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Accompanying the document

2026 Rule of Law Report

The rule of law situation in the European Union

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ABSTRACT

In Austria, the level of perceived judicial independence is now very high among both the general public and companies. Concerns persist as regards the system of appointments of administrative court presidents and vice-presidents by the executive without consistent involvement of the judiciary. A draft reform to establish a Federal Prosecution Service has been presented in June 2026 and submitted to public consultation. The Minister of Justice continues to make use of the right to instruct prosecutors in individual cases. Resources for the judiciary remain stable, but no additional posts could be allocated due to the overall context of budgetary consolidation. Discussions on the reform of the evaluation of judges are progressing, with a test phase of new feedback tools planned in spring 2026. The court fee system at ordinary courts continues to present challenges for access to justice, notably due to the absence of a cap on court fees. The justice system continues to operate efficiently, and overall, digitalisation continues to progress well at ordinary courts.

With the National Anti-Corruption Action Plans 2023-2025 concluded, the preparation for the next action plans 2026-2028 has started. High-level corruption cases are effectively prosecuted, while reporting obligations and the new rules on seizure of electronic devices are seen as a burden on prosecution services. There have been no further steps to introduce rules on the disclosure of assets and interests for Members of Parliament. A code of conduct for Ministers has been drafted at technical level and the preparation of an asset declaration system for Ministers is ongoing. There have been no steps to strengthen the lobbying framework. Shortcomings in the framework on secondary employment and outside activities of civil servants have been identified. The new competence of the Court of Audit in auditing political party financial statements have increased transparency and accountability of party financing. The web-based reporting channels for whistleblowers continue to function well. Mitigating measures continue to be taken to strengthen integrity in public procurement, which is still seen as an area at high risk of corruption.

The media regulator continues to operate independently, with its administrative body maintaining adequate resources. Continued financial pressure of the Austrian Press Council was mitigated sufficiently to allow some increase in staffing. Amendments to the rules on the appointments of the public service broadcaster supervisory body strengthened its independence. The economic situation of private media operators continues to deteriorate. Further steps have been taken to improve the transparency and fair distribution of state advertising. The Freedom of Information Act, now in force, is considered as an important step for transparency. Some steps are being taken to address challenges regarding the working environment for journalists.

Efforts to increase participatory policymaking are ongoing, while stakeholders report growing challenges as regards the length of pre-parliamentary consultation procedures. The new Ombudsman Board was appointed in May 2025, but so far there has been no follow-up yet to the announcement to strengthen the appointment procedure and introduce hearings. Civil society organisations continue to operate in an open environment, while facing additional scrutiny as regards their funding against a background of overall budgetary restrictions.

RECOMMENDATIONS

Overall, based on the recommendations in the 2025 Rule of Law Report, and considering other developments that took place in the period of reference, the Commission concludes the following:

- No progress has been made to address the need for involvement of the judiciary in the appointment of administrative court (vice-)presidents. Therefore, and in view of persisting concerns, it is recommended to Austria to *step up efforts to address the need for involvement of the judiciary in the procedures for appointment of court presidents of administrative courts, taking into account European standards on judicial appointments and the selection of court presidents.*
- Some progress has been made on establishing an independent Federal Prosecution Office, as a draft reform has been presented and submitted to public consultation. Therefore, it is recommended to Austria to *take forward the reform to establish an independent Federal Prosecution Office, taking into account European standards on the independence and autonomy of the prosecution, including to ensure the independent operation of the specialised anti-corruption prosecution.*
- No further progress has been made to introduce rules on the disclosure of assets and interests for Members of Parliament as no steps were taken under the new legislative period to advance the matter since the last discussion of parliamentary groups on the introduction of such rules in May 2025. Therefore, it is recommended to Austria to *introduce effective rules on assets and interests' declaration for Members of Parliament, including effective monitoring and sanctioning mechanisms.*
- No progress has been made to strengthen the lobbying framework as no steps have been taken to extend the scope of application of the lobbying legislation and the obligations to share information publicly in the transparency register. Therefore, it is recommended to Austria to *adopt a legislative proposal to strengthen the framework on lobbying, including the transparency register.*

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

- Significant progress has been made to take steps to ensure proper implementation and enforcement as regards the fair distribution of state advertising, in light of the adoption of legislation and government guidelines regulating the matter. Given that the topics of this recommendation are covered by provisions of the European Media Freedom Act (EMFA), while the Rule of Law Report will continue to monitor significant developments and report on their impact, further follow-up will be ensured as part of the Commission's support to Member States and enforcement of the EMFA.

I. JUSTICE SYSTEM¹

Independence

The level of perceived judicial independence in Austria is now very high among both the general public and companies. Overall, 84% of the general population and 76% of companies perceived the level of independence of courts and judges to be ‘fairly or very good’ in 2026². The perceived judicial independence among the general public has slightly decreased in comparison with 2025 (87%), and has slightly increased in comparison with 2022 (83%). The perceived judicial independence among companies has increased in comparison with 2025 (71%), and has slightly decreased in comparison with 2022 (77%).

There has been no progress on the recommendation to address the need for involvement of the judiciary in the appointment of administrative court (vice-)presidents³. The system of such appointments does not consistently involve the judiciary and there are no clear requirements to be selected among already appointed judges, with different procedures applicable for each of the eleven administrative courts and the Supreme Administrative Court. Concerns flagged in previous reports⁴ therefore persist, including with respect to European standards⁵. Recent examples include the appointment of the President and Vice-President of the Supreme Administrative Court by the executive without involvement of the judiciary⁶ and of the Vice-Presidents of the regional courts of Styria and Upper Austria⁷. Moreover, there is no judicial review of judicial appointment decisions. In October 2025, the Consultative Council of European Judges of the Council of Europe (CCJE) adopted an opinion highlighting a number of concerns regarding the disciplinary system at the administrative court of Vienna⁸, notably linked to the function of the President and its subordination to instructions in administrative matters to the executive, as well as a lack of clear legal definition of disciplinary offences for judges, which are also highlighted by stakeholders⁹. However, the Office of the Provincial Government of Vienna has underlined the conformity of the system with the Austrian Constitution and case law of the Supreme

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

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

³ The 2025 Rule of Law Report recommended to Austria to “[a]ddress the need for involvement of the judiciary in the procedures for appointment of court presidents of administrative courts, taking into account European standards on judicial appointments and the selection of court presidents.” No progress was previously assessed on this recommendation in 2025, 2024 and 2023.

⁴ 2025 Rule of Law Report, Austria, p. 3.

⁵ According to Council of Europe recommendations, if the executive takes decisions regarding the selection of judges, an independent and competent authority drawn in substantial part from the judiciary should be authorised to make recommendations or express opinions that the executive follows in practice. CCJE (2016), para. 38. Committee of Ministers (2010), para. 47. Judgment of the CJEU, case C-896/19, *Repubblika*, para. 57.

