

Octopus Interface conference on

Corruption and democracy

Council of Europe, Strasbourg, 20 – 21 November 2006

Summary and conclusions¹

- 1 The Octopus Interface Conference held at the Council of Europe in Strasbourg from 20 to 21 November 2006 provided a platform for more than 120 public and private sector experts from 45 countries, international organisations, non-governmental organisations, research institutions and the media to identify the risks that corruption poses to the future of democracy in Europe, to share good practices aimed at preventing corruption from undermining democracy, and to determine further efforts that should be undertaken to meet the challenges ahead. The meeting was opened by Guy De Vel (Director General of Legal Affairs of the Council of Europe), and addressed by Siim Kallas (Vice-President of the European Commission), Mikhael Grishankov (Chairman of the Anti-corruption Commission of the State Duma of the Russian Federation), Piero Grasso (National Anti-Mafia Prosecutor of Italy) and other distinguished speakers.
- 2 Plenary and workshop discussions resulted in the following:

LINKS BETWEEN CORRUPTION AND DEMOCRACY

- 3 Democracy has become the predominant mode of political organisation in Europe since 1989. However, democracies are faced with a number of important challenges, including challenges related to globalisation, the influence of economic power on political decision-making, the question of political finances, and the declining trust and participation in democratic institutions and processes.
- 4 Holding governments and elected representatives accountable and preventing the abuse of office, and thus corruption, has been a major concern of democratic societies throughout history. However, in the course of the past ten years, the prevention and control of corruption gained in importance and moved higher up on the European and international agenda.
- 5 Considering the many anti-corruption measures carried out in different European countries, the work of media and of civil society and non-governmental organisations such as Transparency International, and considering the common anti-corruption framework established by international organisations such as the United Nations, the OECD, the European Commission and the Council of Europe much has been achieved in recent years.
- 6 Nevertheless, political corruption is believed to have a significant impact on principles and processes of democracy in that it may exacerbate political inequality, distort elections and the political competition between parties, prevent transparency and thus accountability, undermine the separation of powers, unduly influence the legislative process, strengthen the influence of corporate interests, diminish the voice of citizens, and further weaken the confidence and participation of citizens in democracy.
- 7 In European democracies today, political finances, conflicts of interest, lobbying and the political influence on justice seem to carry the greatest risk of corrupting principles and processes of democracy.
- 8 The risks of political corruption are likely to increase in the future, in that globalisation may erode the accountability of elected national governments and thus create more

¹ As discussed and agreed upon by participants in the closing session on 21 November 2006.

opportunities for corruption, in that lobbying activities will expand, and in that political parties may become increasingly dependent on private sector contributions or abuse of state resources. This suggests an important impact of political corruption on the future of democracy. It may further reduce the voice of citizens in policy-making and lead to a further decline in public trust in democratic institutions and processes. Urgent measures, relying on comprehensive and multi-disciplinary approaches, are thus required to prevent corruption and to enhance transparency and accountability in democratic processes and institutions.

POLITICAL FINANCES

The challenge

- 9 Political institutions and processes – including political parties and electoral campaigns – require financing. However, unregulated political finances and in particular corrupt political finances – that is, improper financial operations for political or other gain – may distort democratic principles and lead to political inequality, uneven playing fields, the distortion of elections, unequal access to office, and law and decision makers, the evasion of transparency and accountability, the criminalisation of democracy, corporate democracy and the exclusion of citizens. Dissatisfaction with the quality of democracy is to a large extent a result of political corruption affecting democratic institutions.
- 10 Corruption related to political finances appears to be major factor contributing to the declining trust of citizens in political parties in many countries of Europe.
- 11 Most European countries have adopted regulations on political finances, and at the European level common standards were adopted in 2003 by the Council of Europe in the form of a Recommendation, that is, the “Common rules against corruption in the funding of political parties and electoral campaigns” (Rec(2003)4), April 2003).
- 12 A significant part of GRECO’s third evaluation round will be devoted to the transparency of party funding as understood by reference to the Committee of Ministers’ Recommendation. This work has been designed to contribute to the Council of Europe’s efforts to promote democracy and good governance.
- 13 Workshop participants discussed the following questions:
 - How effective have regulations on political finances been in European countries with regard to rules on the disclosure of income and expenditure, contribution or expenditure limits, monitoring mechanisms, enforcement provisions?
 - What has been their impact on preventing corruption and increasing confidence in democracy?
 - What lessons have been learnt and what good practices can be shared?
 - What measures should be undertaken to further promote the implementation of national regulations and European standards on the financing of political parties and electoral campaigns?

