

LIBERTIES

RULE OF LAW

REPORT

2026



CIVIL
LIBERTIES
UNION FOR
EUROPE



ESTONIAN HUMAN
RIGHTS CENTRE



#roi-report2026

ESTONIA



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FOREWORD

The Liberties Rule of Law Report 2026 is the seventh annual report on the state of rule of law in the European Union (EU) published by the Civil Liberties Union for Europe (Liberties). Liberties is a non-governmental civil society organisation promoting the civil liberties of everyone in the EU, and it is built on a network of national civil liberties groups from across the EU. Currently, we have member organisations in Belgium, Bulgaria, the Czech Republic, Croatia, Denmark, Estonia, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and Sweden, as well as a contributing partner organisation in Greece.

Liberties, together with its members and partner organisations, carries out advocacy, campaigning and public education activities to explain what the rule of law is, what the EU and national governments are doing to protect or harm it, and gathers public support to press leaders at EU and national level to fully respect, promote and protect our basic rights and values.

Drafted by Liberties and its member and partner organisations, the 2026 report covers the situation during 2025 with the purpose of providing the European Commission with reliable information and analysis from the ground to feed its own rule of law reports, and to provide an independent analysis of the state of the rule of law in the EU in its own right. Liberties' report represents the most in-depth reporting exercise carried out to date by a civil society network to map developments in a wide range of areas connected to the rule of law in the EU.

The 2026 report includes EU-wide trend analysis in the justice system, anti-corruption framework, media freedom, checks and balances, based on 22 country reports that follow a common structure, mirroring and expanding on the priority areas and indicators identified by the European Commission for its annual rule of law monitoring cycle. Nearly 40 organisations contributed to the compilation of these country reports. The 2026 report places particular emphasis on the recommendations made by the European Commission and how, in the assessment of Liberties' members, they have been implemented. Specific gaps were identified alongside new issues that arose in 2025.

[Download the full Liberties Rule of Law Report 2026 here.](#)

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ESTONIA

ABOUT THE CONTRIBUTING ORGANISATIONS

Estonian Human Rights Centre



ESTONIAN HUMAN RIGHTS CENTRE

The Estonian Human Rights Centre (EHRC) is an independent public-interest foundation dedicated to the advancement of the protection of human rights in Estonia. The EHRC is engaged in research, monitoring, advocacy and awareness-raising activities to advance the protection of human rights. The mission of the EHRC is to work together for Estonia to become a country that respects the human rights of every person in the country. The EHRC develops its activities according to the needs of the society. The EHRC's focus is currently on the advancement of equal treatment of minority groups, diversity and inclusion, the human rights of asylum seekers and refugees, hate speech and hate crime, and data and privacy. The EHRC coordinates the Estonian Diversity Charter. The EHRC also monitors the overall human rights situation in Estonia and publishes independent human rights reports about the situation in Estonia. As a whole, the EHRC carries out broad-based, effective, and sustainable advocacy in the field of human rights.

OVERALL ASSESSMENT: STAGNATOR

Estonia’s rule of law context in 2025 is defined by institutional stability under growing pressure from a tense security environment, rapid technological change, and restrictive budget choices. Democratic governance and the judiciary continue to function, but several developments have raised concerns about transparency, safeguards, and effective protection of fundamental rights. The most visible shift has been in data protection and surveillance: new or expanded state surveillance capabilities were rolled out before the Riigikogu (the national parliament) had clearly defined their purpose, mandate, and safeguards, intensifying public debate about privacy, oversight, and access to remedies.

At the same time, resource constraints in the justice system have increased delays and uneven access to legal protection, disproportionately affecting people in weaker positions. In the equal-treatment policy, a draft law prepared via consultation in 2024 to merge equality legislation was halted when the Ministry of Justice commissioned a new version from a private law firm; in 2025, the revised draft and analysis were not made public or broadly consulted on, undermining inclusiveness and coordination with equality institutions.

Key actors have influenced these trends in opposite directions. The government and ministries have pushed security- and efficiency-driven initiatives, sometimes without sufficient openness. In response, oversight bodies and courts have acted as safeguards: the Chancellor of Justice warned against movement towards a ‘surveillance society’ and the Supreme Court has highlighted risks from vague restrictions that render constitutional limits unclear. Civil society and equality bodies have increased scrutiny and calls for publication, consultation, and impact assessments—strengthening resilience, even where state institutions have not fully engaged.

Assessment of the trajectory

Estonia can be described as resilient but increasingly vulnerable: democratic institutions and judicial independence remain stable, yet there is a risk of early warning signs—such as the expansion of surveillance capabilities ahead of clear legal mandates and safeguards, reduced transparency and inclusiveness in law-making, and budget-driven constraints that weaken access to justice—being normalised. The situation is not fully entrenched backsliding, but may become so if these practices become routine, which is why timely corrective action is needed. At the same time, active public debate, civil society scrutiny, and the corrective role of oversight bodies and courts are clear strengths that should be reinforced.

