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2025 Rule of Law Report Country Chapter on the rule of law situation in Portugal

Accompanying the document

**Communication from the Commission to the European Parliament, the Council, the
European Economic and Social Committee and the Committee of the Regions**

2025 Rule of Law Report The rule of law situation in the European Union

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{ SWD(2025) 925 final } - { SWD(2025) 926 final } - { SWD(2025) 927 final } -
{ SWD(2025) 928 final } - { SWD(2025) 929 final } - { SWD(2025) 930 final } -
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ABSTRACT

In Portugal, significant steps have been taken to improve the human resources allocated to the justice system, thanks to new recruitments and legislative changes. The early end of the legislature had an impact on some reforms, such as those related to the system of case allocation, the efficiency of complex criminal cases, and access to judgments, which could not be finalised. The High Council for the Judiciary has called for a reflection on possible mechanisms to ensure its stability and safeguard its independence. The efficiency of Administrative and Tax Courts improved in first instance, while serious concerns remain regarding the disposition time in second instance courts, especially among businesses. The working conditions and security in court and prosecution premises affect the functioning of the courts. Changes to the legal aid system were introduced to address the low level of remuneration of legal aid providers, with the Bar Association calling for further changes.

The National Anti-Corruption Strategy 2020-2024 is still to be evaluated, and a new anti-corruption strategy is expected to be developed. Steps were taken to improve the resources of the Anti-Corruption Mechanism (MENAC), and further changes were made to improve its structure and functioning. New measures were introduced to ensure sufficient resources for preventing, investigating and prosecuting corruption. While corruption cases remain a priority, investigation, prosecution and adjudication of high-level corruption cases face delays. The effective monitoring and verification of asset declarations by the Transparency Entity improved significantly. Shortcomings in the integrity framework are expected to be addressed under the new legislature. Despite efforts under the previous legislature, lobbying remains unregulated. The system of preventive audit over EU-funded projects was amended.

The Media Regulatory Authority continues to carry out its task with reinforced financial resources. The conclusion of a high-profile case concerning a merger suspension prompted new proposals and discussions regarding the legal framework on transparency of media ownership. A new Media Action Plan comprising 30 measures was presented. A concession contract for public service media has been signed and its financial resources improved following the updating of the audiovisual tax. The LUSA News Agency is now nearly fully owned by the state. Some steps were taken to improve working conditions for journalists, such as the adoption of an action plan for journalists' safety, while the number of incidents affecting journalists has decreased.

Due to the early termination of the legislature, it was not possible to finalise the planned reforms to improve the transparency of law-making. The Office of the Ombudsperson continues to perform effectively, despite continuing to deal with a high number of complaints related to administrative delays. Civil society space continues to be considered as open, and there were further improvements regarding access to financing for civil society organisations.

RECOMMENDATIONS

Overall, concerning the recommendations in the 2024 Rule of Law Report, Portugal has made:

- Significant progress in stepping up efforts to ensure adequate human resources of the justice system, in particular regarding judicial clerks, and some further progress in continuing efforts to improve its efficiency, in particular of Administrative and Tax Courts.
- Some progress in ensuring the adequacy of the general criminal procedure legislation to efficiently deal with complex criminal proceedings.
- Significant progress in continuing efforts made to ensure sufficient resources for preventing, investigating and prosecuting corruption, and some further progress in ensuring sufficient resources for the new Anti-Corruption Mechanism.
- Significant progress in ensuring the effective monitoring and verification of asset declarations by the Transparency Entity.
- No progress in finalising the reforms to improve the transparency of law-making, particularly on the implementation of impact assessment tools.

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

- Step up efforts to improve the efficiency of the justice system, in particular of Administrative and Tax Courts.
- Take forward measures to ensure the adequacy of the general criminal procedure legislation to efficiently deal with complex criminal proceedings.
- Adopt rules on the regulation of lobbying, including the creation of a comprehensive public lobbying registry.
- Finalise the reforms to improve the transparency of law-making, particularly on the implementation of impact assessment tools.

I. JUSTICE SYSTEM¹

Independence

The level of perceived judicial independence in Portugal continues to be average among the general public and is now low among companies. Overall, 58% of the general population and 32% of companies perceive the level of independence of courts and judges to be ‘fairly or very good’ in 2025². The perceived judicial independence among the general public has increased in comparison with 2024 (53%) and has significantly increased in comparison with 2021 (48%). The perceived judicial independence among companies has significantly decreased in comparison with 2024 (44%) and has decreased in comparison with 2021 (39%).

The High Council for the Judiciary has called for a reflection on possible mechanisms to ensure its stability and safeguard its independence. The Council continues to call for changes to the legislative framework governing its organisation and functioning, but no follow-up has been given so far to its proposals³. The Council has also initiated discussions on potential challenges to its institutional stability and independence stemming from the impact on its composition of the successive dissolutions of Parliament in 2021, 2024, and 2025, which led to the early termination of the four-year terms of office of the seven members elected by Parliament. The concerns raised include the risks of possible greater political influence in the Council, as well as the risk of undermining its effectiveness in supervising and managing the justice system⁴. The Council has thus called for a reflection on possible mechanisms to ensure stability and safeguard its independence, such as minimum periods of tenure of the members appointed by Parliament⁵. To note that the High Council for the Judiciary and the High Council for Administrative and Tax Courts are not composed by a net majority of judges elected by their peers, which continues to be raised as a concern by stakeholders⁶. European standards state that not less than half of the members of judicial councils should be judges chosen by their peers from all levels of the judiciary and with respect for pluralism inside the judiciary⁷.

The legislative process aimed at making the case allocation system more operational could not be finalised due to the early end of the legislature. The system of electronic allocation of cases continues to be applied, ensuring its transparency⁸. However, concerns

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

² Figures 50 and 52, 2025 EU Justice Scoreboard and Figures 49 and 51, 2023 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 ENCJ, written input, p. 4. See also 2024 Rule of Law Report, Portugal, p. 4.

⁴ The Council has important competences, particularly in the selection process for judicial appointments, appraisals and promotions, and disciplinary proceedings. ENCJ, written input, p. 36.

⁵ Country visit Portugal, High Council for the Judiciary.

⁶ EAJ, written input, p. 10; MEDEL – Portugal, written input, p. 8.

⁷ In December 2023, the Council of Europe’s Group of States Against Corruption (GRECO) recalled their recommendation to Portugal that not less than half the members of the two councils should be judges chosen by their peers, GRECO (2024a). See also Committee of Ministers of the Council of Europe (2010), para. 27; Venice Commission, (2020), para. 44; Consultative Council of European Judges (CCJE) (2021), para. 29; (2007), paras. 15 ff.

⁸ 2024 Rule of Law Report, Portugal, pp. 3-4.

remain regarding the administrative burden it creates for courts⁹. Following stakeholders' requests¹⁰ and in line with the conclusions of an evaluation of the system¹¹, in February 2025 the Government adopted a proposal aimed at making the system more operational¹², which was generally welcomed¹³. While the proposal was transmitted to Parliament, its dissolution in March 2025 and subsequent end of legislature meant that no immediate follow-up could be ensured¹⁴. Stakeholders expect the proposal to be followed up in the next legislature.

