

Policy Brief



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Judicial Independence and Anti-Corruption

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Judicial Independence and Anti-Corruption

Executive Summary:

The 2025 European Rule of Law Report underscores the European Union's continuing commitment to protecting the integrity of judicial systems and ensuring the effective prevention and sanctioning of corruption across Member States. Now in its sixth edition, the Report reflects a maturing cycle of dialogue, monitoring, and reform that anchors the rule of law within the Union's democratic framework. Its 2025 findings show incremental but measurable progress in safeguarding judicial independence and transparency in several Member States, alongside persistent structural challenges in others.

At the EU level, the Commission identifies two pillars requiring sustained attention: first, ensuring the effective independence and accountability of judicial councils, prosecutors, and judges; and second, strengthening anti-corruption frameworks through better enforcement, transparency of political financing, and integrity standards for public officials. The Report highlights that credible judicial systems and corruption-free institutions are essential to the functioning of the internal market, the protection of fundamental rights, and the effective management of EU funds.

While the overall trajectory is positive, the 2025 cycle reveals uneven implementation and capacity gaps among Member States. The Commission calls for continued investment in judicial reforms, effective use of EU funding conditionality mechanisms, and deeper cooperation with the European Public Prosecutor's Office (EPPO).

Keywords

Rule of Law, Judicial Independence, Anti-Corruption, European Commission, EU Values, Judicial Councils, EPPO, Integrity, Accountability, Transparency, Public Trust.

Background

Since its launch in 2020, the annual Rule of Law Report has become the central instrument for monitoring the state of justice systems, anti-corruption frameworks, media pluralism, and institutional checks and balances across the European Union. The 2025 edition builds on the cumulative experience of previous reporting cycles and responds to Council Conclusions and European Parliament resolutions calling for stronger follow-up and measurable outcomes.

The Commission's 2025 assessment draws on a wide range of sources, including contributions from Member States, judicial networks, anti-corruption bodies, civil society, and international organisations such as the Council of Europe (GRECO and Venice Commission). It reflects both horizontal trends and country-specific developments, structured around four interrelated pillars:

- (1) the justice system,
- (2) the anti-corruption framework,
- (3) media freedom and pluralism, and
- (4) institutional checks and balances.

Within this framework, the 2025 report places particular emphasis on judicial independence and integrity as enablers of economic resilience and public trust, linking them explicitly with the effective management of EU recovery funds and investment flows.

Policy Directions and Key Measures

Judicial Councils and Appointments: The Commission reiterates that judicial councils must be free from executive or political influence in both composition and functioning. Several Member States have advanced constitutional or legislative reforms to ensure merit-based appointments, transparent procedures, and protection from undue interference. However, in some jurisdictions, appointment processes and disciplinary regimes continue to raise concerns about structural risks to independence.

Prosecution Services and Separation of Powers: The 2025 report notes a gradual strengthening of prosecutorial independence through clearer legal guarantees and reforms of hierarchical structures. The Commission encourages the consolidation of safeguards preventing instructions in individual cases, ensuring that prosecutorial decisions remain free from political pressure.

Integrity and Ethics Frameworks: Member States are urged to adopt comprehensive integrity frameworks covering judges, prosecutors, and senior public officials. The Report highlights best practices such as public declarations of interests, asset disclosure systems, and mandatory training on ethics and conflicts of interest.

Anti-Corruption Strategies and Enforcement: Progress has been achieved in updating national anti-corruption strategies and enhancing preventive mechanisms, including lobbying transparency and regulation of political financing. Nevertheless, the effectiveness of criminal enforcement remains uneven, with some Member States still lacking specialised prosecution units or sufficient investigative capacity.

Transparency and Use of EU Funds: The Commission stresses the direct link between robust anti-corruption measures and the sound management of EU funds. Enhanced coordination between national audit bodies, anti-fraud offices, and the EPPO is encouraged to ensure consistent detection, reporting, and sanctioning of misuse of funds.

Digitalisation of Justice Systems: The 2025 cycle reports positive progress in the digitalisation of courts and case management systems, which increases transparency, efficiency, and access to justice. The Commission supports continued investment in digital tools through the Recovery and Resilience Facility (RRF) and the Justice Programme.

Implications and Challenges

The findings of the 2025 Rule of Law Report carry significant implications for the Union's overall governance architecture. Judicial independence remains a prerequisite for mutual trust between Member States — a cornerstone of the EU legal order and of the functioning of instruments such as the European Arrest Warrant and the preliminary reference procedure.

The uneven implementation of reforms highlights the need for continuous monitoring and targeted support. The Commission's conditionality mechanism linking access to EU funds with respect for the rule of law has proven to be a valuable tool for safeguarding the Union's financial interests, though its application remains selective and resource-intensive.

Persistent challenges include limited enforcement of disciplinary accountability, insufficient resources for anti-corruption agencies, and variations in judicial remuneration and workload that may indirectly affect independence. The Commission underlines the importance of maintaining open dialogue with Member States and stakeholders, fostering a culture of compliance rather than sanction-driven reform.

Practitioner's Corner:

Operational Insights & Strategic Considerations

Enhance Judicial Governance: Ensure transparent appointment, promotion, and disciplinary systems for judges and prosecutors, anchored in merit and independence.

Institutionalise Integrity Training: Provide mandatory ethics and conflict-of-interest programmes for members of the judiciary and prosecution services.

Strengthen Inter-Agency Cooperation: Link anti-corruption authorities, FIUs, and EPPO offices through secure data-sharing mechanisms.

Use EU Funds Strategically: Channel Recovery and Resilience Facility funding to modernise judicial infrastructure and digital systems.

Engage Civil Society: Promote participatory monitoring and whistleblower protection to reinforce accountability and public trust.

Track Implementation: Develop indicators to assess the effectiveness of reforms in line with the Rule of Law Report's country-specific recommendations.

Concluding Remarks

The 2025 Rule of Law Report confirms the European Union's determination to uphold judicial independence and combat corruption as integral elements of democratic resilience. It demonstrates the value of continuous dialogue and peer learning among Member States while maintaining a credible link between values and enforcement. Ensuring that justice systems operate independently and free from corruption remains fundamental to citizens' trust and to the Union's capacity to deliver on its policy objectives.

Sustained political engagement, adequate resources, and transparent monitoring will be vital to turn the 2025 recommendations into tangible progress. The Commission invites Member States to pursue reforms in cooperation with European networks, judicial councils, and anti-corruption bodies to consolidate a culture of integrity and rule of law across the Union.

Further Reading

- European Commission (2025), 2025 Rule of Law Report – The state of the rule of law in the European Union, COM(2025) 900 final ([link](#))