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Resilience observatory on the rule  
of law in EU accession candidates

# RESILIO-ACCESS Snapshot Series

**The Role of Anti-Corruption Policies for  
Rule of Law Resilience**

Oksana Huss



## The Role of Anti-Corruption Policies for Rule of Law Resilience

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### 1. Introduction

The rule of law is not a fixed achievement but a fragile ideal that requires continuous safeguarding. Corruption poses a significant threat to the resilience of the rule of law, undermining institutions, distorting democratic processes, and eroding public trust. To protect the rule of law, anti-corruption policies must go beyond reactive enforcement and aim to enhance public integrity.

This Snapshot paper examines how various forms of corruption – including institutional and political corruption as well as the discourse on corruption itself – undermine the primary resilience resources of the rule of law itself and subsidiary resilience resources of its social environment. It also argues that targeted anti-corruption reforms can boost institutional resilience, democratic legitimacy, and social cohesion. Drawing on recent evidence from Ukraine and other countries involved in the RESILIO-ACCESS project, this analysis shows how anti-corruption policies must be integrated into a broader framework of public integrity in order to effectively help uphold the rule of law even during times of crisis and geopolitical pressure.

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### 2. Corruption as a stressor to the rule of law

Corruption is a significant threat not only to the core characteristics of the rule of law but also to the social environment it is embedded in. It is essential to differentiate specific forms of corruption to analytically grasp the undermining effects on different resilience resources and to address those vulnerabilities through targeted policies.

#### 2.1. Institutional corruption as a stressor to the rule of law

Primary resilience resources lie at the core of the rule of law, which is understood by the RESILIO-ACCESS project as a “durable system of laws, institutions, norms, and community commitment.”<sup>1</sup> They entail the rules, norms, and institutions tasked with safeguarding the proper functioning of the legal and political order. *Institutional corruption* is the main threat to this systemic rule of law dimension<sup>2</sup>. Unlike conventional forms of corruption that aim for private, material enrichment (e.g. bribery), institutional corruption entails that individual or collective actors illegitimately (not necessarily illegally) exercise systemic and strategic influence, which diverts institutions from their purpose or weakens their ability to achieve their objectives.<sup>3</sup> For example, so-called oligarchs – individuals with economic monopolies, media ownership, and political influence – can use their influence to place loyal individuals in decisive positions in politics or the judiciary, thereby distributing public resources or judicial decisions in favour of the oligarch who promoted them.

On a large scale, political parties that depend on financial or media support from influential individuals make decisions in favour of their “patrons” and not in the public interest. In such cases, we speak of *state capture* as one of the most destructive forms of corruption.<sup>4</sup> Moreover, institutional corruption can be performed in the geostrategic interest of another state. In this case, the concept of *strategic corruption* is helpful to analyse the security and foreign affairs dimension of corruption.<sup>5</sup>

In the countries studied by the RESILIO-ACCESS project, Russian strategic corruption is a well-known practice: pro-Russian presidents have in the past diverted countries from their citizens’ aspirations to join the EU, like in [Georgia 2024](#)<sup>6</sup> or [Ukraine 2013](#)<sup>7</sup>. The corrupt capture of Ukraine’s judiciary through domestic organised crime networks (e.g. the case of the Kyiv District Administrative Court or Supreme Court) or individuals with links to Russia (e.g. judges in the Constitutional Court) systematically undermined reforms in Ukraine and even led to a constitutional crisis, while hindering the EU integration process.<sup>8</sup>

To tackle institutional corruption systemically, Ukrainian civil society prioritised the judiciary and anti-corruption reforms after the Revolution of Dignity in 2014. The focus was on the transparent and competitive selection process of the leadership and judges, with thorough integrity checks conducted on every candidate. Thus, the sophisticated system of specialised anti-corruption bodies – including the National Agency for Corruption Prevention (NACP), the National Anti-Corruption Bureau of Ukraine (NABU), the Specialised Anti-Corruption Prosecutor’s Office (SAPO), and the High Anti-Corruption Court (HACC) – represents an island of progress functioning despite the Russian war. And this approach should be mainstreamed into other policy fields.<sup>9</sup> The slow progress of the judicial reform, however, and the attacks of July 2025<sup>10</sup> against the specialised anti-corruption agencies indicate how challenging it is to reload the system once corruption begins to fight back.