⁶ According to the Austrian Constitution (Art. 134 para 4), no proposal of the plenary of the Court is required for these positions. Association of Administrative Judges (2026), written input, pp. 8-9.

⁷ In these two cases there was no involvement of a selection committee composed predominantly of judges, and in one case, the candidate appointed was not previously a judge. Association of Administrative Judges (2026), written input, pp. 8-9.

⁸ CCJE (2025).

⁹ Association of Administrative Judges (2026), written input, pp. 11-12. Association of Administrative Judges (2025a).

Administrative Court¹⁰. While at certain other administrative courts, court presidents are explicitly exempted from instructions by the executive¹¹, the disciplinary systems are overall similar¹². In this light, no progress has been made on the related recommendation.

There has been some progress on the recommendation to establish an independent Federal Prosecutor Office, as a draft law has been presented¹³. On 30 June 2026, the Government submitted a draft law to create a Federal Prosecution Office to public consultation. The proposal aims to separate the prosecution service from its current hierarchical subordination to the Ministry of Justice and ensure that it can perform its functions free from political influence¹⁴. It envisages that the independent Federal Prosecution Office will be headed by a collegial body composed of three Federal Prosecutors elected by Parliament, based on a proposal by an expert commission¹⁵. The Federal Prosecutors will be elected for a six-year, non-renewable mandate, with the chairmanship of the Office rotating every two years between the three members. The Federal Prosecution Office will be subject to parliamentary control, including as regards the votes of the individual Federal Prosecutors in collegial decisions, but not as regards ongoing proceedings¹⁶. The dismissal of a Federal Prosecutor, in addition to regular disciplinary proceedings, will be possible based on the existing procedure to indict Ministers for violations of law, under which Parliament, by absolute majority, can initiate proceedings in front of the Constitutional Court¹⁷. The consultation on the draft law will be open until 31 August 2026. In their initial reactions, some stakeholders have reiterated criticism as regards the perceived impact of the proposed three-person structure and rotating chairmanship on the management and external representation of the institution, as well as regarding the

¹⁰ Office of the Vienna Provincial Government (2026), additional written input, also noting that the fact that (vice-)presidents of Administrative Courts, except for the Supreme Administrative Court, are not exempted from the subordination to the potential instruction of the executive is in line with the requirements of the Austrian Constitution.

¹¹ This is the case in Upper Austria and Burgenland. In other regions, presidents are exempt from instruction in certain areas, which however do not include the supervision of judges, including in disciplinary matters. See Art. 6 of the Law on the Administrative Court of Burgenland and Art. 4 of the Law on the Administrative Court of Upper Austria.

¹² For a comprehensive of disciplinary proceedings at different administrative courts, which vary in precise modalities, see Association of Administrative Judges (2025b). The relevant provisions can in general be found in the laws establishing each administrative court and/or the relevant service legislation for the court. It should be noted that disciplinary measures are decided either by another administrative court or a disciplinary senate of the court itself.

¹³ The 2025 Rule of Law Report recommended to Austria to “[t]ake forward the reform to establish an independent Federal Prosecution Office, taking into account European standards on the independence and autonomy of the prosecution, including to ensure the independent operation of the specialised anti-corruption prosecution.” Limited progress was previously assessed on this recommendation in 2025, and no further progress in 2024 and 2023.

¹⁴ The reform consists of a [constitutional amendment](#) which would establish the new Federal Prosecution Office and an [ordinary law](#) regulating the new Federal Prosecution Office and amending a number of other related laws. See also the [explanatory memorandum](#).

¹⁵ The expert commission will be composed of the President of the Supreme Court, the two longest-serving members of the criminal senates of the Supreme Court, two heads of the Higher Prosecution Offices, the Presidents of the Supreme Administrative and Constitutional Courts, the Presidents of the Federal Chambers of Lawyers and Notaries, and an academic expert. The formal appointment following Parliament’s vote will be by the Federal President. In case there is no majority in Parliament for the candidate(s), the expert commission has to make a new proposal.

¹⁶ The Federal Prosecutor can be required to appear before Parliament twice a year. According to European standards, regular reporting of the prosecution service should not extend to an obligation to report to the Parliament on the details of individual cases; Venice Commission (2022a) para. 23.

¹⁷ This procedure is set out in Art. 76 and Art. 142 of the Austrian Constitution.

appointment and dismissal procedure by Parliament¹⁸. For the reform to be adopted, a constitutional revision requiring a two-thirds majority in Parliament would be required. With the presentation of the draft law, some progress has been made on the recommendation, while important further steps are needed to complete the reform, taking into account European standards on the independence and autonomy of the prosecution¹⁹.

The Minister of Justice continues to make use of the right to instruct prosecutors in individual cases. The Council of Directives (*Weisungsrat*) examined 34 instructions to prosecutors in individual cases by the Minister of Justice in 2025²⁰. The Reports on instructions for 2024 document 28 instructions in individual cases between 2014-2024, covering only concluded cases²¹. As regards reporting obligations for prosecutors to the Ministry of Justice, the situation remains unchanged, with reporting obligations in practice continuing to present a challenge notably for the Central Public Prosecutor's Office for Combating Economic Crimes and Corruption (WKStA), though the Ministry of Justice is reportedly contemplating legislative changes²². The continued use of instructions and the system of reporting obligations underline the relevance of the above-mentioned reform to establish an independent Federal Prosecution Service, which could also contribute to avoiding any perception of possible political influence on the prosecution service²³.

Quality

Resources for the judiciary remain stable, but no additional posts could be allocated due to the overall context of budgetary consolidation. Based on the personnel measuring tool of the Ministry of Justice, the Judges' Association estimates a need of about 250 additional posts to match an increasing workload²⁴. However, in view of overall budget restrictions, no additional posts will be allocated in the civil service, including the judiciary in 2025 and 2026²⁵. The budget for the judiciary for 2025 and 2026 has been increased to cover rising costs associated with inflation²⁶. The Ministry of Justice continues to implement measures aimed at attracting suitable personnel to ensure existing positions can be filled in a context where recruiting qualified staff is increasingly challenging²⁷. The plans in the Government programme to align salaries for judges and prosecutors have not yet been followed up due to budgetary constraints²⁸. Stakeholders continue to highlight an existing gap

¹⁸ Such views have been expressed by the Procurator General, the Association of Prosecutors and the President of the Supreme Court, Procurator General (2026). For statements prior to the publication of the draft law, echoing similar concerns: see Association of Judges (2026), written input, p. 8. Country visit Austria, Association of Prosecutors, Association of Judges, Procurator General's Office, Central Public Prosecutor's Office for Combating Economic Crimes and Corruption (WKStA), Supreme Court.

¹⁹ Notably Committee of Ministers (2000), Venice Commission (2010) and Venice Commission (2022b).

²⁰ Council of Directives (2026), additional written input.

²¹ None of these were instructions to discontinue proceedings. The Report on instructions on 2025 is still pending. Ministry of Justice (2026).

