



**THE TENTH ANNUAL PROFESSIONAL CONFERENCE
(AND GENERAL ASSEMBLY) OF THE
EUROPEAN PARTNERS AGAINST CORRUPTION (EPAC/EACN)**

ROMANIA, 17-19 November 2010

ORADEA DECLARATION 2010

We, the Representatives of the national Police Oversight Bodies (POBs) and Anti-Corruption Authorities (ACAs) of the Member States of the Council of Europe and the European Union, and Observers, gathered in Oradea, Romania, for the Tenth Annual Professional Conference (and General Assembly) of the EPAC network, *European Partners Against Corruption* (including the EU's Anti-Corruption Contact-point Network, EACN), devoted to "European Conditions for Integrity – New Perspectives", warmly welcome the achievements that have been accomplished in recent years and declare as follows:

Expressing our gratitude to our Romanian hosts, the Anti-Corruption General Directorate (AGD), the National Anti-Corruption Directorate (DNA), and the DGIPI for hosting the Conference as well as *stating our deepest appreciation* to the hosts for their warm hospitality that has made the Conference such a success;

Concerned about the seriousness of threats posed by corruption to the stability and security of societies, undermining the institutions and values of democracy, ethical values and justice, and jeopardizing sustainable development, social and economic prosperity and the rule of law;

Reiterating the need to ensure transparency, accessibility, accountability, legitimacy, impartiality and integrity in all systems created for the police-oversight as well as the anti-corruption work;

Promoting the respect for the rule of law and human rights in all police-oversight as well as the anti-corruption activities;

Recalling numerous international conventions, instruments and mechanisms, such as the UN Convention against Corruption (UNCAC); the Council of Europe Civil and Criminal Law Conventions on Corruption; the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions; the EU Hague Programme and the EU Stockholm Programme; and the Comprehensive EU Policy against Corruption; as well as the UN Universal Declaration of Human Rights, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the UN International Covenant on Civil and Political Rights; the UN principles relating to the status and functioning of national institutions for protection and promotion of human rights (Paris Principles); the European Convention on Human Rights; the Council of Europe European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT); and the Charter of Fundamental Rights of the European Union;

Noting the relevant decisions of the European Court of Human Rights and the publication on 12 March 2009 of the opinion of the Council of Europe Commissioner for Human Rights concerning the independent and effective determination of complaints against the police;

Convinced of the significant contributions that professional organizations and civil society can make to the effective implementation of all these instruments;

Calling on all stakeholders to base the fight against corruption upon a four-pronged approach, i.e. prevention, education, law enforcement, and cooperation;

Recalling the M.A.D.R.I.D. report of the EU Justice and Home Affairs (JHA) Council (10203/10, JAI 473, COSI 35) from 26 May 2010, which welcomes the good services the EU contact-point network against corruption (EPAC/EACN) and the International Anti-Corruption Academy (IACA) could provide for the further engagement by the EU in fighting corruption;

Recalling also EPAC's Vienna Declaration 2004, Lisbon Declaration 2005, Budapest Declaration 2006, Helsinki Declaration 2007, Manchester Declaration 2008, and "Perla" Declaration 2009;

Welcoming the achievements of the 3rd Conference of the States Parties to the UNCAC in Doha, Qatar, in November 2009, in particular the adoption of a review mechanism;

Acknowledging with great satisfaction the efforts by the United Nations Office on Drugs and Crime (UNODC), the Republic of Austria, the European Anti-Fraud Office (OLAF) and by a growing family of States Parties and other international stakeholders that led to the establishment of the first International Anti-Corruption Academy (IACA) in Laxenburg, Austria, which shall function as an international, inter-cultural, inter-sectoral and inter-disciplinary centre of excellence in the fields of anti-corruption education, training, cooperation and academic research;

Endorsing the participation of organizations of the EU contact-point network against corruption (EACN), acknowledging EPAC's (incl. EACN) (and its working groups') achievements, and *affirming* our commitment to further support the EACN's development building upon the existing cooperation between the EPAC:

1. *Reiterate* the necessity that POBs as well as ACAs are given the necessary independence in accordance with the fundamental principles of the respective national legal system so as to carry out their tasks effectively and free from any undue influence;
2. *Reiterate* the inclusiveness of EPAC as far as Member States of the EU and the Council of Europe are concerned, as well as *foster* the more formal operational cooperation within the EU by strengthening the cooperation between the contact-points of the EACN under the umbrella of EPAC;
3. *Endorse and support* the development *and maintain* the momentum of the EU contact-point network against corruption, EACN, as a further significant step

in the collaboration of European POBs and ACAs building upon the existing cooperation between the EPAC;

4. *Express our satisfaction* at the establishment of the UNCAC Implementation Review Mechanism and pledge our unwavering support to its full and effective functioning as well as *call upon* the European Commission that any (additional) reporting and reviewing mechanism shall not duplicate already existing instruments and shall not increase (administrative) burdens for national ACAs but shall gain synergies with existing mechanisms, especially the GRECO mechanism;

5. *Strengthen* all forms of international cooperation and sustainable exchange of experience and knowledge, in particular by promoting the above mentioned international conventions and mechanisms, thus strengthening the European approach in these instruments also on the operational level;

6. *Commend* the President of EPAC (incl. EACN) for concluding agreements or arrangements of strengthened cooperation with relevant institutions and organizations and *mandate* him/her to continue doing so;

7. *Acknowledge* that for proper functioning the network needs a solid and stable financial basis that is not exclusively covered by one or a small group of members;

8. *Appreciate* the European Commission's general willingness to support (financially or non-financially) EPAC/EACN and *invite* the European Commission to do so in the most effective and pragmatic way and in a timely manner;

9. *Invite and mandate* the President, together with interested members, to approach the European Commission (and other relevant stakeholders) and explore ways and means of how this could be facilitated best and in a timely manner and report to the next annual conference (scheduled for November 2011) at the latest about the results of these talks;

10. *Invite* all EPAC Partners to participate in one or more of the 2011 EPAC **Working Groups**: 'EPAC (EACN) Finances WG', chaired by the President, 'AC Standards WG', chaired by the Vice-President (AC), 'PO Principles WG', chaired by England & Wales, to coordinate their meetings and deliberations with the Secretariat for safeguarding inclusive outreach and information-sharing, and to conclude their work and submit their results via the Secretariat to the President no later than four months before the next annual conference, and, finally, *request* the Secretariat and the President to review and circulate the results to all members no later than three months before the next annual conference so that they can be discussed and adopted at this next annual conference, which is scheduled to take place in November 2011.

11. *Acknowledge* and *thankfully accept* until more permanent solutions can be found the offer by IACA to support and host the Secretariat of the network;

12. *Reiterate* our invitation to all members to – on a voluntary basis – support the Secretariat (e.g. by secondment of personnel);

13. Decide that the text of this Declaration be widely circulated by the EPAC and EACN in their countries and beyond, including to the relevant institutions of the Council of Europe and the European Union.