

LIBERTIES

RULE OF LAW

REPORT

2026



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Dansk Journalistforbund
Medier & Kommunikation



JUSTITIA

#roi-report2026

DENMARK



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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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DENMARK

ABOUT THE CONTRIBUTING ORGANISATIONS

Nyt Europa (New Europe)



Nyt Europa is a Danish non-profit action tank dedicated to promoting a sustainable and democratic Europe through research, advocacy and public engagement. Founded in 1998 and based in Copenhagen, Nyt Europa works from the conviction that the European Union (EU) has a key role to play in securing a greener, more inclusive and more democratic future for the continent and believes this must be achieved through empirical-based analyses, mobilisation across borders and innovative engagement of citizens in politics.

The following organisations have provided written inputs to the country chapter:

Danish Union of Journalists – Media & Communication (Danmarks Journalist forbund Medier og Kommunikation)



Dansk Journalistforbund
Medier & Kommunikation

Danish Union of Journalists – Media & Communication (DJ) is a professional association and trade union representing journalists and media and communication professionals in Denmark. The organization works to protect and improve members' working conditions, salaries, and professional rights. It represents a wide range of professionals, including journalists, photographers, editors, and communication specialists. DJ also provides legal advice, career support, and professional development opportunities for its members. In addition, the organization engages in media policy discussions and advocates for press freedom and strong conditions for independent journalism in Denmark.

Danish Institute for Human Rights (Institut for Menneskerettigheder)

Danish Institute for Human Rights is Denmark's national human rights institution and an independent organization. The institute works to promote and protect human rights in Denmark and internationally through research, analysis, policy advice, and public engagement. It advises the Danish Parliament, government, and public authorities on human rights issues and monitors how human rights standards are implemented in practice. The organization also works to promote equality and combat discrimination based on factors such as gender, ethnicity, disability, and sexual orientation. In addition, the institute collaborates with international partners and civil society organizations to strengthen human rights globally.

Justitia



Justitia is an independent, non-profit legal think tank based in Copenhagen. Founded in 2014, it focuses on promoting the rule of law, fundamental rights, and civil liberties in Denmark and internationally. The organization produces legal research and policy analysis aimed at informing public debate and influencing policymakers. Justitia works to raise awareness of issues related to human rights, freedom of expression, and democratic governance. It is politically independent and funded primarily through private donations and foundations rather than government support.

OVERALL ASSESSMENT: SLIDER

Denmark is best characterised as a rule of law slider. Although the country continues to benefit from strong formal institutions and consistently high rankings in international indices, developments over recent years point to a gradual weakening in the practical functioning and normative foundations of the rule of law. This decline is not driven by overt dismantling of institutions, but by persistent non-action, informal pressures, and shifting political signals that, taken together, create a tangible risk of long-term erosion. A defining feature of the Danish context is the repetition of unresolved rule of law concerns. Since 2022, several recommendations in the European Commission's *Rule of Law Reports* have remained substantively unchanged, with limited or no progress in implementation.

Transparency and accountability mechanisms remain insufficient in practice. Long-standing deficiencies in the Access to Public Administrative Files Act continue to restrict effective public scrutiny through broad exemptions and lengthy processing times. In parallel, gaps in integrity safeguards, such as the absence of binding rules on lobbying, revolving doors, and political financing transparency, remain largely unaddressed despite repeated recommendations from European and international bodies.¹ While overt corruption levels remain low, these preventive blind spots undermine democratic accountability and weaken the rule of law's resilience.² Together, these issues risk undermining the rule of law by reducing transparency and constraining the ability of civil society and the public to hold power accountable.³

The justice system remains institutionally independent but is increasingly strained in practice, with persistent challenges related to delays, pre-trial detention, and access to legal aid. These shortcomings

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- 1 Ræson, Corruption is not something we take seriously in Denmark (Korruption er ikke noget, vi tager seriøst i Danmark), 2022, <https://www.raeson.dk/2022/interview-med-jesper-olsen-korruption-er-ikke-noget-vi-tager-serioest-i-danmark/>
 - 2 GAN Integrity, Denmark Country Profile, 2020, <https://www.ganintegrity.com/country-profiles/denmark/>; Alberto Ardigó, Denmark – Overview of corruption and anti-corruption, Transparency International, 2018, <https://knowledgehub.transparencycdn.org/helpdesk/Country-profile-Denmark-2018-PR.pdf>
 - 3 Global Aktion, Lobbyism is unchecked in Denmark and the population is not aware of it (Lobbyisme har frit spil i Danmark og befolkningen ved det ikke), 2023, <https://globalaktion.dk/rapporter/lobbyisme-har-frit-spil-i-danmark-og-befolkningen-ved-det-ikke/>; Jesper Altiner: Denmark is failing due to lack of revolving doors rules (Danmark får dumpekarakter for manglende regler om svingdørslobbyisme), Altinget, 2023, <https://www.alinget.dk/artikel/danmark-faar-dumpekarakter-for-manglende-regler-om-svingdoerslobbyister>; Altinget, Criticism from the EU gives new life to the debate about lobbyism in Denmark (EU-kritik af Danmark puster til debat om lobbyister), 2023, <https://www.alinget.dk/artikel/eu-kritik-af-danmark-puster-til-debat-om-lobbyister-vi-har-nogle-problemer-der-fortjener-at-blive-diskuteret>

weaken the effective protection of rights and contribute to a growing gap between formal guarantees and lived access to justice. The consistent lack of follow-up on these and the above-mentioned matters suggests that the obstacles are not technical, but rather reflect limited political prioritisation, which ultimately allows structural weaknesses to persist.

In addition to long-standing issues, new concerns have also emerged. Firstly, growing political scepticism towards European and international legal obligations has become more pronounced; as of 2025, it is now also followed by concrete political initiatives. Public debates and statements by senior political actors increasingly question the relevance or binding nature of international conventions and judicial decisions.⁴ Moreover, following previous years' discussions, a formal inquiry was launched in 2025 to investigate Denmark's obligations and opportunities in connection with the European Convention on Human Rights (ECHR).⁵ In line with this, political calls were made to disregard the December 2025 ruling on the Danish so-called 'Ghetto law', which contributes to a broader narrative of selective compliance and raises concerns about long-term commitment to European legal standards.⁶

Secondly, while media freedom in Denmark remains strong by international standards, developments in recent years point to growing political pressure on public service media and increased polarisation around journalistic independence. These trends do not amount to systemic restrictions but raise early warning concerns regarding the media's ability to operate free from political influence.

4 Examples count how Denmark's liberal party, Venstre, have stated that they wish to exit the European Convention on Nationality if the government fails to change it before the next election. The Danish prime minister, Mette Frederiksen have also stated a wish for a change in this convention. Together with Italy's prime minister, Giorgia Meloni, an open letter has been made, with the emphasis to change the convention to 'have a new approach to migration'. For more see, Jyllands-Posten, Denmark's Liberal Party is ready to leave international convention (Venstre er klar til at træde ud af international konvention), 2025, <https://jyllands-posten.dk/politik/ECE18816996/venstre-er-klar-til-at-traede-ud-af-international-konvention/>; Prime Minister's Office (Denmark): The Prime Minister and Italy's Prime Minister in a joint open letter (Statsministeren og Italiens premierminister i åbent brev – vi skal kigge på konventionerne), Government of Denmark, 2025, <https://stm.dk/presse/pressemeddelelser/2025/statsministeren-og-italiens-premierminister-i-aabent-brev-vi-skal-kigge-paa-konventionerne/>

5 Altinget, *Here is Denmark's new "convention ambassador"* (*Her er Danmarks nye konventionsambassadør*), 2025, <https://www.alinget.dk/artikel/her-er-danmarks-nye-konventionsambassadoer>; Politiken, *New ambassador is to make it easier to deport criminal foreigners* (*Ny ambassadør skal gøre det nemmere at smide kriminelle udlændinge ud*), 2025, <https://politiken.dk/danmark/art10301405/Ny-ambassad%C3%B8r-skal-g%C3%B8re-det-nemmere-at-smide-kriminelle-udl%C3%A6ndinge-ud>

6 Altinget, *Denmark loses case in the EU Court – the "Ghetto Law" constitutes direct discrimination* (*Danmark taber sag i EU-retten – ghetto-loven er direkte forskelsbehandling*), 2024, <https://www.alinget.dk/artikel/danmark-taber-sag-i-eu-retten-Ghetto-loven-er-direkte-forskelsbehandling>

Third and finally, Denmark's strong legal framework masks mounting pressures on checks and balances and civic space. Civil society reports increasing politicisation of public funding, delegitimising political rhetoric, and administrative practices that constrain autonomy, particularly for those working on minority rights, climate, international solidarity, and other politically sensitive issues. These pressures are largely informal and therefore difficult to capture through index-based assessments, but their cumulative effect risks narrowing the space for independent oversight and dissent.

Assessment of the trajectory

Many recommendations from the European Commission's *Rule of Law Report* have been more or less the same since 2022. This suggests a lack of political will to handle these issues. It is not a question of the recommendations being technically difficult to implement, but more a question about political will and priority from the Danish government. If these recommendations are not taken seriously in the near future, it could potentially lead to serious rule of law issues in Denmark.

Denmark's political orientation towards non-compliance and actively wanting to withdraw from conventions are also a critical warning sign that the political environment has started to change regarding its international commitments. While Denmark still complies with the EU rules, steps have been taken to adopt a more critical stance towards international conventions and court rulings, which indicates a new and different take on what commitments Denmark feel that they need to live up to as a member state.

