address the use of spyware against journalists in its future rule of law report, as it has a direct impact on media freedom, media pluralism and the safety of journalists; recognises that, following concerns raised at EU level, certain Member States have introduced reforms intended to improve oversight, transparency and accountability in the use of surveillance technologies;
62. Notes with concern the use of increasingly intrusive surveillance technologies, including AI-based tools, notably where their deployment may disproportionately interfere with fundamental rights, such as privacy, freedom of assembly or media freedom; stresses that surveillance technologies based on AI, including biometric systems such as facial recognition, pose a high risk to the respect of fundamental rights, and that, where used, they must be subject to prior judicial authorisation and transparent oversight; calls on the Commission to assess whether national practices involving biometric surveillance or large-scale data collection pose systemic risks to the rule of law;

63. Expresses deep concern at the increasingly well-documented allegations of unlawful surveillance and espionage targeting EU institutions; stresses that such practices, if confirmed, would constitute a grave threat to the rule of law, the separation of powers, democratic oversight and the integrity of the EU's decision-making processes;
64. Recalls that the deployment of spyware, given its highly intrusive nature, constitutes a serious interference with fundamental rights, undermines mutual trust among Member States and may distort the functioning of the single market and EU policies; calls for full transparency, effective and independent scrutiny over such practices, and concrete corrective measures, including at EU level, to ensure accountability; reiterates that surveillance must be carried out in accordance with the law, serve a legitimate aim and be strictly necessary and proportionate, and subject to robust safeguards; underlines that any misuse of surveillance tools that is duly established following due process must have tangible consequences under the EU's legal and budgetary instruments;
65. Remains deeply concerned that media ownership, whether in public or private hands, remains highly concentrated in many Member States, candidate and potential candidate countries posing a risk to diversity of information and viewpoints; expresses concern at increasing political interference in the governance, management and staffing of public service media, undermining their independence; stresses the democratic importance of independent and well-funded public service media; calls on the Member States, candidate and potential candidate countries to adopt legislative frameworks to prevent horizontal concentration, ensure transparency of ownership and management, including through public ownership registries, guarantee transparent allocation of public funds, and establish independent oversight and compliance mechanisms to safeguard editorial and journalistic independence and the media's role as a public watchdog;
66. Condemns any undue political interference in the management of public media and notes with concern structural reforms in certain Member States that increase political influence over appointment and dismissal procedures, as well as the use of state-controlled advertising, politically influenced regulatory bodies and media consolidation into pro-government conglomerates, which together erode media pluralism and restrict access to independent information; calls on the Member States to ensure transparent, open, effective and non-discriminatory appointment procedures for governing bodies, based on objective and proportionate criteria laid down in advance, in accordance with Article 5 of the European Media Freedom Act and urges the Commission to closely monitor national reforms that may undermine media pluralism and the independence of public service media; stresses that independent and

trustworthy media, including public service media free from political control, are indispensable for democratic accountability, as they enable citizens to scrutinise those in power and to detect corruption and abuse of office;

67. Recalls that online platforms such as Instagram, TikTok and X are major sources of news, particularly for younger audiences; expresses concern that recommender systems may amplify polarising content and create information 'echo chambers', posing serious risks to democratic debate and media pluralism; calls on the Commission to ensure effective enforcement of the Digital Services Act⁶⁶, in particular regarding platforms' obligations to mitigate systemic risks to media pluralism and civic discourse;
68. Welcomes initiatives to promote free, independent and pluralistic media, such as the European Media Freedom Act (EMFA); regrets, however, that in most Member States the EMFA remains far from being effectively implemented; calls on the Member States to immediately fulfil their obligations to ensure its swift and full implementation, including transparency in the allocation of state advertising online and offline, and the safeguarding of media pluralism and editorial independence; calls on the Commission to provide support to Member States in transposing the EMFA into national law, monitor its implementation, and consider infringement proceedings where obligations are not met; calls on the Commission to actively assist Member States in the application of the EMFA, including through the adoption of interpretative guidelines where necessary, and to closely monitor its effective enforcement, in particular in Member States where independent sources have raised media freedom concerns; stresses that, given the direct applicability of the Regulation, journalists and stakeholders are already entitled to invoke it before national and EU courts;
69. Calls on the Member States and candidate countries to ensure the protection of journalists and other media professionals in the EU in line with Commission recommendations (EU) 2021/1534⁶⁷ and (EU)

⁶⁶ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/2065/oj>).

⁶⁷ Commission Recommendation (EU) 2021/1534 of 16 September 2021 on ensuring the protection, safety and empowerment of journalists and other media professionals in the European Union (OJ L 331, 20.9.2021, p. 8, ELI: <http://data.europa.eu/eli/reco/2021/1534/oj>).

2022/758⁶⁸ ; underlines that the protection of journalists must encompass not only effective physical safety measures, but also safeguards against online threats, harassment and digital attacks, as well as access to information without undue barriers;

70. Condemns hate speech, both online and offline, including in the mainstream media, on social media and in public spaces, as it constitutes a serious threat to democracy and the rule of law; calls for stronger enforcement of media regulations to safeguard a diverse and inclusive media landscape; underlines that public figures must lead by example in ensuring respectful debate; recalls that freedom of expression is a fundamental right and should not be unjustifiably restricted; stresses that freedom of expression must not be used to justify hate speech or hate crimes; calls on the Member States to repeal or amend legislation that is not in line with European and international standards regarding freedom of expression and public debate;
71. Recalls that freedom of expression is a cornerstone of democratic societies and an essential element of the rule of law; notes with concern the increase in administrative and criminal measures targeting academics, journalists and human rights defenders;
72. Calls on the Member States to fully and timely implement the Anti-SLAPP Directive⁶⁹; and Commission Recommendation (EU) 2022/758; urges the Member States to go beyond minimum transposition and adopt comprehensive domestic anti-SLAPP measures to protect journalists and other targets from intimidation, defamation or restrictions on the exercise of their profession;
73. Recommends that, when transposing the directive, the Member States extend its application to also include national cases, given that the majority of SLAPPs occur at the national level; encourages the adoption of early dismissal mechanisms, effective cost-shifting rules, dissuasive sanctions against abusive litigants, and robust support measures for affected journalists and other targets;
74. Calls on the Commission to urgently consider proposals or

⁶⁸ Commission Recommendation (EU) 2022/758 of 27 April 2022 on protecting journalists and human rights defenders who engage in public participation from manifestly unfounded or abusive court proceedings ('Strategic lawsuits against public participation') (OJ L 138, 17.5.2022, p. 30, ELI: <http://data.europa.eu/eli/reco/2022/758/oj>).

