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2026 Rule of Law Report

The rule of law situation in the European Union

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ABSTRACT

In Portugal, the High Council for the Judiciary has adopted a Code of Conduct for its members, aiming at safeguarding its impartiality and independence, while no legislative changes have been adopted. Parliament proceeded with the appointment of new judges to the Constitutional Court, following delays which had had an impact on the court's regular functioning. Targeted changes to make the case allocation system more operational have been implemented. While recruitments for judicial and prosecutorial posts are underway, concerns remain regarding the shortage of judicial clerks and the deteriorating conditions and security in court and prosecution premises. Steps are being taken to address the limited online access to judgments, while there are concerns regarding the case management system used in courts. While new measures to improve efficiency in complex criminal procedures are under discussion in Parliament, the efficiency of Administrative and Tax Courts has further deteriorated, with increasing disposition time and backlogs, which continues to raise concerns among businesses.

Work on a new National Anti-Corruption Strategy is ongoing, while the 2020-2024 Strategy remains to be evaluated. Following the changes to its structure and functioning and increase in staffing, the Anti-corruption Mechanism is now expected to extend its activities. Corruption cases remain a priority, while challenges persist in ensuring their timely investigation, prosecution and adjudication, in particular for high-level cases. Although the Transparency Entity is fully operational and has been reinforced, it is facing a backlog in verifying asset declarations following a surge of submissions after recent elections. Shortcomings related to human and financial resources negatively affect the performance of the Entity for Accounts and Political Financing. While a new law on lobbying was adopted, a lobbying registry still needs to be set up. The Government is strengthening its integrity framework, including through amendment of its Code of Conduct. The scope of the identified high-risk areas for corruption was broadened in 2025, while a proposed reform of the Court of Auditors is subject to debate as regards its impact on preventing irregularities, including those related to corruption.

Although the concern related to the immediate availability of financial resources for the Media Regulatory Authority has been resolved, difficulties are reported with regard to the uncertainty and continued decrease of the yearly amount provided. A few measures of the Government's Media Action Plan have started being implemented, notably those relating to combatting "news deserts". There are challenges regarding the funding of public service media while the restructuring of its staff continues. The LUSA News Agency is now fully owned by the state and its capital increased, but the revision of its statutes has been widely criticised. A public consultation regarding the Media Transparency Law has been launched. At the same time, the timeline for its amendment is unclear. Work based on the National Action Plan for the Safety of Journalists is ongoing, while some concerns about attacks against journalists and online harassment have emerged.

Steps are being taken to improve the transparency of law-making, as new measures are being implemented by Parliament and the Government's work on a 'legislative footprint' system continues. A new Ombudsperson was appointed in July 2026, following delays in the appointment procedure in the Parliament. The civic space remains open, while stakeholders report increasing cases of physical and verbal attacks against members of civil society organisations.

RECOMMENDATIONS

Overall, based on the recommendations in the 2025 Rule of Law Report, considering other developments that took place in the period of reference and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan and the country-specific recommendations under the European Semester on the efficiency of administrative and tax courts, the Commission concludes the following:

- There has been no further progress to improve the efficiency of the justice system, in particular of Administrative and Tax Courts, as the efficiency of these courts has further deteriorated. Therefore, also in view of concerns that the deteriorating conditions and security in court and prosecution premises are affecting the functioning of courts, it is recommended to Portugal to *step up efforts to improve the efficiency of the justice system, including by ensuring adequate infrastructure and equipment in court and prosecution buildings.*
- As challenges persist in ensuring a comprehensive level of digitalisation, it is recommended to Portugal to *take further steps to improve the digitalisation of justice, including by improving the online publication and digital accessibility of judgments and addressing the problems affecting the case management system.*
- Some progress has been made on the regulation of lobbying, as a law on lobbying was adopted. As further implementation steps are needed and a lobbying register remains to be set up, it is recommended to Portugal to *ensure the creation and swift operationalisation of the public lobbying registry, including by providing the necessary resources for its effective functioning.*
- Some progress has been made towards finalising the reforms to improve the transparency of law-making, particularly on the implementation of impact assessment tools, as new measures are being implemented by Parliament, while steps are still pending for the implementation of the ‘legislative footprint’ system, and stakeholder engagement in Government legislative initiatives and ex post impact assessments remains limited. Therefore, it is recommended to Portugal to *improve the transparency of law-making at Government level, particularly on the implementation of impact assessment tools.*

As regards the other 2025 recommendations, the Commission concludes that:

- Significant progress has been made in taking forward measures to ensure the adequacy of the general criminal procedure legislation to efficiently deal with complex criminal proceedings, as new measures to improve efficiency in complex criminal procedures are under discussion in Parliament. Monitoring of further developments in this area will continue in the Rule of Law Report.

I. JUSTICE SYSTEM¹

Independence

The level of perceived judicial independence in Portugal continues to be average among the general public and is now average also among companies. Overall, 45% of the general population and 51% of companies perceive the level of independence of courts and judges to be ‘fairly or very good’ in 2026². The perceived judicial independence among the general public has significantly decreased in comparison with 2025 (58%) and has slightly decreased in comparison with 2022 (47%). The perceived judicial independence among companies has significantly increased in comparison with 2025 (32%) as well as in comparison with 2022 (39%).

In light of ongoing discussions on strengthening its legal framework, the High Council for the Judiciary has adopted a Code of Conduct for its members, aiming at safeguarding its impartiality and independence. Earlier calls by the Council for changes to the legislative framework governing its organisation and functioning, in particular regarding its administrative and financial autonomy, have not been followed up yet³. While the Council continued to raise concerns with regard to the risks of possible political influence in internal decisions due to its composition, as well as stressing the need to ensure stability of political appointees, no legislative measures have been announced to address such concerns⁴. In the absence of legislative changes, the Supreme Court of Justice and the Council have maintained institutional contacts to raise the appointing authorities’ awareness of the importance of ensuring a majority of judges in the composition of the Council⁵. Moreover, the Council adopted a Code of Conduct for its members, with a set of standards specifically designed to safeguard the independence and credibility of the Council⁶.

Parliament appointed new judges to the Constitutional Court, following delays which had an impact on the court’s regular functioning. The term of office of three judges of the Constitutional Court expired in September 2025, and on 12 May 2026 the President of the Constitutional Court announced his resignation⁷, though he announced his intention to remain in function until the appointment of his replacement. After several postponements, in June 2026 the parliamentary groups came to an agreement to launch the procedure for the

¹ An overview of the institutional framework for all four pillars can be found [here](#).

² Figures 48 and 50, 2026 EU Justice Scoreboard and Figures 51 and 53, 2024 EU Justice Scoreboard. The level of perceived judicial independence is categorised as follows: very low (below 30% of respondents perceive judicial independence as fairly good and very good); low (between 30-39%), average (between 40-59%), high (between 60-75%), very high (above 75%).

³ Country visit Portugal, High Council for the Judiciary; ENCJ (2026), written input, pp. 50 and 68. See also 2025 Rule of Law Report, Portugal, p. 3. In July 2025, the Council of Europe’s Group of States Against Corruption (GRECO) recalled its recommendation to Portugal that not less than half of the members of the Councils should be judges chosen by their peers (GRECO (2025), paras. 53-56). See also Committee of Ministers of the Council of Europe (2010), para. 27.

⁴ Country visit Portugal, High Council for the Judiciary; ENCJ (2026), written input, p. 51. See also 2025 Rule of Law Report, Portugal, p. 3.

⁵ The High Council for the Judiciary is currently *de facto* composed by a majority of judges, while only a minority has been appointed by their peers. Country visit Portugal, High Council for the Judiciary, Supreme Court of Justice.

⁶ High Council for the Judiciary (2026). The Code establishes principles of independence, impartiality, transparency, competence and responsibility, and co-operation and loyalty (ENCJ, written input, p. 21).