ACTIVATING OTHER PARTS OF THE EU RULE OF LAW TOOLBOX

There is a need for clearer and more detailed recommendations that make it difficult for Denmark to not comply and not implement. Current recommendations are vague and make it difficult to truly assess if Denmark has complied or not (e.g. a recommendation that stipulates 'continue to' is difficult to measure the level of compliance with). The Commission's *Rule of Law Report* should make an assessment of how long the country has been working on a specific recommendation to assess whether the country is stalling change or actively working on the proposed recommendation. This would make an important additional assessment that would make it possible to identify when countries are actively working on the recommendations, and which perhaps are trying to appear as doing more than they are. Beyond clearer and more detailed recommendations, at this time it is not necessary to activate other parts of the EU rule of law toolbox. However, the repeated lack of progress should be closely monitored and if continued in the next cycle it should at a minimum lead to enhanced dialogue with relevant stakeholders.

State of play (versus 2025)

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

Legend

Regression *No progress* *Progress*



JUSTICE SYSTEM

General assessment

Denmark continues to perform well on formal rule of law indicators, but developments in 2025 point to a regressive trajectory in the practical functioning of the justice system. While judicial independence remains institutionally secure, structural weaknesses persist and political signals increasingly challenge core rule of law commitments. Denmark again ranks first globally in the World Justice Project's Rule of Law Index, but its overall score declined slightly in 2025, with weaker performance in areas central to justice delivery, including civil justice, fundamental rights, and access to justice.⁷ High international rankings risk masking persistent deficiencies and reducing the perceived urgency for reform. The same justice-related concerns continue to be raised by the Commission without meaningful resolution, particularly regarding access to justice, efficiency, and fairness. It is though important to note that there is political action aimed at reducing case-handling times, such as increased resources and efficiency measures.

A key indicator of this regression is how access to justice remains structurally weak. Despite repeated EU-level attention, no tangible improvements to the legal aid system were delivered in 2025.⁸ These concerns have been consistently highlighted in rule of law reports since 2022 with limited evidence of structural reform. This is worsened by the continued increase in case processing times. Court statistics show that average case handling times in the first half of 2025 exceeded those in 2024, extending a multi-year trend.⁹ Delays are especially acute in criminal proceedings, where evidence from 2025 shows a significant rise in the length of pre-trial detention, including a growing number of individuals held for exceptionally long periods.¹⁰ These developments raise concerns regarding proportionality and the adequacy of judicial review.

7 World Justice Project, Denmark – Rule of Law Index, World Justice Project, 2025, <https://worldjusticeproject.org/rule-of-law-index/country/Denmark>; Danmarks Domstole, Report: Denmark's courts ranked top internationally (Rapport: Danmarks retsvæsen i top internationalt), 2024, <https://www.domstol.dk/aktuelt/2023/8/ny-euro-paeisk-topplacering-til-dansk-retsvaesens-uafhaengighed/>; Danmarks Domstole, Danish judges have high trust in the justice system (Danske dommere har stor tillid til vores retsvæsen), 2024, <https://www.domstol.dk/media/z1bpydnt/kronik-93-danskerne-har-tillid-til-domstole-og-dommere-soendag-den-31-juli-2022-002.pdf>

8 Danish Bar and Law Society (Advokatsamfundet), The EU Commission: Denmark must strengthen legal aid (EU-Kommissionen: Danmark skal styrke retshjælpen), 2024, <https://www.advokatsamfundet.dk/nyheder-medier/nyheder/2025/eu-kommissionen-danmark-skal-styrke-retshjaelpen/>

9 Justitia & authors, Status report – Rule of Law 2025 (Statusrapport – Retssikkerhed 2025), Justitia, 2025.

10 Danish Bar and Law Society (Advokatsamfundet), New report: Significantly more people spend years in pre-trial detention (Ny rapport: Markant flere sidder årevis i varetægtsfængsel), Advokatsamfundet, 2024, <https://www.advokatsamfundet.dk/nyheder-medier/nyheder/2025/ny-rapport-markant-flere-sidder-arevis-i-varetaegtsfaengsel/>

Beyond functional shortcomings, 2025 saw increasingly explicit political questioning of international conventions and judicial authority. Public statements suggested that judgments of European courts need not always be respected.¹¹ The appointment of an Ambassador for Conventions and the launch of a review of Denmark’s international obligations have raised concerns that these initiatives may be used to challenge, rather than reinforce, compliance.¹² This constitutes an early warning sign, as sustained political questioning of binding commitments risks undermining legal certainty and respect for judicial authority.

Implementation of 2025 Commission recommendations

Recommendation: Step up efforts to complete the review of the legal aid system, taking into account European standards on legal aid (first made in 2022; rephrased in 2024)

The recommendation in 2024 was changed from its original 2022 wording of “ensure adequate human and financial resources for the justice system in the next multiannual framework” to the wording of “review of the legal aid system”.

This formulation of the recommendation fails to address the deeper problem, which is the persistent lack of political commitment and concrete pathways to reform the legal aid system, including structural barriers that effectively prevent equal access to justice in practice. In its current wording, the recommendation only focuses on the review process and does not provide expectation on implementation, timeline, or alignment with concrete European standards of legal aid.

This omission is significant because ongoing reviews have repeatedly stalled without translating into real improvements in citizens’ access to legal aid. The gap lies not just in calling for another review, but in failing to recommend mandatory political action to adopt and implement systemic reform supported by measurable benchmarks, funding, and timelines.

11 Altinget, Denmark loses case in the EU Court – the “Ghetto Law” constitutes direct discrimination (Danmark taber sag i EU-retten – ghettoloven er direkte forskelsbehandling), 2024, <https://www.altinget.dk/artikel/danmark-taber-sag-i-eu-retten-ghettoloven-er-direkte-forskelsbehandling>

12 MACS, Monitoring Action for Civic Space – Denmark Country Monitoring, 2025

Work on the review initially commenced in 2020 with a pre-legislative committee, but it did not complete its work. Instead, the task was reassigned in December 2024 to the Judicial Council (Retsplejerådet), which is to deliver recommendations in 2026. Thus, no significant development has happened in 2025.¹³

To meaningfully implement the Commission’s recommendation, the Danish government must:

- Provide clear, binding timelines and deliverables for the Judicial Council review that go beyond analysis to draft legislative proposals.
- Ensure that the review’s mandate explicitly requires alignment with European standards on access to legal aid, including adequacy, accessibility, and procedural fairness.
- Commit to interim measures to improve access to legal aid while the review is underway, such as simplifying application procedures, expanding coverage thresholds, and strengthening support for marginalised users.
- Attach budgetary commitments to any reform plan to ensure effective implementation rather than symbolic assessment.

The Commission could strengthen this recommendation by rephrasing it:

Adopt and implement a comprehensive reform of the legal aid system, with clear timelines and measurable benchmarks, ensuring effective access to legal aid in line with European standards, particularly for low-income and vulnerable groups.

Commission’s 2025 assessment: Limited progress

Nyt Europa’s current assessment: No progress

13 The Association for Legal Aid and Human Rights (TLFRH), Committee on legal aid dissolved (Udvalg om retshjælp nedlagt), TLFRH, 2024, <https://www.tlfrh.dk/nyheder/udvalg-om-retshjaelp-nedlagt/>

Gaps in the Commission's Report

Failure to address systemic weaknesses in the justice system

A key gap in the Commission's 2025 Rule of Law Report is the lack of targeted recommendations on systemic weaknesses that are clearly documented and have worsened in 2025, particularly excessive case handling times in the courts and political challenges to the legitimacy and relevance of international conventions and judicial institutions. The Commission's focus on procedural updates and reviews without addressing the broader structural and normative threats to rights protections represents a significant omission in light of developments during the year.

Developments in 2025 underscore the unresolved justice system challenges, as court statistics show continued increases in average case handling times for both civil and criminal cases. These delays have substantive rights implications, placing sustained pressure on defendants, victims, and the courts, and contributing to the sharp increase in pre-trial detention durations.¹⁴

Denmark also saw expansion of state powers with relatively limited safeguards against undue intrusion, as documented in the *Retssikkerhed* (Rule of Law) 2025 report.¹⁵ Law enforcement and intelligence authorities continue to enjoy broad access to communication metadata with limited transparency and safeguards, raising concerns about the erosion of privacy rights and procedural protections. Combined with limited judicial oversight, these expanded powers increase the risk of disproportionate interference without adequate accountability.¹⁶ Another issue is how procedural fairness in criminal law came under continued pressure, as expanded investigative powers in terrorism and organised crime cases outpaced safeguards, raising concerns among practitioners about fair trial standards.¹⁷

Additional evidence from the Danish Bar and Law Society indicates further that substantive perceptions of rights protections are weakening in broader areas of the legal environment. More than half

14 Justicia & authors, Status report – Rule of Law 2025 (Statusrapport – Retssikkerhed 2025), Justitia, 2025, https://justitia-int.org/wp-content/uploads/2025/12/Rapport_Retssikkerhed-2025-1.pdf

15 Justicia & authors, Status report – Rule of Law 2025 (Statusrapport – Retssikkerhed 2025), Justitia, 2025, https://justitia-int.org/wp-content/uploads/2025/12/Rapport_Retssikkerhed-2025-1.pdf

16 Altinget, Experts, think tanks and trade unions warn in an open letter: “We can monitor everything – but should we?” (Ekspertter, tænketanke og fagforeninger advarer i åbent brev: “Vi kan overvåge alt – men bør vi?”), 2024, <https://www.altinget.dk/digital/artikel/ekspertter-taenketanke-og-fagforeninger-advarer-i-aabent-brev-vi-kan-overvaage-alt-men-boer-vi>

17 Justicia & authors, Status report – Rule of Law 2025 (Statusrapport – Retssikkerhed 2025), Justitia, 2025, https://justitia-int.org/wp-content/uploads/2025/12/Rapport_Retssikkerhed-2025-1.pdf

of legal professionals surveyed reported a deterioration in rule of law conditions over the past three years, with many pointing to increased surveillance and the expansion of state access to data as factors exerting downward pressure on rights protections and citizens' confidence in legal safeguards.¹⁸ This contextual material underscores that procedural shortcomings are part of a broader pattern in which rights protections and rule of law norms are perceived to be under strain. An additional concern is that the most vulnerable citizens do not enjoy the same protection as the average citizen in Denmark.¹⁹

New Issues that Emerged in 2025

Questioning legitimacy of international conventions and judicial institutions

A new and significant issue that emerged more clearly in 2025 is the increasingly explicit political questioning of the legitimacy and binding nature of international conventions and judicial institutions, including calls by elected representatives to disregard or selectively implement judgments from European courts. This development represents a shift from isolated criticism to a more visible and normalised challenge to Denmark's international legal commitments.

