

Anti-Corruption Helpdesk Answer

Rebuilding anti-corruption and oversight institutions in post-authoritarian settings

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Date: May 2026

Political turnover in post-authoritarian settings often creates a temporary window of opportunity to reverse institutional capture of anti-corruption and oversight institutions. Durable reform depends on moving quickly, from protecting evidence and stabilising key bodies to rebuilding independent courts, prosecution services, audit institutions and civil service systems. External actors can help most by offering flexible expertise, supporting domestic reform coalitions and promoting long-term institutional capacity. However, urgency should not come at the expense of due process, which is necessary to preserve legality and protect institutions from future misuse.

Caveat

This Helpdesk Answer draws on publicly available literature and selected country examples. It does not assess any current reform process comprehensively and should be read as a synthesis of lessons and considerations for practitioners rather than a country specific reform roadmap.

Query

When authoritarian leaning governments lose power as a result of democratic or constitutional processes, how can domestic and international actors use “windows of opportunity” to repair captured anti-corruption and oversight institutions?

Main points

- Political turnover does not automatically end institutional capture; captured rules, patronage networks and informal pressure can continue after an outgoing government leaves office.
- Reformers should begin with an independent diagnosis of capture across the different laws, appointments, budgets, procurement, enforcement and information systems.
- During the initial reform window, domestic actors should protect records, witnesses, investigations and independent officials while beginning lawful reviews of appointments, contracts and pending cases that originated under the previous regime.
- Temporary safeguards should eventually be replaced with durable rules on appointments, budgeting, procurement, asset declarations and whistleblower protection.
- Specialised anti-corruption bodies cannot carry reform alone; courts, prosecutors, legislatures, auditors, media and civil society should operate as a broader accountability ecosystem.
- External actors are most useful when they respond to domestic priorities with flexible funding, legal and technical expertise and coalition building support.
- External support should focus on expanding in-country reformer networks so that they are better positioned to navigate political changes and access whatever support they need, including technical assistance, strategic advice, camaraderie and personal support.
- The primary test of success is whether institutions continue to scrutinise the current government, apply rules consistently and resist renewed capture after the reform window closes.

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Background

Governments and political leaders may seek to undermine anti-corruption and oversight institutions as these bodies play a critical role in investigating misconduct, monitoring the use of public resources, reviewing the legality of government actions, and exposing wrongdoing. Once democratic institutions are captured, these same institutions can be instrumentalised to protect allies, investigate political opponents, direct contracts and public appointments towards loyal networks, and make incumbents more difficult to remove through elections (Dávid-Barrett 2023; Sękowski 2026). The purpose of this is to weaken the institution or institutions enough to protect corrupt network insiders and target network outsiders (Kassa 2025).

Anti-corruption agencies are only one part of the democratic institutional system. Courts, prosecution services, audit bodies, procurement authorities, legislatures, electoral bodies, civil service systems, media regulators and public broadcasters can all help prevent, detect or sanction abuses of public power (UNDP 2015). Independent media and civil society organisations operate outside the state, but they also support accountability by uncovering misconduct and providing information to formal oversight institutions (Dávid-Barrett 2023).

Authoritarian and authoritarian leaning governments¹ do not always dismantle these institutions openly. Many continue to hold elections and maintain legislatures, courts and oversight bodies, while simultaneously changing the rules, appointments and resources that determine how these democratic institutions work. They can use legislation, constitutional amendments, disciplinary procedures and court decisions to weaken these constraints on executive power (Dávid-Barrett 2023; Garcia Holgado and Sánchez Urribarri 2024; Scheppele 2018). Such methods allow these governments to concentrate political power while preserving an appearance of constitutional normality (Garcia Holgado and Sánchez Urribarri 2024; Scheppele 2018).

This instrumentalisation of democratic and anti-corruption institutions by the incumbent for their political power is often framed as a condition for and a mechanism and outcome of state capture (Kassa 2025). State capture is a form of systematic corruption in which narrow political or economic interests gain control over the institutions and processes through which public policy is made and redirect them away from the public interest (Dávid-Barrett 2023). More specifically, institutional capture refers to the process at the heart of state capture through which public bodies are brought under political or private control. A captured institution may continue to exist in

¹ Authoritarian regimes consist of systems of government that have no established mechanism for the transfer of executive power and do not afford their citizens civil liberties or political rights (Lindstaedt 2026). However, authoritarian leaning governments are slightly more difficult to define. These tend to be democratic governments that increasingly use authoritarian tactics. For example, Freedom House uses a number of indicators on political rights and civil rights to score countries from free, to partly free and not free (Freedom House 2026). Authoritarian leaning governments are often countries that were considered free democracies but have begun moving towards partly free or not free.

law and perform some of its ordinary functions. However, appointments, budgets, internal procedures or enforcement decisions are shaped to favour those connected to the governing coalition (Dávid-Barrett 2023: 229-235; Hanelt and Vincze 2024: 395-396).

This Helpdesk Answer examines how potential reformers, both domestic and international, can use these openings to rebuild captured anti-corruption and oversight institutions after an authoritarian leaning government loses power through either democratic or constitutional means. It focuses on the diagnosis of this institutional capture, the sequencing of reform, and the legal and political challenges that arise during rebuilding, and then considers the trade-offs that may need to be taken by reformers concerning the urgency and legality of the changes that need to be made.

This paper does not focus on regime change and transition to democracy in full authoritarian countries as this would require a different set of reforms, rather, it focuses on democracies that have authoritarian leaning governments (see V-Dem Institute 2026). Evidence suggests that countries that were once more democratic before decline tend to bounce back with greater speed, although strong democratic quality is not necessarily a pre-condition for re-democratisation (Reder and Onken 2025). Nonetheless, countries that have a longer history of authoritarianism face different challenges in terms of building democratic institutions. Moreover, there are some country examples which are not categorised as authoritarian or authoritarian leaning but are included as they still hold important lessons for such settings.

Institutional capture and democratic backsliding

Institutional capture and democratic backsliding are closely linked as institutional capture is both a mechanism and a signifier of democratic backsliding. Institutional capture contributes to democratic backsliding through weakening checks on executive power, political competition and public accountability (Garcia Holgado and Sánchez Urribarri 2024: 1579-1580; Scheppele 2018: 547). It changes the distribution of political power, weakens the rule of law, distorts the allocation of public resources and reduces public confidence in how state institutions work (Dávid-Barrett 2023: 230-240; Ivanyina and Salerno 2021: 4-8).

Oversight institutions can be weakened through cuts to their budgets, changes in leadership, staffing, access to information or enforcement powers (Dávid-Barrett 2023: 229-230; de Sousa 2010: 13). For example, media capture takes different forms across countries. In Czechia, prime minister Andrej Babiš combined political power with private media ownership and direct editorial interference (Hanley and Vachudova 2018: 286-289). In Italy, Berlusconi's ownership of Mediaset was combined with political influence over the public broadcaster RAI (Hibberd 2007). In Poland, changes to broadcasting law enabled partisan control and loyal staffing of state radio and television (Adamska-Gallant 2022: 4-5).

Civil society groups may likewise face administrative burdens, smear campaigns, restrictions on foreign funding, or security laws that limit their work, as documented in

Hungary under Orbán where under the Hungarian Protection of National Sovereignty Law, organisations were assigned non-compliance labels if they were not registered, increasing both reputational risks and administrative burdens (Camacho Garland and Gverdtiteli 2026: 10; Enyedi and Mikola 2024: 41-42; Nicola and Ligeti 2024).

