

2026 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, six editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2026 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2026 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

- (1) developments and measures taken in relation to the recommendations in the 2025 report,**
- (2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation and enforcement of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. To simplify your answers to the questionnaire, if there are no developments, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☐ Civil society organisation/NGO
- ☐ International organisation
- ☒ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

* Organisation name

250 character(s) maximum

Medel (Magistrats Européens pour la Démocratie et les Libertés)

Main Areas of Work

- ☒ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism and Freedom
- ☐ Checks and Balances
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://medelnet.eu>; <https://www.facebook.com/medel.europe.3>; <https://x.com/MedelEurope>;
@medeleurope.bsky.social

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

98111922130-18

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☒ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Mariarosaria

Surname

Guglielmi

Email Address of the organisation

office@medelnet.eu

*** Publication of your contribution and privacy settings**

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution as we will not be able to guarantee anonymisation of these elements.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2026 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics for contribution.docx](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Most of the alerts contained in the 2025 contribution are still completely valid and furthermore aggravated by the latest developments relating to the global wave of autocratization and global attacks on Rule of law values. Developments threatening judicial independence are part of a broader context, that is calling into question the very principle of the separation of powers and the system of checks and balances (see ENCJ statement of June 4, 2025 https://pgwrk-websitemedia.s3.eu-west-1.amazonaws.com/production/pwk-web-encj2017-p/Declaration%20of%20Riga%20_final.pdf), and include: -an increasing intolerance towards the judiciary for its role as impartial guarantor of fundamental rights and for its power to review the legality of the actions of the executive; this trend is particularly evident in certain national contexts where the main targets of such intolerance are judges dealing with migration cases, following their decisions which, although referring to supranational sources to protect individuals, are considered arbitrary as they are not in line with restrictive national policies and national interests; -political criticism of judicial decisions and populist rhetoric, questioning the democratic legitimacy of the judiciary and the impartiality of judges and prosecutors by accusing them to play a political role; -attacks and delegitimization affecting as well the role that national judges play as European judges, in reaffirming the primacy of EU law and supranational sources; part of the same trend is the non-compliance with CJEU judgments and the persistent non-compliance or incomplete implementation of ECtHR judgments; - the failure to implement decisions contrary to the government's position, the lack of adequate consultation with the judiciary on relevant draft legislation, and the implementation of reforms without the consent of the judiciary (see ENCJ stat.); - informal court-curbing policies and structural and constitutional reforms aimed at weakening judicial systems and their key institutions, such as High Councils and Prosecution services, supported by aggressive media campaigns, led also by high profile politicians, producing a distorting mirror image of the judiciary;- on the grounds that it compromises the impartiality and political neutrality of the judiciary, the attempt to limit the freedom of speech and association of judges, prosecutors and their associations; - smear campaigns, profiling and doxing attacks against individual magistrates.

MEDEL reiterated its interventions in support of the judiciary and judicial associations in different contexts: denouncing the risk of a dangerous delegitimization of the judiciary and the prejudice to the trust of the citizens in its impartiality and fairness and in its effective role of impartial guarantor of fundamental rights (<https://medelnet.eu/medel-statement-on-romania/>; <https://medelnet.eu/statement-on-the-recent-attacks-on-the-french-judiciary/>); the necessity to adequately address systemic deficiencies that jeopardize the independence of the judiciary (<https://medelnet.eu/medel-statement-on-moldova/>); the serious risks to the Rule of law posed by a radical revision of the constitutional framework and the guarantees it provides for key institutions such as the public prosecutor and the Superior Council for the Judiciary; (<https://medelnet.eu/solidarity-with-all-italian-magistrates-and-the-associazione-nazionale-magistrati/>; <https://medelnet.eu/statement-on-constitutional-reform-of-the-judiciary-in-italy/>) ; the risks related to the globalisation of attacks on democracy, international law, international humanitarian law, supranational judicial institutions - such as the International Criminal Court - against the backdrop of mass human rights violation (<https://medelnet.eu/eu-should-defend-the-icc/> ; https://medelnet.eu/medel-stands-in-support-of-the-international-criminal-court-and-in-solidarity-with-its-officials/#_ftn1; <https://medelnet.eu/medel-stands-in-support-of-the-international-criminal-court-and-in-solidarity-with-its-officials/>)