⁷ The Constitutional Court is composed of 10 judges selected and appointed by Parliament, and 3 judges co-opted by the judges appointed by Parliament (Art. 12(1), of the Organic Law of the Constitutional Court). See also 2023 Rule of Law Report, Portugal, p. 6; Figure 66, 2024 EU Justice Scoreboard.

appointment of new judges in the Parliament, and new judges were appointed on 12 June 2026⁸. In October 2025, two of the judges whose terms had expired renounced to their post⁹, while another one remained in function *ad interim*. Consequently, the full composition of the Constitutional Court was not ensured for a prolonged period, which constrained the Court's work, due to the increased workload of judges, and limitations in the distribution of cases¹⁰. While there was no legal deadline to initiate the appointment procedure, proceeding with ensuring the full composition of the Court was an important step¹¹.

Targeted changes to make the case allocation system more operational have been implemented. Legislative amendments to the system of allocation of cases were introduced in July 2025 and came into force in October 2025¹². The amendments aim at simplifying the process, in particular by lowering the administrative burden attributed to courts. Stakeholders were involved in the preparation of these changes¹³, and consider that they address the concerns they had previously voiced¹⁴. The changes do not alter the electronic case allocation system, which continues to be applied¹⁵.

Quality

New recruitments for judicial and prosecutorial posts are underway, whereas concerns remain regarding the high number of vacant judicial clerks' posts and the workload of judges and prosecutors. In 2025, 55 new judges for ordinary courts and 53 new prosecutors were recruited¹⁶. Following changes to the rules on access to the judiciary, new training courses for judges and prosecutors were initiated in December 2025¹⁷, and in January 2026, the Government launched a new procedure for the initial training of magistrates¹⁸. A new centralised pool for legal and technical advisors was also created¹⁹. While these recruitment efforts are broadly welcomed, stakeholders continue to call for further reinforcements²⁰. Particular concerns remain regarding the workload attributed to judges – especially in second instance Administrative and Tax Courts²¹ – and prosecutors²². In July 2025, new rules came

⁸ A two-third majority is required for the election (Art. 16(4), of the Organic Law of the Constitutional Court).

⁹ Constitutional Court (2025).

¹⁰ In previous cases of protracted appointments, the full composition had remained ensured. Country visit Portugal, Constitutional Court. See also 2023 Rule of Law Report, Portugal, p. 6.

¹¹ The Venice Commission has highlighted that the procedure for the appointment of Constitutional Court judges directly impacts the preservation of a credible system of constitutional rule of law (Venice Commission (2025)).

¹² Law No. 56/2025 and Order No. 350-A/2025/1. Portuguese Government, written input, pp. 8 and 9.

¹³ The High Council for the Judiciary proposals were taken into consideration by the Government and Parliament (Country visit Portugal, High Council for the Judiciary). ENCJ, written input, p. 68.

¹⁴ Country visit Portugal, High Council for the Judiciary, Union of “Funcionários Judiciais”, Prosecutors' Union. See also 2025 Rule of Law Report, Portugal, pp. 3 and 4.

¹⁵ The possible intervention and control by a judge are ensured (Portuguese Government, written input, p. 9).

¹⁶ Portuguese Government (2026), written input, p. 10.

¹⁷ Also, in December 2025, the period of training for new magistrates was reduced, which is expected to expedite their recruitment (Portuguese Government, written input, p. 10). See also 2025 Rule of Law Report, Portugal, pp. 4-5, regarding the new rules on access to the judiciary.

¹⁸ The initial training is expected to begin in September 2026 (Portuguese Government (2026a)).

¹⁹ ENCJ, written input, p. 20.

²⁰ In January 2026, the High Council for Public Prosecution requested to the Minister of Justice a minimum of 120 vacancies for prosecutors per training course, as well as an additional course for 100 new prosecutors.

²¹ In 2024, there were 70 judges serving in the second instance administrative and tax courts, with an average caseload of 254 cases (compared to 96 cases in ordinary courts). Country visit Portugal, High Council for the Administrative and Tax Courts.

into force regarding the system of appointments to the Supreme Court of Justice, broadening the pool of eligible candidates and promoting specialisation, which were positively assessed by stakeholders²³. Regarding judicial clerks, despite changes to their Statute, concerns remain regarding the lack of attractiveness of the career, which also leads to judicial clerks leaving the system following their recruitment²⁴. Moreover, despite 550 recruitments in July 2025²⁵, stakeholders highlight serious concerns regarding shortage of clerks, which is having an impact on the efficiency of the justice system²⁶.

While the expenditure in the justice system has been increasing, concerns regarding deteriorating conditions and security in court and prosecution premises continue affecting the functioning of courts. The High Councils for the Judiciary and for Public Prosecution have mapped the infrastructure and equipment in court and prosecution buildings, which identified systemic issues²⁷. Stakeholders report that the situation has further worsened in 2026, with concrete risks to the integrity of court staff and other users²⁸. The situation is leading to adjournments of hearings²⁹. Personal security of staff – including due to lack of designated areas for detainees and defendants, as well as of security staff and metal detectors – remains a concern³⁰, and lawyers continue to raise attention to the lack of conditions to guarantee professional secrecy³¹. While the expenditure in the justice system has been increasing, it remains one of the lowest in the EU³². According to European standards, States should allocate adequate resources, facilities and equipment to courts to enable them to work efficiently³³.

Steps are being taken to improve online access to judgments, which remains limited, and concerns are emerging regarding the new case management system used in courts. The use of digital technologies by courts and prosecution remains generally widespread, while the digital solutions in criminal cases remain comparably more limited³⁴. Since October 2025, all procedural acts in courts and prosecution must be performed electronically, and a

²² Country visit Portugal, High Council for the Judiciary; High Council for Public Prosecution; High Council for Administrative and Tax Courts; Prosecutors' Union; Judges' Union.

²³ Portuguese Government, written input, p. 8. Country visit Portugal, Supreme Court of Justice; MEDEL – Portugal, written input, p. 9. See also 2025 Rule of Law Report, Portugal, p. 5.

²⁴ 2025 Rule of Law Report, Portugal, pp. 4-5. Despite the new remuneration tables and career progression being regulated in Decree-Law No. 85-A/2025, a reform promoted under the Portuguese Recovery and Resilience Plan, stakeholders flag that not all aspects covered are fully rolled out (Country visit Portugal, Union of “Oficiais de Justiça” and Union of “Funcionários Judiciais”). ENCJ (2026), written input, p. 21.

²⁵ Portuguese Government (2026), written input, p. 10.

²⁶ A deficit of 1669 clerks at the level of first instance courts is reported (Country visit Portugal, Union of “Funcionários Judiciais”). In some courts, vacant posts amount to 20%. ENCJ, written input, p. 21.

²⁷ Including lack of basic security and health conditions; insufficient number and size of hearing rooms; absence of proper rooms for witnesses; failure to ensure accessibility for persons with reduced mobility; and structural problems (ENCJ (2026), written input, p. 36). Both Councils have presented proposals to the Ministry of Justice, which have not been addressed so far.

²⁸ Country visit Portugal, High Council for the Judiciary, High Council for Public Prosecution, Judges' Union, Prosecutors' Union, Union of “Funcionários Judiciais”, Union of “Oficiais de Justiça”, Bar Association.

²⁹ ENCJ (2026), written input, p. 36; MEDEL – Portugal (2026), written input, p. 12. Country visit Portugal, High Council for the Judiciary. See also 2025 Rule of Law Report, Portugal, p. 5.

³⁰ Incidents in EPPO premises have also been reported (EPPO (2026), written input, p. 54). Country visit Portugal, Judges' Union, Prosecutors' Union.

³¹ Country visit Portugal, Bar Association. See also 2025 Rule of Law Report, Portugal, p. 5.

³² Figure 33, 2026 EU Justice Scoreboard. However, the expenditure on law courts as a percentage of GDP has slightly decreased (Figure 34, 2026 EU Justice Scoreboard).

³³ Committee of Ministers of the Council of Europe (2010), para. 33.