The captured or weakened accountability institutions can therefore no longer be relied on to investigate, audit, adjudicate or publicise wrongdoing (Dávid-Barrett 2023: 230-236). When courts, prosecutors, disciplinary bodies and legislatures are captured, political opponents may face investigation, but governing allies often receive protection, favourable treatment or non-enforcement (Pech and Scheppele 2017; Scheppele 2018). Courts may also give legal cover and legitimacy to executive projects that direct public benefits towards political associates and government connected businesses (Garcia Holgado and Sánchez Urribarri 2024).

The control over state-owned enterprises (SOEs) and public resources can also turn incumbency into a lasting electoral advantage. It weakens the ability of opposition parties to compete on equal terms, even when elections continue to take place (Sękowski 2026). In Italy, for example, Silvio Berlusconi's control of Mediaset, combined with his influence over the public broadcaster RAI, created a challenge to media pluralism and equal political competition (Hibberd 2007).

Moreover, public resources that could support staffing, training and service delivery may instead be stolen, misallocated or directed towards connected groups. These processes reduce revenue collection, distort public spending, discourage investment and contribute to inequality and declining public service quality (Ivanyna and Salerno 2021: 4, 6-8; Dávid-Barrett 2023: 239). Patronage networks also intensify these problems by making political connections more important than merit in recruitment and promotion. This discourages qualified people from entering the civil service and provides officials selected through patronage with stronger incentives to protect patrons rather than the public interest (Dávid-Barrett 2023: 238-239).

These challenges can create favourable conditions for the politicisation of anti-corruption, which occurs when corruption allegations are used selectively to identify political enemies and protect governing allies. In Czechia and Poland, ethnopopulist² leaders have used corruption and elite privilege as flexible narratives for identifying political enemies while protecting their own allies (Vachudova 2020). Cross-national evidence from elections in 28 European countries similarly links worsening corruption control to higher populist vote shares. This relationship is stronger in European Union member states where corruption became more pronounced after accession (Kartal 2025).

The following sections will examine in more detail the challenges in countries experiencing both institutional capture and democratic backsliding, as well as the

² Vachudova (2020) defines ethnopopulism as populists who racialise the immigrant threat, through fabricating external enemies (often immigrants, refugees and international organisations) as those who conspire with internal ones who are corrupt and self-serving.

opportunities available to reformers who are seeking to rebuild anti-corruption and oversight institutions.

The challenges of institutional rebuilding after capture

Authoritarian leaning governments often weaken accountability institutions while also preserving the outward structure of democracy: elections continue, legislatures meet and courts remain in operation. However, these institutions become less able to constrain the executive or hold governing actors accountable. Instead, they allow the concentration of power to appear lawful and constitutionally normal (Garcia Holgado and Sánchez Urribarri 2024: 1579-1580; Scheppele 2018: 547).

Another challenge facing reformers in these settings is often not the creation of new anti-corruption institutions but rather the repair of institutions damaged during periods of democratic backsliding (Tiede 2025: 32-33). Incoming governments often inherit institutions that continue to exist in law, but they are politicised, weakened or deprived of resources. These institutions may also be staffed through patronage or used to protect those in power and punish their opponents (Dávid-Barrett 2023; Hanelt and Vincze 2024).

For example, Hungary saw more than a decade of democratic backsliding, which included a number of judicial reforms (Hanelt and Vincze 2024). The control over the judiciary did not include direct interference but operated partly through informal patronal relationships connecting the political leadership with the heads of the supreme court (Kúria), the national judicial office, and the constitutional court, as well as court presidents and judges (Hanelt and Vincze 2024). Other measures were implemented, including a distorted point system for the assessment of judicial posts, financial pressure on the judiciary and the lack of guarantees of expression of Hungarian judges (Amnesty International Hungary et al. 2025:27). These arrangements allowed formally independent judicial institutions to remain intact while enabling the government to deny direct control and evade international scrutiny under the guise of judicial independence (Hanelt and Vincze 2024: 387-396).

Electoral turnover is not necessarily always a guarantee to end these practices. For instance, Malaysia's 2018 election, which ended more than six decades of dominant party rule, created an important opportunity for democratic reform (Ostwald and Oliver 2019), but change was constrained through two related mechanisms. First, the new government had incentives to preserve inherited non-democratic institutions and practices. It continued to use the sedition act³ and opposed reinstating local elections

³ The sedition act is a colonial era law that forbids the questioning of Malay special rights, Malay as the national language and the sovereignty of the Malay monarch (Dettman 2020). However, it has been

(Dettman 2020: 1037-1039, 1048-1049). Second, familiar figures from the former regime entered the new government after the 2018 election and left a porous boundary between former ruling parties and the new governing coalition (Dettman 2020: 1043, 1049).

As seen from people from the former regime entering the new government in Malaysia, Dávid-Barrett (2023: 240) argues that capture is stronger when it involves a wide and complex network of beneficiaries with a shared interest in preserving the status quo. Even when political leaders lose office, network members who retain institutional positions, resources or relationships may therefore continue established practices and obstruct reform.

Moreover, these legacies may have impacted wider society, social norms and the relationship between citizens and democratic institutions (Cianetti 2026:10). These societal legacies may pose a challenge for potential reformers, particularly when rebuilding anti-corruption and oversight institutions which rely upon social trust in much of their work. Increased polarisation, which may have been fostered under an authoritarian leaning government, poses a significant challenge to democratic recovery. Consequently, depolarisation is a critical component of achieving durable and sustainable re-democratisation (Cianetti 2026:10).

Another challenge to reform is the politicisation and instrumentalisation of anti-corruption, which may have already been a problem during the previous regime and could continue if these ideas are entrenched into the political class and public opinion. Politicisation can occur when anti-corruption investigations are strategically drawn into partisan conflict, or when political influence undermines the independence and operational impartiality of anti-corruption bodies (Sberna and Vannucci 2013; Gregory 2015). Instrumentalisation goes further: political leaders selectively use anti-corruption investigations and charges to weaken rival networks, displace troublesome coalition members, install loyalists or consolidate power (Zhu and Zhang 2017; Amick, Bukovansky and Liu 2022). These issues may undermine reformers' future attempts to rebuild anti-corruption and oversight institutions, particularly in terms of public opinion.

Political leaders may portray society as a moral conflict between ordinary citizens and a corrupt establishment and then use this framing to challenge checks and balances (Mudde 2004: 543; Camacho Garland and Gverdtsiteli 2026: 5-11). Anti-corruption laws may also be applied selectively against opponents while violations by government allies are ignored. Evidence from Indonesia shows how corruption charges can be timed around elections to remove intra-coalition rivals, weaken opposition figures and create opportunities to fill vacancies with loyalists (Amick, Bukovansky and Liu 2022: 281-282, 294-297). Legalistic leaders can carry out this process through formally legal procedures and make the concentration of power appear democratic and lawful (Scheppele 2018: 547-549).

criticised as it has been used to restrict freedom of expression and suppress political dissent (see OHCHR 2014).

Networks that sustain institutional capture may also extend beyond national borders. In the European Union, for example, allied European party groups and sympathetic member governments have sometimes shielded national leaders engaged in democratic backsliding from supranational scrutiny or sanctions. Such external protection can help governments preserve captured domestic arrangements by reducing pressure for reform (Kelemen 2017: 217-221, 225-230).

Institutional repair is therefore especially difficult because it requires changes in both formal rules and informal practices and networks (Dávid-Barrett 2023; Dettman 2020; Hanelt and Vincze 2024). Reformers must restore the independence and effectiveness of courts, prosecution services, audit bodies, media regulators and civil service systems (Dávid-Barrett 2023; Tiede 2025). At the same time, they must resist the temptation to reproduce the outgoing government's practice of using formal legality to entrench partisan control. They must follow rule of law norms rather than use court packing, purges, truncated legislative procedures or similar methods for political retribution (Scheppele 2018: 571, 581; Tiede 2025: 45-46, 50).