Medel focused on pressure against the judiciary organizing conferences on these topics, involving academics and judicial associations: <https://medelnet.eu/international-conference-berlin-28-february-2025/> ; <https://medelnet.eu/international-conference-next-ca-of-medel-athens-november-21st-22nd-2025/>; <https://medelnet.eu/the-backsliding-of-the-rule-of-law-and-the-pressure-exerted-on-the-judiciary-in-europe-the-role-of-the-european-union-international-conference-athens-21-november-2025/>; <https://medelnet.eu/judges-in-the-crisis-of-democracies-florence-29-11-2025/>

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 and up to the date of submission^[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

^[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☒ Italy

- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

5000 character(s) maximum

On 30.10.25 the constitutional reform of the judiciary has been approved, without any changes to the text proposed by the government and without taking into account remarks expressed by Council for the Judiciary https://www.sistemapenale.it/pdf_contenuti/1737496119_parere-separazione-carriere-e-riforma-csm-delibera-8-gennaio-2025.pdf. A referendum in spring will decide on its final approval.

The reform radically demolishes the framework that has guaranteed up to now the independence of the judiciary, without replacing it with equally strong safeguards: 1)by removing the principle of the unity of the judiciary, which provides common guarantees for the external and internal independence of both judges and prosecutors; 2)by splitting the Council for the Judiciary and weakening it: -through a new system for appointing magistrates by lottery while lay members (professors or lawyers) will be selected also at random but among names included in a list compiled by Parliament; the reform does not specify how the lottery system will be implemented, leaving thus room for an ordinary law that can limit the random choice of lay members to a very limited number of names, thus keeping for them a strict political mandate; - by depriving the Council of the key functions concerning disciplinary proceedings, transferred to a new High Disciplinary Court, composed of 3 lay members selected randomly from a list of professors or lawyers compiled by Parliament, 3 lay members appointed by the President of the Republic, 6 judges and 3 prosecutors selected randomly among those who have at least 20 years of service and are or have been judges or prosecutors at the Court of Cassation (thus de facto subverting constitutional principle according to which magistrates are distinguished from one another solely on the basis of their functions: the equal dignity of functions, that means they are not hierarchically ranked and the career level achieved and the corresponding salary level are not related to the function actually performed).

The reform does not meet the European standards requiring: the majority of Council's members elected by their peers (CCJE op.24-2021; CCPE op.18 -2023); that, where they exist, Councils for the Judiciary should be entrusted with disciplinary competences (CCJE op. 27-2024). As Medel stressed <https://medelnet.eu/statement-on-constitutional-reform-of-the-judiciary-in-italy/> the Council will lose its representative features and its full legitimacy vis-à-vis the judiciary, as well as key functions essential to its role as guarantor of judicial independence. The new Disciplinary Court will act as a special court (only for ordinary magistrates) and an exclusive court, without any guarantee of independent review of its decisions.

The UN Special Rapporteur on the independence of judges and lawyers in a letter sent to the Italian government stressed that: the nomination procedure risks undermining the democratic legitimacy of the Councils by depriving magistrates of the right to select their own representatives; a particularly troubling aspect is that appeals against first-instance judgments delivered by the High Disciplinary Court would be heard by the same Court, rather than by the Court of Cassation, as currently provided for by law, and this risks undermining judicial independence.

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=30446>

The weakening of the Councils, where despite the numerical majority of the randomly selected magistrates, the lay component will be compact and hegemonic, and the risks to judicial independence posed by the composition and functioning of the High Disciplinary Court could be amplified, should the reform for premierato be approved (see Chapter IV).

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Independence/autonomy of the prosecution service

Although the current legislative framework already provided for a clear distinction between the functions of judges and those of prosecutors, and increasingly strict limits had been introduced on the possibility of moving from one role to another (in practice, very few magistrates make this choice), the constitutional reform was carried out under the label of “separation of careers.”

As highlighted by the UN Special Rapporteur (<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=30446>), the constitutional reform could deprive the public prosecutor's office of the status and guarantee of external independence that the Constitution currently ensures through the principle of the unity of the judiciary, which implies a common set of guarantees for judges and prosecutors and a common Council, as well as protection from the sphere of influence of the executive and the Minister of Justice.