Political discourse in 2025 featured increasingly loud voices questioning the relevance and authority of international law and courts.²⁰ Following debates in previous years,²¹ the government appointed an Ambassador for Conventions and launched an investigation into Denmark's obligations and room

18 Danish Bar and Law Society (Advokatsamfundet), The Rule of Law Analysis (Retssikkerhedsanalysen), Advokatsamfundet, 2025, <https://www.advokatsamfundet.dk/retssikkerhedsanalysen/>

19 Danish Bar and Law Society (Advokatsamfundet), The Rule of Law Analysis 2025 – full dataset (Retssikkerhedsanalysen 2025 – alle data), Advokatsamfundet, 2025, <https://www.advokatsamfundet.dk/media/ahtbm10g/retssikkerhedsanalysen-2025-alle-data.pdf>

20 Jyllands-Posten, *Denmark's Liberal Party is ready to leave international convention (Venstre er klar til at træde ud af international konvention)*, 2025, <https://jyllands-posten.dk/politik/ECE18816996/venstre-er-klar-til-at-traede-ud-af-international-konvention/>; Prime Minister's Office (Denmark): *The Prime Minister and Italy's Prime Minister in a joint open letter (Statsministeren og Italiens premierminister i åbent brev – vi skal kigge på konventionerne)*, Government of Denmark, 2025, <https://stm.dk/presse/pressemeddelelser/2025/statsministeren-og-italiens-premierminister-i-aabent-brev-vi-skal-kigge-paa-konventionerne/>

21 European Civic Forum, Civic Space Report – Denmark,, 2025; Jyllands-Posten: *Denmark's Liberal Party is ready to leave international convention (Venstre er klar til at træde ud af international konvention)*, Jyllands-Posten, 2025.

for manoeuvre under the ECHR.²² While these initiatives were formally framed as clarificatory and exploratory, critics raised concerns that they could be used as levers to reinterpret, limit, or weaken Denmark's binding international commitments rather than to strengthen compliance.²³

In parallel, some politicians publicly advocated ignoring or not implementing judgments from European courts. This was illustrated most clearly following a December 2025 judgment of the Court of Justice of the European Union (CJEU), which found that Denmark's so-called 'Ghetto law' may be incompatible with EU Race Equality Directive and that national courts must assess whether ethnic origin leads to disadvantage.²⁴ In response, the Danish People's Party publicly stated that Denmark should ignore the ruling. Such statements go beyond legal critique and directly challenge the binding authority of EU law and judicial decisions.²⁵ Together, these developments mark a qualitative change in the political environment surrounding the justice system. While Denmark has not formally withdrawn from any international obligations or refused to implement a judgment, the normalisation of political narratives questioning compliance with international law constitutes an emerging structural risk to the rule of law.

Implications and Recommendations for 2026

Although the Commission acknowledges persistent challenges such as increasing case handling times and the lack of progress in the review of the legal aid system, it does not sufficiently assess how these shortcomings affect the rule of law in practice. By treating these issues primarily as technical or administrative concerns, rather than as structural problems with direct implications for fair trial rights, access to justice, and equality before the law, the Commission risks understating their cumulative impact. Prolonged proceedings undermine the right to a fair trial within a reasonable time

22 Altinget, Here is Denmark's new "convention ambassador" (Her er Danmarks nye konventionsambassadør), 2025, <https://www.altinget.dk/artikel/her-er-danmarks-nye-konventionsambassadoer>; Politiken, New ambassador is to make it easier to deport criminal foreigners (Ny ambassadør skal gøre det nemmere at smide kriminelle udlændinge ud), 2025, <https://politiken.dk/danmark/art10301405/Ny-ambassad%C3%B8r-skal-g%C3%B8re-det-nemmere-at-smide-kriminelle-udl%C3%A6ndinge-ud>

23 Zetland, Investigative feature on Denmark and international conventions, 2024, <https://www.zetland.dk/historie/s8PlrhRq-ac0gnmiD-0c003>; Morten Holck, Stoklund wants to undermine the international legal order and send Denmark off course (Stoklund vil undergrave den internationale retsorden og sende Danmark på slingrekurs), Altinget, 20 August 2024, <https://www.altinget.dk/artikel/stoklund-foreslaar-en-erodering-af-den-internationale-retsorden-og-sender-danmark-paa-slingrekurs>

24 Slagelse Almennyttige Boligselskab Afdeling Schackenborgvænge and Others v MV and Others, <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:62023CJ0417>

25 Altinget, Denmark loses case in the EU Court – the "Ghetto Law" constitutes direct discrimination (Danmark taber sag i EU-retten – ghettoloven er direkte forskelsbehandling), 2024, <https://www.altinget.dk/artikel/danmark-taber-sag-i-eu-retten-Ghetto-loven-er-direkte-forskelsbehandling>

and contribute to rights-restrictive outcomes, including extended pre-trial detention, while delayed or ineffective legal aid reform continues to limit meaningful access to justice for low-income and vulnerable groups. The insufficient treatment of these issues also weakens the continuity of EU-level scrutiny. Persisting problems that are repeatedly identified but not robustly followed up risk becoming normalised, allowing incremental or procedural measures to be presented as adequate responses despite the absence of measurable improvement.

Suggested recommendation: Adopt and implement binding reforms to reduce case handling times and ensure effective and accessible legal aid in line with European standards.

With regard to the emerging issue of doubting the legitimacy of international conventions and judicial institutions, the following recommendation should be given:

Suggested recommendation: Reaffirm Denmark’s commitment to fully respect and implement international conventions and European court judgments as a core element of its rule of law obligations within the EU.

Implementation of Judgments

In December 2025, the CJEU delivered a preliminary ruling on the Danish parallel societies law (commonly called the ‘ghetto law’) finding that the legislation may constitute direct and indirect discrimination under the EU Race Equality Directive. As of early 2026, the Danish national legislature has not amended or repealed the ‘ghetto law’ in response to the CJEU’s preliminary decision.²⁶ The government has stated it will review the judgment carefully, and the final domestic outcome depends on how national courts interpret and apply the CJEU’s ruling, but no concrete legislative reform has been enacted.

Following the CJEU ruling, the cases, including litigation by residents of Mjølnerparken and Schack-enborgvænge against the Danish Ministry of Transport and Housing, have been remitted back to Danish courts (*Østre Landsret*).²⁷ These courts must now determine whether the national law in fact results in discriminatory treatment in violation of EU law. The final domestic judgment may come in

26 The Guardian, Copenhagen’s “ghetto law” on “parallel societies” may be unlawful under EU law, 18 December 2025, <https://www.theguardian.com/world/2025/dec/18/denmark-ghetto-law-parallel-societies-may-be-unlawful-eu>

27 Open Society Justice Initiative, *Tenants of Mjølnerparken v. Danish Ministry of Transport and Housing*, Open Society Foundations, 2022, <https://www.justiceinitiative.org/litigation/tenants-of-mjolnerparken-v-danish-ministry-of-transport-and-housing>

2026 or later. At the same time, municipal authorities in some places, such as Odense, have begun discussing the implications of the CJEU ruling, with calls to pause ongoing demolition and redevelopment projects until the EU Court's final ruling is acted upon at the national level.²⁸ As of January 2026, the mayor in Odense has said that despite the verdict, they will continue the demolition in Vollsmose, Odense.²⁹

While not directly concerning implementation of judgments, the Danish PM Mette Frederiksen announced in her yearly New Year speech that the government will make new rules ensuring that a foreigner receiving a prison sentence of a year or more will be expelled, even if the person has family in Denmark. This goes against current case law from the European Court of Human Rights (ECtHR), but the government's expectation is that the ECtHR will change their practice due to pressure from the Member States (nine countries, led by Denmark, adopted a statement in December stating that Member States should have better opportunities to deport criminal foreigners, even if they have established families in the country they are guests in). Thus, the Danish government is planning to implement legislation that contradicts current ECtHR case law, under the expectation that when these cases reach the ECtHR, their case law will have changed. The government is aware that there is a procedural risk, i.e. that Denmark might be found to have violated the convention, if the ECtHR upholds their current case law (or does not change it as much as the Danish government hopes).³⁰ The Government has in 2026 indicated in the explanatory notes to the draft legislation that it intends to adjust the national legislation should an ECtHR judgment eventually rule against Denmark.

Denmark has five leading judgements of the ECtHR pending implementation as of December 2025, two more than the previous year. Three of these are considered main issues pending and steps have been taken towards implementation in the previous year.