⁶⁹ Directive (EU) 2024/1069 of the European Parliament and of the Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('Strategic lawsuits against public participation') (OJ L, 2024/1069, 16.4.2024, ELI: <http://data.europa.eu/eli/dir/2024/1069/oj>).

complementary instruments to address SLAPPs not covered under the current EU framework, and to explore amendments expanding the directive's scope beyond cross-border cases, ensuring a high and uniform level of protection across the EU;

75. Invites the Commission to assess whether EU sanctions to combat disinformation comply with the proportionality requirement under EU law and with Article 11 of the Charter, while fully acknowledging the legitimate objective of adopting policies to address disinformation and information manipulation; considers that the right to be heard and adequate legal safeguards must be guaranteed before such measures are applied by the Council, especially where the rights of EU citizens, in particular journalists, risk being undermined;
76. Encourages the Member States to ensure that minorities can effectively participate in and access media and to ensure that audiovisual media services do not contain incitement to violence or hatred against minorities;
77. Calls on the Member States to establish frameworks that guarantee people's freedom to seek, receive and impart information, and to ensure that national coordinators under the Digital Services Act (DSA) can fully perform their role in facilitating information exchange and cooperation at EU level; underlines the importance of timely and effective implementation of the DSA to ensure a safe, transparent, and accountable online environment; calls on the Member States to ensure that the transposition of Directive (EU) 2016/343 on the presumption of innocence fully respects freedom of expression and information as guaranteed by Article 10 of the European Convention on Human Rights and Article 11 of the Charter of Fundamental Rights of the European Union, and does not introduce restrictions on reporting on matters of public interest;
78. Recalls the importance of monitoring large online platforms and enforcing the DSA, including investigations into algorithmic manipulation, amplification of hate speech, political propaganda, or lack of oversight; stresses the importance of transparency in platform algorithms, of independent audits and of fact-checking mechanisms to combat disinformation, and underlines that these measures should be complemented by guaranteed access to information and the promotion of media literacy among all citizens;
79. Stresses that large-scale disinformation and information manipulation, increasingly amplified by advanced AI systems, pose serious risks to the rule of law and democratic processes; calls on the Commission and Member States to fully enforce the DSA and AI

Act⁷⁰ to ensure transparency, accountability and effective mitigation of AI-driven systemic risks to the rule of law, particularly in electoral contexts;

Civil society space

80. Emphasises the crucial role played by a strong and unhindered civil society, including grassroots and community organisations, trade unions, activist groups, human rights defenders and non-governmental organisations (NGOs), as well as by independent authorities and ombudspersons, in promoting and upholding democracy, equality, the rule of law and fundamental rights, and in ensuring accountability for both state and private actors through their watchdog role; recalls that, in this context, the Commission acknowledges that obstacles persist in some Member States to creating an environment conducive to the work of civil society actors, as well as the need for additional measures for them, such as dedicated training, awareness-raising and protection mechanisms; urges the Commission to step up efforts to strengthen the protection of all these actors and to guarantee the conditions necessary for the effective pursuit of their activities; recalls the need for a safe, supportive and enabling environment for them; encourages civic engagement and participation in democratic processes;
81. Recognises the role of civil society and non-governmental organisations in protecting minorities and combating discrimination, calling for fair and equitable access to support;
82. Reiterates the importance of broad consultation when drafting the rule of law report; calls on the Commission to prioritise on-site visits to the Member States, as they allow for a more comprehensive and contextual assessment of the situation;
83. Highlights the importance of a vibrant civic space and of the rights to peaceful assembly and freedom of association across the EU, stressing that these rights, protected by international law and the Charter, are essential for democracy and government accountability; notes that these freedoms require further strengthening in some Member States; calls on Member States to ensure the protection of freedom of assembly for all and to guarantee a safe, enabling and legally secure environment for its exercise, in line with EU law and European and international human rights standards; notes with concern the increasing restrictions affecting civic space in several

⁷⁰ Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) (OJ L, 2024/1689, 12.7.2024, ELI: <http://data.europa.eu/eli/reg/2024/1689/oj>).

Member States, including excessive administrative burdens, smear campaigns and limitations on access to resources, which create a chilling effect and undermine the watchdog role of civil society;

84. Expresses deep concern over repeated restrictions on freedom of assembly; highlights criticisms expressed by the Council of Europe, the Organisation for Economic Co-operation and Development, the United Nations and civil society organisations regarding certain laws, including relevant legislation in the area of security, which do not meet the requirement of proportionality, which may weaken legal safeguards and may conflict with international human rights obligations; calls on the Member States to refrain from adopting laws or practices that preventively restrict the right to peaceful assembly, including imposing sanctions or penalties on participants in peaceful demonstrations without judicial oversight; reminds Member States that laws and practices concerning assemblies and protests must always comply with international human rights standards, including through adequate human-rights and crowd-management training for law enforcement officials; encourages Member States to introduce appropriate procedures or mechanisms for recording identity checks, and calls on the Member States to publish data on injuries and deaths during protests in order to enhance transparency and accountability of law enforcement authorities;
85. Acknowledges the EU Strategy for Civil Society and measures to strengthen protection, participation and sustainable funding, including the Civil Society Platform, the Knowledge Hub on Civic Space and further protection tools;
86. Calls on the Member States and the Commission to continue to improve the legal and regulatory environment for civil society, while ensuring that any restrictions on the funding and activities of associations are clearly justified, proportionate, pursue legitimate public-interest goals and fully comply with EU law and European and international human rights standards, including the ECHR;
87. Expresses deep concern about shrinking civic space and increasing persecution of civil society organisations (CSOs) and human rights defenders in the EU, particularly those working on anti-racism, climate justice, LGBTIQ+ rights, women's rights, migration, including humanitarian assistance and aid to persons in distress at sea, as well as anti-corruption; urges the Commission to systematically monitor the situation of these organisations in its rule of law reports, as a shrinking civic space constitutes a structural rule-of-law concern; calls on the Member States to provide effective protection for human rights defenders, including rapid response mechanisms to threats;
88. Expresses concern over constitutional amendments undermining

legal certainty and the primacy of EU law;

89. Denounces the excessive and routine use of accelerated legislative procedures in Hungary, with a significant proportion of laws being adopted without adequate consultation, undermining principles of better law-making, transparency, inclusiveness and democratic oversight;
90. Encourages the Member States to ensure a balanced framework that supports accountability and transparency for all entities seeking to influence public policy, while allowing civil society to operate freely, safely and effectively; is concerned by the growing legal and financial restrictions, smear campaigns, and criminalisation of civil society organisations and human rights defenders, including the unwarranted criminalisation of civil society activities; calls on the Member States to refrain from disproportionate restrictions on freedom of assembly and association; reiterates the importance of fully implementing the Anti-SLAPP Directive and Commission Recommendation (EU) 2022/758 to protect CSOs; stresses that reporting requirements for NGOs must not exceed those strictly necessary and proportionate to the specific aims pursued;
91. Stresses that transparency and accountability in the use of EU funds are vital components of the rule of law; stresses that reporting obligations and transparency should be in place to ensure that EU money is well spent, while avoiding unnecessary burdens on organisations; considers that the current EU legislation on scrutiny, due diligence and transparency constitutes a solid basis, and underlines that the EU should remain ready to review and reinforce the framework should shortcomings be identified; calls on the Member States and the Commission to ensure the allocation of adequate and sustainable financial resources for civil society organisations and human rights defenders, in accordance with clear eligibility criteria and oversight mechanisms that would fully comply with existing transparency, accountability and spending rules, particularly in the context of shrinking civic space and increasing administrative burdens; in this regard, considers that the Commission and the Member States should provide adequate and consistent funding, matched to its objectives, for actors working to promote fundamental rights, democracy and the rule of law, and underlines that access to EU funding must be fair, transparent and non-discriminatory; recalls that funding decisions must be based on objective, transparent and non-discriminatory criteria, in accordance with the Treaties and the Financial Regulation, ensuring sound financial management and the protection of the EU's financial interests;
92. Stresses the importance of academic freedom as an integral aspect of the rule of law and urges the Member States to protect universities from undue political influence or control over academic

governance, and to ensure institutional autonomy; encourages the Member States to foster a culture of the rule of law through awareness campaigns, outreach initiatives and action promoting democratic values and principles;