State of play (versus 2025)

-  Justice system
-  Anti-corruption framework
-  Media Environment and Media Freedom
-  Checks and balances

Legend

- | | | |
|---|---|---|
| <i>Regression</i> | <i>No progress</i> | <i>Progress</i> |
|  |  |  |

JUSTICE SYSTEM

General assessment

Compared to the previous year, the situation of the justice system in Estonia has deteriorated.¹ While legislative initiatives² aimed at improving court administration and procedural efficiency have continued, their practical impact has been outweighed by structural developments that negatively affect the functioning of the justice system.³ Courts' capacity to manage their workload has declined, and the length of proceedings has increased, particularly in appellate instances.⁴ Budgetary cuts implemented during the reporting period have had a tangible impact on the sustainability, quality, and accessibility of justice, including through the closure of court buildings and constraints on human resources.⁵ Long-standing concerns regarding the underfunding of state legal aid remain unaddressed, and proposed plans to replace first-level legal assistance for vulnerable groups with automated tools risk further undermining effective access to justice.⁶ Also, the public trust in the judiciary has declined, and oversight bodies continue to identify recurring deficiencies in procedural safeguards, particularly

- 1 Jaanus Tehver, *Human Rights Report 2026: Right to a fair trial*, Estonian Human Rights Centre (Eesti Inimõiguste Keskus), 10 December 2025, <https://humanrights.ee/en/materials/inimoigused-cestis-2026/right-to-a-fair-trial/>
- 2 Parliament (Riigikogu), Act on Amendments to the Courts Act and Related Amendments to Other Acts (Enhancing the Efficiency of Court Administration) 632 SE (Kohtute seaduse muutmise ja sellega seonduvalt teiste seaduste muutmise seadus (kohtute haldamise tõhustamine) 632 SE), 30 June 2025, <https://www.riigikogu.ee/tegevus/eelnoud/eelnou/2df3cfc4-3ccc-4bc6-8886-d98cd5be4970/kohtute-seaduse-muutmise-ja-sellega-seonduvalt-teiste-seaduste-muutmise-seadus-kohtute-haldamise-tohustamine/> [in Estonian]
- 3 Supreme Court of Estonia (Riigikohus), Activities of the Court Administration Council in 2024 (Kohtute haldamise nõukoja tegevus 2024. aastal), October 2025, <https://aastaraamat.riigikohus.ee/kohtute-haldamise-noukoja-tegevus-2024-aastal/> [in Estonian]
- 4 Supreme Court of Estonia (Riigikohus), Overview of judicial organisation, administration of justice and uniform application of laws (Ülevaade kohtukorralduse, õigusemõistmise ja seaduste ühetaolise kohaldamise kohta), 10 June 2025, https://www.riigikohus.ee/sites/default/files/elfinder/õiguslased%20materjalid/RK%20esimehe%20ülevaade%20Riigikogus%20202018/Riigikohtu%20esimehe%20ülevaade%20kohtukorralduse%20õigusemõistmise%20ja%20seaduste%20ühetaolise%20kohaldamise%20kohta_lõplik_2025.pdf [in Estonian]
- 5 European Commission, *EU Justice Scoreboard*, 1 July 2025, https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/upholding-rule-law/eu-justice-scoreboard_en
- 6 *Government swaps free legal aid for chatbot (Valitsus vahetab tasuta õigusabi juturoboti vastu)*, *ERR.ee*, 10 October 2025, <https://www.err.ee/1609825824/valitsus-vahetab-tasuta-oigusabi-juturoboti-vastu> [in Estonian]

in detention-related contexts.⁷ Early warning signs relating to court capacity, funding, and access to justice have not been adequately addressed, and, without corrective action, there is a risk that current shortcomings will become structurally entrenched.⁸

Implementation of 2025 Commission recommendations

Recommendation: Continue the ongoing efforts to reform the Council for the Administration of Courts, taking into account European standards on Councils for the Judiciary (first made in 2024)

During 2025, legislative work to reform the Council for the Administration of Courts continued, reflecting a formal commitment by the government to address long-standing concerns regarding judicial governance. A draft law amending the Courts Act (632 SE) was introduced and discussed in the Riigikogu, building on earlier preparatory work and signaling an intention to strengthen judicial autonomy and align court administration with European standards on Councils for the Judiciary. The reform proposal includes changes aimed at redistributing powers between the executive and judicial branches and restructuring the Council's role in court administration.

However, progress remained limited to the preparatory and legislative stages, and the reform had not been adopted or implemented by the end of the reporting period. Key aspects of the reform, including the final composition of the Council and the role of non-judicial members, continued to be debated, and no tangible institutional changes materialised in practice during 2025. As a result, the existing governance model remained in place.⁹

7 Supreme Court of Estonia (Riigikohus), Overview of judicial organisation, administration of justice and uniform application of laws (Ülevaade kohtukorralduse, õigusemõistmise ja seaduste ühetaolise kohaldamise kohta), 10 June 2025, https://www.riigikohus.ee/sites/default/files/elfinder/õiguslased%20materjalid/RK%20esimehe%20ülevaade%20Riigikogus%20%202018/Riigikohtu%20esimehe%20ülevaade%20kohtukorralduse%20õigusemõistmise%20ja%20seaduste%20ühetaolise%20kohaldamise%20kohta_lõplik_2025.pdf [in Estonian]

8 Estonian Bar Association, *Proposals to increase fees (Riigi õigusabi korraldamine)*, *Eesti Advokatuur*, 7 October 2025, <https://aastaraamat.advokatuur.ee/2024-2/riigi-õigusabi-korraldamine> [in Estonian]