## 2.2. Political corruption as a stressor to the rule of law

**Subsidiary resilience resources** primarily focus on how the rule of law is recognised and realised within society, including by the media, civil society, and academia, as well as through democratic participation and public deliberation. Political corruption – this is when large amounts

of money or high-level politicians are involved, as well as electoral corruption and media capture – are crucial factors that lead to the shrinking of civic space and ultimately foster mistrust in society itself.<sup>11</sup> Notably, immediately after the collapse of the Soviet Union, most post-Soviet states have failed to sustain a political party system that genuinely represents diverse societal views. Instead, political parties have heavily depended on oligarchic or foreign funds, with minimal contributions from the public or citizens.<sup>12</sup> Consequently, political parties exhibit very low levels of public trust. For instance, in Ukraine, political parties and the parliament are traditionally among the least trusted public institutions, second only to the courts and civil service.<sup>13</sup>

The main problem is that different forms of political corruption, such as clientelism and patronage, lead to institutional corruption or state capture as an outcome,<sup>14</sup> because they create a system that favours individual, wealthy actors, instead of serving public interest. In particular, *clientelism* leads to parliamentary voting in favour of those who informally dominate. If the legislator lacks citizens’ trust, so do the laws they adopt. Laws made with corrupt motives are perceived as formalities enforceable for some but not all. Furthermore, citizens question political appointments as potential *patronage* – a form of corruption that renders bureaucracy no longer impartial, and specifically serves political interests in exchange for appointments.<sup>15</sup> In such a case, we speak of *input legitimacy*, meaning that citizens have limited opportunities to influence the law that is supposed to rule over them.

The input legitimacy is worsened if the media is captured by oligarchs or foreign disinformation, and the public’s access to truthful information is limited. This directly affects the legitimacy of elections, which are the primary instrument of democracy. If genuine political parties without oligarchic finance cannot access the public discourse or become targets of disinformation and misinformation attacks, even free and fair elections are insufficient, as democratic representation becomes skewed. This mechanism has become a dangerous weapon in Russia’s hybrid warfare. Russia’s strategy is to support pro-Russian parties by any means in a foreign country’s elections, as this is a less resource-intensive way to subordinate another nation, compared to conventional warfare. This mechanism has been extensively used in the Moldovan elections 2025.<sup>16</sup>

To address the deficit in input legitimacy caused by political corruption, societies sometimes adopt open government (OG) tools.<sup>17</sup> OG reflects a participatory democracy perspective. Unlike representative democracy, which views citizens as passive “clients” of public services, the participatory perspective expects citizens to be actively involved, particularly in the implementation of policies – so-called *output side*. In practice, this means citizens can co-create public services, oversee their quality, and use mechanisms to give ad hoc feedback in decision-making processes. Notably, in Ukraine, systemic reforms of decentralisation and digital transformation have created favourable conditions for OG to develop since 2014, serving as an alternative to traditional democratic practices beyond elections.<sup>18</sup> Ultimately, these practices have been vital for sustaining democratic resilience, even amid the 2024 elections having been halted in the second year of the Russian invasion and subsequent martial law.

### **2.3. Weaponisation of anti-corruption discourse as a stressor to the rule of law**

Anti-corruption policies are an important resource of resilience of the rule of law. However, anti-democratic actors have also been able to exploit the discourse on corruption to weaken political opponents or attack public officials.<sup>19</sup> Moreover, perceptions of corruption, often shaped by scandal-driven media rather than legal outcomes, are easily weaponised for emotional manipulation, fuelling distrust in institutions and calls for radical change. This creates fertile ground for both [populist forces](#)<sup>20</sup> and [information warfare](#)<sup>21</sup>.

Worryingly, the belief that corruption is widespread can itself foster corrupt behaviour<sup>22</sup> in a self-fulfilling narrative. While some investors, politicians, and citizens are able to adapt to corrupt systems and thrive nevertheless, the resulting unfair competition and inequality erode social cohesion on the whole and weaken the very foundations of democratic governance. Although corruption is undeniably a structural and institutional issue, its perception is often just as impactful as its actual occurrence. Therefore, a

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politicised discourse on corruption, when separated from fact-based accountability, poses a significant threat to the rule of law.