28 DK Nyt, Odense will examine possible consequences of EU court ruling on discrimination (Odense vil undersøge mulige konsekvenser af EU-dom om diskrimination), 2024, <https://www.dknyt.dk/artikel/odense-vil-under-soege-mulige-konsekvenser-af-eu-dom-om-diskrimination>

29 TV 2 Fyn, Despite EU ruling, mayor wants to continue demolition in Vollsmose (Trods EU-dom: Borgmester vil fortsætte nedrivning i Vollsmose), 2024, <https://www.tv2fyn.dk/odense/trods-eu-dom-borgmester-vil-fortsætte-nedrivning-i-vollsmose-417cc>

30 Politiken, The minister wants Danish judges to take the lead and challenge established practice, 2025, <https://politiken.dk/edition/news/art10680793/The-minister-wants-Danish-judges-to-take-the-lead-and-challenge-established-practice>

ANTI-CORRUPTION FRAMEWORK -

General assessment

Denmark continues to be perceived as one of the world's least corrupt countries, with consistently strong results in international corruption indicators and very low levels of bribery in public services. Denmark has long ranked first on the Corruption Perceptions Index, reflecting high public trust, a professional civil service, and strong democratic traditions. However, international monitoring bodies and civil society increasingly caution that Denmark's favourable standing should not obscure persistent structural weaknesses in its integrity framework, particularly in the area of prevention.³¹

While Danish law criminalises a wide range of corrupt conduct and Denmark is formally compliant with core international anti-corruption instruments, its approach relies heavily on informal norms and trust-based governance rather than detailed, enforceable safeguards.³² Denmark lacks a comprehensive national anti-corruption or integrity strategy and a centralised framework for systematically identifying and mitigating corruption risks. Responsibilities for prevention and oversight remain fragmented, which limits the system's ability to address more complex integrity risks, such as conflicts of interest, influence-seeking, and access-related advantages. This includes revolving-door practices, opaque political financing, limited lobbying transparency, and close professional networks that blur ethical boundaries without necessarily violating criminal law. A comprehensive review published in 2025 documented recurring cases of alleged influence peddling, nepotism, and ethical ambiguity across sectors between 2000 and 2024, pointing to systemic preventive blind spots rather than isolated incidents.³³

In 2025, Denmark made no significant progress in addressing long-standing integrity gaps repeatedly identified by the European Commission, Group of States against Corruption (GRECO), the Organisation for Economic Co-operation and Development (OECD), and civil society. GRECO classified Denmark as being in "insufficient compliance," noting that most recommendations remained

31 GAN Integrity, Denmark Country Profile, 2020, <https://www.ganintegrity.com/country-profiles/denmark/>; Alberto Ardigó, Denmark – Overview of corruption and anti-corruption, Transparency International, 2018, <https://knowledgehub.transparencycdn.org/helpdesk/Country-profile-Denmark-2018-PR.pdf>

32 GAN Integrity, Denmark Country Profile, 2020, <https://www.ganintegrity.com/country-profiles/denmark/>

33 Transparency International Denmark, Corruption in Denmark 2000–2024 (Korruption i Danmark 2000–2024), March 2025, <https://transparency.dk/wp-content/uploads/2025/03/Korruption-i-Danmark-2000-2024-Marts-2025.pdf>

unimplemented and calling for urgent action.³⁴ The OECD similarly highlighted limited implementation of recommendations and continued reliance on reactive enforcement.³⁵ For example, Denmark still lacks binding rules on revolving doors for ministers and senior officials, clear standards on side jobs, and a mandatory lobby register. Transparency concerns in political financing also persist, as broader reform proposals were again rejected. The continued absence of a comprehensive integrity strategy means these issues remain addressed in isolation rather than through a coordinated preventive approach.

Implementation of 2025 Commission recommendations

Recommendation: Introduce rules on ‘revolving doors’ for ministers and on lobbying, and ensure adequate control of asset declarations submitted by persons entrusted with top executive functions (first made in 2022)

In 2025, no concrete steps were taken by the Danish government to implement the recommendation to introduce rules on revolving doors, regulate lobbying, or ensure adequate control of asset declarations for persons entrusted with top executive functions. Denmark remains without mandatory cooling-off periods and a lobby register. The European Commission’s 2025 Rule of Law Report states explicitly that there are no plans to introduce such rules, a conclusion that mirrors previous years and is confirmed by GRECO’s 2025 compliance addendum.³⁶ This indicates that the main obstacle remains political prioritisation rather than technical feasibility. While there was no formal regression in 2025, continued non-implementation of this recommendation points to a widening gap between governance practices and preventive safeguards. Meaningful progress would require binding revolving-door rules, a mandatory lobby register, and effective control of asset declarations.

34 Council of Europe – Group of States against Corruption (GRECO), Fifth Evaluation Round – Addendum to the Second Compliance Report on Denmark, 2025, <https://rm.coe.int/greco5-2025-14-final-eng-add-to-the-second-compliance-report-denmark/488027f1db>

35 OECD, OECD Anti-Bribery Convention: Phase 4 Follow-Up Report on Denmark, Organisation for Economic Co-operation and Development, 2024, https://www.oecd.org/en/publications/oecd-anti-bribery-convention-phase-4-follow-up-report-on-denmark_f0a83018-en.html

36 Council of Europe – Group of States against Corruption (GRECO), Fifth Evaluation Round – Addendum to the Second Compliance Report on Denmark, Council of Europe, 2025, <https://rm.coe.int/greco5-2025-14-final-eng-add-to-the-second-compliance-report-denmark/488027f1db>

The Commission should have issued a more concrete and time-bound recommendation, for example:

Adopt binding legislation establishing cooling-off periods for ministers and senior executive officials; introduce a mandatory lobbying register with disclosure of meetings and clients and ensure adequate control of asset declarations

Commission's 2025 assessment: No progress

Nyt Europa's current assessment: No progress

Gaps in the Commission's Report

The European Commission's 2025 Rule of Law Report provides a generally accurate overview of Denmark's formal anti-corruption framework and correctly reiterates long-standing concerns related to revolving doors, lobbying, and asset declaration controls.³⁷ At the same time, developments and debates in 2025 indicate that several integrity challenges in Denmark are not only underregulated, but also systematically framed as falling outside the core understanding of corruption in the Danish political and administrative context. This framing shapes public perceptions of corruption levels in Denmark and political priorities, which risks undermining the reforms needed to ensure continued low levels of corruption and to address emerging integrity concerns.

In Denmark, issues such as opaque political financing, extensive revolving-door practices, the absence of lobbying transparency, and the lack of a coordinated anti-corruption strategy are typically treated as matters of political culture, ethics, or administrative practice rather than as core components of corruption prevention. This approach is reflected in repeated statements by governments and senior political actors that Denmark does not face a corruption problem requiring structural reform, and that existing norms and transparency traditions are sufficient.³⁸ Similar views have been expressed by leading public affairs and lobbying actors, who often argue that informal access and career mobility are natural features of a small, open democracy and therefore do not warrant stricter regulation.³⁹

37 European Commission, 2025 Rule of Law Report – Denmark Country Chapter, European Commission, 2025.

38 *Råson*, Corruption is not something we take seriously in Denmark (Korruption er ikke noget, vi tager seriøst i Danmark), 2022; *Jesper Olsen*, Yes, corruption does exist in Denmark – here are five proposals to combat it (Jo, der findes korruption i Danmark – her er fem forslag til at bekæmpe den), *Berlingske*, 2022, <https://www.berlingske.dk/kronikker/jo-der-finde-korruption-i-danmark-her-er-fem-forslag-til-at-bekaempe-den>

39 *Altinget*, Top lobbyist to Venstre politician: “No thanks to a Danish lobby register” (Toplobbyist til venstrepolitiker: Nej tak til et dansk lobbyregister), 2024, <https://www.altinget.dk/artikel/toplobbyist-til-venstrepolitik-er-nej-tak-til-et-dansk-lobbyregister>

These positions stand in contrast to assessments by civil society organisations and researchers, which have repeatedly warned that the cumulative effect of these practices creates integrity risks even in the absence of overt forms of corruption such as criminal bribery.⁴⁰ While the Commission notes these issues separately, it underestimates how Denmark's persistent neglect of preventive reforms allows corruption risks linked to influence and access to remain unaddressed.

In the area of political financing, an amendment adopted in June 2025 to curb foreign political financing addressed external influence risks but did not tackle persistent domestic issues such as anonymous and multiple donations, indirect contributions, or limited disclosure requirements.⁴¹ Current rules still allow donor anonymity above the disclosure threshold and leave loopholes that enable circumvention through intermediaries or split donations.⁴² Legislative proposals aimed at broader transparency were again rejected in 2025, indicating a lack of sustained political will to address structural risks. Despite repeated criticism from civil society and experts, the Commission has not reiterated its 2022 recommendation on political financing.⁴³

40 Global Aktion, Lobbyism is unchecked in Denmark and the population is not aware of it (Lobbyisme har frit spil i Danmark og befolkningen aner det ikke), 2023, <https://globalaktion.dk/rapporter/lobbyisme-har-frit-spil-i-danmark-og-befolkningen-aner-det-ikke/>; Jesper Altiner, Denmark receives failing grade for lack of revolving door lobbying rules (Danmark får dumpekarakter for manglende regler om svingdørslobbyister), 2023, <https://www.altinget.dk/artikel/danmark-faar-dumpekarakter-for-manglende-regler-om-svingdoerslobbyister>; Altinget, EU criticism fuels debate on lobbyists in Denmark (EU-kritik af Danmark puster til debat om lobbyister – vi har nogle problemer, der fortjener at blive diskuteret), 2023, <https://www.altinget.dk/artikel/eu-kritik-af-danmark-puster-til-debat-om-lobbyister-vi-har-nogle-problemer-der-fortjener-at-blive-diskuteret>

41 Danish Parliament, Act amending the Political Party Accounts Act and the Act on Public Funding of Political Parties (Lov om ændring af partiregnskabsloven og partistøtteloven), Folketinget, 20 June 2025.