Fundamental rights, equality and non-discrimination

93. Stresses that the protection and promotion of fundamental rights constitute an essential pillar of the rule of law and a core obligation for all Member States under Article 2 TEU; underlines that these rights must be safeguarded equally for all individuals without discrimination through transparent legislative processes, effective judicial remedies and independent oversight mechanisms; highlights that the rule of law and fundamental rights are mutually reinforcing, and that breaches of the rule of law directly undermine the enjoyment of fundamental rights;
94. Stresses that any restriction on fundamental rights and freedoms must comply with Article 52(1) of the Charter and condemns legislative practices that result in excessive complexity, legal uncertainty or a lack of intelligibility for citizens;
95. Underlines that Member States' legal frameworks must guarantee equality before the law and the right not to be discriminated against, including in judicial proceedings; calls on the Commission to act decisively in cases of non-compliance; stresses that any measures affecting the free movement of persons, residence rights or family reunification must comply with applicable EU law and the Charter, including the principle of non-discrimination laid down in Article 21 thereof;
96. Recalls that effective access to social protection, adequate minimum income and non-discriminatory public services is crucial for the equal exercise of rights; calls on the Commission to consider how social exclusion, extreme poverty and lack of housing hinder effective access to justice and the practical enjoyment of rights;
97. Welcomes the LGBTIQ+ equality strategy 2026-2030 as a key framework for advancing equality and non-discrimination across the EU, in particular through improved implementation of EU equality law, protection and safety of LGBTIQ+ persons and activists, strengthening monitoring and accountability mechanisms, awareness-raising and training of key professionals; urges the Commission to present a proposal for a binding EU ban on conversion practices in all Member States;
98. Is deeply concerned about the discriminatory measures introduced in some Member States under the pretext of fighting the so-called 'LGBTIQ propaganda' and 'gender ideology'; recalls the Opinion of

the Advocate General in Case C-769/22⁷¹ finding that such legislation, where not objectively, scientifically and proportionately justified, is incompatible with EU law and the Charter; underlines that these measures reinforce stigmatisation, interfere with the prohibition of discrimination, with freedom of expression and information, and violate private and family life and human dignity, and cannot be justified by the reasons put forward by the Member State; stresses that systematic discrimination against LGBTIQ+ persons calls into question the values enshrined in Article 2 TEU and affects the EU's legal order as a whole; stresses that the Commission must act swiftly and decisively when Member States circumvent EU law, in particular the Charter of fundamental rights, including via accelerated infringement procedures and interim measures; condemns discriminatory constitutional reforms affecting gender equality and LGBTIQ+ rights;

99. Deplores the lack of progress in equality and non-discrimination policies in some Member States and persistent gaps in the implementation of existing EU anti-discrimination legislation; highlights that intersectional discrimination against individuals belonging to multiple vulnerable groups remains a problem in several Member States, with varying degrees of legal recognition and protection, and is insufficiently addressed under current EU equality and non-discrimination frameworks; urges the Council to reach agreement on the horizontal anti-discrimination directive without delay; calls for continued EU action to combat discrimination and hate crimes targeting LGBTIQ+ persons, women, minors, persons with disabilities, elderly people, migrants, and persons belonging to minorities so as to ensure effective access to justice and legal remedies for victims;
100. Calls on all Member States to protect LGBTIQ+ rights in full compliance with EU law, the Charter, and relevant CJEU and ECtHR case-law; recalls that legal barriers to recognising same-sex partnerships or parenthood across borders persist in several Member States, violating the principles of free movement and non-discrimination; calls on the Commission to closely monitor Member States' compliance with CJEU case-law, in particular the judgments in Cases C-673/16⁷² and C-713/23⁷³, and to launch infringement procedures where necessary; welcomes the Commission's proposal on the recognition of parenthood and calls on the Council to adopt it

⁷¹ Opinion of Advocate General Ćapeta delivered on 5 June 2025, ECLI:EU:C:2025:408.

⁷² Judgment of the Court (Grand Chamber) of 5 June 2018, *Relu Adrian Coman and Others v Inspectoratul General pentru Imigrări and Ministerul Afacerilor Interne*, ECLI:EU:C:2018:385.

⁷³ Judgment of the Court (Grand Chamber) of 25 November 2025, *Jakub Cupriak-Trojan and Mateusz Trojan v Wojewoda Mazowiecki*, ECLI:EU:C:2025:917.

swiftly, in the best interests of the child and with a view to ensuring legal certainty across the EU;

101. Calls on all Member States to introduce legal recognition of same-sex partnerships, in line with the case-law of the European Court of Human Rights;
102. Stresses that the absence of accessible legal gender recognition procedures constitutes a violation of fundamental rights; calls on all Member States to guarantee legal recognition of gender identity based on self-determination, ensure mutual recognition across borders and protect personal data, in line with the case-law of the European Court of Human Rights;
103. Expresses alarm at the surge in all forms of religious hatred, racism, xenophobia, and other forms of discrimination across the EU; calls on Member States to ensure equal protection before the law for all minorities;
104. Expresses deep concern at the rising levels of antisemitism in the EU, noting that many Jewish people report experiencing antisemitic hostility both online and offline, affecting their daily lives and sense of safety; calls on Member States to take effective measures to address and prevent antisemitic acts and rhetoric;
105. Expresses deep concern at the rising levels of Islamophobia and anti-Muslim hatred in the EU, noting that many Muslims experience racism, hate crimes, harassment, and discriminatory practices in their daily lives; calls on the Member States to take effective measures to prevent and address such acts and rhetoric;
106. Condemns incidents of hate crime and hate speech online and offline, motivated by any grounds of discrimination; calls on the Commission and the Member States to adopt and implement effective measures to combat all forms of racism, with the full inclusion of civil society and with the contribution of relevant stakeholders, such as the EU Agency for Fundamental Rights; calls for strengthened prevention, investigation, prosecution and victim support, with the full involvement of civil society and equality bodies; highlights the lack of comprehensive EU legislation and calls for hate speech and hate crime to be included among EU crimes under Article 83(1) TFEU, including when based on sexual orientation, gender identity or expression;
107. Is concerned about the backlog in the protection of the rights of persons belonging to minorities, which are increasingly overlooked; calls on Member States to ensure that their legal frameworks and policies do not result in discrimination; recalls Parliament's proposal to include the protection of minority rights in the rule of law report and calls on the Commission to propose EU measures to safeguard minority and language rights, including through EU accession to the

Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages;

108. Highlights the widespread discrimination faced by Roma communities, including antigypsyism, segregation in housing, education and access to services, and securitisation practices; calls for targeted measures, stronger monitoring and accountability mechanisms, and the meaningful involvement of Roma civil society, including in EU accession processes;
109. Calls on the Commission to address racial and ethnic discrimination, including racial profiling, in the context of the rule-of-law assessment, including through effective investigations, disaggregated data collection and publication in line with fundamental rights standards, and the involvement of civil society; underlines the relevance of addressing discrimination on intersecting grounds within a comprehensive fundamental rights framework;
110. Calls for effective safeguards to ensure a safe online space and to tackle hatred, discrimination and disinformation; stresses the need for the full, rights-based application of the DSA, Digital Markets Act (DMA)⁷⁴, the AI Act, the Anti-SLAPP Directive and the EMFA;
111. Highlights that the lack of progress towards community-based services for persons with disabilities raises serious concerns regarding compliance with fundamental rights obligations;
112. Reiterates the obligation of Member States to respect EU and international law in the field of migration and asylum on land and at sea; calls on the Commission and the Member States to ensure that migration and asylum policies, including the Pact on Migration and Asylum, are implemented in full compliance with the Charter, the principle of non-refoulment and the principle of responsibility-sharing to ensure that people's rights to asylum and international protection are upheld;
113. Calls on Member States to implement migration and asylum policies in full compliance with the Treaties, the Charter and applicable international law; stresses that all persons on EU territory are entitled to respect for their human dignity, must not be subjected to inhuman or degrading treatment, and are equal before the law without discrimination on any grounds, including nationality or migration status;
114. Considers that the findings of the EU Agency for Fundamental Rights

