



Disregard for EU values: a snapshot of rule of law issues in Hungary in light of the Article 7 procedure

12 November 2024

Six years have passed since the European Parliament adopted a resolution calling on the Council of the European Union to determine, pursuant to Article 7(1) of the Treaty of the European Union, the existence of a clear risk of a serious breach by Hungary of the values on which the Union is founded. Since then, the situation has further deteriorated in Hungary in most of the areas covered by the Article 7(1) procedure, and new rule of law and human rights challenges have emerged. The Hungarian government has furthered its illiberal agenda and cemented its grip on power by eroding the independence of Hungary's democratic institutions and levels of protection for the rule of law, democracy and fundamental rights, leading to a situation where vulnerable groups face rights violations without independent institutions being capable or willing to protect their rights.

Ahead of the General Affairs Council meeting on 19 November 2024, it is important to highlight that the governmental steps severely eroding the rule of law, democracy and human rights in the country currently holding the EU presidency also signal a fundamental disregard for EU values, EU law, and judgments of the Court of Justice of the European Union (CJEU).

In this paper, we present selected rule of law and human rights issues that demonstrate this disregard and the diminished level of domestic human rights protection, proposing points of inquiry and recommendations.

1. Shrinking civic space and the Sovereignty Protection Act

Points of inquiry:

- **What steps does the Hungarian government envisage to comply with the recurring recommendation by the European Commission's 2024 Rule of Law Report that Hungary should "[r]emove obstacles affecting civil society organisations and foster a safe and enabling civic space, including by repealing legislation that hampers their capacity of working"?**
- **In particular, when will the Hungarian legislator**

- **abolish Act XLIX of 2021 on the Transparency of Organisations Carrying out Activities Capable of Influencing Public Life and accompanying amendments which unduly make certain civil society organisations subject to audits by the State Audit Office;**¹
 - **comply with the judgment of the Court of Justice of the European Union in Case C-821/19 and fully abolish the “Stop Soros” law, which despite amendments in 2022, continues to have a deterring effect on the provision of legal assistance to asylum-seekers;**²
 - **abolish the so-called “immigration tax”, and**
 - **abolish the Sovereignty Protection Act?**
- **What measures does the Government intend to take to ensure that civil society members of monitoring committees monitoring the use of EU funds and of the Anti-Corruption Working Group can carry out their work unhampered and free from external pressures, such as investigations by the Sovereignty Protection Office?**

Background: In late 2023, the Hungarian Parliament adopted the Sovereignty Protection Act,³ which set up the Sovereignty Protection Office (SPO) as of 1 February 2024. The Sovereignty Protection Act was the culmination of earlier attempts by the government to “securitize” independent civil society, and is aimed at intimidating and silencing critical voices, including civil society and the media. The SPO has wide-ranging tools at its disposal to investigate private individuals, informal groups and legal entities both inside and outside of Hungary, and the law’s vaguely drafted provisions allow it to use its invasive powers against virtually anyone exercising their democratic right to engage in public matters. The scope of the activities which might trigger the investigation of the SPO are extremely broad and open to arbitrary interpretation. Intelligence agencies shall provide information to the SPO in order to facilitate its work. Investigations are followed by a public report, and there is no legal remedy (including judicial review) available against the actions of the SPO. The combined effects of the above are capable of exerting a considerable chilling effect on civil society, social movements and independent media as a whole in Hungary, exacerbating existing pressures⁴ and leading to a serious distortion of public discourse and democratic life. The Sovereignty Protection Act clearly violates international standards and provisions of primary and secondary EU law, as also shown by the range of international stakeholders that have criticized the law and by the infringement proceedings launched by the European Commission.⁵

Despite these criticisms, the Sovereignty Protection Act remains in force, and it has already been utilized. In June 2024, Transparency International Hungary and Átlátszó, an independent investigative news portal, announced that the SPO had sent them a notice of being under investigation along with

¹ For more details, see: Hungarian Helsinki Committee, *LexNGO 2021 – a look into Hungary’s second anti-NGO law on its first anniversary*, 12 May 2022, https://helsinki.hu/en/wp-content/uploads/sites/2/2022/05/HHC_LexNGO2021_info_note.pdf.

² In more detail, see: *Criminalisation continues – Hungary fails to implement CJEU judgment*, 21 December 2022, <https://helsinki.hu/en/wp-content/uploads/sites/2/2022/12/Criminalisation-continues.pdf>.