Windows of opportunity for reform

The reform window framework, developed by Guerzovich, Gattoni and Algosó (2020: 14-17), identifies political moments that create new possibilities for progress on anti-corruption, referred to as “windows of opportunity”. These windows of opportunity could be a high-profile corruption investigation, a political scandal or a change in government (Guerzovich, Gattoni and Algosó 2020). In the case of rebuilding anti-corruption and oversight institutions post-capture, this window of opportunity is most likely to be a change in government, although there could be another window available to reformers, such as a major and highly publicised corruption scandal.

Guerzovich, Gattoni and Algosó (2020) distinguish four phases surrounding a reform window: the status quo, an opening trigger, an open window and a closing taper. The table below uses these four political phases as a temporal framework for the analytical sequence developed for this Helpdesk Answer. The second column identifies the parts of that sequence. The third column summarises the purpose assigned to each part in the discussion that follows. Table 1 below presents an overview of the analysis underpinning this report. It builds on the framework developed by Guerzovich, Gattoni, and Algosó (2020) and incorporates an additional phase to differentiate the early tapering period within the open window.

Table 1: Stages of rebuilding before, during and after the window of opportunity

Political phase, adopted from Guerzovich, Gattoni and Algosó (2020)	Stage of rebuilding discussed in this Helpdesk Answer	Purpose examined in this report
Status quo or early transition	Baseline diagnosis	Assess captured institutions, remaining networks and reform priorities
Opening trigger	Transition from diagnosis to action	Begin reforms that were previously blocked
Open window	Immediate stabilisation	Protect institutional continuity and address urgent legal, organisational and leadership problems
Open window and early taper	Medium-term institutional rebuilding	Restore institutional independence, capacity, accountability and coordination
Closing taper and subsequent periods	Long-term democratic consolidation	Embed reforms in ordinary practice and make them harder to reverse

Source: Terms in the first column are adapted from Guerzovich, Gattoni and Algosó (2020).

Domestic reformers, who are actors inside and outside the state actively seeking lawful institutional change, are the principal agents in this process. These may include elected officials, career public servants, investigators, judges, prosecutors, auditors, journalists and civil society organisations (Guerzovich, Gattoni and Algosó 2020). Their ability to use the opening depends on technical and procedural knowledge, political strategy and leadership, trusted networks, flexible resources and protection against legal, physical and reputational threats. External actors can help supply these resources, but their assistance should respond to locally identified needs rather than substitute domestic leadership (Guerzovich, Gattoni and Algosó 2020: 4-10, 23-30).

Indeed, Guerzovich, Gattoni and Algosó (2020) emphasise that supporting the agency of in-country reformers is preferable to relying on external support to drive reforms. The authors argue that external support should focus on expanding reformer networks so that they are better positioned to navigate political changes and access whatever support they need, including technical assistance, strategic advice and self/mutual care through camaraderie and personal support (Guerzovich, Gattoni and Algosó 2020). Often a key challenge is that the coalition of reformers is potentially unstable, particularly once the key goal of defeating the authoritarian leaning government has been achieved, and they may have differing agendas, interests and democratic goals (Cianetti 2026:10).

The central causal claim underlying the windows of opportunity framework is that periods of temporary political disruption can lead to lasting change only when reformers can translate short-term political leverage into durable institutional capacity and mutually reinforcing relationships across the accountability ecosystem. Strengthening a single anti-corruption agency is unlikely to be sufficient where corruption is systemic. Hence, institutional repair needs to develop into an integrated reform strategy (Gans-Morse et al. 2018: 183). Societal pressure can expose abuses and raise their political costs, but it is most effective when it activates or complements formal oversight and electoral accountability (Elbasani and Šelo Šabić 2018; Laebens and Lührmann 2021). Dispersing accountability across autonomous actors makes the system less dependent on any single institution and raises the political and administrative costs of recapture.

A further condition for change is that reformers accept the legal constraints they seek to restore. Rapid action that becomes a partisan purge may replace one patronage network with another and undermine the legitimacy of rebuilding. Hence, reformers must refrain from truncated legislative procedures, emergency decrees and politically motivated court packing or purges. Any changes must be transparent and grounded in rule of law norms rather than political retribution (Tiede 2025: 45-46, 50).

If these conditions are met, the reform window can produce sustainable change. The expected outcome is an accountability system in which institutions have the capacity and autonomy to apply rules consistently, governing actors cannot easily disable oversight by controlling a single body, and institutional constraints remain effective after political leadership changes.

Diagnosis of institutional capture

The first step towards successful institutional reform in the early stages of transition is the diagnosis of the changes made during the process of capture. Potential reformers need to understand how rules of the system were changed, how public resources came under political control, how accountability institutions were weakened and where the remnants of the outgoing coalition may still be able to obstruct reform (Dávid-Barrett 2023; Riedl et al. 2024). One diagnosis template that can be used is Dávid-Barrett's (2023) three-pillar framework which shows how control over individual institutions can combine into a wider system of capture.

The first pillar covers law and policy formation. At this stage, politically connected actors rewrite constitutional, electoral, administrative, media or procurement rules. These rules remain formally legal but are designed to favour incumbents and their allies (Dávid-Barrett 2023; Garcia Holgado and Sánchez Urribarri 2024). Warning signs include shortened consultation periods, accelerated or emergency procedures, last-minute amendments, restrictions on parliamentary scrutiny, reliance on delegated legislation and political control over key parliamentary committees. These practices do not prove capture on their own, but they warrant closer examination when they repeatedly reduce institutional constraints or favour incumbents and their allies (Dávid-Barrett 2023; Dávid-Barrett, Kaufmann and Ceballos 2023: 5-9; Riedl et al. 2024: 9-16).

Hungary under Viktor Orbán illustrates this strategy. In 2010, 53 per cent of the vote gave Orbán's Fidesz a two-thirds parliamentary majority. The government then introduced a new constitution and several Fundamental Law amendments, and it portrayed its electoral victory as authorisation for swift legislative changes⁴ (Enyedi and Mikola 2024: 35-39).

Evidence from Argentina, Ecuador and Venezuela also shows why judicial control matters at this stage. An autonomous judiciary blocked important executive initiatives in Argentina; court co-optation facilitated democratic erosion in Ecuador; and early judicial co-optation in Venezuela enabled subsequent abuse of law (Garcia Holgado and Sánchez Urribarri 2024: 1585-1591).

The second pillar is where policy implementation takes place. At this stage, captors control how rules are applied in practice (Dávid-Barrett 2023). They may politicise senior appointments and promotions across the civil service, prosecution service, regulators, state-owned enterprises and media outlets. Patterns of politically connected appointments, unexplained personnel changes or informal influence over administrative decisions may indicate that governing actors control implementation without formally changing an institution's legal powers (Dávid-Barrett 2023: 229-234).

Laws may also be enforced selectively. Authorities can investigate and prosecute opponents while delaying, weakening or abandoning cases involving political allies (Camacho Garland and Gverdtsiteli 2026). In Guatemala, former president Morales campaigned as an anti-corruption outsider but subsequently joined entrenched elites in dismantling the International Commission Against Impunity in Guatemala (CICIG). Captured institutions were still used to harass and prosecute regime opponents (Meléndez-Sánchez and Perelló 2024: 239-243).

Control over public resources provides another channel of influence. Repeated awards to politically connected firms, unusually concentrated contracting networks, opaque procedures or the systematic exclusion of unconnected suppliers may indicate that formally lawful administrative decisions are serving a capture network (Dávid-Barrett, Kaufmann and Ceballos 2023; Fazekas and Tóth 2016). In Poland, for example, state-owned enterprises became important organisational and financial resources for the governing party network (Sękowski 2026: 175-181).