³⁴ Figures 42, 43 and 45, 2026 EU Justice Scoreboard.

new “Digital Strategy for Justice” has been adopted³⁵. The High Council for the Judiciary is working on the anonymisation of judicial decisions and updating of its online database³⁶, which is seen as an essential step to ensure broader online access to judicial decisions, which however remains among the lowest in the EU³⁷. The creation of a single case management system for all courts is facing logistical problems, creating significant constraints for users and is having an impact on efficiency³⁸. Stakeholders raise concerns that the management of the electronic platforms used in the justice system remain under the control of the executive branch³⁹.

Efficiency

There has been no further progress on the recommendation to improve the efficiency of Administrative and Tax Courts, as the disposition time and backlog at first instance have further deteriorated, and the creation of an additional second instance court remains pending⁴⁰. The efficiency of the first instance Administrative and Tax Courts has significantly deteriorated, with the disposition time reaching 861 days, and the clearance rate dropping to 48% in 2024⁴¹. These data are in part linked to the very high number of urgent cases to compel the administration to decide in asylum and migration cases. The new rules on the admissibility of these cases, introduced in October 2025, contributed to lowering the number of new incoming cases⁴². However, the case backlog remains very high⁴³. To address these issues, the High Council for Administrative and Tax Courts seconded 28 judges to deal with the backlog, in addition to the cases already assigned to them, and created a special chamber for this type of cases⁴⁴. In second instance, an average of 1 045 days is needed to resolve a case, the highest disposition time in the EU, despite the decrease compared to previous years⁴⁵. The measures aimed at increasing the efficiency of these courts that had been proposed by the High Council for Administrative and Tax Courts to the Ministry of Justice have not been followed up yet⁴⁶. While the creation of a new second instance court is provided for by law and taken into account in the State budget for 2026, its implementation

³⁵ Order No. 350-A/2025. Portuguese Government, written input, pp. 10-11.

³⁶ ENCJ (2026), written input, p. 37. Country visit Portugal, Ministry of Justice.

³⁷ Figure 46, 2026 EU Justice Scoreboard. See also 2025 Rule of Law Report, Portugal, p. 6. A GRECO recommendation in this regard remains only partially implemented.

³⁸ In October 2025, the system previously used in Tax and Administrative Courts (SITAF) was merged with the system used in ordinary courts (CITIUS) (Portuguese Government, written input, p. 5). Constraints in the system migration led to postponement of procedural acts, and impossibility to comply with the rules on digital procedures (ENCJ, written input, p. 37). It is also flagged that the new system is not fully adapted to the specificities of Administrative and Tax cases (Country visit Portugal, High Council for Administrative and Tax Courts).

³⁹ ENCJ (2026), written input, p. 21.

⁴⁰ The 2025 Rule of Law Report recommended Portugal to: “[s]tep up efforts to improve the efficiency of the justice system, in particular of Administrative and Tax Courts”. Some further progress was previously assessed on this recommendation in 2025, 2024 and 2023.

⁴¹ Compared to 597 days and 120% in 2023. Figures 7 and 11, 2026 EU Justice Scoreboard.

⁴² Country visit Portugal, Ministry of Justice.

⁴³ In October 2025, it was estimated that 133 000 of these cases were pending before the Administrative and Tax Court of Lisbon. Stakeholders report that the delays on this type of cases also have an impact on the recruitment of workers for key areas for the Portuguese economy (Country visit to Portugal, European Semester).

⁴⁴ CSTAF (2026). 22 of the 50 foreseen secondment posts remained vacant. Each judge will be assigned over 2 000 cases additional cases (Country visit Portugal, High Council for Administrative and Tax Courts).

⁴⁵ Compared to 1 200 days in 2023. Figure 8, 2026 EU Justice Scoreboard.

⁴⁶ Country visit Portugal, High Council for Administrative and Tax Courts. See also 2025 Rule of Law Report, Portugal, p. 7.

remains pending⁴⁷. Efficiency remains higher in civil and commercial cases, with an average disposition time of 263 days in first instance. At the same time, the clearance rate remains below 100% and the case backlog increased further⁴⁸. Stakeholders continue to flag efficiency shortcomings in the justice system, especially in Administrative and Tax Courts, as a long-term obstacle to investment and the business environment⁴⁹. Portugal remains under enhanced supervision by the Committee of Ministers of the Council of Europe for the excessive length of proceedings before both civil and administrative jurisdictions⁵⁰. Given that the situation has significantly worsened in first instance and serious concerns remain regarding second instance, there has been no further progress in improving the efficiency of Administrative and Tax Courts.

Significant progress has been achieved on the recommendation to ensure the adequacy of the general criminal procedure legislation to efficiently deal with complex criminal proceedings, as new measures are under discussion in Parliament⁵¹. In December 2025, the Government approved measures aiming to improve efficiency in criminal procedures, and in particular the so-called ‘mega procedures’⁵². A legislative proposal to strengthen the efficiency of criminal proceedings was approved on 20 February 2026⁵³. These measures essentially follow the proposals presented by the High Council for the Judiciary in 2025⁵⁴, and envisage the introduction of fines for attempted procedural delays, the reinforcement of the procedural management powers of judges to allow the refusal of unnecessary or abusive acts, and the revision of procedural deadlines in case of exceptionally complex cases, among others. The legislative changes required to implement these measures are pending in Parliament, having been approved in first reading, but not yet adopted. The judiciary has welcomed the proposed measures, while the Bar has raised targeted concerns and presented alternative proposals⁵⁵. Furthermore, the Government created a working group to proceed with a deeper revision of the Code of Criminal Procedure. Given the steps taken, there has been significant progress on this recommendation.

II. ANTI-CORRUPTION FRAMEWORK

The perception among experts, citizens and business executives is that the level of corruption in the public sector remains relatively high. In the 2025 Corruption Perceptions Index by Transparency International, Portugal scores 56/100 and ranks 16th in the European Union and 46th globally⁵⁶. This perception has significantly increased over the past

⁴⁷ Country visit Portugal, Ministry of Justice. See also 2025 Rule of Law Report, Portugal, pp. 6-7.

⁴⁸ Figures 5, 10 and 13, 2026 EU Justice Scoreboard.

⁴⁹ In the context of the European Semester, the Commission has proposed that the Council recommend that Portugal “Further increase the efficiency of administrative and tax courts, to decrease the length of proceedings”. European Commission (2026) 222 final, CSR 3.

⁵⁰ Committee of Ministers (2025).

⁵¹ The 2025 Rule of Law Report recommended Portugal to: “[t]ake forward measures to ensure the adequacy of the general criminal procedure legislation to efficiently deal with complex criminal proceedings”. Some progress was previously assessed on this recommendation in 2025.

⁵² Portuguese Government (2026), written input, p. 6. Portuguese Government (2025).

⁵³ Law Proposal no. 54/XVII/1.

⁵⁴ 2025 Rule of Law Report, Portugal, p. 7. ENCJ (2026), written input, p. 20.

⁵⁵ ENCJ (2026), written input, p. 20; Country visit Portugal, High Council for the Judiciary, High Council for Public Prosecution. Country visit Portugal, Bar Association.

⁵⁶ The level of perceived corruption is categorized as follows: low (above 79); relatively low (between 79-60), relatively high (between 59-50), high (below 50).

five years⁵⁷. The 2026 Special Eurobarometer on Corruption shows that 94% of respondents consider corruption widespread in their country (EU average 71%) and 59% of respondents feel personally affected by corruption in their daily lives (EU average 30%). As regards businesses, 88% of companies consider that corruption is widespread (EU average 65%) and 44% consider that corruption is a problem when doing business (EU average 37%). Furthermore, 38% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 38%), while 21% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 31%)⁵⁸.

Work on a new National Anti-Corruption Strategy is ongoing, while the 2020-2024 Strategy remains to be evaluated. While no formal evaluation was published regarding the National Anti-Corruption Strategy (2020–2024)⁵⁹, the authorities indicated that the degree of its implementation was assessed for the purpose of issuing the Anti-Corruption Agenda⁶⁰. On 14 April 2026, the Portuguese Government published a public report on the progress of the implementation of the Anti-Corruption Agenda. The Government is now expected to adopt a new National Anti-Corruption Strategy with a respective Action Plan, as well as a corruption risk prevention plan for executive positions⁶¹. The new strategic framework, planned for adoption by the end of 2026, is expected to build on the priorities of the Anti-Corruption Agenda and translate them into specific actions⁶².

