What can the EU effectively do about corruption?

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Special session 2 – Lessons learned from EU anti-corruption policy

European Commission
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What can the EU effectively do about corruption?

Outline of this presentation

1. What do the citizens think? - Main findings of special Eurobarometer survey on corruption 2008

2. The role of the EU in fighting corruption

3. What can be done? - Improvement of coordination with EU Member States in the field of anti-corruption
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Living in an area of freedom, security and justice
What can the EU effectively do about corruption?

1 – Corruption a major national problem?

On average, 3 out of 4 Europeans agree that corruption is a major problem in their country (75%) - Slight increase over 2005 value - Clear N/S divide

Question: QB1.1. For each of the following statements, could you please tell me whether you totally agree, tend to agree, tend to disagree or totally disagree with it.

Option: Corruption is a major problem in (OUR COUNTRY)
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1 – Corruption – at what level?

On average, 77 % of European Union citizens agree that there is corruption at the national level,

75 % are of this opinion when it comes to local institutions,

and 73 % think this applies to regional institutions.

(Values increased for ES, IT and HU while public opinion improved most significantly for MT, NL, PL and SE when compared with 2005 data.)
EU citizens are inclined to believe that

- *national politicians* are corrupt (46%)
- *officials awarding public tenders* are corrupt (43%)
- *officials issuing building permits* are corrupt (42%)

A majority of citizens (54%) believe that *corruption is caused by organised crime.*
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1 – How was the study carried out?

Survey data was collected between November 2007 and January 2008. A total sample of 26,730 persons was interviewed in the 27 EU MS.

An earlier poll (Special Eurobarometer 245) had been carried out in November – December 2005 in the then 25 EU MS.

Detailed report is available here: http://ec.europa.eu/public_opinion/archives/eb_special_en.htm

The data is in line with latest TI CPI (September 2008) scores.

DG JLS receives about one Parliamentary Question on corruption per month and slightly more than one letter from a EU citizen on the subject per week (2008 year-to-date data).
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2 – The role of the EU

Milestones:

Corruption was first (only !) addressed at EU level in relation to the protection of the EU’s financial interests in 1995 (i.e. 13 years ago).


- 1997 Communication of Union policy against corruption, suggesting range of measures (banning of tax deductibility of bribes, rules on public procurement, blacklists …)
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2 – The role of the EU

Milestones:

- **2000** Millennium Strategy on Prevention and Control of OC – need for instruments approximating nat. legislation, multi-disciplinary EU policy against corruption

MS were encouraged to ratify all relevant intern. instruments

- **2003** Commission Communication on corruption:

MS urged to swiftly enact all supranational and international anti-corruption instruments (EU, OECD, CoE), inclusion of ten general principles in nat. A/C strategies
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2 – The role of the EU

Milestones:

- **2003** FWD on corruption in the private sector requiring MS to make active and passive corruption in the private sector a criminal offence

- **2005** Council Resolution on comprehensive EU policy against corruption

  “As regards the mechanism for evaluating and monitoring the application of international anti-corruption instruments, the Council calls on the Commission to consider all viable options, such as participation in the Council of Europe's GRECO mechanism, or a mechanism to evaluate and monitor EU instruments in relation to the development of a mutual evaluation and monitoring mechanism.”
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2 – The role of the EU

Current issues:

- **2007** COM report on FWD implementation
- **2008** Council adopted a decision that will allow EC to ratify UNCAC swiftly

COM launched a study to examine links between OC and corruption

24.10.2008: Council adopted decision on EU A/C network
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2 – The role of the EU

Challenges:

- Corruption is principally a third pillar matter

What does this mean ???
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The EU's Multi-Level System

**Supranational level**
- European Council, Council of the EU, Commission

**National level**
- Member states: government, parliament, parties, associations, public opinion, etc.
- etc.

**Sub-national level**
- Regions, federal states, municipalities, départements, etc. within the member states
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The pillar structure

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<th>European Union</th>
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<td><strong>First pillar:</strong></td>
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**EC**
- Common policies:
  - Agriculture, fisheries
  - Trade
  - Transport
  - Customs union and internal market
  - Economic and monetary policy
  - Industrial policy
  - Regional policy
  - Policy to strengthen economic and social cohesion
  - Employment and social policy
  - Energy
  - Research and development
  - Environment
  - Consumer protection
  - Culture
  - Audiovisual policy
  - Public health
  - Education, training and youth
  - Trans-European networks
  - Development aid
  - Competition
  - Taxation and approximation of laws
  - Judicial cooperation in civil matters
  - Citizenship of the Union
  - Asylum and immigration
  - External borders
  - EURATOM

**Foreign policy**
- Cooperation, common positions and joint actions
- Peacekeeping
- Human rights
- Democracy
- Aid to non-member countries

**Security policy**
- With the support of the WEU: questions concerning the security of the EU
- Disarmament
- Economic aspects of armament
- In the long term: European security framework
- Judicial cooperation in criminal matters
- Police cooperation
- Combating racism and xenophobia
- Fighting drugs and the arms trade
- Fighting organised crime
- Fighting terrorism
- Combating criminal acts against children and trafficking in human beings
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2 – The role of the EU

• MS are responsible to implement strong anti-corruption instruments, to ratify applicable international conventions

• EU can coordinate, contribute, fund

• EU has no instrument – except for Coordination and Verification mechanism in the case of BG and RO – to check state-of-play of national anti-corruption measures

• crucial issue for subsequent enlargements (Croatia pp.)
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1. Main findings of special Eurobarometer survey on corruption 2008

2. The role of the EU in fighting corruption

3. What can be done? - Improvement of coordination with EU Member States in the field of anti-corruption
Various possibilities:

• via the establishment of EU anti-corruption network (initiative launched in 2005, approved by Council on 24.10.2008)

• via commissioned research into the subject matter
  • e.g. study on links between OC and corruption, results expected in autumn 2009

• via Public Administration Reform (good governance) in enlargement countries (but monitoring / oversight ???)
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3 – What can be done?

Various possibilities

• if MS support can be obtained: by implementing a genuine EU-wide evaluation and verification mechanism on anti-corruption measures in the MS

• supporting joint trainings (EUROPOL/CEPOL/OLAF) in the field of corruption

• further simplifying the use of JITs in anti-corruption investigations

• Improved coordination of all stakeholders (WB, OECD, UN, EU, MS A/C agencies, NGOs pp.)
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Something to consider...

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Something to consider ...
Thank you for your attention!