The third focuses on accountability. This is where captors weaken or repurpose the institutions that are meant to detect, expose and deter abuses of power. These include courts, prosecution and law enforcement services, anti-corruption agencies, audit institutions, electoral commissions, public protectors or ombudsman offices, the media and civil society (Dávid-Barrett 2023: 234-236; Dávid-Barrett, Kaufmann and

⁴ These changes included restricting the constitutional court's review of budgetary matters, weakening civil service employment protections and bringing previously semi-autonomous bodies such as the state audit office and public procurement authority under Fidesz control (Enyedi and Mikola 2024: 38-39).

Ceballos 2023: 6-7). Capture may involve more than reducing institutional independence or effectiveness. These institutions can also be instrumentalised, and their powers can be redirected towards protecting governing networks, targeting opponents or removing other institutional checks (Jackson and Amundsen 2022: 7-8; Kassa 2025).

Another framework of identifying capture is put forward by Kassa (2025), who identifies three related strategies that can help reformers diagnose this form of capture: co-optation, control and camouflage. Co-optation aligns institutional incentives with the interests of the governing network. Warning signs include the appointment or promotion of political allies, forced retirements or dismissals, politically motivated transfers and disciplinary proceedings, and informal connections between institutional leaders and other actors in the justice system. In Poland, prosecutors who resisted political interference were subjected to disciplinary sanctions, demotion, transfer or removal. Additionally, changes to judicial governance increased political influence over appointments and promotions (Adamska-Gallant 2022: 4-7).

Governments may also alter judicial appointment procedures, court leadership, retirement rules, case allocation or prosecutors' chains of command. Hungary lowered the judicial retirement age and concentrated administrative authority over appointments, promotions, discipline and case allocation. Poland similarly sought to replace court leaders and extend political control over judicial appointments (Pech and Scheppele 2017; Scheppele 2018).

The second strategy is control. Governing networks may restrict an institution's mandate or resources (Kassa 2025). Audit and oversight bodies can also be weakened through budget cuts (Dávid-Barrett 2023). Conversely, additional resources are not necessarily evidence of independence. A co-opted institution may receive increased funding or authority because it can use those resources to protect network insiders or act against outsiders (Kassa 2025).

The third strategy is camouflage. Governments may retain formally strong laws and institutions while ensuring that they protect network insiders or are selectively applied against outsiders and disloyal members (Kassa 2025). Possible signs of camouflage include cases dropped or delayed without clear reasons, investigations submitted with evidence too weak to succeed, failures to sanction wrongdoing and failures to enforce sanctions already imposed. Biased judgements, delayed proceedings or unusually low penalties that consistently favour connected actors may provide further evidence (Dávid-Barrett, Kaufmann and Ceballos 2023: 7).

However, these indicators or frameworks alone can prove institutional capture. A case may be delayed because of limited capacity or ordinary administrative failure rather than political interference. Appointment and disciplinary records, budgets, staffing data, court records, audit reports, expert interviews and investigative reporting can be combined to distinguish isolated weaknesses from systematic political control. Both

institutional processes and enforcement outcomes should be examined because neither is sufficient on its own (Dávid-Barrett, Kaufmann and Ceballos 2023: 8-9).

Movement from diagnosis to action usually depends on the opening trigger: the window of opportunity. An election, resignation, impeachment, judicial ruling, corruption investigation or public protest may weaken the governing coalition and make reforms that were previously blocked politically possible (Guerzovich, Gattoni and Algosó 2020: 15). In South Korea, for example, a corruption scandal surrounding President Park Geun-hye led to sustained peaceful protests. The national assembly impeached Park in December 2016. The constitutional court upheld the impeachment in March 2017 and removed her from office, which led to an early presidential election (Shin 2020: 153-154).

The following sections will outline the different stages of action by reformers once this window of opportunity is apparent.

Rebuilding institutional resilience

This section offers several time horizons for institutional reform and rebuilding of previously captured anti-corruption and oversight institutions. Research on democratic transitions cautions that the boundaries between transition and consolidation are often uncertain (Schedler 2001: 1). Similarly, the phases of a reform window may overlap and contain smaller openings within some institutions (Guerzovich, Gattoni and Algosó 2020: 14-17).

The first 100 days

At this point, reformers must act quickly and develop the organisational capacity and institutional knowledge needed to translate political opportunity into real change (Guerzovich, Gattoni and Algosó 2020: 7-10). Building on Dávid-Barrett's (2023: 226-230) framework for diagnosing the effects of state capture on accountability institutions and Guerzovich, Gattoni and Algosó's (2020: 14-16) analysis of windows of opportunity, this section uses the first 100 days as a sequencing framework. It conceptualises this period as one of institutional triage, focused on stabilising key institutions, securing their official records and protecting whistleblowers who may help to identify corrupt actors from the previous regime or who may still be operating in public institutions.

The objective during this period is to establish credible review processes and prepare later institutional reforms. Early progress should be assessed by whether records have been secured, lawful reviews have begun and institutional continuity has been maintained. Newly elected governments risk reproducing authoritarian practices if they employ truncated procedures, emergency powers, court-packing or politically motivated purges (Guerzovich, Gattoni and Algosó 2020: 14-16; Šípulová and Kosař 2025; Tiede 2025: 45-50).

Preserving institutional records should be an immediate priority as doing so safeguards evidence for future investigations and prosecutions while also strengthening institutional capacity and enhancing public trust in accountability mechanisms. A qualitative study based on interviews with 15 anti-corruption investigators in Nigeria highlighted in the importance of the preservation of evidence in corruption investigations as they found that investigative efficiency depended on the quality of the available evidence and that inadequate recordkeeping delayed access to it (Lawan and Henttonen 2024).

The reform window literature also identifies legal and security support and knowledge of domestic administrative processes as needs that may arise during an opening (Guerzovich, Gattoni and Algosó 2020: 5-10, 23-30). Maintaining the continuity of lawful

investigations, audit processes and reporting channels can help prevent further losses of institutional capacity.

Independent journalists, civil society organisations and researchers can contribute to these efforts by comparing official records with investigative reporting and other publicly available evidence and by scrutinising whether early reviews are conducted transparently. Their role at this stage is to supplement investigations and reviews undertaken by formal oversight institutions. For example, Dávid-Barrett (2023) identifies that transnational networks of investigative journalists can support the disruption of the network through conducting corruption investigations and communicating their findings in a way that reaches wider audiences. UNDP (2015: 22-34) identifies a number of different indicators and methodologies conducted by international organisations and civil society actors which can be used to supplement official record keeping and inform the reformers' work.

Judicial independence presents a distinct early stage opportunity and a challenge. Judges play a key role in the implementation of transitional justice mechanisms. However, in many cases judges may have been part of the previous network and been involved in crimes committed by the political network (Šipulová and Kosař 2025). Research on post-transition judicial reform cautions that their practices can establish precedents that future governments may exploit (Šipulová and Kosař 2025). Moreover, replacing corrupted judges might not be a simple task as the country might not have enough sufficiently qualified judges and lawyers that were not tainted by the previous regime (Šipulová and Kosař 2025).

In this early period, attention may need to focus on preserving ordinary case allocation, judicial tenure and court administration. Šipulová and Kosař (2025) in particular highlight that excessive purges of judges could undermine the judiciary's independence. Therefore, reformers should ensure that allegations against judges are addressed through lawful procedures rather than immediate dismissal by the incoming executive. Tiede (2025: 45) echoes this point, noting that purging courts and punishing judges might undermine the rule of law further if the new governments do not carefully observe international standards related to judicial independence.

