

## **Session II: Where to next? Vision for the future**

### **“A renewed public policy perspective”**

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I am very pleased and honoured to be here on this important occasion marking the 20th Anniversary of the GRECO. First of all, I would like to express my sincere gratitude for this invitation and for all the extraordinary work that the GRECO has done in the past two decades.

As a member of the Italian Chamber of Deputies over the last few years, I can easily attest to the importance of the GRECO: without its commitment and its support, my country, Italy, and the Italian Parliament would not have been able to improve national legislation and its rules in order to have more transparency and to pay increased attention to the integrity of institutions, politicians and public officials. Thanks to this close cooperation, based on an initiative of the Italian Delegation, the Chamber of Deputies was able to adopt the first Code of Conduct in its history. Of course, this instrument has a limited power and it is far from being sufficient/a fully satisfactory answer: nevertheless, it is a good step in the right direction.

As a member of the Parliamentary Assembly of the Council of Europe for the past few years and President of the PACE last year, I had a new and greater opportunity to appreciate the invaluable contribution of the GRECO to the fight against corruption, outside this house and within it. As you all know, our Assembly had to face serious allegations of corruption against some of its members. The Assembly reacted immediately and decided to revise its rules and codes of conduct and to establish an independent investigative body. Once more, the GRECO was decisive and demonstrated its capability of supporting not only national parliaments, but also international parliamentary assemblies.

Finally, let me add one more element. Being a university professor and participating in a number of academic initiatives – including research and educational projects, professional trainings – I have cooperated with a number of international organizations such as the OSCE-ODIHR and the OECD. On this basis, I can say that the guidelines, the procedures and the standards elaborated and implemented by the GRECO are always regarded as top level. For all these reasons, after 20 years of intense activity, I believe that the Council of Europe can be more than proud of this important institution and its excellent reputation.

The title of this second session is “Where to next? Vision for the future” and I have been asked to present some reflections on “a renewed public policy perspective”. I will summarize my reflections in five points.

1. My first point for the future is “Go ahead. Don’t give up”. The present anti-corruption strategies need to be developed and implemented, not stopped or weakened. At the public policy level, in many European countries we see huge pressure on governments and parliaments, aimed at softening the impact of anticorruption measures, sometimes changing the legislation, sometimes weakening the anticorruption institutions, sometimes creating new obscure zones without the necessary transparency.

This pressure comes from social groups, which do not like open, merit-based competition. Their power and their wealth depend on hidden privileges or personal relationships or secret negotiations and therefore they do not accept open mechanisms with equal opportunities for everybody. They justify their vision by saying that open and transparent competition weakens local communities, strengthens multinational enterprises, creates deep inequalities and consequently is unjust and finally undemocratic. These groups consider the fight against corruption as an instrument of international elites for the exploitation of national and local communities.

It is easy to understand why sovereignist propaganda can find excellent allies in these kind of arguments. As we all know from our past history, sovereignism has a twofold dimension: on the one hand, sovereignists claim absolute sovereignty in the field of foreign relations, rejecting the influence of supranational law, jurisdiction and the importance of international organizations; on the other, they claim absolute power at the domestic level, rejecting the primacy of the rule of law. Sovereignism means protectionism and a possible regression towards feudal societies and paternalistic States.

Now we are at a turning point in the European constitutional history. Are we building stronger liberal and internationally integrated societies or illiberal and nationalistic pseudo-democracies? As European history shows, the fight against corruption has a lot to do with the building of States. Impartial bureaucracy, independent judiciary, effective protection for minorities, strong and completely free civil societies, etc. have really made the difference between our member States.

In these times of possible regressions, we cannot underestimate the concrete difficulties which anticorruption measures have sometimes produced: complexity, slowness, and so on. Moreover, we cannot underestimate the profound social consequences of an unregulated free market suffered by local communities. But we have to be clear with our citizens: protectionism is not the true answer, because

it weakens individuals and enterprises. We have to protect social rights more effectively, but this has to be done through a strategy of real empowerment.

Therefore it is right and useful to simplify and modify measures that create real obstacles to good administrations, but we have to move into the same direction without any regression.

2. The eternal problem of money and politics. A second point deals with the relationship between money and politics. In a democracy, political authority is based on the free political will of the people and politicians need to have the consensus of their citizens. Legal and illegal means of getting this consensus include economic resources either from the political parties or from single candidates. Money can be used to broadcast legal propaganda through the media or can be used to influence the electorate in an inappropriate way, buying votes through money or other benefits. This is not only something relevant at an ethical and legal level. It is something negative from a political and institutional point of view, because it alters the pillar of democracy, i.e. freedom and equality. It manipulates the will of the people creating servants or clients instead of active citizens and creates unfair inequalities among parties or candidates. We all know how important it is to avoid such misuses and abuses of democracy. Nevertheless, everyday our newspapers are packed with cases of corruption. The struggle for power in democracies seems to be unable to defeat this cancer.

But this is not a good reason for giving up our fight against this kind of corruption. We have good instruments that we must implement: rules for individuals, associations, parties related to the prevention of conflict of interests, to gifts and other advantages, activities and financial interests, disclosure requirements. All these proposals are based on the principles of integrity, transparency, accountability and responsiveness.

A great responsibility in this field is given to political parties. Of course, we have to act at the level of single individuals (candidates, local representatives, parliamentarians, ministers) and at the level of public institutions (local assemblies, parliaments, governments and so on). However, a crucial role in democracies is played by the parties. They select the candidates and they create political communities, where a societal control is still possible. Not only do we have to control parties and their funding mechanism: we also have to actively involve parties in this fight against corruption. Internal code of conduct, democratic and transparent selection procedures, limitation of economic resources in electoral campaigns can be useful instruments to complement legal and institutional measures. Moreover, the political foundations must be transparent and fully accountable about their resources. We had in the past some cases of corruption where the money went through foundations, which are less strictly obliged to accountability.

3. But there are three more elements that I want to mention briefly. The first one is the importance of ethics. We need a stronger individual ethics for citizens and politicians, based on the clear distinction between public and private interest. We need more people interested in becoming good civil servants, who consider social and political activity in favour of the whole community to be an honour. A key element in fighting against corruption is the professional ethics for politicians, something like the deontology which is typical of medical doctors, and implies a strong sense of belonging to a “profession” with its rules, its role and its reputation. Every member of this body should be personally committed to protecting the reputation of his or her category. This was the original idea at the heart of the codes of conduct for all the professions: not only a list of prohibitions, but a set of duties to be implemented. This should qualify the reputation of a profession. We have to engage a dialogue with parties, movements and NGOs about the future profile of a good civil servant, and support communities which can cultivate and nurture these principles and values.

4. This means – and this is the fourth element – education. Our fight against corruption cannot be successful without a big investment in education. Starting from the primary schools right up to universities, and involving local communities, secular and religious, NGOs, political parties, institutions, both at national and international level.

5. Finally, we must strengthen international cooperation in this field. GRECO is an excellent example. And I am very pleased to see how an idea launched by the PACE in the report “Promoting integrity in governance to tackle political corruption”, based on the suggestion of President Cantone, has become a reality: a network of anticorruption authorities in Europe. I firmly believe we have to implement this idea and, in general, every kind of international cooperation in this field.