⁷⁴ Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act) (OJ L 265, 12.10.2022, p. 1, ELI: <http://data.europa.eu/eli/reg/2022/1925/oj>).

and the case-law of the CJEU provide a reliable basis for interpreting Article 2 TEU and the scope of Charter rights;

115. Welcomes the Commission's decision to maintain its proposal for an equal treatment directive⁷⁵ and urges the Council to finalise and adopt it without further delay noting that it is essential to closing gaps in EU anti-discrimination protection;
116. Calls on the Commission and the Member States to take effective action against gender-based violence, online and offline, including adding it to the list of 'EU crimes'; urges an EU legislative proposal on combating rape as defined by the lack of consent, the full implementation of EU rules on violence against women, and the ratification of the Istanbul Convention by all Member States; expresses concern about anti-gender movements and disinformation undermining gender equality;
117. Reiterates its call for access to safe and legal abortion to be enshrined in the Charter of Fundamental Rights of the European Union; underlines that sexual and reproductive health and rights are an integral part of equality and the fight against gender-based violence;

The rule of law and the EU budget

118. Is concerned about reports from civil society organisations indicating that certain rule of law and fundamental rights violations may have been linked to the use of some EU funds in some Member States; calls on the Commission to thoroughly investigate whether such violations are occurring in EU-funded programmes or projects and, where such violations are established, to consider the relevant enabling conditions and Recovery and Resilience Facility milestones as unfulfilled; further calls on the Commission to include recommendations addressing these violations in its annual rule of law report, and, where deficiencies persist, to suspend further payments until the identified deficiencies are remedied;
119. Invites the Commission and the Member States to strengthen independent monitoring arrangements for EU-funded actions, including through legal and fundamental rights impact assessments and independent evaluations with the involvement of civil society, while safeguarding effective access to justice, in order to ensure compliance with EU law and the Charter; encourages the allocation of adequate resources to support such monitoring;
120. Stresses that the protection of the rule of law is indispensable to safeguarding the Union's financial interests; underlines that

⁷⁵ Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation (COM(2008)0426).

independent judicial systems, effective anti-corruption frameworks and transparent administrative procedures are essential to ensure that EU funds are managed, allocated and spent in line with the principles of sound financial management; calls for proper funding for bodies such as the EPPO and OLAF to ensure their capacity to effectively investigate, prosecute and bring to justice criminal offences affecting the Union's financial interests, in view of their impact on the rule of law;

121. Stresses the need to enhance synergies between the various rule of law tools and their link to the EU budget, and to strengthen the links between the recommendations addressing the most persistent violations in the annual rule of law report and budgetary tools; deplores the lack of detail in the 2025 Rule of Law Report on how this link is made, notably in its recommendations;
122. Insists that the measures required for the release of EU funding, as defined by the relevant decisions taken under the Common Provisions Regulation, the Recovery and Resilience Facility Regulation⁷⁶ and the Rule of Law Conditionality Regulation, must be assessed consistently as part of the same seamless and coherent toolbox and that no payments should be made while deficiencies persist; insists that any backsliding should also be taken into account and addressed in order to prevent the occurrence of similar situations or further backsliding in the future; calls on the Commission to ensure that such assessments remain strictly impartial, free from instrumentalisation, and based solely on compliance with rule-of-law standards; recalls that any proposal to lift budgetary measures should be based on solid, comprehensive, and up-to-date information in line with the Advocate General's Opinion in Case C-225/24⁷⁷, which underlined that each condition for disbursement should be made public to ensure transparency and accountability; notes that the Commission's annual rule of law report provides an essential factual basis for identifying systemic challenges that may affect the proper implementation of the EU budget; calls on the Commission to set out and publish clear and detailed criteria for assessing the budgetary implications of rule of law deficiencies, including for interruptions, suspensions and the reprogramming of EU funds, and to ensure timely and non-selective decision-making across all Member States;
123. Reiterates that the Rule of Law Conditionality Mechanism forms an integral part of the Union's financial governance toolbox; recalls that

⁷⁶ Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility (OJ L 57, 18.2.2021, p. 17, ELI: <http://data.europa.eu/eli/reg/2021/241/oj>).

⁷⁷ Opinion of Advocate General Capeta delivered on 12 February 2026, Case C-225/24 European Parliament v European Commission, ECLI:EU:C:2026:88.

the Conditionality Regulation has been a key tool in protecting the EU's financial interests against breaches of the rule of law and should be applied whenever its legal conditions are met across the entire EU budget; calls for the consistent, effective, timely and impartial application of the Conditionality Regulation, including the proactive use of Article 6(4) thereof where warranted, while respecting the principle of proportionality; regrets the Commission's interpretation that the Conditionality Regulation should be used only as a measure of last resort;

124. Calls on the Commission to clarify what constitutes a sufficiently direct link between breaches of the principles of the rule of law and the EU's financial interest, as well as to establish clear, objective and predictable criteria for assessing the effectiveness of budgetary and remedial measures, as requested by the European Court of Auditors; invites the Commission to indicate in its rule of law report whether serious risks or violations identified in the Member States warrant the application of the Conditionality Regulation and to translate country-specific recommendations addressing the most persistent violations in the Member States into concrete milestones to be acted upon by the Member States and, where appropriate, to serve as evidence to justify the activation of the Conditionality Regulation;
125. Urges the Commission and the Council to act expeditiously and in full transparency where a link is established between breaches of the principles of the rule of law, or serious risks thereof, and risks to the EU budget, and where the Member State concerned fails to address the situation effectively, sustainably and in a timely manner;
126. Urges the Commission to take further action under the Rule of Law Conditionality Regulation in the case of Hungary as regards other breaches of the rule of law, such as those related to the judiciary; highlights that the weakening of the judicial system and of the independence and impartiality of public administration and undue supplier concentration in procurement procedures represent systemic rule of law risks that threaten sound financial management; stresses that violations of rules, manipulation of, or undue favouritism in calls for tender and applications involving EU funding, as well as administrative harassment breaching the equal treatment of local and regional authorities, companies or other final recipients or beneficiaries, and their access to EU funds as well as procurement, audit bodies, anti-corruption safeguards or control systems constitute direct risks to the EU budget and require consistent and stringent application of conditionality;
127. Recalls that the final recipients or beneficiaries of EU funding which are not government entities should not suffer negative consequences as a result of problems caused by the national authorities in cases where budgetary measures are taken; reiterates its call on the Commission to ensure that the final recipients or beneficiaries of EU

funds are not deprived of these funds, as set out in the Rule of Law Conditionality Regulation; recalls the obligation of the Member States subject to measures under the Conditionality Regulation to continue honouring all commitments towards final recipients or beneficiaries; calls on the Commission to explore ways to ensure that EU funds reach local governments and civil society organisations if the government concerned does not cooperate regarding the deficiencies; indicates that a possible solution is to make available the appropriations corresponding to decommitments under conditionality regimes for use under other EU instruments or programmes implemented under direct or indirect management, in particular those contributing to supporting democracy, civil society, the values enshrined in Article 2 TEU or the fight against corruption; underlines that such reallocation must fully respect the principles of sound financial management and equal treatment;

128. Highlights that verifiable adherence by Member States to both the rule of law and the Charter must be regarded as an essential precondition to receiving any EU funds; underlines that full compliance with these conditionalities must precede the approval of all EU-funded programmes and projects submitted by public authorities; calls on the Commission to ensure that any decision to suspend, reduce or block all or part of payments is based on clearly defined, transparent and predictable assessment moments during the implementation of EU funds, in accordance with the principle of proportionality and taking into account the nature, duration, gravity and scope of the infringement identified; stresses that continuous monitoring must be complemented by at least regular and formally established periodic reviews, including an annual compliance assessment explicitly linked to the findings of the Commission's rule of law reports, in order to guarantee legal certainty, accountability and effective responsibility for corrective action;