Following the changes to its structure and functioning and increase in staffing the Anti-Corruption Mechanism (MENAC) is now expected to extend its activities. The modification in the functioning of MENAC changed the governance model from a single-person leadership to a collegial three member-board of Directors⁶³. From August 2025 to February 2026, the staff of MENAC grew from 13 to 25 persons. Despite this increase, staffing shortages remain a challenge, in particular with regard to specialists, given the broad mandate of MENAC⁶⁴. In its third year of operation, MENAC issued four recommendations and one orientation⁶⁵, and MENAC has also received 478 decisions from courts and the prosecution services as regards the handling of corruption cases by such authorities. There are currently 6989 entities (1509 public and 5480 private) registered on the electronic platform for the reception, automatic processing and storage of compliance instruments that became

⁵⁷ In 2021 the score was 62, while, in 2025, the score is 56. The score significantly increases/decreases when it changes more than five points; improves/deteriorates (changes between 4-5 points); is relatively stable (changes from 1-3 points) in the last five years.

⁵⁸ Data from Special Eurobarometer 573 (2026) and Flash Eurobarometer 582 (2026).

⁵⁹ Art. 215(2), 2024 State Budget Law, mandated that a public monitoring report on the National Anti-Corruption Strategy be disclosed by 30 November 2024.

⁶⁰ Portuguese Government (2026a), written input. The Anti-Corruption Agenda was adopted on 20 June 2024, and it includes 32 measures based on four key pillars: effective punishment, procedural speed, public sector protection and prevention. 2025 Rule of Law Report, Portugal, p. 8.

⁶¹ Art. 233 of the Law approving the 2026 State Budget.

⁶² Country visit Portugal, Ministry of Justice.

⁶³ Decree-Law No. 70/2025. 2025 Rule of Law Report, Portugal, pp. 8-9.

⁶⁴ MENAC is expected to be subject to more flexible recruitment rules, no longer being restricted to staff from inspection careers and to workers in general careers under mobility arrangements. Country visit Portugal, MENAC. MENAC's mandate is wide, going beyond overseeing compliance with the General Corruption Prevention Regime. It extends to creating a culture of integrity and transparency through educational and training measures, evidence-based analyses, tailored recommendations for sector-specific risks, compliance with the whistleblowers protection legislation, and, inter alia, guidance in view of the legislative reforms.

⁶⁵ MENAC (2025), Recommendations 2/2025, 3/2025, 4/2025, 5/2025. MENAC, 2025 Annual Report, p. 22. 2025 Rule of Law Report, Portugal, p. 9.

operational in 2024. MENAC has opened 32 enquiry proceedings and 16 proceedings for administrative offences, while no fines have been imposed so far. As regards the MENAC external whistleblowing channel, a total of 266 complaints were received until 31 December 2025 (compared to 157 in 2024)⁶⁶. In November 2025, MENAC and the High Judicial Council concluded a working protocol, aiming at strengthening institutional cooperation to prevent and combat corruption⁶⁷. In 2025, MENAC organised ten awareness raising initiatives, held seven webinars, participated in numerous events and organised the Anticorruption Month 2025⁶⁸. Stakeholders continue to express concerns regarding MENAC's effectiveness and limited operational activities⁶⁹.

Corruption cases remain a priority, while challenges persist in ensuring their timely investigation, prosecution and adjudication, in particular for high-level cases. Despite significant improvements in relation to resources in recent years and the continued priority given to tackling corruption⁷⁰, concerns remain regarding the handling of such cases⁷¹, in particular high-level ones. Significant delays at the investigative phase continue to be reported and certain serious charges in ongoing high-level corruption cases risk becoming time-barred before proceedings are concluded⁷². The EPPO investigated 15 corruption cases, which account for 15% of the total number of EPPO cases in Portugal⁷³.

While the Transparency Entity is fully operational and has been reinforced, it is facing a backlog in verifying asset declarations following a surge of submissions after recent elections. In 2025, additional recruitment brought staffing levels to full capacity according to the regulation in force⁷⁴. and the e-platform for the submission of declarations is functioning

⁶⁶ Of which 119 were anonymous. Overall, 13 complaints were dealt with by MENAC, 9 complaints were sent to the Attorney General's Office, 67 complaints were forwarded to the competent administrative body, and 177 complaints were closed. Portuguese Government (2026), written input, p. 19. Overall, the statistics for all external channels for 2024 show 171 reports received (in comparison with 156 in 2023), 7869 of received complaints (in comparison to 1875) and 1812 cases initiated (in comparison to 371 in 2023). Parliament (2025), Analysis of annual reports on external reporting channels.

⁶⁷ The protocol provides, among others, sharing with MENAC of judicial decisions related to corruption offences as well as collaboration in their analysis. Portuguese Government (2026), written input, p. 12.

⁶⁸ MENAC, 2025 Annual Report, p. 22. In December 2025, the National Institute of Administration (INA), in partnership with MENAC and the Centre for Judicial Studies (CEJ), launched a training course on the General Corruption Prevention Regime, aimed at managers and staff of the Public Administration.

⁶⁹ Country visit Portugal, Observatory of Economy and Fraud Management, Transparency International – Portugal.

⁷⁰ The overall number of inquiries of the Criminal Police has risen (by 12,67% when compared to 2024) and specifically with regard to addressing corruption (by 35,54% in comparison to 2024). Portuguese Government, additional written input. See also 2025 Rule of Law Report, Portugal, p. 10.

⁷¹ In 2025, a call for 150 inspectors for the Judiciary Police was launched and new inspectors were recruited in IGF. In 2024, the Judiciary Police initiated 393 new corruption investigations (399 finalised; 684 ongoing). In 2024, 34 persons were convicted for corruption, while 35 final decisions in corruption cases were pronounced. Portuguese Government (2026), written input, pp. 12-13. Country visit Portugal, IGF and Judiciary Police. In 2025, the Judiciary Police initiated 467 new corruption investigations, finalised 423 and 723 are pending (data available in the [Statistics Portal](#)).

⁷² Country visit Portugal, Observatory of Economy and Fraud Management, Transparency International – Portugal. EPPO (2026), written input, p. 52.

⁷³ EPPO (2025), p. 47. On 11 December 2025, the Council of Ministers, approved rules regulating the technical, administrative and logistical support to be provided to the EPPO. The EPPO has raised concerns that the limited resources allocated to it are not adequate to its workload. EPPO (2026), written input, pp. 52-55.

⁷⁴ Currently, the workforce of the Transparency Entity is composed of 13 persons, including 3 senior technicians recruited in 2025. Ministerial Implementing Order No 213/2024. Portuguese Government (2026a), written input.

efficiently. However, parliamentary and municipal elections resulted in a significant increase in the number of submitted asset declarations, placing pressure on verification capacity. In 2025, out of 8 620 declarations submitted since the start of operations of the Entity, 817 were processed (compared to 559 in 2024) and 201 notifications on potential non-compliance were issued during 2025 (compared to 158 issued in 2024)⁷⁵. While the current rules do not provide for a formal prioritisation of cases, the Transparency Entity has begun applying certain criteria based on the political importance or risk profile of the office holder⁷⁶. In parallel, the Entity carried out awareness raising activities among political office holders on the obligation to submit single declarations at local level prior to elections⁷⁷.

Shortcomings related to human and financial resources negatively affect the performance of the Entity for Accounts and Political Financing. The Entity, attached to the Constitutional Court and responsible for the inspection of the accounts of political parties and electoral campaigns, faces difficulties in carrying out its tasks, in particular due to additional workload generated by snap elections in recent years, which has contributed to an increasing backlog⁷⁸. Audits of 2019 electoral acts were finalised only in 2024⁷⁹, and the current audits are still focusing on the 2024 activities⁸⁰. The planned increase to the Entity's financing in the 2025 State Budget was not implemented in practice and no additional resources were attributed, while the overall budget allocated to the Constitutional Court increased in 2026⁸¹. In parallel, in 2026, legislative procedures were launched in view of the revision of the rules on political party financing⁸², in particular as regards the non disclosure of the identity of private donors⁸³.

