

Specialised anti-corruption services – Examples of good practice

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1

1 Standards

20 Guiding Principles for the fight against corruption (Council of Europe 1997):

- Principles 3 and 7
- Evaluated during the first round of GRECO evaluations
- Inspired EU guidelines and principles
- Meetings of specialised anti-corruption services 1996 - 2001

2

Standards

Criminal Law Convention on Corruption (ETS 173)

"Article 20 – Specialised authorities

Each Party shall adopt such measures as may be necessary to ensure that persons or entities are specialised in the fight against corruption..."

- independence
- staff
- training
- financial resources

3

3

Standards

United Nations Convention against Corruption

Specialised bodies:

- Preventive body (Article 6)
- Specialised law enforcement body, bodies or persons (Art 36)
- Central competent authority for mutual legal assistance (Art 46,13)
- Financial intelligence unit (Art 58) [optional]

4

4

Standards

Preventive body according to UNCAC Article 6:

- **Existence of a body or bodies capable of implementing preventive policies (art 5) or overseeing and coordinating implementation of those policies (if more than one body is responsible for prevention) [functions may already be performed by different existing bodies]**
- **Increase and disseminate knowledge about the prevention of corruption**

Grant independence

Provide material resources and specialised staff

Combination of art 6 and art 36 bodies possible

5

5

2 Purpose of anti-corruption services

What purpose?

- **Investigation / law enforcement**
- **Internal control**
- **Prevention within public administration**
- **Ensure interagency cooperation / multi-disciplinary approaches**
- **Collect information / monitor corruption situation / receive complaints / monitor declaration of assets**
- **Improve cooperation between public institutions and private sector / support public awareness/education**
- **Elaborate anti-corruption strategies / coordinate & monitor implementation**

6

6

3 Types of anti-corruption services

The purpose determines the type of service!

1. Law enforcement-type services
2. Services for the prevention of corruption
3. Services for public education and support
4. Services for managing anti-corruption strategies
5. Multi-purpose services

7

7

4 Anti-corruption services in Europe

Law enforcement-type services

Strengths:

- Focus
- Specialisation, skills and resources
- Faster, more efficient
- Independence
- Visibility/credibility

Examples:

Italy, Belgium, Hungary, Germany, Norway, Romania, UK

Difficulties:

- Corruption not always separate
- Less action by others
- Isolation
- Pressure and undue influence

8

8

Anti-corruption services in Europe

Prevention services

Examples:

France, Macedonia, Slovenia

Strengths:

- Focus on core issues
- Broad range of measures
- Focus on high-risk institutions
- Integrate anti-corruption measures in reform process

Difficulties:

- Measuring impact
- Limited control functions/stick
- Rely on cooperation by others
- Cover for lack of enforcement

9

9

Anti-corruption services in Europe

Services for public education and support

Examples: None

- No information on specialised services of this type
- Non-governmental organisations
- Support by other anti-corruption services

10

10

Anti-corruption services in Europe

Services for policy, advice and managing anti-corruption strategies

Examples:

Albania, Bulgaria, Serbia

Strengths:

- Ensure implementation of strategies
- Mobilise large range of institutions
- Integration of enforcement, prevention and public education

Difficulties:

- Authority to coordinate vs independence
- Depends on political commitment
- No stick

11

11

Anti-corruption services in Europe

Multi-purpose services

Examples:

Croatia, Hamburg/Germany, Latvia, Lithuania

Strengths:

- Planning and implementation
- Integrated approach
- Concentration of skills and resources
- Visibility
- Independent

Difficulties:

- Limits involvement of others
- Dependence on one service
- Focus on quick results
- High expectations
- Risks in authoritarian countries

12

12

5 Conclusions

- **Anti-corruption services often critical for the success of anti-corruption strategies**
- **UNCAC provides additional motivation**
- **Most countries in Europe have specialised anti-corruption services**
- **Many services combine several functions / no universal mode / purpose defines type**
- **One or several services? (Complex set up in some countries)**
- **Public education and support neglected**
- **Measuring performance**
- **Independence remains difficult issue**
- **Performance depends on resources and quality of staff and leadership**

13

13

Thank you.

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14