

**From:** Art. 4.1b (TRADE)  
**Sent:** 27 November 2015 17:11  
**To:** [REDACTED] (TRADE); [REDACTED] (TRADE); [REDACTED] (TRADE); [REDACTED] (TRADE)  
**Subject:** Meeting with Transparency international - anti-corruption in FTAs (29 October 2015)

For registering this report I am sending it again via ARES. Goes back to October

Dear All

On 29 October, I met with Carl Dolan of TI Brussels following a phone discussion on the the adoption of the Commission Communication Trade for All which also includes a pledge to include ambitious anti-corruption provisions in future trade negotiations. TI had also issued a press release welcoming the Communication. (below)

I gave a broad background to the new strategy and stressed that we were now in the process of defining the EU approach to anti-corruption in future trade agreements starting with TTIP. The UNCAC and OECD conventions and existing EU acquis are the basis. Pointed to some interesting TI studies on the current state of play of anti-corruption efforts in Member States and also asked about how TI evaluated the US approach/efforts on ac.

Carl highlighted the letter and suggestions for anti-corruption in TTIP that TI had send to Commissioner de Gucht two years ago. Discussion then focused on recent developments on the implementation of beneficial ownership disclosure which is part of the Anti-Money laundering 4 directive and an important element in the fight against corruption and expressed disappointment at the watering down of the final directive via Council.

TI will be publishing shortly its own comparison and assessment of how different G20 jurisdictions are implementing these BO principles and will share that with DG TRADE.

He stressed issues of relevance to corruption in trade such as procurement, export credits, whistleblower protection and general reporting requirements (accounting, transparency) as well as the area of customs/trade facilitation.

Pointed to the positive speech of David Cameron in Singapore endorsing the fight against corruption (See here: <https://www.gov.uk/government/speeches/tackling-corruption-pm-speech-in-singapore>) and the upcoming anti-corruption summit in 2016 to be hosted by the UK; the UK and Germany were at the forefront of better anti-corruption enforcement

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# PRESS RELEASE: EU Trade deals to include “ambitious” anti-corruption proposals

Posted by TI EU Office

14 Oct 2015

**Transparency International welcomes the European Commission’s pledge to include “ambitious” anti-corruption provisions and to increase transparency in all future trade deal negotiations. This new approach to the EU’s bilateral trade agreements was announced as part of a communication on the future of trade policy published today by the European Commission. The EU accounts for one-sixth of the world’s trade in goods.**

The announcement marks a new departure for the Commission. Previous bilateral agreements with major trading partners, South Korea and Canada for example, have not included these provisions. The proposed Transatlantic Trade and Investment Partnership (TTIP) will be a first test of the new policy.

Corruption is a major obstacle to global trade and foreign investment flows. It distorts the fair awarding of contracts, reduces the quality of basic public services, limits opportunities to develop a competitive private sector and undermines trust in the rule of law. Despite evidence of persistently high levels of foreign bribery in international business transactions [1], Transparency International has highlighted the poor record of anti-bribery law enforcement worldwide [2].

Substantive and robust anti-corruption provisions – such as those Transparency International have [recommended](#) for inclusion in TTIP – will help raise standards and focus attention on implementation. These provisions should include no impunity for officials charged with corruption offences, steps to reduce the secrecy and abuse of anonymous shell companies, and the requirement for governments to consult with civil society on their anti-corruption commitments.

*“The EU’s trade policies can be an important tool to combat the scourge of bribery, secret dealings and abuse of power around the globe,”* said Carl Dolan, Director of the Transparency International EU Office. *“Strong anti-corruption provisions in these agreements will focus the minds of governments on enforcing their existing anti-corruption obligations”.*

Corruption in the EU alone costs an estimated €120 billion per year [3]. Transparency International’s most recent report on the enforcement of foreign bribery legislation showed that 11 EU countries – Belgium, Bulgaria, Czech Republic, Denmark, Estonia, Ireland, Luxembourg, Poland, Slovenia, Slovak Republic and Spain – have shown evidence of little or no enforcement of obligations under the OECD convention prohibiting bribery of foreign officials. Only two EU countries – UK and Germany – are considered to be actively enforcing the convention.

The anti-corruption and transparency principles enshrined in these bilateral trade agreements must be consistent with the highest possible levels of transparency in the conduct of the negotiations, particularly where they have an impact on regulatory standards and decision making by public institutions, as is the case with TTIP. We welcome the Commission's commitment to improve the transparency of these negotiations and acknowledge the steps taken so far. However, these steps do not go far enough.

Transparency International's demands for greater transparency in these negotiations can be read [here](#).

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**European Commission**

DG TRADE

Unit G1 Trade Strategy