²² Country visit Austria, Senior Prosecutor's Office Vienna. 2025 Rule of Law Report, Austria, p. 4.

²³ Association of Prosecutors (2026), written input, p. 9. This was also one of the conclusions of the final report of the investigative commission set up in 2024 to investigate political influence in the judiciary, Ministry of Justice (2024). GRECO considers that recommendation xii to ensure the operational independence of the WKStA and revise the use of regular reporting to the Ministry of Justice has been partially implemented. GRECO (2025), pp. 16-17.

²⁴ Country visit Austria, Association of Judges. Association of Judges (2026), written input, p. 10.

²⁵ Country visit Austria, Ministry of Justice.

²⁶ An increase of EUR 10.4 million compared to 2025. Austrian Government (2026), written input, p. 4. Austrian Government (2026a), additional written input.

²⁷ Austrian Government (2026), written input, p. 5. See 2025 Rule of Law Report, Austria, p. 5 for details.

²⁸ Country visit Austria, Ministry of Justice.

between judges' and prosecutors' salaries and their pensions²⁹, which authorities pointed out is in line with other civil servants³⁰.

Overall, the digitalisation of justice continues to progress well at ordinary courts. The use of digital tools continues to be widespread in both civil and criminal cases, notably as regards digital solutions to conduct and follow court proceedings³¹. Implementation of the “Justice 3.0” project for the use of digital files has continued and been extended to insolvency and inheritance proceedings, meaning that now 90% of new cases are managed digitally. Full digital transformation of appeal proceedings at the Supreme Court of Justice is planned for 2026³². However, administrative courts still lag behind due to a lack of uniform rules and electronic systems, which continues to create obstacles in practice and leads to regional divergences in the level of digitalisation³³. The implementation of the 2025 reform expanding the publication of judgments online is well-received in practice, although the Federal Bar continues to point to an imbalance in access to judgments between lawyers and judges or prosecutors³⁴. The digital service and information platform of the judiciary “JustizOnline” is now also available in English and links to the new Freedom of Information legislation³⁵.

Discussions on the reform of the evaluation of judges are progressing, with a test phase of new feedback tools planned in spring 2026. Following the exchanges with stakeholders and peer-learning from other Member States that took place in March 2025³⁶, four workshops were held with judges and candidate judges in the second half of 2025 to help the Ministry of Justice determine the type of feedback useful for their professional and personal development and the type of tools to be used. The results of these workshops are being evaluated by the Ministry of Justice, and tools identified in this context are expected to be tested in pilot courts as of May 2026. The objective of the process is to create a more modern and feedback-based evaluation process, which would ultimately be reflected in relevant legislation³⁷. At the administrative courts of first instance, stakeholders continue to view the system of performance evaluation (the so-called internal revision) as a source of concern in view of the role of the executive vis-a-vis court presidents (see above)³⁸.

The court fee system at ordinary courts continues to present challenges for access to justice, notably due to the absence of a cap on court fees. Court fees remain high, while income from court fees corresponded to 45% of the judiciary's budget in 2025, a decrease compared to previous years³⁹. This is also cited as a challenge by business stakeholders notably in high-value cases affected by the absence of a cap on the maximum value of court

²⁹ Association of Judges (2026), written input, p. 10.

³⁰ Country visit Austria, Ministry of Justice. See also 2025 Rule of Law Report, Austria, p. 5.

³¹ Figures 41-45, 2026 EU Justice Scoreboard.

³² Austrian Government (2026), written input, pp. 5-6.

³³ A pilot project is planned to link the Federal Administrative Court to the “Justice 3.0” system, although it is not planned for other administrative Courts. Country visit Austria, Ministry of Justice, Administrative Courts and Association of Administrative Judges. See also Figures 40 and 44, 2026 EU Justice Scoreboard, showing limitations for procedural rules and possibilities to conduct and follow court proceedings digitally.

³⁴ 2025 Rule of Law Report, Austria, p. 5. Federal Bar (2026), written input, p. 12.

³⁵ Austrian Government (2026), written input, p. 4.

³⁶ 2025 Rule of Law Report, Austria, p. 6.

³⁷ Austrian Government (2026), written input, p. 4. Country visit Austria, Ministry of Justice.

³⁸ 2025 Rule of Law Report, Austria, p. 6. Association of Administrative Judges (2026), written input, p. 10.

³⁹ Federal Bar (2026), written input, p. 11. Revenue from court fees totalled 1.075 million euros in 2025, compared to judicial expenditures amounted which amounted to EUR 2.385 million. Austrian Government (2026a), additional written input.

fees⁴⁰. There has been no follow-up yet to the commitment in the Government programme for an evaluation of court and judicial fees. The Federal Bar furthermore raises concerns over new provisions adopted in June 2025 according to which lawyers can be appointed as mandatory legal guardians for vulnerable adults even when this mandate does not concern predominantly legal matters, and without a possibility to reject this mandate, which can have a significant impact on their resources⁴¹.

Efficiency

The justice system continues to operate efficiently, with a slight decline in efficiency for administrative cases. The average time to resolve litigious civil and commercial cases remains very low (132 days in 2024 compared to 141 days in 2023), also at second (84 days) and third instance (117 days), with a clearance rate at 100%. In administrative cases, the disposition time has continued to slightly increase (327 days in 2024 compared to 313 days in 2023), while clearance has further decreased (96% in 2024 compared to 100% in 2023), and the backlog has remained high (0.5 per 100 inhabitants in 2024). However, the disposition time in administrative cases at last instance is considerably lower (160 days in 2024). The negative trend regarding the disposition time in bribery cases seems to have reversed, resulting in an important reduction (338 days in 2024 compared to 518 days in 2023)⁴².

II. ANTI-CORRUPTION FRAMEWORK

The perception among experts, citizens and business executives is that the level of corruption in the public sector is relatively low. In the 2025 Corruption Perceptions Index by Transparency International, Austria scores 69/100 and ranks 9th in the European Union and 21st globally⁴³. This perception has deteriorated over the past five years.⁴⁴ The 2026 Special Eurobarometer on Corruption shows that 59% of respondents consider corruption widespread in their country (EU average 71%) and 23% of respondents feel personally affected by corruption in their daily lives (EU average 30%). As regards businesses, 57% of companies consider that corruption is widespread (EU average 65%) and 21% consider that corruption is a problem when doing business (EU average 37%). Furthermore, 60% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 38%), while 40% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 31%)⁴⁵.

With the National Anti-Corruption Action Plans 2023-2025 concluded, the preparation for the next action plan 2026-2028 has started. While the National Anti-Corruption Strategy⁴⁶ remains in place, the national action plans 2023-2025 have been concluded and an evaluation report published⁴⁷. The new action plans 2026-2028 are being prepared on the

⁴⁰ Country visit Austria, Austrian Economic Chambers (WKO).

⁴¹ Federal Bar (2026), written input, p. 10. This change has been justified by the Government as a cost-saving measure, as previously the Government would pay specialised services for such tasks.