129. Welcomes the suggestion in the Commission's proposal for the 2028-2034 multiannual financial framework to make nearly half of funds conditional upon compliance with the rule of law and the Charter before their approval, as it strengthens the EU's capacity to ensure that EU funding supports policies grounded in fundamental rights and democratic principles; notes that the proposal maintains and introduces horizontal conditions on respecting the principles of the rule of law and the Charter across relevant programmes; believes that such an approach to conditionality may address concerns regarding the protection of final recipients or beneficiaries, in particular by allowing funds to be made available again under direct or indirect management, in particular the instruments and programmes that contribute to supporting democracy, civil society, the values enshrined in Article 2 TEU or the fight against corruption primarily in the Member State where the violations occurred; notes with concern the potential overlaps between the newly proposed conditionality in the upcoming multiannual financial framework and

the existing Rule of Law Conditionality Regulation; believes, however, that the horizontal conditions should cover all values enshrined in Article 2 TEU, and that the decision-making procedure should be identical, culminating in the Commission's decisions; calls for a unified, coherent and comprehensive framework across all EU programmes, and requests that the Commission ensure clear, objective and transparent criteria for the application of rule-of-law conditionality, as well as effective coordination between the different instruments;

130. Requests that funds suspended or frozen due to breaches of the values enshrined in Article 2 TEU must not be made available again to the Member State authorities concerned;
131. Notes that the proposed National and Regional Partnership Plans (NRP Plans) would consolidate major EU funds into a single strategic framework per Member State and make disbursements increasingly performance-based; further calls on the Commission to provide clear, transparent and verifiable criteria for assessing the existence and effectiveness of the 'adequate mechanisms' required for the approval of national and regional plans, as a prerequisite for their effective application, with a view to ensuring legal certainty and compliance with the rule of law and the Charter when implementing EU funds;
132. Stresses that the effective protection of the EU budget also depends on robust financial management and control systems; calls on the Commission to take into account assessments from relevant EU bodies, offices and agencies, and national audit authorities in its annual rule of law reports, in order to assess rule of law-related risks to EU funds; underlines that systemic deficiencies identified by these oversight bodies should be duly reflected in the Commission's use of budget-protection tools;

The rule of law and the single market dimension

133. Welcomes the fact that a single market dimension has been included in the rule of law report, as it underlines the link between rule-of-law standards and the overall health of the EU's economic environment; emphasises that this approach helps identify structural obstacles affecting companies, workers, and cross-border economic activity, contributing to a predictable, transparent and fair market environment, with the aim of ensuring that rights are defended, corruption is punished, and contracts are enforced; notes that legal uncertainty, arbitrary administrative decision-making and inconsistent judicial protection undermine economic predictability and affect the ability of economic actors to operate within the internal market, as highlighted by the relevant stakeholders consulted for the 2025 Rule of Law Report; stresses that a functioning justice system, a strong anti-corruption framework, media pluralism, and effective checks and balances are

indispensable for the smooth functioning of the single market; underlines that legal certainty, fair and transparent procurement rules, effective anti-corruption measures, media freedom, balanced democratic powers and strong labour and social protections are key drivers of sustainable competitiveness, social cohesion and a well-functioning single market;

134. Proposes that the Commission continues to foster the single market dimension, as it is essential to ensure both a well-functioning single market and a resilient democratic system, and to deepen engagement with stakeholders and civil society organisations, including trade unions, judicial associations, journalists' organisations, bar associations and other professional groups whose expertise is essential for the early identification of systemic rule-of-law risks in future assessments; emphasises that the Commission should undertake targeted efforts to raise awareness of the rule of law reports and encourage contributions from these actors in all Member States;
135. Welcomes the Commission's recognition that respect for the rule of law is a prerequisite for a stable and trustworthy investment environment; underlines that predictable legal frameworks, impartial courts and effective enforcement mechanisms enhance investor confidence and contribute to sustainable economic growth across the single market;
136. Is concerned about the shortcomings identified in several Member States, including as regards equality and fairness in public procurement and direct awards; calls on the Commission to ensure that deficiencies identified under this dimension are adequately reflected in concrete and targeted recommendations in its rule of law report;
137. Calls on the Commission, when it assesses the single market dimension in the rule of law report, and on the Member States, to tackle structural distortions in public procurement and in the use of EU and national funds; underlines that consistent enforcement of EU competition, State aid and public procurement rules, together with support for more diversified local economies and fair access to funding, is necessary to create a virtuous circle in which open and competitive markets underpin the rule of law;
138. Highlights the need to strengthen the Commission's use of data-driven analysis when assessing the impact of rule-of-law conditions on the single market; notes that robust and comparable indicators on judicial efficiency, corruption risks, administrative performance and regulatory stability are essential for identifying structural weaknesses that hinder economic activity; encourages the Commission to further develop evidence-based methodologies and expand the availability of high-quality datasets to enhance the

analytical depth and policy relevance of future rule of law reports;

139. Calls on the Commission to identify, in its country chapters, those Member States where judicial delays, weak enforcement of contracts, or systemic corruption create effective non-tariff barriers for companies from other Member States, and to benchmark progress against established performance indicators; stresses that such identification must be based on transparent data and methodologies and should explicitly link rule-of-law shortcomings to lost investment, higher transaction costs and reduced participation of small and medium-size enterprises in the single market;
140. Believes that the single market dimension underpins the Commission's rule of law report, while the justice system, the anti-corruption framework, media pluralism and media freedom, and other institutional issues related to checks and balances, are recognised as key pillars in the report; highlights, in this context, the importance of addressing the impact of economic inequality and social exclusion on democratic participation and the functioning of the rule of law;

Rule of law at the core of the enlargement process and the EU's external action

141. Reiterates that the values enshrined in Article 2 TEU must be fully and unequivocally respected not only by current Member States but also by candidate and potential candidate countries throughout the entire accession process, and on a continuous basis thereafter; stresses that the EU's credibility and legitimacy in the enlargement process depends on ensuring that both the EU Member States and the candidate and potential candidate countries are held to the same high standards of democracy, human rights and the rule of law, and underlines that such credibility, legitimacy and trust in the EU's commitments can be harmed by double standards in these areas; stresses that the accession phase is a decisive and non-negotiable moment in which to establish solid, irreversible and sustainable foundations for the protection of the rule of law, fundamental rights and democratic standards, which constitute the core fundamentals for EU accession; notes that significant issues persist regarding the monitoring of the fundamental rights of national minorities in candidate countries;
142. Calls for a rigorous, continuous and in-depth evaluation of the rule-of-law in all countries undergoing an accession process; encourages the Commission to provide clear, concrete and measurable recommendations addressing rule of law shortcomings and progress, and insists on full consistency, complementarity and mutual reinforcement of the rule of law report and the Enlargement Report in order to avoid divergent assessments and ensure a coherent and credible enlargement policy;