³ Act LXXXVIII of 2023 on the Protection of National Sovereignty

⁴ For more details, see the written statement submitted by the Hungarian Helsinki Committee in the framework of the OSCE Warsaw Human Dimension Conference 2024 on shrinking space for independent civil society at https://helsinki.hu/en/wp-content/uploads/sites/2/2024/10/OSCE-Warsaw-Human-Dimension-Conference_Fundamental-freedoms_HU-CSO-input_02102024.pdf

⁵ INFR(2024)2001, https://ec.europa.eu/commission/presscorner/detail/en/inf_24_301, https://ec.europa.eu/commission/presscorner/detail/en/ip_24_4865.

an extensive list of questions⁶ – since then, the SPO's respective reports have been published, containing ill-founded and unsubstantiated allegations. This is all the more worrying because Transparency International Hungary is a member of one of the domestic monitoring committees monitoring the use of EU funds and of the Anti-Corruption Working Group established as one of the conditions to access certain EU funds.⁷ In September 2024, it was reported that the SPO had launched another investigation against two civil society organisations: a local association focusing on environmental issues at a suburban settlement and speaking out against contamination by a controversial battery factory housed by the town, and a foundation linked to Átlátszó. Questions received by both entities relate to an EU-funded project jointly implemented by them that the SPO alleges to pose a threat to the sovereignty of Hungary.⁸ These investigations are very likely to exacerbate the already existing chilling effect of the Sovereignty Protection Act, which creates fear and self-regulation, hinders cooperation between organisations, and diverts resources away from their actual activities, creating an environment where for example receiving EU funding can be perceived as a threat by civil society organisations.⁹

Recommendation:

- *Repeal the Sovereignty Protection Act and all other laws hampering civil society organisations' capacity to carry out their mandate, in line with the recommendation of the European Commission's 2024 Rule of Law Report.*

2. Non-execution of European court judgments

Points of inquiry:

- **When will Hungary fully execute all judgments of the Court of Justice of the European Union, with special regard to the judgment in Case C-808/18, the non-execution of which constitutes an unprecedented and extremely serious infringement of EU law according to the Court?**
- **What steps will the Government take to increase the level of implementation of European Court of Human Rights judgments?**

Background: Hungary's record of implementing European Court of Human Rights (ECtHR) judgments remains poor. On 1 January 2024, Hungary had 45 leading ECtHR judgments pending implementation, and the rate of leading judgments from the past 10 years that remain pending was at 76%, the highest within the EU and the third highest among current Council of Europe countries.¹⁰ Pending leading cases concern crucial human rights issues, including unchecked secret surveillance, freedom of expression of judges, excessive length of judicial proceedings, whole life imprisonment, police ill-treatment, and discrimination of Roma children in education. There is no separate national structure to bring together

⁶ See: <https://transparency.hu/en/news/spo-targets-ti-hungary/>, <https://english.atlatszo.hu/2024/06/25/the-sovereignty-protection-office-launched-an-investigation-against-atlatszo/>.

⁷ See also a joint letter by civil society members of the monitoring committees, asking for extraordinary sessions with a view to the investigations: <https://helsinki.hu/en/wp-content/uploads/sites/2/2024/07/CSOs-letter-to-Managing-Authorities-and-Monitoring-Committees-1.pdf>.

⁸ See: <https://english.atlatszo.hu/2024/09/14/ngo-that-revealed-samsungs-pollution-targeted-by-sovereignty-protection-office/>.

⁹ See in this regard the result of a survey conducted among Hungarian civil society organisations: <https://helsinki.hu/wp-content/uploads/2024/06/Consequences-of-the-Sovereignty-Protection-Act.pdf>.

