



INTERNATIONAL
ANTI-CORRUPTION
ACADEMY

Conference

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***

Statement by the Dean of IACA and
Executive Secretary to its Assembly of Parties,
Mr. Martin Kreutner
10 April 2014

CHECK AGAINST DELIVERY

Mr. Minister,
Ms. Deputy Secretary-General, as representatives of the co-hosts,
Sehr geehrte Frauen Präsidentinnen,
Ministers,
Excellencies,
Mr. President and Mr. Executive Secretary of GRECO,
Dear Ladies and Gentlemen,
Dear Colleagues and Friends,

Let me first of all extend a sincere and warm welcome to all of you here at IACA. We are most pleased and honoured to host and co-sponsor this important gathering and wish it all the success it deserves. The International Anti-Corruption Academy is a comparatively young but highly determined intergovernmental organization, one that comprises and unites – by way of its constituency of 54 Member States (not including its 53 Signatories) – almost half of the world's population. It is the first global institution of its kind, dedicated to overcoming current shortcomings in knowledge and practice in the field of anti-corruption and compliance, and to empowering professionals for the challenges in these fields of tomorrow.

IACA provides a new, holistic approach to anti-corruption education and research, delivers and facilitates anti-corruption training for practitioners from all sectors of society, and provides technical support and assistance to a wide variety of stakeholders. It offers standardized and tailor-made trainings, academic degree programmes, opportunities for dialogue and networking, as well as anti-corruption think-tank and benchmarking activities.

The organization was initiated by the United Nations Office on Drugs and Crime (UNODC), the European Anti-Fraud Office (OLAF), the Republic of Austria, and other major international stakeholders. It became an international organization on 8 March 2011. Since 2011, IACA holds consultative and observer status with the UN's Economic and Social Council and GRECO, respectively, and in December of last year it was also granted permanent observer status with the General Assembly of the United Nations. The Academy has, moreover, been explicitly welcomed by an array of international resolutions of various regional and international organizations. IACA is dedicated to observe the principle of academic freedom and strives to meet the

highest academic and professional standards; it addresses the phenomenon of corruption in a comprehensive and inter-disciplinary way, taking due account of cultural diversity, gender equality, and recent developments in the field of anti-corruption, compliance, and integrity at the global and regional levels.

As the head of this organization, let me again warmly welcome all of you here to Laxenburg/Vienna. We are delighted to co-sponsor – together with the Austrian Ministry of Justice and the Council of Europe’s Group of States against Corruption, and with generous support of Monaco – this significant conference on “*Strengthening the Capacity of Parliamentarians, Judges and Prosecutors to Prevent Corruption in their own Ranks*”.

Ladies and Gentlemen, the global economic crisis has further undermined trust in government and institutions. According to a study by the OECD, only 4 out of 10 citizens in OECD countries today, state that they have confidence in their national authorities.

What is more, Transparency International’s Global Corruption Barometer (2010, 2013), a survey conducted in more than 100 countries, found out that 6 out of 10 interviewees believe that corruption has increased in the recent 3 years; 54% of all contenders think their government is largely or entirely run by groups acting in their own interests rather than for the benefit of the citizens; and a staggering 8 out of 10 regard political parties as corrupt. The executive branch and the legislative, to be closely followed by the judiciary and the media, are generally perceived to be among the institutions being the most prone to corruption. It is these powers, however – the executive, the legislative, and the judiciary, along with the media as the “public watchdog” – that our concept of the modern state, of democracy, is being based on. Governments and political institutions must therefore find ways to demonstrate and improve their reliability and accountability and, ultimately, even their legitimacy vis-à-vis the concerns of the citizens. They must show integrity and honesty in the way they operate and deal with their constituents and in the way they serve, preserve, and maintain the common good entrusted to them. And parliamentarians, judges, and prosecutors – all holding *imperium* and being entrusted with the public good – shall and must be at the spearhead of this undertaking.

Let me thus already at this stage commend and pay tribute to GRECO for dedicating the fourth round of their evaluations to assessing and scrutinizing these important institutions. And let us all learn from this essential experience in order to further

strengthen these institutions on their way to even more transparency, accountability, and legitimacy.

Ladies and Gentlemen, but let us similarly be frank and forthright. Even European countries in the recent past have seen and, in some cases, are still seeing over and over again – what one might have felt anachronistic – discussions on questioning the separation of powers, on dispensing or neglecting the fundamental principles of the Rule of Law; debates to bring under the control of one power, i.e. the government or the parliament, the other pillar, i.e. the judiciary, including the prosecution services, and/or the media. They have seen and continue to see deliberations to, instead of reducing or abolishing, even extending and enlarging immunity and impunity regimes for privileged groups of society, including the political sphere. What is more, such impunities and immunities are apparently too often striking and attractive for power-holders to hide behind and thus become de-facto extra- or supra-legal. Such developments, however, distinguished participants, are diametrically opposing European values; they deeply disrespect the concepts of equality and equity, of justice and fairness; and they are not compliant with the *ratio*, the rationale and the provisions of major regional and international anti-corruption frameworks, such as the Council of Europe Conventions and the 20 Guiding Principles.

It was thus not by coincidence that in November of 2011 the European network of anti-corruption authorities (EPAC/EACN) in this very room adopted by consensus the *Anti-Corruption Authorities Standards* and the *Ten Principles and Parameters on the Notion of Independence (of ACAs)*. These standards and principles were subsequently endorsed by the *Kuala Lumpur Declaration* of the International Association of Anti-Corruption Authorities and built the basis for the subject *Jakarta Declaration 2012* of a joint UNDP-UNODC Conference on the independence of such bodies. The latest session of the Conference of the States Parties to the *United Nations Convention against Corruption (UNCAC)* also welcomed these most notable results, which are in line with and also supportive of the Criminal Law Convention of the Council of Europe and the UNCAC, respectively.

Ladies and Gentlemen, English historian and prolific writer Thomas Fuller is often – and rightly so – quoted as saying, “*Be ye ever so high, the law is above you*”. Complement and augment the Rule of Law with integrity and credibility, with a fair structure of checks and balances, as well as a sincere system of separation of powers, strong anti-corruption mechanisms and credible compliance frameworks,

and you will have what we all call and seek for: *good governance*. The latter, however, is the safeguard for political, social, human, and economic prosperity for our peoples. May this tripartite international conference profoundly contribute to this noble cause.