As it has been observed, once the constitutional framework that has hitherto guaranteed this independence - through the principle of the unity of the judiciary and its system of self-government - is no longer in force, the way will be open for a radical reorganization in which the public prosecutor may be placed under the control of the executive: the establishment of an autonomous and self-governing body composed exclusively of prosecutors - as well as ‘lay’ members — would represent the final step in the creation of a separate body of a few highly specialized public officials, charged with investigating and prosecuting, responsible for directing the judicial police and exercising criminal prosecution, in the form of a self-referential entity within the state structure. And once a ‘self-referential state power’ with such prerogatives has been established, there is a real (and inevitable) risk that the executive power will take control of it (see opinion on the draft constitutional law issued on January 8, 2025, by the Superior Council of the Judiciary, paragraph 3.2).

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

The worrying trend already reported in recent years, represented by the growing number of attacks by political actors, representatives of the political majority and government officials, as well as the media close to them, against judges and prosecutors in relation to judicial decisions, proceedings and investigations, has further intensified. In particular, attacks continue against judges dealing with refugee and asylum cases, who are accused of boycotting national migration policies for ideological reasons and of playing a political role, due to decisions deemed not to be in line with the government's new immigration policy.

Recent episodes of public reactions by prominent politicians and government officials accusing judiciary of overstepping their bounds or making arbitrary decisions have also affected judges acting in other areas, reinforcing the image of judges as “enemies of the people” and their decisions as contrary to the interests of citizens: for instance, the detailed technical opinion issued by the office of the Massimario of the Court of Cassation on the so-called Security Decree, highlighting critical issues and technical aspects of the new regulations, has sparked harsh accusations of interference in political decisions (<https://lamagistratura.it/primo-piano/lincredibile-polemica-sulla-relazione-del-massimario-della-cassazione/>); strong criticism alluding to the subjugation of the function of legitimacy to interests outside the jurisdiction has been levelled at the Sezioni Unite of civil chambers of the Court of Cassation for a decision to uphold the appeal of a migrant who, in 2018, was forced to remain on board the ship Diciotti for several days.

<https://lamagistratura.it/attualita/anche-il-csm-interviene-a-sostegno-delle-sezioni-unite/>

Attacks have also recently targeted the Court of Auditors (see para C) which, in the exercise of its functions, has raised objections to the resolution relating to the bridge project to link Sicily to the mainland: judges were accused by government representatives of causing damage to the country and interfering in government decisions. <https://www.associazionemagistrati.it/doc/4954/ponte-solidariet-a-colleghi-corte-conti-delegittimazione-dannosa.htm>

At the same time, the right/duty of magistrates to speak out on risks to judicial independence, such as those posed by the reform and the current climate of attacks and delegitimisation of the role of the judiciary, is under attack. On the eve of the referendum on constitutional reform, aggressive accusations of undue political involvement concern the participation of judges and their associations in the public debate to inform citizens about the risks of the reform for the independence of the judiciary.

This context of attacks on magistrates entails a serious risk of delegitimising the judiciary and undermining citizens' trust in it, since the very *raison d'être* of the judiciary, namely the impartial guarantee of fundamental rights and equality for all before the law, judicial decisions, trials and investigations are described as purely political interventions and expressions of hostility towards the current government.

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

[single market relevance] Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

[single market relevance] Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

The Parliament approved a law reforming the Italian Court of Auditors (No. 1 of 7 January 2026). The Court of Auditors is Italy's supreme audit institution and a member of the International Organisation of Supreme Audit Institutions (INTOSAI). Established in 1862, it performs both audit and judicial functions in the field of public finance, including jurisdiction over cases of mismanagement of public funds. The Court's dual role as external public auditor and judicial authority is enshrined in the Italian Constitution (Articles 100 and 103). The independence of its members is expressly guaranteed by Article 108 of the Constitution.

The new legislation significantly limits the personal financial liability of elected officials and civil servants for damage caused to the State and other public bodies. Compensation is now subject to a double limitation: it cannot exceed twice the annual salary of the person responsible and, in any case, cannot exceed 30% of the total damage. Furthermore, elected officials are exempt from liability if the measure or act in question was proposed by a civil servant.

