

MOTSTÅNDSKRAFT, OBEROENDE, INTEGRITET – KAN DET SVENSKA SAMHÄLLET STÅ EMOT KORRUPTION?

**NATIONAL INTEGRITY SYSTEM
ASSESSMENT SWEDEN 2011**

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Executive Summary

Staffan Andersson

This study is part of a Pan-European project (National Integrity Systems, NIS) in which the hypothesis is that a well-functioning integrity system provides an important safeguard in preventing corruption. National institutions with a key role for good governance are evaluated. These institutions, referred to as pillars in the methodology, together with society's fundamental political, social, economic and cultural conditions constitute the national integrity system which, when performing as it should, is assumed to constitute effective control of corruption. However, it does also stand to reason that although the run-up to this study and the study itself does include many important aspects of comprehending the risks of corruption and the way in which corruption can be prevented, it does not cover everything. The presence or absence of corruption in one area may conceivably be explained by factors over and above those covered by the framework of this study. Nevertheless, it does deal with many factors that are deemed to be important in the literature on corruption and its prevention.

The results in this study are to some extent comparable to results in studies conducted in other countries with the same methodology. The evaluation highlights the same institutions and is based on the same questions, criteria and reference points when setting scores as in other studies using the NIS methodology. It is, however, very important to highlight that because the scores are set by each respective country team of researchers, and not by a central scoring group that sets the scores for all countries, the scores that are set are not fully comparable across countries.

Each institution is assessed with regard to three different categories: capacity, which covers the institution's resources and independence; internal governance, which deals with the indicators of transparency, accountability and various integrity mechanisms; and the role of the institution in contributing to the integrity system, which is pillar-specific, but may for example concern anticorruption work or the task of holding another institution responsible, such as Parliament's control of the government.

The capacity, governance and role of the pillars have been assessed with regard to both the formal/legal regulation and their actual practice and behaviour. Sweden's political, economic, social and cultural foundations have also been assessed in order to take into account conditions that affect the opportunities for the different institutions in the integrity system to work effectively.

The study concentrates mainly on national institutions. The workings of municipalities and county councils primarily form part of the analysis of the public sector, but the municipal level is also dealt with to a certain extent in other chapters such as the chapter on Political Parties and the Media. The chapter on the Swedish National Audit Office discusses the municipal audit, but this is not included in the scoring assessment of the National Audit. The

municipal audit is instead part of the assessment of the accountability indicator in the chapter on the Public sector.¹

The study primarily covers the time period of 2006–2011. Focus in the empirical assessment of institutions is on the past two to three years.

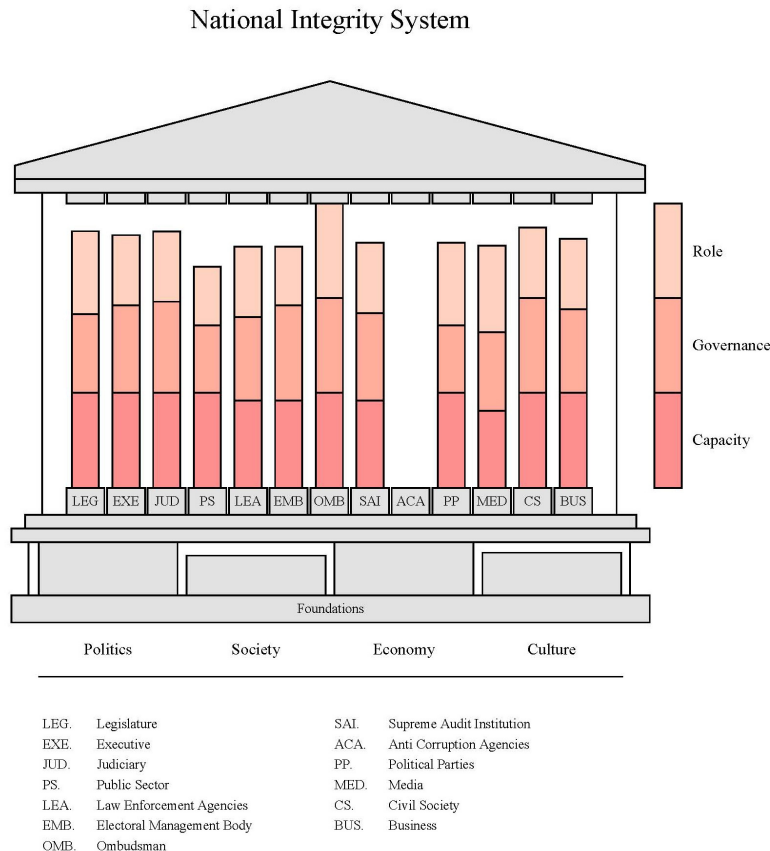
The national integrity system in Sweden

The study shows that the Swedish integrity system is generally strong, but at the same time it also identifies weaknesses that are of significance to the risks of corruption and the combating of corruption. This concerns the institutions that are part of the integrity system as well as the fundamental political, social, economic and cultural conditions that affect the opportunities for the system to function effectively. The figure below reflects the overall results of the study in terms of the assessment of the integrity system.

The scores for each pillar are shown in the three categories of capacity, governance and role.² The size of each category in the diagram is determined by these scores. The illustration communicates a fundamental thinking in the methodology: that an integrity weakness in the temple's foundations or one single pillar can cause the whole of the temple to sway or, in the worst case scenario, if it concerns major shortcomings, to collapse.