Good practices to be shared

- 14 Most European countries have adopted systems to regulate political finances, and there is agreement on the basic principles of such systems, namely, transparency through disclosure, accountability, independent monitoring and enforcement. These are reflected in the “Common rules against corruption in the funding of political parties and electoral campaigns” of the Council of Europe.
- 15 Nevertheless, no system fits all and each country will need to go through a process of introducing, testing and improving its own approach. In particular, the creation of such systems needs to go hand in hand with the strengthening of the rule of law. The

establishment of effective systems regulating political finances is thus a process that may require considerable time. It should be based on thorough research and extensive public consultations.

- 16 Good practices discussed during the workshop include:
- 17 ▷ With the exception of a few countries, political parties in Europe receive public funding and (partial) reimbursement of campaign expenditure. The main risk is that this creates a dependency on public funding and may disconnect parties from their members. Therefore, public funding should be balanced by membership fees or other private funding in the form of small donations. Incentives should be built in to encourage the financial participation of supporters. A good example mentioned was Germany, where private funding is “matched” by public funds. Another idea raised was that the level of public funding should be linked to the level of voter turnout.
- 18 ▷ Public funding should not be provided without conditionality and sanctions for non-compliance with regulations.
- 19 ▷ Minimum thresholds may be introduced (e.g. only parties receiving at least 1% of the votes are reimbursed in France) in order to avoid an abuse of the system.
- 20 ▷ Corporate funding is prohibited in 11 Council of Europe member States. The experience of France seems to be positive so far. However, there appear to be many possibilities to circumvent such prohibitions, and it is may thus not be the most effective tool to prevent corruption.
- 21 ▷ Transparency means in particular making party accounts (income and expenditure) public. Germany was mentioned as a good example regarding the publication of party accounts. In some countries, such publication may lead to reprisals against those contributing to opposition parties. Such risks need to be taken into account when designing regulations.
- 22 ▷ Internal and independent external controls of party finances are of crucial importance. Parties should exercise their own responsibilities and reinforce their internal control mechanisms through professional accountants and party treasurers. External control organs should be independent and have the necessary investigative powers. With regard to internal and independent external controls, France has good experience to share. With regard to investigative powers, the United Kingdom is rather strong. The Corruption Prevention and Combating Bureau of Latvia (KNAB) seems to be a very effective office for the control of political finances. In some other countries, such authority may also be abused to harass political opponents. As it is very difficult to obtain evidence of corruption, the reversal of the burden of proof for income that cannot be explained may be worth considering as is the case in Italy.
- 23 ▷ External controls and investigations are hampered by the fact that political finances may be channelled (or laundered) through the international financial systems, including off-shore centres. The anti-money laundering systems that have been built up in many countries may also be used to monitor political finances. Provisions on “politically exposed persons” are of particular interest in this respect.
- 24 ▷ Civil society organisations and in particular the media exercise a crucial role in the monitoring of political finances.
- 25 ▷ In short, effective systems to control political finances may be based on a triangular approach, including (1) party internal controls, (2) an independent and resourced control body, (3) civil society and media oversight.
- 26 ▷ The costs for political parties and election campaigns risk to spiral out of control. It is therefore worth considering limits to paid media advertisements by political parties (as in France and other countries) or to set expenditure limits for election campaigns (as in France and the United Kingdom). The risk is that, if the limits are unrealistically low,

this could be perceived as restricting the freedom of expression. Increasing costs may also be related to the proliferation of functions of political parties which go beyond their core functions (such as aggregating the political will of citizens) and growing number of campaigns they have to run.