The law also introduces a mechanism allowing public administrations to request an ex ante review by the Court of specific administrative measures. If the Court does not formally reject such measures within 30 days, any subsequent liability for damages resulting from their implementation is excluded.

In addition, the reform delegates to the government the power to completely reorganise the central and territorial structure of the Court within 12 months. This delegation provides, among other things, for a reduction in the number of magistrates assigned to judicial functions and a strengthening of the powers of the Attorney General vis-à-vis the prosecutors of the Court. These provisions appear to be unconstitutional.

During the legislative process, the Court of Auditors issued two formal opinions expressing serious reservations about several provisions of the reform, which were criticised as ineffective and impractical. <https://www.corteconti.it/Download?id=35360c40-751d-49a0-8d80-7ef0899d203f>
<https://www.corteconti.it/Download?id=4ac036c0-ac49-4c8a-8bf7-c1aaf2cf94d1>

Finally, the Association of Magistrates of the Court of Auditors — the professional association that has represented almost all magistrates of the Court since 1949 — has declared a permanent state of collective

protest, warning that the reform compromises the Court's ability to effectively safeguard public finances in the general interest. <https://www.amcorteconti.it/ddl-funzioni-della-corte-dei-conti-associazione-magistrati-indeboliti-controllo-e-responsabilita-a-rischio-tutela-della-finanza-pubblica/>

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical/specialised resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

In July 2024, Parliament approved a bill repealing the offence of abuse of public office and significantly limiting the scope of the offence of trading in influence. As reported in 2024 and 2025, this reform distances Italy from the international legal framework aimed at strengthening safeguards against corruption and related offences, thus opening a significant gap in the protection of legality and the fight against all forms of corruption and serious deviation from the standards of conducts applicable to public officials. The measures adopted to abolish the offence in the context of crimes against the public administration are part of the government's policy, which focuses on increasing and aggravating common offences and offences of social alarm, while reducing judicial control over political and administrative action (see para C) on the reform that severely limits the control of the Court of Auditors and financial liability.

Although the unconstitutionality of the reform was ruled out, the absence of adequate protection for the proper functioning and impartiality of the public administration (Article 97 of the Constitution), was confirmed by two important decisions of the Constitutional Court. In judgment no. 95 of 2025, the Court recognised the existence of "undoubted gaps in criminal protection" following the abolition of the offence of abuse of office. In judgment no. 185 of 16.12.25, the Court, along the same lines, stated that, following the reform limiting the possibility to

punish the trading of influence, there are “behaviours of undoubted seriousness, which today remain completely unpunished”. The Court also called on the legislator to introduce comprehensive regulations on lobbying activities: “such regulations, the Court emphasised, appear necessary in order to clearly define conduct constituting unlawful influence on public officials and to provide for penalties for non-compliance with the relevant requirements, thus ensuring transparency in the practices of dialogue with institutions, in order to guarantee members the possibility of more accurate control over the work of the public administration and their elected representatives”. The adoption of such regulations could, on the other hand, “allow the legislator to reconsider the current choices regarding the criminal regulation of trading in influence so as to ensure more effective protection of the same collective interests – which are also of constitutional rank – in the impartiality and proper functioning of the public administration against conduct of undoubted gravity, which remains today completely unpunished”.

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector in particular as regards high-level officials (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application/enforcement if available to you**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

[single market relevance] Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

- *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, investor residence schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*
- *In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.*

5000 character(s) maximum

[single market relevance] Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

B. Safeguards against government or political interference and transparency and concentration of media ownership

[single market relevance] Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- **[single market relevance]** information on specific legal provisions and procedures applying to media service providers, including as regards granting /renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

[single market relevance] Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

The draft bill presented by the government (DDL 935, approved in June 2024 by the Senate on first reading and announced as the next reform after that concerning the judiciary), by introducing the direct election for the Prime Minister, would lead to a radical change of the structure of the parliamentary system and to a significant weakening of President of the Republic as guarantor of constitutional balances.

