

The Post-Truth about Corruption in the European Union

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It may come as a surprise to many Europhiles, but 53 percent of European citizens, on average, think that narrow private interests, and not the general one, control their government. This is no fake news by some Russian media troll, but a report from the Transparency International survey [Global Corruption Barometer](#). In the poorer half of Europe, which has been holding elections only after 1989, parliaments and political parties are perceived as the most corrupt. In the older and richer democracies, where bribes could be deducted as business expenses from a company's tax roll only 30 years ago still, citizens consider banks to be the chief promoters of corruption. According to www.europam.eu, an interactive tool on public accountability legislation, most countries with the worst reputation on corruption (except Cyprus and Malta) have adopted the most extensive rules (i.e. against conflict of interest or to safeguard public procurement), as they struggled to control the problem. Conversely, the countries enjoying the best reputation have scarce regulatory frameworks, but extensive transparency. Finland is the best example, where everybody's incomes and tax returns are public. The Scandinavian public opinion constraints are so strong that in Iceland (applied to EU membership in 2009, then backtracked) a prime minister found in the Panama papers to have held an offshore account had to step down in just a few hours on account of a mass protest in front of the government building, despite not breaking any formal law.

Now what happens when you lump all these countries in an international organization, as the European Parliament, with a constituency amounting to more than a thousand times that of Iceland's (less than half million) in 27 member countries, and thus having far greater difficulty of learning what goes on, let alone assembling in one single remote square to protest? The 2015 [FIFA](#) scandal, or the 2005 [UN Oil for Food](#) one, have already provided a blueprint of institutional corruption in international organizations. By and large, what happens in such complex settings with remote or no accountability is that corruption falls to the level of the lowest denominator, not the average.

The Qatar gate

Even if the European Parliament has in recent years managed to get a majority to scold member states Hungary, Poland, Romania, Slovakia, Bulgaria and Malta on corruption it has a far more difficult time in controlling its own members. The current [Qatar gate](#) so far involves just a few MPs alongside EP vice-president PASOK [Eva Kaili](#). However, Qatar paid [luxury trips](#) for several MEPs, although a few refused, and some more MPs had offered [public endorsement](#) to Qatar already.

In recent years, Qatar showed great generosity to everybody: my anticorruption class and I had a vote if I should accept being considered for an anticorruption award, in exchange of which all one had to do is climb the stage of a great international anticorruption meeting alongside the leaders of Qatar. What favors can I grant to anybody? I obviously have no voting rights on visa free travel or tax exemptions for airlines, the goals of Qatar in the European Parliament. Despite their youth, my students knew the answer to that: what free lunches buy is the obligation to reciprocate. What Qatar wants with its award is credibility transfer: and it works, since the award has been in existence for some years now.

Confusion over corruption rules

When MEPs are concerned, it seems obvious that they should not travel or dine on the funds of countries or companies that are regulated by the European Parliament. Should such fragrant conflict of interest even warrant a specific interdiction, or we can rely on their moral sense? It seems not. Confusion apparently reigns over what corruption is in some EU institutions, starting with the 2016 answer by an ad-hoc Ethics Committee of the European Commission to the [European Ombudsman](#) in relation with President Jose Manuel Barroso joining Goldman Sachs after the end of his term. The meaning of 'integrity' is unclear, since the European Justice Court has never had the opportunity to define it¹). A study of Transparency International EU found that more than 50 percent of ex-Commissioners and 30 percent of ex-Members of the European Parliament (MEPs) who had left politics had joined organizations on the [EU lobby register](#). If their names did not surface in some judicial scandal it was because no investigating agency ever organized what the *Sunday Times* journalists did in 2011, when they went [undercover](#) and approached 60 MEPs, posing as lobbyists and offering constancy money in exchange for support on certain amendments. Only three accepted on tape payments in exchange for votes: Romanian [Adrian Severin](#), Austrian [Ernst Strasser](#), and Slovenian [Zoran Thaler](#). After that, OLAF tried to step in, with [little support](#) from the European Parliament. Following the scandal, EP had to revise its rules about lifting immunity, since it took years to strip of immunity MEP Adrian Severin, the only one who did not resign. He eventually received a [conviction](#) in his own country (same for the other two). In 2012, I organized a public competition to convince Severin to resign and had students spread posters in the EP building.

