



## FIGHTING CORRUPTION IN EUROPE

Summary of the breakfast of Thursday 28 November 2019

Corruption corrodes democracies around the world and Europe is unfortunately not immune to this plague. Even if member states put in place most of the necessary legal instruments to prevent and fight corruption, anti-corruption rules are not always adequately enforced. What's worst, corruption knows no geographic boundaries. Just think of the recent cases of foreign electoral interference by funding of some European political parties.

To improve the capacity of states to fight corruption domestically and at international level, the Council of Europe has developed a number of multifaceted legal instruments dealing with matters such as the criminalisation of corruption in the public and private sectors, liability and compensation for damage caused by corruption, conduct of public officials and the financing of political parties.

- ? What should be done more to effectively prevent and fight corruption?
- ? How the anti-corruption body of the Council of Europe operates in this field?
- ? How could European institutions and the Council of Europe coordinate more their anti-corruption strategies?

We tried to answer these questions with the help of:

**Gianluca Esposito**, executive secretary of the Group of States against Corruption (GRECO) of the Council of Europe. GRECO monitors member states' compliance with and effective implementation of the Council of Europe anti-corruption standards (it comprises all European countries and the United States of America).





The GRECO is the anti-corruption body of Council of Europe. It is very much focused on public sector and it accomplishes its mission by carrying out evaluations by country. All European countries (from Russia to Iceland, from Turkey to Portugal) and the United States are part of this process.

As Mr Esposito explained, the GRECO organises its evaluation cycles as follows: it chooses a topic and then it evaluates every country on this topic. That's what this agency has been doing for the last 20 years.

Since 2007, the GRECO is focusing on political corruption, which includes, among other things, corruption in the financing of political parties and electoral campaigns, and corruption prevention for the elected officials and other high-ranked public servants.

Once that the GRECO concludes its evaluation, countries have a time span of 18 months to comply with the recommendations. At the end of this period, GRECO officials go back in the country to inquire about what has been done. And they do that almost every year. "This is actually an extremely effective mechanism, because it allows us to put a steady pressure on states and make them implement our recommendations", declared Gianluca Esposito.

The GRECO has also the power to carry out ad-hoc evaluations, i.e. it can evaluate any country, on any topic, when it feels that there is a risk of a violation of its anti-corruption standards. "Ad-hoc evaluations are a very powerful tool, that we use with a lot of moderation, because they can quickly turn into a political tool. Our evaluations are fundamentally technical", explained the secretary general of the GRECO.

“**Preventive measures are more powerful than repressive measures. If you manage to stop corruption before it actually rises, everybody is much better off**”

Mr Esposito presented two main conclusions stemming from the GRECO evaluations:

- 1.** Do not underestimate the strength of preventive measures: when people think about corruption, they always think about sanctions. However, "In the GRECO we believe that preventive measures are more powerful than repressive measures", stated Mr Esposito, "If you manage to stop corruption before it actually rises, everybody is much better off. We always advise elected officials to have a code of conduct, to manage the conflicts of interest, to be clear about the relationship with lobbies, to manage the issue of gifts; these may seem to be weak measures but they are not, because if you manage to deal with these issues, three-quarters of corruption situations will be avoided".
- 2.** No one is immune to corruption. Corruption is not about nationality; it has to do with the integrity of the persons concerned, wherever they are.

Looking at the state of the collaboration between the European Union and the Council of Europe in this field, Gianluca Esposito pointed out that "for twenty years there was no relation between the European Union and the GRECO. However, in July 2019 the European Union became an observer of the Council of Europe's anti-corruption body".

As an observer, the European Union is now invited to take part in all GRECO meetings, and its representatives have access to the documents being discussed. While the EU has not a formal vote in the body, the acquisition of observer status does not preclude the possibility of full membership at a later date.

"Even if the EU is now able to participate in our activities, it is not subject to evaluation because it is only an observer", specified Mr Esposito.



Asked about the constraints that anti-corruption rules put on the financing of political parties, Mr Esposito put the emphasis on transparency.

“We know that campaigns require funding to operate and it’s fine. But this has to be transparent. The public needs to know who is funding political parties. There are rules that are made for transparency purposes and most countries have these rules in place. But there are also increasingly new ways to go around these laws. In this regard, I bring two examples: foreign funding and crowdfunding on the internet. Our rules do not cover these domains. When they were written, online crowdfunding did not even exist. That’s why we need to adjust them to a rapidly changing reality”.

In any case, when it comes to financing of political parties or electoral campaigns, transparency is the key. “Beside regulation we need transparency, because if interest groups try to influence too much politicians and this becomes public, the population will react”, concluded Gianluca Esposito.



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