¹ The chapter entitled Corruption in Sweden clearly shows the significance of observing the municipal level since it deals with many activities that are sensitive to corruption. The reason that municipal operations are not scored as an individual pillar but instead as part of other pillars in the study is because in the methodology applied the municipal level is not included as a separate pillar for assessment.

² Note that one pillar has not been awarded points since Sweden has no independent anticorruption authority (ACA). For courts (JUD) and the Swedish State Audit Institution (SAI), only one respective two indicators in the "role" category was awarded points since the other indicators were not considered applicable.



Sweden's fundamental conditions

Sweden is assessed as having good conditions for an integrity system to function effectively. Even though the ground in the diagram is not completely even, it constitutes a steady foundation.

The Country Profile chapter (*Landprofil – Det nationella integritetssystemets förutsättningar*) by Svante Ersson analyses Sweden's fundamental conditions using quantitative cross-country data. The political conditions are given the highest scores³ (100); the institutions function well and the citizens' support for the political system is relatively high, although not uniform.

The economic foundations are assessed as very good in an analysis based on factors such as prosperity, competitiveness, the distribution of resources among its inhabitants and future outlooks (100 points). At the same time, the analysis shows that Sweden has fallen in relation to other countries concerning wealth.

With regard to the relations among social groups and between these groups and the political system, Sweden also occupies a high position in relation to many countries. Sweden is

³ The scale is: 0, 25, 50, 75, 100. For more about the scoring and method see the chapter About the NIS (Studiens metod och genomförande).

described as probably one of the more heterogeneous countries in Europe. The rights of minorities are protected, but Sweden is not in the very top group from an international point of view in this respect (75 points). There is a low level of social conflict and a strong position for civil society, and the social elite are relatively speaking socially representative.

The study's assessment of the cultural foundations, i.e. prevailing ethics, values and standards, is that these provide good conditions for the integrity system. However, the highest marks are not awarded here either (75 points). The assessment refers to confidence in the police and the legal system and the public in general, the importance attached by the citizens to matters such as personal integrity and freedom of speech, and the interest in personal integrity issues. Sweden's cultural orientation is characterised by a high degree of secularity, a strong level of interpersonal trust and a more positive attitude to migrants and ethnic minorities than is seen in many other countries.

Sweden's institutions

The temple also gives a graphic picture of the way in which the different institutions have been assessed in the categories of capacity, governance and role. Generally speaking, Sweden is given high points, but it is also important to highlight the areas that caused deductions.

In the chapter on the Swedish Parliament (Riksdagen), the assessment by Staffan Andersson, Svante Ersson and Shanthi Redebäck leads to a high mark. The weaknesses noted by the authors concern governance, with specific reference to the opportunities to hold members accountable and to mechanisms that safeguard integrity, but also the extent to which the combating of corruption is prioritised. Members of the Swedish Parliament are generally considered to be competent and it can be said that accusations of corruption against parliament are rather rare, even if the media has revealed quite a number of cases of erroneous use of various compensation systems enjoyed by the members of parliament. Great attention has been drawn to this from time to time. Regarding the role of parliament in the integrity system and matters of corruption and the combating thereof, this has been higher on the agenda in recent years, but this does not mean that it has been a matter of high priority.

The assessment in the chapter on the Government (*Regeringen*), also by Andersson, Ersson and Redebäck, generally depicts a good situation. There is a high availability of resources and the constitutional protection for the government's task and position is strong. The same applies to governance where transparency and accountability mechanisms are judged to be good. The slightly weaker aspects concern governance in terms of some shortcomings in rules to safeguard integrity, such as the general absence of post-employment regulation for situations when people in very senior government positions go directly into jobs in the private sector, plus the fact that the role of the government as regards measures against corruption has not been deemed to be of particularly high priority.

Erik Karlsson, in the chapter on the Judiciary (*Domstolar*), illustrates a generally good situation for Sweden's courts. Independence, openness and accountability are given high scores. Where integrity mechanisms are concerned, there is no special regulation concerning codes of conduct, conflicts of interest or post-employment restrictions concerning going from the task of acting as judge over to other assignments in the private or public sector. In terms of resources, the district courts sustain an extremely heavy load in relation to allocated resources

and personnel. One role question has not been assessed since it concerns corruption prosecution, which is not within remit of the Swedish courts but instead a matter for the prosecution authority and thus assessed under the law enforcement pillar.

The chapter on the Public Sector (*Offentlig sektor*) by Staffan Andersson discusses the parts of the public sector that are not analysed in the remaining chapters. The public sector is given the lowest overall mark of all institutions (78 points). The availability of resources is judged to be good and the formal and actual independence is strong but, concerning governance, the reach of the principle of public access to official documents and the protection for those who blow the whistle on irregularities to the media has been reduced.

The weak auditing of municipal administration constitutes a weakness for public-sector accountability. Another problem in the same area is municipalities' failure to comply with the law and municipal contempt of court, which is especially frequent in connection with the fact that procurements that courts have judged to be erroneous have still led to contracts. It is noted, however, that the rules and regulations concerning procurement have recently been fortified to prevent this. The systems that deal with conflicts of interest in connection with nominations and public procurement are also relatively weak. With regard to integrity, there is a lack of general post-employment regulation for transitions from very senior government posts to other sectors, which can at least have an effects on the way in which impartiality is perceived. The combating of corruption is assessed not to have been given particularly high priority when it comes to training and information to the public or cooperation with other organisations, but other mechanisms are deemed to partially compensate for this.

