



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Rhodes MRC High School Edition 2026

Study Guide

for

The Council of Europe

**Topic Area: "Defending Rule of Law and Democratic Integrity against
Clientelism, Corruption, and Institutional Decay"**

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1. Welcoming Letter

Dear Ministers,

It is our great pleasure to welcome you to Rhodes Model Regional Co-operation (Rhodes MRC) 2026 High School Edition and, in particular, to the Council of Europe. You are about to engage in discussions that lie at the very heart of modern governance and democratic resilience: Defending the Rule of Law and Democratic Integrity against Clientelism, Corruption, and Institutional Decay.

In an era marked by growing public distrust, democratic backsliding, and the erosion of institutional safeguards, your role as Ministers has never been more vital. Across Europe and beyond, the rule of law faces complex and evolving challenges; from deeply rooted corruption networks and clientelist practices to a weakened judicial independence and declining accountability, these issues do not merely affect governments; they shape the daily lives, rights, and freedom of millions of citizens.

At this conference, we encourage you to approach this topic with both ambition and responsibility. Challenge your ideas, engage in meaningful dialogue, and strive for results that are both principled and implementable. We are looking forward to the fresh perspectives you will bring to this important discussion.

Wishing you all an enriching and successful conference!

Warm regards,

The Board of the Council of Europe,

Marios Badanis, Chairperson

Kleopatra - Aikaterini Antonaki, Secretary General

2. Introduction to the Committee

Since 1949, the Council of Europe has been a crucial international organization advocating for democracy, the rule of law, and human rights. This was implemented by the establishment of cohesive legislative frameworks, notably the European Convention on Human Rights (ECHR), which, under its binding nature, obligates Member States to conserve human dignity. Legislative measures as well as concrete institutional frameworks provided by its various bodies have established the Council of Europe as a pan-European beacon of legality and constitutional stability.¹

The Council consists of various bodies and institutions, among with the Committee of Ministers² (the simulated committee of Rhodes MRC 2026 HSED), which functions as the epicenter of the Council of Europe. The committee has achieved considerable success in supervision executed on the basis of more than 25,000 judgments and the decisions of the European Court of Human Rights³, thus having a serious impact on millions of people around the continent. It is composed either of foreign affairs ministers of the member states or their permanent representatives in Strasbourg, and primarily acts as the decision-making body of the Council. Moreover, the system supervising the execution of ECHR judgments within the Committee of Ministers constitutes an indispensable part of the effort to ensure compliance with the standards of human rights.⁴

Overall, the Council, with its absolute dedication to democracy, human rights and the rule of law, acts as the mainstay of governance and, in its way, a form of inter-governance in both Europe and the globe. It is the strong legal framework as well as the active development of treaties and implementation mechanisms that aim to lead not only to the maintenance of the democratic acquis, but also to the promotion of the highest standards of human rights and democracy.

¹ Council of Europe. 2014. "Who We Are." The Council of Europe in Brief. 2014. <https://www.coe.int/en/web/about-us/who-we-are>.

² "About the Committee of Ministers - Committee of Ministers - Wwww.coe.int." n.d. Committee of Ministers. <https://www.coe.int/en/web/cm/about-cm>.

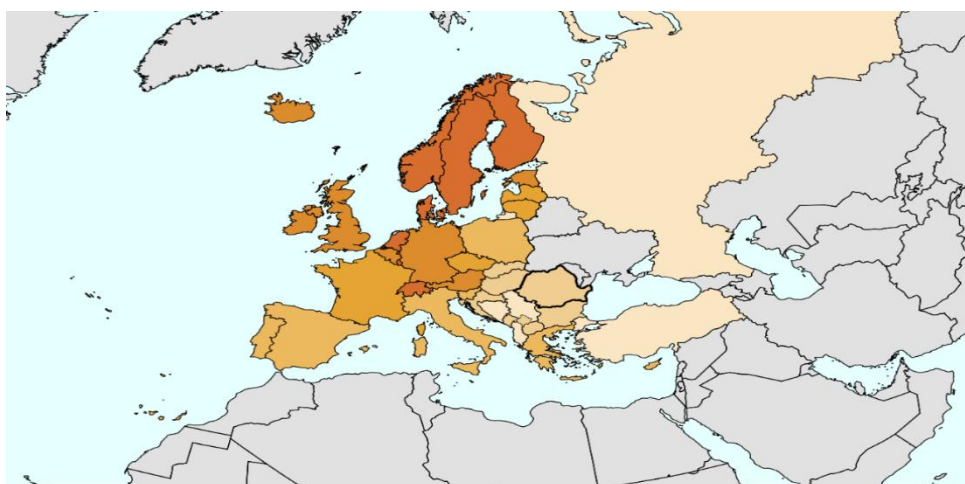
³ "How the Court Works - ECHR - ECHR / CEDH." 2023. ECHR. 2023. <https://www.echr.coe.int/how-the-court-works>.

⁴ "About the Committee of Ministers - Committee of Ministers - Wwww.Coe.Int." 2026. Committee of Ministers. 2026. <https://www.coe.int/en/web/cm/about-cm>.

3. Introduction to the Topic Area

Rule of law and democratic integrity form the backbone of stable and accountable political systems. The first ensures that all individuals and institutions, including government officials, are subject to and accountable under the law, while the latter refers to the fairness, transparency, and legitimacy of democratic processes. However, these principles are increasingly challenged by practices such as clientelism, corruption, and institutional decay, which weaken public trust and undermine effective governance.