9 Parliament (Riigikogu), Act on Amendments to the Courts Act and Related Amendments to Other Acts (Enhancing the Efficiency of Court Administration) 632SE (Kohtute seaduse muutmise ja sellega seonduvalt teiste seaduste muutmise seadus (kohtute haldamise tõhustamine) 632 SE), 30 June 2025, <https://www.riigikogu.ee/tegevus/dokumendiregister/dokument/656f6461-564a-41b9-97c5-0ae4983f2fa0/> [in Estonian]

At the same time, structural challenges affecting the justice system intensified, creating an unfavourable context for the reform process. Budgetary constraints and reductions affecting the judiciary, combined with declining court capacity and increasing workload pressures, undermined the practical ability of governance reforms to translate into the improved functioning of the justice system. These developments risk weakening the impact of the proposed reform even if adopted, as governance changes alone cannot offset sustained resource constraints.¹⁰

No clear signs of regression specific to the governance reform were identified. However, the absence of concrete implementation, coupled with worsening operational conditions, raises concerns about reform fatigue and delayed compliance with European standards. To ensure meaningful implementation, further steps are needed, including the timely adoption of the reform, clear safeguards to ensure a decisive role for judges elected by their peers within the Council, and complementary measures addressing court funding and capacity. Without such steps, the reform risks remaining a formal legislative exercise without a substantive effect on judicial independence in practice.¹¹

The recommendation itself is relatively clear but the steps to take have not been clearly articulated. The recommendation clearly identifies the objective of reforming the Council for the Administration of Courts in line with European standards, but it does not specify concrete benchmarks, timelines, or minimum requirements for compliance, leaving substantial discretion as to its implementation. The Commission should have recommended that Estonia:

Adopt and implement, within a clear timeframe, the reform of the Council for the Administration of Courts in full compliance with European standards, ensuring a decisive role for peer-elected judges, while simultaneously addressing court funding, workload, and access to justice to safeguard judicial independence in practice.

Commission's 2025 assessment: Some progress

EHRC's current assessment: In progress

- 10 Supreme Court of Estonia (Riigikohus), Overview of judicial organisation, administration of justice and uniform application of laws (Ülevaade kohtukorralduse, õigusemõistmise ja seaduste ühetaolise kohaldamise kohta), 10 June 2025, https://www.riigikohus.ee/sites/default/files/elfinder/õiguslased%20materjalid/RK%20esimehe%20ülevaade%20Riigikogus%20202018/Riigikohtu%20esimehe%20ülevaade%20kohtukorralduse%20õigusemõistmise%20ja%20seaduste%20ühetaolise%20kohaldamise%20kohta_lõplik_2025.pdf [in Estonian]
- 11 Jaanus Tehver, *Human Rights Report 2026: Right to a fair trial*, Estonian Human Rights Centre (*Eesti Inimõiguste Keskus*), 10 December 2025, <https://humanrights.ee/en/materials/inimoigused-ee-2026/right-to-a-fair-trial/>

Gaps in the Commission's Report

Severe budget proposals for courts

Courts were instructed to reduce costs, and a multi-year cut (reported as 10%) was planned and implemented. The Council for the Administration of Courts explicitly warned that the proposed budgets were too severe and do not ensure sustainable administration of justice¹². The courthouse closures were decided and implemented, and further closures were discussed, raising concerns about reduced accessibility of justice.¹³

State legal aid funding

The Estonian Bar Association made proposals in both 2024 and 2025 to increase state legal aid funding, but the Ministry of Justice and Digital Affairs said current budgetary restrictions made it impossible.¹⁴ In autumn 2025, information became public about a government plan to discontinue state-funded first-level legal aid for low-income people from 2026 and replace it with a chatbot, which is assessed as worsening access to justice.¹⁵

Detention conditions

Oversight continued to identify systemic issues in detention and closed settings (e.g., access to medical care, isolation safeguards, documentation, communication restrictions), as reported by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and corroborated by the Chancellor of Justice monitoring practice.¹⁶

12 Council for the Administration of Courts (Eesti Kohtunike Ühing), Estonian Judges' Association's appeal in connection with the closure of courthouses (Eesti Kohtunike Ühingu pöördumine seoses kohtumajade sulgemisega), 20 January 2025, https://www.ekou.ee/doc/2025-01-20_EKoY-JDM-kohtumajade-sulgemine.pdf [in Estonian]

13 Rene Kundla, *The municipality and the prosecutor's office fear a security risk from the closure of the Jõhvi courthouse (Vald ja prokuratuur kardavad Jõhvi kohtumaja sulgemisest julgeolekuriski)*, ERR.ee, 4 March 2025, <https://www.err.ee/1609620938/vald-ja-prokuratuur-kardavad-johvi-kohtumaja-sulgemisest-julgeolekuriski> [in Estonian]

14 The Estonian Bar Association, *Proposals to increase fees (Riigi õigusabi korraldamine)*, Eesti Advokatuur, 7 October 2025, <https://aastaraamat.advokatuur.ee/2024-2/riigi-ogusabi-korraldamine> [in Estonian]

15 Estonian Public Broadcasting (ERR), *Government swaps free legal aid for chatbot (Valitsus vahetab tasuta õigusabi juturoboti vastu)*, ERR.ee, 10 October 2025, <https://www.err.ee/1609825824/valitsus-vahetab-tasuta-ogusabi-juturoboti-vastu> [in Estonian]