The Law Enforcement Agencies chapter (*Polis och åklagare*) by Erik Karlsson gives capacity a high mark. The assessment is based on increased financial resources in recent years and a firmly established independence. Long throughput times and the police's previously deficient internal investigations cause a slight fall in the mark for governance. When it comes to the role of combating corruption, inadequate investigation resources are taken into account, as well as the proposed changes to the criminal regulation of corruption-related criminality. Criminal networks have a significant capacity in the form of violence and intimidation capital that can be used in extortion, for example, but it is unusual for this to be used for the purpose of unlawful influence in Sweden, and no serious case of violence aimed at authority representatives or journalists has been reported to the security police in the past year. A National Intelligence Centre has been established by the National Criminal Investigation Department to analyse intelligence in these matters from the authorities who are cooperating in a joint effort against organised criminality.

The assessment in the Election Management chapter (*Valadministration*), which covers the Election Authority and the Election Review Board, results in a high mark. The weaknesses identified by Erik Karlsson concern being inadequately prepared to receive many complaints, which was clearly shown primarily in connection with an unusually high number of complaints in the 2010 election. Deductions are also made for the regulation of the financing of political parties and candidates since the Election Authority has no such role and because there is also no other body that fills this role. However, the mark given for this indicator is not zero since the lack of regulation and control are in some ways compensated for by the voluntary agreement between the political parties (see below).

The analysis of the Swedish Parliamentary Ombudsmen (*Riksdagens ombudsman*, JO) by Erik Karlsson shows that JO is an institution that generally functions very well. JO has no points deducted from any indicator and is thereby given the highest mark (100) of all of the institutions covered by the study. JO's control of authorities' compliance with the laws fulfils an important function that is also recognised by the public. It is noted, however, that the authority's follow-up work is relatively unsystematic and that the strained work situation appears to lead to less initiative being taken concerning matters of general interest and more systematic investigations for the benefit of handling complaints. However, according to the model for the scoring assessment, this has not led to the deduction of points.

Staffan Andersson's assessment of the Swedish National Audit Office (*Riksrevisionen*) gives a high mark overall, but certain weaknesses have been identified. For example, the National Audit Office's former reporting system has had its shortcomings. In addition, the National Audit Office's Board had a role that implied a potential opportunity to influence the independence of the National Audit Office. Here, we should add that the Board in 2011 was abolished and replaced with the Parliamentary Council that, contrary to the board, does not have a decision-making function. The Parliamentary Council will function as a cooperation body and an information channel between the National Audit Office and the Swedish Parliament. There is no general post-employment regulation of the transition of personnel between the National Audit Office and other sensitive operations. This is a potential problem since the impartiality or independence of the Audit institution could be challenged. Auditing within municipalities and county councils is not a part of the National Audit Office's scoring assessment, but problems concerning independence, integrity and effectiveness are discussed in a separate overview.⁴

In the Political Parties chapter (*Politiska partier*) by Thomas Larue the constitutionally protected freedom of association is judged to provide good protection for Sweden's political parties. The resources are good for the parties that receive public funding, which also makes the parties less dependent on special financial interests or individual donors. But public funding is only received by some, electorally successful parties. It is noted that support is greater for parties in opposition than for parties in government. Also, questions concerning at times irregular use of municipal public funding are raised. All major political parties have written statutes on internal democratic rules with which they are believed to comply with only occasional exceptions. Corruption and the combating thereof is addressed very little in party programmes and by politicians, but the assessment is that the level of ambition has been defensible with certain development potential.

Legislation concerning insight into and openness regarding the parties' finances is completely lacking, although a voluntary agreement between seven of the Swedish Parliament's parties does offer some insight. Sweden has previously officially maintained a position whereby nothing needs to be done in the area, in spite of a number of recommendations from the Council of Europe's group against corruption (Greco), of which Sweden is a member. Greco has also directed strong criticism against Sweden because none of these recommendations has been implemented. The issue concerning legislation has recently been raised again and discussions between all parliamentary parties are currently underway. The chapter in this study proposes that all of Greco's recommendations from 2009 be carried out. Under the

⁴ Regarding the scoring assessment, the municipal audit is instead part of the public sector assessment.

current constitution this should be done by two measures, which involve a sharpened voluntary agreement in line with Greco's recommendations, as well as changes to the legislation on public funding of political parties. A further complementary measure would be to investigate which constitutional amendments are required to carry out all of Greco's recommendations within the framework of public law.

