Union policy against corruption

1997/2116(COS) - 06/10/1997

The Council approved an initial joint position of the European Union on negotiations in the Council of Europe and the OECD relating to corruption. The substance of this common position may be augmented at a later date. These negotiations follow on from a programme of action against corruption which includes the drawing up of a criminal law convention adopted by the Committee of Ministers of the Council of Europe in November 1996 and from a recommendation on corruption in international commercial transactions adopted by the OECD Council at Ministerial Level in May. On that occasion the Council at Ministerial Level of the OECD had also decided to start negotiations on an international convention to make bribery of foreign public officials a criminal offence, which could be opened for signature by the end of 1997. The joint position adopted today stipulates that Member States will support the drawing up of appropriate international instruments providing for bribery of foreign officials and officials of international organizations to be made a criminal offence. Without prejudice to questions of jurisdiction the offence should cover corruption with regard to any State or international organization. In addition, Member States will ensure that instruments drawn up within the Council of Europe and the OECD are compatible with the instruments drawn up between them, in particular with regard to judicial assistance, extradition, combating corruption and the protection of the Community's financial interests. During these negotiations Member States will ensure that proceedings are coordinated to avoid unnecessary duplication or any incompatibility between the two international instruments to be drawn up by the Council of Europe and the OECD in this field. It should be noted that the European Union has already adopted legislative instruments in this area, viz. the Protocol of September 1996 to the Convention on the protection of the European Communities' financial interests and the Convention of May 1997 on the fight against corruption involving officials of the Communities or officials of Member States of the EU.