16 Chancellor of Justice (Õiguskantsler), Inspection visit to Kastre home (Kontrollkäik SA Hooldekodu Härmalõng Kastre kodusse), 19 August 2025, <https://www.oiguskantsler.ee/sites/default/files/2025-08/Kontrollkaik%20SA%20Hooldekodu%20Harmalong%20Kastre%20kodusse.pdf> [in Estonian]

New Issues that Emerged in 2025

Planned replacement of first-level legal aid with an automated tool

A new government plan became public in autumn 2025 to end state-funded (free/subsidised) first-level legal assistance for people with low income from 2026 and replace it with a chatbot.¹⁷ Lawyers from the HUGO.legal law firm, which has previously provided the legal aid service, warn that ending the programme will jeopardise access to legal aid. They note that the Ministry's plan remains unclear—there is talk of a 'robot', but no explanation of what will happen to the roughly 10,000 people who have relied on this support each year. So the chatbot option¹⁸ is assessed as certainly worsening legal aid accessibility for economically vulnerable groups, thereby weakening access to justice.¹⁹ It also sits against the background of unresolved underfunding of state legal aid repeatedly raised by the Bar Association.²⁰

The Sweden-Estonia prison rental agreement and rights safeguards in the detention-related justice

In June 2025, Estonia and Sweden signed a prison rental agreement²¹ enabling Sweden to use Estonian prison infrastructure for up to 600 detainees, raising new justice-system questions about rights protection, oversight capacity, and practical access to safeguards in a cross-border detention context. Despite the Ministry of Justice and Digital Affairs' view that the arrangement complies with European human-rights standards, there are concrete practical risks. Especially, language barriers and the ability to ensure meaningful activities, communication, visits, and safeguards. Particularly given

17 Estonian Public Broadcasting (ERR), *Government swaps free legal aid for chatbot (Valitsus vahetab tasuta õigusabi juturoboti vastu)*, ERR.ee, 10 October 2025, <https://www.err.ee/1609825824/valitsus-vahetab-tasuta-oigusabi-juturoboti-vastu> [in Estonian]

18 Legal Assistance Chatbot, <https://www.juristaitab.ee/et>

19 Kelly Taidla, *The state is replacing free legal aid with a chatbot; according to the current service provider, this puts access to assistance at risk (Riik asendab tasuta õigusabi juturobotiga, tänase teenuspakkuja sõnul seab see ohtu abi kättesaadavuse)*, DELFI.ee, 16 October 2025, <https://www.delfi.ee/artikkel/120410001/riik-asendab-tasuta-oigusabi-juturobotiga-tanase-teenuspakkuja-sonul-seab-see-ohtu-abi-kattesaadavuse> [in Estonian]

20 The Estonian Bar Association, *Proposals to increase fees (Riigi õigusabi korraldamine)*, Eesti Advokatuur, 7 October 2025, <https://aastaraamat.advokatuur.ee/2024-2/riigi-oigusabi-korraldamine> [in Estonian]

21 Ministry of Justice and Digital Affairs (Justiits- ja Digiministeerium), *Estonia and Sweden Sign Prison Lease Agreement*, 18 June 2025, <https://www.justdigi.ee/en/news/estonia-and-sweden-sign-prison-lease-agreement>

that ensuring such rights is described as challenging, even with the current low number of foreign detainees.²²

Implications and Recommendations for 2026

There is a risk that the most immediate drivers of justice system deterioration will remain politically underprioritised, including sustainability warnings on court budgets and the accessibility risks linked to the courthouse closures, that legal aid underfunding will persist, whereas the planned replacement of state-funded first-level legal aid with automated tools will further undermine effective access to justice, and that recurring detention-related safeguard deficiencies identified by the CPT and national monitoring will become entrenched if structural pressures increase and access-to-lawyer pathways are weakened.

Suggested recommendation: The government should avoid excessive budget cuts targeting the judiciary to prevent compromising the quality of justice.

Suggested recommendation: Riigikogu should adopt and implement amendments to the laws on judicial proceedings regulations, which would allow proceedings to be conducted more efficiently and faster, while also ensuring the fundamental and procedural rights of the persons involved.

Suggested recommendation: The Ministry of Justice and Digital Affairs should carry out the court administration reform in a manner that does not compromise access to justice. Implement the activities necessary to achieve the objectives set out in the courts' development plan.

Suggested recommendation: The Ministry of Justice and Digital Affairs should apply measures to ensure the accessibility and sustainability of the state legal aid system.

Concerning the new developments over the last year, the Commission should address them through the following new recommendations.

Suggested recommendation: Estonia should maintain and sustainably fund first-level legal aid for persons with low income and ensure that any digital tools used in legal aid are only supplementary and subject to quality, transparency, accountability, and human review safeguards, so that effective access to justice is guaranteed.

22 Chancellor of Justice (Õiguskantsler), *Annual review of the chancellor of Justice 2024/2025 (Õiguskantsleri aastaülevaade 2024/2025)*, <https://www.oiguskantsler.ee/ylevaade2025/otsing#rootsi> [in Estonian]

Suggested recommendation: Estonia should introduce specific safeguards and monitoring for the prison rental arrangement, including guaranteed access to healthcare, communication with counsel and relatives, meaningful activities, effective complaint mechanisms, and strengthened independent oversight (including language-access measures), to prevent detention-related rights deficiencies.