To keep the discourse on corruption fact-based and ethical (e.g. by maintaining the presumption of innocence), journalists and editors in Ukraine have established the Commission on Journalism Ethics to strengthen trust in the media and uphold freedom of speech when handling complaints and capacity building. Additionally, the EU Anti-Corruption Initiative in Ukraine conducts [discourse analysis, which is utilised](#) by the National Agency for Corruption Prevention, and among other issues, this identifies the use of corruption in Russian information warfare.<sup>23</sup>

### **3. The role of public integrity and anti-corruption policies in strengthening rule of law resilience**

Thus, various forms of corruption undermine resilience resources and must be tackled to reinforce the resilience of the rule of law. Anti-corruption policies, often in the form of national anti-corruption strategies and programmes, show national commitment and dedicate resources to the fight against corruption. Institutional frameworks with specialised anti-corruption agencies must ideally be decoupled from national law enforcement systems to enable impartial detection of corruption, including at high political levels, the judiciary, and law enforcement.

However, the challenge is that anti-corruption policies can arise as an arm of the captured system.<sup>24</sup> In the worst-case scenario, anti-corruption law enforcement can be used for the selective prosecution of political opposition, or otherwise hindered through limited resources, corrupt court decisions, and targeted disinformation campaigns. Thus, it is not the nominal presence of anti-corruption policies and institutions that strengthens the resilience of the rule of law.

Instead, a comprehensive public integrity framework is necessary, one comprising three aspects to address primary and subsidiary resilience resources: (1) impartial and effective anti-corruption policies and a culture that promotes integrity in civil service and judiciary; (2) accessible public information and integrity in political finance; (3) a whole-of-society approach to public integrity, involving a compliant private sector, ethical media, and engaged

civil society. All these are established as core principles in the [OECD legal instrument](#) – the Recommendation of the Council on Public Integrity from 2017, and are measured through the [OECD Public Integrity Indicators](#) (PII).<sup>25</sup>

### **3.1. Anti-corruption policies and culture of integrity**

This aspect requires a coherent, risk-based anti-corruption strategy supported by clear objectives, dedicated resources, and coordinated implementation across public institutions. Effective anti-corruption policies rely on robust legal frameworks, internal control systems, and independent oversight bodies to ensure enforcement and compliance. Equally important is fostering a culture of integrity within the civil service and judiciary – one that promotes ethical behaviour through merit-based recruitment, ethical leadership, regular training, and mechanisms that encourage accountability and prevent conflicts of interest.

For example, [Ukraine](#) is one of the top performers in the OECD PII assessment of the quality of the anti-corruption and integrity strategic framework.<sup>26</sup> This is directly associated with the resilience that the anti-corruption system has shown during the Russian war. The specialised anti-corruption agencies have not only continued and [improved](#) their functions since the Russian full-scale invasion in 2022,<sup>27</sup> but they have also elaborated a system of effective sanctioning of Russian influence (e.g. the HACC deals with confiscation cases). Despite the severe political attacks against the anti-corruption system, the specialised anti-corruption bodies (NABU and SAPO) enjoy broad [support from society](#).<sup>28</sup> At the same time, the culture of integrity in the civil service and judiciary in Ukraine requires significant improvements; thus, the civil service and judiciary systems have increased vulnerabilities under martial law due to limited transparency, halted public selection procedures, etc.

### **3.2. Integrity of public information and political finance**

Transparency begins with ensuring that government data – including on budgets, procurement, and decision-making processes – is published proactively in accessible, machine-readable formats. Citizens, journalists, and watchdogs must be given timely and meaningful access to this information to hold authorities accountable. Furthermore, integrity in political finance requires clear rules on donations, spending limits, and disclosure obligations for

political parties and candidates. Independent oversight bodies must monitor compliance, publish data regularly, and impose sanctions for violations to prevent undue influence and promote fair political competition.