Quality

The recruitment of new legal clerks, and the reform of the criteria for access to the judiciary and prosecution have contributed to significant progress in improving adequate human resources for the justice system¹⁵. Important steps have been taken to address the deficit of legal clerks, with concerns about vacant posts¹⁶, a high number of retirements¹⁷, and a need to address unequal distribution¹⁸. A new recruitment procedure for legal clerks has resulted in over 500 new clerks taking office¹⁹. Progress was also achieved in the revision of the Statute of Legal Clerks, which came into force in April 2025²⁰. This also allowed to put an end to clerks' strikes that had been ongoing since 2023. While stakeholders highlight that further measures are still necessary²¹, they consider this was an essential step to make the career more attractive. Regarding legal and technical advisers, while new recruitments took place at the level of the Supreme Court of Justice and lower instance judicial courts²², there has been no reinforcement for second instance Administrative and Tax

⁹ Which requires judges and prosecutors to be present in the room while the legal clerks electronically allocate cases, even though they do not influence the actual allocation and do not perform any formal control over it.

¹⁰ The trade unions representing judges, prosecutors and legal clerks, as well as the Bar Association, presented a joint position to the Minister of Justice, requesting the amendments of the requirements of physical presence legally imposed.

¹¹ The implementing regulation of the system of allocation required an evaluation of the system within six months of its full operationalisation, finalised in July 2024 (2024 Rule of Law Report, Portugal, pp. 3-4).

¹² Portuguese Government (2025a).

¹³ Country visit Portugal, Judges' Union, Prosecutors' Union, Union of 'Funcionários Judiciais'.

¹⁴ The dissolution of Parliament in March 2025, and consequent early termination of the legislature, has suspended a number of reforms across areas covered in the Rule of Law Report, such as: the reform of the case allocation system; the revision of the age of retirement in the judiciary; the reform of Administrative and Tax Courts; changes to the criminal procedure legislation; the implementation of the Anti-corruption Agenda, and measures envisaged therein; the implementation of the Media Action Plan; and the reforms related to legislative transparency, both at Parliament and Government level.

¹⁵ The 2024 Rule of Law Report recommended to Portugal to: "[s]tep up efforts to ensure adequate human resources of the justice system, in particular regarding judicial clerks (...)".

¹⁶ As of February 2024, there were over 1 100 vacancies in first instance ordinary courts and 59 vacancies in first instance Administrative and Tax Courts (Directorate-General for the Administration of Justice (2024)).

¹⁷ ENCJ, written input, p. 34; Country visit Portugal, Unions of 'Oficiais de Justiça' and 'Funcionários Judiciais'.

¹⁸ In particular, the courts of the metropolitan area of Lisbon and Prosecution Services (Country visit Portugal, High Council for Public Prosecution, Unions of 'Oficiais de Justiça' and 'Funcionários Judiciais').

¹⁹ Portuguese Government, written input, p. 5; Country visit Portugal, Ministry of Justice. A new recruitment procedure for 51 new clerks was initiated in April 2025, to fill the vacant posts.

²⁰ Including adoption of new remuneration tables and career structure. Country visit Portugal, Ministry of Justice. The revision of the Statute of Legal Clerks is also a reform under the Portuguese RRP (Milestone 18.10).

²¹ In particular regarding career progression, also in light of the Constitutional court's judgment nr. 892/2023, which declared unconstitutional some of the provisions pertaining to the rules of career progression.

²² Country visit Portugal, Supreme Court of Justice and High Council for the Judiciary.

Courts and Prosecution²³. As regards judges and prosecutors, further steps were taken to increase their number as new rules were adopted which broadened access to initial training²⁴, reduced the complexity of the selection procedure, and made the career more attractive²⁵. Moreover, a new training centre for judicial professions has been operationalised, which is also expected to attract more applicants²⁶. Stakeholders broadly welcomed these changes as a first step to address concerns regarding the increasing workload of judges and prosecutors²⁷. The revision of the mandatory age of retirement, which would allow for the completion of terms for senior positions in the judiciary, as well as provisions establishing minimum periods of tenure were under consideration by the Government, following calls from stakeholders, however these could not be completed. Overall, given the steps taken, there has been significant progress in stepping up efforts to ensure adequate human resources of the justice system, in particular regarding judicial clerks.

Working conditions and security in court and prosecution premises affect the functioning of the courts. Stakeholders report that working conditions in court and prosecution premises continue to deteriorate²⁸, despite recent investment in the maintenance and renovation of some buildings deemed a priority²⁹. Their poor condition often leads to postponement of procedural acts, with an impact on the efficiency of the justice system³⁰. Concerns regarding security in court and prosecution premises³¹, including those used by the EPPO³², also remain, and in several buildings there are no suitable dedicated lawyers' rooms to guarantee professional secrecy³³. While the expenditure in the justice system in 2023 registered a small increase, it remains one of the lowest in the EU³⁴. According to European standards, States allocate adequate resources, facilities and equipment to courts to enable them to work efficiently³⁵.

While further efforts to improve digitalisation are being made, online access to judgments remains limited. The use of digital technologies by courts and prosecution

²³ Country visit Portugal, High Council for Administrative and Tax Courts, High Council for Prosecution.

²⁴ In particular, the completion of a master's in law is no longer mandatory.

²⁵ New recruitments are already taking place under the new rules, and the number of applicants has increased. Portuguese Government, written input, p. 6. Country visit Portugal, High Council for the Judiciary.

²⁶ Country visit Portugal, Ministry of Justice. Whereas the initial training for the 23 new judicial court judges and 23 new prosecutors will already take place in the new centre, the training for Administrative and Tax Courts judges will continue to take place exclusively in Lisbon, raising concerns that this will further lower the attractiveness of this jurisdiction (Country visit Portugal, High Council for the Administrative and Tax Courts).

²⁷ EAJ, written input, p. 31; ENCJ, p. 36; MEDEL – Portugal, p. 10. See also 2024 Rule of Law Report, Portugal, p. 9. In an open letter of 12 June 2025 signed by over 1 000 prosecutors, the Union of Prosecutors raised concerns regarding the excessive workload and working conditions of prosecutors, in particular in light of the rules on appointments approved in June 2025, which the Union deems to lower the level of specialisation (Union of Prosecutors (2025)).

²⁸ EAJ, written input, 23; MEDEL – Portugal, written input, p. 10.

²⁹ 2024 Rule of Law Report, Portugal, p. 9.

³⁰ ENCJ, written input, pp. 34-35.

³¹ Country visit Portugal, Judges' Union, Prosecutors' Union, Union of 'Funcionários Judiciais', Union of 'Oficiais de Justiça'.

³² EPPO, written input, p. 44.

³³ Country visit Portugal, Bar Association.

³⁴ Figure 33, 2025 EU Justice Scoreboard. The expenditure on law courts as a percentage of GDP further decreased in 2023, remaining average (Figure 34, 2025 EU Justice Scoreboard).

³⁵ Committee of Ministers of the Council of Europe (2010), para. 33.

remains generally widespread³⁶, while the digital solutions in criminal cases remain comparably more limited³⁷. Further efforts to improve digitalisation are being made, including in the context of the Recovery and Resilience Plan, in particular as regards electronic notifications and communications³⁸, as well as a new information system to handle electronically the judicial proceedings, including in criminal proceedings³⁹. While the Anti-corruption Agenda adopted in June 2024 listed the publication of judgments of all instances as a priority⁴⁰, this project could not be finalised⁴¹, and online access to published judgments remains among the lowest in the EU⁴².