⁴² Figures 5-8, 10-11, 13-14, 21, 2026 EU Justice Scoreboard.

⁴³ The level of perceived corruption is categorised as follows: low (above 79); relatively low (between 79-60), relatively high (between 59-50), high (below 50).

⁴⁴ In 2021, the score was 74, while, in 2025, the score is 69. The score significantly increases/decreases when it changes more than five points; improves/deteriorates (changes between 4-5 points) and is relatively stable (changes from 1-3 points) in the last five years.

⁴⁵ Data from Special Eurobarometer 573 (2026) and Flash Eurobarometer 582 (2026).

⁴⁶ National Anti-Corruption Strategy Austria, Austrian Ministry of Interior (2023).

⁴⁷ The evaluation is mainly based on quantitative indicators and qualitative assessment. The assessment was done in form of self-assessment of the participating institutions. The evaluation assesses the high number

basis of the findings of the evaluation report of the previous action plans. The federal action plan encompassing the Federal Chancellery and the federal ministries has to be adopted by the Council of Ministers, which is expected to happen in autumn 2026⁴⁸. In September 2025, the Anti-Corruption Bureau (BAK) established a new integrity club to ensure inter-organisational knowledge sharing within the Network of Integrity Officers⁴⁹. Over 60 integrity officers from over 35 organisations across public administration took part in the meetings of the integrity club in 2025⁵⁰.

High-level corruption cases are prosecuted effectively, while reporting obligations and the new rules on seizure of electronic devices are seen as a burden on prosecution services. Investigations and prosecutions for corruption, including high-level cases, are conducted effectively, with a rising number of convictions⁵¹. Prosecution services dealing with high-level corruption cases, in particular the Central Public Prosecutor's Office for Combating Economic Crime and Corruption (WKStA), continue to face public scrutiny and criticism in certain media outlets⁵². To address these challenges, the WKStA has been granted dedicated staff specialised in communication to develop a media outreach strategy and ensure adequate reporting in individual cases⁵³. The Ministry of Justice also holds specific seminars and provides individual coaching for prosecutors involved in high level cases and public attacks⁵⁴. In one high-level case, a parliamentary investigative committee has been set up to clarify any potential political influence in the investigation of this case, and is conducting hearings of experts and witnesses⁵⁵. The heavy reporting obligations in anti-corruption cases keep weighing on the resources of the WKStA⁵⁶. Concerns raised by prosecutors about the administrative burden generated by the new rules for seizure of electronic devices, following an amendment in the end of 2024⁵⁷, persist in practice. The resources of the prosecution service for anti-corruption remain stable. The WKStA continues to employ 47 prosecutors and received two additional economic experts and one legal assistant in the last year⁵⁸.

and diverse actions across sectors as overall successful and that the introduction of three-year action plans, quantitative success indicators and establishment of strategy coordinators have proven their worth. BAK (2026).

⁴⁸ Country visit Austria, Anti-Corruption Bureau (BAK).

⁴⁹ The Integrity Officers Network (IBN) serves to promote the concept of integrity in Austria and to facilitate the exchange of experiences in the areas of integrity promotion, corruption prevention and compliance. Its members are integrity officers from public administration, state-affiliated companies and NGOs in Austria, information available on the dedicated website of the network <https://integritaet.info/ueber-uns/>.

⁵⁰ Austrian Government (2026), written input, p. 9.

⁵¹ In 2025, BAK recorded 1137 cases that fall in its jurisdiction. Austrian Government (2026), written input, p. 15. As regards statistics for prosecution and conviction, they are only available with two years delay, however, the statistics of 2023 show that the number of cases dismissed or where proceedings are discontinued are declining, while the number of cases ending in conviction, are rising. Austrian Ministry of Justice (2024), pp. 93 ff. In 2025, the WKStA investigated around 52 corruption cases, of which 26 were pure corruption cases and 26 cases were combined cases of corruption and other financial crimes, WKStA (2026). In comparison, in 2024, the BAK detected 83 potential cases of corruption, in addition to 769 cases (688 in 2023) relating to allegations of abuse of official authority and the WKStA had around 200 open investigations; 77 in large-scale cases.

⁵² 2025 Rule of Law Report, Austria, p. 8 and Country visit Austria, WKStA.

⁵³ Country visit Austria, Ministry of Justice and WKStA.

⁵⁴ Country visit Austria, Ministry of Justice.

⁵⁵ *‘Pilhacek-Untersuchungsausschuss’*. Austrian Government (2026), written input, p. 16.

⁵⁶ 2025 Rule of Law Report, Austria, p. 9. Country visit Austria, WKStA, see also above part I.

⁵⁷ 2025 Rule of Law Report, Austria, p. 8.

⁵⁸ Country visit Austria, WKStA.

There has been no further progress on the recommendation to introduce rules on the disclosure of assets and interests for Members of Parliament⁵⁹. Since the last discussion of parliamentary groups on the introduction of such rules on the disclosure of assets and interest of Members of Parliament was held in May 2025, no specific working group was established under the new legislative period to advance the matter⁶⁰. At the same time, political discussions are ongoing to take legislative action regarding the handling of gifts received by Members of Parliament⁶¹. While this constitutes a positive development, no progress has been made on the recommendation itself.

A Code of Conduct for Ministers has been drafted at technical level and the preparation of an asset declaration system for Ministers is ongoing. A new regulation to ensure appropriate use of gifts for the Federal Chancellery became effective in 2025⁶². The Code of Conduct for Ministers has been drafted at technical level. No timeline has yet been indicated for its political endorsement⁶³. While work on an asset declaration system for Ministers is progressing, there is still no clear timeline for adoption⁶⁴. The Federal Chancellery conducted compliance trainings for all new civil servants, including high level officials in 2025, as well as a comprehensive risk analysis⁶⁵. Similar trainings were organised for Members and administrative staff of Parliament by the compliance unit in Parliament⁶⁶.

There has been no progress on the recommendation to strengthen the lobbying framework⁶⁷. The 2013 Lobbying Act provides administrative fines up to EUR 60.000 for conducting lobbying activities without registration in the transparency register or other violations of the law. In cases of grave violation, a person can be removed from the register. The administrative fines are being enforced, with 25 lobbying firms and 14 firms who employ in-house lobbyists reported for violations⁶⁸. While the scope of the lobbying legislation is defined broadly, applying to federal, provincial and municipal level, its application remains limited due to the numerous exceptions and exemptions and the limited information obligatory to share publicly in the transparency register⁶⁹. The Parliament and the Government publish documents received as part of consultation procedures during the

⁵⁹ The 2025 Rule of Law Report recommended to Austria to “introduce effective rules on assets and interests’ declaration for Members of Parliament, including effective monitoring and sanctioning mechanisms”. Limited progress was previously assessed on this recommendation in 2025, and no progress in 2024 and 2023.