When democratic institutions face sustained pressure, their ability to operate independently and transparently may gradually diminish. Weak oversight mechanisms, limited accountability, and blurred boundaries between public and private interests can create environments where decision-making becomes less responsive to the broader public good. Over time, this erosion reduces citizens' confidence in public authorities and may discourage civic participation, further weakening democratic resilience. As institutional safeguards deteriorate, governance structures become more vulnerable to unwarranted influence and informal networks of power.⁵



**Perceived independence of the national justice systems across Europe (Eurostat SDG 16.50). Darker shades indicate higher levels of public trust and perceived judicial autonomy, whereas lighter shades signal structural vulnerabilities and a decline in institutional credibility.*

⁵ "CoE Recommendation (2010) 12 on Judges and CCJE Magna Carta of Judges | ENCJ - European Networks of Councils for the Judiciary." Encj.eu, 2018, www.ency.eu/index.php/node/385.

In such context, clientelism may emerge as political actors rely on personal loyalty and selective distribution of benefits to maintain support, rather than pursuing inclusive and policy-based governance. This shift, distorts democratic competition and prioritizes short-term political gain over long-term institutional stability.⁶ At the same time, corruption can take root within administrative and political processes, allowing public power to be misused for private benefit. The diversion of resources and the lack of transparency associated with corruption further undermine equality before the law and reduce confidence in state institutions.⁷ These dynamics collectively contribute to broader patterns of institutional decay, where courts and oversight bodies progressively lose effectiveness, independence, or legitimacy.

Addressing these interconnected challenges is essential for preserving democratic resilience. Strengthening transparency, promoting accountability, protecting judicial independence, and encouraging civic participation are key steps in defending the rule of law and ensuring that democratic institutions serve the public interest.

4. Key-words and Definitions

Corruption: The abuse of entrusted power, typically by government officials, corporate leaders, or individuals in authority, to obtain private gain or illicit benefits. It involves dishonest, illegal, or unethical behavior such as bribery, fraud, and nepotism, which undermines institutional integrity, economic development, and public trust. Corruption adapts to changing circumstances, from changes in rules and legislation to technology.⁸ It has severe political, social, environmental, and economic costs.

Clientelism: The exchange of goods, services, or favors for political support (votes or loyalty) within an asymmetrical relationship between patrons and clients. It involves personalistic, often long-term exchanges where favours are given based on political loyalty rather than merit. Clientelism gained a political view through its place within institutions and is often seen as an obstacle to the respect of democratic values and the efficiency of institutions because

⁶ "State of Democracy, Human Rights and the Rule of Law (5th Report) - Role of Institutions - Threats to Institutions." *Council of Europe Publishing*, 2018, [edoc.coe.int/en/an-overview/7584-state-of-democracy-human-rights-and-the-rule-of-law-5th-report-role-of-institutions-threats-to-institutions.html](https://www.edoc.coe.int/en/an-overview/7584-state-of-democracy-human-rights-and-the-rule-of-law-5th-report-role-of-institutions-threats-to-institutions.html).

⁷ "About GRECO." *Group of States against Corruption*, www.coe.int/en/web/greco/about-greco.

⁸ "What Is Corruption?" *Transparency.org*, 2025, www.transparency.org/en/what-is-corruption.

it involves the arbitrary use of public funds, contradicting the rule of law. However, clientelism isn't completely opposed to democracy. Historically, it has spread political culture and helped form partisan identities. In ancient Rome, clientelism was a crucial social relationship where clients received protection from patrons in return for support.⁹

Public Administration Models: Public administration forms the backbone of secure and efficient governance, which in the polymorphic European environment takes multiple forms. Starting from New Public Management (NPM), which strives for efficiency and minimizes costs. It views citizens as customers and the State as a private enterprise rooted in private and contract law. The New Public Service (NPS) argues that citizens are participants rather than customers. It promotes cooperation between institutions and anthropocentric approaches to solving problems. Lastly, we must highlight the Weberian Model (WEBER), which prioritizes legality and administrative coherence while at the same time promoting efficiency and citizen-based initiatives via bureaucracy.¹⁰

Money Laundering: The illegal process of making large amounts of money generated by criminal activity – “dirty money” – appear to have been legally earned – “clean” – by concealing its origins. It involves disguising the source, destination, and ownership of funds, often to fuel further crime or evade taxes. It introduces “dirty” money into the financial system, such as through small deposits, conceals the source of the money through complex transactions, and lastly reintroduces the “cleaned” money into the economy to look like legitimate business earnings.¹¹ Money laundering poses a large threat to the integrity of modern financial systems.

Judicial Autonomy: The principle that the judicial branch and individual judges function independently, managing their own procedures, budget, and decisions without interference from the legislative or executive branches, or even external pressure.¹² It ensures fair trials and impartiality, requiring financial independence, merit-based appointments, and security of service.

⁹ Jean-Louis Briquet. “Clientelism | Definition, Causes & Effects.” *Encyclopedia Britannica*, 4 Mar. 2013, www.britannica.com/topic/clientelism.

¹⁰ Public administration models UNDP PS-Reform_Summary.pdf

¹¹ Chen, James. “What Is Money Laundering?” *Investopedia*, 2025, www.investopedia.com/terms/m/moneylaundering.asp.

¹² David, Randy. “What Judicial Autonomy Means.” *INQUIRER.net*, 2016, opinion.inquirer.net/19349/what-judicial-autonomy-means.

5. Legal framework

European Convention on Human Rights | ECHR

The fundamental Charter, the cornerstone of human rights on the continent, which legally binds Member States to uphold democracy, advocate for the Rule of Law, and mainly defend human decency. Among others, it consists of Article 6, the right to a fair trial, Article 7, and the abolition of punishment without law. Additionally, the Protocol 7 Article 2, which offers the Right of appeal in criminal matters, and Article 3, the Compensation for wrongful conviction.¹³

The European Commission for Democracy through Law | The Venice Commission

The Venice Commission is the advisory entity of the Council of Europe on topics of constitutional interest. It is an enlarged agreement, counting 61 members: the 46 Members of the Council plus 15 others. The role of the Venice Commission is to provide legal advice to its member states and, in particular, to help states wishing to bring their legal and institutional structures in line with European and international standards in the fields of democracy, human rights, and the rule of law. The Commission's role is heavily characterized by objectivity and international cooperation, as it collaborates with national governments, the European Union (E.U), and the European Court of Human Rights. It has adopted many documents and recommendations in the field of Rule of Law, Constitutional integrity¹⁴, Good Governance¹⁵, Executive responsibility¹⁶, Judicial reform¹⁷, and Independence of national Judicial Systems.¹⁸

Criminal Law Convention on Corruption | GRECO

In the complex legal and institutional framework of the Council of Europe, the Group of States against Corruption (GRECO) is the cornerstone of the rule of law in all public institutions of

¹³ Council of Europe. 1950. "European Convention on Human Rights." https://www.echr.coe.int/documents/d/echr/Convention_ENG.