Some progress was achieved on the recommendation to regulate lobbying with the adoption of a new law, while a lobbying registry remains to be set up⁸⁴. On 12 December 2025, the Law on Transparency in Interest Representation⁸⁵ was adopted by Parliament and published on 28 January 2026. It establishes rules applicable to private, national and foreign entities carrying out lobbying activities with public entities. While the law is expected to enter into force on 27 July 2026, preparations for its implementation are ongoing. In particular, the law provides for the creation of a Transparency Registry for Interest Representation⁸⁶, which is accompanied by a Code of Conduct applicable to relations

⁷⁵ Transparency Entity (2026). 2025 Rule of Law Report, Portugal, p.11.

⁷⁶ As a result, declarations of those with executive powers and parliamentary backbenchers were processed with priority. Country visit Portugal, Transparency Entity.

⁷⁷ Country visit Portugal, Transparency Entity.

⁷⁸ Entity for Accounts and Political Financing (2025), p. 6.

⁷⁹ With 12 sanctions imposed close the limit of the statute of limitations. Entity for Accounts and Political Financing (2025), p. 18.

⁸⁰ Country visit Portugal, Entity for Accounts and Political Financing. There are still two legislative elections (10 March 2024 and 18 May 2025), regional elections in Azores (4 February 2024) and in Madeira (26 May 2024 and 23 March 2025), local elections (12 October 2025), and two rounds of presidential elections (18 January and 8 February 2026), to be audited in chronological order.

⁸¹ In 2026, the Constitutional Court's allocation increased less than 2%, to EUR 10.47 million.

⁸² Público (2026).

⁸³ The non-disclosure of identity of private donors, motivated by constraints stemming from the data protection rules, has been facing criticism from civil society, in particular as donations from private parties are considered to be significant. ECO (2026a). Country visit Portugal, Observatory of Economy and Fraud Management, Transparency International – Portugal. Transparency International Portugal (2026).

⁸⁴ The 2025 Rule of Law Report recommended to Portugal to '[a]dopt rules on the regulation of lobbying, including the creation of a comprehensive public lobbying registry'.

⁸⁵ Law No 5-A/2026.

⁸⁶ According to Article 1, the Public and Mandatory Interest Representation Transparency Registry will be attached to the Parliament and publicly accessible through its online portal.

between interest representatives and public entities⁸⁷. In this context, according to Article 14 of the new Law, the Parliament is expected to create the registry and define its management and monitoring model. The future management of the registry and the application of sanctions are expected to be ensured by an oversight authority to be defined by the Parliament in separate legislation, which will also set out the rules necessary for the registry's operation and monitoring. In addition, the Parliament is expected to report on the implementation of the system after three years of its entry into force and ensure the implementation of the legislative footprint (Articles 16(2) and 15(2)). Work remains at an early stage⁸⁸, while the law requires the new interest representation platform to be established upon its entry into force in July 2026⁸⁹. Until the lobbying registry is operational, a transitional regime will apply. The relevant public entities will be required to publish their meetings with interest representatives taking place after July 2026. Civil society has welcomed the adoption of the new rules, while underlining that coherence with other integrity tools could be strengthened, in particular in relation to the existing registry for declarations of assets and interests of political officeholders and high-ranking appointed officials⁹⁰. As further steps are needed for the establishment of the lobbying registry and the implementation of the new legislation, there has been some progress in this recommendation.

The Government is strengthening its integrity framework, including through amendment of its Code of Conduct. In June 2025, an Integrity and Transparency Unit was created in the General Secretariat of the Government, with the aim to follow-up and monitor the Government's integrity and transparency policies⁹¹. The unit is developing a Comprehensive Programme for Integrity and Transparency, and is expected to handle the single registry for gifts currently being set up⁹². In addition, the Code of Conduct approved by the Government on 25 July 2025⁹³ will need to be adapted⁹⁴ to comply with the requirements introduced by the new law on lobbying, including with regard to the transitional registration and publication of lobbying activities⁹⁵ for which work is currently ongoing⁹⁶.

The scope of the identified high-risk areas for corruption was broadened in 2025, while a proposed reform of the Court of Auditors is subject to debate as regards its impact on preventing irregularities, including those related to corruption. Businesses' attitudes towards corruption in the EU show that 21% of companies in Portugal (EU average 30%) think that corruption has prevented them from winning a public tender or a public

⁸⁷ Furthermore, the Law establishes a three-year cooling-off period for political officeholders and senior public officeholders and a system of penalties, including suspension of registration and exclusion from public consultations. This relates to situation when they wish to engage in interest representation activities vis-à-vis the entities where they held office.

⁸⁸ The Working Group on the Implementation of Law No 5-A/2026 was set up and started its activities in April 2026.

⁸⁹ Article 21 set the date of entry into force for 180 days after its publication. Country visit Portugal, Secretariate-General of the Presidency of the Council of Ministers, Parliament.

⁹⁰ Country visit Portugal, Observatory of Economy and Fraud Management, Transparency International – Portugal.

⁹¹ Order No 6738/2025 of 23 June.

⁹² Portuguese Government (2026), written input, p. 17.

⁹³ Council of Ministers Resolution no. 103/2025, of 25 July.

⁹⁴ Those are: public agenda, legislative footprint and lobbying law obligations (Art. 15(2), read with Art. 13 of Council of Ministers Resolution 103/2025).

⁹⁵ According to the Article 19(1) the relevant public entities are obliged to publish their meetings after July 2026.

⁹⁶ Country visit Portugal, Secretariate-General of the Presidency of the Council of Ministers, Parliament.

procurement contract in practice in the last three years⁹⁷. 40% of businesses perceive the level of independence of the public procurement review body (Administrative and Tax Courts) as very or fairly good which has significantly decreased in comparison with 2025 (68%)⁹⁸. The Single Market and Competitiveness Scoreboard on access to public procurement in Portugal reports 42% of single bids for 2023 (EU average 27%). In 2025, healthcare and public procurement in the management of EU funds⁹⁹ were added to the high-risk areas for corruption, in addition to public procurement¹⁰⁰, urban planning, territorial management, and local and regional authorities¹⁰¹. A draft proposal including changes to the functioning of the Court of Audit has been submitted to Parliament¹⁰². If adopted in the current form, the proposal would limit the Court of Auditors' system of preventive audit for public contracts in certain conditions to contracts with a value of EUR 10 million or above, including for all projects funded or co-funded with EU funds, with the aim to focus this instrument on strategic high value contracts¹⁰³. According to the Government, preventive audits should not replace administrative and political decision-making, hence more weight is given to *ex post* mechanisms, while reinforcing the Court of Auditor's *ex post* control capabilities by increasing the number of judges and auditors that are allocated to this role.¹⁰⁴ The Court of Auditors¹⁰⁵ considers the existing internal *ex post* control systems to be insufficient, and highlights limited evidence supporting the reform¹⁰⁶. On 16 April 2026, the Council of Ministers approved in first reading the revision of the code of public procurement, which was then submitted to public consultation and is pending final approval by the Council of Ministers.

III. MEDIA PLURALISM AND MEDIA FREEDOM

The direct availability of financial resources for the Media Regulatory Authority has been resolved, but difficulties linked to the uncertainty and continuing decrease of the yearly amount provided persist. Since 7 January 2026, a Ministerial Implementing Order provides for the direct transfer to the Regulatory Authority for the Media (ERC)¹⁰⁷ of part of the net profit of the national regulatory authority for postal and electronic communications

⁹⁷ Flash Eurobarometer 557 on Businesses' attitudes towards corruption in the EU (2025). This is 11 percentage point above the EU average.

