

President of the European Commission
European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels
Belgium



Brussels, 27th August 2020

Fulfilment of the EU's obligations under the UN Convention against Corruption

Dear President Von der Leyen,

As members of the Anti-corruption Intergroup in the European Parliament, we have made it our goal to fight corruption in the EU Member States and Institutions. It undermines the internal market and creates enormous public losses. Even more important, however, it erodes democratic principles and decreases citizens' trust in our institutions.

In the context of the Covid-19 pandemic, national governments and the European Commission proposed 2.4 trillion euros in recovery measures. These efforts must not be undermined by corruption and fraud. In order to fight the severe consequences of this health crisis, we must ensure that the funds support those hardest hit by COVID-19 and the economic crisis and not fraudsters, thieves and crooks.

The United Nations Convention against Corruption (UNCAC) provides a good set of standards, measures and rules in order to strengthen the legal and regulatory regimes of anti-corruption and therefore constitutes an important instrument in the fight against corruption. We welcome that along with all EU Member States, the EU has ratified the Convention in 2008.

A crucial part of the Convention is its review mechanism to ensure compliance, which consists of a country peer review and a self-assessment questionnaire. The second review cycle should have been concluded by 2019. While the EU as a multinational actor does not take part in the Country Peer Review Mechanism, it should carry out the self-assessment questionnaire. In its communication to the European Parliament in 2011, the Commission acknowledges this obligation and states that it initiated the process.¹ In an answer to a parliamentary question given by the former Commissioner of Home Affairs Ms Malmström, it even says that the process would be finalised by late 2010.² While all EU Member States submitted at least the self-assessment questionnaire, none has been published by the EU institutions or sent to the UNODC Secretariat.

The fight against corruption in the Member States is certainly important, but the European transnational dimension and the European institutions must not be forgotten. This became even more urgent after the Juncker Commission removed the chapter on the EU Institutions

¹ COM(2011) 308 final, <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0308:FIN:EN:PDF>

² <https://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2010-5719&language=EN>

from the 2014 anti-corruption report before stopping the second iteration of the report altogether in 2017.

In a written exchange with Transparency International from 2008, Mr Barroso promised to comply with the UNCAC as quickly as possible. However, nothing has happened in the following twelve years. The Anti-corruption Intergroup would like to ask you to use your new mandate as Commission President to finally bring the EU in compliance with its obligations under the UN Convention against Corruption and to provide us with a concrete timeframe for this process.

To make the Recovery Plan for Europe a success, it is essential to have strong legal and regulatory regimes against corruption in place.

With kind regards,

on behalf of the European Parliament Anti-Corruption Intergroup

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