The legal aid system was revised to address the low level of remuneration of legal aid providers, with the Bar Association calling for further changes. In September 2024, the legal aid system was amended through Government ordinance, allowing courts, prosecution services, and police authorities to designate as State-appointed-lawyer any lawyer who signals availability. These amendments address the need to ensure the provision of legal aid, in case the Bar Association does not prepare the lists of available lawyers, and were prompted by protests against the low level of remuneration of legal aid providers⁴³, which included the halting of the preparation of those lists by the Bar Association. The amendments triggered further protests, with the Bar Association expressing concerns regarding legislative transparency⁴⁴, as well as the impact on the autonomy of the Bar and the quality of legal aid⁴⁵. Further amendments were introduced in February 2025, broadening the cases for which legal aid is available and amending the table of remuneration of legal aid providers⁴⁶. These new rules have been broadly welcomed, nevertheless the Bar Association called for further changes, considering that some of the amendments may translate, in practice, into a reduction to the remuneration of lawyers⁴⁷.

Efficiency

There has been some further progress in increasing the efficiency of Administrative and Tax Courts at first instance, while serious concerns remain regarding the disposition time in second instance in particular among businesses⁴⁸. The efficiency in first instance Administrative and Tax Courts has improved, with a decrease in disposition time at 597 days, and further improvement of the clearance rate, which rose to 120%⁴⁹. However, the situation

³⁶ Figures 41 and 42, 2025 EU Justice Scoreboard.

³⁷ Figure 45, 2025 EU Justice Scoreboard.

³⁸ Portuguese RRP, Milestone 18.3. Portuguese Government, written input, p. 6.

³⁹ Portuguese RRP, Milestone 18.7.

⁴⁰ Portuguese Government, written input, p. 8.

⁴¹ Country visit Portugal, Ministry of Justice.

⁴² Figure 47, 2025 EU Justice Scoreboard. A GRECO recommendation in this regard remains only partially implemented.

⁴³ The remuneration of legal aid providers is among the lowest in the EU (Figure 25, 2025 EU Justice Scoreboard). CCBE, written input, p. 162.

⁴⁴ The Bar Association, which was not consulted in the legislative process, argued that the Law on Legal Aid was overturned through a lower ranking legislative act (regulatory ordinance).

⁴⁵ CCBE, written input, p. 162.

⁴⁶ The new rules will come into force in August 2025. Ministry of Justice (2025).

⁴⁷ In particular, in cases where a resolution is reached through court conciliation, without reaching the hearing phase (Country visit Portugal, Bar Association).

⁴⁸ The 2024 Rule of Law Report recommended to Portugal to: “[...] continue efforts to improve its efficiency, in particular of Administrative and Tax Courts”.

⁴⁹ Figures 5, 10 and 13, 2025 EU Justice Scoreboard.

has deteriorated in second instance, where 1 200 days are needed to resolve a case⁵⁰. The High Council for Administrative and Tax Courts proposed to the Ministry of Justice measures aimed at increasing the efficiency of these courts, and which will still need to be taken up⁵¹. The creation of a new second instance is provided for by law, but its operationalisation remains pending, making it difficult to reduce the high number of pending cases per judge and to improve the low level of clearance rate⁵². While efficiency is higher in civil and commercial cases, the disposition time in first instance has slightly decreased, the clearance rate fell below 100%, and the case backlog registered an increase⁵³. Stakeholders consider that the efficiency shortcomings in the justice system are a long-term obstacle to investment and the business environment⁵⁴. In fact, a significant number of cases pending before Administrative and Tax Courts have a high economic value⁵⁵. 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 jurisdictions⁵⁶. Given that there has been some improvement at first instance, but serious concerns remain regarding second instance, there has been some further progress in increasing the efficiency of Administrative and Tax Courts.

There has been some progress in ensuring the adequacy of the general criminal procedure legislation to efficiently deal with complex criminal proceedings⁵⁷. The need to ensure the efficient handling of complex criminal cases, commonly referred to as ‘mega procedures’, continues to be considered as a priority by stakeholders⁵⁸. In this context, the High Council for the Judiciary created a working group, tasked with identifying the main causes of delays in these cases and proposing solutions that promote efficiency. The working group’s proposals were transmitted to the Minister of Justice in January 2025⁵⁹. The Anti-Corruption Agenda also includes measures expected to contribute to this purpose⁶⁰, and legislative changes directly aimed at avoiding the creation of such ‘mega procedures’ were also included among the major initiatives of the previous legislature⁶¹. However, none of these measures could be pursued further, due to the early end of the legislature and it remains to be seen how the steps taken will be advanced further. Given the steps taken, there has been some progress on this recommendation.

⁵⁰ Figure 8, 2025 EU Justice Scoreboard.

⁵¹ Country visit Portugal, High Council for the Administrative and Tax Courts.

⁵² 338 cases per judge and a resolution rate of 97% in the North Central Administrative Court; 725 cases per judge and a resolution rate of 88% in the South Central Administrative Court.

⁵³ Figures 5, 10 and 13, 2025 EU Justice Scoreboard.

⁵⁴ 2024 European Semester, Portugal, p. 14.

⁵⁵ In 2023, 636 new cases with an economical value over EUR 1 million were registered in Administrative and Tax Courts; it is estimated that the total number of tax cases pending before these courts amount to EUR 12 000 million (Jornal de Negócios (2025)).

⁵⁶ Committee of Ministers (2025).

⁵⁷ The 2024 Rule of Law Report recommended to Portugal to: “[t]ake measures to ensure the adequacy of the general criminal procedure legislation to efficiently deal with complex criminal proceedings.”

⁵⁸ Country visit Portugal, High Council for the Judiciary. 2024 Rule of Law Report, Portugal, pp. 12-13.

⁵⁹ Proposals include: amending the code of criminal procedure to avoid excessive delays in proceedings; amending the criminal investigation phase, promoting greater efficiency and speed; strengthening procedural management practices and promoting a culture of efficiency in the courts; combating dilatory procedural acts; providing adequate technological and human resources to courts to deal with the complexity of mega procedures (High Council for the Judiciary (2025)).

⁶⁰ Including changes to the instruction phase of the process, and granting judges more powers to deter dilatory procedural acts, which contribute to procedural delays.

⁶¹ Portuguese Government (2025), written input, pp. 9-10.

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 2024 Corruption Perceptions Index by Transparency International, Portugal scores 57/100 and ranks 15th in the European Union and 43rd globally⁶². This perception has deteriorated over the past five years⁶³. The 2025 Special Eurobarometer on Corruption shows that 91% of respondents consider corruption widespread in their country (EU average 69%) and 64% of respondents feel personally affected by corruption in their daily lives (EU average 30%). As regards businesses, 75% of companies consider that corruption is widespread (EU average 63%) and 50% consider that corruption is a problem when doing business (EU average 35%). Furthermore, 32% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 36%), while 23% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 33%)⁶⁴.