The Swedish media plays an important role in keeping politics and administration accountable. For this, the media relies on tradition and strong legal protection through the Freedom of the Press Act. Here, Olof Kleberg's chapter on the Media (*Medier*) shows that the principles of openness and public access to official records at state agencies and in municipalities and county councils constitute a central basis for journalistic work. The media's freedom is protected by the constitution. Sole responsibility for the legally responsible publisher means that only the legally responsible publisher and not the journalist can be prosecuted for the content of an article. This constitutes important protection against pressures put on the individual journalists. The media has also played an important role in both discovering and reporting on corruption and irregularities. The weaknesses noted concern shortcomings as regards integrity and openness in the media, as well as fewer resources for in-depth, broad and investigative journalism. Increasing ambitions among editorial offices, journals and serious blogs have to a certain extent counteracted the harmful effects, however. Investigative journalism usually forms part of the editorial offices' day-to-day operations but could be fortified. It is also affected by that an increasing number of public services are carried out by private companies for which the principles in the Freedom of the Press Act do not apply. Over time, the tendency has also been that the Official Secrets Act (from 2009 the Public Access to Information and Secrecy Act) has involved gradually extended secrecy, which also affects the opportunity of the media to make use of the principle of public access to official records.

Martin Nilsson's chapter on Civil Society (*Civila Samhället*) shows that civil society generally functions well in its different roles to strengthen democracy. It is one of the institutions that are awarded the highest overall score (92). It has a strong capacity and a high level of independence that is promoted by the constitution's protection of freedoms and rights. There are sufficient financial resources from various financing sources. There is also a combination of commitment and a relatively expedient level of professionalism.

The population shows a high level of participation in organisations. There is also a long tradition of a democratic and open work method that has self-regulating mechanisms should irregularities occur. Governance is assessed to be good. Civil society has no common guidelines for the sector's operations and conduct but, over the past few years, similar steps across organisations have been taken for example that an increasing number of organisations provide protection for whistleblowers. The prevailing ethic is characterised by compliance with internal rules and regulations and the implementation of sanctions if these are not complied with. However, the concrete role in combating corruption has not been strong. There is thus room for development.

Glenn Sjöstrand's evaluation in the chapter on Business (*Näringslivet*) shows that overall the situation concerning capacity, governance and role is good. The institutional resources that generally support the interests of the companies, help to reduce corruption, reduce financial crime and increase internal auditing, are comprehensive. Sweden's economy is open and

competitive. There is good protection for ownership rights, both intellectual and tangible, as well as a good level of openness.

The number of companies that are covered by ethical codes, either their own or in accordance with international standards, is increasing. This is partly an effect of sharpened requirements on companies, monitoring by the media and the occurrence of scandals. However, making the ethical guidelines legitimate and effective vis-à-vis owners, employees and customers does amount to a challenge. The bureaucratic superstructure of the economy in the form of control and rules and regulations should also be reduced. Sweden has also been criticised by the Financial Standards Forum for not fully living up to certain international audit criteria. Finally, it is a matter of extending the legal protection for whistleblowers.

Some general traits of the Swedish integrity system

Two important results are clarified directly through the study's in-depth evaluation and in the above figure. The first thing is that all pillars are given high marks (an average score of 88) but that there is a certain variation. The public sector is the institution that is given the lowest average score (78) but, in absolute terms, this result is also fairly high. The other result is that there are some indicators in the in-depth assessment that are weaker than others.

Seen in terms of all institutions, capacity (resources and independence) is the category that comes out strongest in the assessment with the highest average score (96). This means that financial and personnel resources are deemed to be good and that the various institutions have the opportunity to work without inappropriate influence. With regard to capacity, the Media (81), the National Audit Office, Election Management and Law Enforcement Agencies were the ones with the lowest scores (92), which in itself is still a high mark. The result for the media is explained by the ascertained ownership concentration, that some areas (municipalities) of big cities are not covered and scrutinised by local press and the weakening of editorial offices. Also, in the private sector the principle of public access to public records do not apply and neither do the Freedom of the Press Act's protections of a public-sector informer to the media to stay anonymous, the prohibition for employers to investigate who informed the media and the protection against actions against the informer. In the case of the National Audit Office, top marks were not given for independence with regard to former reporting systems and the role of the Board and, regarding the Election Management, said lack of resources in connection with the unexpected quantity of complaints at the last election explained the mark. The former lack of organisation of particular competence and specialisation in corruption crime led to points being deducted for the law enforcement agencies.

Then we have Governance, whose average mark is 89. Here, transparency, accountability and integrity mechanisms were given high marks. Several interesting observations have been made, however, concerning opportunities (or the lack thereof) to be able to freely inform on irregularities discovered and protection while so doing, as well as the occurrence and implementation of various ethical principles and regulations.

Political Parties (71) and the Public Sector (71) were given the lowest scores in the governance category. Regarding political parties, the low result is primarily due to the lack of

legal regulation concerning the financing issue and the insignificant formal financial supervision of the political parties. Regarding the public sector, the low result was explained by the shortcomings concerning the reach and application of the principle of public access to official records and the problems that were observed within municipal administration.

The consistently weakest scoring category in the study is the role of the institutions in the integrity system (average score 79). Here, JO and the Media were both awarded high scores (100 and 92 respectively). In the case of JO this is explained by its active work of handling complaints from the public and promoting good practice among the authorities. For media the high score is explained by the fact that media is assessed as being active and that journalists have often in practice been the ones who have exposed corruption. The media also largely actively and comprehensively monitors the government, as well as governmental and municipal bodies and authorities.