For example, the Republic of [Moldova](#) is one of the top performers in the OECD PII assessment of the political finance regulations, not only in legislation but also in practice.<sup>29</sup> This framework provided the legal foundation and procedural mechanisms to [ban a pro-Russian political party](#) from participating in parliamentary elections due to investigations into illegal party financing<sup>30</sup> – a decisive action to resist foreign influence. Many other countries, lacking such an institutional framework, will have no legal instruments to protect their rule of law order. For example, we observe strong foreign influence in [Serbia](#), where political finance and transparency of public information are the weakest points in the public integrity system, despite a good anti-corruption strategy.<sup>31</sup>

## **4. Conclusions: a whole-of-society approach to public integrity**

Public integrity relies on active contributions from all parts of society. This calls for specific measures such as corporate compliance programmes in the private sector, ethical standards and fact-checking practices in journalism, and inclusive civic engagement mechanisms that allow citizens to co-design and oversee public policies. Promoting integrity education, protecting whistleblowers, and involving civil society organisations in oversight roles help cultivate a culture where integrity is expected, visible, and collectively maintained.<sup>32</sup>

In summary, corruption by institutional, political, and discursive means weakens primary and subsidiary resilience resources of the rule of law. Tackling the threat of corruption requires more than isolated reforms. It demands a comprehensive, integrity-driven approach. As demonstrated by experiences in Ukraine, Moldova, and other countries in the RESILIO-ACCESS project, the resilience of the rule of law depends not only on formal anti-corruption measures but also on the broader ecosystem of integrity. This includes impartial anti-corruption bodies, transparent political processes, and active societal actors capable of resisting both internal capture and external interference. Strengthening this integrity framework is therefore essential for safeguarding democratic governance during both peaceful and crisis situations.

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## About the author

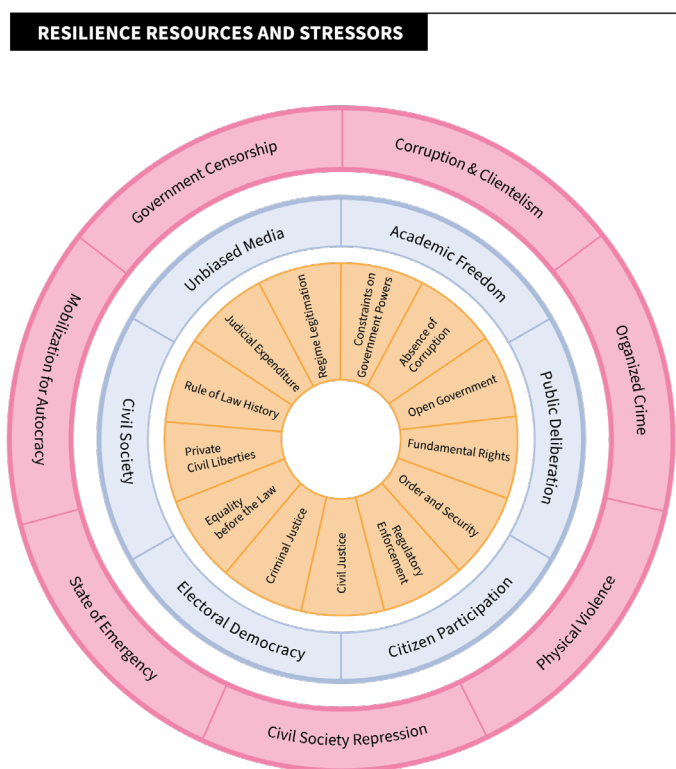
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## About the project

RESILIO-ACCESS investigates the resilience of the rule of law in the current (potential) candidate states for EU accession. The project explores how to measure the resilience of the rule of law and assesses the potential of the EU's enlargement policy toolbox to foster resilience in the region. Resilience here means the capacity of the rule of law to prevent, cope with or recover from hazardous events or incremental threats without losing its core function, structure and purpose.

## About the paper

This paper is part of the **#RESILIO-ACCESS Snapshot Series**, a collection of compact analyses that explain ties between resilience resources of the rule of law identified by the RESILIO-ACCESS model.



The RESILIO-ACCESS model is based on three dimensions: The system of the rule of law itself provides primary resilience resources such as an effective judicial system, the protection of fundamental rights, and regulatory enforcement.

These resources are embedded into a social environment with subsidiary resilience resources such as civil society, academia, and the media.

However, these resources are constantly being challenged by threats such as autocracy, corruption, violence, or censorship. The characteristics of each dimension, their interactions and their conditions of resilience resources determine the overall resilience capacity of the rule of law.

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