⁶⁰ At present, Members of Parliament are obliged to declare any income generated by freelance or salaried work and the employer. Nevertheless, these obligations do not include a full range of assets, interests, debts or liabilities. This lack of disclosure obligations has also been the subject of several GRECO recommendations, GRECO (2023), recommendations iii – vii. 2025 Rule of Law Report, Austria, p. 10. Austrian Government (2026), written input, p. 2. Austrian Parliament (2026), written input, p. 1.

⁶¹ Austrian Government (2026), written input, p. 2.

⁶² Austrian Government (2026), written input, p. 10.

⁶³ Country visit Austria, Federal Chancellery.

⁶⁴ The 2025 Rule of Law Report, Austria, p. 10, already reported on the development of a new asset-declaration system to address GRECO recommendations following the Fourth Evaluation Round.

⁶⁵ Austrian Government (2026), written input, p. 8.

⁶⁶ Austrian Government (2026), written input, pp. 11-13.

⁶⁷ The 2025 Rule of Law Report recommended to Austria to “[a]dopt a legislative proposal to strengthen the framework on lobbying, including the transparency register”. No progress was previously assessed on this recommendation in 2025 and 2024.

⁶⁸ Austrian Government (2026), written input, p. 10.

⁶⁹ 2025 Rule of Law Report, Austria, p. 11. Austrian Government (2026), written input, p. 2. Austrian League for Human Rights (2026), written input, p. 12; in particular, the act does not require to share information on lobbying contracts or concrete interactions publicly. These shortcomings have already been identified in the fourth and fifth GRECO evaluation round and a dedicated analysis of the Austrian Court of Audit, GRECO (2023), pp. 25 ff; Austrian Court of Audit (2019).

legislative process. However, no information is published about meetings between parliamentarians or government officials and interest representatives⁷⁰. While the general practice to publish documents received in the legislative procedure enhances transparency, further steps will be necessary to strengthen the framework on lobbying, on which overall no progress has been made.

Shortcomings in the framework on secondary employment and outside activities of civil servants have been identified. The legal framework on post-employment⁷¹ remains limited, and no steps have been taken under the new Government to address the issue⁷². The Court of Audit has identified shortcomings in post-employment framework, as well as in the framework and oversight over secondary employment and outside activities of civil servants and other Government staff. Among persons holding executive positions, the accumulation of secondary employment and outside activities was found to be particularly large⁷³.

The new competences of the Court of Audit in auditing political party financial statements have increased transparency and accountability of party financing. Due to the new competences attributed to the Court of Audit in 2023⁷⁴, it has audited a high number (32) of political party financial statements and reports on election campaign financing. So far, of the ten political financial statements covering the period of 2023, six have been examined. The remaining four political parties, which are also represented in the National Council or provincial parliament, are still being checked by the Court of Audit and (partly) in the process of correcting their statements⁷⁵. In 2025, the Independent Political Parties Transparency Panel issued ten decisions imposing over EUR 350 000 penalties for violations⁷⁶. With regard to the social media activity of some government officials, stakeholders point to possible shortcomings in the traceability of the use of public funds for party interests⁷⁷.

The web-based reporting channels for whistleblowers continue to function well. In 2025, the number of whistleblower reports received by WKStA, BAK, the Federal Disciplinary Authority, the Federal Chancellery, the Ministry of Justice, the Ministry of Defence and the Parliamentary Administration has overall increased⁷⁸. The different digital reporting systems

⁷⁰ Country visit Austria, Ministry of Justice.

⁷¹ Post-employment refers to work accepted after leaving a public office, while secondary employment or outside activities refer to work undertaken whilst holding such office.

⁷² 2025 Rule of Law Report, Austria, p. 11. Country visit Austria, Transparency International.

⁷³ A risk-based sample of 64 employees examined by the Court of Audit revealed that these employees held together 298 secondary employments or secondary activities, i.e. in average 4,66 additional tasks per person, while the number went up to 12 per person in one individual case; 64% percent of these employees were executives. There is no central authority which has a complete and structured overview of secondary employment and activities of Government officials. Austrian Court of Audit (2025b), see the entire report and in particular pp. 11 ff.

⁷⁴ Amendment to the Party Financing Act of 2012, BGBl. I Nr. 125/2022. 2025 Rule of Law Report, Austria, p. 11.

⁷⁵ Austrian Court of Audit (2026), pp. 28 ff. Country visit Austria, Court of Audit.

⁷⁶ The decisions concerned, for example, donations not reported to the Court of Audit in time, the assumption of the costs for managing the social networks of a political party in the annual statement of accounts. Austrian Government (2026), written input, p. 10.

⁷⁷ Austrian Court of Audit (2026), pp. 20 f.; Country visit Austria, Transparency International.

⁷⁸ 120 whistleblower reports have been registered at BAK. A total of 406 reports were submitted in 2025 to the Federal Disciplinary Authority, of which 37 were submitted anonymously. In the Ministry of Defence 142 reports out of a total of 230 were received in 2025. The Federal Chancellery received eight reports, while reports received via the web-based system of the Ministry of Justice, which is intended exclusively for the judiciary, have not met the requirements of the Whistleblower Protection Act. The dedicated unit in the Parliamentary Administration received 2 reports. Austrian Government (2026), written input, pp. 12 ff.

appear to function well and are user-friendly, while no new developments have been reported on the coordination between the systems⁷⁹. The Federal Chancellery promoted whistleblowing intensely⁸⁰. Nevertheless, civil society organisations criticise the limited scope of application of the whistleblower framework and perceived weaknesses in ensuring anonymity and protection of witnesses from retaliation⁸¹.

Mitigating measures continue to be taken to strengthen integrity in public procurement, which is still seen as an area at high risk of corruption. Businesses' attitudes towards corruption in the EU show that 25% of companies in Austria (EU average 30%) think that corruption has prevented them from winning a public tender in practice in the last three years⁸². 74% of businesses perceive the level of independence of the the Federal Administrative Court as very or fairly good when it is reviewing public procurement cases⁸³. The Single Market and Competitiveness Scoreboard on access to public procurement in Austria reports 27% of single bids for 2025 (27% EU average). While the centralisation of public procurement services, which was previously recommended by the Court of Audit⁸⁴, was not extended due to too high costs of the central purchasing body⁸⁵, Ministries responsible for public procurement introduced checks and balances, organisational measures as well as internal audits to address these risks⁸⁶. The Court of Audit identifies shortcomings in areas linked to public procurement and its recommendations are generally implemented thoroughly, with an average implementation rate of over 88%⁸⁷. The links between some media outlets and the political sphere continues to be considered as a high-risk area, especially regarding state advertising⁸⁸. Other risk areas identified are the zoning and urban planning sector, particularly at the local level, and real estate transactions⁸⁹. The Court of Audit continues examining areas where there is a particular high-risk of conflicts of interest and corruption beyond procurement, for example real estate transactions involving the State as well as public funding of media. In both areas, conflicts of interest as well as corruption risks and irregularities were identified⁹⁰.