143. Welcomes the fact that the rule of law report includes specific chapters on Albania, Montenegro, North Macedonia and Serbia; calls on the Commission to extend the geographical scope of future reports to cover all candidate and potential candidate countries and provide concrete, measurable recommendations to support reforms and ensure that high standards are upheld after accession;
144. Calls for the EU and its Member States to provide robust support to candidate and potential candidate countries for advancing reforms in democracy, human rights and the rule of law;
145. Stresses that the values enshrined in Article 2 TEU must also be respected when EU funds are allocated to non-EU countries participating in EU programmes and throughout any follow-up monitoring of fund use; recalls that safeguarding these values is essential to ensure coherent and sound financial management of all EU spending, both within the EU and in collaborations with non-EU countries;
146. Calls for the rule of law principle to be applied consistently across all EU spending, including external action in general, and pre-accession assistance for candidate and potential candidate countries in particular, under the Instrument for Pre-accession Assistance (IPA) III and in the Reform and Growth Facility for the Western Balkans; stresses that such spending must be transparent, evidence- and performance-based and accompanied by effective monitoring and judicial safeguards, in line with the EU values enshrined in Article 2 TEU; calls for disbursements under IPA III to be tied to concrete results, and for funding to be reallocated, suspended or reduced in cases of persistent backsliding on judicial independence, anti-corruption efforts and fundamental rights;
147. Stresses the importance of maintaining a rules-based international order to uphold the universal values on which the EU is founded; warns that growing threats to multilateral institutions, including attempts to delegitimise the International Court of Justice (ICJ) and the International Criminal Court (ICC), and the broader disregard for international law pose a serious threat to the rules-based global order; deplores the unprecedented threats faced by the ICC, including sanctions imposed on its judges and other officials; calls for the activation of the EU Blocking Statute⁷⁸ to shield the ICC and those cooperating with and supporting the ICC, including civil society organisations and human rights defenders; calls for the EU and its Member States, and candidate and potential candidate countries, to continue supporting the ICC and to use all available

⁷⁸ Council Regulation (EC) No 2271/96 of 22 November 1996 protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom (OJ L 309, 29.11.1996, p. 1, ELI: <http://data.europa.eu/eli/reg/1996/2271/oj>).

instruments to strengthen the fight against impunity worldwide;

148. Reiterates the EU's strong support for the ICJ and the ICC as essential independent and impartial institutions; recalls that full compliance with ICC decisions, including the execution of arrest warrants, is an obligation on EU Member States; calls on the Commission to indicate cases of non-execution of ICC arrest warrants in its rule of law reports; urges Member States to fully comply with rulings of international courts and to apply universal jurisdiction to combat impunity; calls on the EU to encourage non-EU countries, including major partners and candidate and potential candidate countries, to become parties to the Rome Statute;

Improving the Commission's reporting process

149. Welcomes the Commission's efforts to improve its methodology in the rule of law report; calls on the Commission, in future editions, to define and publish clear and operational benchmarks and indicators under each pillar, and to apply them consistently and transparently across all Member States, in a way that allows for meaningful comparison and provides clarity about the standards being applied;
150. Acknowledges that the Commission's rule of law report has become more comprehensive since its inception in 2020; deplores, however, the fact that essential elements from Parliament's resolutions, including recommendations, addressed to the Commission and the Council in the context of rule of law reporting have not been fully taken into account; calls on the Commission and the Council to address these recommendations;
151. Calls on the Commission to be more transparent about the criteria it uses to select information from civil society, international bodies, national authorities, and other stakeholders in the reporting process; stresses the importance of ensuring consistency and clarity in how this information is assessed and reflected in the final country chapters; notes that, within the limits of the resources available, appropriate feedback and follow-up should be provided to all contributors regarding the use of their input, and insists that the reporting process be evidence-based, transparent and non-partisan;
152. Calls on the Commission to ensure that the methodology for selecting issues in the rule of law report is transparent by clearly defining key criteria, including what constitutes a 'significant development', and ensuring that newly emerging challenges are systematically considered; encourages the Commission to use clearer language when assessing compliance with the values enshrined in Article 2 TEU;
153. Calls on the Commission, in the process of drafting the rule of law report, to seek stronger collaboration and to carry out prior consultation with Parliament;

154. Stresses that Parliament's Committee on Civil Liberties, Justice and Home Affairs' Democracy, Rule of Law and Fundamental Rights Monitoring Group (DRFMG) has conducted several ad hoc delegations in recent years, and that, in several cases, the state of the rule of law, democracy, and fundamental rights has been assessed as exhibiting greater deficiencies than those highlighted in the Commission's reports; believes that the DRFMG monitoring exercise should be duly considered within the framework of the consultation procedure and in the subsequent drafting of the report; calls for a stronger and more structured interinstitutional relationship between Parliament and the Commission, including through regular exchanges, transparent feedback mechanisms and timely integration of parliamentary assessments;
155. Reiterates the need for a comprehensive interinstitutional mechanism on democracy, the rule of law and fundamental rights covering all the values set out in Article 2 TEU;
156. Believes that the Commission should be clearer in identifying and articulating the trajectory each Member State and candidate country is on, including early warning signs and the identification of serious and systemic issues, and stresses that the Commission should ensure coherence between the issues identified and the recommendations issued as well as greater clarity and transparency on how these assessments are reached; calls on the Commission to clarify that systemic, deliberate and grave breaches of the values enshrined in Article 2 TEU over a sustained period undermine the structural conditions of membership in a Union founded on the rule of law; stresses that, in such circumstances, Member States risk failing to fulfil the commitments inherent in their status under the Treaties; recalls that the institutions are required to activate the mechanisms provided for by the Treaties;
157. Underlines that it is key not to limit the assessment to previously identified shortcomings, but to systematically update the analysis to reflect new developments, emerging risks and evolving forms of backsliding; emphasises that this is precisely where greater methodological precision and clarity are essential, in order to ensure that the recommendations remain relevant, responsive and aligned with the actual trajectory of the rule of law in each Member State;
158. Calls on the Commission to issue recommendations that are more operational, clearly distinguishing those relating to serious and systemic issues and those relating to less significant issues, in order to avoid the risk of trivialising the most serious breaches of the rule of law and setting out concrete measures, timelines and benchmarks for their implementation by the Member States and candidate countries; emphasises that recommendations should not refer to all Member States equally, but should be proportionate to the specific rule of law situation in each country; indicates that the

recommendations should better reflect negative findings in the report and be more detailed; believes that the assessment of the fulfilment of previous recommendations should be more precise and qualitative, not relying solely on legislative changes but also on verifiable evidence of their implementation in practice;

159. Calls on the Commission to ensure that all pillars of the rule of law report receive equal attention when issuing recommendations, in order to address persistent and well-documented challenges and safeguard structural aspects that are essential for the proper functioning of democratic systems, including civic space and fundamental rights;
160. Calls on the Commission to ensure that the concerns identified in the rule of law report are consistently translated into recommendations; calls, furthermore, on the Commission to ensure that similar issues are treated in the same way across Member States, so that no Member State facing comparable or more serious shortcomings is left without appropriate recommendations;
161. Asks the Commission to strengthen the follow-up mechanism for non-implemented recommendations by introducing measurable benchmarks, noting that 93 % of recommendations are repeated from previous years and only 6 % were fully implemented in 2025⁷⁹; calls for the use of all available enforcement tools to be strengthened, where appropriate, including infringement proceedings and budget conditionality, as provided for by the Financial Regulation, Rule of Law Conditionality Regulation and Common Provisions Regulation; calls on the Commission to systemically resort to expedited procedures and applications for interim measures before the CJEU in infringement cases, and to trigger actions regarding the non-implementation of the CJEU's judgments; notes with concern that in the most recent report only two Member States received an additional recommendation compared with the previous reporting cycle, despite the fact that the rule-of-law situation in several Member States warrants urgent action and in others Member States requires recommendations to be implemented urgently;
162. Regrets the fact that Hungary has consistently failed to address the Commission's recommendations, with six recommendations remaining completely unaddressed since 2022;
163. Stresses that the policy outlined in the Commission's 2022 communication on enforcing EU law, which clarifies that infringement proceedings are not intended to serve as mechanisms for individual redress, limits access to effective remedies in

⁷⁹ Civil Liberties Union for Europe, 'European Commission's Rule of Law Report 2025 - Gap Analysis'.

