



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](#)



- **Period of contribution: January – December 2025**
- **Contents of contribution and additional information:**
 - The UN Independent Expert on human rights and international solidarity visited Denmark and Greenland from 8 to 18 April 2024. The Independent Expert presented the report of the visit ([A/HRC/59/40/Add.1](#)) at the 59th session of the UN Human Rights Council (16 June–11 July 2025).
- **Summary of information which could be of particular relevance to the Rule of Law report:**
 - Under pillar 4 on checks and balances, relevant findings and recommendations (the enabling framework for civil society) were issued by UN human rights mechanisms.
- **Forthcoming relevant information (January – May 2026):**
 - The UN Working group on the Universal Periodic Review will review Denmark at its 4th cycle, [52nd session](#) (4 - 15 May 2026).
 - The UN Committee on Enforced Disappearances will consider State Party report from Denmark ([CED/C/DNK/1](#)) during its [30th session \(date to be confirmed\)](#), 9 – 27 March 2026.
- **Resources:**
 - Country Page | [Denmark](#)
 - Rule of Law in Europe | [OHCHR](#)
 - [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 IV: Checks and Balances

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The enabling framework for civil societies

The UN Independent Expert on human rights and international solidarity appreciated the openness of the constructive dialogues held with many interlocutors from the Government, civil society and international organizations about the challenges currently being faced by the country regarding the areas of focus of the visit. During her visit, the Independent Expert met with stakeholders who raised some challenges that could hinder the full enjoyment of the right to international solidarity in Denmark and Greenland, as outlined below. ([A/HRC/59/40/Add.1](#), paras. 29 and 30) [Some of the challenges and areas of concern identified during the visit include:

- Situations of Indigenous Peoples: structural discrimination against and stereotyping of Inuit and Greenlandic persons ([A/HRC/59/40/Add.1](#), paras. 31 - 40)
- High rates of domestic violence and sexual violence against women and children in Denmark and Greenland ([A/HRC/59/40/Add.1](#), paras. 41 - 42)
- Shift from integration to return of forced migrants in Denmark ([A/HRC/59/40/Add.1](#), paras. 43 - 44)
- Better coordination for implementation of human rights treaties ([A/HRC/59/40/Add.1](#), para. 47 - 51)

The enabling framework for civil society - Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders

Civil society organizations that engage in international solidarity actions claim to be increasingly at risk of potential criminalization of their actions. Some allege that they may be subject to exclusion from banking services or have their financial accounts frozen or closed due to their work in countries under scrutiny due to ongoing armed conflict or violence. They claim an increase in costs, both monetary and time, to accommodate the requirements of banks. This is often coupled with requirements such as applying for approval before conducting money collections and online or offline fundraisers; these requirements have increased primarily due to anti-money-laundering protocols. Banks have asked for further details about board members and have delayed bank account issuance, risking potential discretionary discrimination if the questions posed concern persons from specific backgrounds. ([A/HRC/59/40/Add.1](#), para.45)

Some civil society actors who engage in international solidarity actions calling for protection of the environment, protesting against Danish extractive companies mining in the global South or supporting ceasefire and peace movements say that they fear the risk of being registered as potential extremists and, if they are foreign nationals, potentially losing their residency status or having their applications for citizenship denied. Moreover, foreign nationals living outside Denmark who work for Danish civil society organizations claim that they face an increased risk of being denied visas to attend international solidarity events or participate in development projects in Copenhagen. They claim that these stringent policies actually increase global inequality because they are hindered from completing their projects. ([A/HRC/59/40/Add.1](#), para.46)