

Bullet points for Marin Mrčela, GRECO President

2020 Albanian OSCE Chairmanship Conference

“Good Governance and the Fight against Corruption in the Digital Era: Strengthening the Principles of Transparency, Integrity and Accountability”

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- Dear Mr President, Ministers, Secretaries General, Special Representatives, Madame Director, Ambassadors, Fellow Speakers, Ladies and Gentlemen.
- I would like to thank the Albanian chairmanship of the OSCE for the invitation to speak here today. I am glad to see so many of you here virtually and in person in Vienna. I will focus my intervention on anti-corruption strategies and anti-corruption bodies, at a national and international levels.
- In the 20 years of GRECO's existence as an anti-corruption monitoring body, a great number of GRECO's members have set up anti-corruption agencies. For an overview, I would just like to refer you to the mapping report of anti-corruption authorities that the French Anti-Corruption Agency has made in partnership with GRECO, the OECD and the Network of Corruption Prevention Authorities, the so-called Šibenik network, based on the contributions from 114 countries and territories around the world. You will find this report on GRECO's website. This mapping report fills a gap in information about national anti-corruption authorities around the world. As this report will show you, there are vast differences in the remit and powers of these agencies, be it on the preventive side or the enforcement side.
- Notwithstanding these differences in powers, mandates and resources, there are some general lessons to be learned from the establishment of anti-corruption agencies in the 20 years of GRECO's existence. First of all, I have seen too often anti-corruption agencies being set up (or anti-corruption strategies being adopted) as a quick fix, to show that “something is being

done”. Anti-corruption agencies have often been the darling of international donors or assistance projects, but the setting up of such agencies alone will do little in addressing corruption, if not embedded in larger reforms. As I have said many times before: you cannot fight corruption by only fighting corruption. Corruption has so many facets and is so intrinsically linked to many other matters, that stand-alone initiatives are simply not sufficient.

- That brings me to my second point, the success and failure of anti-corruption agencies is to a large extent dependent on the way they are set up: a clearly defined mandate is key, with sufficient legal independence (including in terms of the selection and appointment of their leadership and staff, which should not be dependent on the powers of the day), sufficient powers to carry out their mandate as well as sufficient human and financial resources. In particular, when anti-corruption agencies have enforcement powers, they must be granted full freedom to discharge their legal mandate impartially, without interference from any quarters.
- Often when anti-corruption agencies are set up, there are enormous expectations. This is my third point: do not expect anti-corruption agencies to run before they can walk. It is no coincidence that some of the most effective anti-corruption agencies among GRECO’s members are the ones who have been in existence for a long time, like the Commission for the Prevention of Corruption in Slovenia or the KNAB in Latvia. For anti-corruption agencies to become fully functional organisations and have real impact, they should be allowed sufficient time to develop their own business operations and internal processes, to build up the skills of their staff and work on their strategy, without being weighed down by expectations of - for example - the donor community. I have often compared the fight against corruption to a marathon. In a similar way, support to anti-corruption agencies also requires a long-term view (with donor support not be taken away from one year to the next, or being quadrupled from one year to the next).

- It is often the case that, as anticorruption agencies take off, attempts are made to clip their wings. Such attempts are almost to be expected and – this is my fourth point – this brings about a special responsibility for the anti-corruption agencies themselves. The actions of anti-corruption agencies must be beyond reproach, be it the way they recruit their staff, the way they handle their funds, the way they co-operate with other organisations, the way they report on their activities and respond to oversight bodies, and, in particular, the way they conduct investigations - if that is within their mandate, with the impartiality of such investigations being of the utmost importance. I refer to the title of this conference, when I say that the principles of transparency, integrity and accountability also apply to anti-corruption agencies themselves.
- At times of internal struggles or pressure on well-established anticorruption agencies, GRECO has been there to take action to support, and thereby strengthen, the independent and efficient functioning of these agencies. This has been, for example, the case for Slovenia (2008), Italy (2008) or Latvia (2015).
- I see the role of GRECO not only as an anticorruption watchdog, but also as a supportive mechanism for our members to bring about and capitalise on change. With this in mind, I am happy that, in 2018, we were able to give an impulse to the setting up of the Network of Corruption Prevention Authorities, the so-called Šibenik network, to which I referred at the beginning of my speech. The Šibenik network offers its members a flexible and practical platform for the exchange of information and good practices. I am pleased to see it growing rapidly: having already consolidated its membership in South East Europe and the Southern Mediterranean, it has recently expanded to North and South America (with accession of Canada/Quebec, Brazil and, very recently, Chile).
- Also bearing in mind the reference to the “Digital Era” in the title of this conference, I would just like to mention the work the Šibenik network is

conducting on the use of new technologies to prevent and detect corruption. I am not blind to the vulnerabilities of digitalisation, the risks of “tech-corruption” or the potential for hacking and manipulation of digital data at a large scale. But I also consider that new technologies can offer in sustaining the anti-corruption drive in different sectors over time. I know of various good practices in GRECO member already (such as the digital public services pioneered by Estonia or the blockchain technology for land registries in Georgia), but I know there is much more out there and am very much looking forward to the outcomes of the Šibenik network’s work on this. We will of course continue to accompany and support of this promising network.

- With that, ladies and gentlemen, I have come to the end of my speech. I thank you for your attention. I am available to answer questions, following the interventions of my fellow speakers.