¹⁰ See: <https://www.einnetwork.org/countries-overview>.

various actors to coordinate the implementation of ECtHR judgments; meaningful parliamentary oversight is also lacking.¹¹

In the past few years, severe problems have emerged with regard to the execution of the judgments of the CJEU as well, amounting to non-compliance. A recent study found in this regard that out of the 19 rule of law related rulings issued between 1 January 2019 and 1 January 2024 that were examined, 10 have been complied with only partially by Hungary, while two have not been complied with at all.¹² The failure to execute the CJEU's judgment in Case C-808/18, which in practice means that push-backs of third-country nationals to Serbia continue *en masse* to this day, prompted the CJEU to impose a substantial fine on Hungary in June 2024, pointing out that the failure to comply with the judgment constitutes an unprecedented and extremely serious infringement of EU law.¹³ However, the Hungarian government has not taken any steps to date to rectify the problem, to the contrary, one of the topics featured in the current so-called "national consultation" campaign seeks to build narrative support for the continued non-compliance with the judgment.¹⁴

Recommendations:

- ➔ *Fully implement the judgments delivered by the Court of Justice of the European Union without delay, with special regard to the judgment delivered in Case C-808/18.*
- ➔ *Increase the level of implementation of European Court of Human Rights judgments, including by strengthening the domestic implementation capacities and structures.*

3. The possibility of Hungary's top court to block the binding effect of CJEU judgments

Points of inquiry:

- **How does the Government intend to fulfil its obligation to guarantee the direct effect of EU law as interpreted by the Court of Justice of the European Union?**
- **How are Hungarian judges supposed to apply EU law and set aside the application of domestic provisions contradicting the *acquis* if they remain bound by the interpretation provided by the Kúria even after it is claimed to be contrary to EU law?**
- **How does the Government intend to comply with Article 19 TEU and Article 47 of the Charter to guarantee the internal independence of Hungarian judges in light of the fact that they are not allowed to derogate from the obligatory interpretation provided by the Kúria?**

Background: In order to comply with four "super milestones", set by the Council of the European Union for Hungary to access funds under the Recovery and Resilience Facility, and identical preconditions set

¹¹ For a detailed description of the issue, see: Hungarian Helsinki Committee, *Non-Execution of Domestic and International Court Judgments in Hungary*, December 2021, https://helsinki.hu/en/wp-content/uploads/sites/2/2021/12/HHC_Non-Execution_of_Court_Judgments_2021.pdf, pp. 50-54.

¹² Democracy Reporting International – European Implementation Network, *Justice Delayed and Justice Denied: Non-Implementation of European Courts Judgments and the Rule of Law*, 2024 Edition, <https://static1.squarespace.com/static/55815c4fe4b077ee5306577f/t/66ed8049848b160f452bad6f/1726840921344/Justice+Delayed%2C+Justice+Denied+2024+Edition.pdf>

¹³ See: <https://curia.europa.eu/jcms/upload/docs/application/pdf/2024-06/cp240099en.pdf>.

¹⁴ See the list of questions and the possible responses on the Government's website: <https://kormany.hu/hirek/hetfotol-indul-a-nemzeti-konzultacio-ime-a-kerdesek>

for accessing cohesion funds, aimed at restoring the independence of the judiciary, the Hungarian Parliament adopted a judicial reform in May 2023. However, the effectiveness and sustainability of the adopted changes largely remain to be seen, and it must also be added that the “super milestones” did not address all of the concerns around judicial independence in Hungary. One of the issues that are crucial from the point of judicial independence but were not touched upon by the milestones is the new uniformity complaint system, which was introduced in 2020 and was consolidated in several steps, through a series of amendments of cardinal laws adopted in subsequent years. The last step in the series was the adoption of the judicial reform referred to above, which cemented the composition of uniformity complaint chambers¹⁵ (i.e. the chambers with the power to decide on issues related to the uniform application of laws across the Hungarian judiciary) through personalised legislation, without providing adequate guarantees for its autonomy and professionalism in decision-making.

The uniformity complaint system, in its current form, can be applied to block the binding direct effect of EU law. Uniformity decisions shall be deemed as quasi laws within the Hungarian legal system, and therefore, judges and courts are subordinated to them to the same extent as to legal norms. In a uniformity decision delivered in 2021,¹⁶ the Kúria (Hungary’s top court) declared that the rulings of the CJEU should not have *erga omnes* effect vis-à-vis third parties. According to the Kúria, “decisions of the CJEU in preliminary rulings are only binding on the parties concerned and have relative effect. This means that a decision on the interpretation of EU law does not, as a rule, have *erga omnes* effect beyond the case, nor does it extend to all the parties [in all proceedings].” In line with the above, the Kúria emphasised that if a new interpretation of EU law by the CJEU conflicts with the obligatory interpretation adopted by the Kúria, Kúria judges must request the Kúria to cancel the binding force of its previous uniformity decision,¹⁷ which is in clear violation with the principle of the EU *acquis* as stipulated in the *Costa v ENEL* judgment of the CJEU.

