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**High-level Conference
on the occasion of
GRECO's 10th Anniversary**
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CONCLUSIONS

presented by Wolfgang RAU
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CONCLUSIONS of the conference

I would like to start by highlighting a few **general points** in light of the conference's proceedings. I will then briefly add several remarks concerning challenges relevant to the future of GRECO and the whole anti-corruption community.

1. GRECO and other international and domestic players can take credit for making decision-makers and ordinary citizens aware of the existence of corruption and the damage it causes in particular for the poorer strata of society. Peer review is an essential asset in this process as stressed during the first session of the conference.

As a consequence, attitudes in many of our member States have moved towards a more healthy intolerance of corruption, including in countries which in the past thought of themselves as being "corruption free".

In this connection the OECD's Global Awareness Raising Campaign which will be launched on International Anti-corruption Day on 9 December is a particularly timely initiative.

2. The first session of the Conference has highlighted once again – if such emphasis is needed – that prevention and law enforcement are complements and not alternatives.

Preventive efforts will be vain if they are not backed up with determined action to counter impunity for abuses of official position (which corruption ultimately represents). Fighting impunity is essential for the legitimacy of the political system, and so is a determined preventive approach. Cooperation with civil society is also of crucial importance in this context.

3. As has been emphasised by various speakers, GRECO's pioneering venture of looking into political financing during its ongoing Third Evaluation Round, has proved to be a most valuable and unique initiative. Dodging addressing this matter at domestic level will no longer be possible.

It will certainly be difficult for a number of members to implement GRECO's recommendations within a short period of time. But GRECO's transparency model entails concrete benchmarks – at European level – which policy-makers need to bear in mind when dealing with this issue.

4. There is no lack of good advice available to countries in Europe and beyond. All organisations represented at this Conference are involved in this endeavour. However, I would like to recall the appeal made by Drago KOS, GRECO's President, for a collective effort to be made in order to ensure that the international anti-corruption movement does not paralyse itself, by duplicating efforts, setting conflicting standards and subjecting member States to ever-increasing reporting duties; this will only jeopardise the effectiveness of the fight against corruption.

This was also one of the concerns clearly expressed during Round Table 1. In this connection, consideration should be given to establishing an informal Forum of major anti-corruption monitoring bodies where these matters could be discussed more concretely.

I would now like to turn to some of the **challenges** to be addressed.

1. More needs to be done to ensure that anti-corruption principles recognised and implemented at national or central level are also applied and enforced at sub-national levels, in particular in the town halls.

This calls for proper assessment at domestic level and, to the extent practicable, monitoring through established international bodies.

2. Implementation support and technical assistance remain crucial. Such support must be further developed in order to help translate the results of monitoring, and the relevant recommendations in particular, into sustainable practical achievements. However, it goes without saying that national authorities have the ultimate responsibility for acting on the results of such monitoring.

It is also imperative to mobilise other domestic actors to contribute to the practical implementation of relevant standards and recommendations. National parliaments and NGOs could certainly make – and should make – a useful contribution.

3. As emphasised by several speakers, including the Deputy Secretary General and the Commissioner for Human Rights of the Council of Europe, there should be greater recognition of the fact that corruption, and other types of abuse of power and position, often undermine the fundamental civil and political rights enshrined in the European Convention on Human Rights. Acknowledging and advertising this link will add even more legitimacy and credibility to the fight against corruption.

Fundamental values, such as the independence of the judiciary, the right to a fair trial and the prohibition of discrimination are examples of areas of common concern. By the way, is it a coincidence that International Anti-Corruption Day on 9 December is followed, on 10 December, by International Human Rights Day?

4. It is clear from Round Table 2 that corruption in the private sector and lobbying merit more attention; this need is all the more evident as the enduring financial and economic woes create powerful incentives for flouting the rules of the game.

Regarding private sector bribery in particular, evidence collected by GRECO and other organisations (including the European Commission and the International Chamber of Commerce) strongly suggests that both the transposition of international standards and their practical implementation could well be seen as disappointing.

This concerns at Council of Europe level Articles 7 and 8 of the Criminal Law Convention on Corruption (ETS 173) and in the European Union context the Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector.

Turning to lobbying, one has to be aware that there is not much legislation available in Europe to clarify the issue. There is probably no consensus either on whether the matter should be dealt with through self-regulation by the lobbying profession or be subject to mandatory regulation by lawmakers. It is safe to assume that the self-regulatory approach suits the lobbyists; whether such an approach will dispel a widespread impression that lobbyists circumvent the principles of parliamentary democracies and that politicians can be “bought” is less sure.

In this context, let me just mention a recent initiative by the Parliamentary Assembly of the Council of Europe which aims at the elaboration under the auspices of the Council of Europe, of a European Code of good conduct in this field. It is to be hoped that this interesting proposal will lead to tangible results in the not too distant future.

5. As stressed by Jane LEY during Round Table 2 it would be timely for GRECO to pay attention to the critical issue of conflicts of interest regarding elected representatives. Irrespective of their special relationship with their electorate and their party, they also have a wider responsibility which requires integrity, transparency and convincing standards of accountability. This matter should be explored in the context of GRECO's Fourth Evaluation Round. In this regard, I would also like to recall a point highlighted by Secretary of State Michael LEUPOLD, who said that the evaluation of the concrete application and of the effectiveness of measures taken by States should continue to play an important role in future evaluation rounds.

Let me conclude these remarks by stressing – from the point of view of the Secretariat – that all the impressive work carried out over the last 10 years would not have been possible without the active commitment of your countries' representatives in GRECO and your evaluators. They, as well as the commitment of your countries to fight corruption and to accept international scrutiny of your endeavours, constitute the backbone of the whole process.

Thank you for your attention.