Implementation of Judgments

In the European Court of Human Rights (ECtHR) judgment delivered on 16 September 2025, *Seppern v. Estonia*, the Court found no violation of Article 6(1) of the Convention. As no violation was established, this judgment did not require the adoption of specific execution or remedial measures by the Estonian authorities beyond dissemination and consideration in judicial practice.²³ Regarding detention conditions and procedural safeguards, formal legal amendments have not fully translated into effective implementation in practice. Although amendments to the Imprisonment Act²⁴ entering into force in 2024 improved alignment with international standards, oversight bodies continue to identify persistent shortcomings in detention-related safeguards.

23 European Court of Human Rights, *Case of Seppern v. Estonia*, 16 September 2025, [https://hudoc.echr.coe.int/fre#{%22itemid%22:\[%22001-244808%22\]}](https://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-244808%22]})

24 *Riigi Teataja*, Imprisonment Act, <https://www.riigiteataja.ee/en/eli/ee/504112013005/consolide/current>

ANTI-CORRUPTION FRAMEWORK -

General assessment

In 2025, Estonia made tangible progress in its anti-corruption framework primarily because a whistleblower protection law entered into force on 1 January 2025.²⁵ Enhancing the structure in this way can lead to improved detection and reporting capabilities with continued effectiveness in implementation. At the same time, several core prevention and integrity reforms remained stalled or were only at the discussion or analysis stage, limiting the practical impact of the progress. For example, Amendments to the Anti-Corruption Act²⁶ are still under parliamentary consideration. Although parties agreed in early 2025 to develop a lobbying framework for the Parliament, there is still no timeline set. Likewise, revolving-doors restrictions beyond government members remain unresolved - discussion continued, but no steps have been taken to broaden restrictions to other high-level officials.²⁷ There are clear steps to build on existing progress: to make whistleblower protection effective in practice, to finalize the Anti-Corruption Act amendments, to adopt a time-bound and enforceable parliamentary lobbying framework, and to close revolving-door gaps beyond government members.

Implementation of 2025 Commission recommendations

There were no recommendations in this area in the Commission's 2025 Rule of Law Report.

Gaps in the Commission's Report

Political party financing and election-related use of public resources

A key gap is the lack of a specific recommendation on political integrity risks around political party financing and election-related use of public resources, despite political party financing being treated as a high-risk corruption area in the Commission's own Estonia country chapter narrative and concrete

25 European Commission, *Country Chapter on the rule of law situation in Estonia*, 8 July 2025, https://commission.europa.eu/document/download/a240f7e5-028d-4448-938f-33df5887531c_en?filename=10_1_63942_coun_chap_estonia_en.pdf

26 Parliament (Riigikogu), *Draft Act to Amend the Anti-Corruption Act (442 SE) (Korruptsioonivastase seaduse muutmise seadus 442 SE)*, 27 May 2024, <https://www.riigikogu.ee/tegevus/eelnoud/eelnou/766f7c9b-8932-40de-8a6a-20fae2aa-c3af/korruptsioonivastase-seaduse-muutmise-seadus/> [Estonian]

27 European Commission, *Country Chapter on the rule of law situation in Estonia*, 8 July 2025, https://commission.europa.eu/document/download/a240f7e5-028d-4448-938f-33df5887531c_en?filename=10_1_63942_coun_chap_estonia_en.pdf

2025 incidents pointing to integrity vulnerabilities. Political party financing oversight and election-related integrity safeguards remain insufficiently robust in practice, including the enforcement capacity and investigatory powers of the Political Parties Financing Surveillance Committee (ERJK), and the prevention of public-resource or public-platform use that could distort fair political competition (especially salient during election periods).²⁸

In 2025, several developments illustrated integrity stress-points and enforcement relevance: firstly, party financing and suspected unlawful financing allegations, where the Prosecutor's Office reported plans to present its suspicions to the political party Isamaa regarding alleged financing;²⁹ secondly, the enforcement of prohibited donation or benefit logic in political communications, where the ERJK sought repayment from Urmas Reinsalu, the member of the parliament, related to the Postimees news portal author programme assessed as being a prohibited donation or benefit;³⁰ and thirdly, the use of public sector platforms and election campaigning optics, reporting on how a municipal company's tram setting was used for a political campaign event and raised concerns about the rule-compliance and integrity of public entities in campaign contexts.³¹ At the same time, at the policy level, the Commission described ongoing efforts to reform the political party financing framework, including strengthening the ERJK's powers and clarifying party financing rules, but these remained in the legislative and early implementation phase.³²

28 European Commission, *Country Chapter on the rule of law situation in Estonia*, 8 July 2025, https://commission.europa.eu/document/download/a240f7e5-028d-4448-938f-33df5887531c_en?filename=10_1_63942_coun_chap_estonia_en.pdf

29 Estonian Public Broadcasting (ERR), *The Prosecutor's Office files a complaint against Isamaa regarding alleged financing (Prokuratuur esitab Isamaale kahtlustuse seoses väidetava rahastamisega)*, ERR.ee, 21 November 2025, <https://www.err.ee/1609864371/prokuratuur-esitab-isamaale-kahtlustuse-seoses-vaidetava-rahastamisega> [in Estonian]