Election Management (63) and the Public Sector (63) received the lowest scores for role. Where election management was concerned, the score was solely because the Election Authority does not have the task of controlling the financing of parties and candidates - and nor is that performed by any other body since the area has no legal regulation at all. The low score for the Public Sector is because its information and education to the public about the combating of corruption is pretty insignificant. It likewise cannot be said that this is performed by any other authority, even if the National Anti-Corruption Unit does play an informative role in certain contexts. The media indirectly fulfils parts of this function through its reporting on and the exposure of cases of corruption and the consequences thereof. The public is also generally well-informed and a fair number of people know which formal bodies they can complain to, such as the police, prosecutors and JO.

The combating of corruption among authorities, businesses and civil society

The role of the institutions in the integrity system also reflects what is discussed by Staffan Andersson in the chapter on Anti-Corruption (*Antikorrupktion: arbetet mot korrupktion*): the fact that matters of corruption and the combating thereof have not occupied a particularly high spot on the agenda of authorities. This applies also to civil society and business organisations to a certain extent.

The relatively low priority given to anti-corruption work is partly due to a broad perception that corruption is experienced relatively little in Sweden and that the situation is good in comparison to many countries. But this must not be confused with the fact that there is no corruption or that there are no obvious risks, which has sometimes been the case.

One trend is that the significance of these questions is on the increase. The underlying driving force originates primarily from an international movement that has emphasised the matter, which has also influenced Sweden. Sweden has been affected by its international cooperation in various organisations, but also by the need of business to maintain international competitiveness. Finally, the uncovering of various forms of corruption in companies and public administrations and cases of embezzlement also observed in civil society has contributed. On the part of the authorities, international operations were addressing these issues early, particularly in the area of development aid. The matter has been less conspicuous

for the other administrations. Some initiative has been taken, however; one of the more important cases in recent years is the Government committee on the penal law regulation of bribery which, in 2011, presented its proposals for a change to the legislation. It also put forward a proposal for a code of conduct for business concerning gifts, benefits and rewards. Various experts and organisations have participated in this work, not to mention the contribution of trade and industry organisations to the proposed code of conduct. On the other hand, The Swedish Association of Local Authorities and Regions were not represented in the investigation, which is unfortunate bearing in mind that municipalities and county councils' comprehensive operations accommodate many of the areas that are vulnerable to a high risk of corruption.

Within the business sector, the work concerning corporate social responsibility (CSR) has become more and more important and has increased the importance of anti-corruption issues. The work with codes of conduct has been given more and more priority in many companies, and anti-corruption measures may be of major significance to financial values. If a company is exposed as having its fingers in the till while it is simultaneously shown that no measures have been undertaken and no system has been introduced to prevent corruption, there may be a high price to pay. Possible consequences include the loss of contracts or even exclusion from markets.

Apart from development assistance organisations, anti-corruption matters have not been given the same priority in civil society, but the significance has increased in recent years; for example, some organisations have introduced channels for personnel or members to be able to blow the whistle on irregularities and still remain anonymous.

Corruption in Sweden

A starting point and assumption of the methodology which the study uses that a functioning integrity system constitutes important protection against corruption. Suitable regulation and good systems for accountability are thus assumed to lead to the likelihood of corruption being reduced. The assessment of institutions and how well they are performing therefore concentrates on assessing these factors rather than actually attempting to assess the extent of actual corruption – but then what do we know about corruption in Sweden?

Staffan Andersson's chapter on Corruption in Sweden (*Korruption i Sverige*) discusses the fact that the various assessments made of the perceived scope of the corruption indicate that Sweden has a good starting point. In general, according to these studies, corruption is not widespread but the scope of corruption is extremely difficult to measure, and it is difficult to draw any definitive conclusions about the actual scope. Corruption is expressed in various ways and there are many different types of corrupt conduct and actions. Even if most Swedes rarely appear to need to pay bribes in contact with the public sector, there is research showing that corruption does occur and that corruption is also something that the public does see as a real problem. This is also supported by a fairly large number of corruption occurrences, particularly in local and regional politics and administration.

The nature of corruption (which involves the opposite of fundamental administrative principles of integrity, impartiality and objectivity of good administration) also means that

even a relatively small number of cases of corruption can destroy the confidence that these principles are being upheld. Bearing in mind the importance of these principles to maintain good governance in which democratic and constitutional principles are safeguarded, as well as the significance of this for economic development, corruption is also an extremely urgent issue already at low levels.

In a corrupt society, a high price can be paid for endeavouring to be honest. It may mean that one citizen does not receive part of the public sector service to which he or she is entitled or, in environments where corruption is fully predominant, be consistent with a danger to life. In a society where the majority of people are not corrupt, the costs increase for corrupt actions instead: the risk of being discovered and punished increases since more people will probably expose the corrupt person. With that, a conduct that is condemned is also more likely to be sanctioned, not just legally but also socially.

Already when people start to believe that many others are corrupt, this can have an effect on their own behaviour and therefore lower the hypothetical cost of the corrupt alternative. This is where we find much of that which turns corruption into something that needs to be constantly counteracted. The work should take place on an ongoing basis in the same way as the work with maintaining and developing democracy, and being constantly developed.

The integrity system faces challenges

The study identifies several challenges for the integrity system and its institutions. The following mentions some of the most important in order to maintain the integrity and prevent corruption. First and foremost, it is a matter of seeing that corruption does exist, being aware of the risks that exist in many operations and how these risks can be dealt with, and seeing the way in which changes to operations can affect these corruption risks and, in this connection, the preventative and controlling measures that are needed.