¹⁴ "Venice Commission :: Council of Europe." 2017. Coe.int. 2017. [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2010\)001-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2010)001-e).

¹⁵ "Venice Commission: Council of Europe." 2026. Coe.int. 2026. [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2011\)009-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2011)009-e).

¹⁶ "Venice Commission: Council of Europe." 2018. Coe.int. 2018. [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2018\)010-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2018)010-e).

¹⁷ "Venice Commission:: Council of Europe." 2026. Coe.int. 2026. [https://www.venice.coe.int/webforms/documents/CDL-AD\(2010\)004.aspx](https://www.venice.coe.int/webforms/documents/CDL-AD(2010)004.aspx).

¹⁸ "Venice Commission:: Council of Europe." 2026. Coe.int. 2026. [https://www.venice.coe.int/webforms/documents/CDL-AD\(2010\)040.aspx](https://www.venice.coe.int/webforms/documents/CDL-AD(2010)040.aspx).

Europe. As stated by the Criminal Law Convention on Corruption¹⁹, the legal basis of this monitoring body, the Group has complete accountability for advocating for good governance, the fight against clientelistic networks, and the use of economic manipulation in public administration. In addition, it ensures that judicial autonomy and mutual assistance of legal systems are secured in order to uphold the legal status of human rights, dignity, and public trust.

Council of Europe European Commission for the Efficiency of Justice | CEPEJ

Under the initiative of the European ministers of justice meeting in London (2000), the Council of Europe decided the creation of the European Commission for the Efficiency of Justice²⁰ (2002), which would delve into the correct functioning of the judiciary, the promotion of quality of public services, and the facilitation of implementation of European standards in national systems. The Commission produces reports which examine judicial statistics, what technological means are needed to promote transparency, how legal mediation can be used, and lastly, how AI can be integrated in legal procedure.

Resolution CM/Res(2013)13 on the statute of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism²¹ | MONEYVAL

It is the permanent monitoring body of the Council which assesses compliance with international standards to counter money laundering and the financing of terrorism and the effectiveness of their implementation, as well as with the task of making recommendations to national authorities in respect of necessary improvements to their systems. Through a dynamic process of mutual evaluations, peer review, and regular follow-up of its reports, MONEYVAL aims to improve the capacities of national authorities to fight money laundering and the financing of terrorism more effectively. It was established in 1997²² and its status has been amended many times, with its main amendment in 2013²³, thus establishing a technical

¹⁹ "European Treaty Series -No. 173 Criminal Law Convention on Corruption *." n.d. <https://rm.coe.int/168007f3f5>.

²⁰ Council of Europe European Commission for the efficiency of justice (CEPEJ) 2026. Coe.int.. <https://www.coe.int/en/web/cepej>

²¹ CM/Res(2013)13 - Resolution on the statute of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), [https://search.coe.int/cm/#{%22CoEIdentifier%22:\[%2209000016805c77e5%22\],%22sort%22:\[%22CoEValidationDate%20Descending%22\]}](https://search.coe.int/cm/#{%22CoEIdentifier%22:[%2209000016805c77e5%22],%22sort%22:[%22CoEValidationDate%20Descending%22]})

²² Ibid

²³ Ibid

body entrusted with creating economic policies, combating economic crime, and fostering secure domestic economies.²⁴

The Congress of Local and Regional Authorities | The European Label of Governance' Excellence || ELoGE

It is a legal blueprint for local and regional bodies adopted in 2008 as part of the Strategy on Innovation and Good Governance at a Local Level.²⁵ This framework sets the foundation for the creation of 12 principles in order to promote accountability, legality, and efficiency for public administration and institutions. In them, the role of public ethics and how vital it is for public officials to promote public interest and awareness is highlighted. Additionally, the values of transparency and openness, e-governance, and economic purity of national administrations. Lastly, the European Governance Excellence values include the Efficient, Effective, and Sound public administration, an administration that values strategic coordination and clear management of funds, both European and National.

Consultative Council of European Prosecutors | CCPE

A consultative body to the Committee of Ministers, created in 2005 with the intention of institutionalizing the yearly Conference of Prosecutors General of Europe (CPGE). It is composed of scholars and legal professionals from the 46 Member States, a Holy See representative, a USA academic member, a Canadian observer, Japan, and Mexico. Additionally, representatives from Kazakhstan, Morocco, and representatives from the International Association of Prosecutors and the “Magistrats européens pour la démocratie et les libertés”. The goal of the CCPE is to provide information to the Committee of Ministers on topics regarding the Rule of Law.²⁶ The legal framework of the Council was later revised, thus advancing its soft law approach to prosecutorial ethics and the executive oversight of the judiciary via the Rec (2000)19, or better known as the Rome opinion (Opinion No. 9).

²⁴ “MONEYVAL in Brief.” n.d. Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism. <https://www.coe.int/en/web/moneyval/moneyval-brief>.

²⁵ “12 Principles of Good Governance - Centre of Expertise for Multilevel Governance - Wwww.coe.int.” 2014. Centre of Expertise for Multilevel Governance. 2014. <https://www.coe.int/en/web/centre-of-expertise-for-multilevel-governance/12-principles#>.

