

14:00-15:00

# 2023 RULE OF LAW REPORT – TRENDS AND RECOMMENDATIONS



# Combatting corruption in the Dutch seaports

20 September 2023



# Corruption = Many-headed monster

No specific groups of employees, but of course preference for a certain stereotype.

## Portunus case

- > Corrupt port employees were closely involved in drug smuggling
- > Supervision was insufficient and the capacity to combat drug crime was too low

*"It is not stupidity or a one-off mistake. After his suspension, he purchases a Kalashnikov and actively recruits for removing cocaine in the port of Vlissingen."*





# The Dutch approach on drug trafficking through the Mainports (1/2)

- › In short:
  - Yearly €29 million
  - Enforcement on 5 'mainports'
  - Collaboration with relevant partners (police, customs etc.)
  - Cooperation with international counterparts



# The Dutch approach on drug trafficking through the Mainports (2/2)

- > Corruption-specifically
  - Awarenesscourses and combatting anti-corruption
  - Screening of port employees
  - Scientific research on corruption risks
- > Corruption-related
  - Smart CCTV, fences and drones
  - Access control through biometrics and fingerprints
  - Adjustments in logistics processes
  - Additional investigation capacity





# A few measures

- > Screening of port employees
- > Awareness container
- > Collaboration with schools
- > Cooperation with shipping companies
  - Smart-seals for containers
  - *Encrypted container codes*



# Screening of port employees

- › Project 'Gatekeeper'
- › Screening high-risk occupations in ports
  - port employees with access to crucial information or with an interesting role
- › Port *VOG* (Certificate of Conduct)
  - specifically screened for antecedents related to drug crime



# Collaboration with schools

- › Because of infiltration in organizations and schools, therefore:
  - Awareness courses
  - Teaching packages





# Cooperation with shipping companies

- > MSC, CMA-CGM, MAERSK, Hapag Lloyd, Seatrade
- > 'Working together on a secure and trustworthy port'
  
- > Selection of the agreements:
  1. Explore how and where smart seals, smart containers, container tracking or similar technical applications can be introduced.
  2. Explore how data protection can be used to make information available only on a need-to-know basis, as an extra threshold to shield sensitive information. (e.g. by using digital rights and/or biometrics).
  3. Reach agreements and practices at national levels to gradually implement screening or other types of background checks for high-risk individuals in certain positions within shipping companies, their local offices and shipping agencies.
  4. Continued commitment to staff integrity and resilience.
  5. Pursue a stricter HR policy, for example with the help of a code of conduct.



# Food for thought

- › Bottleneck: The impossibilities of data exchange within public-private and public partnerships.
- › Downside: more barriers (could) lead to more corruption/threats to employees and their families
- › Could you adopt a method in which you do not focus on the resilience of individual employees, but make corruption (almost) impossible at the system level?



Thank you for your time

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20 September 2023



REPUBLIC OF ESTONIA  
MINISTRY OF JUSTICE



# E-course for business students

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Kätlin-Chris Kruusmaa  
20.09.2023

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## Three simple goals



**Promote awareness**



**Increase transparency**



**Develop investigation**

Business students

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 **E-Course**

 **Goal**

Easy way to gain the most relevant knowledge about business corruption, economic crimes and ethics.

For business students

Assist the professors

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## Topics



Theoretical background and practical examples.



Cases that can be used in lecture discussions or for independent reflection.



Tests that help confirm newly acquired knowledge.

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## Participation



Through the website [www.korruptsioon.ee](http://www.korruptsioon.ee)



E-learning platform (Moodle)

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## Challenges

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**Reaching the audience**



**Keeping the material up  
to date**

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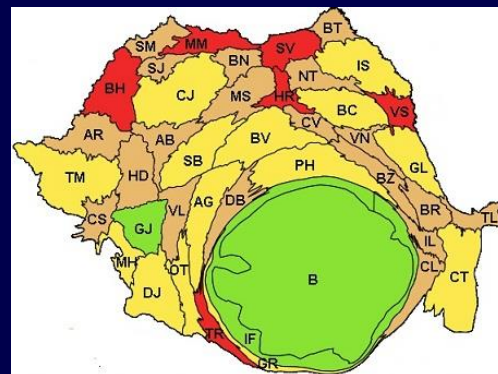
Thank You