Steps to be taken

- 27 ▷ Governments, parliaments and political parties should adopt or improve and enforce existing regulations on political finances aimed at enhancing transparency and accountability and at preventing corruption.
- 28 ▷ The aim of systems to regulate political finances should be to strengthen the functioning of pluralistic democracy and contribute to the correct representation of the free will of citizens. Great care should therefore be taken to ensure that such regulations do not restrict principles of democracy and political competition.
- 29 ▷ All stakeholders should be made aware that the creation of a functioning system is a complex process that is closely related to the strengthening of the rule of law, that requires extensive public consultations and that requires constant improvements and adaptations based on experience.
- 30 ▷ While democracy costs money and considerable financing is required for political parties and election campaigns, measures should be considered to limited increases in cost, for example by setting realistic expenditure limits for election campaigns, by limiting paid advertisements for political parties in the media (while providing free media time in an equitable manner) and by focusing party finances at the core functions of political parties.
- 31 ▷ Political parties should themselves take steps to strengthen transparency, to disclose party accounts, to improve financial management and to strengthen internal control mechanisms for political finances in order to regain public trust.
- 32 ▷ Internal controls should be complemented by external controls and civil society/media oversight. Access to financial information is crucial to fulfil this role.
- 33 ▷ Steps should be taken to facilitate scrutiny of political finances by media and civil society organisations.
- 34 ▷ External control bodies need to be provided with the necessary independence, adequate resources and appropriate investigative powers. Good practices are available in some European countries that can be drawn upon.
- 35 ▷ Regulations should cover all types of political finances.
- 36 ▷ Particular efforts should be undertaken to prevent the abuse of administrative resources that are at the disposal of the executive for party purposes, and to prevent the politisation of the civil service. More research and practical guidelines on this question are required.
- 37 ▷ Public funding should not be provided without conditionality. Funding should be withdrawn (or limited) and sanctions applied if parties do not comply with regulations.
- 38 ▷ Measures to improve political finance systems should be included in comprehensive anti-corruption strategies.
- 39 ▷ The Council of Europe and other international organisations may support countries in their efforts to reform their systems and implement regulations through technical cooperation programmes.
- 40 ▷ Anti-money laundering systems that have been established in many countries based on common international standards and providing possibilities for international cooperation should be used to prevent the abuse of financial systems for illicit party

financing. Use could in particular be made of provisions on “politically exposed persons” (PEP).

- 41 ▷ Parliaments and political parties should take the necessary steps to implement the Council of Europe Recommendation on “Common rules against corruption in the funding of political parties and electoral campaigns” (Rec(2003)4) of April 2003).
- 42 ▷ When developing regulations on political finance due account should be taken of possible risks to avoid that regulations favour those already in power, are used to control or exclude opposition parties or prevent new parties from entering the political arena.
- 43 ▷ Good governance is becoming increasingly important for the stability of democratic institutions. GRECO members should therefore fully support – and participate in – its third evaluation round, which will deal with a number of core-issues related to political finances.

CONFLICTS OF INTEREST

The challenge

- 44 There is growing concern about conflicts of interest among members of government and elected representatives. Private-capacity interests which could improperly influence the performance of their official duties and responsibilities may contribute to the corruption of democratic principles and processes, that is, the abuse of political office for private interests, political inequality, government for particularistic interests vulnerable to lobbying and trading in influence, unequal access to public resources and decision-making, clientelistic politics, the evasion of transparency and accountability, corporate democracy, declining trust and participation in democracy.
- 45 In a range of European countries, conflict of interest regulations or compatibility rules pertaining to elected representatives or members of government have been in place for some time. However, many conflict of interest rules only apply to public officials and not necessarily to elected representatives or senior members of government.
- 46 Workshop participants discussed the following questions:
 - How effective have conflict of interest regulations been so far in terms of preventing political corruption and increasing trust in democracy?
 - What lessons have been learnt and what good practices can be shared?
 - In addition to rules for public officials, is there a need for further regulating conflicts of interest of elected representatives and members of government in European countries?
 - What should be the scope and key elements of a conflict of interest policy/strategy?
 - How can the implementation of such a policy or strategy be ensured?