⁹⁸ Figure 59, 2026 EU Justice Scoreboard.

⁹⁹ Country visit Portugal, Judiciary Police, MENAC.

¹⁰⁰ MENAC, Recommendation No 5/2025. Overall, the activities of the state audit and inspection bodies are expected to be strengthened and IGF continues to carry out audits and others controls related to the local government. Portuguese Government (2026), written input, p. 13.

¹⁰¹ Portuguese Government, written input, p. 12. Country visit Portugal, MENAC.

¹⁰² Exemption from preliminary control is applied under the condition that public authorities must have strong internal control systems, certified according to international standards. Portuguese Government (2026), additional written input.

¹⁰³ The *ex ante* control of the Court of Auditors over projects funded or co-funded from the EU funds was previously limited by the Law No. 43/2024. 2025 Rule of Law Report, Portugal, pp. 12-13.

¹⁰⁴ 2025 Rule of Law Report, Portugal, pp. 12-13. As a result, the projects are expected to be audited through the existing *post-hoc* mechanisms for public contracts, without any value limit.

¹⁰⁵ The Court of Auditors, being a judicial body, without having been formally consulted on the reform, was of the opinion that the *ex ante* control should be maintained for contracts above EUR 5 million, due to the significant financial impact, as well as for contracts based on specific criteria and those of long duration. It considered that, for an efficient auditing, the *post-hoc* checks would need to be further reinforced. Country visit Portugal, Court of Auditors.

¹⁰⁶ In 2025, around 40% of all contracts audited had irregularities detected and their value was EUR 4,19 billion. Some of these irregularities may be related to corruption. Court of Auditors (2026). Transparency International – Portugal (2026). Eco (2026b). See also 2025 Rule of Law Report, Portugal, pp. 12-13.

¹⁰⁷ Governed by the statutes established pursuant to Law No 53/2005.

(ICP-ANACOM)¹⁰⁸. This legislative amendment removes the intermediary role of the State Treasury¹⁰⁹ and was noted in the 2025 Rule of Law Report as a necessary improvement to stabilise the regulator’s funding model, ensure greater predictability and respond to operational needs more quickly and efficiently¹¹⁰. Nevertheless, ERC notes that structural constraints impacting the full exercise of its mandate remain, notably with regard to strategic planning, due to the yearly fluctuation and uncertainty regarding the exact amount received (depending on the annual results of ICP-ANACOM) and its significant decrease in recent years¹¹¹. Due to this fluctuation, in 2025 ERC had to find alternative sources of funding to meet approved expenditure targets. ERC further raised concerns regarding the long-term sustainability of its mixed financing model, which includes around 40% to 60% of State funds. The 2026 MPM for Portugal considers that ERC’s overall budget is inadequate to enable the regulator to perform its functions, safeguard its independence and protect it from coercive budgetary pressures¹¹².

The implementation of some measures of the Government’s Media Action Plan have started, notably relating to combatting “news deserts”. The implementation of some of the 30 measures of the Media Action Plan presented by the Government in October 2024 was delayed due to the parliamentary elections of May 2025, while some measures on newspaper distribution in low density areas are being implemented¹¹³. Stakeholders point to the insufficiency of measures implemented so far to ensure the sector’s long-term sustainability and reverse the “news deserts” trend affecting the country’s interior regions. This is further exacerbated by the economic vulnerability of local and regional media¹¹⁴. They also highlight the risks and uncertainty arising from having only one newspaper distributor in the country. To address these issues, the Government has launched an international tender for the distribution of newspapers across the national territory, in addition to other complementary measures¹¹⁵. A proposal to update and codify media legislation with a view to aligning the national framework with the European Media Freedom Act (EMFA)¹¹⁶ is expected to be presented to the Council of Ministers still in 2026, a point of the Action Plan welcomed by stakeholders¹¹⁷. The measures in the Media Action Plan aimed at supporting recruitment of

¹⁰⁸ The net profits of the share participation in the fees for the use of the radio spectrum paid to ICP-ANACOM as remuneration for use of a public asset.

¹⁰⁹ Portuguese Government (2026), written input, p. 23.

¹¹⁰ See 2025 Rule of Law Report, Portugal, p. 13.

¹¹¹ Country visit Portugal, ERC.

¹¹² Media Pluralism Monitor (2026), p. 24.

¹¹³ Portuguese Government, written input, p. 26; Country visit Portugal, PT Media Lab. The Media Action Plan presented in October 2024 by the Portuguese Government included financial support for regional and local media, including reduced costs for access to LUSA’s services and other structural incentives. The adoption of Law-decree 41/2025 has increased from 40% to 80% the coverage of postal costs for the distribution of local newspapers by media outlets.

¹¹⁴ Country visit Portugal, Journalists’ Associations and Academic Experts (ICNOVA - Nova University of Lisbon, Journalists’ Professional License Committee, Journalists’ Union, Private Media Platform); Público (2026d)).

¹¹⁵ Portuguese Government, written input, p. 26. Tender published in: <https://ted.europa.eu/pt/notice/-/detail/376291-2026>; Further measures include support to local media, such as election airtime allocation for local radio stations, as well as legal requirements mandating the publication of operations financed with European funds and the mandatory publication of municipal decisions in local or regional media.

¹¹⁶ Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act).

¹¹⁷ Country visit Portugal, Journalists’ Associations and Academic Experts (ICNOVA - Nova University of Lisbon, Journalists’ Professional License Committee, Journalists’ Union, Private Media Platform) and PT Media Lab.

more journalists by media outlets and creating more jobs with permanent contracts for all media have not yet been implemented. Stakeholders also continue to report low salaries, precarious contracts and staff reductions in regional outlets as specific structural difficulties in view of an increasingly competitive and digitalised media market¹¹⁸.

There are challenges regarding the funding of public service media while the restructuring of its staff continues. The Board of Directors of Rádio e Televisão de Portugal (RTP) considers that the RTP's current resources are insufficient to fulfil its public service mission and carry out technological and workforce renewal¹¹⁹. In particular, it reported that the inflation adjustment of the audiovisual tax foreseen in the State budget has not been carried out in practice since 2017, in addition to its decreasing amount over the last few years, thus hindering the predictability of RTP's financing model. However, according to the Government, the overall revenue from the tax contribution has continued to grow due to the increase in the number of electricity supply contracts to which it is linked and additional public funding measures and investment of over EUR 20 million to support RTP's modernisation and sustainability¹²⁰. The existing legal limitations on the commercial practices of television operators, coupled with the increasing costs in a highly competitive and evolving media market, are noted by RTP as additional challenges. RTP has also expressed concerns about how the possibility announced by the Government to reallocate part of the audiovisual tax for purposes other than financing RTP, as well as the investments needed for the latter's strategic digital transition plan, may compromise the long-term sustainability of the public service media's financing model. The staff restructuring of RTP announced in the Media Action Plan in view of requalifying the workforce skills continues, although its next steps are yet to be defined¹²¹.

The LUSA News Agency is now fully owned by the state and its capital increased, while the revision of its statutes has been criticised. Following its acquisition of 100% of the share capital of LUSA, the Government has approved a capital increase of EUR 5 million in view of LUSA's modernisation and put in place a new governance model by reviewing its statutes¹²². The capital increase has been perceived positively by stakeholders in terms of the required technological and human resources. Nevertheless, there is some expectation by stakeholders concerning the pricing policy for the agency's services, to be provided either for free or with a significant discount, since it remains to be clarified by the Government and is regarded as a crucial element for the overall sustainability of the media sector, namely for smaller media outlets¹²³. The revised statutes create a new Advisory Council tasked with overseeing the compliance with the public interest service contract and issuing non-binding opinions and revises the rules governing the appointment and dismissal of the Board of Directors' members. In particular, the new framework introduces procedural safeguards, including predefined eligibility criteria, prior consultation of an advisory body, enhanced transparency requirements and the specification of objective grounds for dismissal. In addition, the government and the Board of Directors are preparing a revision of LUSA's

¹¹⁸ Country visit Portugal, Journalists' Associations and Academic Experts (ICNOVA - Nova University of Lisbon, Journalists' Professional License Committee, Journalists' Union); Journalists' Professional License Committee (written input).