42 This practice is referred to as: “the company loophole” (selskabsfinten); Politiken, The discreet political money clubs (De diskrete politiske pengeklubber), 2016, <https://politiken.dk/magasinet/fortaelling/art5623793/De-diskrete-politiske-pengeklubber>; Pelle Dragsted, Now we must put an end to secret money in Danish politics (Nu skal vi gøre op med de hemmelige penge i dansk politik), Altinget, 2023, <https://www.altinget.dk/artikel/pelle-dragsted-nu-skal-vi-goere-op-med-de-hemmelige-penge-i-dansk-politik>

43 Information: Should the rules on party funding be changed? Three proposals (Bør ændre partistøttereglerne? Tre bud på hvordan), Information, 2022, <https://www.information.dk/debat/2022/11/boer-aendre-partistoettereglerne-tre-bud-paa-hvordan>

With regard to ‘revolving doors’, the Commission’s 2025 report confirmed that Denmark has no plans to introduce rules on post-employment restrictions, lobbying, or asset declaration controls, reflecting earlier assessments and GRECO’s continued findings of non-compliance.⁴⁴ Public debate in 2025 highlighted the ongoing relevance of these risks, including both post-employment moves and side-jobs held while in office.⁴⁵ High-profile cases, such as the continued acceptance of external paid roles by senior political officeholders, demonstrated that potential conflicts of interest are resolved politically rather than through binding integrity standards.⁴⁶ The Commission correctly noted that Parliament lacks a code of conduct and a register of members’ external interests, alongside similar gaps for ministers and senior executive officials. In this context, side-jobs and external appointments raise many of the same integrity concerns as post-employment moves, including conflicts of interest, divided loyalties, and privileged access. Empirical research further shows a growing overlap between political, administrative, and business elites, e.g. more than five members of parliament have left politics for careers in large organisations or private companies since the 2022 general election.⁴⁷ While political leaders have downplayed these risks, civil society and researchers continue to warn

44 Council of Europe – Group of States against Corruption (GRECO), Addendum to the Second Compliance Report on Denmark – Preventing Corruption and Promoting Integrity in Central Governments and Law Enforcement Agencies, GRECO, adopted 6 June 2025, published 18 August 2025, <https://rm.coe.int/grecorc5-2025-14-final-eng-add-to-the-second-compliance-report-denmark/488027f1db>

45 Kristeligt Dagblad, EU Kommission: Danmark should tighten rules on revolving-door lobbying (EU-Kommission: Danmark bør stramme regler for svingdørslobbyisme), 2025, <https://www.kristeligt-dagblad.dk/udland/eu-kommission-danmark-boer-stramme-regler-svingdoerslobbyisme>; Jyllands-Posten, EU Kommission: Danmark should tighten rules on revolving-door lobbying (EU-Kommission: Danmark bør stramme regler for svingdørslobbyisme), 2025, <https://jyllands-posten.dk/politik/ECE18348121/eukommission-danmark-boer-stramme-regler-for-svingdoerslobbyisme/>

46 Mark Blach-Ørsten, Eva Mayerhöffer & Ida Willig, The policy professionals and the marketisation of politics (De policyprofessionelle og markedsgørelsen af politik), *Magtudredningen 2.0 – Tema 5 Essay Series*, Aarhus University, 2025; Foreningen for Elite- og Magtstudier (FEM), *Power Network 2024 – Analysis of Denmark’s Elite Network (Magtens Netværk 2024-2)*, 2025, <https://magtelite.dk/wp-content/uploads/2025/12/Magtens-Netvaerk-2024-2.pdf>

47 Ann Sophie Juul Hird, Linn Dyrgaard Stinus, Simon Evers Hjelmberg & Christian Monberg, *Anti-Corruption 2026 – Denmark: Trends and Developments*, Chambers and Partners (Global Practice Guides), 4 December 2025, <https://practiceguides.chambers.com/practice-guides/anti-corruption-2026/denmark/trends-and-developments>

that integrity concerns often arise before officials leave office, when future career considerations may affect decision-making.⁴⁸ This also points to continued lobbying issues. Denmark remains without a mandatory lobby register, limiting public oversight of who seeks to influence decision-makers and at what stage of the policy process. Despite repeated recommendations from civil society, proposals for greater transparency continue to face political resistance, often justified by reference to Denmark's high-trust culture and concerns about administrative burden.⁴⁹ This reflects a broader pattern in which transparency reforms are resisted because corruption is not perceived as a systemic problem. Transparency International Denmark has likewise highlighted that integrity concerns are treated as isolated incidents rather than systemic vulnerabilities. The absence of a national anti-corruption or

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- 48 Altinget, Media researcher: Special advisers are more numerous than ever, but revolving-door lobbying can create power concentration and mistrust (Medieforsker: Særlige rådgivere er flere end nogensinde, men svingdørslobbyismen kan skabe magtcentrering og mistillid), 2024, <https://www.altinget.dk/artikel/medieforsker-saerlige-raadgivere-er-flere-end-nogensinde-men-svingdoerslobbyismen-kan-skabe-magtcentrering-og-mistillid>; Altinget, Professor: Never has the need for insight into the lobbying world been greater (Professor: Aldrig har behovet for indsigt i lobbyverdenen været større), 2024, <https://www.altinget.dk/artikel/professor-aldrig-har-behovet-for-indsigt-i-lobbyverdenen-vaeret-stoerre>; Information, Lobbyists' influence must not be hidden – let's get a lobby register (Lobbyisternes indflydelse må ikke være skjult – lad os få et lobbyregister), 2018, <https://www.information.dk/debat/2018/09/lobbyisternes-indflydelse-vaere-skjult-lad-faa-lobbyregister>
- 49 Transparency International Denmark, Lobbying and influence in Denmark, Transparency International Denmark, <http://transparency.dk/9159-2/>; Kim Valentin, Power has become isolated with lobbyists (Kim Valentin: Magten er blevet isoleret med lobbyister), Altinget, 2024, <https://www.altinget.dk/civilsamfund/artikel/kim-valentin-magten-er-blevet-isoleret-med-lobbyister>; Altinget, Former MP: A lobby register would be symbolic politics of the worst kind (Tidligere folketingsmedlem: Et lobbyregister vil være symbolpolitik af værste skuffe), 2024, <https://www.altinget.dk/artikel/tidligere-folketingsmedlem-et-lobbyregister-vil-vaere-symbolpolitik-af-vaerste-skuffe>; GRACE Public Affairs, Confidentiality is a prerequisite for democratic dialogue (Fortrolighed er forudsætningen for den demokratiske samtale), <https://grace-pa.com/fortrolighed-er-forudsætningen-for-den-demokratiske-samtale/>; Politiken, A “rockwool layer” of lobbyists has fundamentally changed Danish politics (Et “rockwoollag” af lobbyister har fundamentalt forandret dansk politik), 2024, <https://politiken.dk/danmark/politik/art10436082/Et-%E2%80%99rockwoollag%E2%80%99-af-lobbyister-har-fundamentalt-forandret-dansk-politik>

integrity strategy limits the ability to assess cumulative impacts or prioritise preventive reform.⁵⁰ This is also reflected by OECD and GRECO assessments.⁵¹

New Issues that Emerged in 2025

Corruption prevention

A key new issue emerging in 2025 concerns the information environment for corruption prevention, particularly the growing tension between transparency and access to data relevant for detecting corruption, influence, and illicit financial flows. While Denmark has traditionally relied on openness and access to information as informal safeguards against corruption, developments in 2025 indicate that access to key data sources relevant for corruption prevention and investigative scrutiny may be narrowing. This does not concern corruption in the narrow sense, but it affects the broader ecosystem in which corruption risks can be identified, analysed, and addressed by authorities, journalists, and civil society.

In 2025, Denmark implemented changes affecting public access to beneficial ownership information following EU-level legal and regulatory developments in the anti-money laundering framework.⁵² In line with Court of Justice of the European Union case law and subsequent EU guidance, Denmark restricted public access to beneficial ownership registers from September 2025, limiting access

50 Transparency International Denmark, *Corruption in Denmark 2000–2024 (Korruption i Danmark 2000–2024)*, March 2025, <https://transparency.dk/wp-content/uploads/2025/03/Korruption-i-Danmark-2000-2024-Marts-2025.pdf>

51 This is compared to the OECD average of 45% and 36%, respectively. See further: OECD, *Anti-Corruption and Integrity Outlook 2024 – Country Note: Denmark*, Organisation for Economic Co-operation and Development, 2024, https://www.oecd.org/en/publications/anti-corruption-and-integrity-outlook-2024-country-notes_684a5510-en/denmark_84a628ae-en.html; Council of Europe – Group of States against Corruption (GRECO), *Fifth Evaluation Round – Addendum to the Second Compliance Report on Denmark*, Council of Europe, 2025, <https://rm.coe.int/greco5-2025-14-final-eng-add-to-the-second-compliance-report-denmark/488027f1db>; Council of Europe, *Council of Europe urges Denmark to act on corruption safeguards*, Council of Europe, 2025, <https://www.coe.int/en/web/portal/-/council-of-europe-urges-denmark-to-act-on-corruption-safeguards>

52 Danish Bar and Law Society (*Advokatsamfundet*), *Public access to beneficial ownership information will be closed from 1 September 2025 (Den 1. september 2025 lukkes der for offentlig adgang til reelle ejere i CVR-registret)*, *Advokatsamfundet*, 2025, <https://www.danskeadvokater.dk/nyheder/den-1-september-2025-lukkes-der-for-offentlig-adgang-til-reelle-ejere-i-cvr-regis>; *Offentlighedsportalen*, *Document 248996*, *Offentlighedsportalen*, <https://www.offentlighedsportalen.dk/dokument/248996>

primarily to authorities and actors with a demonstrated ‘legitimate interest’.⁵³ While these changes are not unique to Denmark, and are legally grounded, they represent a substantive departure from previous levels of transparency.