30 Estonian Public Broadcasting (ERR), *ERJK expects Reinsalu to return thousands of euros for the Postimees program (ERJK ootab Reinsalult Postimehe saate eest tuhandete eurode tagastamist)*, ERR.ee, 22 May 2025, <https://www.err.ee/1609701618/erjk-ootab-reinsalult-postimehe-saate-eest-tuhandete-eurode-tagastamist> [in Estonian]

31 Estonian Public Broadcasting (ERR), *TLT, which promised an Estonia 200 campaign in the tram, violated its own rules (Trammis Eesti 200 kampaaniat lubanud TLT rikkus enda reegleid)*, ERR.ee, 2 September 2025, <https://www.err.ee/1609786146/trammis-eesti-200-kampaaniat-lubanud-tlt-rikkus-enda-reegleid> [in Estonian]

32 European Commission, *Country Chapter on the rule of law situation in Estonia*, 8 July 2025, https://commission.europa.eu/document/download/a240f7e5-028d-4448-938f-33df5887531c_en?filename=10_1_63942_coun_chap_estonia_en.pdf

Implications and Recommendations for 2026

Political party financing and election-adjacent integrity issues can be high-impact and system-wide, so leaving them without a tailored recommendation weakens the report's leverage precisely where enforcement and clarity are most needed.

Suggested recommendation: Adopt and implement, within a clear timeframe, measures strengthening political party financing oversight (including effective investigatory powers and enforceable sanctions), and introduce explicit safeguards preventing the use of public resources and public entities for party-political campaigning, to reinforce integrity and public trust.

Suggested recommendation: Expand whistleblower protection beyond EU-law breaches to national-law violations, with effective awareness and reporting channels.

MEDIA ENVIRONMENT AND MEDIA FREEDOM -

General assessment

Although the state of freedom of expression in Estonia remains good and is supported by the Supreme Court of Estonia in practice, it has neither enacted laws restricting media freedom nor implemented any new measures to support it. There are still problems with the right of access to information, as some authorities continue to classify documents without a clear and properly justified basis.

Implementation of 2025 Commission recommendations

Recommendation: Further advance, with efforts to ensure consistent and effective implementation of, the right of access to information taking into account European standards on access to official documents (first made in 2022).

There has been no progress in advancing efforts to ensure consistent and effective implementation of the right of access to information, considering European standards on access to official documents.

The recommendation addresses a relevant priority, but it remains too broad and aggregates several issues (implementation, consistency, effectiveness, and alignment with European standards) without setting out concrete, sequenced steps or measurable benchmarks. Authorities should refrain from classifying documents without proper justification.

Commission's 2025 assessment: No progress

EHRC's current assessment: No progress

CHECKS AND BALANCES

General assessment

Budget cuts and delays in funding have created uncertainty amongst NGOs, while fundamental rights are increasingly being restricted on public-safety grounds, including through unlawful measures.³³ It became evident that public authorities are using, for example, a nationwide network of number-recognition cameras³⁴ or the enforcement register,³⁵ which allows access to bank account data without a clear legal basis. Attention was also drawn to the plan by the Financial Intelligence Unit to create a so-called ‘super-database’³⁶ as well as conceptual developments related to a nationwide network of surveillance cameras with facial and number recognition.³⁷

There also remains a blanket ban on prisoners voting in elections. In addition, Estonia has yet to implement the UN Committee on the Rights of Persons with Disabilities’ recommendation to ensure the right to vote for all persons, including those with limited legal capacity and those under guardianship.³⁸

33 Alari Rammo, *Human Rights Report 2026: Freedom of assembly and association*, Estonian Human Rights Centre (Eesti Inimõiguste Keskus), 10 December 2025, <https://humanrights.ee/en/materials/inimoigused-eestis-2026/right-to-a-fair-trial/>

34 Estonian Public Broadcasting (ERR), *Interior Ministry memo: license plate recognition should be written into law (Siseministeeriumi memo: numbrituvastus tuleks seadusesse kirjutada)*, ERR.ee, 13 May 2025, <https://www.err.ee/1609692788/siseministeeriumi-memo-numbrituvastus-tuleks-seadusesse-kirjutada> [in Estonian]

35 Estonian Public Broadcasting (ERR), *Chancellor of Justice: State agencies have gained unregulated access to banking secrecy (Õiguskantsler: riigiasutused on saanud reegliteta ligipääsu pangasaladusele)*, ERR.ee, 1 July 2025, <https://www.err.ee/1609735116/oiguskantsler-riigiasutused-on-saanud-reegliteta-ligipaasu-pangasaladusele> [in Estonian]

36 Estonian Public Broadcasting (ERR), *Financial Intelligence Unit’s planned large database draws criticism (Rahapesu andmebüroo plaanitav suur andmebaas pälvib kriitikat)*, ERR.ee, 16 June 2025, <https://www.err.ee/1609723128/rahapesu-andmebüroo-plaanitav-suur-andmebaas-palvib-kriitikat> [in Estonian]

37 Estonian Public Broadcasting (ERR), *The state is planning a nationwide network of surveillance cameras with facial and number plate recognition (Riik kavandab üle-eestiliste näo- ja numbrituvastusega valvekaamerate võrku)*, ERR.ee, 17 March 2025, <https://www.err.ee/1609635740/riik-kavandab-ule-eestilist-nao-ja-numbrituvastusega-valvekaamerate-vorku> [in Estonian]

38 Egert Rünne, *Human Rights Report 2026: Right to free elections*, Estonian Human Rights Centre (Eesti Inimõiguste Keskus), 10 December 2025, <https://humanrights.ee/en/materials/inimoigused-eestis-2026/right-to-free-elections/>

Implementation of 2025 Commission recommendations

There were no recommendations in this area in the Commission's 2025 Rule of Law Report.