South Africa shows both the value and the limits of early action, particularly after democratic institutions were weakened and captured for long periods. After Jacob Zuma's resignation, Cyril Ramaphosa's administration removed cabinet ministers, SOE executives and agency leaders that were viewed as compromised. They also cancelled questionable contracts, began tracing stolen funds and extensively documented evidence of state capture (see, for example, the Commission of Inquiry into State Capture n.d.). These measures signalled a break with the past, but they could not quickly reverse the loss of institutional capacity as procurement and financial systems remained weak. The national prosecuting authority had to rebuild capacity and develop cases in the face of legal delays (Guerzovich, Gattoni and Algozo 2020: 100-102).

Hungary in 2026 provides a more recent example. Soon after winning the 2026 election, the incoming government under Péter Magyar moved to abolish the sovereignty protection office, which had been criticised for targeting the opposition, independent media and civil society groups (Reuters 2026a). It also announced anti-corruption legislation intended to strengthen the country's integrity authority, improve asset declaration rules, meet conditions attached to suspended EU funds, and established the National Asset Recovery and Protection Office (Reuters 2026b; Gall 2026). These measures are aimed to address immediate risks and identify parts of the inherited system that required change. However, as the European Commission (2026: 14-15) suggests, their lasting effect will depend on implementation and the development of a credible record of investigations, prosecutions and judgements.

The first year

The third stage is medium-term institutional rebuilding. For oversight institutions, this includes transparent leadership selection, secure tenure, clearly defined removal procedures, internal accountability, reporting obligations, adequate resources, budgetary autonomy, access to information and sufficient investigative powers (de Sousa 2010: 13-14, 19-20; Ivanyina and Salerno 2021: 32-33). Political resistance and coordination problems may slow this stage. In South Korea, for example, following the Choi Soon-sil scandal, the Moon Jae-in government's efforts to reform the prosecution service encountered organised resistance, and the relationship between government and large conglomerates remained contested (Mobrand 2021: 259-266; You 2021: 95-97).

In the sequencing adopted in this report, the first year should move from temporary safeguards in anti-corruption and oversight institutions to durable rules (de Sousa 2010: 17-18). This period should prioritise rebuilding institutional capacity, limiting opportunities for political discretion and establishing procedures that can be applied consistently across government (de Sousa 2010: 13-15; UNDP 2015: 77-80). However, legal reform alone is insufficient; lasting change depends on the effective implementation and enforcement of these measures (Tiede 2025: 37-40). New rules must be supported by adequate staffing, expertise, funding and cooperation across institutions (de Sousa 2010: 15-18; UNDP 2015: 77-79).

Rebuilding prosecutorial capacity in the public prosecution service (and anti-corruption agency depending on the country's framework) is a central task in the first year. The UN secretary general's (2023) guidance note on transitional justice emphasises the importance of strengthening prosecutorial capacity for citizens to seek justice, repair harm and to guarantee non-recurrence of authoritarianism. To achieve this in terms of anti-corruption, it may require hiring or returning experienced investigators to restore expertise in forensic accounting, asset recovery and complex procurement cases. Research suggests that recruitment should be linked to a clear mandate and to the operational requirements of the wider justice system, rather than treated as a temporary expansion of one agency (de Sousa 2010: 15; UNDP 2015: 77-80).

The first year should also bring more transparent procedures for procurement, contracting, lobbying and asset declarations. Procurement information is particularly useful when it is released before, not after, contracts are awarded. This allows competing firms and other informed actors to identify irregularities while decisions can still be challenged (Bauhr et al. 2020: 495-500). Asset declaration and conflict of interest systems should clearly identify who must report, what information must be disclosed and how violations will be investigated and sanctioned. The UNDP treats the legal framework, administrative practices, oversight arrangements and sanctions as central dimensions for assessing these systems (UNDP 2015: 30).

Ensuring whistleblower protection is equally important in anti-corruption and oversight institutions, and all public bodies, in the first year. Evidence suggests that when democracy comes under threat, hostility toward whistleblowers and the erosion of non-partisan whistleblower protections often follow. This is particularly evident in populist contexts where political actors may seek to undermine the legitimacy of whistleblowing by blurring the distinction between fact and fiction and recasting independent disclosures as partisan interventions (Stanger 2020:3-4). Therefore, restoring whistleblower protection acts as a safeguard against further de-democratising attempts. Moreover, whistleblowers are integral to uncovering acts of corruption and therefore provide information to anti-corruption agencies that might be seeking to prosecute corrupt actors after the regime change.

Public bodies require internal reporting channels through which officials and employees can report wrongdoing without exposing their identities unnecessarily or placing themselves at risk of retaliation. For example, EU Directive 2019/1937 requires public sector entities to establish secure internal channels that protect confidentiality. It also prohibits retaliation including dismissal, demotion, disciplinary measures and transfers of duties.

Private sector research provides a useful organisational lesson. Lee and Fargher (2013) find that corporate whistleblowing policies may remain merely symbolic unless they are supported by credible reporting channels, organisational support and protection against retaliation (Lee and Fargher 2013: 283-287). Although this finding concerns companies rather than public institutions, it supports the broader organisational point that a written policy is insufficient if potential reporters do not trust the system.

At the system level, recent evidence from Europe also indicates that no single arrangement of whistleblowing authorities performs best in every setting. Instead, effectiveness requires clearly defined mandates, sufficient resources, coordination and genuine operational independence. This research covers national authorities whose responsibilities extend across public and private organisations (Ferro and Fraschini 2026: 5-6, 26-27).

While urgent reviews of existing leaders often occur within the first (approximate) 100 days' timeframe, scholars suggest the first year should address the permanent rules governing the appointment and removal of the heads and board members of oversight

institutions. Leadership positions in courts, prosecution services, audit bodies, regulatory agencies and anti-corruption institutions should be filled through transparent procedures (Di Mascio, Maggetti and Natalini 2020; de Sousa 2010). Leadership changes must also be planned in ways that preserve institutional expertise. In Slovakia, for example, preventive and law enforcement reforms after 2018 brought civil society reformers into politics and government. However, their movement also created staffing, leadership and coordination gaps (Guerzovich, Gattoni and Algosó 2020). This suggests new appointment procedures should be accompanied by plans for retaining expertise and maintaining organisational continuity (Guerzovich, Gattoni and Algosó 2020: 93-96).

Anti-corruption agencies in the first year

The above general principles should also be applied to specialist anti-corruption agencies as components of the wider justice and accountability system (de Sousa 2010: 14; UNDP 2015: 77). Reformers should clarify an agency's mandate, jurisdiction and case selection criteria and then align its recruitment, staffing and budget with those functions (de Sousa 2010: 14-18; Di Mascio, Maggetti and Natalini 2020: 374-375; Meagher 2005: 91-98; UNDP 2015: 77-79). Cooperation with law enforcement bodies, courts, audit institutions and financial investigators is also important because an anti-corruption agency cannot produce effective outcomes in isolation (de Sousa 2010: 14; Meagher 2005: 100; UNDP 2015: 77). Concentrating responsibilities in one agency may reduce coordination problems, but an excessively broad mandate can overstretch its resources and concentrate powers without adequate accountability (Meagher 2005: 91-100).

Italy illustrates the importance of aligning an agency's mandate, powers and capacity. Before 2014, the country's anti-corruption authority had incomplete powers and scarce resources. The appointment of Raffaele Cantone, a publicly respected former anti-mafia prosecutor without evident governing party affiliations, was followed by the transfer of additional responsibilities, resources and procurement oversight powers to the national anti-corruption authority. However, its growing mandate also generated expectations and responsibilities that exceeded its staffing and organisational capacity. The case also shows both the potential value of strengthening a specialist agency and the risk of expanding its responsibilities without corresponding investment in personnel, internal organisation and cooperation with the wider accountability system (Di Mascio, Maggetti and Natalini 2020: 383-386).

