

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

Transparency International Italia

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://transparency.it/>

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

* 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

Aistè Kotryna

Surname

Email Address of the organisation

info@transparency.it

* 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

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

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

5000 character(s) maximum

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

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

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

The parliamentary process on the proposed bill on lobbying had some progress.
Please see more details in the specific question below.

There has been no progress on the proposed bill on conflicts of interest. Please see more details in the specific question below.

Following the abolition of the offence of the abuse of office (abuso d'ufficio, art. 323 of the Criminal Code) in 2024, no adequate compensatory measures to guarantee legal protection have been introduced. Please see more details in the specific question below.

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

No changes or implementation of measures in this regard have been recorded.

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

5000 character(s) maximum

No changes or implementation of measures in this regard have been recorded.

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

As reported in the ANAC website, The Council of the National Anticorruption Authority (ANAC) approved the National Anti-Corruption Plan (NAP) on 11 November 2025 for the years 2025 to 2027. The Council of ANAC has preliminary approved the plan on 30 July 2025. Subsequently, consultations with the stakeholders and civil society were held from 7 August to 30 September 2025, and the plan was again approved in November taking the observations received into consideration. The Plan will be formally adopted in the short term, once the Authority receives formal opinions of the institutions required by law.

(Source: <https://www.anticorruzione.it/en/-/news.14.01.26.pna>)

The 6th National Action Plan for Open Government (2024-2026) has, among others, two specific objectives:

- Strengthening transparency in relationships between public decision-makers and stakeholders
- Promoting a transparency model focused on public value

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

No progress on the discipline of revolving doors has been recorded.

Regarding incompatibility rules, the National Anticorruption Authority (ANAC) has adopted Resolution No. 464 of November 26, 2025, of a general nature, concerning the exercise of supervisory and investigative powers by the Head of Corruption Prevention and Transparency (RPCT) and the National Anti-Corruption Authority (ANAC) regarding the ineligibility and incompatibility of positions pursuant to Legislative Decree No. 39 of 2013. (<https://www.anticorruzione.it/-/news.10.12.25.inconferibilita.incompatibilita>)

Approved by the Authority's Board of Directors at its meeting on November 26, 2025, it provides new and updated guidance on the exercise of supervisory and investigative powers by the Authority itself and by the internal bodies of administrations, public bodies, and entities under public control.

The resolution specifically states that when the RPCT becomes aware of the assignment of a position in violation of the regulations or of a situation of incompatibility, it is required to initiate an investigation and inform ANAC.

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

Italy still lacks a comprehensive law on lobbying. While waiting for a national law, over the last 25 years, lobbyist registers and public meeting agendas have been implemented in some institutions, including those of the Chamber of Deputies, the Ministry of Agriculture, the Ministry of the Enterprises and Made in Italy, the Ministry of Labour and Social Policies, and some Italian regions. The need to regulate relationships between public decision-makers and stakeholders has long been one of the most important issues for improving transparency

and ethics rules, which are essential to preventing corruption. Regulation of lobbying plays a crucial role in protecting our democracy, ensuring that all stakeholders, without exception, are included within the scope of the law.

The parliamentary process on the proposed draft law on lobbying AC 2336 had some progress. (Parliamentary process and proposed text available at: <https://www.camera.it/leg19/126?leg=19&idDocumento=2336>)

On November 27 2025, the Chamber of Deputies' First Constitutional Affairs Committee held the examination on the draft law.

The Committee has approved several proposed amendments (available at: <https://www.camera.it/leg19/824?tipo=A&anno=2025&mese=11&giorno=27&view=&commissione=01#data.20251127.com01.allegati.all00020>). The amendments approved by the Committee in November, exclude key stakeholders, such as trade unions and employers' organizations from the scope of application. Amendment to Art. 3 comma 1, letter h) adds "employees and employers" organizations, in addition to the exclusion to the trade unions envisioned in the original text. Their exclusion would run counter to the original purpose of the law, reducing its effectiveness.