One obvious challenge to take into account is the changes in the public sector that were implemented for the purpose of efficiency and reducing costs. Administration has started using alternative modes of operation to a far greater extent, which is something that has involved the creation of companies and the procurement of services from private business. One consequence is that procurement has become an even more important part of the operations; another is that the public sector authorities and the media's examination of operations in alternative modes of operation is less comprehensive than its scrutiny of public sector organisations that have retained the same management model.

This reduces the application of the protection against corruption and irregularities contained in the principle of access to public records and the protections that goes with it for those whistleblowing to the media which, in Sweden, is often put forward as one of the most important forms of protection against irregularities. Former studies have also highlighted a general tendency over time towards a more taciturn public administration where the inclination to use the freedom to communicate information and protection when doing so is reduced (see the chapter on the public sector). These observations are important on the basis of the fact that the media, rather than formal control bodies such as auditing, has exposed many cases of irregularities and corruption in public administration. That being the case, an important

question to consider is whether said changes with effects on the risks of corruption have meant that measures have simultaneously been taken to meet these changed corruption risks. Were new control systems adapted before these changes were introduced? In this respect, previous research shows that this is far from always the case, and this then leads to greater risks.

So, how will the national integrity system cope with these changes and challenges that to a great extent affect institutions and their conditions? Some of the most important aspects of protection against corruption are to maintain the low acceptance level for irregularities and corruption, well-informed citizens and openness in society. The access of the citizens and the media to information, where the freedom to communicate information and protection when doing so plays an important role, is very important.

The above discussion can also be related to three important principal traits of the current integrity system's function. Formal regulation such as the strong constitutional protection afforded by access to public records and protection when giving information to the media is the first. The second concerns other types of control that are not executed by formal institutions. This is very much where people's attitude to corruption, trust in one another and society's institutions and the social control that is made up of attitudes to various acts come into play. The formal regulation is generally also fairly flexible when it comes to mechanisms for maintaining honesty. Relatively speaking, there is no culture of codes of conduct and detailed ethical regulation of services and various public sector positions. This is particularly clear in the political arena where the task of Parliament is traditionally surrounded by trust. The role there is very free with few restrictions. Finally, this also shows how important it is to have good preventative mechanisms against corruption rather than simply focusing on punishment. However, the legal control mechanisms are also crucial when, in spite of everything, corruption does occur; they signal the potential costs of such an action.

How should these challenges be met?

Even if there is a low level of acceptance of corruption, people's assessment of various types of corruption varies. This applies particularly when we move from clear cases of bribes to other types of corruption concerning nepotism, political influence from those providing campaign contributions, and conflicts of interest in the execution of public services. One important conclusion to be drawn from this is that it is not sufficient to think that measures are not required because it is perfectly obvious as to what is permitted or not permitted where matters of corruption are concerned. It is not enough to refer to "pure common sense", particularly if legislation in these matters is relatively complicated to understand (which has been a common opinion on current bribery legislation). Information and training are required so that people know what is involved and where the borderlines are drawn in their respective operations.

The study's analysis of the public sector shows that the scope of the principle of public access to official information has been reduced along with the important protection for those in the public sector who blow the whistle on irregularities and corruption to the media. Nor does this protection apply to private enterprises. Here, the Swedish Parliament has taken the initiative through the constitutional committee and requested the government to review the legislation on whistleblowing to improve protection for whistleblowers. This is an important step

towards maintaining the traditional line of Swedish administration and towards seeking an improvement. The occurrence of municipal obstruction of justice and contempt of court, which is assessed as a serious problem in the public sector, should also lead to reflection, particularly bearing in mind the way in which this can affect the legitimacy of authorities and of laws and rules in general.

The study's examination of integrity mechanisms finds a common denominator for Sweden's public sector authorities: that there are no regulations concerning the post-public employment regulation of transition from very senior positions in the public sector to the private sector. It could be, for example, that managers in the public sector regulatory authorities were to change directly to a position on the regulated side. The chapter on the government by Andersson, Ersson and Redebäck discusses this in relation to ministers, for example, where Sweden, as opposed to many other countries, has no type of quarantine regulations. Erik Karlsson's review in the chapters on Sweden's courts and police and prosecutors shows that the matter is also not regulated in these areas; also the issue seems to be given less attention in these authorities. Greco has recommended that Sweden look at possibilities of developing some form of post-employment regulation concerning the movement between the public and private sectors. It is also thought that this is possible at the same time as taking into account the Swedish wish to uphold flexibility of movement between public sector and private sector jobs. The Expert Group for Public Economics (ESO), linked to the Swedish Government Offices, is looking into the matter.

There is no authority that is directly responsible for informing the public of corruption and anti-corruption. Is there a need for such information and, if so, who should be responsible for providing it? Indeed there is an increasing interest, demand and need for more knowledge on anti-corruption. The National Anti-Corruption Unit has noted a greater interest in and demand for its expertise, even expertise that leans towards providing information, i.e. the type of information that is often associated with the functions of an independent anti-corruption authority. The Anti-Corruption Unit itself believes that the demand for information and expertise exceeds its capacity to provide for it.