Gaps in the Commission's Report

Transparency and inclusiveness of the legislative process

An incident involving the preparation of the draft law to merge the Gender Equality Act and the Equal Treatment Act raised concerns last year regarding the transparency and inclusiveness of the legislative process. In May 2024, the Equality Policy Department of the Ministry of Economic Affairs and Communications completed a draft of the Gender Equality and Equal Opportunities Act and submitted it for consultation with relevant state institutions and civil society. After this, the Ministry of Justice and Digital Affairs commissioned a new draft law from the private law firm Sorainen. The Ministry of Justice and Digital Affairs justified this step by citing critical legal feedback on the initial draft, the need to ensure alignment with constitutional principles while avoiding excessive administrative burden, and the ministry's overall workload. The ministry also promised to resubmit the draft for consultation with all stakeholders.³⁹

In 2025, the Ministry of Justice has not yet made the draft law public or submitted it for consultation with all stakeholders. Moreover, the Ministry of Justice and Digital Affairs has refused to submit the analysis completed by the law firm Sorainen to the Gender Equality and Equal Treatment Commissioner, nor is it being shared with the Ministry of Economic Affairs and Communications, whose area of governance includes the promotion and coordination of equal treatment and gender equality. The Minister of Justice and Digital Affairs, Liisa-Ly Pakosta, in turn, explained that she was not sharing the document as it was a draft.⁴⁰ The same pattern continued at the end of 2025 when Pakosta failed to invite either civil society organisations,⁴¹ or the Gender Equality and Equal Treatment Commissioner

39 Estonian Public Broadcasting (ERR), *The state commissioned a new draft of the Gender Equality Act from a law firm (Riik tellis uue soolise võrdsuse seaduse eelnõu advokaadibüroolt)*, ERR.ee, 20 November 2024, <https://www.err.ee/1609525471/riik-tellis-uee-soolise-vordsuse-seaduse-eelnou-advokaadiburoolt> [in Estonian]

40 Madis Hindre, *The secret of equal treatment: the state hides documents from the state (Võrdse kohtlemise saladus: riik peidab riigi eest dokumente)*, ERR.ee, 7 February 2025, <https://www.err.ee/1609598315/vordse-kohtlemise-saladus-riik-peidab-riigi-eeest-dokumente> [in Estonian]

41 Kelly Grossthal, *The Equal Treatment Network calls on the Ministry to take civil society's positions into account: the hate speech bill requires revision and further amendments (Võrdse kohtlemise võrgustik kutsub ministeeriumi üles arvestama vabakonna seisukohtadega: vaenukõne eelnõu vajab muutmist ja täiendamist)*, Estonian Human Rights Centre (Eesti Inimõiguste Keskus), 13 January 2026, https://humanrights.ee/app/uploads/2026/01/VKV_KarS_jaan2026.pdf [in Estonian]

to consult on the draft act amending the Penal Code and the Code of Criminal Procedure (incitement to hatred and hate-motivated crimes).⁴²

Public demonstrations and freedom of expression

Resolutions were reached in the Supreme Court regarding the so-called ‘from the river to the sea’ cases, in which €120 and €160 fines were imposed by the Police and Border Guard Board (PPA) during a demonstration against the deaths of Palestinian civilians in autumn 2023. In 2025, the Supreme Court of Estonia delivered its final decision regarding the cases of the demonstrators fined under Section 151.1 of the Penal Code⁴³ for using the slogan “from the river to the sea, Palestine will be free” during pro-Palestinian protests in Tallinn. The court ruled that the expression does not constitute support for an international crime and therefore cannot be punished under criminal law. With this judgment, the convictions were overturned, marking an important affirmation of freedom of expression in Estonia.⁴⁴

Right to vote of non-EU citizens

A constitutional amendment has been adopted that removes the right to vote in municipal elections from citizens of non-EU countries as of the 2025 local elections. In subsequent elections, stateless persons will also be disenfranchised. Under the initial draft, Estonian citizens, stateless residents, and citizens of the European Union and NATO countries could participate in municipal council elections. However, before the draft legislation was adopted, an amendment was added stating that the voting rights of third-country nationals residing in Estonia would be invalidated in municipal council elections, and from the following elections onward, stateless persons would also lose the right to vote. In addition, the amendment removed the provision granting voting rights to citizens of NATO member states.⁴⁵

42 Draft Legislation Information System (Eelnõude Infosüsteem), *Karistusseadustiku ja kriminaalmenetluse seadustiku muutmise seadus (vaenu õhutamise ja vaenumotiiviga kuriteod)*, 15 December 2025, <https://eelnoud.valitsus.ee/main#TZFqNZuF> [in Estonian]

43 *Riigi Teataja, Penal Code*, 1 January 2026, <https://www.riigiteataja.ee/en/eli/ee/522012015002/consolide/current>

44 Kelly Grossthal, *All Young Protesters Fined for Using the Phrase “From the River to the Sea” Acquitted*, Estonian Human Rights Centre (Eesti Inimõiguste Keskus) <https://humanrights.ee/en/2025/08/lopplahendus-koik-valjendit-joest-mereni-kasutanud-noored-moisteti-oigeks/>