The National Anti-Corruption Strategy 2020-2024 is still to be evaluated, and the new anti-corruption strategy remains to be developed. While bills on lobbying were prepared by political groups in the Parliament, most of the measures set out in the Anti-corruption Agenda adopted in June 2024⁶⁵ – which includes 32 measures based on four pillars: effective punishment, procedural speed, public sector protection, and prevention – were not yet put in place⁶⁶. The *ad hoc* Parliamentary Committee⁶⁷ created in October 2024 to follow up on the implementation and monitoring of the Anti-corruption Agenda has not discussed a legislative file⁶⁸, and it has not yet been renewed under the new legislature. The National Anti-Corruption Strategy 2020-2024, expected to be evaluated by 30 November 2024⁶⁹, remains to be assessed⁷⁰. A new National Anti-Corruption Strategy, together with a specific action plan to ensure its implementation, are further expected⁷¹.

Some further progress was achieved with regard to the resources of the Anti-Corruption Mechanism (MENAC), and further changes were made to improve its

⁶² Transparency International (2025). The level of perceived corruption is categorised as follows: low (the perception among experts and business executives of public sector corruption scores above 79); relatively low (scores between 79-60), relatively high (scores between 59-50), high (scores below 50).

⁶³ In 2020 the score was 61, while, in 2024, the score is 57. 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.

⁶⁴ Data from Special Eurobarometer 561 (2025) and Flash Eurobarometer 557 (2025).

⁶⁵ Portuguese Government (2024).

⁶⁶ The Anti-Corruption Agenda remained in place only for 9 months which did not allow for progress on other listed measures.

⁶⁷ Resolution 72-A/2024.

⁶⁸ Country visit Portugal, Assembly of the Republic.

⁶⁹ Art. 215, Law No 82/2023.

⁷⁰ According to the OECD criteria, Portugal scores 4 out of 15 (below the EU average) on the adequacy of implementation structures and reporting; OECD (2024).

⁷¹ According to Art. 285, 2025 State Budget Law, the new Strategy is expected to foresee rules on its monitoring, objectives, repartition of competences between authorities, the timetable and deadlines for implementation as well as the publication of delivery indicators. Civil society looked forward to the new strategy: Country visit Portugal, Observatory of Economy and Fraud Management, Transparency International – Portugal.

structure and functioning⁷². In the second year of its activity, MENAC⁷³ issued four recommendations to the Government, inspectors and entities under the General Corruption Prevention Regime⁷⁴ and supported educational activities. Its current activities remain limited to overseeing compliance with the General Corruption Prevention Regime⁷⁵, while its mandate is wide, extending to evidence-based analyses, tailored recommendations for sector-specific risks, or guidance in view of the legislative reforms⁷⁶. In 2024, MENAC received 152 reports denouncing corruption⁷⁷. In November 2024, the electronic platform for the reception, automatic processing and storage of compliance instruments became operational⁷⁸. MENAC informed on the upcoming focus on private sector entities for the effective implementation of the General Regime for the Prevention of Corruption in the areas of climate and energy, in particular concerning the issuance of official permits and the relationship with Directorate-General of Energy and Geology⁷⁹. In December 2024, MENAC and the National Association of Portuguese Municipalities signed a working protocol to implement measures to promote transparency, integrity and prevention of corruption and related offences⁸⁰. Amendments to the structure and functioning of MENAC⁸¹, which entered into force in May 2025⁸², were made to address challenges regarding resources⁸³ and coordination with authorities⁸⁴. These amendments led to the creation of a Board of Directors and establish new rules for the recruitment of MENAC's staff, which will no longer depend on secondments. These changes are intended to address concerns voiced by stakeholders related to MENAC's effectiveness and limited operational activities⁸⁵. In light of these developments, some further progress was made to ensure sufficient resources for MENAC.

Significant progress was made to ensure sufficient resources for the handling corruption cases⁸⁶. As regards the Criminal Police, between 2022 and 2025, it is expected that 1 100 new inspectors will have been recruited, strengthening careers in criminal investigations, scientific policing and security⁸⁷. While these resources will be allocated

⁷² The 2024 Rule of Law Report recommended to Portugal to: “[c]ontinue efforts made to ensure sufficient resources for preventing, investigating and prosecuting corruption, including for the new Anti-Corruption Mechanism”.

⁷³ It is an independent entity with administrative and financial autonomy, whose mission is to promote transparency and integrity in public action and to ensure the effectiveness of policies to prevent corruption and related offences. Ministerial Implementing Order No. 155-B/2023.

⁷⁴ MENAC (2025), Recommendations 1/2024 (updated and expanded in 2025), 7/2024, 8/2024, 9/2024.

⁷⁵ Decree-Law No. 109-E/2021.

⁷⁶ National Anti-Corruption Strategy 2020-2024, 2024 Rule of Law Report, Portugal, p. 17.

⁷⁷ MENAC, 2024 Annual Report, p. 9.

⁷⁸ It allows organisations with 50 or more employees to submit documents essential to compliance with the General Regime for the Prevention of Corruption, such as corruption prevention plans and implementation reports. So far, 12 000 entities notified their obligations through the platform. MENAC (2025), p. 31.

⁷⁹ Country visit Portugal, MENAC.

⁸⁰ This is particularly important as local government remains a risk area for corruption. Portuguese Government, written input, p. 15.

⁸¹ Decree-Law approving the institutional restructuring of the National Anti-Corruption Mechanism (MENAC). Portuguese Government (2025).

⁸² The President of the Republic promulgated the Government's Decree-Law on 10 April 2025.

⁸³ On 31 December 2024, 12 members of staff were recruited while 15 vacancies were unfilled. MENAC (2025), pp. 20-22.

⁸⁴ Country visit Portugal, MENAC.

⁸⁵ Country visit Portugal, Observatory of Economy and Fraud Management, Transparency International – Portugal.

⁸⁶ The 2024 Rule of Law Report recommended to Portugal to: “[c]ontinue efforts made to ensure sufficient resources for preventing, investigating and prosecuting corruption [...]”.

⁸⁷ Portuguese Government, written input, p. 14.

across criminal law areas, it is expected that this will contribute to better investigating corruption cases, which requires long periods of training, and where difficulties in retaining staff continue to be reported⁸⁸. The authorities inform that the Central Investigation and Prosecution Department (DCIAP) has also received reinforced resources to work on anti-corruption matters⁸⁹. Resources foreseen for fighting foreign bribery have also increased in 2024⁹⁰. As regards the financial resources of the Inspectorate General of Finance (IGF), an increase of 7% is foreseen for 2025 compared to 2024. It is also planned to hire 30 new inspectors in 2025 and 15 more in 2026 for the specific task of preventing and combating corruption in local authorities⁹¹. Stakeholders acknowledge the positive impact of the measures that have been implemented in the last years⁹², with some noting however that the shortage of prosecutors and clerks⁹³, lack of specialised advisers and outdated IT equipment⁹⁴ has an impact on handling corruption cases by the prosecution. Overall, given the tangible efforts made to recruit new staff and various further measures in the pipeline, significant progress has been made to ensure sufficient resources for preventing, investigating and prosecuting corruption.