Transparency International Italia calls for the reintroduction of trade unions and employers' organizations into the scope of the law.

The public register on lobbying activities is the transparency tool from which to begin, useful for obtaining information regarding lobbyists' activities.

The proposed text includes publication of agendas of interests in the Register, as sole responsibility of the interests representatives (lobbyists). But what is still missing is an obligation to disclose public agendas of meetings with lobbyists also by decision makers. The agenda would make essential information about the meetings available and would facilitate the study and monitoring of lobbying activities by citizens, associations, press outlets, and research centers.

It is also essential to know subjects of behalf of whom the interest representation activity is carried out.

In addition, it would be recommended to introduce the best practice of requiring lobbyists to disclose their connections to other organizations (such as clients, business associations, civil society coalitions), already applied in France, Germany and the EU Register (the best practice highlighted by the Transparency International EU, Lobby Transparency Across the EU (2024), p.7, available at: https://transparency.it/images/pdf_pubblicazioni/2024_Transparency-International-EU_briefing_lobby-transparency-in-the-EU.pdf).

Furthermore, it would be recommended to include the monitoring of the legislative footprint to trace how lobbying activities affect the decision making processes in detail.

The necessity to introduce a comprehensive law on lobbying has been declared also in the ruling of the Constitutional Court on the matter of trading in influence. (The Constitutional Court Ruling 185/2025 of 7 October 2025, filed on 15 December 2025, available at <https://www.cortecostituzionale.it/scheda-pronuncia/2025/185>).

The Constitutional Court ruled that the choice of the legislator to reformulate the trading in influence offence is not in contrast with the Constitution. Nevertheless, the Court invites the legislator to introduce comprehensive regulation of lobbying activities (Ruling 185/2025, paragraph 6). According to the Court, such regulation is necessary to distinguish conducts "constituting unlawful influence on public officials and to provide for penalties for non-compliance", ensuring transparency and enabling citizens to better scrutinize the activities of public authorities and elected decision makers. A clear regulation of lobbying activities would allow the legislator to

reassess the current choices regarding the criminal regulation regarding the trading in influence to ensure more effective protection of collective interests, “in the impartiality and proper functioning of the public administration against conducts of undoubted gravity, which today remain completely unpunished”.

Transparency International Italia, in collaboration with the Lobbying4change coalition, has been campaigning for years to pass a law on lobbying that guarantees full transparency in relationships between all stakeholders and public decision-makers.

The proposed draft laws on political financing are still pending in the Parliament.

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

Italy still lacks a comprehensive law on Conflicts of interest. The draft law on conflicts of interest remains pending.

The proposed draft law A.C. 304-A on the Conflicts of interest was approved by the Chamber of Deputies on 28 May 2024 (<https://www.camera.it/leg19/126?leg=19&idDocumento=304>). The draft law passed to the Senate, where it has since been on hold for more than over a year and a half.

The text of the draft law delegates to the Government to adopt, in the period of 24 months, a legislative decree reforming the rules on conflicts of interest.

--> 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

The National Anti-Corruption Authority (ANAC) is the authority responsible for receiving external whistleblowing reports and receiving reports on retaliatory measures taken against whistleblowers following the submission of an internal report.

ANAC publishes an annual report detailing its activities, including those related to whistleblowing. The 2025 Annual Report, published in May 2025 and covering activities carried out in 2024, devotes a dedicated section (paragraph 4.5) to this topic, outlining the Authority's role and the measures implemented in handling reports of wrongdoing. (Available at: <https://www.anticorruzione.it/en/-/relazione-annuale-di-anac-al-parlamento-martedì-20-maggio-2025-ore-11>)

During 2024, ANAC received a total of 1,213 whistleblowing reports. Of these, 388 were archived, while the

remaining reports were duly examined and addressed by the Authority.

Updated data for 2025 will be available upon the publication of the 2026 Annual Report.