In addition to the above, the Venice Commission found the uniformity complaint system to be in clear violation of the principle of judicial independence and recommended Hungary to modify the uniformity complaint system,¹⁸ because it found that it creates a hierarchical organisation within the judiciary in the sense that it subordinates judges to higher instances in their judicial decision-making activity. In its current form, the uniformity complaint system does not allow lower tier courts to deviate from the uniformity decisions under any circumstances. Once a uniformity decision is taken by the Kúria, it is obligatory to all judges within the system and no deviation is allowed from it, not even by other chambers of the Kúria. A uniformity decision can only be repealed or modified based on the motion of court leaders, making the possibility to deviate from the obligatory interpretation conditional on management decisions. The European Commission’s 2024 Rule of Law Report also raised concerns with respect to the compatibility of the Hungarian uniformity complaint system with the EU law.¹⁹

¹⁵ Amnesty International Hungary – Eötvös Károly Institute – Hungarian Helsinki Committee, *Assessment of Act X of 2023 on the Amendment of Certain Laws on Justice related to the Hungarian Recovery and Resilience Plan*, https://helsinki.hu/wp-content/uploads/2023/05/Assessment_of_the_Judicial_Reform_052023.pdf, pp. 9-10.

¹⁶ Jpe.II.60.027/2021/8., <https://kuria-birosag.hu/hu/jogegysegi-panasz/jpeii6002720218-szamu-hatarozat>

¹⁷ See: <https://kuria-birosag.hu/hu/sajto/magyarorszagi-korlatozott-precedens-rendszer-osszhangban-van-az-europai-unio-jogaval>.

¹⁸ European Commission for Democracy through Law (Venice Commission), *Hungary – Opinion on the amendments to the Act on the organisation and administration of the Courts and the Act on the legal status and remuneration of judges adopted by the Hungarian parliament in December 2020*, CDL-AD(2021)036, 16 October 2021, [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2021\)036-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2021)036-e), paras 35-49.

¹⁹ European Commission, *2024 Rule of Law Report – Country Chapter on the rule of law situation in Hungary*, https://commission.europa.eu/document/download/e90ed74c-7ae1-4bf8-8b6e-829008bd2cc6_en?filename=40_1_58071_coun_chap_hungary_en.pdf, p. 7.

Recommendations:

- ➔ *Abolish the possibility of the Kúria to counter the direct effect of EU law through uniformity decisions.*
- ➔ *Modify the legislation so that it allows lower tier judges to deviate from the wording of the uniformity resolution.*
- ➔ *Explicitly allow Hungarian judges to rely on EU law and put aside domestic legislation contradicting the EU acquis, including uniformity complaint decisions of the Kúria.*

4. Perpetuated states of exception

Points of inquiry:

- **What legislative steps will be taken to align the constitutional and statutory framework of special legal order regimes with requirements set out by the Venice Commission and to restore legal certainty that has been undermined by the “extensive and prolonged use” of the Government’s emergency powers?**
- **What guarantees will be introduced to ensure that the Government will not abuse its *carte blanche* mandate granted to it in a state of danger in the future and does not issue emergency government decrees that are not related to the war in Ukraine?**
- **What legal changes will be introduced to ensure that the state of crisis due to mass migration is not extended without any meaningful control and does not legalise practices violating EU law?**

Background: The Government continues to have excessive emergency regulatory powers and continues to use its mandate to issue emergency decrees extensively and in an abusive manner,²⁰ with the respective legal framework and practice being in stark contrast with the requirements set out by the Venice Commission.²¹ The Government first acquired excessive emergency powers with a view to the pandemic in the spring of 2020, when it declared a “state of danger”, a special legal order regime, and has been maintaining a “rule by decree” system ever since, with only a few months of intermission, most recently using the war in Ukraine as a pretext for keeping its excessive regulatory powers. The constitutional and statutory framework governing special legal order regimes was amended as of November 2022,²² and these amendments cemented the very problematic practices developed during the pandemic in relation to the state of danger: the Government continues to have a *carte blanche* mandate, also to suspend or restrict most fundamental rights beyond the extent permissible under ordinary circumstances; there is no automatic and regular parliamentary oversight over individual

²⁰ For a comprehensive overview, see: Hungarian Helsinki Committee, *Government gains excessive powers from forever renewable state of danger*, 24 February 2023, https://helsinki.hu/en/wp-content/uploads/sites/2/2023/02/HHC_Hungary_state_of_danger_24022023.pdf.