Good practices

- 47 Based on country experience, the participants identified several elements of good practice for sound conflict of interest regulations and their effective implementation, including:
- 48 ▷ Definition - proper definition of conflict of interest that reflects the concerns in the wider society.
- 49 ▷ Scope – comprehensive conflict of interest policy covers both the political level and the public service. Although the principles are the same, their application requires tailored mechanisms that should consider the different characteristics of the two groups.

- 50 ▷ Sub-national level – central governments are not only responsible for providing the legal, institutional, procedural frameworks for the central level, but good governance also included provisions in relation to the effective implementation of conflict of interest rules at the sub-national level.
- 51 ▷ Approach – a balanced approach requires proper consideration to costs and the rights of individuals (for example to privacy) when deciding on control and enforcement mechanisms (whether controlling processes, persons or results).
- 52 ▷ Balance seeking to encourage the voluntary disclosure of all interests as an aspect of prevention and to avoid too much emphasis on policing breaches and sanctions.
- 53 ▷ Shifting priorities – after the establishment of the formal mechanisms, such as laws, commissions, the attention needs to be given to prevention measures such as raising awareness, education and monitoring.

The way ahead

- 54 ▷ Providing clear rules on conflict of interest is a key element of sound policies aimed at enhancing transparency and accountability and preventing corruption and thus at strengthening public confidence in democratic institutions.
- 55 ▷ Frameworks for conflict of interest policies developed by Governments for the executive and the public administration should not only apply to civil servants but in particular to political appointees, and cover the identification of conflict of interest situations (including a clear description of circumstances and relationships, ensuring that the conflict of interest policy is supported by organisational strategies and practices), the establishment of procedures for identifying, managing and resolving conflict of interest situations (including ensuring that officials know what is required and setting clear rules for dealing with conflict of interest situations).
- 56 ▷ The necessary measures should be taken by Governments to ensure that this framework is implemented and that the conflict of interest policy is enforced (by establishing the necessary procedures, monitoring compliance, applying sanctions, creating partnerships). Political appointees in particular should demonstrate leadership and lead by example.
- 57 ▷ Parliaments should lead the application of conflict of interest rules by examples of elected representatives demonstrating readiness to declare private capacity interest intervening in public decision making.
- 58 ▷ Declaration of interests should not only be published but as well a subject of verification.
- 59 ▷ When developing conflict of interest policies due account should be taken of possible risks in order to avoid the violation of privacy rights of elected representatives and public officials, discouraging citizens to enter politics or the creation of a professional politicians dissociated from society.
- 60 ▷ Civil society organisations and the media play a particularly important role in providing information on and monitoring of conflicts of interest in democratic institutions.
- 61 ▷ International organisations should provide guidance to countries by setting common standards based on good practice, monitor compliance with these standards and provide assistance through practical guides and capacity building programmes.
- 62 ▷ Countries should take note of the OECD Guidelines for Managing Conflict of Interest in the Public Service.

- 63 ▷ Regarding conflicts of interest in public administrations, including their disclosure and management, countries should ensure follow up to relevant recommendations resulting from GRECO's second round of evaluations.
- 64 ▷ The positive role of international standards and follow-up mechanisms was recognised by the participants, but the lack of the publicity and accessibility of those to a wider society was also recognised. Measures should thus be undertaken to disseminate information on these standards and mechanisms.