²⁶ “CM(2025)131-Addfinal Revised Terms of Reference of the Consultative Council of European Prosecutors (CCPE) 2024-2027.” n.d. Accessed April 2, 2026. <https://rm.coe.int/ccpe-tor-en-2024-2027/488023a5d2>.

European Committee on Legal Cooperation | CDCJ

The European Committee on Legal Cooperation, since its establishment in 1963, has been working to make coherent legal reforms for all Member States via binding and non-binding legal means. The topics of interest for the Committee include Administrative Law reforms, E-Governance, and Judicial independence, impartiality, and, once every year, they set the future goals of the Committee with close cooperation with the Committee of Ministers.²⁷

6. Main Discussion on the Topic

6.1 Combating Clientelism in Public Administration and Fostering Meritocracy

Public Administration serves as the foundation for the facilitation and protection of human rights and the rule of law in national and international jurisdictions. Grounded in



constitutional values, its main objective is to provide public service via regulatory reforms and administrative objectives. Yet, in some cases, these systems are being compromised by historical mismanagement, political patronage, and the continuous pursuit of personal or economic gain. Such erosion constitutes a failure of the Rule of Law, a vital pillar of the Council of Europe's mandate. In addition, such clientelistic networks seem to be quite adaptive

to technological and legislative reform, from e-governance to meritocratic frameworks; they seem to be still rooted and present in modern-day democracies.²⁸

Clientelism is, at its core, a policy-setting way that has its roots in feudal systems. It aims to serve patronage systems, economic interests, and set societal and political hierarchies. To combat that, the Council of Europe has established the European Code of Conduct for all

²⁷ Council of Europe CDCJ Project Group on Administrative Law (CJ-DA)

²⁸ "What Is Public Administration? Roles, Laws & Ethics." 2026. LegalClarity. April 2026. <https://legalclarity.org/what-is-public-administration-purpose-functions-principles/>.

Persons in Local and Regional Governance, thus setting some key ethical principles and legal obligations for all public administrators.²⁹ This framework sets minimum standards for all people involved in governance, including politicians and ministerial advisors, to promote transparency and accountability. The Code also takes into account historical cases of clientelism, as well as its distinct forms. Clientelism is linked to several cases of mismanagement and the erosion of the Rule of Law, notably in cases of economic or human resources management. Such cases are prominent where public officials use their political status, in contrast to the values of Legality and Democratic Integrity, thus establishing nepotism and cronyism.³⁰ The principles of fairness are additionally violated, and the interests of society are being attacked, as non-qualified personnel are being hired, making public administration ineffective and institutionally illegitimate.

The Council of Europe, taking into account the national polymorphism and the differences of public administration models, has set with the Steering Committee on Democracy (CDDDEM) the “good governance model.”³¹ The recommended measures include the promotion of democratic integrity and public ethics in academic curricula for public administration personnel, the cultivation of e-governance models, and lastly, the establishment of sustainable administrative models while taking into account the national, religious, and linguistic needs of national authorities. The Council is also aware that clientelistic networks are formed from elected representatives, bodies, and institutions, and for that, it has recommended the legal accountability of said actions of corruption and the evaluation of measures from the Congress of Local and Regional authorities under the doctrine of the European Charter of Self-Government.³²

Another key player in minimizing the effects of corruption in public administration is the Group of States against Corruption (GRECO), which, via evaluation rounds involving questionnaires, on-site visits, and cooperation with key stakeholders, examines the compliance measures needed to be adopted for each national policy. The last round, which

²⁹ “EUROPEAN CODE of CONDUCT for All Persons Involved in Local and Regional Governance Congress of Local and Regional Authorities of the Council of Europe.” n.d. <https://rm.coe.int/1680718fbf>.

³⁰ “ExpRec(00)10.” 2026. Coe.int. 2026. <https://rm.coe.int/1680534424>.

³¹ “CDDDEM.” 2026. Coe.int. <https://www.coe.int/en/web/steering-committee-on-democracy/good-governance>

³² “European Charter of Local Self-Government.” n.d. <https://rm.coe.int/european-charter-of-local-self-government-/1680b0fbec>.

GRECO initiated (March 2025)³³ examined the integrity of governments on a constitutional and legislative basis, economic transparency, and whistle-blowers' protection from government authoritarianism. Yet, in cases where a misdemeanor is found, GRECO issues closer examination periods with regular country visits and, in some cases, it recommends the establishment of an independent commission to supervise and report on the status of the administration. The strengthening and defending of the rule of law, as a key pillar in the Council of Europe's profile, is institutionalized via the Venice Commission. As the Secretary General Alain Berset stated in the Commission Plenary meeting in March of 2026³⁴, we need to stress that in an era of growing instability and major violations of the rule of law, constitutional balance is necessary.

The aforementioned initiatives and legal steps, even though they are the preamble of a secure, effective, and efficient public administration that will advocate and protect human rights and the rule of law, seem incomplete; that's why the Council of Europe aims to establish a new pan-European model of administration rooted in meritocracy and legality. Additionally, the Council revised and published the Code of Conduct for the Status of Public Officials in Europe³⁵, a concrete guide for all involved in administration (from national ministers to political advisors, policy makers, technocrats, and national auditors). The Code sets the values of professionalism, ethical independence, impartiality, objectivity, and discretion in such a way as to make clientelistic approaches and illegal human resource management impractical. Each public model needs to be established on qualifications and merit rather than political gain, economic profit, or facilitations. That's why examinations and socioeconomic criteria are set for the staffing of national



³³ "Evaluations - Group of States against Corruption - Wwww.coe.int." 2025. Group of States against Corruption. 2025. <https://www.coe.int/en/web/greco/evaluations#>.