²¹ Cf.: European Commission for Democracy Through Law (Venice Commission), *Report – Respect for Democracy, Human Rights and the Rule of Law During States of Emergency: Reflections*, CDL-AD(2020)014, 19 June 2020, [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2020\)014-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2020)014-e).

²² A detailed analysis of the changes, covering also the special order regimes beyond the state of danger, is available here: Gábor Mészáros: *Exceptional Governmental Measures without Constitutional Restraints*, https://helsinki.hu/en/wp-content/uploads/sites/2/2023/01/Meszaros_special_legal_order_02112022.pdf. A summary paper is available here: Hungarian Helsinki Committee, *Hungary: Perpetuated States of Exception Undermine Legal Certainty and Human Rights*, 2 April 2024, https://helsinki.hu/en/wp-content/uploads/sites/2/2024/04/HHC_Hungary_states_of_exception_20240402.pdf.

emergency decrees; and the effective constitutional review of the emergency decrees is not ensured. The practice of regularly adopting emergency government decrees for purposes not related to the cause of the state of danger continues as well.²³ This undermines legal certainty, results in human rights violations, and has a negative impact on business environment and investment protection. The state of danger is currently extended until 19 November 2024, but the Government already received authorization from the governing majority to extend it with another 180 days.²⁴

The legal framework also allows for the proliferation of different states of crisis, i.e., quasi states of exception that are not regulated in the Fundamental Law (the constitution) but only on a statutory level can be applied parallel to the special legal order regimes included in the Fundamental Law. A striking example for this is the “state of crisis due to mass migration”, which was introduced into the Hungarian law in 2015, and which can be declared and extended by the Government every six months without any meaningful control. The Government declared a state of crisis due to mass migration for the whole of Hungary in March 2016, and has repeatedly extended it ever since, often in periods when its statutory conditions were not even in place. It was extended the last time in September 2024, without the statutory conditions being met, until 6 March 2024.²⁵ During the state of crisis due to mass migration, special rules apply to third-country nationals irregularly entering and/or staying in Hungary and to those seeking asylum, and certain provisions of the Asylum Act are suspended. Such derogations include that push-backs (i.e. collective expulsions) are legalised from the entire territory of Hungary²⁶ – a practice which the CJEU found to be in violation of EU law in Case C-808/18.

Recommendations:

- *Revise the constitutional and statutory framework of the state of danger in line with international standards, in particular standards set by the Venice Commission and via requesting an opinion from the Venice Commission on any related draft law; and limit the Government’s excessive emergency regulatory powers.*
- *The Government should show self-restraint in the use of the extremely wide-ranging authorization it received during the state of danger, and should refrain from issuing decrees that are not related to the war in Ukraine.*
- *The Government should terminate the state of crisis due to mass migration and revise the respective legal framework in line with international standards and the relevant judgment of the Court of Justice of the European Union.*

²³ For examples from 2023, see: *Contributions of Hungarian CSOs to the European Commission’s Rule of Law Report*, January 2024, https://helsinki.hu/en/wp-content/uploads/sites/2/2024/01/HUN_CS0_contribution_EC_RoL_Report_2024.pdf, pp. 73-76.

²⁴ Act VIII of 2024 on Amending Act XLII of 2022 on Eliminating and Managing the Consequences in Hungary of an Armed Conflict and Humanitarian Catastrophe in a Neighbouring Country

²⁵ Government Decree 265/2024. (IX. 2.) on Amending Government Decree 41/2016. (III. 9.) on the Declaration of the State of Crisis due to Mass Migration Throughout the Territory of Hungary and on the Rules Related to the Declaration, Existence and Termination of the State of Crisis

²⁶ Act LXXXIX of 2007 on State Borders, Article 5(1b)

5. Lack of an effective domestic human rights protection system

Points of inquiry:

- **Will the Government introduce a transparent selection and appointment process for the Commissioner for Fundamental Rights that promotes merit-based selection and ensures pluralism ahead of the 2025 process, in line with the Paris Principles relating to the status of national institutions and the recommendations of the Global Alliance of National Human Rights Institutions?**
- **How does the Government intend to address the concerns regarding the weakened level of human rights protection in the areas brought under the mandate of the Commissioner for Fundamental Rights, previously covered by specialised human right protection institutions?**