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# BEYOND PERCEPTIONS

CLIENTELISM MEASURED OBJECTIVELY



**Sorin Ioniță**

**ExpertForum (EFOR)**

**[Sorin.ionita@expertforum.ro](mailto:Sorin.ionita@expertforum.ro)**

# Objective indicators

Three angles when assessing corruption:

- 1. How much is it present out there:**  
***objective evaluations***
2. How much is it perceived by public, experts, media etc: surveys, panels  
(*subjective*)
3. How much do the governments do to address it: policy action (institutions, targets)

# Why the choice of (1)

- In the EU the framework (acquis) is pretty much aligned – it is the practice (reality) that varies
- Real outcomes must be measured with hard data; they are also less contestable by authorities

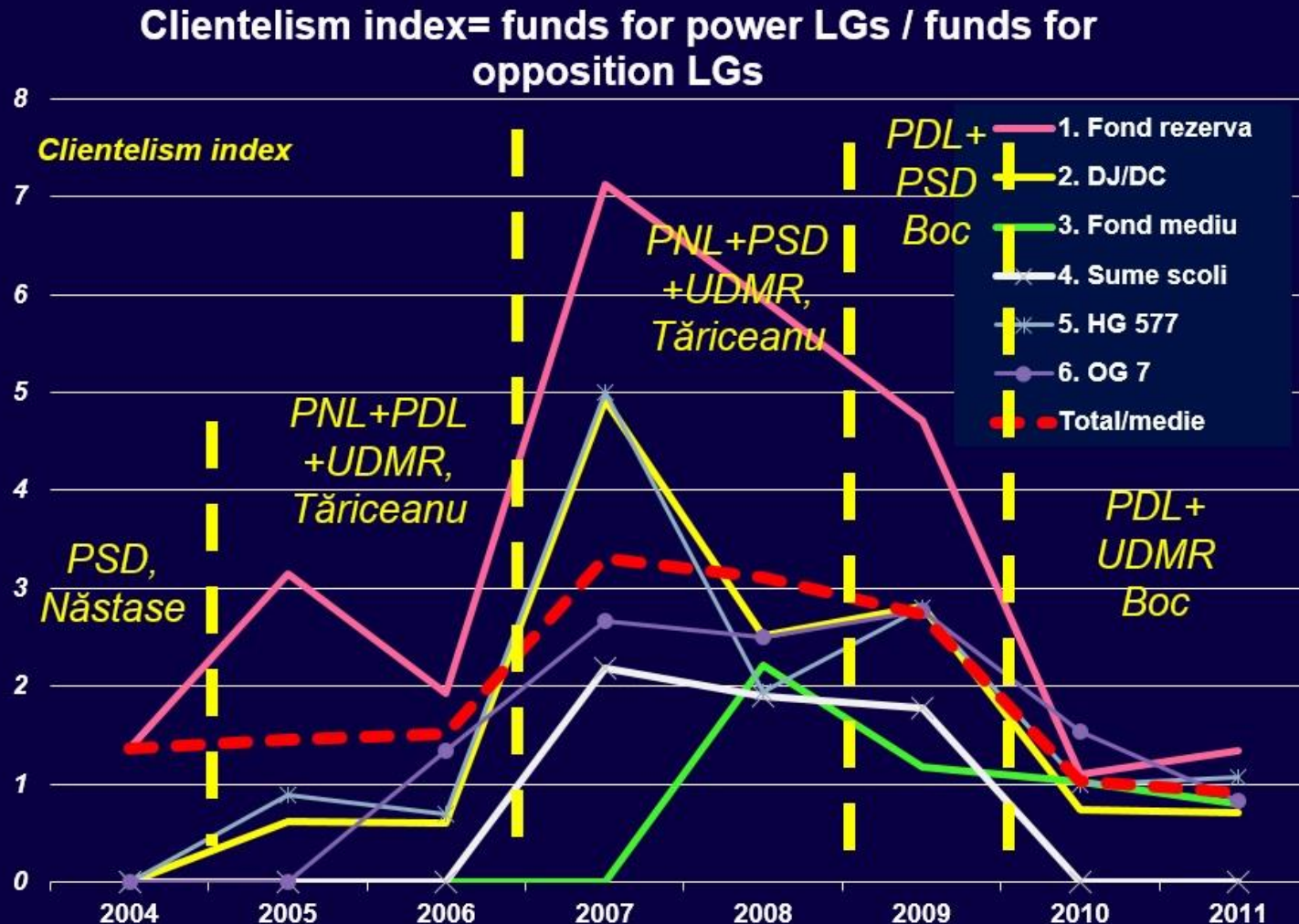
# 1. Grand corruption: buying off mayors