Throughout 2025, Danish experts, journalists, and civil society organisations raised concerns that reduced access to beneficial ownership data could hamper investigative journalism and independent monitoring of corruption risks, particularly in complex cases involving layered corporate structures, public procurement, or links between political decision-makers and private interests.⁵⁴ These concerns were raised in the context of already limited transparency safeguards in Denmark and the restriction of access to ownership data was widely discussed not as an isolated technical adjustment, but as a development with potential knock-on effects for corruption prevention and integrity monitoring.

As the practical implications of the changes have not fully materialised at this point it is difficult to outline a precise recommendation. It would instead be beneficial that the 2026 report notes how Denmark should assess the potential anti-corruption implications of the reduced access to beneficial ownership and other transparency-relevant data.

Implications and Recommendations for 2026

The Commission’s limited and fragmented treatment of the issues outlined above has important implications for how Denmark’s anti-corruption situation is assessed and understood. While the Commission correctly identifies the absence of rules on revolving doors, it does not integrate the evidence of growth and diversification of revolving-door practices into its assessment. As a result, the 2025 report may understate the urgency of reform and its relevance for long-term corruption prevention, particularly when combined with weak lobbying transparency and opaque political financing. Similarly, it could have sent a stronger signal on the need for reforms, if the Commission had emphasised that Denmark is one of few Member States without a lobby register. Moreover, the fact that the Commission’s earlier recommendation on political financing has not been reiterated after 2022, despite stalled legislation and continued civil society criticism, risks conveying that the issue has lost priority for the Commission, even though the 2025 report itself acknowledges that transparency problems

53 *Court of Justice of the European Union, Joined Cases C-37/20 and C-601/20, WM and Sovim SA v Luxembourg Business Registers, 2022; European Commission, Anti-money laundering package and guidance on access to beneficial ownership information, European Commission, 2024–2025.*

54 *Danish Chamber of Commerce (Dansk Erhverv), Now it is the end of free access to companies’ beneficial owners (Nu er det slut med frit indblik i virksomheders reelle ejere), 2025, <https://www.danskerhverv.dk/presse-og-nyheder/nyheder/2025/oktober/nu-er-det-slut-med-frit-indblik-i-virksomheders-reelle-ejere/>*

persist. Together these omissions may contribute to maintaining the prevailing political narrative in Denmark that the above-outlined integrity risks do not warrant structural reform.

Suggested recommendation: Adopt binding rules on ‘revolving doors’ including mandatory cooling-off periods and rules on side jobs for ministers, senior executive officials, and members of Parliament; introduce a mandatory lobby register and strengthen political financing transparency; and adopt a national anti-corruption or integrity strategy to coordinate prevention, oversight, and monitoring across sectors.

MEDIA ENVIRONMENT AND MEDIA FREEDOM

General assessment

In Denmark, the Constitution provides the overarching framework for protecting freedom of expression. The tasks and mandate of the national media regulatory authority, the Danish Radio and Television Board, are enshrined by law.⁵⁵ Denmark's media landscape is dominated by two public service media outlets, Danmarks Radio (DR) and TV 2 Danmark, which together account for around 80% of the national audience and generally function without direct interference.⁵⁶ In April 2024, new rules introducing competence-based criteria for appointments to DR's board were adopted (entering into force in 2027), representing a positive step to strengthen trust in public service media governance.⁵⁷

Denmark continues to be overall assessed as a country where the media system largely functions effectively and in line with EU standards on media freedom.⁵⁸ Journalists generally operate in a safe environment, and there is no evidence of systematic political interference in media content or leadership.⁵⁹ There have been very few cases that can be described as Strategic Lawsuits Against Public Participation (SLAPPs), and no pattern of harassment or violence against journalists has been identified.⁶⁰ At the institutional level, both regulation and self-regulation have been strengthened. The Danish Radio and Television Board has received additional resources to address new EU-related responsibilities, and the Media Pluralism Monitor 2025 finds the risk to its independence to be very low. Similarly, the Press Council has increased capacity and reached a record number of decisions in 2024, reflecting an active self-regulatory framework.⁶¹

Despite these formal strengths, developments in 2025 indicate a regressive trajectory in the practical conditions for media freedom and democratic scrutiny. A key warning sign is the continued lack of

55 *Danish Parliamentary Ombudsman, A20200135029 (1)*

56 *European Commission, Commission Staff Working Document – 2025 Rule of Law Report: Country Chapter on the rule of law situation in Denmark, SWD(2025) 904 final, 2025, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=celex:52025SC0904>*

57 *DR, Nye krav til bestyrelsesmedlemmer i DR (Nyt fra DR), 2024, <https://www.dr.dk/om-dr/nyt-fra-dr/nye-krav-til-bestyrelsesmedlemmer-i-dr>*

58 *Reporters Without Borders (RSF), Denmark (Press Freedom Index), 2025, <https://rsf.org/en/country/denmark>*

59 *Ibid.*

60 *Ibid.*

61 *European Commission, Commission Staff Working Document – 2025 Rule of Law Report: Country Chapter on the rule of law situation in Denmark, SWD(2025) 904 final, 2025, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=celex:52025SC0904>*

progress on transparency and access to information. The Access to Public Administrative Documents Act remains widely criticised for limiting transparency through broad exemptions and restrictive administrative practices that have limited access to internal government communication and reduced the ability of journalists and civil society to trace decision-making processes and hold authorities accountable. The absence of tangible reforms despite repeated EU-level recommendations constitutes a warning sign. In addition, 2025 revealed increasing pressure on the normative environment surrounding media freedom, such as proposals to establish a publicly funded Media Ombudsman with legal powers to initiate cases against media actors.⁶² Further warning signs concern source protection and journalistic independence, highlighted by the TV 2 case where courts ordered the broadcaster to hand over unpublished material to law enforcement. The case, now before the ECtHR, raises concerns about potential chilling effects on investigative journalism.⁶³ Lastly, Denmark's media landscape faces structural vulnerabilities, including high market concentration and financial pressures.⁶⁴

Implementation of 2025 Commission recommendations

Recommendation: Continue to advance with the process to reform the Access to Public Administrative Documents Act in order to strengthen the right to access documents, in particular by limiting the grounds for rejection of disclosure requests, taking into account the European standards on access to official documents (first made in 2022)

There has been no progress to be seen. The recommendation from 2025 was to continue the process to reform the Access to Public Administrative Documents Act.⁶⁵ The Committee tasked to work with the issue has stated that they are still working on assessing the Access to Public Administrative Documents Act, but no concrete measures or news regarding it have been published by the committee.

62 *Danske Medier*, European media organisations and journalist's unions publish a joint complain: Danish plans to establish media ombudsman is a threat to the freedom of the press (Europæiske medieorganisationer og journalistforbund i fælles opråb: Danmarks planer om en medieombudsmand truer pressefriheden)

63 *TV2 Danmark*, TV 2 takes case on handing over journalists' text messages to Strasbourg (TV 2 tager sag om udlevering af journalisters SMS'er til Strasbourg), 2025, <https://omtv2.tv2.dk/nyheder/2025/12/tv-2-tager-sag-om-udlevering-af-journalisters-sms-er-til-strasbourg>

64 *Centre for Media Pluralism and Media Freedom (CMPF)*, Denmark, *Media Pluralism Monitor*, 2025.

65 *Ministry of Justice (Denmark)*, The Minister of Justice establishes a committee to review the Access to Public Administration Files Act (Justitsministeren nedsætter udvalg, der skal se på offentlighedsloven), *Government of Denmark*, 2024.

The recommendation has been the same since it was first introduced in 2022 and does not adequately address what is lacking and why the issue persists. It is too broad and does not reflect on the slow pace at which the limited progress has taken place. To change this, by the end of 2026, the committee should present a legislative proposal to amend the Access to Public Administrative Documents Act, including a clear timeline of how and when to adopt the reform, with the aim of strengthening access to documents by limiting and precisely defining the grounds for refusal, in accordance with European standards on access to official documents.

Commission's 2025 assessment: Some further progress **Nyt Europa's current assessment: No progress**

Gaps in the Commission's Report

The Commission's recommendation fails to address several critical issues, including representation in the media (e.g., gender and socio-economic diversity), strategies to mitigate misinformation in an increasingly diversified media landscape, and the implications of emerging AI tools.

In 2025, concerns about representation remained highly relevant as Danish media continued to show a persistent gender imbalance in expert sourcing and visibility. Expert sources are overwhelmingly male: in 2024, only 5 of the 50 most cited experts were women, with none in the top 20, and at DR women accounted for just 31% of sources. Studies have found that only 25 % of expert sources across Danish media were female.⁶⁶ Structural gender disparities in academia contribute to this imbalance, while unconscious bias further limits women's visibility in publications, collaborations, and media appearances.

Some publishers and universities are taking deliberate steps to address these issues, such as broadening expert pools and actively promoting female researchers. These measures aim to counter entrenched biases and create a more representative academic and media landscape.

New Issues that Emerged in 2025

Denmark's media environment faced several emerging challenges in 2025, including renewed debate over expanding state oversight through a publicly funded Media Ombudsman, gaps in the regulation

⁶⁶ *Videnskab.dk*, Universities highlight men twice as often as women in press releases (Universiteter fremhæver dobbelt så ofte mænd som kvinder i pressemeddelelser), 2025, <https://videnskab.dk/kultur-samfund/universiteter-fremhaever-dobbelt-saa-ofte-maend-som-kvinder-i-pressemeddelelser/>

and accountability of alternative media actors and influencers, and the growing impact of AI-generated journalism on media credibility, editorial responsibility, and public trust.