LOBBYING

The challenge

- 65 The pluralism of interest is an important feature of democracies. It is therefore legitimate that members of society organise and lobby for their interests. Lobbying is one way of allowing citizens to participate in decision-making processes. And interest groups may make expertise available that policy makers need in order to make informed decisions so can contribute to "better regulation".
- 66 On the other hand, lobbying is not very transparent and certain lobbying techniques may be of a corruptive nature, such as contributions to political parties, campaigns or elected representatives, undue advantages to public officials or elected representatives such as consulting or employment contracts, board memberships, kick backs or post-office employment (revolving doors). In most European countries, lobbying is not regulated.
- 67 Lobbying therefore risks to lead to the corruption of democratic principles, such as policies serving particularistic interests, the evasion of transparency and accountability, coopted politicians, political inequality, unequal access to law and decision makers, corporate democracy, and the exclusion of ordinary citizens from decision-making. And in the public opinion, lobbying appears to be perceived as a form of corruption (different from bribery) which is excluding or reducing the voice of citizens in decision-making. It may also be associated with trends towards authoritarian tendencies in the decision-making process. It was suggested, however, that corporate lobbying acted as a balance to the power of politically popular NGOs.
- 68 It is also likely that lobbying activities will increase in Europe in the future – and with it the risks to democracy – and that this topic will move higher on the political agenda of European countries in the very near future. Some speakers linked the growth of lobbying with a more general trend of increasing corporate power.
- 69 While regulations may help increase transparency and accountability they also carry risks. They may limit possibilities for participation in decision making or provide legal cover for trading in influence and other forms of corruption.
- 70 Workshop participants discussed the following questions:
- How could lobbying be made more transparent?
 - What lessons can be learnt from existing regulations or (voluntary) codes of conduct?
 - Is there a need to further regulate lobbying (pro/contra and alternatives)?
 - What would be the scope and key elements of regulations on lobbying?
 - Is there a need for common standards throughout Europe?

Good practices

- 71 With regard to lobbying at the level of European Union institutions, experience is available regarding the self-regulation of lobbyists. An interesting example is the code of conduct of the Society of European Affairs Professionals (SEAP) which promotes ethical behaviour by its members and which includes a policing components. On the other hand, so far it has not yet identified any irregularities among its members and thus there is no experience with sanctions.
- 72 The European Commission is currently discussing the European Transparency Initiative which is, among other things, based on the "need for a more structured framework for the activities of interest representatives (lobbyists)". The current proposal foresees:
- A voluntary registration system managed by the Commission with clear incentives for lobbyists to register (e.g. automatic alerts of consultations)
 - A common code of conduct for all lobbyists which is to be developed by lobbyists themselves
 - A system of monitoring and sanctions in case of breach of the code or incorrect registration
- 73 The role of civil society organisations in the monitoring of lobbying activities and conflicts of interest is highly valuable and needs to be further strengthened.
- 74 Very few European countries have regulated lobbying. In Germany, the Federal Parliament requires interest groups to register if they want to be heard. In Poland, the Act of July 7, 2005 "On Lobbying Activity in the Lawmaking Process" is rather new. The experience so far suggests that such a regulation should be just one part of a broader effort to strengthen transparency and accountability and citizen's participation.
- 75 Unlike in Canada or the USA, there is thus little experience to be shared in Europe regarding regulations on lobbying (there is however a fundamental difference in that lobbyists in Europe are not directly involved in political fund raising in Europe).

The way ahead

- 76 ▷ Given that only limited experience is available in Europe regarding lobbying, it is important to launch research and public debate on this topic. These should in particular help define the problem more clearly.
- 77 ▷ Based on such research and debates, governments and parliaments should adopt and enforce regulations on lobbying aimed at enhancing transparency and accountability and at preventing corruption and thus at strengthening public confidence in democratic institutions.
- 78 ▷ The aim of policies and regulations on lobbying is to promote democracy and to re-establish confidence and participation of citizens in democratic institutions and processes.
- 79 ▷ When considering regulations on lobbying, a careful balance needs to be established between the need for transparency and accountability and the prevention of corruption on the one hand, and the risk of restricting direct participation in decision-making and the pluralism of interests on the other hand. In democracies lobbying is legitimate, however, it needs to be made transparent. Care should also be taken to ensure that legislations are well designed to enhance enforce ability.
- 80 ▷ Regulations should not serve as a legal cover for corrupt activities
- 81 ▷ Regulations should not be used as a means to control civil society organisations.
- 82 ▷ In order to reduce risks, public-private partnerships should be sought when developing and implementing regulations.

