

(English version)

**Priority question for written answer P-003254/26
to the Commission
Nacho Sánchez Amor (S&D)
(11 August 2026)**

Subject: Protection of civil society organisations monitoring sanctions compliance using the same analytical methodology as the European Commission and EU Member States

In 2023, the Open Dialogue Foundation (ODF), a Belgian-registered civil society organisation (CSO), published reports, based on publicly available data, flagging potential indicators of EU sanctions circumvention in Kyrgyzstan's banking sector. In response a Kyrgyz bank, Bakai Bank OJSC, filed a lawsuit with the Brussels Commercial Court, seeking EUR 1 050 000 in damages and the removal of the ODF's publications. The court's recent ruling ⁽¹⁾ classified the ODF as a 'commercial enterprise', applying commercial rules rather than Article 10 of the European Convention on Human Rights (ECHR), which applies to watchdog organisations. Bakai Bank is now demanding the removal of additional publications and the imposition of EUR 50 000 in penalties.

The Commission's own anti-circumvention tool and the monitoring work carried out by the Belgian authorities rely on the same methodology that the ODF used in its reports.

1. Does the Commission consider that CSOs that assist the EU institutions in monitoring sanctions compliance should be protected from legal retaliation by entities from non-EU countries?
2. Is the Commission aware that a court in an EU Member State applied commercial rules rather than Article 10 ECHR to a non-governmental organisation engaged in sanctions monitoring, and does the Commission consider this to be compatible with encouraging CSOs' participation in sanctions enforcement?
3. What measures does the Commission intend to take to ensure that the EU Anti-SLAPP Directive, once transposed, effectively protects CSOs that are targeted by legal proceedings initiated by entities from non-EU countries?

Submitted: 11.8.2026

**Answer given by Ms Albuquerque on behalf of the European Commission
(14 September 2026)**

The Commission acknowledges the important role of civil society organisations in contributing to public-interest scrutiny in the area of sanctions compliance and circumvention.

The Commission also recalls the importance of freedom of expression, freedom of association and effective judicial protection, as enshrined in the Charter of Fundamental Rights of the European Union and the European Convention on Human Rights.

At present, EU sanctions legislation does not provide for specific safeguards for civil society organisations or investigative journalists reporting publicly on possible sanctions circumvention. Nevertheless, they benefit from protection under other areas of EU and national law.

As regards national judicial proceedings, those are carried out by independent courts with which the Commission cannot and does not interfere. If a party to such proceedings wishes to contest a judicial decision rendered in their context, it should make use of the legal remedies available.

Directive (EU) 2024/1069 ('Anti-SLAPP Directive') ⁽¹⁾ provides safeguards for natural and legal persons who engage in public participation on matters of public interest and are targeted by abusive lawsuits (SLAPPs) because of their activity.

Belgium has declared the transposition of the directive into its national law as complete, and it is for the competent national court to apply safeguards against SLAPPs in an individual court case.

Where a party considers that proceedings brought against it is a SLAPP, that party may invoke this contention in the course of those proceedings. The Anti-SLAPP safeguards protect civil society organisations, commercial organisations and others equally.

¹ <https://en.odfoundation.eu/a/728552,tribunal-de-lentreprise-francophone-de-bruxelles-jugement-du-30-mars-2026-r-g-a-24-02966/>.

⁽¹⁾ OJ L, 2024/1069, 16.4.2024: <http://data.europa.eu/eli/dir/2024/1069/oj>.