

Study: Need for Stronger Legislative Alignment of EU's Fight against Corruption



News

Anna Pingen

As a key deliverable of the EU's Organised Crime Strategy 2021-2025, the Commission published the study "Strengthening the fight against corruption: assessing the EU legislative and policy framework" on 3 January 2023. The study was carried out by EY and RAND Europe on behalf of the European Commission, Directorate-General Migration and Home Affairs (DG HOME). It aimed at providing recommendations for possible EU measures in the area of the prevention and repression of corruption by assessing and comparing the impacts of the policy options identified.

Overall, the evaluation identified legal and administrative obstacles that impede the EU's efforts to prevent and combat corruption. A lack of adequate data collection and monitoring of corruption data and corruption trends inhibits sufficient prevention of corruption in the EU, as do major disparities in the legislative and administrative frameworks in place at the national level to combat corruption.

Stronger legislative alignment among EU Member States in the fight against corruption, along with supportive soft measures, is the preferred policy option to address the issues identified. In order to increase the efficiency of investigations and the prosecution of corruption, the following measures are needed, according to the study:

- Minimum rules on the statute of limitations for corruption-related cases;
- Minimum rules on the immunity for members of the government or the parliament;
- Reverse burden of proof in asset confiscation related to illicit enrichment cases;
- Common minimum standards against enablers of corruption;
- Establishment of an EU anti-corruption prevention agency, including an EU anti-corruption coordinator;
- Development of an EU Corruption Index to counter the lack of data on and knowledge of the magnitude of corruption in the EU with prevention programmes.

The preferred policy options should be implemented by an EU Directive.

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