

The uneven results of anticorruption efforts across countries

April 1 2024, by Andrea Costa



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When fighting corruption, countries often rely too much on repression and forget about prevention measures, which are frequently inadequate

or nonexistent. Furthermore, despite the progress made in implementation of the main international anticorruption treaties, substantial challenges persist. There are even indications of regression across various domains, including criminalization and law enforcement, and international cooperation.

These are the main conclusions of a paper by Leonardo Borlini of Bocconi's Department of Legal Studies, accepted for publication in the *International Journal of Constitutional Law*. The author was also invited by the United Nations Office on Drugs and Crime to present his paper at the 4th Anti-Corruption Academic Symposium. The paper is titled "Data-Driven Study: Monitoring and Compliance Mechanisms as a Diagnostic and Prognostic Tool of International Anticorruption Cooperation."

Corruption is not just a very serious crime. It is also a heavy drag on the development of many poor countries. This is why a framework of international rules has been set up alongside national ones to combat graft and monitor [law enforcement](#).

Countries have been publishing periodic reports on their efforts against bribery for a fairly long time. However, an overall study of the operation and outcomes of monitoring and compliance mechanisms had never been attempted, because of the inherent difficulty of comparing a large number of reports with different scopes lacking a common format.

Leonardo Borlini fed into a machine learning model a total of 555 evaluation and compliance reports, recommendations, and follow-up reports issued between 1997 and 2021, containing more than 5.5 million words overall. The ensuing analysis was about two main aspects, as defined by the OECD Working Group on Bribery in International Business Transactions.

The first is called implementation and deals with formal laws and

regulations of the reviewed countries, evaluating the adequacy of a country's legal framework. The second, or compliance, is basically the extent to which the rules are enforced.

The results in implementation of the different treaties can be described as mixed. Several countries established or reinforced the principle of corporate and individual liability for bribery and related offenses. Furthermore, many jurisdictions have criminalized foreign bribery, enabling prosecutors to pursue companies for bribery committed in other countries, regardless of the local authorities' willingness to prosecute.

On the other hand, there is a strong tendency to prioritize the repressive aspects of combating corruption while underestimating the efficacy of preventive measures, which are often insufficient or missing. The absence of adequate regulations governing lobbying and other dubious practices in European countries and the poor safeguards for whistleblowers in Latin America are examples of this tendency.

The study not only provides insights into individual states' performance but also singles out specific actions that national governments can undertake in order to address strategic weaknesses. "These findings establish priorities and benchmarks for future reforms and related technical assistance provided by international agencies, which is crucial for developing states that may lack the capacity for implementation," says Leonardo Borlini.

"Just as an example, one area to observe is whether governments worldwide will align with the various recommendations concerning the protection of whistleblowers who disclose information about corruption or other wrongdoings within an organization to individuals or entities capable of taking action. International conventions prescribing standards are one part of the equation; effective compliance ultimately depends on national laws and their application in practice."

Provided by Bocconi University

Citation: The uneven results of anticorruption efforts across countries (2024, April 1) retrieved 2 May 2024 from <https://phys.org/news/2024-04-uneven-results-anticorruption-efforts-countries.html>

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