III. MEDIA PLURALISM AND MEDIA FREEDOM

The Austrian Communications Authority (*KommAustria*) continues to serve as an independent regulator for audiovisual media services and financial pressure of the Austrian Press Council was mitigated sufficiently to allow some increase in staffing. *KommAustria*, together with its administrative body, the Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR) continue to operate under a legal framework

⁷⁹ 2025 Rule of Law Report, Austria, p. 12; Country visit Austria, Ministry of Justice.

⁸⁰ Austrian Government (2026), written input, pp. 12 f.

⁸¹ The main criticism is that the whistleblower act only applies to some corruption crimes and in enterprises of a certain size, Country visit Austria, Transparency International Austria.

⁸² Flash Eurobarometer 582 on Businesses' attitudes towards corruption in the EU (2026). This is 5 percentage points below the EU average.

⁸³ Figure 59, 2026 EU Justice Scoreboard.

⁸⁴ 2025 Rule of Law Report, Austria, p. 12. Austrian Court of Audit (2023), p. 45.

⁸⁵ 2025 Rule of Law Report, Austria, p. 12. Austrian Government (2026a), additional written input, p. 2.

⁸⁶ Austrian Government (2026), written input, pp. 13 f.

⁸⁷ Country visit Austria, Court of Audit. Austrian Court of Audit (2026), p. 67.

⁸⁸ Country visit Austria, WKStA and Court of Audit. See also pillar III on recommendations of the Austrian Court of Audit regarding transparency of media funding. As noted under pillar III, detailed guidelines on the fair distribution of state advertising, specifying the applicable procurement rules, have been in force since February 2026.

⁸⁹ Country visit Austria, WKStA and Court of Audit.

⁹⁰ Country visit Austria, Court of Audit; Austrian Court of Audit (2026), pp. 20 ff.

that safeguards its independence and ensures the transparency of its decisions⁹¹. *KommAustria* on 1 May 2026 has taken on competences as National Contact Points under the Political Advertising Regulation. The financial, human and technical resources of both *KommAustria* and RTR, are adequate for the tasks⁹² to be accomplished⁹³. A 2025 Report by the Court of Audit recommended that RTR's strategic management, governance, salary transparency, and coordination with the Government should be improved to ensure effective handling of its expanding responsibilities⁹⁴. Following legislative changes in 2024⁹⁵, the financial situation of the self-regulatory body, the Press Council, improved sufficiently to allow it to increase staff and address most of the complaints received in 2025⁹⁶, though high financial pressure remains⁹⁷. The 2026 Media Pluralism Monitor (MPM) considers Austria at a low risk (22%) regarding the independence and effectiveness of the media authorities, representing an increase from the very low-risk level recorded in the previous edition⁹⁸.

Amendments to the rules on the appointments of the public service broadcaster (ORF) supervisory body strengthened its independence. Following a Constitutional Court ruling⁹⁹, rules on the management bodies of ORF were amended and members of those bodies were newly appointed in June 2025. According to stakeholders, as a result of new appointment rules, the Government's influence over ORF's supervisory body, *Stiftungsrat*, has decreased. However, they note that political influence through the members appointed directly by political parties, which had not been challenged by the Constitutional Court ruling, remains¹⁰⁰. The household contribution, which provides for a significant part of the ORF budget, has been frozen at the same level until 2029¹⁰¹. ORF reports that, already in 2025, insufficient funding led to the fourth consecutive year without salary adjustments for its staff to keep pace with inflation¹⁰². According to the MPM 2026, the risk level for the independence of public service media increased from low to low-medium (35%)¹⁰³.

The business environment for media service providers remains challenging. The already difficult economic situation of the private media sector is further deteriorating¹⁰⁴, caused by decreasing advertising revenue for traditional media and the shift toward tech platforms¹⁰⁵. In addition, public support schemes remain heavily focused on the print sector: in 2025 print media received around EUR 59 million, while the broadcasting sector receives only EUR 25 million¹⁰⁶. These public funding schemes for media are under political discussion and have

⁹¹ Country visit Austria, *KommAustria*.

⁹² *KommAustria* serves as Austria's Digital Services Coordinator since 17 February 2024.

⁹³ Country visit Austria, *KommAustria*.

⁹⁴ Country visit Austria, Austrian Court of Audit (2025a).

⁹⁵ 2025 Rule of Law Report, Austria, p. 13.

⁹⁶ Austrian Press Council handled more than 500 complaints in 2025, compared to 420 in 2024.

⁹⁷ Country visit Austria, Press Council.

⁹⁸ 2026 Media Pluralism Monitor, country report for Austria, p. 13.

⁹⁹ 2025 Rule of Law Report, Austria, p. 13.

¹⁰⁰ Country visit Austria, *KommAustria*, ORF.

¹⁰¹ 2025 Rule of Law Report, Austria, p. 13. Country visit Austria, ORF.

¹⁰² While inflation reached 3.9%, the salary adjustment was only 1.5%. Country visit Austria, ORF.

¹⁰³ 2026 Media Pluralism Monitor, country report for Austria, p. 30.

¹⁰⁴ 2025 Rule of Law Report, Austria, p. 14.

¹⁰⁵ Association of Private Broadcasters (2026), written input, point 1. International tech platforms generated EUR 2.46 billion in revenue (+12% year-on-year), compared to EUR 1.66 billion for traditional media (-4% year-on-year). Another example is the decision by the City of Vienna to discontinue funding of the non-commercial Radio Orange, which led to the 50% budget decrease. Country visit Austria, Press Council.

¹⁰⁶ Print media receive around EUR 9 million through press funding (*Presse- und Publizistikförderung*), EUR 25 million through journalism funding (*Qualitätsjournalismusförderung*), and approximately three quarters

been subject to scrutiny in a 2025 Report by the Court of Audit¹⁰⁷. Its main recommendation for the Government is to increase transparency and effectiveness in Austria's media funding system while supporting media diversity and preventing misuse of public funds¹⁰⁸. Stakeholders report that working conditions for journalists are becoming increasingly precarious¹⁰⁹. According to the MPM 2026, media ownership transparency is continuously at medium-high risk (55%), and the plurality of media providers again at very high risk (82%)¹¹⁰.

Further steps have been taken to improve the transparency and fair distribution of state advertising¹¹¹. In February 2026, the Federal Ministry of Justice issued detailed guidelines about the rules of fair distribution of state advertising under the European Media Freedom Act (EMFA)¹¹². In addition, the law aiming to adjust the current procurement rules on distribution of state advertising, with a view to alignment with the EMFA, entered into force on 1 May 2026¹¹³. According to the data on public spending available in an online database, the advertising orders by the Austrian Federal Government fell by around 10% in the first half of 2025 compared to the first half of 2024¹¹⁴. According to journalist stakeholders, the fall of state advertising spending worsens the already difficult financial situation of the traditional media, while criteria for fair distribution of the public spending still do not exist¹¹⁵. Further legislative amendments related to *KommAustria* entered into force on 1 May 2026, establishing a database on the ownership of media service providers and their revenues from public advertising¹¹⁶. *KommAustria* must ensure that this information is accessible from 1 August 2026 at the latest. As the authorities issued the guidelines on fair allocation of state advertising and law amendments entered into force, significant progress has been made on the recommendation.

