

**SPEAKING POINTS MARIN MRČELA,
"Implementation of Corruption Prevention Mechanisms"
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Palace of Serbia, Bulevar Mihajla Pupina 2 - Serbia Hall/Belgrade Hall -

- Thank the organisers – Italian OSCE Presidency and the Serbian Anti-Corruption Authority - for having invited me to this important event, in my capacity as President of the Group of States against Corruption (GRECO) of the Council of Europe.
- Corruption prevention is at the core of GRECO's work. In fact, half of our nearly 20 years of monitoring work has focused on prevention. Whether it is preventing corruption in the funding of politics or preventing corruption in the legislative, judicial or executive powers, GRECO has over the years called upon countries to step up their preventive arsenal. And to make sure this arsenal is not only set on paper, but it is actually implemented in practice.
- But why is that?
- First, because of the obvious reason that "prevention is better than cure". If corruption is like a virus which, once it enters your body, it spreads all over the place, then taking the right medicines is surely the right way to go to stop the virus from entering the system or spreading.
- The second reason is a clear switch in approach to counter corruption. When the international efforts against corruption started a bit more than 20 years ago, there was a widespread belief that, since corruption is a crime, the best and only way to tackle it was to put those responsible in jail. Yes, repression was and still is very important. However, when corruption takes place and a conviction is served, we have all lost; society has lost.

- Therefore, the international community realised the importance of preventive tools. Often, when we hear the word “prevention”, we think about “weak, softy measures”. Well, for anyone who is following GRECO’s work, you would know that this is certainly not the case.
- So what is it that GRECO asks countries?
- First, we want to see a system in place to boost transparency in the way politics is funded – people have the right to know who is funding political parties or individual candidates; they have the right to know how these funds are used; and they also need to trust that there is a control system in place to guard against any abuse.
- Second, there needs to be measures in place to prevent corruption in the three main powers of the state – the legislative, the judiciary and the legislative branches. These include developing codes of conduct; measures to manage conflicts of interest; requiring those holding public offices to make asset and interest declarations; regulating relations with lobbyists and third parties seeking to influence public decision-making; managing the phenomenon of the so-called “revolving doors” through adequate cooling-off periods; having an adequate supervisory and enforcement mechanism so that holders of public office are held accountable. As you can see, these measures are all but “softy”
- That said, in spite of GRECO’s strong pressure, there is still a long way to go to give prevention the places it deserves in the national anti-corruption efforts.
- Too often countries continue to underestimate the strength and power of preventive measures. Too often, implementation is lagging behind – 1 in 5 recommendations by GRECO calls on countries to do more to implement their laws or regulations.

- Too often, countries are placed in a non-compliance procedure by GRECO precisely because they have not done enough to set up the necessary preventive mechanisms to stop corruption from arising in the first place.
- The country which is hosting us today is one of them. And since we are in Serbia, I cannot conclude without giving you a short flavour of our recommendations to Serbia. These include:
 - Improving the transparency of the legislative process in the National Assembly;
 - Adopting a code of conduct for members of the National Assembly;
 - Changing the composition of the High Judicial Council and State Prosecutorial Council (which requires amendments to the Constitution);
 - Reforming the procedures for the recruitment and promotion of judges, court presidents, public prosecutors and deputy public prosecutors (which also requires amendments to the Constitution);
 - Changing the rules on conflicts of interest applying to members of parliament, judges and prosecutors;
 - Strengthening the Anti-Corruption Agency (by enhancing its independence, resources and competences).
- So, ladies and Gentlemen, thank you once again for having invited me to this important event. I wish you a fruitful discussion.
- Thank you.