Longer term reforms

Longer term reforms should mainly focus on democratic consolidation. Reforms must become part of ordinary institutional practice and survive changes in the government that introduced them (de Sousa 2010: 17-18; Tiede 2025: 51-52). This is difficult because reform windows taper and blocking coalitions may reverse reforms that have already been adopted (Guerzovich, Gattoni and Algosó 2020: 14-16). Guatemala

illustrates this danger. UN backed CICIG investigations into government corruption and mass mobilisation opened a window in 2015. But political attacks, efforts to end United States support and CICIG's eventual closure allowed for the recapture of domestic accountability institutions by entrenched elites (Guerzovich, Gattoni and Algosó 2020: 78-86; Meléndez-Sánchez and Perelló 2024: 239-240). Long-term consolidation therefore requires reforms that can withstand the closing of the initial window and subsequent changes in political leadership.

Research suggests medium and long-term rebuilding should turn the legal changes adopted during the first year into normal institutional practice. The main goal is to ensure that courts, prosecution services and oversight bodies can work independently after the initial reform window closes (Tiede 2025). This requires a longer term perspective because political attention may decline, blocking coalitions may reorganise and reforms must be adequately staffed and resourced if they are to endure (Guerzovich, Gattoni and Algosó 2020: 15-16, 24-25).

After the initial removal of corrupted judges, a continued focus on the judiciary is important to uphold democratic oversight of the new government. Judges are better insulated from immediate political pressure when they have secure tenure and courts can review laws and executive actions against constitutional standards (La Porta et al. 2004: 446, 453-454). Independence also depends on how judges are appointed, promoted, assigned cases, transferred and disciplined. Appointment and promotion systems should use published criteria, provide reasons for decisions and permit independent review. Judges should also be protected against politically motivated transfers, disciplinary proceedings and blocked promotions (Gajda-Roszczyńska and Markiewicz 2020: 452, 455, 458-461).

The Council of Europe standards identify objective case allocation rules, adequate judicial resources and working conditions, merit based career decisions, protection against involuntary transfers and independent disciplinary proceedings as safeguards of judicial independence (Council of Europe 2011: 9-15) Long-term monitoring should examine how these safeguards operate in practice, rather than relying exclusively on formal guarantees.

For example, Poland under the leadership of the populist Law and Justice party (PiS) illustrates the importance of protection against these mechanisms. After winning the 2015 elections, the party began filling the constitutional tribunal (TK) with openly political appointments, compromising its independence (NFP 2025). The prosecution service was also placed under a minister of justice who simultaneously served as prosecutor general and could intervene in individual investigations (Adamska-Gallant 2022: 4-7).

This led to condemnation from both the European Court of Human Rights and the Court of Justice of the European Union (NFP 2025). Successful institutional rebuilding requires lawful procedures for reviewing disputed appointments and disciplinary decisions while ensuring the incoming majority does not reproduce partisan control. Ultimately,

external pressure from the European Commission, which withheld funds over the rule of law concerns, led to the PiS government rolling back some of its measures (NFP 2025).

While initial reforms may focus on strengthening prosecutorial capacity, ensuring prosecutorial independence over the longer term is a critical democratic safeguard. Prosecutors need protection from government interference, but independence should not mean freedom from oversight (de Sousa 2010: 13-14). South Korea's prosecution service combined broad investigative and charging powers with extensive discretion. It became an important anti-corruption actor, but it could also protect established interests and resist democratic control. Attempts to redistribute these powers consequently produced political conflict (Mobrand 2021: 263-264). This suggests sustainable longer term reform may require clearer divisions of responsibility, transparent case selection rules and independent reviews of prosecutorial decisions.

Similarly, North Macedonia's now-defunct special prosecution office illustrates the risk. Its former head, Katica Janeva, was sentenced to seven years' imprisonment for misuse of office after intervening in a prosecution in return for personal benefit (Marusic and Isufi 2024). The United States subsequently designated her for involvement in significant corruption, stating that she had solicited and accepted a bribe to influence a prosecution under her authority (Marusic and Isufi 2024). The case shows that concentrating substantial discretion in a special prosecutor must be accompanied by effective internal controls, transparent case management and independent oversight.

Administrative rebuilding is another important component for reformers to work towards in the longer term. The OECD recommends fair and open recruitment and promotion based on objective criteria and formal procedures, together with human resource systems that protect the professionalism of the public service from favouritism, nepotism and undue political interference (OECD 2017: Articles 7-11). Oversight bodies should also undergo periodic assessments that examine their independence, capacity, performance and relationships with other institutions (UNDP 2015: 27-30, 77-80).

Long-term rebuilding also has a democratic legitimacy dimension. Experiences of corruption are associated with lower support for the legitimacy of the political system (Seligson 2002: 423-425). Evidence from post-communist societies indicates that trust in political institutions is shaped substantially by citizens' assessments of institutional performance, including perceived corruption and fairness (Mishler and Rose 2001). Trust is therefore both an outcome of institutional repair and an element of longer term democratic consolidation. It gives citizens stronger grounds for regarding institutional constraints as legitimate when political power changes hands.

Once formal coordination arrangements have been established, long-term assessment should test whether they function in practice. This can include tracing whether cases can move effectively from detection and audit to investigation, prosecution, adjudication and recovery, while also preserving the independence of each institution (UNDP 2015: 77-80).

However, formal oversight institutions such as the judiciary and anti-corruption agencies are only one part of the longer term accountability system. The following section considers the complementary roles of independent media and civil society which function as an accountability mechanism where they hold the government accountable through the spread of information, publicity, protests and other forms of engagement (Walsh 2020).

Independent media and civil society

Rebuilding state institutions is unlikely to succeed without independent actors outside government. Investigative journalists, civil society organisations, researchers and social movements can expose capture, monitor the reform process and keep public attention focused after the initial political opening begins to fade. Their role is not to replace courts, prosecutors or audit bodies. Instead, the information and pressure they generate can activate or reinforce formal accountability mechanisms (Laebens and Lührmann 2021: 908-909; UNDP 2015: 27).

The disclosure and reporting rules matter only if non-state actors can obtain, understand and use the information. The United Nations Convention against Corruption (UNCAC) calls on states to ensure effective public access to information and to enhance transparency and public participation in decision-making (United Nations 2004: Articles 10 and 13). OECD standards call for transparency and stakeholder engagement throughout the political process and policy cycle, including access to information and opportunities to contribute to policy design and implementation (OECD 2017: 9). Effective right to information systems require regular disclosure, functioning records and information management procedures, and accessible processes for requests and appeals (UNDP 2015: 22-25). Applied to post-capture rebuilding, these principles support public scrutiny of appointments, procurement decisions, budgets and judicial reforms.

Journalists also play an essential role in exposing the networks behind individual corruption allegations from the previous regime and in raising awareness to support longer term reforms. In South Africa, amaBhungane and Daily Maverick's Scorpio analysed the #GuptaLeaks⁵ material and helped connect ministerial appointments, procurement and contracts at state-owned enterprises, Gupta owned businesses and the Zuma presidency within a wider system of state capture (Guerzovich, Gattoni and Algosio 2020: 98-103).

Civil society organisations can compare official promises with implementation, raise concerns about conflicts of interest and challenge decisions through administrative or legal procedures (UNDP 2015). Research also suggests that soft law can be an effective

⁵ The #GuptaLeaks investigations include stories that expose political corruption by the Zuma administration and suggest that the Gupta family captured the South African state (Gupta Leaks n.d.).

mechanism for promoting compliance as monitoring by international non-governmental organisations and the reporting of violations can increase pressure on governments to meet their obligations under international and domestic frameworks (Tiede 2025: 42).

