

COSTS OF CORRUPTION ?

Estimated by World Bank:

One trillion USD
is paid for bribes per year

30 to 100 billion €
per annum are lost to fraud and
corruption in the health care sector in
the European Union



WHAT IS CORRUPTION?

- ❑ Lat. corruptus (spoiled) and corrumpere (to ruin)
 - ❑ General accepted definition:
“the misuse of a public or private position for direct or indirect personal gain”
 - ❑ Based on its impact is often referred to as:
 - Grand/high level and petty corruption
 - State capture and administrative corruption
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MAIN ACTOR: PUBLIC OFFICIAL

- **All relevant international conventions are offering a broad and comprehensive definition**
 - any person holding a legislative, executive, administrative or judicial office
 - any person performing a public function or providing a public service
 - any other person so defined in the domestic law of state party

A blue-tinted illustration of two men in traditional attire, one handing a small object to the other, symbolizing bribery. The man on the left is slightly larger and has a more rounded face, while the man on the right is thinner and has a more elongated face. They are both wearing traditional head coverings and long, loose-fitting clothing. The man on the left is handing a small, round object to the man on the right. The background is a plain, light blue color.

**MOST USUAL
FORM OF CORRUPTION**

BRIBERY

Promise, Offering or Giving

Undue Advantage for the Official or Another Person/Entity in Order to Act or Refrain from Acting in the Exercise of Official Duties

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Passive Bribery

Solicitation or Acceptance by National Public Official

Active Bribery

ART. 15 UNCAC



TYPES OF ACTIVE AND PASIVE BRIBERY

- Improper gifts, favors or commissions
- To avoid liability for taxes or criminal offences
- In support of a fraud
- In support of unfair competition
- Private to private
- In order to obtain confidential info
- Influence peddling



RELATED OFFENCES

- Embezzlement, theft and fraud
- Extortion
- Abuse of discretion
- Favoritism and nepotism
- Creating and exploiting conflict of interests
- Improper political contributions



**PRECONDITIONS FOR SUCCESSFULLY
INVESTIGATING AND PROSECUTING
CORRUPTION**

***UN Handbook on practical
anticorruption measures for
prosecutors and investigators***



SETTING THE SPECIALIZED INVESTIGATION TEAM

- Independence/autonomy and accountability /oversight (*art. 11. 36 UNCAC*)

Quis custodiet ipsos custodes?

- Applying the code of conduct (*art. 8, 11 UNCAC*)
- Proper training and resources (*art. 36 UNCAC*)



CASE SELECTION STRATEGIES AND CRITERIA

- ❑ Seriousness and prevalence of the type of corruption
- ❑ Legal nature of the alleged type of corruption
- ❑ Viability or probability of a satisfactory result
- ❑ Availability of financial, human and technical resources
- ❑ Criminal intelligence



MANAGING THE INFORMATION

- Internal information
- Media relation
- Checks and balances (guarding the guards)
- Public complaint mechanisms
 - External mechanisms
 - Internal reporting procedures
 - Comparison



MANAGING THE SECURITY OF INVESTIGATIONS AND INVESTIGATORS

- Physical premises
- Personnel security
- Information, documents and communications
- Relationships with other agencies
- Threat assessment



INVESTIGATIVE TECHNIQUES FOR DETECTING CORRUPTION AND RELATED FINANCIAL CRIMES

□ Targeted

- Suspect, family members and business associates
- Proactive approach - monitoring potential indicators of corruption – disproportionate living standards

□ Indicators

- Assets (houses, cars etc)
- Credit cards accounts (incl. offshore accounts)
- Expensive parties, children's school fees, private foreign travels



QUESTIONS ?

THANK YOU FOR YOUR KIND ATTENTION

For further information about SPAI RSLO and its schedule of activities
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