While corruption cases remain a priority, there are challenges in ensuring the timely investigation, prosecution and adjudication of high-level corruption cases. Generally, corruption cases, including those on foreign bribery⁹⁵, are handled efficiently and as a matter of priority⁹⁶. In parallel, the authorities continue to face difficulties in handling high-level corruption cases in a timely manner, which poses the risk that these cases become time-barred⁹⁷. Significant delays were noted in relation to some high-level corruption cases, some of them pending for over a decade and remaining in pre-trial stage. In 2024, for the first time, the authorities had recourse to a procedure against delaying manoeuvres, which allowed to proceed in a more expedite manner with these cases⁹⁸. The EPPO investigated 8 corruption cases, which account for 5% of the total number of EPPO cases in Portugal⁹⁹.

⁸⁸ Country visit Portugal, Criminal Police, Office of the Prosecutor General.

⁸⁹ Country visit Portugal, DCIAP.

⁹⁰ This relates also to the resources to fight foreign bribery. Implementing OECD (202x), p. 5.

⁹¹ These will integrate the IGF and the Inspectorate-General for Agriculture, Sea, Environment and Spatial Planning.

⁹² Country visit Portugal, Criminal Police, IGF.

⁹³ See also Pillar I – Quality.

⁹⁴ Country visit Portugal, Office of the Prosecutor General and the Criminal Police.

⁹⁵ While there have so far been no convictions or sanctions imposed for foreign bribery, the authorities inform on seven ongoing cases and indictment of eight natural persons and one company in two complex ongoing cases. OECD (2024).

⁹⁶ In 2024, 504 reports on corruption were submitted (41% from anonymous complaints, 22% from whistleblowing submissions). Also in 2024, corruption charges were brought in 81 cases, 16 convictions were taken and 2 acquittals. In 2024, the average time for proceedings leading to a judgment was 6.8 years. MENAC (2025), pp. 62, 70, 77. In 2023, charges were brought against 74 natural persons and 3 legal persons (in comparison to 117 natural persons in 2022). Also in 2023, 47 convictions against natural persons were taken (in comparison to 87 natural persons in 2022). In terms of sanctions imposed for corruption offences in 2023, there were 49 sanctions (in comparison to 87 in 2022). Portuguese Government (2025), written input. Country visit Portugal, Secretariat General of the Presidency of the Council of Ministers.

⁹⁷ 2024 Rule of Law Report, Portugal, p. 13.

⁹⁸ Art. 670, Code of Civil Procedure.

⁹⁹ EPPO (2025), p. 49.

There was significant progress in ensuring effective monitoring and verification of asset declarations by the Transparency Entity¹⁰⁰. In 2024, the reform entrusting monitoring and verification of asset declarations of political and senior public officials to the Transparency Entity¹⁰¹ entered into force, and the Electronic Platform, which enabled political office holders to fulfil their reporting obligations, started operating¹⁰². Since then, 2 626 single declarations were submitted via the Electronic Platform¹⁰³, and 789 of them were completed. In parallel, 158 notifications on possible non-compliance were issued. Whereas the Anticorruption Agenda envisaged an evaluation of the functioning of the Entity to assess the need of amendments to its legislative framework¹⁰⁴, this could not be finalised before the end of the legislature. While the declarations remain publicly accessible upon request, civil society considers that the interpretation of the law regarding public access to the declarations is too narrow¹⁰⁵. Despite some remaining concerns¹⁰⁶, the ongoing first task of ensuring effective monitoring and verification of asset declarations by the Transparency Entity has been progressing well so far¹⁰⁷. In view of the above, significant progress has been made to ensure the effective monitoring and verification of asset declarations by the Transparency Entity.

Shortcomings in the integrity framework remain to be addressed under the new legislature. The existing shortcomings and lack of efficiency of the existing rules on integrity have been widely criticised¹⁰⁸. The code of conduct adopted in 2024, in line with GRECO recommendations, addressed the main issues. It however did not include a clear enforcement mechanism for non-compliance with the code. Moreover, concerns have been raised regarding the lack of publication of the registry of interests of the members of the Government¹⁰⁹. While reporting channels for whistleblowing within the Government have been established, the risk prevention plan, which had been announced in the Anti-corruption

¹⁰⁰ The 2024 Rule of Law Report recommended to Portugal to: ‘[e]nsure the effective monitoring and verification of asset declarations by the Transparency Entity’.

¹⁰¹ Article 5 of Organic Law No. 4/2019.

¹⁰² Members of the Assembly of the Republic, members of the Government and heads of cabinet of members of the Government who have ceased or commenced office following the parliamentary elections of 10 March 2024, as well as Members of the European Parliament who ceased or commenced office following the elections to the European Parliament of 9 June 2024. Currently, the staff was raised to 10 persons and procedures are ongoing for 3 other posts. Portuguese Government, written input, pp. 13-14. Country visit Portugal, Entity for Transparency.

¹⁰³ In addition, 298 requests for consultation of the information contained in the declarations were submitted (269 were accepted and 4 were rejected) as well as 21 requests from the officeholder to object access to the information contained in the declaration (4 were granted, 2 partially granted, 8 rejected and 6 were concluded on other grounds for terminating the procedure). Portuguese Government (2025), written input, p. 14.

¹⁰⁴ Portuguese Government, written input, p. 14.

¹⁰⁵ The Entity reports that requests for access to declarations have increased by 41%. Country visit Portugal, Transparency Entity. Observador (2024). Expresso (2024).

¹⁰⁶ In particular, in relation to the dependence on the Constitutional Court, its geographical distance from the Constitutional Court, the current lack of the interoperability of the platform, in particular with the Bank of Portugal, and the potentially burdensome manual checks of the information inserted in the platform. 2024 Rule of Law Report, Portugal, pp. 21-22.

¹⁰⁷ It is expected that following the parliamentary elections on 18 May 2025 and the submission of the relevant declarations by the new Members of Parliament and members of the Government within 60 days from the date they enter office, the Transparency Entity will monitor and verify them.

¹⁰⁸ 2024 Rule of Law Report, Portugal, p. 20.

¹⁰⁹ The latest available publication refers to the Government that ceased functions in March 2024; Parliament (2024).

Agenda, is only now starting to be implemented¹¹⁰. On 22 May 2025, MENAC issued a recommendation to the new Government to adopt the tools for the prevention of corruptions risks within 60 days of taking up office¹¹¹. Stakeholders also consider that the remaining gaps should be addressed through tailor-made rules under the new legislature¹¹².

Initial efforts were made under the previous legislature to address lobbying, which so far remains unregulated. Despite political consensus in line with the Anti-Corruption Agenda¹¹³, initial efforts to introduce a lobbying bill¹¹⁴ were cut short by the early termination of the legislature¹¹⁵. As a consequence, lobbying remains unregulated, despite long standing GRECO recommendations¹¹⁶ and criticism from civil society¹¹⁷. Particular concerns have been raised in relation to areas considered as high-risk for corruption, including urban planning, also in the context of the discussion of legislative proposals, for example those on the legal framework for territorial management instruments¹¹⁸. The importance of introducing rules on lobbying is underlined also by recent high-level corruption investigations involving holders of public office, at national, local and regional level¹¹⁹. The system of preventive audit over the EU-funded projects was amended. Businesses' attitudes towards corruption in the EU show that 20% of companies in Portugal (EU average 25%) think that corruption has prevented them from winning a public tender or a public procurement contract in practice in the last three years¹²⁰. 68% of companies perceive the level of independence of the public procurement review body (Administrative and Tax Courts) as very or fairly good¹²¹. The Single Market and Competitiveness Scoreboard on access to public procurement in Portugal reports 21% of single bids for 2023 (29% EU average). In December 2024, with the aim to speed the execution of the EU-funded projects¹²², new rules came into force which amend the Court of Auditors' preventive control over contracts financed or co-financed by European funds, with no time or value limit¹²³.