situations of persistent or systemic non-compliance by Member States with EU law, including CJEU judgments; calls on the Commission to report annually on the application and effectiveness of the instruments available to address breaches of the principles of the rule of law in the Member States; recalls the recent opinion of Advocate General Ćapeta in Case C-769/22 confirming that Article 2 TEU can serve as a separate legal basis for infringement proceedings in cases where the negation of a value is the root cause of other breaches of EU law; underlines that the forthcoming judgment in this case could offer an important opportunity that the Commission should seize to engage in more systematic and robust infringement action, subject to the CJEU's final determination;

164. Stresses that issuing the rule of law report is not enough to reinforce the values enshrined in Article 2 TEU, but that the report should lead to concrete action; stresses that the findings of the annual rule of law report should be systematically followed up, where appropriate, through the use of available enforcement instruments, in line with the Commission's prerogatives; calls for the transparent monitoring of Member States' compliance with judgments of the CJEU and, where relevant, judgments of the ECtHR, including by taking instances of persistent non-compliance into account in the application of such instruments;
165. Considers that the benchmarks of the rule of law report should also cover the independence and effective functioning of key independent and regulatory authorities; stresses that those authorities should ensure transparent, open and merit-based procedures for the appointment and dismissal of their leadership;
166. Recalls the Commission Communications of 3 April 2019 entitled 'Further strengthening the Rule of Law within the Union - State of play and possible next steps' and of 7 August 2019 entitled 'Strengthening the rule of law within the Union - A blueprint for action'; calls for their update to reflect current challenges and ensure full operationalisation;
167. Underlines the need to assess human resources and capacity requirements, given the call for more proactive monitoring of the rule of law; stresses the importance of interdepartmental coordination across the relevant competent directorates-general in the Commission;

Horizontal recommendations

168. Believes that EU-level interinstitutional dialogue and cooperation on the rule of law should be strengthened; regrets the fact that the Commission and the Council have so far rejected its offer to enter into an interinstitutional agreement on democracy, the rule of law and fundamental rights; reaffirms its willingness to resume talks on

this agreement, underlining the added value of a structured and predictable framework; stresses that the argument that such an agreement would be excessively rigid cannot justify inaction; calls for pragmatic solutions to already improve cooperation; calls on the Council to make its rule of law dialogue more inclusive by inviting representatives of other institutions such as the Venice Commission and Parliament; emphasises that the effectiveness of the expanded EU toolbox depends on coherent and consistent application across institutions;

169. Proposes that, until an EU mechanism on democracy, the rule of law and fundamental rights is established through an interinstitutional agreement, the EU institutions further develop mechanisms for cooperation in this context by introducing an annual cycle on the rule of law that is structured in different phases, enhancing continuity, coordination and impact across institutions, and designed in a way that allows it to be progressively extended to cover all the values enshrined in Article 2 TEU, ensuring a comprehensive and coherent approach to their protection;
170. Recalls that recommendations should be proportionate to the challenges identified, sufficiently specific to enable concrete and actionable follow-up by Member States and systematically assessed in subsequent editions; calls for a more balanced, transparent and credible approach to ensure equal treatment and effective follow-up; underlines that a more consistent application of the Commission's approach, particularly by signalling recommendations that remain unresolved over several cycles, would enhance transparency, accuracy and the credibility of the monitoring framework;
171. Stresses that particular attention should be paid in the future to those Member States in which the Commission has identified serious and systemic violations, and calls on the Commission to clearly distinguish such cases in its recommendations;
172. Reiterates its call on the Commission to expand the scope of the report to cover all aspects of Article 2 TEU;
173. Urges the Commission to include in its future rule of law reports a pillar on civil society, and a pillar on combating all forms of hatred and discrimination as enshrined in Article 21 of the Charter;
174. Calls on the Commission to include in its future rule of law reports the protection of academic and artistic freedom, and measures to combat disinformation on online platforms by domestic or external actors under the media freedom pillar; calls, furthermore, on the Commission to include the recording and monitoring of hate crimes under the justice systems pillar;
175. Reiterates its call for broader indicators, such as fundamental rights, gender equality, the protection of minorities and vulnerable groups,

and respect for international law;

176. Recalls that the protection of minorities forms part of the Copenhagen accession criteria; underlines the lack of EU-level legal guarantees to ensure that Member States uphold the commitments made during the accession process regarding minority protection;
177. Calls on the Commission to ensure a more consistent and comprehensive assessment of electoral integrity under the checks and balances pillar and across the country chapters, covering the legal and institutional framework, its practical implementation and key risks; stresses the need for scrutiny of corruption, misuse of state resources and electoral manipulation; calls for systematic cooperation with the Venice Commission, the OSCE/Office for Democratic Institutions and Human Rights and other relevant international bodies, and for their recommendations to be duly reflected in the assessments and country-specific recommendations of the rule of law reports;
178. Notes that the updated Rule of Law Checklist of the Venice Commission recognises that AI and digital technologies may enhance efficiency and accessibility in public administration and judicial systems; emphasises at the same time, that their use by public authorities may pose significant risks to legal certainty, equality before the law, transparency and effective judicial protection, in the absence of a clear legal basis, human oversight and robust safeguards; calls on the Commission to address these risks and to ensure that AI systems are deployed in full compliance with rule-of-law requirements, including transparency, accountability, non-discrimination, proportionality and effective remedies;
179. Calls for the Commission to engage in structured dialogue and broad consultation with civil society and independent oversight bodies and institutions that are active in the areas of democracy, the rule of law and fundamental rights, when drafting the rule of law report;
180. Calls on the Commission to conduct visits to the Member States on-site whenever possible, rather than virtually, as on-site visits could paint a fuller and more contextual picture of the local situation;
181. Stresses the essential role of local and regional authorities (LRAs) in the functioning of democracy and as part of the system of checks and balances underpinning the rule-of-law; recognises that LRAs are on the front line, directly confronting challenges that may affect rule of law and the enforceability of fundamental rights; stresses the importance of preventing undue interference with LRAs and of safeguarding their autonomy, as protected under Article 4(2) and Article 5(3) TEU, which recognise regional and local self-government as part of the Member States' constitutional identity, and Article 41 of the Charter, on the right to good administration;

182. Strongly believes that EU institutions must fulfil their obligations regarding the rule of law, and underlines that assessing the adherence of EU institutions to the values enshrined in Article 2 TEU, including the Union's internal consistency in upholding these values across its policies and external actions, is essential in order to safeguard the EU's credibility and legitimacy; believes that the EU institutions must lead by example in upholding the highest rule-of-law standards; criticises the exclusion of the state of the rule of law within the EU institutions from the scope of the Commission's 2025 Rule of Law Report; requests that a dedicated chapter on the EU's adherence to rule of law standards, based on an independent review mechanism, be included in future rule of law reports;
183. Calls on the Council to make its Rule of Law dialogue , the Article 7 process, and the application of the Rule of Law Conditionality Regulation fully transparent, interactive and outcome-oriented, including by issuing detailed conclusions and providing feedback on Commission and Parliament findings; deplores the inability of the Council to make meaningful progress in the ongoing Article 7(1) TEU procedure and believes that any further delay to the Council's action would amount to a breach of the rule of law principle by the Council itself;
184. Urges the Council to ensure that the hearings under Article 7(1) TEU take place at least once per presidency; stresses, however, that this minimum frequency must not be construed as a ceiling, nor should such hearings be reduced to a mere box-ticking exercise allowing a presidency to discharge its responsibilities by holding a single formal meeting without pursuing meaningful follow-up; calls on the Council to publish comprehensive minutes after each hearing, and provide concrete recommendations and deadlines for their implementation; insists that Parliament should be fully involved in all proceedings related to Article 7 TEU; underlines that, even in the absence of unanimity, the Council is not prevented from advancing the procedure, in particular by adopting concrete recommendations addressed to the Member State concerned, notably Hungary, and stresses that the process should not be reduced to periodic hearings without substantive follow-up or tangible outcomes;
185. Reiterates the findings and recommendations of its resolution of 25 November 2025 on the proposal for a Council decision determining, pursuant to Article 7(1) of the Treaty on European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded; takes note that the Commission has initiated an infringement procedure against Hungary for failure to comply with several provisions of the EMFA, as well as certain requirements under the Audiovisual Media Services Directives; underlines that, in her Opinion in Case C-829/24, *Commission v Hungary*, Advocate General Juliane Kokott considered that Hungary had infringed EU law by adopting

legislation on the protection of national sovereignty, which may undermine fundamental Union principles, in particular regarding protection against foreign political interference; underlines that, in her Opinion in Case C-225/24, *Parliament v Commission*, Advocate General Tamara Ćapeta proposed that the CJEU annuls the Commission's decision to lift the suspension of EU funds to Hungary, thereby raising concerns regarding compliance with rule of law conditionality;