¹¹⁹ RTP (2026), written input.

¹²⁰ Portuguese Government, additional written input.

¹²¹ Country visit Portugal, RTP.

¹²² Portuguese Government (2026), written input, p. 24.

¹²³ Country visit Portugal, LUSA and Journalists' Associations and Academic Experts (ICNOVA - Nova University of Lisbon, Journalists' Professional License Committee, Journalists' Union, Private Media Platform).

public service contract seeking to reinforce its funding framework. LUSA's workforce, the Journalists' Union and other stakeholders express concerns over the revision of LUSA's statutes and its impact on the agency's editorial independence¹²⁴. Concretely, issues raised are the increase in the number of executive members of the Board of Directors (appointed by the Government as sole shareholder after prior consultation of the Advisory Council) from 1 to 3, the fact that several members of the Advisory Council are appointed by the Parliament (and only 2 representing respectively LUSA's editorial board and workers council)¹²⁵ and the unprecedented possibility for the agency's editor-in-chief to be regularly summoned before the Parliament, although such possibility was already foreseen in law with regard to RTP. Although the 2026 MPM for Portugal classifies independence of public service media at very low risk, it highlights the risk that the new LUSA statutes poses to its editorial autonomy and the subsequent need to closely monitor its governance model given its central role as a public service¹²⁶.

The ERC launched a public consultation regarding the Media Transparency Law. The monitoring of transparency of media ownership is an area under the responsibility of the ERC¹²⁷. Following the presentation to the Government and the Parliament of a set of proposals to amend the Media Transparency Law,¹²⁸ which governs the transparency of the main sources of financing and the annual corporate governance report of media entities, the ERC launched a public consultation on the revision of its implementation act in December 2025¹²⁹. The revision aims to introduce the specific obligation to disclose the amounts of State advertising funds and advertising revenue received from public authorities or entities of third countries, with a view to aligning the national framework with the European Media Freedom Act (EMFA). This is expected to be part of the update and codification of media legislation mentioned above¹³⁰.

Work based on the National Action Plan for the Safety of Journalists is ongoing, while some concerns about attacks against journalists and online harassment have emerged. The Council of Europe Platform to promote the protection of journalism and safety of journalists has registered one alert since the adoption of the 2025 Rule of Law Report relating to the physical attack of a reporter¹³¹. The Media Freedom Rapid Response monitor for Portugal reported 12 alerts since July 2025 (two more than in the previous reporting period) relating to physical attacks, obstruction of access and legal intimidation¹³². Based on the National Plan for the Safety of Journalists adopted by the Government¹³³, the strengthening of cooperation between security services and journalists continues, in addition to continuous

¹²⁴ Country visit Portugal, LUSA, Journalists' Associations and Academic Experts (ICNOVA - Nova University of Lisbon, Journalists' Professional License Committee, Journalists' Union); Journalists' Professional License Committee (written input).

¹²⁵ 3 members appointed by the Parliament, 2 members appointed by the autonomous regions and one member appointed by the National Association of Portuguese Municipalities.

¹²⁶ Media Pluralism Monitor (2026), pp. 42-43.

¹²⁷ Law No. 78/2015 of July 29, which regulates the promotion of transparency of ownership, management, and financing of entities that carry out media activities. ERC collects and verifies the information reported by entities under the legal provisions of transparency and displays it in the Transparency Portal.

¹²⁸ Country visit Portugal, ERC. Notably regarding the mechanism for the suspension of voting and property rights in cases of lack of transparency of ownership.

¹²⁹ Portuguese Government, written input, p. 23.

¹³⁰ Country visit Portugal, PT Media Lab.

¹³¹ The Council of Europe Platform to promote the protection of journalism and safety of journalists (2025-2026).

¹³² Media Freedom Rapid Response monitor (2025-2026).

¹³³ Approved by Council of Ministers Resolution No 51/2025 of 17 March.

training of the police with a special focus on the protection of fundamental rights, such as freedom of expression¹³⁴. In this context, a National Committee for the Safety of Journalists has been established by the Government and has started operating, bringing together relevant institutional and sectoral stakeholders to support coordination, monitoring and implementation of the plan. While no SLAPP cases were reported since the publication of the 2025 Rule of Law Report, the Journalists' Union expressed concerns about cases of online harassment and increasing violence against journalists covering sports events, as well as negative narratives against mainstream media during electoral periods¹³⁵. The Government is preparing a draft law to transpose the anti-SLAPP directive, which will then be submitted to Parliament.

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

Some progress was made on the recommendation to finalise the reforms to improve the transparency of law-making, as new measures are being implemented by Parliament¹³⁶. The Parliament's tool for citizens' participation in the legislative procedure, launched in March 2025¹³⁷, has been in use since the beginning of the new legislature in June 2025, registering a high level of use. The tool allows all legislative proposals to be submitted to online public consultation and contains information on all steps of the legislative procedure, including the votes and the approved documents, allowing also access to all the contributions, even after the public consultation period is closed¹³⁸. The Parliament is also planning the digitalisation of the legislative procedure, and the results of this project will feed into the work on the Parliament's legal drafting technical guide, which remains outstanding¹³⁹. As regards the legislative processes led by the Government, a new division was created within the Secretariat-General of the Government to oversee the implementation of the future system of 'legislative footprint'¹⁴⁰. Once active, the system is expected to ensure the creation of a registry documenting all interactions with internal and external entities, as well as the consultations carried out, ensuring the traceability of contributions to the Government's legislative process, but there is currently no clear timeline for its roll-out¹⁴¹. *Ex-post* impact assessments remain limited to selected acts¹⁴². According to the OECD, stakeholder engagement in Government legislative initiatives still tends to only take place at later-stages of the policymaking process, and the level of stakeholder engagement in the legislative process remains below the EU average¹⁴³. While CSOs continue to be able to participate in legislative and policy-making processes and are actively involved in consultative and

¹³⁴ Portuguese Government (2026), written input, p. 25; Country visit Portugal, PT Media Lab.

¹³⁵ Union of Journalists (2026), written input; Journalists' Professional License Committee (written input).

¹³⁶ The 2025 Rule of Law Report recommended Portugal to: '[f]inalise the reforms to improve the transparency of law-making, particularly on the implementation of impact assessment tools'. No progress was previously assessed on this recommendation in 2025, while some further progress and significant progress had been assessed in 2024 and 2023, respectively.

¹³⁷ 2025 Country Report Portugal, p. 16.

¹³⁸ A feature allowing for contributions to be sent to parliamentarians in the beginning of the discussion and voting process has not yet been implemented. Country visit Portugal, Technical services of the Assembly of the Republic.

¹³⁹ Country visit Portugal, Technical services of the Assembly of the Republic. See also 2025 Country Report Portugal, p. 16.

¹⁴⁰ Portuguese Government (2026), written input, p. 7. See also 2025 Rule of Law Report, Portugal, p. 16.

¹⁴¹ Country visit Portugal, Secretariat-General of the Government.

¹⁴² In line with the Rules of Procedure of the Government and Order No 1887/2025, the Centre for Public Policy Assessment and Planning draws up information on the legislative impact of government legislative acts and develops methodological support activities for assessing the impacts of legislative proposals and other public policy measures (Portuguese Government, written input, p. 7).

¹⁴³ OECD (2025), pp. 172-173.

participatory bodies, there are some concerns¹⁴⁴. According to European standards, the legislative process needs to be efficient, transparent, inclusive and democratic¹⁴⁵. Overall, given that new measures are being implemented by Parliament while steps are still pending for the implementation of the ‘legislative footprint’ system, and stakeholder engagement in Government legislative initiatives and *ex post* impact assessments remain limited, some progress has been made to improve the transparency of law-making.

