



Contribution by Office of the UN High Commissioner for Human Rights (OHCHR) to the 2026 Rule of Law Report - European Commission

Rule of law and human rights

The ‘rule of law’ is a concept at the heart of the United Nations’ mission. It refers to a principle of governance which is consistent with international human rights standards ([S/2004/616](#)). There is no rule of law within societies if human rights are not protected and human rights cannot be protected in societies without a strong rule of law. This interlinkage is reiterated by the UN Secretary-General in his [New Vision for the Rule of Law](#):

“Human rights and the rule of law are mutually reinforcing – the advancement of the rule of law is essential for the protection of all human rights, and human rights are central to the rule of law.”

Office of the UN High Commissioner for Human Rights (OHCHR)

The Office of the UN High Commissioner for Human Rights (OHCHR), also known as UN Human Rights Office, is the main human rights entity of the UN to protect and promote all human rights for everyone everywhere. The High Commissioner for Human Rights leads OHCHR. He is the principal human rights official of the United Nations.

OHCHR is mandated by the UN General Assembly to promote and protect the enjoyment and full realization, by all people, of all human rights. As part of its mandate, OHCHR works to mainstream human rights to strengthen the rule of law ([Management Plan 2024 - 2027](#)).

Established in 2009, OHCHR Regional Office for Europe (ROE) aims to advance the protection and promotion of human rights in the European Union and its Member States. ROE works to mainstream international human rights standards to strengthen the rule of law in the EU by engaging in and contributing to the European Commission’s Rule of Law Report. ROE furthermore promotes the UN human rights mechanisms and processes by giving their work visibility at the regional level.

OHCHR’s contribution

The current submission consists of a compilation of findings and recommendations contained in reports of UN human rights monitoring mechanisms including treaty-based mechanism (international human rights treaties), and Charter-based mechanism (special procedures and the Universal Periodic Review of the UN Human Rights Council). It further draws on statements and reports by the UN High Commissioner for Human Rights and the High Commissioner’s office (see diagram on the next page).

In line with the scope of the European Commission’s Rule of Law Report, this contribution covers 27 Member States of the European Union and four candidate States, namely, Albania, Montenegro, North Macedonia and Serbia.

UN human rights monitoring mechanisms

The below human rights bodies review the following nine core United Nations human rights treaties:

- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- International Convention on the Elimination of All Forms of Racial Discrimination
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child
- Convention on the Rights of Persons with Disabilities
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- International Convention for the Protection of All Persons from Enforced Disappearance

Treaty-based mechanism

Treaty monitoring bodies

- Committee on the Elimination of Racial Discrimination (CERD)
- Committee on Economic, Social and Cultural Rights (CESRC)
- Human Rights Committee (CCPR)
- Committee on the Elimination of Discrimination against Women (CEDAW)
- Committee Against Torture (CAT)
- Committee on the Rights of the Child (CRC)
- Committee on Migrant Workers (CMW)
- Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT)
- Committee on the Rights of Persons with Disabilities (CRPD)
- Committee on Enforced Disappearances (CED)

UN Charter-based mechanism

UN Human Rights Council

A subsidiary body of the UN General Assembly and the main intergovernmental body in the UN responsible for human rights.

Special Procedures

Independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective.

Universal Periodic Review

State-led mechanism that conducts a peer review of the human rights situation of each UN Member State

Human Rights Council-mandated Investigative Bodies

The Office of the UN High Commissioner for Human Rights (OHCHR) provides expertise and support to all of the different human rights bodies.

Human rights and rule of law (4 pillars of Rule of Law Report)

Pillar 1: Justice System

There is no true respect for the rule of law without a judicial power guaranteeing compliance therewith. Judges guarantee compliance with laws and with it the reality of democratic coexistence. The duty to promote equality among all persons, especially to ensure that everyone has the right to access justice on an equal basis with others, rests with the judiciary. Guaranteeing access to justice is indispensable to democratic governance and the rule of law, as well as to combating inequality and exclusion.

Respecting the rule of law through fostering the separation of powers and the independence of justice ensures protection of human rights. The judiciary is the ultimate guarantors of human rights. However, at the same time, judges, prosecutors and lawyers are subject to attacks and violations of their rights, including threats, intimidation, external interference in conducting their professional activities, arbitrary detention, prosecution, and killings. These attacks threaten the impartiality and independence of the judiciary and the legal profession and in turn, deter their role as guarantors of human rights and the rule of law.

For more info:

- [Basic Principles on the Independence of the Judiciary](#)
- [Human rights in the administration of justice: a manual on human rights for judges, prosecutors and lawyers](#)
- [International principles and guidelines on access to justice for persons with disabilities](#)
- [General Recommendation No. 33 on women's access to justice \(CEDAW/C/GC/33\)](#)
- [Special Rapporteur on the independence of judges and lawyers](#)

Pillar 3: Media Freedom

Free, independent, plural and diverse media are a core component of the right to freedom of expression, a cornerstone of democratic societies and plays an essential role in strengthening the rule of law. Journalists and the media are crucial to ensure transparency and accountability for public and governmental authorities.

For more info:

- [OHCHR and the safety of journalists and the issue of impunity](#)
- [Special Rapporteur on freedom of opinion and expression](#)
- [General comment No.34 on Article 19: Freedoms of opinion and expression \(CCPR/C/GC/34\)](#)

Pillar 2: Anti-corruption

Corruption has a destructive effect on State institutions and it undermines the functioning and legitimacy of institutions and processes, the rule of law and ultimately the State itself. In particular, corruption effects on the capacity of States to respect, protect and fulfil human rights particularly of those persons and groups in situation of vulnerability and marginalization.