The EP also had to revise rules about elections' observation, as this turned out to be another commodity for rogue MEPs. In 2013, some MEPs [observed elections](#) in Azerbaijan without an official investment, only to praise them as free and fair, diverging from the Organization for Security and Co-operation in Europe, which found flaws in the process; in 2019 four MEPs tried to enroll as [elections observers](#) in Moldova to support Ilan Shor, an Interpol sought-after politician convicted in the 'theft of the century' (1 billion USD fraud) and suspected of being Putin's Trojan horse. Two ([Fulvio Martusciello](#), an Italian center-right member of the European Parliament and [Barbara Kappel](#), an MEP from Austria's far-right Freedom Party)

filmed their [electoral endorsements](#) for Shor and posted them online. The EP eventually [reprimanded](#) all four. The political affiliations cut across ideological lines.

Of course, all these are vulnerabilities, ways in for rogue states. Pier Antonio Panzeri, the former Italian MEP, at whose house the police found hundreds of thousands of Euros in cash in the [current probe](#), had an NGO ironically called [Fight Impunity](#), where he had several former commissioners and MEPs enrolled in the board. Without being listed in the official transparency register of lobbyists, the NGO nevertheless had significant access to the subcommittee on human rights, where rogue states strive to clean their reputation to qualify for EU aid. OLAF, alongside the Austrian government, UNODC and Interpol are founding members of an international organization based in Vienna, the International Anticorruption Academy (IACA), which lists Russia, China and Saudi Arabia, not to mention [Azerbaijan](#), EU's latest friend and energy dependence alternative (9 out of 100 in the Freedom House human rights score, where even [Russia](#) has 19) as chief [sponsors](#). Although Saudi Arabia, alongside China and Azerbaijan, feature in the Wilmer Hale audit report of the World Bank's [Doing Business rankings](#), a project closed due to international influence peddling, the [Saudis sponsor](#) a lavish IACA program meant to provide the G20 exactly with better rankings of corruption than those by Transparency International.

A history of corruption

Threats of institutional corruption are no news to the EU. In 1999, the European Parliament played a large role in the resignation of the entire [Santer Commission](#) on grounds of integrity. In 2017, the Council of Europe's Parliamentary Assembly nearly succumbed to the '[caviar diplomacy](#)' of oil rich Azerbaijan, in exchange for withholding a sanction on press freedom. The opportunities are so rife in these times of conflict and realism, and the oversight so spotty. The EPPO has just opened a new file on Kaili for misuse of work by assistants: but [old cases](#) on French MEPs have been dragging on for years without reaching a conclusion. Both the first (and only) corruption report and the [rule of law reports](#) by the Commission focused only on member states so far, excluding EU institutions and cross-border corruption, **although those are the ones which fall between national jurisdictions and need more attention from the EU**. The media is also shy from fear of playing into the Eurosceptics' hands. The major crackdowns- Airbus, Siemens, banks- came due to US agency and its cross-border enforcement of its [Foreign Corrupt Practice Act](#).

Conclusion

The European Parliament is the absolute sovereign of its own integrity. If it wants to cut opportunities by offering full transparency on meetings, access, expenses and travel, it can- good proposals have been laying around for years. If it wants to adopt rules to increase constraints, it is enough to pick from www.europam.eu the most extensive ones in each category. No more external agencies are needed on top of OLAF, ECA and EPPO, as nobody can have more power than EP itself has. This is why Parliaments are notoriously difficult to clean up. In 2004, I led a successful

Coalition to Clean Parliament ([CPC](#)) in Romania. Open Society Foundation and other donors have since scaled this up in many countries, including [Ukraine](#) in 2011, nowhere with so great an impact as the first time. Perhaps what we did then—blacklisting candidates on integrity grounds, asking their parties to drop problematic ones from the lists and then ultimately going to the media and voters asking them to bar the bad guys—should be replicated for European elections. But ours was a desperate cause, as we were afraid Romania will miss its EU bid: it worked, but I spent years in Courts defending myself from libel accusations from top politicians. Should we be desperate enough to bridge Europe’s accountability gap by such a grassroots campaign? Surely the Parliament could solve this far more easily, saving themselves and EU in the process.

References

- Opinion of the Ethics Committee delivered on 26 October 2016 concerning the new responsibilities of former Commission President, available at: https://ec.europa.eu/info/sites/info/files/opinion-comite-adhoc-2016-10-26_en.pdf