³⁴ European Commission for Democracy Through Law of the Council of Europe (Venice Commission), " Synopsis of the 146th Plenary Session of the Venice Commission" March 9, 2026

³⁵ Rec (2000)6-on the status of public officials in Europe, <https://www.coe.int/en/web/committee-antidiscrimination-diversity-inclusion/-/code-of-conduct-for-public-officials>

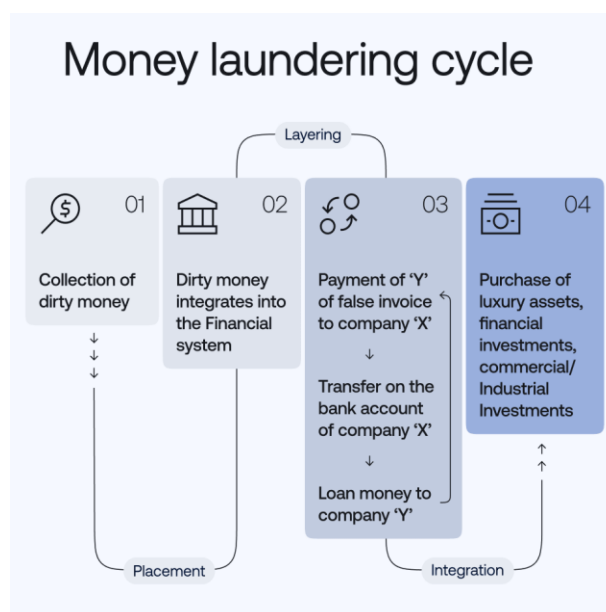
administrations as well as regional summits in order to monitor and regulate the efficiency of public personnel.³⁶

6.2. Government Corruption: Abuse of national power

6.2.1 Economic Crime and Misuse of National and International Funds

Economic integrity and transparency in monetary policy is vital for all models of administration, as they facilitate social stability and prosperity. Yet recent scandals in financial institutions have made clear a pathology in monetary management, thus undermining public trust and economic security.

Corruption, money laundering, and asset recovery are thematic pillars of great importance for the Council of Europe and, notably, the Economic Crime and Cooperation Division (ECCD),³⁷ a regulatory body that, via close collaboration with the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), is working on secure economic cooperation and transparent monetary policies.



Concerning the ECCD, it allows for the exchange of knowledge between its independent consultants and Member States, it offers training and workshops to national auditing institutions, and implements technological and legal tools in order to combat economic crimes. Those include AML/CFT National Risk Assessment Methodology, Proliferation Financing National Risk Assessment, and Sectoral approaches such as Virtual Assets providers, Non-Profits, and Legal professionals. Furthermore, it facilitates program implementation in the field of public economic management, thus establishing the Horizontal Facility-Phase 3

³⁶ Ibid

³⁷ Council of Europe, *Corruption*, <https://www.coe.int/en/web/corruption/>

initiative³⁸ and the Partnership for Good Governance III.³⁹ These initiatives aim at strengthening economic transparency and reaffirming the need to uphold human rights as the epicenter of public procedures.

Another key point for monetary integrity is Political financing and lobbying. It refers to the use of financial tools and national resources for political gain, such as campaigns, electoral support, gifts, assets, and the cultivation of patronage systems. This phenomenon is prominent in major cases in European political history, such as in Greece, Austria, and the European Parliament, and is clear evidence of the fundamental erosion of the pillars of Democracy and the Rule of Law.⁴⁰ The Council of Europe is keen on the misuse of funds for nepotistic reasons, and with the technical support of ECCD and MONEYVAL, they have issued the Guidelines on Political Finance: Concepts, Standards, Challenges and Best Practices. This framework aims to combat corruption and clientelism by allowing third-party evaluation on financing of political initiatives, identifying channels of crypto assets, ensuring digital transparency, and promoting best practices on digital financing. MONEYVAL, as a monitoring body of the Council, is also addressing economic crime through national administrations. Its approach to government corruption is supported by the Financial Task Force (FATF) Recommendations, which, while ensuring public trust and stability, aim at regulating the proceeds of corruption, clientelism, and money laundering in public policy.⁴¹

In the legal field, the Council has also adopted the Criminal Law Convention on Corruption⁴² and the Civil Law Convention on Corruption⁴³, two legal frameworks that bind both political figures (local politicians, public administrators, and auditors) and civil society (citizens, NGOs) from nurturing clientelistic systems. Lastly, it is of vital importance to highlight the cooperation between the Council of Europe and the World Bank and the report on Enhancing Government Effectiveness and Transparency: The Fight Against Corruption.⁴⁴ This framework

³⁸ "EU/CoE Joint Programme Horizontal Facility - Horizontal Facility - Pjp-Eu.coe.int." 2026. Horizontal Facility. 2026. <https://pjp-eu.coe.int/en/web/horizontal-facility>.

³⁹ "Home - Partnership for Good Governance - Pjp-Eu.coe.int." 2026. Partnership for Good Governance. 2026. <https://pjp-eu.coe.int/en/web/partnership-governance>.

⁴⁰ "Standards for Integrity in Political Finance: A Global Policy..." 2024. Transparency.Org. December 11, 2024. <https://www.transparency.org/en/publications/standards-for-integrity-in-political-finance-global-policy-position>.

⁴¹ Chamberlain, Kevin. 2003. "Recovering the Proceeds of Corruption." *Journal of Money Laundering Control* 6 (2): 157-65. <https://doi.org/10.1108/13685200310809518>.

⁴² "European Treaty Series -No. 173 Criminal Law Convention on Corruption *." n.d. <https://rm.coe.int/168007f3f5>.

⁴³ "European Treaty Series -No. 174." n.d. <https://rm.coe.int/168007f3f6>.

⁴⁴ World Bank. 2020. "Enhancing Government Effectiveness and Transparency." <https://documents1.worldbank.org/curated/en/235541600116631094/pdf/Enhancing-Government-Effectiveness-and-Transparency-The-Fight-Against-Corruption.pdf>.

sets the foundation for the ways public crime is taking form, such as in which sectors it is seen (public institutions, political parties, and infrastructure) and also what legal and technological means are needed to combat corruptive initiatives.