In Czechia, Million Moments for Democracy (MMD) used petitions and public mobilisation to press Andrej Babiš, leader of the ANO party, to honour his democratic commitments and kept allegations of corruption and conflicts of interest on the public agenda (Perevezentseva 2025: 7-8). Public protests organised by an MMD social media campaign happened in hundreds of cities and towns (Guasti 2020: 480). Although these did not lead to Babiš's resignation, they helped impede further erosion of accountability mechanisms, and the leaders of MMD met with leaders of five democratic political parties to discuss policies with them (Guasti 2020: 479-481). Indeed, later research suggests that the movement also encouraged opposition parties to cooperate while they mobilised voters and facilitated the subsequent electoral defeat of ANO in 2021 (Perevezentseva 2025: 7-8).

Moreover, these actors need more than formal freedom to operate. Guerzovich, Gattoni and Algoso (2020: 23-24) identify four recurring needs: technical knowledge, political strategy, strong networks and organisational capacity.

Slovakia illustrates how investments in these capacities can support action when a reform window opens. Between 2013 and 2018, the Fund for Transparent Slovakia provided institutional support and grants that helped stabilise an endangered community of anti-corruption and watchdog organisations. Following the murders of Ján Kuciak and Martina Kušnírová, journalists collaborated and shared information to complete Kuciak's investigations. Established civil society organisations supplied the organisers of For a Decent Slovakia with logistical, technical, communications and political strategy support. Existing domestic and international networks enabled informal joint analysis and a division of labour among journalists, activists and established organisations (Guerzovich, Gattoni and Algoso 2020: 61, 88-97). The case suggests that relationships and organisational capacity developed before an opening can determine how quickly reformers are able to respond, although these capacities still require support as the window begins to close.

Hungary offers a complicated example of independent media operating in a country with closing civic space. State institutions and much of the media system during Orbán's tenure were brought under government influence. For example, in a recent civil society led rule of law analysis in Hungary, the authors also noted that screen time allocation in public television between February and July 2025 between pro-government and opposition politicians was 73% and 27% respectively (Amnesty International Hungary 2026: 58). Additionally, the proposed Transparency on Public Life bill would silence independent journalists and, surrounding this, a narrative was perpetuated that foreign-funded journalists threatened national sovereignty (Amnesty International Hungary 2026:66). Still, media initiatives focused on corruption continued to limit the government's control over information. Among few independent outlets, HVG's investigation of plagiarism allegations contributed to President Pál Schmitt's resignation

in 2012; Direkt36 exposed the government's use of Pegasus spyware against journalists and opposition figures in 2021; and 444 helped expose and sustain public attention on the pardon scandal (Mérték Media Monitor and Rule of Law Lab 2026: 11-12).

Some local governments also supported critical outlets. Following opposition victories in the 2019 municipal elections, Budapest introduced participatory budgeting, while other districts expanded cooperation with civil society organisations and citizen participation mechanisms. These initiatives provided citizens with a more direct role in local decision-making (Oross and Kiss 2023: 558-559). Still, the central government's reduction of municipal powers and financial resources ultimately limited the ability of opposition led local governments to constrain national autocratisation (Enyedi and Mikola 2024: 39-44).

External support

External actors can help domestic reformers rebuild institutions. Organisations such as the EU, Council of Europe, OECD, UNODC, World Bank, IMF and OAS can provide expertise, funding, monitoring and political protection. However, they cannot be a substitute for domestic political support or local knowledge. Guerzovich, Gattoni and Algosó suggest that external assistance should be designed around the agency and priorities of reformers working inside the country (Guerzovich, Gattoni and Algosó 2020).

Technical assistance can include access to specialists in legislative drafting, judicial proceedings, forensic finance and data analysis (Guerzovich, Gattoni and Algosó 2020: 23-24). Because implementation also depends on knowledge of local legislative, regulatory and administrative processes, specialist knowledge needs to be combined with expertise grounded in the country concerned (Guerzovich, Gattoni and Algosó 2020: 24-25, 72-73). External organisations can act as knowledge brokers by helping officials and civil society groups locate, interpret and adapt relevant guidance. This may include maintaining networks or rosters of experts who can be mobilised when a reform window opens (Guerzovich, Gattoni and Algosó 2020: 63-65).

In Slovakia, for example, one government reformer sought to bring individuals with connections to the OECD, GRECO and the EU into the team to improve access to specialised knowledge (Guerzovich, Gattoni and Algosó 2020: 50). In Guatemala, regional initiatives such as the OAS OpenGov Fellowship connected younger reformers with wider professional networks (Guerzovich, Gattoni and Algosó 2020: 50).

External support may also include flexible funding, communication advice and protection against legal, physical, digital and psychosocial threats. These needs often become urgent during a reform window when established organisations face new responsibilities and increased attacks (Guerzovich, Gattoni and Algosó 2020: 62-75).

Conditionality provides a different form of external influence. It refers to arrangements under which access to a benefit depends on compliance with specified reforms. For EU

candidate countries, progress towards membership, pre-accession assistance and the eventual reward of accession may be tied to political and regulatory benchmarks. Its effectiveness depends on the size and proximity of the reward, the clarity of the conditions, the credibility of the EU's promise or threat and the domestic costs of compliance (Schimmelfennig and Sedelmeier 2020: 816-818).

In EU member states, financial conditions may be attached to particular funding instruments or imposed under the rule of law conditionality regulation when rule of law breaches affect or seriously risk affecting the EU budget (European Union 2020: Articles 4-5). Under the recovery and resilience facility, payments to member states are similarly dependent on satisfactory fulfilment of agreed milestones and targets (European Union 2021: Articles 19, 24).

Hungary provides an example of financial conditionality directed at anti-corruption and oversight arrangements. In 2022, the government notified 17 remedial measures in response to the EU conditionality procedure. These included establishing the Integrity Authority and Anti-Corruption Task Force (ACTF), strengthening audit and control mechanisms, and introducing procurement transparency reforms (European Commission 2022: 3-13). However, the necessary regulatory amendments to secure a dedicated budget for the ACTF have not materialised and government commitment has been limited (Amnesty International Hungary 2026:38).

As significant risks persisted, the EU suspended 55% of its commitments to Hungary under three cohesion programmes, amounting to approximately €6.3 billion (European Commission 2024:36-37; Council of the European Union 2022). This example demonstrates both what clear institutional conditions can encompass and why compliance needs to be assessed in practice rather than solely through the adoption of formal measures.

Evidence from IMF and World Bank arrangements concerning illicit finance reinforces this point. Conditions may produce new laws or formal systems without ensuring effective implementation, particularly when recipient governments lack political ownership or the institutional capacity to carry out reforms. Hence, research suggests that conditionality should be aligned with local circumstances and technical assistance, and assessments should examine implementation rather than formal compliance alone (Bergin 2024: 9-11).

Hungary and Poland show both the value and the limits of external European legal pressure. European institutions documented threats to judicial independence and other checks on executive power, and litigation produced important judgements and interim measures. Nonetheless, responses were often delayed, and Article 7⁶ procedures were constrained by demanding voting requirements and governments' willingness to shield one another from sanctions (Pech and Scheppele 2017: 12-13, 28-29). Subsequently,

⁶ Article 7 empowers the EU to monitor and eventually subject any of its member states to sanctions in situations of serious and persistent breach of the values laid down in Article 2 TEU, one of which is rule of law (Scheppele and Morjin 2025:2).

financial pressure prompted both governments to adopt measures presented as responses to rule of law concerns. Poland replaced its disciplinary chamber with the chamber of professional responsibility, although politically compromised judges could still play a role (Scheppelle and Morijn 2025:485). Hungary created an integrity authority and adopted an anti-corruption programme, but with limited effectiveness due to a difficult institutional environment (Scheppelle and Morijn 2025:487). Scheppelle and Morijn (2025) argue that EU institutions subsequently released funds before reforms had generated demonstrable and sustainable changes in practice.