On recommendations from the Danish Media Liability Committee, plans by the Danish government to establish a public-funded media ombudsman with legal powers to initiate cases against media faced strong opposition from journalist organisations. These argued it might undermine the existing Press Council's independence and potentially open the door for politicised interference in editorial work. Specifically, it was criticised for violating Article 10 of the ECHR, Article 11 of the EU Charter on Fundamental Rights as well as Article 4 of the European Media Freedom Act.⁶⁷ In the recently published and agreed upon Media Liability Act (December 2025), the proposal to equip an ombudsman with legal powers was rejected. Instead, The Media Ombudsman is to contribute to debate and provide guidance and may refer principled cases to the Press Council. Danske Medier, the main trade organisation for private news media in Denmark which works to protect press freedom and advocates for favourable legal, economic, and regulatory conditions for the media industry, gets a seat on the board.⁶⁸

Another issue pertains to the lack of regulation of alternative media actors (social media) and the increasingly personalised and fragmented media consumption and their lack of adherence to regulatory and press ethics under the Press Council. Furthermore, alternative media actors have hitherto not been regulated by the Press Council. This has been addressed in the new agreement. Alternative media actors will be subject to a new liability standard, including requirements to publish replies, and stricter criminal liability.⁶⁹ It remains to be seen how this new proposal is effectuated.

Another part of the act abolishes the fee for access to judgments and court rulings for journalistic media, so that financial considerations do not hinder investigative and critical journalism.⁷⁰ The lack of alignment with recommendations in relation to The Access to Public Administrative Documents

67 *Danske Medier*, European media organisations and journalist's unions publish a joint complain: Danish plans to establish media ombudsman is a threat to the freedom of the press (Europæiske medieorganisationer og journalistforbund i fælles opråb: Danmarks planer om en medieombudsmand truer pressefriheden), 2025, <https://via.ritzau.dk/pressemeddelelse/14572139/europaeiske-medieorganisationer-og-journalistforbund-i-faelles-oprab-danmarks-planer-om-en-medieombudsmand-truer-pressefriheden>

68 *Danske Medier*, Politicians listened: new agreement maintains an arm's-length relationship and recognizes autonomous and independent media outlets (Politikerne har lyttet: Ny aftale sikrer armslængde og anerkender de frie og uafhængige medier), 2025, <https://via.ritzau.dk/pressemeddelelse/14711733/politikerne-har-lyttet-ny-aftale-sikrer-armslaengde-og-ankender-de-frie-og-uaehaengige-medier?publisherId=13560917&lang=da>

69 *ibid.*

70 *ibid.*

Act, however, did not get addressed and there is no mention of any measures taken to increase access to documents in line with the Commission's recommendations.

Finally, AI-generated journalism (both written and audiovisual) poses a growing challenge to the credibility and public trust of Danish media. Automated content can spread errors or biases, undermining audience confidence and raising concerns about editorial independence. Overreliance on AI to reduce costs could devalue professional journalistic expertise and weaken investigative reporting. To address these risks, forthcoming reports should propose recommendations on methods and transparency measures that clearly distinguish between human and AI-generated content. Without such safeguards, the media's role as a trusted watchdog may be compromised in the years ahead.

Implications and Recommendations for 2026

The absence of targeted attention to representation and inclusion risks reinforcing unequal participation in democratic debate and limiting the diversity of viewpoints available to the public. If expert and authoritative voices remain dominated by narrow demographic groups, media coverage may continue to reproduce existing inequalities and weaken broader public trust and legitimacy in the media ecosystem.

Moreover, by not addressing misinformation dynamics and the growing role of AI tools, the Commission risks underestimating challenges that may increasingly affect media credibility, accountability, and citizens' ability to distinguish reliable information from manipulated or misleading content. These omissions reduce the Commission's ability to identify early warning signs and support timely safeguards that strengthen media pluralism and resilience.

Suggested recommendation: Introduce measures to improve diversity and representation in media sourcing and coverage, including systematic data collection and monitoring (e.g., gender and socio-economic diversity among expert sources), and develop safeguards to address misinformation risks and the impact of AI-generated content on media integrity and public trust.

The Commission should urge Denmark to address new issues that arose in 2025 through a new recommendation in this area.

Suggested recommendation: Ensure that new media oversight structures (including the Media Ombudsman) remain fully compatible with European media freedom standards, strengthen ethical and accountability frameworks for alternative media actors in a proportionate manner, and introduce transparency requirements for AI-generated journalistic content to safeguard public trust and editorial responsibility.

CHECKS AND BALANCES

General assessment

Denmark remains a formally strong democracy with robust constitutional safeguards, high institutional trust, and long-standing traditions of civic participation. International indicators continue to rank Denmark among the strongest democracies globally. CIVICUS classifies Denmark's civic space as open with a score of 89/100, unchanged for eight years, while Varieties of Democracy assigns Denmark a high score of 0.88 on the Liberal Democracy Index, despite a gradual decline since 2015.⁷¹ Engagement between the state and civil society has historically been a cornerstone of Danish governance, and civic actors have generally operated within a supportive environment.

However, Denmark has not been immune to broader democratic backsliding trends observed globally and across Europe. While the legal framework protecting civic space, including freedoms of association, expression, and assembly, remains strong, developments in 2025 point to continued pressure on civic space.⁷² These pressures stem less from formal legal changes and more from political discourse and administrative practices. Although Denmark continues to perform comparatively well, 2025 developments indicate a weakening in the practical functioning of checks and balances, particularly regarding civil society autonomy and inclusive participation.

A defining feature of these developments is the growing gap between formal safeguards and the lived experience of civic actors.⁷³ While accountability mechanisms formally remain in place and civil society continues to engage in policy dialogue, multiple reports document increasing political and administrative pressures, especially on organisations working on minority rights, climate action, and international solidarity. These pressures include conditional funding, threats of defunding, politicised rhetoric, and selective administrative enforcement, collectively narrowing civic space and weakening civil society's role as an independent check on power. These trends are not new, but 2025 marked a consolidation rather than a reversal. Early warning signs identified in previous years remain largely unaddressed.⁷⁴ The year saw several instances where political actors questioned the legitimacy of civil

71 CIVICUS Monitor, *Denmark – Civic Space Country Profile*, CIVICUS, 2025; *Varieties of Democracy (V-Dem Institute)*, *Liberal Democracy Index*, V-Dem Institute, 2025, https://v-dem.net/data_analysis/VariableGraph/

72 MACS, *Monitoring Action for Civic Space – Denmark Country Monitoring*, *Monitoring Action for Civic Space (MACS)*, 2025

73 MACS, *Monitoring Action for Civic Space – Denmark Country Monitoring*, *Monitoring Action for Civic Space (MACS)*, 2025; Regitze H. Rohlfing, Mathias Zachau and Ferhan Kerskin, *Caught between pressure and potential – An analysis of civic space in Denmark*; *Nyt Europa*, 2025

74 *European Civic Forum, Civic Space Report – Denmark*, *European Civic Forum*, 2025.

society organisations, including suggestions that groups engaging in litigation against the state or other ‘undesirable’ activities should lose public funding.⁷⁵ At the same time, structural shortcomings in public consultation processes continue to limit meaningful civil society participation, despite longstanding political recognition of these issues and the absence of tangible reforms.⁷⁶ Rather than isolated incidents, these developments reflect a broader structural challenge to democratic principles. The persistence of funding-related pressures, unresolved flaws in participatory governance, and the normalisation of rhetoric undermining critical civil society actors risk becoming entrenched practices. Without targeted corrective action, these trends threaten civil society’s autonomy and the balance between state power and independent democratic oversight.

Implementation of 2025 Commission recommendations

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

Gaps in the Commission’s Report

Disregard for deteriorating civic space

A central gap in the Commission’s assessment is its insufficient recognition that civic space in Denmark is deteriorating, and that this deterioration is occurring primarily through political rhetoric, administrative practices, and informal governance mechanisms rather than through formal or legal

75 *Altinget*, The Conservatives want to withdraw public funding from NGOs that sue the state (K vil tage offentlig støtte fra NGO’er, der sagsøger staten), 2024, <https://www.alinget.dk/civilsamfund/artikel/k-vil-tage-offentlig-stoette-fra-ngoer-der-sagsoeger-staten>

76 *Justitia*, Challenges in the legislative process (Udfordringer i lovgivningsprocessen), 15 July 2024, https://justitia-int.org/wp-content/uploads/2024/07/Rapport_Udfordringer-i-lovgivningsprocessen_15072024.pdf; *K-NEWS*, Short consultation deadlines threaten legal certainty (Korte høringsfrister truer retssikkerheden), 2024, <https://www.k-news.dk/artikler/korte-hoeringsfrister-truer-retssikkerheden>; *DR News*, Criticism of double standards: the government takes a summer break but sets extremely short consultation deadlines (Kritik af dobbeltmoral hos regeringen: Holder selv sommerferie, men sætter korte høringsfrister), *DR*, 2024, <https://www.dr.dk/nyheder/politik/kritik-af-dobbeltmoral-hos-regeringen-holder-selv-sommerferie-men-saetter>; *Altinget*, At 15:44 on Friday afternoon, the Minister of Housing sent a controversial bill for consultation – less than three days later he demanded responses (Klokken 15.44 fredag eftermiddag sendte boligministeren en kontroversiel lov i høring – under tre døgn senere krævede han svar), 2024, <https://www.alinget.dk/artikel/klokken-1544-fredag-eftermiddag-sendte-boligministeren-en-kontroversiel-lov-i-horing-under-tre-doen-senere-kravede-han-svar>

changes. This form of backsliding is particularly difficult to detect through traditional rule-of-law indicators, which tend to prioritise legislative amendments, institutional design, and formal procedural safeguards. As a result, developments that materially affect checks-and-balances in practice are under-represented in the Commission's analysis.