[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

Of great interest is the public procurement sector, which accounts for a third of global government spending worldwide and is the primary recognized risk of corruption. This was reiterated at the UNCAC CoSP10 meeting in Atlanta in December 2023, with the first UN resolution dedicated to Clean Public Procurement, resolutions 10/9 (<https://www.unodc.org/corruption/en/cosp/conference/session10-resolutions.html#Res.10-9>) and 10/12 (<https://www.unodc.org/corruption/en/cosp/conference/session10-resolutions.html#Res.10-12>).

These resolutions call for the promotion of transparency and integrity in public procurement, with incentives for the private sector in companies bidding for tenders that demonstrate they have invested in robust integrity and anti-corruption programs.

In Italy, driven by the new Public Procurement Code (Legislative Decree 31 March 2023, No. 36) and the insistence of the ANAC (National Anti-Corruption Authority), significant investment is being made in digitalization and database sharing to improve process speed and transparency. However, beyond potential transparency, there is a need for those who can interpret the data and are dedicated to capitalizing on this potential transparency through studies, analyses, and reports.

For this reason, we believe that a broad implementation of the Integrity Pacts (<https://www.transparency.org/en/tool-integrity-pacts>) with monitoring tool, developed by Transparency International — extensively tested in EU-funded pilot projects — is needed to leverage transparency and promote integrity through collaboration between contracting authorities and companies participating in tenders.

The Integrity Pacts (<http://monitorappalti.it/>) also provide for a role for civil society, which monitors proper implementation and provides technical support to companies regarding integrity, and a role for taxpayers, who can benefit from transparency translated into comprehensible reports.

[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

Following the abolition of the offence of the abuse of office (abuso d'ufficio, art. 323 of the Criminal Code) in 2024, no adequate compensatory measures to guarantee legal protection have been introduced. As emphasized by the Court of Cassation regarding the matter, the failure to use uniform instruments of legal protection, particularly of a criminal nature, not accompanied by adequate compensatory measures of the administrative, accounting, disciplinary, or civil nature compromises the effectiveness of the system for combating corruption outlined by international agreements.

(as highlighted in the ruling of the Court of Cassation Cass. Pen., Sez. VI, ord. 21.2.2025 (dep. 7.3.2025), n. 9442, Rilievi di costituzionalità in materia di abrogazione del reato di abuso d'ufficio). In its ruling on the appeal presented by fourteen jurisdictional authorities, including United Sections of the Court of Cassation, the Constitutional Court ruled the question of constitutional legitimacy of the abolition of the abuse of office offence as unfounded. (The Constitutional Court ruling, filed on 3 July 2025, n. 95. Available at: <https://www.cortecostituzionale.it/scheda-pronuncia/2025/95>)

Following law limiting the scope of the offence of trading in influence, no comprehensive regulation of the lobbying activities has been introduced yet.

Regarding the reformulation of the trading in influence offence (traffico di influenze illecite, art. 346-bis of the Criminal Code), following the question of constitutional legitimacy raised by the District Court of Rome (Tribunale Ordinario di Roma), the Constitutional Court pronounced itself in October 2025 (the Constitutional Court Ruling 185/2025 of 7 October 2025, filed on 15 December 2025, available at <https://www.cortecostituzionale.it/scheda-pronuncia/2025/185>).

The Constitutional Court ruled that the choice of the legislator is not in contrast with the Constitution. Nevertheless, the Court invites the legislator to introduce comprehensive regulation of lobbying activities (Ruling 185/2025, paragraph 6). According to the Court, such regulation is necessary to distinguish conducts "constituting unlawful influence on public officials and to provide for penalties for non-compliance", ensuring transparency and enabling citizens to better scrutinize the activities of public authorities and elected decision makers. A clear regulation of lobbying activities would allow the legislator to reassess the current choices regarding the criminal regulation regarding the trading in influence to ensure more effective protection of

collective interests, “in the impartiality and proper functioning of the public administration against conducts of undoubted gravity, which today remain completely unpunished”.