- 83 ▷ Regulations on lobbying are just one element of a broader effort aimed at ensuring transparency and accountability and thus public confidence in democratic institutions.
- 84 ▷ Such policies and regulations should include (binding) codes of conduct, registration systems and the public disclosure of lobbying activities.
- 85 ▷ Hearings on policies and draft laws in which lobbyists participate need to be documented and made public.
- 86 ▷ Further steps should be taken to facilitate scrutiny of lobbying activities by media and civil society organisations.
- 87 ▷ Many problems related to lobbying need to be resolved by parliaments and governments themselves, such as regulating post-service employment (revolving doors) and conflicts of interests of members of parliament who at the same time represent private interests or are themselves lobbyists.
- 88 ▷ The Council of Europe, the OECD, UNODC and other international organisations should provide platforms for public debate, should support research and develop tools as bases for national policies on lobbying.
- 89 ▷ Such activities could lead to an instrument providing common principles or guidelines to European countries on lobbying policies. The process of preparing such an instrument, including public debates, consultations and research would in itself be very valuable.
- 90 ▷ Strong parliaments and parliamentarians are needed to be able to make informed decisions keeping in mind the public interest and counter the undue influence of lobbyists. The Parliamentary Assembly of the Council of Europe should thus reflect on this topic in its future work.

UNDUE INFLUENCE ON JUSTICE

Challenge

- 91 A democratic state is based on the separation of powers between the executive, the legislature and the judiciary. The judiciary must be independent in order to ensure that the executive and the legislature act within constitutional limits. A democratic state is built on the rule of law: nobody is above the law and everybody is to be treated equally before the law. The right to a fair trial and the fair administration of justice is a basic human right. Independence, impartiality, integrity, propriety, equality, competence and diligence are core values and principles which should guide the judiciary as reflected in a number of United Nations and Council of Europe instruments.
- 92 In practice, however, the confidence in judicial independence, integrity and effectiveness is rather low in a number of European countries. In many, the independence of those investigating, prosecuting and adjudicating corruption offences requires further strengthening. Of particular concern seems to be the undue influence that may be exercised by governments on the criminal justice system, such as pressure on judges, prosecutors, investigators by politicians, the instruction of the prosecution by the executive and other forms. Such undue influence may lead to the corruption of democratic principles, that is, the rule of law, the separation of powers, and human rights (right to fair trial, fair administration of justice).
- 93 Participants discussed the following questions:
- What measures can be taken to ensure the independence of judges, prosecutors and investigators, and to protect them from undue political influence and pressure?
 - With regard to the judiciary, how can the implementation of standards on judicial conduct and integrity be further promoted in Europe?

- To what extent could systems of immunities for elected representatives, members of government and the judiciary be reviewed in order to permit the prosecution of corruption and other criminal offences?