The Freedom of Information Act entered into force on 1 September 2025 and was positively welcomed by stakeholders. The Act is seen as an important step towards transparency of public life in Austria¹¹⁷. While stakeholders consider that it is too early to evaluate its overall functioning, further clarification and support are needed to ensure equal application of the procedural rules among all public institutions and courts¹¹⁸. In practice, stakeholders also note inconsistencies in the proactive publication of information by public authorities¹¹⁹. While the MPM 2026 notes the entry into force of the Freedom of Information

of the EUR 25 million digital transformation fund (*Fonds zur Förderung der digitalen Transformation*), while the broadcasting sector receives only EUR 25 million through the private broadcasting fund. Country visit Austria, Association of Private Broadcasters.

¹⁰⁷ Country visit Austria, Association of Private Broadcasters, Court of Audit.

¹⁰⁸ Country visit Austria, Court of Audit. Austrian Court of Audit (2025b).

¹⁰⁹ Country visit Austria, Presseclub Concordia, Association of Private Broadcasters.

¹¹⁰ 2026 Media Pluralism Monitor, country report for Austria, p. 22.

¹¹¹ The 2025 Rule of Law Report recommended to Austria to “[t]ake steps to ensure proper implementation and enforcement as regards the fair distribution of state advertising.” Limited progress was previously assessed on the recommendation in 2025, and some progress in 2024 and 2023.

¹¹² Country visit Austria, Ministry of Justice.

¹¹³ Country visit Austria, Ministry of Culture.

¹¹⁴ Country visit Austria, Association of Austrian Newspapers.

¹¹⁵ Country visit Austria, Presseclub Concordia.

¹¹⁶ Country visit Austria, Ministry of Justice.

¹¹⁷ 2025 Rule of Law Report, Austria, p. 15. Country visit Austria, Press Council, *Forum Informationsfreiheit*.

¹¹⁸ Country visit Austria, Transparency International, *Forum Informationsfreiheit*.

¹¹⁹ In some cases, ministries publish large volumes of technical documents (e.g. building regulations), whereas others do not disclose studies or reports even when they are referenced in press releases. Country visit Austria, *Forum Informationsfreiheit*.

Act, which abolished official secrecy in Austria, it also points to several shortcomings in its implementation and therefore considers the protection of the right to information a medium-low-risk area (37%)¹²⁰.

Some steps are being taken to address challenges regarding the working environment for journalists, while implementation of the Anti-SLAPP Directive is still ongoing. Verbal attacks to discredit journalists or the media coming from politicians remain an issue¹²¹. Since the 2025 Rule of Law Report, the Council of Europe Platform to promote the protection of journalism and safety of journalists issued two new alerts concerning Austria, regarding a court order to delete a retweet by a journalist on social media and denial of access to prison by a journalist as part of an investigation into detention conditions¹²². In the same period, the Mapping Media Freedom platform issued five new alerts¹²³. The deployment of liaison officers within the police forces continues to be seen as a positive action to help addressing physical altercations at public events. It is considered to have had limited practical impact so far¹²⁴. SLAPPs are not reported as an issue, with only one case signalled last year¹²⁵. The Government continues working on legislation aimed at implementing the Anti-SLAPP Directive and higher regional courts and the training organisers of the Judges' Association have been asked by the Ministry of Justice to include the SLAPP topic in relevant seminars for judges¹²⁶.

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

Efforts to increase participatory policymaking are ongoing, while stakeholders report growing challenges as regards the length of pre-parliamentary consultation procedures. Though a statutory standard deadline of six weeks for the consultation of stakeholders on draft laws by the Government is provided for¹²⁷ and mechanisms for stakeholder and public involvement in parliamentary processes also exist¹²⁸, stakeholders observe a trend to shorter pre-parliamentary consultations in practice, sometimes lasting only a week or less¹²⁹. OECD indicators confirm that stakeholder involvement on primary laws and subsidiary regulations remains below the EU average¹³⁰. At the same time, efforts to improve participatory policymaking beyond formal consultations continue. This includes the creation of a community of practice involving Ministries, the Parliament and stakeholders, which met for the first time in September 2025, and is now mapping existing practices. Training materials for civil servants have also been updated¹³¹. Austria engages in numerous efforts to promote a rule of law culture, including outreach projects by the Constitutional Court to schools, the foundation *Forum Verfassung* providing a long-term platform for constitutional education

¹²⁰ 2026 Media Pluralism Monitor, country report for Austria, p. 13.

¹²¹ Country visit Austria, Presseclub Concordia. 2025 Rule of Law Report, Austria, p. 15.

¹²² Austria has replied to both alerts. Council of Europe Safety of Journalist Platform (2026).

¹²³ Mapping Media Freedom (2026).

¹²⁴ 2025 Rule of Law Report, Austria, p. 15. Country visit Austria, Presseclub Concordia.

¹²⁵ Country visit Austria, Press Council.

¹²⁶ Country visit Austria, Ministry of Justice.

¹²⁷ 2024 Rule of Law Report, Austria, p. 27.

¹²⁸ Austrian Government (2026), written input, pp. 18-19.

¹²⁹ Federal Bar (2026), written input, p. 19. Country visit Austria, Federal Bar, Austrian Chamber of Commerce.

¹³⁰ OECD (2025), p. 131. However, Austria performs above average as regards regulatory impact assessments and the use of ex post evaluations.

¹³¹ Country visit Austria, Ministry of Housing, Arts, Culture, Media and Sport.

and dialogue, and initiatives by the Federal Anti-Corruption Bureau to raise awareness of corruption issues among younger persons¹³².

The new Ombudsman Board was appointed in May 2025, but so far there has been no follow-up yet to the announcement to strengthen the appointment procedure and introduce hearings. The three members of the Ombudsman Board, which is the National Human Rights Institution accredited with A-Status, are appointed by Parliament for a six-year term, renewable once. On 22 May 2025, two members were re-appointed and one new member was appointed. Despite commitments in the Government programme to this effect, no public hearing of the candidates was conducted and there has been no follow-up so far regarding a review of the nomination procedure¹³³. Reforming the nomination procedure to ensure full transparency and political independence of the Board is also a long-standing recommendation of the Sub-Committee for Accreditation of the UN Global Alliance for National Human Rights Institutions (GANHRI)¹³⁴. The institution continues to operate effectively, with a stable budget that it considers to be adequate to carry out its tasks¹³⁵. In 2025, the Ombudsman Board received 23 122 complaints, out of which 17 037 were deemed admissible¹³⁶. For the Constitutional Court, (non-public) hearings for the appointment of a substitute member were held for the first time in October 2025¹³⁷. As regards the review of the broader framework for the different Legal Protection Officers, while this remains a political commitment, no further steps have been taken at this stage¹³⁸.