Transparency International Italia would like to stress that the simultaneous absence of a regulation on conflict of interest, of an organic law on lobbying and the weakening of the article on offence of trading in influence, remains a significant deficiency to improve the current legal framework.

In regard to the Anticorruption directive of the European Union, in the Council of the EU, Italy, along some other countries, has been against the introduction of the offence of abuse of functions as obligatory. In the conclusion of the trialogue negotiations in December 2025, the article 11 regarding serious violations of unlawful exercise of public function has been approved. In order to enter into force, the text of the Directive will have to be formally adopted by the European Parliament and the Council.

With the implementation of EU Directive 2024/1226, the Italian legislator has reformed Legislative Decree 221/2017, introducing a new criminal offense for violating European Union restrictive measures on the import and export of goods.

The offense is now fully included among the predicate offenses of Legislative Decree 231/2001, which concerns corporate liability.

The new offense does not exclusively concern the trafficking of weapons or military equipment.

The law affects anyone who:

- imports, exports, or transfers goods
- engages in commercial intermediation
- manages funds or economic resources
- operates in violation of EU prohibitions, restrictions, or sanctions

even when dealing with apparently "ordinary" goods.

The scope of application is broad and, above all, encompasses many business activities previously considered to be at low criminal risk.

The strongest signal comes from the sanctions perspective.

For natural persons, the following are foreseen:

- imprisonment of up to 6 years
- fines of up to €250,000

But it is with Law 231/2001 that the situation changes radically:

- fines of up to 5% of the annual global turnover
- disqualification sanctions (up to and including exclusion from dealings with public administration)
- possible revocation or suspension of authorizations
- direct impact on business continuity.

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

While Italy has developed very strong and advanced overall anti-money laundering framework, which is recognized internationally, there are still some improvements in the framework needed in order to tackle the shortcomings that may hinder the investigation and prosecution of high-level and complex corruption cases and effectively tackle financial crime. In particular, a serious gap that persists is the lack of transparency of the beneficial ownership.

In Italy, the Beneficial Ownership Register remains suspended. On 15th October 2024 the Council of State, with ordinances no. 8248/2024 and n.8245/2024, suspended previous court judgements and national proceedings and made a referral to the CJEU. National provisions regarding the Register remain suspended, on hold for the CJEU decision in joined cases C-684/24 and C-685/24.

On December 11 2025, the Advocate General at the Court of Justice of the European Union presented his conclusions in joined cases C-684/24 and C-685/24, which concern the Beneficial Ownership Register in Italy (available at: <https://curia.europa.eu/juris/document/document.jsf?text=&docid=307049&pageIndex=0&doclang=en&mode=req&dir=&occ=first&part=1>). The questions concern fundamental issues for the regulatory framework: the validity of the concept of “similar legal arrangements,” the inclusion of fiduciary mandates of trust companies among similar legal arrangements, access to the Register for persons with a legitimate interest, and the responsibility for assessing exceptions to access granted to an administrative body such as the Chambers of Commerce.

Transparency International Italia argues that fiduciary mandates, given their concealing effect of beneficial owners, present similar considerations as trusts and other legal arrangements, might conceal the ultimate beneficial owners, and, accordingly, should have the same obligations to declare their beneficial owners in order to counteract the opacity that EU AML legal framework and FATF recommendation 25 aims to counter.

It is essential that the Register of Beneficial Owners be activated as soon as possible and made accessible in line with all the obligations set out in the new EU AML legislation.

The implementation of the Beneficial Ownership Register is closely monitored by the Transparency International Italia. For example, see the article on the Transparency International Italia website: <https://www.transparency.it/informati/news/antiriciclaggio-italia-sospensione-registro-titolari-effettivi>

In the last two years Transparency International Italia, together with some other country chapters, has been engaged in the research of Transparency International project STEP EU, funded by the European Commission, which covered different topics such as availability and accessibility of the data on different classes of assets, for financial crimes investigations, as well as various aspects of cross-border cooperation.