6.2.2 Constitutional Erosion: Abuse of the National Value of Legality

The issues of clientelism, nepotism, favoritism, economic mishandling, and institutional backsliding are a direct attack on Constitutional integrity. National constitutions and public management allow the vitality of human rights, the protection of the rule of law, and the



upholding of democracy, yet when national frameworks are violated, and clientelism thrives, those values are at stake. This phenomenon, “*The institutional Capture*,”⁴⁵ is the result of the letter of the law being used to attack the spirit of democratic

governance. The Council, in light of these fears, is utilizing the Venice Commission and notably the Rule of Law Checklist, thus establishing legal safeguards against authoritarianism and arbitrariness of power.

Legal accountability and institutional integrity are also clear in the 2025 Democratic Pact of the Secretary General of the Council of Europe.⁴⁶ As previous evaluations have shown, the need is to tackle authoritarian and illegal actions at a subnational and parliamentary level, enhance political ethics, and set codes of conduct for public administrators.

Constitutional safeguards are necessary to advocate for secure and legitimate governance models, governments that uphold the Council’s commitments, and, lastly, transparent and accountable jurisdictions.

⁴⁵ “Institutional Capture - Juncture Policy.” 2026. Juncture Policy. May 8, 2026. <https://juncturepolicy.org/glossary/terms-i/institutional-capture/>.

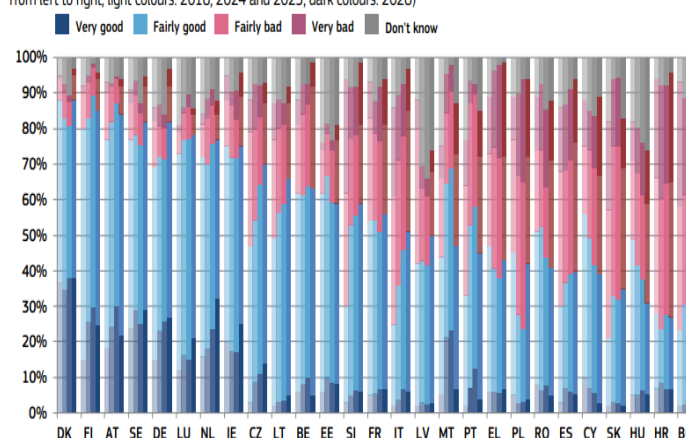
⁴⁶ Berset, A. (2025). *TOWARDS A NEW DEMOCRATIC PACT FOR EUROPE*. Council of Europe.

6.3 Ensuring the Judicial Autonomy and Public Trust in Institutions

An effective and impartial justice system is essential for maintaining democratic governance and safeguarding the rule of law. Courts play a central role in interpreting laws, resolving disputes, and ensuring that public authorities act within legal boundaries. For this reason, the judiciary must be able to operate independently while also ensuring accountability and transparency. When judicial institutions function properly, they contribute to stability, protect fundamental rights, and reinforce citizens' confidence in democratic processes.

Public trust in institutions is closely linked to the perceived independence and effectiveness of the judiciary. Citizens are more likely to respect judicial decisions and rely on legal mechanisms when they believe in the fair and transparent operation of courts.⁴⁷ Conversely, delays in proceedings, inconsistent rulings, lack of access to justice, or perceptions of favoritism may undermine the public's confidence in judicial systems. In such circumstances, individuals may resort to informal networks or clientelist practices to resolve disputes or gain advantages, further weakening institutional legitimacy and the rule of law.

Figure 48 How the general public perceives the independence of courts and judges (*) (source: Eurobarometer (108) – from left to right, light colours: 2016, 2024 and 2025, dark colours: 2026)



To address these challenges, the Council of Europe has developed action plans and recommendations aimed at strengthening judicial independence and rebuilding trust. These include reinforcing independence in relation to executive and legislative powers, protecting individual judges, and ensuring the autonomy of prosecution services. The organization also stresses the importance of objective selection criteria, clear disciplinary rules, and safeguards against early removal of prosecutors, all of which contribute to transparent and accountable justice systems.⁴⁸

⁴⁷ Conference of Ministers of Justice of the Council of Europe "Independence of Justice and the Rule of Law", November 9, 2020, <https://www.coe.int/en/web/human-rights-rule-of-law/2020conference-of-ministers-of-justice>

⁴⁸ Council of Europe launches action plan on strengthening judicial independence and impartiality, 2016, Coe.int, <https://www.coe.int/en/web/cdcj/-/council-of-europe-launches-action-plan-on-strengthening-judicial-independence-and-impartiality>

Furthermore, the European Commission for the Efficiency of Justice (CEPEJ) emphasizes that delays in court proceedings, lack of resources, and complex procedures can reduce citizens' confidence even when judicial independence is formally guaranteed. By promoting evaluation tools (CEPEJ-GT-EVAL), data collection, and guidelines for improving court performance, CEPEJ seeks to ensure that justice systems remain both independent and effective.⁴⁹ Efficient courts help guarantee timely decisions, reduce backlogs, and improve access to justice, that improve the public trust in democratic institutions.

It is worth mentioning that CEPEJ has enforced certain guidelines that outline safeguards for the responsible use of generative artificial intelligence in judicial systems, emphasizing that AI should support, but never replace, judicial decision-making. Its working group on Cyberjustice and Artificial Intelligence (CYBERJUST) highlights operational recommendations such as identifying appropriate uses (e.g., case management, document processing, and user assistance), avoiding unsuitable applications, and prioritizing secure and customized tools. Also, it establishes conventional principles linked to fundamental rights, including the right to a fair trial, judicial independence, transparency, and mandatory human supervision as aforementioned. Additional safeguards concern non-discrimination (Article 14 ECHR and Protocol No. 12), data protection (Article 8 ECHR), explainability of AI-generated outputs, and State responsibility for the use of such systems, in case of judicial errors.⁵⁰ Overall, the guidelines aim to improve court efficiency while preserving judicial autonomy and ensuring public trust in justice systems.