Since 2007, EFOR measures *discretionary* allocations Central Government → (County Councils) → Municipalities: investments, but not only

Substantial sums; in some years = 80% of the total own revenues in LGs (tiers I+II); and **70% of total sub-national capital spending**

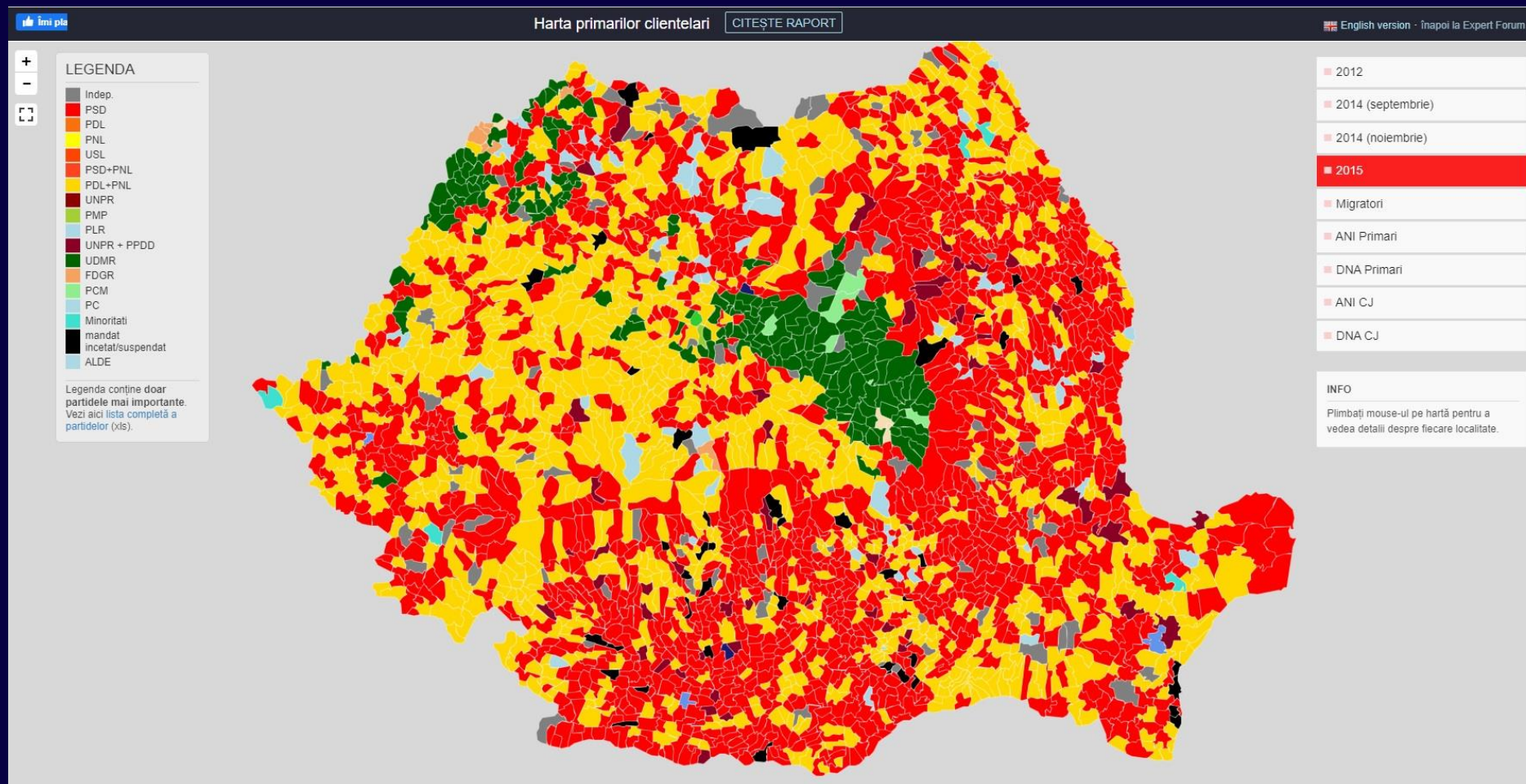
The **Index of Clientelism**: probability of getting funds (per capita) correlates with political affiliation of mayors