The results of the research were published in 2025, including:

- Feature article "From real estate to yachts: What do we know about assets across the EU?", available at: <https://www.transparency.org/en/news/what-do-we-know-about-assets-across-the-eu>
- Feature article "One click away? The barriers investigators face across the EU when tracing asset ownership" available at: <https://www.transparency.org/en/news/barriers-investigators-face-across-eu-tracing-asset-ownership>
- The report "Chasing Grand Corruption", available at: <https://www.transparency.org/en/publications/chasing-grand-corruption>

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

Regarding the AML framework, the implementation of the AML package, including the 6AMLD, has already commenced.

On December 3 2025, Law N. 182/2025 was adopted, amending Article 21 of Legislative Decree No. 231/2007 to allow public administrations access to the Beneficial Ownership Register.

On 31 December 2025, the Legislative decree n. 210/2025 was adopted (available at <https://www.gazzettaufficiale.it/eli/id/2026/01/08/26G00007/sg>), adjusting the legal framework according to the CJEU judgment of 2022, implementing Article 74 of the Sixth Directive (AMLD6), and amending Legislative Decree No. 231/2007 on access to the Register of Beneficial Ownership. The decree excludes general public access and provides for access to persons with a legitimate interest (holders of a relevant and differentiated legal interest).

In particular, the art. 1 of the l.d. n. 210/2025 amends the Article 21 of Legislative Decree No. 231/2007 (<https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2007-11-21;231~art21>), and permits the access to the Register to "private individuals, including those holding diffuse interests, who have a relevant and differentiated legal interest, in cases where knowledge of beneficial ownership is necessary to pursue or defend an interest corresponding to a legally protected situation, provided they have concrete and documented evidence of a discrepancy between beneficial ownership and legal ownership. The interest must be direct, concrete, and current and, in the case of entities representing diffuse interests, it must not coincide with the

interests of individuals belonging to the category represented.”

Therefore, to access the Register, the legitimate interest has to fulfill these conditions:

- the interest has to be relevant and differentiated;
- is recognized in cases where knowledge of beneficial ownership is necessary to pursue or defend an interest corresponding to a legally protected situation;
- concrete and documented evidence of a discrepancy between beneficial ownership and legal ownership has to be provided;
- the interest has to be direct, concrete and current;
- in the case of entities representing diffuse interests, it must not coincide with the interests of individuals belonging to the category represented.

The criteria which have to be fulfilled to access the Beneficial Ownership Register, on the basis of legitimate interest access, seem to be more restrictive than what is required by the AMLD6, in particular, the recitals 40, 41 and articles 12, art. 13 of the Directive.

It is to be taken into the consideration that the Beneficial Ownership Register is still suspended due to the pending CJEU case.

Transparency International Italia hopes that further implementation of the AML package in Italy will align the access criteria according to what is required by the AMLD6, providing effective legitimate interest access.

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

No changes or implementation of measures in this regard have been recorded.

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

The current context shows a significant number of SLAPPs targeting journalists.

In addition, among the most notable attacks on journalists, in 2025 there was the attack on journalist Sigfrido Ranucci (https://www.repubblica.it/cronaca/2025/10/17/diretta/bomba_sigfrido_ranucci_report_minacce_reazioni-424918426/).

However, it remains difficult to obtain comprehensive judicial data on SLAPPs, mainly due to the limited availability of information. The European Anti-SLAPP Directive, which is scheduled to be transposed by May 2026, has not yet been implemented. As a result, the Italian legal system currently lacks specific tools to counter such practices, apart from the possibility of appealing to the judiciary after having been subjected to an abusive lawsuit.

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

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

In the field of whistleblowing, the National Anti-Corruption Authority (ANAC), after drafting a set of guidelines on internal reporting channels, made the text available to the public, legal professionals, and civil society organizations, while simultaneously launching an open public consultation. Following this consultation, the Authority collected all submitted suggestions and incorporated the majority of them into the final text, making numerous improvements. This activity clearly highlights the involvement of the public in the Authority's decision-making process.

[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

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

No changes or implementation of measures in this regard have been recorded.

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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