186. Calls on the Commission to strengthen the link between preventive and reactive instruments and to make use of all available tools to address rule-of-law deficiencies, including infringement procedures, Article 7 TEU, the general conditionality mechanism, and the horizontal enabling conditions in the Charter
187. Welcomes the updated Rule of Law Checklist adopted by the Venice Commission and calls on the Commission and the Council to fully integrate it into their decision-making processes; calls on the Commission to explore closer cooperation with the Council of Europe to promote the Council of Europe-EU rule of law *acquis* with and within the Member States, across the four chapters of the annual rule of law report;
188. Calls on the Commission to ensure full coherence and consistency across all rule-of-law reporting instruments, including the annual rule of law report, the enlargement reports, and the country-specific recommendations under the European Semester; stresses the need for a unified methodology and close coordination among directorates-general;
189. Encourages the Member States to foster a culture of the rule of law through awareness campaigns, outreach initiatives and civic education programmes on democracy, the rule of law and fundamental rights; underlines the potential impact of misinformation and disinformation on the functioning of democracy and the protection of fundamental rights; encourages the Member States to develop and implement comprehensive civic education programmes that foster among citizens of all ages an understanding of democratic institutions, the rule of law, and fundamental rights;
190. Asks the Commission to explore the potential release, at around the same time, of all reports related to the rule of law or fundamental rights, such as the annual reports on compliance with the Charter or the report by FRA, in order to enable a simultaneous debate on these issues; reiterates the need for a similar exercise on democracy; urges the Commission to ensure wide dissemination of its findings in all Member States;

The annual cycle on the rule of law

191. Stresses that the EU has developed a comprehensive set of

instruments to safeguard the rule of law; insists that greater complementarity between the work of each EU institution and enhanced accountability for the implementation of these instruments are essential; underlines that repeatedly invoking the need for new tools or additional procedural elements must not serve as a pretext for inaction or as a distraction from fully deploying the instruments already available; emphasises that the credibility of the EU's rule-of-law framework depends not on the proliferation of mechanisms, but on the political will and operational capacity to use existing mechanisms to their full potential, and on the EU institutions themselves fully complying with and upholding the rule of law in their own actions;

192. Notes that the proposal for an integrated annual cycle on the rule of law, mentioned by the President of the Commission in the 2025 State of the Union address, and the reinforcement of the link between budgetary tools and the rule of law in the Commission's 2028-2034 multiannual financial framework are elements aligned with Parliament's own proposals and consistent with the need to progress with the effective and coherent implementation of all existing instruments, and the strengthening of cooperation across the EU institutions;

193. Encourages a series of improvements, based on the Commission's rule of law report, to enhance the continuity, coordination and impact of the annual rule-of-law cycle:

- (a) establishing a specific date for the annual publication of the Commission's rule of law report, preferably in June, with a view to ensuring greater predictability and enabling the effective planning of the work of both the Commission and relevant stakeholders, while providing for an appropriate transitional period so as not to disrupt the existing internal timeline of the cycle and to ensure that sufficient time and resources are preserved.
- (b) incorporating into its rule of law analysis, both its general communication and its country-specific assessments, references to internationally recognised indicators and comparable authoritative sources that enable a more quantitative and data-driven evaluation and contribute to greater transparency, comparability, and methodological consistency across the EU's rule-of-law monitoring instruments;
- (c) noting the relevance of the EU Justice Scoreboard as a source of comparative data;
- (d) safeguarding impartiality in the Commission's assessment and subsequent action when addressing rule-of-law issues in the

Member States; ensuring an impartial assessment process within the Commission, involving the relevant directorate-general in the preparation of the report; strengthening the Commission's cooperation with EU and international bodies, to enable it to assess compliance with, and the upholding of the rule of law within the EU institutions themselves;

- (e) ensuring that recommendations are formulated in clear and precise wording;
- (f) clarifying the methodology governing the formulation of its recommendations;
- (g) distinguishing recommendations relating to serious and systemic concerns from the other observations, thus highlighting those situations where there is a potential risk of a serious and systemic breach of the rule of law;
- (h) linking recommendations identified as serious and systemic to the release of funds, with disbursement contingent on demonstrable progress verified through appropriate monitoring mechanisms; clearly identifying recommendations with an impact on the financial interests of the EU and duly monitoring these under the Rule of Law Conditionality Regulation and other budgetary tools;
- (i) assessing not only the degree of implementation of previous recommendations but also, where necessary, issuing new ones; not limiting the evaluation to measuring progress only in relation to the previous reporting year but instead providing an evaluation that reflects the overall evolution since the publication of the initial recommendation, in order to provide a clear baseline for implementation;
- (j) including in each country chapter of the rule of law report a dedicated section on the implementation of judgments of both the CJEU and the ECtHR;
- (k) including in the analysis a dedicated section on the transposition and implementation of EU legislation when it relates to safeguarding the rule of law;

194. Stresses that, at a later point in the cycle, Parliament must fully exercise its powers and prerogatives deriving from the Treaties through its resolution in response to the Commission's rule of law report, which could provide tangible added value and, to this end, proposes that Parliament's resolution would:

- (a) be adopted by March at the latest, to ensure that its input can be duly taken into account;

- (b) make fuller use of existing structures, in particular the DRFMG, to organise hearings and missions based on the issues identified by the Commission, which could then contribute to the drafting of the Commission's report;
- (c) bring together the most relevant findings arising from the Commission's report, DRFMG monitoring activities, the Council's annual dialogues and contributions from civil society;
- (d) highlight best practices identified during the annual Inter-parliamentary Committee Meeting on the rule of law, with a view to supporting Member States in the implementation of specific recommendations;
- (e) assess the implementation of the Commission's previous annual recommendations across successive years, identifying trends and positive or negative developments;
- (f) include an in-depth analysis of all countries for which an Article 7 procedure has been activated or for which serious and systemic rule-of-law concerns have been identified in the Commission's reporting;

195. Requests that, in the closing phase of the cycle, the Commission provide, in addition to the annual rule of law report presented in the June plenary, a structured follow-up, at another time, on how Parliament's resolution and recommendations have been taken into account; calls, furthermore, for a dedicated exchange with its Committee on Civil Liberties, Justice and Home Affairs on this follow-up;

196. Requests that the Council take due account of the findings and recommendations set out in the Commission's rule of law report, and of Parliament's resolution adopted in response thereto; stresses that those conclusions and recommendations should be duly reflected in the Council's deliberations and follow-up actions and systematically integrated into its assessment of ongoing procedures under Article 7 TEU;

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197. Instructs its President to forward this resolution to the Council and the Commission.