More than two thirds of companies surveyed in Austria express confidence in the effectiveness of investment protection. 74% of companies are very or fairly confident that investments are protected by law and courts, a figure which has slightly increased in comparison with 2025 (72%)¹³⁹. As regards authorities relevant for economic operators, 67% of companies perceive the level of independence of the national competition authority (The Federal Competition Authority) as very or fairly good, a figure which has significantly decreased in comparison with 2025 (85%)¹⁴⁰. The Supreme Administrative Court has jurisdiction in some business-related cases, including in cases related to public procurement, public concessions and economic regulation. A number of judicial mechanisms to improve efficiency are available in these cases, including the possibility to apply interim measures, joint examination of similar cases and the consolidation of multiple appeals¹⁴¹.

On 1 January 2026, Austria had one leading judgment of the European Court of Human Rights pending implementation, a decrease of four compared to the previous

¹³² Austrian Government (2026), written input, pp. 20-21.

¹³³ 2025 Rule of Law Report, Austria, p. 16.

¹³⁴ The last re-accreditation by GANHRI took place in 2022, granting the Ombudsperson Board A-Status, i.e. compliance with the UN Paris Principles. GANHRI Sub-Committee on Accreditation (2022), pp. 12-14.

¹³⁵ Ombudsman Board (2026), written input, p. 2.

¹³⁶ Ombudsman Board (2026a), p. 16. This is similar to 2024, where 23 955 complaints were received.

¹³⁷ Austrian Parliament (2025). Until then, such hearings had only been held for candidates for the position as member.

¹³⁸ Austrian Government (2026a), additional written input, p. 6.

¹³⁹ Figures 52 and 53, 2026 EU Justice Scoreboard. Only 13% and 12% of the surveyed investors respectively perceive the frequent changes in legislation or concerns about the quality of the law-making process and concerns about the quality, efficiency or independence of justice, as a reason for the lack of confidence in investment protection.

¹⁴⁰ Figure 60, 2026 EU Justice Scoreboard.

¹⁴¹ Figures 66 and 67, 2026 EU Justice Scoreboard. The data presented reflects exclusively the mechanisms in place at the level of the highest administrative jurisdictions; the same or other mechanisms may be in place at lower instance administrative courts.

year¹⁴². At that time, Austria's rate of leading judgments from the past 10 years that had been implemented was at 94% (compared to 72% in 2025; 6% remained pending), and the average time that the judgments had been pending implementation was 2 year and 6 months (compared to 1 year and 11 months in 2025)¹⁴³. As regards the respect of payment deadlines, on 31 December 2025 there was 1 case in total awaiting confirmation of payments (compared to 2 in 2024)¹⁴⁴. On 17 June 2026, the number of leading judgments pending implementation had decreased to 0¹⁴⁵.

Civil society organisations continue to operate in an open environment, while facing additional scrutiny as regards their funding against a background of overall budgetary restrictions. Civic space in Austria continues to be rated as 'open' by Civicus¹⁴⁶ and civil society organisations (CSOs) report no significant restrictions to their work and continue to positively evaluate the impact of the 2023 tax reform¹⁴⁷. However, in the context of broader budget cuts, CSOs have expressed concerns that the overall pool of funding for their work will be reduced and impact their long-term operation¹⁴⁸. At regional level funding cuts sometimes directly affect CSOs active in specific areas such as culture, social services and those working with marginalised groups¹⁴⁹. A task force on subsidies was established by the Government to contribute to the fiscal consolidation starting in 2027 by reviewing Austria's level of subsidies and identify potential efficiency gains. At the request of members of one parliamentary group, a sub-committee of the Court of Audit Committee of the National Council was established with the mandate to examine federal subsidies and public payments to CSOs¹⁵⁰. The committee's report, which was subsequently published and discussed in the National Council in May 2026, concludes there were no irregularities detected¹⁵¹. Stakeholders have raised concerns over the risk of stigmatisation of their work in the context of this committee, noting that while oversight of public funds is a legitimate democratic function, framing it in a manner that singles out specific civil society actors could have a chilling effect on civic engagement and constrain the autonomy of CSOs¹⁵².

¹⁴² For an explanation of the supervision process, see the [website](#) of the Council of Europe.

¹⁴³ All figures calculated by the European Implementation Network (EIN) and based on the number of cases that are considered pending at the annual cut-off date of 1 January 2026. EIN (2026), written input, p. 1.

¹⁴⁴ Council of Europe (2026), p. 162.

¹⁴⁵ Data according to the online database of the Council of Europe (HUDOC).

¹⁴⁶ Austria's score is 83/100. Ratings by Civicus are on a five-category scale defined as: open, narrowed, obstructed, repressed and closed.

¹⁴⁷ Country visit Austria, Amnesty International Austria, *Bündnis Gemeinnützigkeit*.

¹⁴⁸ Austrian League for Human Rights (2026), written input, p. 19.

¹⁴⁹ Country visit Austria, Amnesty International Austria, *Bündnis Gemeinnützigkeit*.

¹⁵⁰ Austrian Government (2026a), additional written input, p. 6.

¹⁵¹ Austrian Parliament (2026a).

¹⁵² Austrian League for Human Rights (2026), written input, p. 19. FRA (2026), written input, p. 22.

Annex I: List of sources in alphabetical order*

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

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Annex II: Country visit to Austria

The Commission services held in-person and virtual meetings in December 2025 and February 2026 with:

- Amnesty International Austria
- Anti-Corruption Citizens' Initiative
- Association of Administrative Judges
- Association of Judges
- Association of Newspapers
- Association of Private Broadcasters [in writing]
- Association of Prosecutors
- Austrian Economic Chambers
- Bündnis Gemeinnützigkeit
- Central Public Prosecutor's Office for Combating Economic Crimes and Corruption
- Competition Authority
- Council of Directives / *Generalprokuratur*
- Court of Audit
- Federal Bar
- Federal Chancellery
- Federal Bureau of Anti-Corruption
- Forum Informationsfreiheit
- Media Authority (*KommAustria and RTR*)
- Ministry for European and International Affairs
- Ministry of Arts, Culture, the Civil Service and Sport
- Ministry of Justice
- Ombudsman Board
- ORF
- Parliamentary Administration [in writing]
- Press Council
- Presse Club Concordia
- Regional Administrative Courts
- Senior Prosecutor's Office Vienna
- Supreme Administrative Court
- Supreme Court
- Transparency International Austria

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

- Civil Liberties Union for Europe
- Civil Society Europe
- End FGM EU
- European Civic Forum
- European Partnership for Democracy
- Human Rights Watch

- ILGA-Europe
- International Federation for Human Rights
- Philea - Philanthropy Europe Association
- Transparency International EU