Specifically, in the new system ensuring the election of the President of Republic politically homogeneous with the governing majority (the Parliament would be composed with a majority bonus), the appointment of the constitutional judges – not only those elected by Parliament but also those appointed by the President of the Republic – (and 3 members of the Alta Corte according to the reform of the High Council, see chap.I) will take place in the political and cultural orbit of the parliamentary majority; similar risks of alignment with the government majority will occur on the side of the Superior Council(s) for the judiciary, not only because of a less articulate and pluralistic composition of the lay members appointed by the Parliament but also as a consequence of the genetic link of the President of the Republic as President of the Council (s) with the government majority. As pointed out in an appeal by constitutionalists (<https://www.questionegiustizia.it/articolo/appello-costituzionalisti-premierato>), even a small minority could take control of all institutions, without any more counterweights and checks; Parliament would no longer represent the country and would become a mere

service structure of the government, thus destroying the separation of powers and the President of the Republic would be transformed from a guarantor and a guardian of constitutional procedures to a mere “state notary”.

A. The process for preparing, enacting and implementing laws

[single market relevance] Framework, policy and use of impact assessments and evidence based policy-making, stakeholders’*/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

* This includes also the consultation of social partners

5000 character(s) maximum

[single market relevance] Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency /urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

[single market relevance] Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers (including effective access to relevant data) of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past year

5000 character(s) maximum

[single market relevance] Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

C. Accessibility and judicial review of administrative decisions

[single market relevance] Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

5000 character(s) maximum

[single market relevance] Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

[single market relevance] Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

5000 character(s) maximum

[single market relevance] Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

[single market relevance] Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

Oversight, including by courts, of the use of intrusive surveillance software by national authorities

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

The content of security bill 1236 (formerly 1660), presented by the government (Ministers of the Interior, Justice and Defence), was almost entirely incorporated into decree-law 48 of 2025, which came into force on 12.4.25 and was converted into law no. 80 of 2025. The decree aggravated existing criminal sanctions and introduced new types of offences (at least 14). As observed by the C.S.M., the impact of regulatory changes involving greater recourse to criminal law on the organisational structure of offices is not entirely predictable, but it is clear that the judicial system will inevitably be affected: in principle, its improved functioning requires

measures inspired by the opposite logic of decriminalisation, which is instead only followed with regard to certain types of offences committed by public officials against the public administration.

(<https://www.csm.it/portale/documents/21768/92150/parere+dl+sicurezza+%28delibera+14+maggio+2025%29.pdf/d1723b25-d2c3-3dda-d621-f6ea29dc0ea5?t=1747307214000>)

The Italian Association of Criminal Law Professors criticised not only the content of the highly punitive measures, but also the method, namely the “anomalous use of emergency decrees in criminal matters to transfer an entire bill into a decree-law, creating a precedent that could fuel a practice that undermines the role of parliament”.

(https://www.sistemapenale.it/pdf_contenuti/1744205853_comunicato-aipdp-dl-sicurezza-apr-2025-def-9-aprile-2025-signed.pdf)

Further criticism has been levelled by the National Magistrates Association and the Union of Italian Criminal Chambers; among international bodies:

- the OSCE Office for Democratic Institutions and Human Rights, with reference to the original security bill, pointed out that the bill highlights several critical issues that could hinder the exercise of human rights and fundamental freedoms, including the prohibition of ill-treatment and the rights to liberty and security of the person, freedom of peaceful assembly, expression and movement, as well as the rights to a fair trial and respect for private and family life, among others

https://legislationline.org/sites/default/files/2024-05/2024-05-27%20-%20Opinion_Italy_Draft%20Law%20on%20Public%20Security%20-%20final.pdf

- the UN High Commissioner for Human Rights, through its special rapporteurs, in a document published on 14 April 2025 <https://www.ohchr.org/en/press-releases/2025/04/italy-un-experts-concerned-administrative-enactment-problematic-security> (following another document already adopted in December 2024 on the draft security law <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=29549>), expressed particular concern about the Italian government's decision to transform the draft law on security into an emergency decree, bypassing parliamentary scrutiny and public debate; the same document, with regard to the substance of the measure, represents the risk of excessively targeting specific groups, such as ethnic minorities, migrants and refugees, potentially causing discrimination and human rights violations.

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Cross-pillar elements: cross-border rule of law issues related to the Single Market

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.

5000 character(s) maximum

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

Contact

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