



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](#)



Ireland: Inside the contribution

- **Period of contribution: January – December 2025**
- **Contents of contribution and additional information:**
 - The UN Committee on the Elimination of Discrimination against Women adopted its concluding observations on Ireland ([CEDAW/C/IRL/CO/8](#)) on 20 June 2025 at its 91st session and the report was published on 10 July 2025.
 - The UN High Commissioner for Human Rights issued a [press release](#) “UK-Ireland Joint Framework is an important step towards addressing the human rights legacy of the Troubles – Türk” on 24 September 2025.
 - The special procedures of the UN Human Rights Council sent a communication letter to Ireland ([IRL 2/2025](#)) dated 10 December 2025 on the introduction of a new equality ground of socioeconomic disadvantage in the Equality (Miscellaneous Provisions) Bill 2024, as part of a broader effort to modernize Ireland’s equality framework, including transposing elements of the EU Pay Transparency Directive and enhancing protections against indirect discrimination.
 - The special procedures of the UN Human Rights Council sent a communication letter to Ireland ([IRL 1/2025](#)) dated 30 October 2025 on the Joint Framework between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland on addressing the legacy of the Troubles. [A response](#) was received (3 November 2025).
- **Summary of information which could be of particular relevance to the Rule of Law report:**
 - Under pillar 1 on justice system, relevant findings and recommendations (quality of justice) were issued by the UN human rights mechanisms.
 - Under pillar 4 on checks and balances, relevant findings and recommendations (independent authorities - NHRIs) were issued by UN human rights mechanisms.
- **Forthcoming relevant information (January – May 2026):**
 - The Working Group on the Universal Periodic Review will review Ireland at its 4th cycle, [53rd session](#) (2 - 13 November 2026)
 - The UN Special Rapporteur on the human right to a healthy environment will conduct an official visit to Ireland from 9 to 20 February 2026.
 - The UN Committee on the Rights of Persons with Disabilities will consider the State Party report from Ireland ([CRPD/C/IRL/1](#)) in a future session ([date to be confirmed](#)).
 - The UN Committee on the Elimination of Racial Discrimination will consider the State Party report from Ireland ([CERD/C/IRL/10-12](#)) in a future session ([date to be confirmed](#)).
- **Resources:**
 - Rule of Law in Europe | [OHCHR](#)
 - Country page on [Ireland](#)
 - [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).

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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.

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Quality of justice - accessibility of courts

The UN Committee on the Elimination of Discrimination against Women notes the State Party's efforts to advance access to justice for women, including redress schemes for survivors of historic abuse and training for justice sector professionals. However, the Committee remains deeply concerned about:

- (a) Systemic barriers to accessing justice for women, particularly those from marginalized communities, including restrictive civil legal aid with means testing regardless of case complexity
- (b) Additional barriers faced by Traveller, Roma, migrant and rural women and women with disabilities, including intersecting forms of discrimination, lack of accessibility measures and procedural accommodations, lack of culturally appropriate services, and limited awareness of their rights
- (c) Gaps in ensuring women's access to legal representation in all relevant areas of law, including labour discrimination and welfare benefits ([CEDAW/C/IRL/CO/8](#), para.17)

Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State Party:

- (a) Remove systemic barriers to women's access to justice by eliminating restrictive financial eligibility criteria for legal aid, especially for women victims of domestic violence and marginalized groups of women

[...]

- (c) Expand access to legal aid and legal representation for women in all areas of law in which discrimination occurs, including labour disputes, welfare benefits and other civil matters, ensuring that financial barriers do not prevent women from accessing justice ([CEDAW/C/IRL/CO/8](#), para.18)

Quality of justice - training of justice professionals

The UN Committee on the Elimination of Discrimination against Women notes the State Party's efforts to advance access to justice for women, including redress schemes for survivors of historic abuse and training for justice sector professionals. However, the Committee remains deeply concerned about: [...]

(d) The lack of mandatory, gender-sensitive training for relevant personnel involved in investigations and redress processes. ([CEDAW/C/IRL/CO/8](#), para.17)

Recalling its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State Party: [...]

(d) Put in place mandatory, gender-sensitive training for all relevant personnel involved in investigations and redress processes for survivors of historic abuse in mother-and-baby institutions, the Magdalene laundries and other residential institutions, ensuring that such training is survivor-centred and incorporates intersectional perspectives. ([CEDAW/C/IRL/CO/8](#), para.18)

Pillar IV: 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.

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Independent authorities - independence, resources, capacity and powers of national human rights institutions (NHRIs)

The UN Committee on the Elimination of Discrimination against Women welcomes the 12 per cent increase in the 2025 budget of the Irish Human Rights and Equality Commission. However, the Committee is concerned that the Commission is not adequately resourced to effectively discharge its expanded mandate, particularly with regard to women's human rights and gender equality. The Committee regrets that the mandate of the Commission does not explicitly include responsibility for promoting the ratification of international and regional instruments and frameworks, as recommended by the Global Alliance of National Human Rights Institutions. ([CEDAW/C/IRL/CO/8](#), para.21)

The Committee recommends that the State Party implement the recommendations of the Global Alliance of National Human Rights Institutions, in particular with regard to providing the Commission with an explicit mandate to promote the ratification of and accession to international instruments, and that it allocate sufficient human, technical and multi-year financial resources to enable the Commission to discharge its expanded mandate effectively, independently and in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles, annexed to General Assembly resolution 48/134). ([CEDAW/C/IRL/CO/8](#), para.22)