External support is more likely to weaken capture when it strengthens domestic institutions and reform supporting coalitions rather than concentrating on formal alignment alone. Richter (2023), for example, stresses the importance of consistent commitments, independent audits and engagement with domestic civil society in post-war Ukraine. A comparative analysis of Romania and Serbia similarly suggests that EU involvement was more effective in weakening capture when it strengthened domestic economic institutions and helped create new reform supporting coalitions (Vukov 2025: 3059-3062, 3073-3080). More generally, research suggests that external support depends on either domestic willingness to implement change or the ability of external actors to strengthen actors that benefit from reform (Mungiu-Pippidi 2020). This helps explain why the EU's conditionality frequently loses influence after membership removes the principal external reward (Kartal 2014).

Guatemala illustrates both the potential and the limits of external involvement. The UN backed CICIG worked with national prosecutors to uncover high-level corruption. Its investigations helped open a wider reform window in 2015 as support from international actors reinforced domestic protests and civil society demands. Nonetheless, CICIG depended on cooperation from domestic institutions and continued international support. When political resistance increased, Commissioner Iván Velásquez was declared persona non grata, support from the United States weakened and CICIG eventually closed its offices in 2019. External support had strengthened domestic accountability but it could not preserve the reform process without a durable national coalition (Guerzovich, Gattoni and Algozo 2020: 78-87).

External assistance can therefore expand the resources and political opportunities available to reformers, but it cannot remove the legal and political tensions involved in rebuilding captured institutions. The following section examines those trade-offs.

Trade-offs

The preceding sections identify measures that may contribute to institutional rebuilding. Implementing them, however, involves choices between objectives that may pull reformers in different directions.

The first trade-off concerns urgency and legality. Post-capture reform must begin before the political window of opportunity closes (Guerzovich, Gattoni and Algosó 2020: 14-16). However, corruption cases during this time should remain subject to ordinary procedural safeguards and equivalent judicial scrutiny (Camacho Garland and Gverdtsiteli 2026: 13). Elected officials should avoid public declarations or use inflammatory media narratives before firm convictions as these tactics often pave the way for broader erosion of the rule of law (Camacho Garland and Gverdtsiteli 2026: 13-14).

A second related trade-off concerns enforcement, prosecutorial independence and due process. Investigators require sufficient autonomy to pursue politically connected suspects, but independence cannot mean freedom from evidentiary rules, review or accountability. Brazil's landmark anti-corruption probe, Operation Car Wash (also known as Lava Jato), shows how judges and prosecutors, celebrated as anti-corruption champions, may come to treat due process and existing legal constraints as obstacles to a supposedly greater objective. Investigators pushed legal boundaries and sometimes subordinated due process to the imperative to prosecute (de Sá e Silva 2020: S93; Mészáros 2020: S57). Subsequent assessments documented judicial findings of partiality, unlawful collaboration between prosecutors and the principal judge, and controversial investigative tactics (Dominguez 2025: 29-30). The case suggests anti-corruption efforts can lose legitimacy when the objective of securing prosecutions overrides impartiality and procedural safeguards.

The third trade-off concerns the breadth of enforcement and the sustainability of reform. Investigating powerful networks requires sequencing investigations to avoid exhausting institutional capacity or consolidating an opposing coalition. Guatemala illustrates this tension: CICIG extended investigations to illicit campaign financing involving the previous president and members of the traditional elite (Guerzovich, Gattoni and Algosó 2020: 78). Civil society participants, journalists and activists criticised CICIG for prioritising high-impact cases and confronting multiple corruption structures simultaneously rather than pursuing gradual gains (Guerzovich, Gattoni and Algosó 2020: 82). As the window closed, resistance against prosecutors, judges, journalists and civil society activists intensified (Guerzovich, Gattoni and Algosó 2020: 84-85). The trade-off here was between maximising accountability by simultaneously investigating multiple powerful networks during a limited political opportunity and sequencing investigations more narrowly to preserve institutional capacity and avoid provoking a broad counter-reform coalition.

The fourth trade-off concerns external leverage and domestic ownership. Strong international conditions can create leverage for reform, but an emphasis on adopting laws or creating agencies may encourage formal compliance without effective implementation. Requirements that disregard institutional capacity or lack domestic ownership may also prove difficult to sustain (Bergin 2024: 9-11). National leaders can present external monitoring as an attack on the country (Mungiu-Pippidi 2020). This can give populist parties an opportunity to present themselves as defenders of national dignity (Kartal 2025: 1438-1439). The trade-off is therefore between making external conditions strong and specific enough to influence government conduct and ensure that reform is supported by domestic institutions and constituencies capable of sustaining it. Implementation based assessments, credible conditions and partnerships with legitimate domestic reform actors can help reconcile these objectives.

Public communication can help reformers manage these trade-offs. For example, South Africa's Zondo Commission provides a constructive example of procedural transparency. Its 429 days of public hearings were televised and livestreamed, and transcripts were usually uploaded to the commission's website the following day. This enabled citizens, journalists and civil society organisations to follow the evidence and proceedings rather than relying solely on government claims about progress (Pillay 2022: 2-3). Ongoing public communication campaigns on the progress of reforms are integral to continue public support and strengthen trust in democratic processes.

These trade-offs do not justify delay or inaction. They show why post-capture reform must combine urgency with legality, enforcement with due process, institutional independence with oversight and external leverage with domestic ownership. The objective is not merely to displace one political network but to establish rules and institutions capable of constraining both former incumbents and the reformers who replace them.

Conclusion

Political turnover can open a reform window to reverse institutional capture, but it does not automatically dismantle the rules and networks embedded in the captured system. The cases examined in this Helpdesk Answer indicate that post-authoritarian anti-corruption reform is most likely to be successful when reformers move from personalised accountability to institutional resilience. Holding individuals responsible for past corrupt behaviour is important, but rebuilding institutions capable of applying the rule of law equally to former incumbents, their successors and the reformers themselves is crucial for sustained reforms.

Research suggests that the reform window has no fixed duration and should not be equated with either the first 100 days or the first year. Those periods provide benchmarks for organising reform priorities. In practice, diagnosis, stabilisation, capacity building and longer term consolidation may overlap. Additionally, public support for reforms can fade or captured networks can reorganise at different speeds.

Still, the cases examined show why urgency cannot displace legality. Due process and independent review distinguish institutional repair from a partisan purge. Reforms based on exceptional powers or selective enforcement may replace one system of political control with another.

Successful reforms also depend on how checks and balances are dispersed. While anti-corruption bodies can play an important role, scholars show that they should not replace independent courts, prosecution bodies, legislatures, professional civil servants, media outlets and civil society. Instead, reforms are more likely to be successful when these organisations are autonomous and capable enough to check one another.

Research on external institutions suggest that actors like the EU, GRECO, IMF and the UN are most effective when they strengthen this domestic ecosystem. They can do so by offering legal and technical expertise, flexible funding and coalition building, instead of replacing domestic capacity or political ownership.

Reforms are successful if institutions continue to apply rules consistently and effectively even after the reform window closes. Importantly, the ultimate objective is not simply removing a captured network: it is to make the state more difficult to capture again.

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