45 *Egert Rünne, Human Rights Report 2026: Right to free elections*, Estonian Human Rights Centre (Eesti Inimõiguste Keskus), 10 December 2025, <https://humanrights.ee/en/materials/inimoigused-eestis-2026/right-to-free-elections/>

New Issues that Emerged in 2025

Disassociation of the Russian Orthodox Church

The Ministry of the Interior continued with its plan to forcefully disassociate the Russian Orthodox Church from the Moscow Patriarchate, as the latter supports and justifies aggression in Ukraine.⁴⁶ In September, the Riigikogu passed the Churches and Congregations Act unchanged after the president, Alar Karis, had returned it twice. The president argued that the law was too vague, left too much room for interpretation, and disproportionately restricted freedom of religion and freedom of association, making it unconstitutional. Since the parliament passed the law without changes, Karis forwarded it to the Supreme Court for the constitutional review.⁴⁷

Political Parties Act amendment

The Amendment Act to the Political Parties Act and the Credit Institutions Act passed its first reading in the Riigikogu, but has not progressed beyond that stage.⁴⁸ The original plan, defining NGOs that influence politics as affiliated organisations of political parties that should be supervised by the Political Party Funding Supervision Committee (ERJK), was abandoned. The Chancellor of Justice also found that such a prohibition in the Political Parties Act significantly restricts the constitutional rights of individuals, as well as public debate. In addition, the chancellor doubted the effectiveness of the prohibition of donations from legal entities and suggested that the restriction be abolished.⁴⁹

46 Ministry of Interior, *Amendment to the Churches and Congregations Act (Kirikute ja koguduste seaduse muudatus)*, Siseministeerium, 10 December 2025, <https://www.siseministeerium.ee/kirikute-ja-koguduste-seaduse-muudatus> [in Estonian]

47 Estonian Public Broadcasting (ERR), *Karis took the church law to the Supreme Court (Karis viis kirikuseaduse riigikohtusse)*, ERR.ee, 3 October 2025, <https://www.err.ee/1609819731/karis-viis-kirikuseaduse-riigikohtusse> [in Estonian]

48 Parliament (Riigikogu), *Act on Amendments to the Political Parties Act and the Credit Institutions Act 585 SE (Erakonnaseaduse ja krediitiasutuse seaduse muutmise seadus 585 SE)*, 1 April 2025, <https://www.riigikogu.ee/tegevus/eelnoud/eelnou/bfb79854-be0c-4491-9f3f-ab5efb60b4ac/erakonnaseaduse-ja-krediitiasutuse-seaduse-muutmise-seadus/> [in Estonian]

49 Chancellor of Justice (Õiguskantsler), *Act on Amendments to the Political Parties Act and the Credit Institutions Act 585 SE (Arvamus erakonnaseaduse ja krediitiasutuste seaduse muutmise seaduse eelnõu kohta)*, 1 April 2025, <https://www.riigikogu.ee/tegevus/eelnoud/eelnou/bfb79854-be0c-4491-9f3f-ab5efb60b4ac/erakonnaseaduse-ja-krediitiasutuse-seaduse-muutmise-seadus/> [in Estonian]

Implications and Recommendations for 2026

Regarding the gaps in the Commission's report, these omissions around the legislative process have both procedural and substantive implications for the quality of the law, the legitimacy of the process, and the effectiveness of equality governance. The issues around the “from the river to the sea, Palestine will be free” slogan demonstrates a cavalier practice of violating freedom of expression that undermines the rule of law. The changes to the right to vote risk entrenching the practice that rights once granted can later be taken away from people.

Suggested recommendation: The Ministry of Justice and Digital Affairs should share more information with NGOs and institutions in the field of equal treatment.

Suggested recommendation: The Police and Border Guard Board should refrain from practices that deter lawful protest, and ensure that any enforcement measures are necessary, proportionate, and non-discriminatory.

Regarding the new development in 2025 on the Political Parties Act, the following recommendation should be issued.

Suggested recommendation: Move forward with changes to the Political Parties Act, ensuring meaningful stakeholder involvement

CONTACTS

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The Estonian Human Rights Centre (EHRC) is an independent public-interest foundation dedicated to the advancement of the protection of human rights in Estonia. The EHRC is engaged in research, monitoring, advocacy and awareness-raising activities to advance the protection of human rights. The mission of the EHRC is to work together for Estonia to become a country that respects the human rights of every person in the country. The EHRC develops its activities according to the needs of the society. The EHRC's focus is currently on the advancement of equal treatment of minority groups, diversity and inclusion, the human rights of asylum seekers and refugees, hate speech and hate crime, and data and privacy. The EHRC coordinates the Estonian Diversity Charter. The EHRC also monitors the overall human rights situation in Estonia and publishes independent human rights reports about the situation in Estonia. As a whole, the EHRC carries out broad-based, effective, and sustainable advocacy in the field of human rights.

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The Civil Liberties Union for Europe

The Civil Liberties Union for Europe (Liberties) is a non-governmental organisation promoting the civil liberties of everyone in the European Union. We are headquartered in Berlin and have a presence in Brussels. Liberties is built on a network of 24 national civil liberties NGOs from across the EU.

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**Co-funded by
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