Last but certainly not least, access to justice and equality before the law play a crucial role in strengthening public trust in institutions. When individuals face financial, geographic, or procedural barriers, confidence in the justice systems may decline rapidly even if judicial autonomy is formally guaranteed.⁵¹ CEPEJ, specifically its working group on the quality of justice, CEPEJ-GT-QUAL, emphasizes that quality justice must be accessible to its users, highlighting key factors such as access to information, physical access to courts, financial accessibility, and the opportunity to be heard fairly. These principles help ensure that

⁴⁹ "Evaluation of Judicial Systems - European Commission for the Efficiency of Justice (CEPEJ) - Publi.coe.int." *European Commission for the Efficiency of Justice (CEPEJ)*, www.coe.int/en/web/cepej/cepej-work/evaluation-of-judicial-systems.

⁵⁰ European Commission for the Efficiency of Justice (CEPEJ), "Guidelines on the Use of Generative Artificial Intelligence for Courts", at the 45th plenary meeting of CEPEJ, December 19, 2025

⁵¹ Council of Europe, "European Judicial Systems CEPEJ Evaluation Report," 2024, <https://rm.coe.int/cepej-evaluation-report-2024-general-analyses/1680b1e91d>.

individuals understand their rights, can afford legal action, and are able to participate effectively in court proceedings. Improving accessibility, therefore, reinforces legitimacy and reduces reliance on clientelist networks.

Ultimately, judicial autonomy and public trust are mutually reinforcing. Independent courts enhance legitimacy and accountability, while transparent and fair institutions strengthen citizens' confidence in democratic governance. Without both elements, the rule of law becomes vulnerable to clientelism, corruption, and institutional decay.

6.4 Past actions and current developments

The OPEKEPE Scandal / Patronage and Economic Gain from Agricultural Subsidies

The OPEKEPE scandal in Greece has erupted in a major socio-economic and political discussion on issues of major importance for the Council of Europe. It all started from a loophole in the ownership of livestock and the distribution of European agricultural subsidies from the national agency. The issue surfaced after the European Public Prosecutors' Office (EPPO)⁵² started an investigation, mainly because those funds ended up in clientelistic networks under the New Democracy administration. This has resulted into 13 lawmakers having to lift their immunity, yet as the Greek Constitutional framework states, their immunity is revoked only after a vote made by the Greek Parliamentarian assembly in cases of penal interest.⁵³

The EPPO Office is now entrusted to find out if this phenomenon is a systemic and multilateral issue or a financial crime that is totally against the values of the rule of law and democracy. Regarding the Council of Europe, this scandal highlights the systemic economic crime of the current political scene in Greece as well as the ethical backsliding of public figures.

⁵² "Greece: EPPO Probes OPEKEPE Officials over Alleged Organised Agricultural Subsidy Fraud and Corruption | European Public Prosecutor's Office." 2025. Europa.Eu. May 20, 2025. <https://www.epppo.europa.eu/en/media/news/greece-epppo-probes-opekepe-officials-over-alleged-organised-agricultural-subsidy-fraud#:~:text=Between%202019%20and%202022%2C%20a,%2C%20based%20on%20false%20declarations.>

⁵³ "The Constitution of Greece." Hellenicparliament.Gr. 2019. https://www.hellenicparliament.gr/UserFiles/ebooks/ekdoseis/2019_THE-CONSTITUTION-OF-GREECE/index.html.

Italian Party Clientelism, Systemic Political Gain against Public Good and Constitutional Integrity

Clientelistic networks are more prominent than ever in Mediterranean countries and notably Italy. Jobs, contracts, and legislation are operated and proposed via political connections and the economic gain of public officials, thus undermining public prosperity and constitutional order. The mechanism is supported via the “Patron,” which is mostly a political or local authority, and then a client network that provides votes as a mediator between the two parties. The 2025 voting scandal, which surfaced after the report made by the NGO Libera⁵⁴, made clear that Italy and its political landscape are still affected by corruption and political influence. Public funds, projects, and false residency certificates were distributed in the areas of Lazio and Lombardy, and they were tied to the councilor Enrico Tiero, of the Fratelli d’Italia party. The scandal is also connected with the 2026 case issued by the EPPO concerning the misuse of the European Regional Development Fund (ERDF)⁵⁵ for vote-buying and money laundering activities.

Hungarian Authoritarianism | The Approach to Judicial Autonomy

Hungary, after a 16-year period under the Viktor Orbán administration, has had major institutional reforms, notably regarding the state of judicial autonomy. The Venice Commission, after countless reports, has stated that the Hungarian rhetoric has established an “Autocratic Legalism”; this is prominent with the establishment of the National Office for the Judiciary (OBH)⁵⁶ an unprecedented centralization of power that allowed a single political appointee to control the careers of every judge in the country. In addition, the Hungarian policy framework centralized the role of the Constitutional Court via the establishment of the National Judicial Office (NJO) and the National Council (NJC)⁵⁷, which at first came to power

⁵⁴ Redação. 2025. “Corruption Explodes in Italy in 2025: Number of Investigations Dovote-buyingubles in One Year.” Italianismo – Notícias Sobre a Itália. December 10, 2025. <https://italianismo.com.br/en/corruptcao-explode-na-italia-em-2025-numero-de-inqueritos-dobra-em-um-ano/#:~:text=Italian%20citizenship%20bought%20with%20sex,to%204%20years%20in%20prison.>

⁵⁵ “Italy: EPPO Investigates Large International Consultancy Company Suspected of Procurement Fraud in Lombardy | European Public Prosecutor’s Office.” 2026. Europa.eu. January 29, 2026. [https://www.epo.europa.eu/en/media/news/italy-epo-investigates-large-international-consultancy-company-suspected-procurement.](https://www.epo.europa.eu/en/media/news/italy-epo-investigates-large-international-consultancy-company-suspected-procurement)

⁵⁶ “National Office for the Judiciary | Courts of Hungary.” 2019. Birosag.Hu. 2019. [https://birosag.hu/en/national-office-judiciary.](https://birosag.hu/en/national-office-judiciary)

⁵⁷ “About the National Office for the Judiciary | Courts of Hungary.” 2019. Birosag.Hu. 2019. [https://birosag.hu/en/en/en/about-us/about-the-noj.](https://birosag.hu/en/en/en/about-us/about-the-noj)

in order to uphold the constitutional values, yet the body became a centralized tool of the Orbán administration⁵⁸, thus undermining the role of the Rule of Law in Hungary.