¹¹⁰ Country visit Portugal, Secretariate-General of the Presidency of the Council of Ministers. The risk prevention plan was published on 5 June 2025 (Portuguese Government (2025b)).

¹¹¹ The rules are to be subject to an annual assessment. They are to be applicable to the members of the government, members of their cabinets, senior managers of the direct administration of the State, heads of public institutes and public managers.

¹¹² Country visit Portugal, Observatory of Economy and Fraud Management, Transparency International – Portugal.

¹¹³ Portuguese Government (2024), which includes a Code of Conduct for lobbying, as well as a register of interest representatives and meetings that took place with public officials.

¹¹⁴ The legislative procedures relating to the proposals already presented in this legislature in Parliament are underway, namely bills no. 179/XVI/1a (PAN), 190/XVI/1a (IL), 346/XVI/1a (PSD) and 366/XVI/1a (CH).

¹¹⁵ Country visit Portugal, Services of the Assembly of the Republic.

¹¹⁶ GRECO (2024), para. 70.

¹¹⁷ Country visit Portugal, Observatory of Economy and Fraud Management, Transparency International – Portugal.

¹¹⁸ Country visit Portugal, Services of the Assembly of the Republic. While the President of the Republic promulgated the Decree-Law, it was highlighted that the corruption prevention aspects still need to be further developed (President of the Republic (2025)).

¹¹⁹ 2024 Rule of Law Report, Portugal, p. 20.

¹²⁰ Flash Eurobarometer 557 on Businesses' attitudes towards corruption in the EU (2025). This is 5 percentage points below the EU average.

¹²¹ Figure 59, 2025 EU Justice Scoreboard.

¹²² The implementation of the RRP suffered delays, which, given the short deadlines for using the funds, generated strong pressure and incentives to speed up its execution. Portuguese Government (2024a).

¹²³ Law 20/XVI/1 amending Law 30/2021 which approves special public procurement measures. While the Court of Auditors was consulted during the legislative process, this was only in the initial phase and subsequent changes included broadening to include all EU funded projects, without a new consultation of the Court.

While such contracts remain subject to the preventive control of the Court of Auditors, the suspending effect of a control of projects was limited to exceptional instances. Stakeholders pointed out that the new rules may lead to an increase in corruption risks¹²⁴.

III. MEDIA PLURALISM AND MEDIA FREEDOM

The Media Regulatory Authority continues to carry out its tasks and has reinforced financial resources. Examples of recent activity by the Media Regulatory Authority (ERC) are its ongoing collaborations with the Ministry of Justice on the preparatory work for the transposition of the EU anti-SLAPPs Directive and projects with the OSCE Representative on Freedom of the Media, such as the Safety of Journalists Toolbox¹²⁵. Regarding resources, ERC is to receive an overdue amount from two preceding years of around EUR 3 million. This amount stems from the net profits of the share participation in the fees for use of the radio spectrum paid to ICP-ANACOM (the national regulatory authority for postal communications and electronic communications) as remuneration for use of a public asset. Its recoup, in addition to the increase of state budget funding proportionate to the increased number of taxpayers, is noted positively by the regulator, in contrast with previously reported shortcomings¹²⁶. A legislative amendment envisaged by the transition Government allowing the direct transfer from ANACOM instead of via the State Treasury is also perceived as a needed improvement contributing to stabilising the regulator's funding model, ensuring greater predictability and responding to operational needs more quickly and efficiently¹²⁷. Regarding the resources allocated to the media regulator, the MPM 2025 for Portugal considers that adequate budgetary conditions to strengthen ERC's activity are still lacking¹²⁸.

A comprehensive Media Action Plan was presented by the Government. A Media Action Plan including 30 measures was presented by the Government in October 2024¹²⁹. Among the planned measures are the codification of national media laws, an action plan for journalists' safety and commitments to support regional and local media¹³⁰. There is a consensus among stakeholders that this plan is a positive step forward, although it may not be sufficient to address all existing challenges¹³¹.

A new concession contract with the public service media provider has been signed and its resources strengthened and streamlined. Following a public consultation, a new

¹²⁴ Country visit Portugal, Observatory of Economy and Fraud Management, Transparency International – Portugal. The estimated value of EU-funded projects affected by the new rules is considerable, in particular only 31% of projects received the visa in 2024. IMPIC (2024). Between 20 June 2021 and 30 June 2024, the Court received information on the conclusion of 1582 contracts involving a total amount of 238.8 million euros, in addition to 50 contracts subject to preventive inspection, for a total amount of 89 million. Court of Auditors (2024a).

¹²⁵ Country visit Portugal, ERC.

¹²⁶ Country visit Portugal, ERC.

¹²⁷ Country visit Portugal, PT Media Lab and ERC.

¹²⁸ Media Pluralism Monitor (2025), p. 7.

¹²⁹ Country visit Portugal, PT Media.

¹³⁰ Portuguese government (2024b), p. 37.

¹³¹ Country visit Portugal, Union of Journalists, the Journalists Professional License Commission, ICNOVA and Private media association. The measures proposed in the plan are regarded as insufficient, for example, to address competition by digital platforms or to address local asymmetries in terms of media presence, notably radios; some are also considered risky due to their execution by local authorities, which may create undue dependencies. The absence of an accompanying study to support the proposals included in the plan was also noted.

concession contract with *Rádio e Televisão de Portugal* (RTP) was signed in March 2025, 10 years after its last revision¹³². The state budget foresees a financing increase for RTP that corresponds to the amount of cumulated loss of income of around EUR 80 million resulting from the inflation update of the annual audiovisual tax that had not been done since 2017¹³³, in addition to the continuous increase in the number of people from whom the audiovisual tax is collected. In contrast, a proposal to cut commercial advertising by two minutes per hour that was included in the Government's Media Action Plan¹³⁴ was rejected during the voting of the budget in Parliament. Moreover, as foreseen in the Media Action Plan and made possible by the state budget for 2025,¹³⁵ RTP has started a staff restructuring in March 2025, whereby around 250 employees are to leave the public service media on the basis of amicable termination of contracts, with 80 employees already doing so as of December 2025¹³⁶. According to RTP, both the new concession contract and the ongoing staff restructuring reflect the need to modernise the offer of the public service media provider, particularly with regard to non-linear services and in view of new consumption habits, including those of younger audiences, which requires a more skilled workforce¹³⁷.

The LUSA News Agency is now nearly fully owned by the state. The Government has increased its stake in the news agency to 95.86% while envisaging to acquire the remainder of the shares¹³⁸. A new governance model including a multi-sectorial Supervisory Board is foreseen by the Government's Media Action Plan with the objective of guaranteeing LUSA's editorial independence¹³⁹. Although the new governance model is yet to be further defined, the state budget funding allocated to LUSA has increased to EUR 21.5 million in 2025 from EUR 18.1 million in 2024¹⁴⁰. These developments are regarded as positive, especially in light of the market role played by the news agency, even if their impact on matters like staffing, salaries, transparency, independence and pluralism is still to be assessed¹⁴¹.