Less than half of companies surveyed in Portugal express confidence in the effectiveness of investment protection. 45% of companies are very or fairly confident that investments are protected by law and courts, a figure which has slightly increased in comparison with 2025 (44%)¹⁴⁶. The main reason among companies for their lack of confidence is the unpredictable, non-transparent administrative conduct (30%)¹⁴⁷. As regards authorities relevant for economic operators, 46% of companies perceive the level of independence of the national competition authority (Portuguese Competition Authority) as very or fairly good, a figure which has significantly decreased in comparison with 2025 (70%)¹⁴⁸. The Supreme Administrative Court has jurisdiction in several business-related cases, including in cases related to public procurement, public concessions, public contracts and economic regulation. A number of judicial mechanisms to improve efficiency are available in these cases, including the possibility to apply interim measures and the consolidation of multiple appeals¹⁴⁹.

On 1 January 2026, Portugal had 18 leading judgments of the European Court of Human Rights pending implementation, a decrease of one compared to the previous year¹⁵⁰. At that time, Portugal’s rate of leading judgments from the past 10 years that had been implemented was at 55% (compared to 48% in 2025; 45% remained pending), and the average time that the judgments had been pending implementation was 5 years and 10 months (compared to 5 years and 6 months in 2025)¹⁵¹. The oldest leading judgment, pending implementation for over 14 years, concerns the fairness of criminal proceedings¹⁵². As regards the respect of payment deadlines, on 31 December 2025 there were 10 cases in total awaiting confirmation of payments (compared to 8 in 2024)¹⁵³. By 17 June 2026, the number of leading judgments pending implementation had remained at 18¹⁵⁴.

A new Ombudsperson was appointed in July 2026, following delays in the appointment procedure. Following the resignation of the former Ombudsperson in June 2025, the post of

¹⁴⁴ Mostly regarding the short timeframes and follow-up to public consultations. Country visit Portugal, Platform of NGOD.

¹⁴⁵ Venice Commission, Updated Rule of Law Checklist (December 2025), para. 34.

¹⁴⁶ Figure 52, 2026 EU Justice Scoreboard.

¹⁴⁷ Figure 53, 2026 EU Justice Scoreboard. 26% and 22% of the surveyed investors respectively perceive concerns about quality, efficiency or independence of justice and frequent changes in legislation or concerns about the quality of the law-making process as a reason for the lack of confidence in investment protection.

¹⁴⁸ Figure 60, 2026 EU Justice Scoreboard.

¹⁴⁹ Figures 66 and 67, 2026 EU Justice Scoreboard. The data presented reflects exclusively the mechanisms in place at the level of the highest administrative jurisdictions; the same or other mechanisms may be in place at lower instance administrative courts.

¹⁵⁰ For an explanation of the supervision process, see the [website](#) of the Council of Europe.

¹⁵¹ All figures calculated by the European Implementation Network (EIN) and based on the number of cases that are considered pending at the annual cut-off date of 1 January 2026. EIN (2026), written input, p. 7.

¹⁵² Judgment of the ECtHR, *19808/08, Moreira Ferreira v. Portugal*, pending implementation since 2011.

¹⁵³ Council of Europe (2026), p. 157.

¹⁵⁴ Data according to the online database of the Council of Europe (HUDOC).

Ombudsperson, which is a single-member body and is the national human rights institution, accredited with ‘A’ status¹⁵⁵, remained vacant until July 2026. While the law sets out that a new appointment shall be done within 30 days by the Parliament¹⁵⁶, parliamentary groups could not reach an agreement. The appointment followed two previous parliamentary votes, in April and June 2026, where the proposed candidates could not gather the necessary votes¹⁵⁷. Despite these delays and a high number of citizens’ complaints, the institution reports that it was possible to continue to exercise the majority of its functions, such as the assessment of citizens’ complaints and participation to parliamentary hearings, and that the rate of follow-up to recommendations has not been affected¹⁵⁸. At the same time, important competences which are personally entrusted to the Ombudsperson could not be exercised during the period when the post remained vacant¹⁵⁹. While the number of complaints regarding long processing times of residence permits has declined¹⁶⁰, complaints from foreign nationals related to the impact of the lack of residence permit on access to social rights are increasing¹⁶¹. In the context of an Ombudsperson’s investigation on alleged violations of the principles of the rule of law and human dignity, it was recommended to improve practices in the planning of police operations, in order to ensure their predictability, rationality, and proportionality¹⁶².

The civic space remains open, while stakeholders report increasing cases of attacks to members of civil society organisations. Civil society organisations (CSOs) continue to operate without constraints, and the civil society space continues to be rated as ‘open’ by Civicus¹⁶³. At the same time, stakeholders report increasing instances of verbal and physical violence against activists and civil society volunteers¹⁶⁴, as well as an increase in negative rhetoric targeting civil society, including by elected officials¹⁶⁵. While the rights of human rights defenders continue to be well protected under general laws, they call for targeted mechanisms to protect civil society¹⁶⁶.

¹⁵⁵ Global Alliance of National Human Rights Institutions (GANHRI), Sub-Committee on Accreditation (SCA) (2024).

¹⁵⁶ Art. 15(3), Law on the Statute of the Ombudsperson.

¹⁵⁷ The Ombudsperson is elected by a two-third majority (Art. 5(1), Law on the Statute of the Ombudsperson).

¹⁵⁸ Country visit Portugal, Office of the Ombudsperson.

¹⁵⁹ Such as the exercise of the right to request the constitutional review of laws before the Constitutional Court, as well as the issuance of formal recommendations to Parliament, Government, or other public bodies (ENNHRI (2026)).

¹⁶⁰ 2025 Rule of Law Report, Portugal, p. 17.

¹⁶¹ Country visit Portugal, Office of the Ombudsperson.

¹⁶² The investigation was triggered by complaints in the context of a large-scale police raid occurred in December 2024. 2025 Rule of Law Report, Portugal, p. 17. Provedoria de Justiça (2025).

¹⁶³ Portugal’s score is 81/100. Ratings by CIVICUS are on a five-category scale defined as: open, narrowed, obstructed, repressed and closed.

¹⁶⁴ In particular targeting CSOs working on topics related to racism and xenophobia (ECRI, para. 49).

¹⁶⁵ Civicus (2025).

¹⁶⁶ Civicus (2025).

Annex I: List of sources in alphabetical order*

* The list of contributions received in the context of the consultation for the 2026 Rule of Law Report can be found at https://commission.europa.eu/publications/2026-rule-law-report-targeted-stakeholder-consultation_en.

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Annex II: Country visit to Portugal

The Commission services held virtual meetings in February 2026 with:

- Association of Private Media
- Bar Association
- Central Department of criminal action and investigation (DCIAP)
- Constitutional Court
- Court of Auditors
- High Council for the Administrative and Tax Courts
- High Council for Public Prosecution
- High Council for the Judiciary
- ICNOVA – Nova University of Lisbon
- Inspectorate-General of Finance
- Journalists’ Professional License Committee
- Journalists’ Union
- Judiciary Police (Polícia Judiciária)
- Judges Union (ASJP)
- LUSA Agency
- Media Authority – Regulatory Entity for Social Communication
- MENAC (National Anti-corruption Mechanism)
- Ministry of Foreign Affairs
- Ministry of Justice
- Observatory of Economy and Fraud Management
- Office of the Prosecutor General
- Office of the Ombudsperson
- Platform of NGOD
- Political Accounts and Financing Entity
- Portugal MediaLab
- Prosecutors Union (SMMP)
- RTP – Radio and Television of Portugal
- Secretariat General of the Government
- Services of the Assembly of the Republic
- Supreme Administrative Court
- Supreme Court of Justice
- Transparency Entity
- Transparency International – Portugal
- Union of ‘Funcionários Judiciais’
- Union of ‘Oficiais de Justiça’

* The Commission also met the following organisations in a number of horizontal meetings:

- Civil Liberties Union for Europe
- Civil Society Europe
- End FGM EU
- European Civic Forum

- European Partnership for Democracy
- Human Rights Watch
- ILGA-Europe
- International Federation for Human Rights
- Philea - Philanthropy Europe Association
- Transparency International EU