

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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**“Strengthening the capacity of parliamentarians, judges and prosecutors
to prevent corruption in their own ranks: Emerging trends from two years
of GRECO Round IV evaluations”**

Laxenberg, Austria – 10 April 2014

Minister Brandstetter,
Mr Kreutner,
Dear Ministers,
Distinguished Guests,

It is a pleasure to be here in Laxenburg in the beautiful Kaunitz-Wittgenstein Palace.

I am very grateful to our hosts, the Austrian Ministry of Justice and the International Anti-Corruption Academy, as well as to the Group of States against corruption (GRECO) and the Government of Monaco, for making this event possible.

Legend has it that, a few centuries ago, Mozart’s symphonies echoed in these very chambers. Today, it is up to us to set the tone.

Only by fine-tuning our efforts will we be able to stamp out corruption.

For us to make this happen, we need to see things as they really are.

Across Europe, we are seeing shockingly low levels of trust in the political class.

Party membership levels are dwindling.

Voter turnout rates are dropping.

In most countries, non-voters make up the majority.

What we are witnessing is not only political apathy, but a sense of betrayal felt by ordinary citizens towards their leaders and the institutions they represent.

According to the 2014 Eurobarometer survey, three quarters – 76% – of Europeans think that corruption is widespread and more than half (56%) think that the level of corruption in their country has increased over the past three years.

Almost one in four Europeans feels that the judiciary and prosecution services do not respect the rule of law.

Nearly 60% of Europeans believe that corruption is high among politicians and political parties.

This shows that there is a widening credibility gap, which urgently needs to be closed.

So how do we bridge it?

The answer, at least in part, can be found in the monitoring and impact assessment carried out by GRECO – the Council of Europe’s Group of States against Corruption.

GRECO’s Fourth Round is the perfect opportunity for us to take stock of national experience and to consider the prevention of corruption in respect of members of parliament, judges and prosecutors.

Let me start with members of parliament.

A well-functioning and accountable parliament is one of the best barriers against corruption.

The Council of Europe, including our Parliamentary Assembly, has been at the heart of the anti-corruption fight for many years now.

Through its resolutions and reports, the Assembly has, over the years, focused its attention on the role of parliaments in fighting corruption.

It has emphasised that it is the responsibility of parliaments to design frameworks and create an environment which can prevent corruption.

It has also done a lot to ensure that, across the legislative cycle, parliamentary proceedings are made more accountable and more transparent.

The Assembly has ensured that mechanisms of parliamentary scrutiny are accelerated and reinforced.

Parliaments, however, cannot perform their function if their own members are plagued by corruption.

When it comes to the exercise of parliamentary duties, personal integrity is vital.

Members of Parliament must respect ethical rules in order to set an example of incorruptibility and self-discipline.

This can be best achieved by enforcing a parliamentary code of conduct.

By regulating contact with lobbyists.

But also by introducing an effective system for declaring sources of income and conflicts of interest by MPs and their close family members.

There can be no impunity.

Everyone should be held accountable for their actions.

First and foremost, Members of Parliament themselves.

A few words now about the judiciary, as well as judges and prosecutors.

Independence and impartiality are two fundamental principles underpinning judicial systems which are enshrined in the European Convention on Human Rights.

Without an independent and impartial judiciary, there can be no properly functioning rule of law.

The same applies to individual judges.

The role of a judge is not only to uphold individual rights.

It is also to strike a balance between individual rights and freedoms, and the protection of rights of the community as a whole.

When this balance is not struck fairly and impartially, justice is jeopardised.

It is within this delicate context that GRECO has done so much impressive work over the past two years.

It has examined whether effective safeguards to uphold judicial independence and assure the highest levels of integrity have been put in place.

Applying similar criteria to those of the European Court of Human Rights, GRECO has determined the manner and length of judicial appointments and has monitored the degree of independence and the existence of outside pressure.

The conclusions are clear: judges have to be protected against undue influence and political intervention in particular.

Of course, similar rules apply to prosecutors, even if the concept of independence has different connotations for judges and prosecutors.

With this in mind, GRECO has examined in great detail the effectiveness of safeguards for autonomy within the prosecution service, as well as the transparency of career progression procedures.

The essence of the priority issues of GRECO's Fourth Round evaluation is nearly identical, regardless of whether we're discussing members of parliament, judges or prosecutors.

Whether it's ethical principles or rules of conduct.

Conflict of interest or declarations of assets.

We must speak with one voice.

And we must never turn a blind eye.

Dear colleagues,

Being here in Austria at the tail-end of the skiing season, I am reminded that someone once said that "corruption is like a ball of snow; once it starts rolling it becomes bigger and bigger until at some point it becomes unstoppable."

I disagree.

Yes, corruption is likely to have increased in many European countries over the past few years.

But we should also remember that the means available to society for detecting corruption have also been bolstered.

That is why, looking ahead to the future, I am cautiously optimistic.

This is in part due to the success of GRECO so far.

Thanks to GRECO, the various sectorial standards of the Council of Europe – be they hard or soft power – have been brought together under one umbrella.

Although in some cases coherent legal and ethical standards for preventing political and judicial corruption have yet to be established, GRECO has helped shed light on sensitive issues such as the verification of declarations of assets and income or conflicts of interest.

GRECO's Fourth Round has sparked debate and has forced some member States to take a deep, honest look at their country's bodies and structures.

Last but not least, GRECO's reports have provided solid guidelines for technical assistance and co-operation projects carried out by the Council of Europe and the European Union, within and beyond GRECO's borders.

The most recent example of projects integrating elements to curb judicial corruption has been those implemented in Georgia and Serbia. We are also implementing such projects in Tunisia, Morocco and Jordan in the framework of our neighbourhood policy.

Let me also add that the European Union's accession to GRECO might soon become a reality. I am convinced that this will lead to more co-ordinated anti-corruption policies in Europe and strengthen the impact of the European Union's and GRECO's respective anti-corruption actions.

I find these developments very encouraging.

I strongly believe that they go a long way in consolidating our democratic bodies and cementing institutional reforms.

Above all, however, it is vital that we realise that there is no place for compromise or complacency when it comes to corruption.

Fighting corruption will be a long battle that will require constant political will.

We therefore need a comprehensive approach that enjoys solid parliamentary support as well as input by the judiciary and prosecution services.

And to ensure that the fight against corruption can continue, we need to engage and inform our young people through education in democratic citizenship within and among member States.

I thank GRECO for its unwavering determination and for the solid results obtained in the Fourth Round so far.

And I wish you all an insightful and productive conference.

Thank you.