Following the unprecedented suspension of voting and property rights within one media group, the national regulator submitted to Parliament and the Government proposals to amend the legislative framework. ERC is responsible for the monitoring of transparency of media ownership¹⁴². In July 2024, the regulator presented the Parliament and the Government with proposals to amend the Media Transparency Law, notably regarding the mechanism for the suspension of voting and property rights in cases of lack of transparency of ownership¹⁴³. This provision was used for the first time in the Global Media Group case¹⁴⁴. According to

¹³² Portuguese Government (2025), written input, p. 25; Country visit Portugal, PT Media Lab and RTP.

¹³³ Law No. 45-A/2024 of December 31. 2024 Rule of Law Report, p. 26.

¹³⁴ Portuguese Government (2024b), p. 10.

¹³⁵ Portuguese Government (2024b), p. 11.

¹³⁶ Country visit Portugal, RTP.

¹³⁷ Country visit Portugal, RTP.

¹³⁸ Portuguese Government (2024b), p. 13. Country visit Portugal, PT Media Lab.

¹³⁹ Portuguese Government (2024b), p. 13.

¹⁴⁰ Media Pluralism Monitor (2025), p. 6.

¹⁴¹ Country visit Portugal, Union of Journalists, the Journalists Professional License Commission, ICNOVA and Private media association.

¹⁴² Law No. 78/2015, 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.

¹⁴³ Country visit Portugal, PT Media Lab and ERC.

¹⁴⁴ Media Pluralism Monitor (2025), pp. 8-9. 2024 Rule of Law Report, Portugal, p. 27. Country visit Portugal, PT Media Lab and ERC.

ERC, this decision, although seen as coming late¹⁴⁵, was prioritised and took nearly one year to adopt due to the complexity of the case¹⁴⁶. Overall, this outcome is regarded by stakeholders as a positive result of the existing legal framework. The amendments are also seen as needed to facilitate future decisions¹⁴⁷. The MPM 2025 for Portugal has adjusted its score from high risk to very high risk when it comes to media plurality since the media landscape in Portugal remains highly concentrated¹⁴⁸.

Some steps have been taken to address concerns about the precarity of journalists' posts and deteriorating working conditions. The outcome of the Global Media Group case, namely the conclusion of the restructuring process whereby several of Global Media Group's outlets were acquired by Portuguese investors¹⁴⁹, is positively evaluated by stakeholders since it avoided layoffs¹⁵⁰. Nevertheless, issues are still reported regarding low salaries and the enforcement of the collective labour agreement for the press¹⁵¹. Moreover, the Media Action Plan commits to new incentive mechanisms aimed at the hiring of more journalists and the creation of more jobs with permanent contracts for all media¹⁵². While generally the Media Action Plan was positively received by journalists' associations, some points of criticism relate, for instance, to the allocated budget and to the limitation of the type of entities who may apply to the financial incentives foreseen¹⁵³. In addition, the announced subsidising of digital subscriptions and free digital subscriptions for high school students, intended to boost the media sector's competitiveness, are regarded as insufficient in themselves to ensure the sustainability of news media¹⁵⁴.

The number of incidents affecting journalists has decreased, while some concerns regarding restrictions hindering journalistic reporting 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 2024 Rule of Law Report, relating to physical attacks and harassment of journalists¹⁵⁵. The Media Freedom Rapid Response monitor for Portugal reported ten alerts since July 2024, relating, respectively, to intimidation, threatening or physical injury, and access to information¹⁵⁶. No SLAPP cases were reported since the publication of the 2024 Rule of Law Report¹⁵⁷. Overall, stakeholders deem that the number of alerts is not alarming¹⁵⁸. As regards access to information, the Journalists' Union

¹⁴⁵ 2024 Rule of Law Report, Portugal, p. 27.

¹⁴⁶ Which implied the need to consult all interested parties and gather all relevant information in order to substantiate with certainty a strong limitation of shareholders rights that are protected by the Portuguese Constitution (Country visit Portugal, ERC).

¹⁴⁷ Country visit Portugal, Union of Journalists, the Journalists Professional License Commission, ICNOVA and Private media association.

¹⁴⁸ Media Pluralism Monitor (2025), p. 21.

¹⁴⁹ Diário de Notícias (2024).

¹⁵⁰ Estimated between 150 and 200. Country visit Portugal, Union of Journalists, the Journalists Professional License Commission, ICNOVA and Private media association.

¹⁵¹ Country visit Portugal, Union of Journalists.

¹⁵² Portuguese Government (2024b), pp. 20, 21.

¹⁵³ Country visit Portugal, Union of Journalists.

¹⁵⁴ Country visit Portugal, Union of Journalists, the Journalists Professional License Commission, academia and a private media association.

¹⁵⁵ Council of Europe Platform to promote the protection of journalism and safety of journalists (2025). In both instances, the Portuguese authorities have replied.

¹⁵⁶ Media Freedom Rapid Response monitor (2025). For example, on 17 August 2024, authorities in Madeira reportedly obstructed the work of journalists covering the forest fires on the island.

¹⁵⁷ Country visit Portugal, Union of Journalists.

¹⁵⁸ Country visit Portugal, Union of Journalists and the Journalists Professional License Commission.

expressed specific concerns about the restrictive interpretation of the law allowing access to politicians' asset declarations by the Transparency Entity, arguing that it poses a threat to press freedom¹⁵⁹. Moreover, there have been reports of difficulties in the recognition of professional credentials, hindering access to and coverage of events at venues like football stadiums and Parliament¹⁶⁰.

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

With the early end of the legislature, no progress was made in finalising the reforms to improve the transparency of law-making¹⁶¹. Due to the dissolution of Parliament on 20 March 2025, it was not possible to proceed with the implementation of *ex ante* impact assessment tools, as envisaged in the Parliament's Rules of Procedure¹⁶², and the process for reviewing and updating the Parliament's legal drafting technical guide could not be completed. The Parliament's new tool for citizens' participation in the legislative procedure was launched in March 2025, but it has not yet been implemented, and its functioning will be assessed under the new legislature¹⁶³. Whereas the Anti-Corruption Agenda adopted in June 2024 included measures expected to improve the transparency of the legislative processes led by the Government, including the finalisation of the 'legislative footprint' system¹⁶⁴, these could not be implemented before the end of the legislature¹⁶⁵. No further steps could be taken to increase *ex post* impact assessment, which remained limited to selected acts¹⁶⁶. Overall, due to the dissolution of the Parliament and limited duration of the legislature, there has been no progress in finalising the reforms to improve the transparency of law-making, particularly on the implementation of impact assessment tools.

Less than half of the companies surveyed in Portugal express confidence in the effectiveness of investment protection. 44% of companies are very or fairly confident that investments are protected by law and courts¹⁶⁷. The main reason among companies for their lack of confidence is the difficulty to obtain a fair compensation or to protect property when something goes wrong (31%)¹⁶⁸. As regards authorities relevant for economic operators, 70% of companies perceive the level of independence of the national competition authority (Portuguese Competition Authority) as very or fairly good¹⁶⁹. A number of judicial mechanisms are in place at the level of the Supreme Administrative Court to ensure the implementation of administrative court judgments, including fines for responsible officials

¹⁵⁹ Under the provisions of Law No. 52/2019, any citizen seeking access to these declarations must now submit a "reasoned request". Expresso (2024a).