Corruption pose a major challenge to many societies as they divert public revenues and cripple public budgets that should provide healthcare, housing, education, and other essential services, they undermine States' ability to meet their minimum core obligations and their pre-existing legal obligations to maximize all available resources to respect, protect and fulfil human rights.

For more info:

- [Corruption and human rights | OHCHR](#)
- [OHCHR Key messages on the negative impact of corruption in the enjoyment of human rights](#)

Pillar 4: Checks and Balances

Civic space is the environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: (1) accessing information; (2) engaging in dialogue; (3) expressing dissent or disagreement, and (4) joining together to express their views. An open and pluralistic civic space that guarantees freedom of expression and opinion as well as freedom of assembly and association, is a prerequisite for making development and peace sustainable.

For more info:

- [OHCHR and protecting and expanding civic space](#)
- [Special Rapporteur on human rights defenders](#)
- [The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#)



Cyprus: Inside the contribution

- **Period of contribution: January – December 2025**
- **Contents of contribution and additional information:**
 - The UN Working Group on the use of mercenaries visited Cyprus from 16 to 24 January 2025. The Working Group issued a press release on a preliminary findings at the end of the visit and subsequently, presented the report of the visit (A/HRC/60/27/Add.1) at the 60th session of the UN Human Rights Council (8 September – 3 October 2025).
 - OHCHR published its annual report (A/HRC/58/21) on the question of human rights in Cyprus on 21 January 2025.
- **Summary of information which could be of particular relevance to the Rule of Law report:**
 - Under pillar 3 on media freedom, relevant findings and recommendations (framework for journalists' protection, transparency and access to documents – Rules and practices guaranteeing journalist's independence and safety) were issued by UN human rights mechanisms.
- **Forthcoming relevant information (January – May 2026):**
 - The UN Committee on the Elimination of Racial Discrimination will consider the State Party report from Cyprus (CERD/C/CYP/25) during its 117th session (date to be confirmed, 13 April - 1 May 2026).
- **Resources:**
 - Rule of Law in Europe | OHCHR
 - Country Page | Cyprus
 - Universal Human Rights Index (UHRI) allows you to explore over 230.000 observations and recommendations made by the international human rights protection system (treaty bodies, special procedures and the Universal Periodic Review)

Pillar III: Media Freedom

Free, independent, plural and diverse media are a core component of the right to freedom of expression, a cornerstone of democratic societies and plays an essential role in strengthening the rule of law. Journalists and the media are crucial to ensure transparency and accountability for public and governmental authorities.

For more info:

- [OHCHR and the safety of journalists and the issue of impunity](#)
- [Special Rapporteur on freedom of opinion and expression](#)
- [General comment No.34 on Article 19: Freedoms of opinion and expression \(CCPR/C/GC/34\)](#)

Framework for journalists' protection, transparency and access to documents - Rules and practices guaranteeing journalist's independence and safety

OHCHR published its annual report ([A/HRC/58/21](#)) on the question of human rights in Cyprus on 21 January 2025:

- During its visit, OHCHR received information that civic space in the northern part of Cyprus has been steadily declining, including reports that plainclothes police officers occasionally monitored civil society events, which could have a chilling effect on the freedom of expression. ([A/HRC/58/21](#), para. 59)
- On 23 August 2024, an Ankara court convicted Turkish Cypriot journalist Şener Levent in absentia and sentenced him to six months of imprisonment in relation to his 2016 article “Zorba the Cypriot”, in which he was deemed to have insulted and been critical of Türkiye and its institutions. This case appears to violate the right to freedom of expression as Mr. Levent’s conviction and sentencing may be neither proportionate nor necessary to achieving a legitimate purpose, while his conviction in absentia also raises concerns for his fair trial rights. ([A/HRC/58/21](#), para. 60)
- OHCHR received information during its visit that the case of Ali Kışmir, the President of the Turkish Cypriot Journalists’ Union, was still pending before a court in the northern part of Cyprus on charges of “insulting and mocking the security forces” in relation to an article he had written at the time of the Turkish Cypriot leader’s election in 2020. The case against Mr. Kışmir could result in his imprisonment for up to 10 years.⁷⁶ Mr. Kışmir’s initial hearing, which was supposed to commence in October 2023, had been postponed nine times up until 26 November 2024 and was still pending as of 30 November 2024, keeping him in a state of legal uncertainty. While some postponements were at his lawyer’s request, several postponements were reportedly due to the fact that the prosecuting authorities were not ready for the initial hearing. ([A/HRC/58/21](#), para. 61)
- In November 2024, 20 civil society organizations called for the withdrawal of Mr. Kışmir’s case, adding that his trial represented an attempt to silence critical voices within the Turkish Cypriot community.⁷⁷ The Vice-President of the European Federation of Journalists added that Türkiye was attempting to interfere with the judiciary, politics and the media in the northern of part of Cyprus. ([A/HRC/58/21](#), para. 62)
- On 15 January 2024, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression issued a communication to the Government of Türkiye and to the Turkish Cypriot leader to raise concerns that the judicial harassment, intimidation and censorship of Mr. Kışmir is a direct result of his journalistic work expressing his political views and criticism of the Turkish authorities and Turkish Cypriot authorities.⁷⁹ The Turkish Cypriot authorities and the Government of Türkiye replied to the communication on 11 and 18 March, respectively. ([A/HRC/58/21](#), para. 63)