Background: Since 2010, the governing majority has systematically and consciously undermined the system of checks and balances by weakening, eliminating or occupying those institutions and actors that can exercise any form of control over the executive branch of power. This included the taking over of state institutions vested with the task of protecting fundamental rights, such as the institution of the Ombudsperson, i.e. the Commissioner for Fundamental Rights (CFR), who also fulfils the role of Hungary's national human rights institution (NHRI). As a result, the GANHRI Sub-Committee on Accreditation (SCA) downgraded the Ombudsperson as Hungary's NHRI from an A to a B status since its inactivity in a number of politically sensitive areas evidenced a lack of independence. In particular, the SCA found that the CFR has not substantiated that it is "fulfilling its mandate to effectively promote and protect all human rights", that it is "effectively carrying out its mandate in relation to vulnerable groups such as ethnic minorities, LGBTQI people, human rights defenders, refugees and migrants, or related to important human rights issues such as media pluralism, civic space and judicial independence". In addition, concerns were raised that the CFR's selection and appointment process is not sufficiently broad and transparent.²⁷ However, the rules of the selection and appointment have not been amended to date, with a new appointment process due in 2025, and, as also pointed out by the European Commission's 2024 Rule of Law Report,²⁸ the concerns regarding the independence and effective functioning of the CFR remain in place.

In parallel, there has been a trend to merge all specialised human rights protection institutions into the CFR's Office: as of 2021, Hungary's equality body under EU law, the Equal Treatment Authority, was merged into the CFR's Office (a move criticized by the Venice Commission and civil society);²⁹ the same happened to the Independent Law Enforcement Complaints Board in 2020; and in 2022, the CFR's Office was designated as Hungary's independent mechanism established under the UN Convention on the Rights of Persons with Disabilities. Moreover, the CFR's Office was designated as Hungary's national preventive mechanism (NPM) under the OPCAT as of 2015.

This level of concentration of mandates is highly problematic due to the lack of functional independence of the CFR's Office alone, but recent research carried out by Hättér Society and the

²⁷ Global Alliance of National Human Rights Institutions (GANHRI), *Report and Recommendations of the Virtual Session of the Sub-Committee on Accreditation (SCA)*, 14-25 March 2022, https://www.ohchr.org/sites/default/files/2022-04/SCA-Report-March-2022_E.pdf, pp. 43-47.

²⁸ European Commission, *2024 Rule of Law Report – Country Chapter on the rule of law situation in Hungary*, https://commission.europa.eu/document/download/e90ed74c-7ae1-4bf8-8b6e-829008bd2cc6_en?filename=40_1_58071_coun_chap_hungary_en.pdf, pp. 33-34.

²⁹ For more details, see: *Country report – Non-discrimination – Hungary*, 2021, <https://www.equalitylaw.eu/downloads/5732-hungary-country-report-non-discrimination-2022-1-63-mb>, pp. 100-115.

Hungarian Helsinki Committee also demonstrates how this resulted in weakened human rights protection in certain affected areas. For example, the merger of the Equal Treatment Authority into the CFR's Office "downgraded" the issue of equal treatment. The fact that no director or deputy director has been appointed for the respective directorate on equal treatment, that several staff members have left, that some complaints are not investigated under the Equal Treatment Act but under the much softer CFR procedure, and most importantly the drastic drop in the number of cases shows that the merger raises serious concerns about the enforcement of the principle of equal treatment in Hungary. In addition, the hierarchization of protected characteristics can be observed, with sexual orientation, gender identity, race/ethnicity, and political opinion being sidelined. As regards complaints against police abuses, the research found that the CFR's Office does not provide the issue with sufficient public visibility, its data collection efforts in the area are very limited, the additional powers provided to it are not applied at all, the proceedings have become much longer, and the number of complaints has significantly dropped – factors that all contribute to a weaker than before system of protection against police abuses.

Recommendations:

- ➔ *Establish, ahead of the 2025 process, a transparent selection and appointment process for the Commissioner for Fundamental Rights that promotes merit-based selection and ensures pluralism, in line with the Paris Principles and GANHRI's recommendations.*
- ➔ *Re-establish the Equal Treatment Authority as an autonomous public body.*