¹⁶⁰ Country visit Portugal, Journalists' Professional License Committee.

¹⁶¹ The 2024 Rule of Law Report recommended to Portugal to: "[f]inalise the reforms to improve the transparency of law-making, particularly on the implementation of impact assessment tools".

¹⁶² Country visit Portugal, Services of the Assembly of the Republic. See also 2024 Rule of Law Report, Portugal, p. 29.

¹⁶³ Country visit Portugal, Services of the Assembly of the Republic.

¹⁶⁴ Establishing the mandatory recording of any intervention of external entities in the legislative process (2024 Rule of Law Report, Portugal, pp. 29-30).

¹⁶⁵ Country visit Portugal, Secretariat General of the Presidency of the Council of Ministers.

¹⁶⁶ *Ex ante* impact assessment of Government legislative drafts continued to be ensured. Portuguese Government (2025), written input, pp. 27-28.

¹⁶⁷ Figure 54, 2025 EU Justice Scoreboard. See also 2025 European Semester, Portugal, pp. 10-11.

¹⁶⁸ Figure 55, 2025 EU Justice Scoreboard. 20% and 23% of the surveyed investors respectively perceive the frequent changes in legislation or concerns about the quality of the law-making process and the quality, efficiency or independence of justice as a reason for the lack of confidence in investment protection.

¹⁶⁹ Figure 60, 2025 EU Justice Scoreboard.

for non-compliance, the possibility to substitute the annulled administrative act, and to award direct damages and compensation¹⁷⁰.

On 1 January 2025, Portugal had 19 leading judgments of the European Court of Human Rights pending implementation, an increase of 3 compared to the previous year¹⁷¹. At that time, Portugal's rate of leading judgments from the past 10 years that had been implemented was 48% (compared to 56% in 2024; 52% remained pending), and the average time that the judgments had been pending implementation was 5 years and 6 months (compared to 5 years and 9 months in 2024)¹⁷². The oldest leading judgment, pending implementation for over 13 years, concerns the fairness of criminal proceedings¹⁷³. As regards the respect of payment deadlines, on 31 December 2024 there were 8 cases in total awaiting confirmation of payments (compared to 16 in 2023)¹⁷⁴. On 16 June 2025, the number of leading judgments pending implementation had decreased to 18¹⁷⁵. Following discussions with the Department of Execution of Judgments of the European Court of Human Rights regarding the high number of cases concerning freedom of expression¹⁷⁶, the Government has proposed to the Centre for Judicial Studies (CJS) to include specific training on the right to freedom of expression and the European Court of Human Rights' related case-law in the training plan for judges and prosecutors. The translation of selected European Court of Human Rights rulings concerning Portugal and Article 10 ECHR is being prepared, and this compendium will be added to the CJS syllabus¹⁷⁷.

The Office of the Ombudsperson continues to deal with a high number of complaints regarding administrative delays. The Ombudsperson was re-accredited with 'A' status by the UN Global Alliance of National Human Rights Institutions (GANHRI) in May 2024¹⁷⁸. In 2024, the Ombudsperson continued to receive a high number of complaints submitted by foreign nationals, particularly regarding long processing times of residence permits by the administration¹⁷⁹. The institution has raised concerns that the number of urgent judicial proceedings to compel the administration to decide in such cases may lead to further pressure on the justice system¹⁸⁰. Following citizens' complaints, the Office of the Ombudsperson has launched an investigation on alleged violations of the principles of the rule of law and human dignity, in the context of a large-scale police raid occurred in December 2024. The investigation is ongoing¹⁸¹. Despite the high number of complaints, the institution reports that

¹⁷⁰ Figure 49, 2025 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.

¹⁷¹ For an explanation of the supervision process, see the [website](#) of the Council of Europe.

¹⁷² 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 2025. EIN (2025), written input, p. 7.

¹⁷³ Judgment of the ECtHR, 19808/08, *Moreira Ferreira v. Portugal*, pending implementation since 2011.

¹⁷⁴ Council of Europe (2025), p. 157.

¹⁷⁵ Data according to the online database of the Council of Europe (HUDOC).

¹⁷⁶ Council of Europe, written input, p. 2.

¹⁷⁷ Country visit Portugal, Ministry of Justice.

¹⁷⁸ Global Alliance of National Human Rights Institutions (GANHRI), Sub-Committee on Accreditation (SCA) (2024).

¹⁷⁹ ENNRHI (2025), p. 367.

¹⁸⁰ ENNRHI (2025), p. 366. While the Ombudsperson's mandate does not cover the functioning of the justice system, the Office reports that it received a high number of complaints concerning delays in judicial proceedings (Country visit Portugal, Office of the Ombudsperson). See also 2024 Rule of Law Report, Portugal, p. 31.

¹⁸¹ Country visit Portugal, Office of the Ombudsperson. Público (2025).

it can effectively fulfil its mandate. The Ombudsperson reports good cooperation with the authorities and continues to play an active role in legislation and policy making¹⁸².

Civil society organisations continue to operate without constraints, and new measures to improve access to financing have been introduced. The civil society space continues to be considered as open¹⁸³. However, isolated cases of harassment of members of civil society organisations (CSOs) active in the support of minorities continue to raise particular concerns¹⁸⁴. The rights of human rights defenders are well protected under general laws¹⁸⁵. CSOs continue to be able to participate in decision making processes, and are actively involved in consultative and participatory bodies, and in the discussion of sector-specific national strategies and actions plans¹⁸⁶. Stakeholders report that the number of funding opportunities launched by the Government have further increased, and CSOs have welcomed the increase in the amount of annual tax payments that taxpayers can allocate to CSOs¹⁸⁷. Targeted funding aimed at supporting CSOs' technical and financial capacities is also available¹⁸⁸.

¹⁸² ENNRHI (2025), p. 363.

¹⁸³ Rating by CIVICUS; ratings are on a five-category scale defined as: open, narrowed, obstructed, repressed and closed.

¹⁸⁴ Country visit Portugal, Platform NGOD. 2024 Rule of Law Report, Portugal, pp. 31-32. Civil Society Europe (2025), written input, p. 11.

¹⁸⁵ FRANET (2025), p. 14.

¹⁸⁶ ENNHRI (2025), p. 364; FRANET (2025), p. 6.

¹⁸⁷ Country visit Portugal, Platform NGOD.

¹⁸⁸ FRANET (2025), p. 9.

Annex I: List of sources in alphabetical order*

* The list of contributions received in the context of the consultation for the 2025 Rule of Law report can be found at https://commission.europa.eu/publications/2025-rule-law-report-targeted-stakeholder-consultation_en.

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Annex II: Country visit to Portugal

The Commission services held virtual meetings in April 2025 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)
- Media Authority – Regulatory Entity for Social Communication
- MENAC (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 Presidency of the Council of Ministers
- 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:

- Amnesty International
- Araminta
- Civil Liberties Union for Europe
- Civil Society Europe

- European Civic Forum
- European Partnership for Democracy
- European Youth Forum,
- International Commission of Jurists
- International Federation for Human Rights (FIDH)
- JEF Europe
- Philea – Philanthropy Europe Association.
- Transparency International