# 1. Grand corruption: buying off mayors



# 1. Grand corruption: buying off mayors

<https://expertforum.ro/primari-clientelari/>





## Methodology, caveats

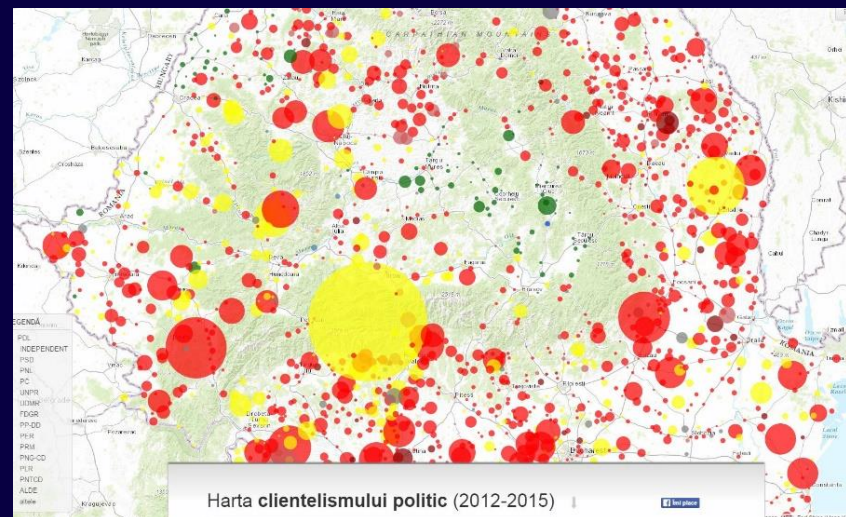
- Financial data must be checked and normalized (per capita, unit costs etc)
  - The structure of financial transfers may change over years
  - Political cycles come and go; people's party affiliation may change
- ⇒ Ongoing effort to adjust to reality and keep the databases valid

## Conclusions, impact

- Water mattress effect: clientelism moves from one instrument to another, as formulas are introduced for financial transfers to LGs
- The peak of clientelism = during the economic booms; public budgets increase fast  $\Rightarrow$  bad governance
- **Strict legislation against political migration of mayors**  $\Rightarrow$  perverse effects

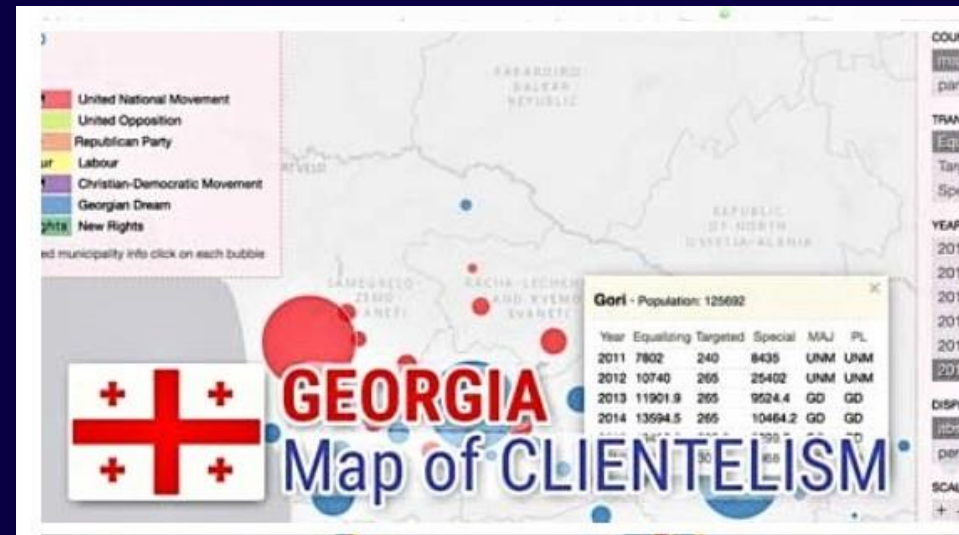
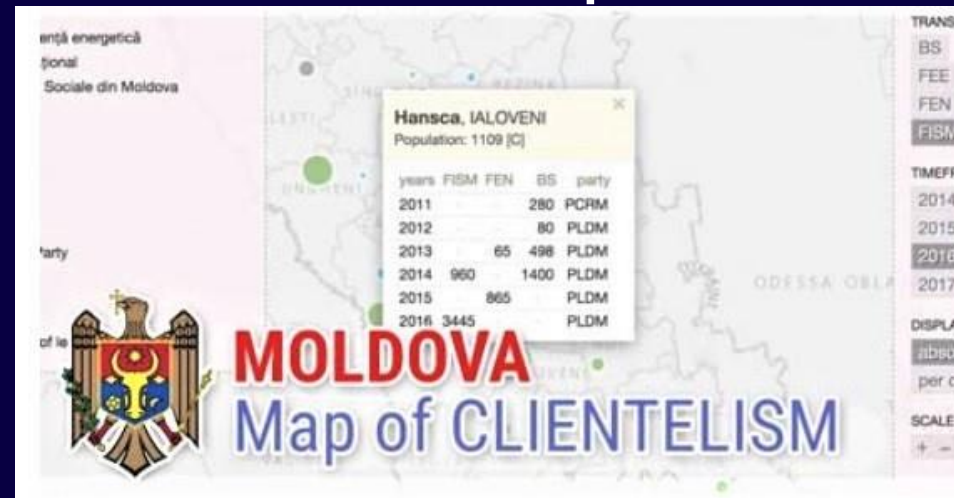
# Follow up: maps of clientelism