Who, for example, on the part of the central state administration will meet the need among municipalities for providing information on a number of matters concerning corruption and the combating thereof?⁹ Will the prosecution authority be given greater resources for this or should some other authority be allocated a clear information role vis-à-vis authorities, citizens, organisations and companies? The Swedish Council for Strategic Human Resources Development (KRUS) has a similar assignment when it comes to the development of the public ethos in the government. It is reasonable to give one particular agency the information responsibility.

Sweden has no independent anti-corruption authority. This study is not saying that there is anything objectionable about this, and it can be noted that the law-enforcement authorities have acquired more specialised investigation capacities, the lack of which had previously been criticized by international organisations. The prosecution authority headed in this direction as early as 2003 when the National Anti-Corruption Unit was introduced, which

⁹ Naturally we are aware that the Swedish Association of Local Authorities and Regions is a key player in this respect.

deals with corruption cases irrespective of where in Sweden they occur. The police went down the same route, establishing a specialised unit in the autumn 2011 that will investigate corruption crime. Inadequate capacity was found in this respect, and this initiative is important to take – even if it cannot yet be assessed as to how it will function.

An important conclusion is also that the Swedish media has and has been expected to play an extremely important role in the integrity system. The formal regulation gives the media great options as investigators, and several interviewees in this study return to the media's function as investigators and recipients of information on irregularities as an important controlling institution. Several of the Swedish corruption cases have been exposed by the media.

But what are the possibilities for the Swedish media to be able to fulfil this role? Olof Kleberg's chapter shows that investigative journalism has been affected by financial cutbacks. In addition, the reach of the principle of public access to official records has been reduced in many operations as a result of alternative modes of operation. Other research shows similar arguments where many media companies have fewer resources for running investigative journalism. Local investigations into politics and administration also suffer since many local editorial offices have disappeared. What do these reductions mean as regards the function of the integrity system? Possible solutions for some of these problems could consist of extending protection such as the freedom to communicate information to the media – and the protections that go with it – also to private organisations providing services that are publicly funded. Another possible measure is to be more restrictive with amendments to the Public Access to Information and Secrecy Act that as noted tend to extend secrecy and instead prioritise the media's opportunity to make use of the principle of public access to official records.

The current and largely voluntarily agreed rules and regulations concerning the financing of political parties and candidates in elections and how this should be accounted for risk providing inadequate protection against corruption. The judgement is therefore that an increase in requirements on political parties to openly account for their finances would reduce the risks of corruption. At the same time, other worthwhile factors that are protected in the current legislation must also be taken into account. Thomas Larue thus concludes that it is not certain that legislation with increased and direct demands on how to account for finances is the best way forward. The questionable compatibility with the Instrument of Government and practical and fundamental problems in the implementation of such legal regulations could create problems. On the other hand, indirect regulation within the current frames of the Instrument of Government would be possible. Against this background Thomas Larue suggests that all of Greco's recommendations from 2009 ought to be implemented. Under the current constitutional framework the implementation ought to be carried out by two measures. Firstly, the current voluntary agreement between seven Parliamentary parties from the year 2000 should be extended in line with Greco's recommendations. This could be a possible alternative route that could be easier to implement in the short term. Greco itself has pointed out that the implementation of its recommendations does not require legislation. The second measure is to change the public funding regulation so that requirements are set stating that the parties must implement an extended voluntary agreement as recommended above in order to receive parts (or the whole) of its public funding. These two measures require that resources are allocated internally within the political parties as well as for outside review of how they comply with the rules. A further, complementary measure would be to investigate which

constitutional amendments would be required to carry out all of Greco's recommendations within the framework of public law.

Codes of conduct and other anti-corruption policies are being given higher and higher priority in the business sector, particularly by major companies. There are several challenges regarding the creation of appropriate ethical guidelines. The chapter on Business by Glenn Sjöstrand emphasises a number of challenges for this work. It is a matter of how to make guidelines relevant to the operations and how to communicate them and monitor the compliance therewith. It is also a matter of how to make an impact on the practical handling by the companies, and how to sanction infringement of the rules since it has been shown that infringement of the rules is of minor significance vis-à-vis the company or its employees. Another important aspect is that the management shows the way and inculcate the significance of the ethical guidelines, particularly since the acceptance of them being infringed for the purpose of increasing the profit is higher among boards and management groups. Moreover, a functioning system to report irregularities where employees do not risk sanctions in having reported them is also required, e.g. through whistleblower systems. One option put forward is to strengthen the legal protection by including in the Employment Protection Act regulations banning the buying out of those who have blown the whistle, as well as extended protection for the whistleblowers.

As with former research, Martin Nilsson's analysis of civil society in this study shows that it fulfils an important function in the work against corruption. A development of the internal work that has started with codes of conduct and the establishment of various whistleblowing systems may strengthen openness and accountability in civil society's organisations. Since such a large number of Swedes are members of various organisations, the effect of this on society in general must not be underestimated.

Prioritised areas and recommendations

To summarise, the shortcomings identified by the study and subsequent proposed measures lead us to focus on the following four important areas with recommendations.

1. Knowledge and awareness of corruption

This area is of great significance to keeping corruption at low levels. Some of the most important aspects in the protection against corruption are maintaining the existing low level of acceptance for irregularities and corruption, ensuring that citizens are well informed and ensuring that there is considerable openness. A key factor is the access of citizens and the media to information where the freedom to communicate information and the protection thereof plays an important role.