Independent civic space monitoring⁷⁷ demonstrates that pressures on Danish civil society are increasingly discourse- and practice-driven, including delegitimising political rhetoric, the politicisation of public funding, selective use of administrative tools, and informal signalling about the limits of acceptable civic engagement. These dynamics leave Denmark's strong legal framework formally intact while narrowing the actual space for dissent, critique, and independent oversight. Such changes in political discourse and administrative practice cumulatively weaken civil society autonomy and participation and thereby its ability to work as a check and balances mechanism. The Commission's emphasis on formal openness and procedural compliance obscures the fact that the most consequential developments affecting checks and balances operate below the threshold of legal change. Denmark's national human rights institution has similarly warned that a growing number of individuals and organisations refrain from participating in public debate out of fear of backlash or negative consequences, indicating a chilling effect that procedural indicators alone cannot capture.⁷⁸

Importantly, these developments are not isolated or sudden. They have been documented for several years, but intensified markedly from 2024 onwards. This intensification has triggered unprecedented alliance-building across Danish civil society, with a broad spectrum of organisations engaging in coordinated advocacy to defend civic space, freedom of expression, and the arms-length principle between the state and civil society.⁷⁹ This level of cross-sector mobilisation reflects a shared assessment among civil society actors that core democratic conditions are under strain and that isolated organisational responses are no longer sufficient.

Civil society organisations (CSOs) increasingly reported that rhetoric and practice-based dynamics affected their ability to participate meaningfully in democratic processes and to act as independent checks on power, particularly regarding public consultations. CSOs reported short consultation

77 *MACS, Monitoring Action for Civic Space – Denmark Country Monitoring, Monitoring Action for Civic Space (MACS), 2025; Regitze H. Rohlfing, Mathias Zachau and Ferban Kerskin, Caught between pressure and potential – An analysis of civic space in Denmark; Nyt Europa, 2025; European Civic Forum: Civic Space Report – Denmark, European Civic Forum, 2025.*

78 *European Network of National Human Rights Institutions (ENNHRI), Denmark Country Report – Rule of Law 2024, ENNHRI, 2024, https://ennhri.org/wp-content/uploads/2024/04/Denmark_Country-Report_Rule-of-Law-2024.pdf*

79 *Focus group held by Nyt Europa, December 2025*

deadlines, frequently scheduled during holiday periods. This follows previous years' trajectories.⁸⁰ Justicia has for instance documented that public consultations with a deadline of less than 10 days have increased since 2021.⁸¹ Many organisations moreover experienced that their consultation contributions were neither acknowledged nor reflected in final policy outcomes, reinforcing perceptions that consultations are procedural rather than deliberative. More seriously, some CSOs reported that their wording and arguments from consultation submissions were later used to justify political positions that directly contradicted their advocacy, creating a sense that participation could be used against them and discouraging future engagement.⁸²

Public funding distributed through the annual Finance Act continued to be perceived as opaque and politicised. Moreover, a significant share of CSOs has experienced funding tied to political conditions and find this tendency increasing.⁸³ For example, Conservative MP Helle Bonnesen publicly argued that CSOs bringing legal cases against the state should not receive public funding, following a lawsuit by three Danish and one Palestinian CSO against Denmark over arms exports to Israel. While parts of the statement were later withdrawn, similar arguments remain reflected in a joint political programme launched by four right-wing parties ahead of the upcoming election, and echoed by Liberal Alliance spokesperson Sólbjørg Jakobsen.⁸⁴ More broadly, CSOs reported continued difficulties in

80 *Mandag Morgen*, He has discovered three defective cogs in the legislative machinery of democracy (Han har opdaget tre defekte tandhjul i demokratiets lovmaskine), 2024, <https://www.mm.dk/velfaerd/artikel/han-har-opdaget-tre-defekte-tandhjul-i-demokratiets-lovmaskine>; *Altinget*, At 15:44 on Friday afternoon, the Minister of Housing sent a controversial bill for consultation – less than three days later he demanded responses (Klokken 15.44 fredag eftermiddag sendte boligministeren en kontroversiel lov i høring – under tre døgn senere krævede han svar), 2024, <https://www.alinget.dk/artikel/klokken-1544-fredag-eftermiddag-sendte-boligministeren-en-kontroversiel-lov-i-hoering-under-tre-doen-senere-krævede-han-svar>

81 *Justitia*, Challenges in the legislative process (Udfordringer i lovgivningsprocessen), 15 July 2024, https://justitia-int.org/wp-content/uploads/2024/07/Rapport_Udfordringer-i-lovgivningsprocessen_15072024.pdf; *K-NEWS*, Too little time, too many tasks and too much social media threaten legislative quality (For lidt tid, for mange opgaver og for meget SoMe truer lovkvatiteten), 2024, <https://www.k-news.dk/artikler/for-lidt-tid-for-mange-opgaver-og-for-meget-some-truer-lovkvatiteten>

82 *Focus group held by Nyt Europa, December 2025*

83 *Focus group held by Byt Europa, December 2025*; Regitze H. Rohlfing, Mathias Zachau and Ferhan Kerskin, *Caught between pressure and potential – An analysis of civic space in Denmark*; *Nyt Europa*, 2025

84 *Altinget*, The Conservatives want to withdraw support from Danish NGOs that sue the state (Konservative vil tage støtten fra danske NGO'er, der sagsøger staten), 2024 <https://www.alinget.dk/artikel/konservative-vil-tage-stoetten-fra-danske-ngoer-der-sagsøger-staten>

securing funding for political or advocacy work that diverges from government priorities with 25% of CSOs in a recent survey reporting experiences of conditional or agenda-linked funding.⁸⁵

Administrative practices have contributed to uneven access to civic space, including hurdles affecting the operation of civil society organisations, such as difficulties in opening bank accounts and other technical requirements relevant to their day-to-day activities.⁸⁶ As a countervailing development, the Danish government presented a policy proposal in early 2025 with 30 initiatives aimed at reducing administrative burdens for volunteer associations, which has been welcomed by key stakeholders.

Several politically sensitive demonstrations were met with forceful policing and large-scale detentions, raising concerns about potential chilling effects on the exercise of the right to peaceful assembly. Those working on climate issues, minority rights, and international solidarity also faced increased online harassment, smear campaigns, and delegitimising rhetoric. For example, during the annual Democracy Festival in June 2025, Prime Minister Mette Frederiksen and former Conservative Party leader Søren Pape characterised climate activists as ‘anti-democratic’, contributing to concerns about polarisation and the stigmatisation of parts of civil society.

Implications and Recommendations for 2026

The absence of concrete and targeted recommendations in the Commission’s assessment has significant implications for civil society’s ability to function as an effective check on power within Denmark’s rule of law framework. By not giving civic space concerns greater analytical weight or treating them as a distinct area of importance, the Commission risks underestimating how cumulative pressures affect civil society’s capacity to contribute to democratic accountability, pluralism, and oversight. This omission also weakens recognition of civil society as a core rule of law protector, rather than merely a stakeholder affected by isolated regulatory issues.

In practice, the lack of direct recommendations risks legitimising continued inaction by Danish authorities. When civic space challenges are not explicitly addressed or prioritised in the rule of law framework, this may be interpreted domestically as confirmation that these issues do not require structural improvement. This is particularly evident in relation to public consultations and participation in decision-making, where long-standing weaknesses persist without corrective measures. Short and poorly timed consultation periods continue to disadvantage smaller organisations and those with

85 Regitze H. Rohlfing, Mathias Zachau & Ferhan Kerskin, *Caught between pressure and potential – An analysis of civic space in Denmark*, *Nyt Europa*, 2025.

86 Regitze H. Rohlfing, Mathias Zachau & Ferhan Kerskin, *Caught between pressure and potential – An analysis of civic space in Denmark*, *Nyt Europa*, 2025.

limited administrative capacity. Reports that consultation inputs have been used against civil society organisations further undermine trust in participatory processes and discourage engagement, increasing the risk that policymaking becomes increasingly selective and dominated by well-resourced actors.

Similarly, the limited focus on administrative and funding-related constraints risks downplaying their cumulative severity. Ongoing difficulties in accessing banking services, complex compliance requirements, and uneven access to public infrastructure continue to limit civil society's operational capacity. At the same time, reported threats of defunding and public statements questioning the legitimacy of state support for organisations engaged in legal action or critical advocacy contribute to financial uncertainty and may discourage organisations from pursuing activities that challenge government policies. In the absence of clear external benchmarks or recommendations, such practices risk becoming normalised.

Taken together, these omissions risk allowing Denmark's civic space to narrow through incremental and informal means. By not more clearly framing civic space as integral to the rule of law, the Commission may reduce external pressure for reform and inadvertently signal that the outlined issues are of limited importance. This, in turn, hampers civil society's ability to continue acting as an independent and effective democratic force, with longer-term consequences for checks and balances and the resilience of Denmark's democratic governance system.

Suggested recommendation: Establish predictable and transparent civil society funding that safeguards organisational independence, and reform public consultation procedures to ensure timely, accessible, and meaningful participation of civil society organisations in decision-making.

CONTACTS

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Nyt Europa is a Danish non-profit action tank dedicated to promoting a sustainable and democratic Europe through research, advocacy and public engagement. Founded in 1998 and based in Copenhagen, Nyt Europa works from the conviction that the European Union (EU) has a key role to play in securing a greener, more inclusive and more democratic future for the continent and believes this must be achieved through empirical-based analyses, mobilisation across borders and innovative engagement of citizens in politics.

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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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