<https://expertforum.ro/en/clientelism-map>

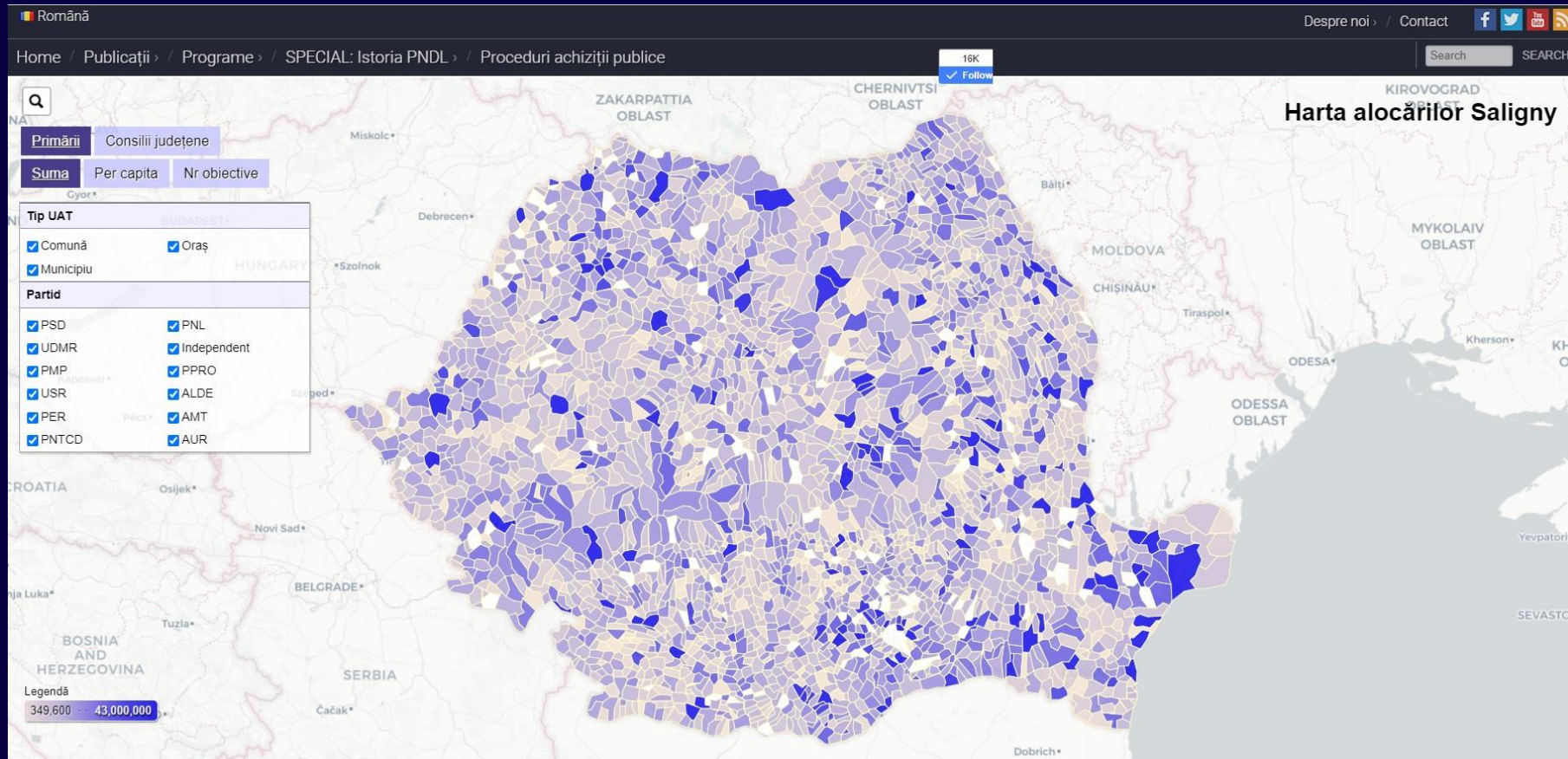


# Follow up: maps of clientelism

Allows international comparisons

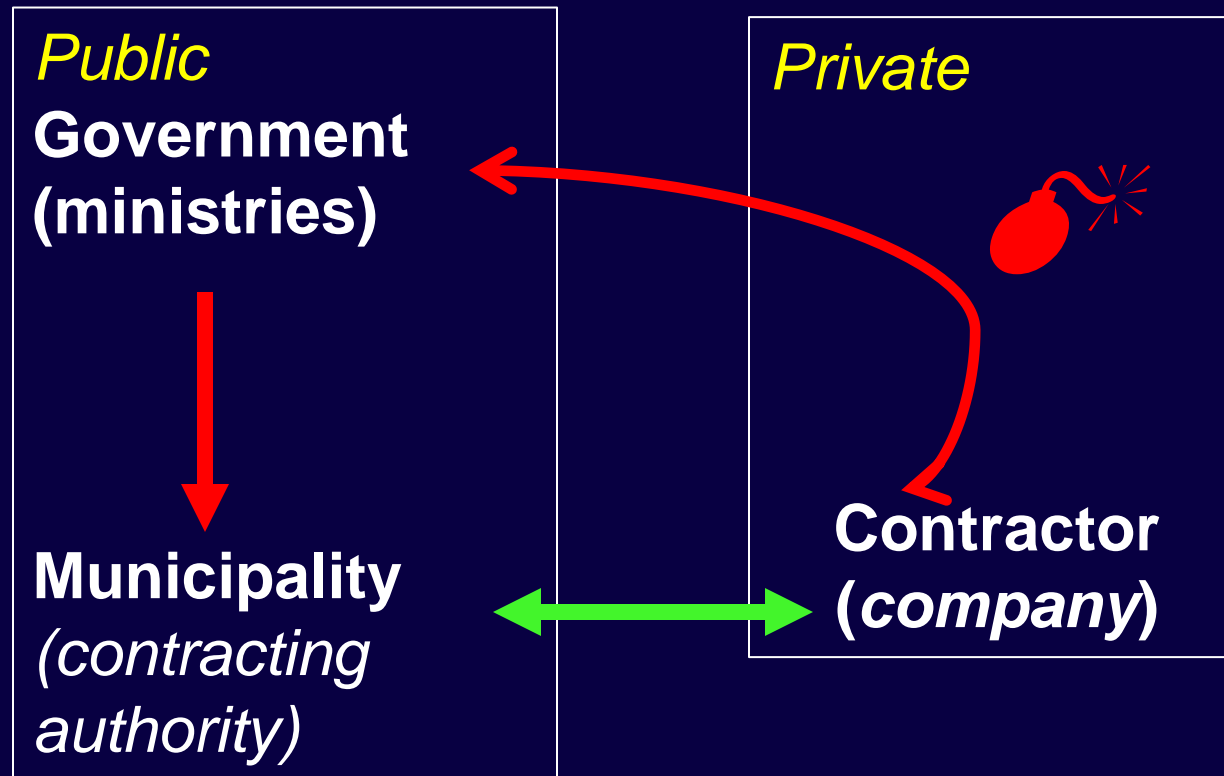


# Full database, new financial instruments



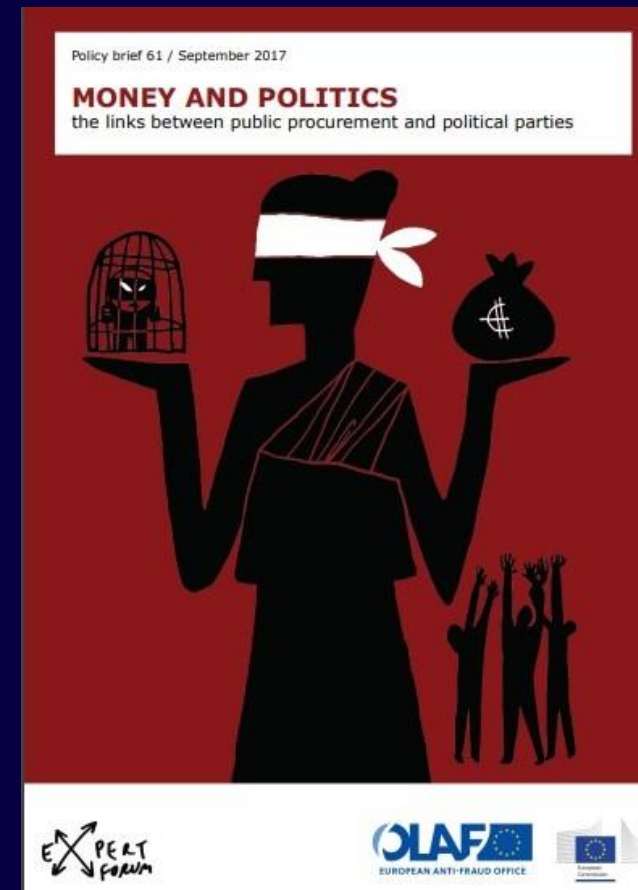
## 2. Procurement

Municipality–Contractor relation cannot be clean if Municipality-Ministry relation is dirty



## 2. Procurement+

*Social network analysis, factoring in the Government-Municipality allocations (public)*



# 3. Party finance

## Money for the parties / campaigns: the complete database 2006 – 2023

<https://www.banipartide.ro/>

Allows checks for level / purpose / legality of spending

**Banii Partidelor** Partide Subvenții Alegeri Știri și Rapoarte Metodologie Sesizări Adaugă sesizare

**Finanțarea partidelor**

Finanțarea partidelor politice pentru activitatea regulată, în afara campaniilor electorale. Analiză a veniturilor și cheltuielilor, evoluția subvențiilor, un motor de căutare a donatorilor către partide, precum și câteva statistici.