6.5 Key Stakeholders

Sweden | The Role of Transparency and Political Financing Oversight

Sweden has implemented concrete transparency and accountability measures to prevent corruption and clientelism. The Freedom of the Press Act guarantees public access to official documents, allowing citizens and media to scrutinize government decisions and public spending.⁵⁹ This reduces opportunities for clientelistic practices and political favouritism. Additionally, Sweden introduced legislation to improve transparency in political party financing, including disclosure requirements for donations and funding sources, as highlighted in Council of Europe GRECO reports.⁶⁰ Oversight is further strengthened through independent supervisory institutions, such as the Parliamentary Ombudsman, which investigates maladministration and abuse of power. These measures limit informal political favouritism, ensure accountability, and reduce risks of institutional decay.

Denmark | The Role of Integrity Rules and Conflict-of-Interest Safeguards

Denmark has adopted strong integrity standards for public officials to combat corruption and clientelism. GRECO evaluations highlight conflict-of-interest regulations, ethical guidelines, and accountability rules for members of the executive branch and senior officials.⁶¹ Denmark also relies on transparency in public administration, independent auditing institutions, and parliamentary oversight of executive decision-making. Additional safeguards include recommendations on lobbying transparency and integrity frameworks for law-enforcement authorities.⁶² These measures promote merit-based governance, reduce opportunities for political patronage, and strengthen democratic institutions.

⁵⁸"Request for the Opening of a Monitoring Procedure in Respect of Hungary Resolution 1941 (2013)." n.d. <https://pace.coe.int/en/files/19933/html>.

⁵⁹ Regeringen och Regeringskansliet, "The Principle of Public Access to Official Documents," Regeringskansliet, March 2, 2015, <https://www.government.se/how-sweden-is-governed/the-principle-of-public-access-to-official-documents/>.

⁶⁰GRECO Secretariat Council of Europe, "Addendum to the Second Compliance Report on Sweden," July 5, 2017, <https://rm.coe.int/third-evaluation-round-addendum-to-the-second-compliance-report-on-swe/168072f897>.

⁶¹"Denmark - Denmark - Group of States against Corruption - Ww.coe.int," Group of States against Corruption, 2017, <https://www.coe.int/en/web/greco/evaluations/denmark>.

⁶²Council of Europe, "Denmark Should Strengthen Corruption Prevention in Government and Law Enforcement," February 18, 2025, <https://www.coe.int/en/web/greco/-/denmark-should-strengthen-corruption-prevention-in-government-and-law-enforcement>.

European Union /The European Ombudsman's role in Accountability and Transparency

The European Union, as a complex political and multileveled body, has its own agency that oversees how administration functions; this body is the European Ombudsman. It facilitates transparency and accountability via its own-initiated evaluations and the European Network of Ombudsmen.⁶³ The mandate of the agency includes access to public documents, public ethics, EU personnel issues, fundamental rights advocacy, and public policy accountability.⁶⁴

7. Conclusion

In conclusion, the preservation of democratic integrity and the rule of law requires a comprehensive and balanced approach from all member-states. Ministers are encouraged to consider how combating clientelism in public administration through the promotion of merit-based systems can enhance fairness, efficiency, and equal opportunity within state institutions. At the same time, addressing government corruption remains essential in ensuring transparency, accountability, and the proper functioning of democratic systems.

Furthermore, the role of independent and trustworthy institutions cannot be overlooked. Ensuring judicial autonomy, alongside public trust in institutional processes, is fundamental to upholding justice and safeguarding citizens' rights. Without credible institutions, even the most well-designed legal frameworks risk becoming ineffective.

As this committee moves forward, ministers are advised to focus on proposing realistic, cooperative, and sustainable solutions that address these challenges. Emphasis should be placed on prevention, institutional strengthening, and international collaboration, particularly within the framework and the mandate of the Council of Europe. By doing so, member states can work collectively towards more resilient, transparent, and accountable democratic systems that effectively serve their citizens.

⁶³ "European Ombudsman." 2026. Europa.eu. 2026. <https://www.ombudsman.europa.eu/en/european-network-of-ombudsmen/about/en>.

⁶⁴ "European Ombudsman." 2026. Europa.eu. 2026. <https://www.ombudsman.europa.eu/en/areas-of-work>.

8. Points to be Addressed

1. What tools are necessary for the Council of Europe to recommend in order to strengthen meritocratic approaches in human resources management in public administration, and how can technologies and AI be used, thus establishing a European e-governance model?
2. How can political party favoritism be minimized, thus establishing staffing transparency?
3. How can the Council of Europe promote efficient and apolitical judicial procedure with the use of technology and AI, whilst paying respect to the ECHR Chapter 6?
4. How can whistleblowers and autonomous investigative bodies be protected when exposing corruption or malpractice to political retaliation?
5. Via which measures will the Council of Europe maintain political accountability and respect for national and international standards in order to foster effective and anti-corruptive politicians?
6. How can governments improve public access to legal information and legal aid services to strengthen trust in judicial systems?

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