One way of obtaining more knowledge of the way in which tolerance is affected is to study effects of municipal scandals on the confidence in institutions and acceptance of corruption. Knowledge on how corruption occurs, the forms thereof and the driving forces constitutes another area that is crucial in order for measures to be relevant and effective.

Information and training are required so that people know what applies and where the limits lie in their respective operations. It is not sufficient to refer to “pure common sense”, particularly if legislation in these matters is relatively complicated to understand (which has been a common opinion on current bribery legislation). This is where the government, civil society and business all can contribute. Today, no authority is directly responsible for informing the public and non-governmental organisations about corruption and anti-corruption. One agency should be given such a responsibility.

Since such a large number of Swedes are members of various organisations, these may play an important role through their work with codes of conduct and the establishment of various whistleblowing systems that may strengthen openness and accountability, not only in civil society’s organisations but also in society as a whole.

Business organisations also have an important role to play in the work against corruption, which needs to be continuous. Among the companies, it is an important challenge to create appropriate ethical guidelines, to develop the way in which these are communicated and develop the monitoring of compliance therewith. It is also a matter of how to achieve an impact on the practical handling by the companies and how to sanction infringement of the rules. One important aspect is to develop functioning systems for the reporting of irregularities so that employees do not run the risk of being punished for having reported them, such as through better protection for whistleblowers.

2. Reforms of operations

The study ascertains that, in certain cases, changes to operations affect risks of corruption. It demonstrates the significance of taking this into account in a risk analysis in connection with reforms. In the public sector, we know that the effects of reforms are far from always taken into account. This is also an important issue to observe in companies and other organisations. The introduction of or changes to rules and regulations should always include an overview of the way in which this affects risks of corruption.

3. Transparency

Openness and insight are crucial to facilitating the discovery of corruption and to ensuring that a potentially high price is paid for corrupt action. It is therefore extremely important to maintain transparency and insight into publically-financed operations. Where this is concerned, the trend has instead gone in the opposite direction. It is also important to develop openness in companies, voluntary organisations and the political parties. One important matter linked to this is to use different ways to strengthen protection for those who report corruption and irregularities. One possible action is to extend the freedom to communicate information, the ban on investigating the source and the protection from reprisal to also cover publicly- financed operations carried out by private sector organisations, which would then also increase the possibility for the media to investigate. In this context, it is also desirable to break the trend of the growing secrecy and instead giving priority to the opportunity of the media to make use of the principle of public access to official records. Another important aspect is to consider the possibility of also extending the freedom to communicate information, and the protection when doing so, to apply to notification to public authorities.

In companies, legal protection for those who report irregularities and corruption could be strengthened in a similar way to that in Norway in that the Employment Protection Act included regulations on a ban on buying out those who have reported irregularities and protecting employees from reprisals.

Where political parties are concerned, questions on greater insight have been debated for a long time and proposals calling for legislation concerning parties' and election candidates' direct reporting of their financing has been put forward; primarily the debatable compatibility with the constitution, but also practical and fundamental difficulties with the application of such legislation have been stated against such legal regulation. The study put forward two proposals that observe the compatibility with the constitution. It is a matter of extending the current voluntary agreement between seven Parliamentary parties from 2000 in line with Greco's recommendations. A change to the regulation of the public funding of political parties is also proposed so that requirements are set stating that the parties must implement an extended voluntary agreement as above in order to receive parts (or the whole) of the governmental party support. A further, complementary measure would be to investigate which constitutional amendments would be required to carry out all of Greco's recommendations within the framework of public law.

4. Legal measures and control mechanisms

There is no coordinated anti-corruption policy in Sweden, and there is cause to wonder whether it would be beneficial if a clear coordination responsibility were located in the Swedish Government Offices.

When it comes to the existing legal control mechanisms, their function is crucial when, in spite of everything, corruption does occur: they signal the potential costs of committing acts of corruption. In this context, it is important to remedy the police's inadequate investigation capacity thus far.

These mechanisms that signal the costs of corruption are important in relation to individuals, organisations, companies and authorities. From this perspective, it is important to have legislation that is as clear and comprehensible as possible. In this connection, we would also like to point out the need to bring to fruition a change that more clearly defines the significance of municipal administration's compliance with the law. The fact that municipalities tend on a relatively frequently basis not to worry about complying with the law and, in some cases, are in contempt of court decisions, is serious and may in the long run also have a very negative effect on the legitimacy of authorities, laws and rules in general. Regarding the municipal operations, the study also shows a continued need for measures to strengthen municipal auditing and the independence thereof.

Openness and insight into recruitment processes to senior government positions may help boost confidence. Various aspects of this are discussed in the study. Among other things, it notes the insignificant insight in the process concerning the recruitment of state auditors, where greater openness would be desirable on the basis of the points of view in this study, with greater options to understand the bases on which the auditors are selected or on which candidates are filtered out. It is also noted that there is a consistent lack of post-employment regulation throughout the public sector regarding the way in which agency managers and

people in senior government positions can change to jobs in the private sector, where some form of regulation concerning this would be desirable.

Finally, it can be ascertained that the prevention and combating of corruption is not just a matter of the government and other public sector authorities, but that the media, civil society and business organisations have important roles to play.

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