Venituri	Cheltuieli	Subvenții
<b>276 mil.</b> (2022) 235 mil. (2021)	<b>239 mil.</b> (2022) 177 mil. (2021)	<b>104 mil.</b> (2023) 257 mil. (2022)

\*sume exprimate în milioane RON

În decembrie 2020, [Registrul fiscal al partidelor politice](#) conținea **189 de partide**. În noiembrie 2008 erau 34 de partide, iar în 2012 erau 28 de partide înregistrate la Tribunalul București.

Datele privind veniturile și cheltuielile partidelor folosite reflectă doar informațiile disponibile, nu este o analiză exhaustivă; pentru anumiți ani nu există publicate toate informațiile.

Caută **donatori**:

[Persoane fizice](#) 10+ salarii (M.O.) , [Companii](#) (M.O.)  
Donatii și cotizații peste 10 salarii, împrumuturi peste 100 salarii. Publicate în Monitorul Oficial.

[Donatori](#) (R.V.C.) – toate donațiile, cotizațiile și împrumuturile partidului. Publicate în raportul de venituri și cheltuieli anual. Cuprinde doar partidele pentru care există informații.

Vezi și: [Subvenții partide](#)



## 3. Party finance

### Subsections:

- All the people elected locally after 2020 (45.000 entries) <https://alesi.banipartide.ro/>
- All candidates in local elections 2004-2020 (over 700.000 entries) <https://candidati.banipartide.ro/>

The only available databases, necessary for checking declarations of interests

Important in 2024 – 4 types of elections in Romania

# Important observations

- This is policy analysis, not criminal investigation; data  $\neq$  evidence admissible in court – but it is legitimate, useful as red flags
- Technology is ok – but the human factor is crucial to ensure common sense in interpretation
- Resources are needed to ensure continuity / relevant time series. Cannot function just with 6-12 months projects. Must be implemented at EU level to have comparability between countries