Good practices

- 94 Participants concurred that in a democratic state those who exercise judicial power should also be ultimately responsible to the people and that judicial systems needed to develop and improve continuously to address the increasing challenges posed to judicial independence and accountability.
- 95 Participants identified the main areas in the administration of justice and the judiciary which are linked to the occurrence of undue influence, abuses and corrupt practices, including the promotion and recruitment of judges, tenure, salaries, outside employment and activities, post-appointment employments, standards of conduct and disciplinary mechanisms.
- 96 It was argued that criminal law and criminal enforcement are inadequate to deal with breaches of ethical standards, undue influence or corrupt practices in the justice system in a comprehensive and effective manner.
- 97 Participants, concurred that standards of conduct represented a useful tool to enhance the integrity of the judiciary. However, unless they were effectively enforced there was little hope that they would contribute significantly to maintaining judiciary integrity and accountability. In this context, participants stressed the importance of a credible and independent oversight body that would be responsible for receiving and investigating complaints, protect complainants against retaliation, protect judges against blackmail and provide for a transparent review, decision and sanctioning for any established breaches of ethical standards. At the same time, it was submitted that while being independent, the oversight bodies should be an integral part of the judiciary, as familiarity with the functioning of the judiciary was key to identifying possible wrongdoing.
- 98 It was recognized that the implementation of standards of conduct for judges and prosecutors could not rely exclusively on enforcement measures, but should equally focus on education, including the raising of awareness concerning expected behaviour, ethical dilemmas arising from practice, as well as sanctions.
- 99 Moreover, financial disclosure was mentioned as a useful mechanism to monitor potential conflicts of interest and resolve them appropriately.
- 100 With view to further enhancing public confidence in the judiciary, it was recommended that the involvement of civil society representatives in policy making and strategic planning in the judiciary be increased. Moreover, it was felt that there was a need to enhance transparency of judicial productivity and working hours as well as outside activities, all with a view to increasing the accountability of judges.
- 101 Participants took note of measures and approaches adopted by both public and private sector entities, including risk mapping, risk management and risk communication, outreach programmes and interaction with the public and the media, partnership building with civil society, and the regular conduct of public opinion polls. Such measures could form a source of inspiration also for the justice sector institutions.
- 102 Judicial independence has two aspects, one is the independent state of mind each judge needs to adopt when deciding disputes. The other dimension of judicial independence falls within the responsibility of the state that is required to create the necessary pre-conditions for the individual judge, to be in such a state of mind. In this context, it was argued that there might be a need to review and update the UN Basic Principles of

Judicial Independence of 1985 with a view to enhancing their relevance to the challenges posed to judicial independence in contemporary society.

The way ahead

- 103 ▷ Steps to be taken are well defined in the recommendations of the first round GRECO evaluations. They should therefore aim at:
- review of the procedures of the appointment of judges and prosecutors
 - enhancement of the independence of the judiciary from political powers and independent and impartial evaluation, supervision and accountability of the judiciary;
 - ensuring increased independence of the prosecution office and protecting it from the risk of undue influences on the exercise of prosecutorial powers.
- 104 ▷ Standards expressed in relevant Council of Europe and United Nations instruments regarding the independence of justice should be implemented.

GENERAL OVERALL CONCLUSIONS

- 105 Political corruption risks to pose a serious threat to the future of democracy in Europe. However, the prevention and control of political corruption also provides opportunities to strengthen principles of democracy and to reinforce trust and participation of citizens in democracy. Anti-corruption measures – and in particular measures to prevent corruption in relation to political finances, conflicts and interest, lobbying, the undue influence on justice, and legislative and policy-making processes in general – should be designed to make a positive contribution to democracy.
- 106 Parliaments, governments, political parties, civil society organisations, media, the private sector and international and regional organisations have a role to play in enhancing transparency and accountability and making democratic institutions work.
- 107 Considering the important role of the media in the identification of political corruption support should be provided to strengthen the investigative capacities of journalists and to facilitate networking amongst them.
- 108 Results of this conference will feed into the work of the Council of Europe in different ways:
- Activities related to democracy, such as the Forum on the Future of Democracy, the Schools of Political Studies, and the work of the Venice Commission.
 - They should be taken up by the Parliamentary Assembly of the Council of Europe
 - They feed into the work of the Group of States against Corruption. GRECO will monitor compliance with European standards on the financing of political parties during its 3rd round of evaluations starting in January 2007.
 - They encourage further technical cooperation programmes against corruption. These will increasingly need to support countries in taking measures against political corruption, in particular with regard to political finances, conflicts of interest, lobbying and undue influence on justice.
 - Discussions on additional standard setting activities will continue and possibly cover the preparation of a model code of conduct for elected representatives, or guidelines on conflict of interest and lobbying.
 - They encourage stronger cooperation with other international, regional and non-governmental organisations, civil society organisations and the private sector on these topics.

Strasbourg, 21 November 2006