

# ANTI-CORRUPTION HELPDESK

PROVIDING ON-DEMAND RESEARCH TO HELP FIGHT CORRUPTION

## ANTI-CORRUPTION SPECIALISATION: LAW ENFORCEMENT AND COURTS

### QUERY

Are there examples of EU court systems where corruption is dealt with by special prosecution offices and through special courts? Are there also examples where small-scale corruption and high-level corruption cases are dealt with by different courts? Would it be possible to include Romania, Bulgaria and Croatia among the chosen examples? It would also be interesting to have some examples of "old" member states".

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### SUMMARY

Specialised law enforcement bodies dedicated to the fight against corruption have been established in several European countries. They often focus on middle- and high-level corruption offences and corruption-related acts committed by high-ranking public officials. Investigators and prosecutors are usually specialised in corruption and financial crimes and have access to special investigative techniques.

Bulgaria, Croatia and Romania have all adopted specialised law enforcement bodies as part of their efforts to curb corruption and end the culture of impunity that permeates these countries. The results achieved so far seem to vary, however.

Only a few countries have also established specialised anti-corruption courts. They often have jurisdiction over the offences investigated and prosecuted by special anti-corruption bodies. These are far less common than specialised law enforcement. In Europe, Bulgaria established a specialised court to deal with crimes committed by organised criminal groups, including corruption-related crimes, but only Croatia and Slovakia seem to have dedicated anti-corruption courts in place. However, there is limited information available regarding the operations and impact of these courts.

## 1. SPECIALISED LAW ENFORCEMENT

### The rationale for specialised anti-corruption law enforcement bodies

The United Nations Convention against Corruption (UNCAC) calls on signatory-countries to establish anti-corruption specialisation within their law enforcement structure. Article 36 states that:

Each State Party shall, in accordance with the fundamental principles of its legal system, ensure the existence of a body or bodies or persons specialized in combating corruption through law enforcement. Such body or bodies or persons shall be granted the necessary independence, in accordance with the fundamental principles of the legal system of the State Party, to be able to carry out their functions effectively and without any undue influence. Such persons or staff of such body or bodies should have the appropriate training and resources to carry out their tasks.

Similarly, the Council of Europe Criminal Law Convention states in Article 20 that: “each party shall adopt such measures as may be necessary to ensure that persons or entities are specialised in the fight against corruption”.

The explanatory note of the Convention states that such a requirement aims at improving both the specialisation and the independence of persons or entities in charge of curbing corruption.

According to the OECD (2013b), a specialised anti-corruption body is particularly useful when “structural or operational deficiencies within an existing institutional framework does not allow for the effective preventive and repressive actions against corruption”.

In addition, anti-corruption specialisation may be particularly helpful in granting investigators and prosecutors special investigative powers and access to information from other public bodies that may be relevant in identifying illegal wealth and abuse of office, among others corruption offences. Moreover, such powers may help to build stronger evidence in complex cases and make it harder for courts to dismiss or acquit cases involving high-level officials.

Another reason for establishing specialised anti-

corruption units within law enforcement bodies seems to be to guarantee that adequate attention is given to high-level corruption cases. In many countries, investigators and prosecutors have a heavy workload and due to a lack of capacity, political will or resources they end up focusing on petty corruption cases.

### Necessary characteristics

In jurisdictions around the world, law enforcement officials, such as the police, investigators and prosecutors are responsible for conducting investigations, deciding on whether or not to initiate prosecution, conducting prosecutions and appealing court decisions. In some jurisdictions, these responsibilities are combined with other tasks such as the supervision of the execution of court decisions and assistance of victims, among others (Martini 2013).

Governments should therefore provide the necessary safeguards to guarantee that specialised law enforcement bodies, as other law enforcement institutions, can perform their duties in a fair and impartial manner.

A set of standards and principles should be in place to ensure that investigators and prosecutors act in the public interest. This includes guaranteeing that they are independent from judges and other government bodies, as well as ensuring that they account for the decisions they take. There should also be clear rules in place regarding the hiring, promotion, and removal from office of law enforcement officials. Law enforcement officials should also have the necessary resources to conduct investigations with autonomy and independence.

Moreover, it is particularly relevant that in the case of specialised anti-corruption agencies the following issues are provided (OECD 2013a, 2013b):

- **Clear mandate, identification of functions and competence:** The law should provide for a clear description of the activities to be performed by the specialised unit as well as a detailed description of the crimes which fall under its jurisdiction. Some specialised units have jurisdiction over all corruption-related crimes, others may have jurisdiction over crimes

involving high-level ranking officials. In other cases, the unit's competence is defined based on the financial value of the offence (e.g. the unit can only investigate cases where the bribe paid is higher than US\$100,000).

- **Internal organisation structures and regulations:** There should exist a clear organisational structure to ensure law enforcement officials can be held accountable, including a code of conduct and established reporting obligations on the activities conducted.
- **Adequate technical capacity:** Investigators and prosecutors should have the necessary technical expertise to deal with complex corruption cases, including financial investigations. Training should be provided regularly. Specialised units should also be able to rely on external expertise in specific cases.
- **Access to special investigative techniques:** These should include access to bank information, data from customs and tax authorities, and the possibility of undertaking undercover investigations and surveillance, among others. Special investigative techniques are key to help detect high-level corruption and build the necessary evidence to bring those involved to court.
- **Clear rules on prosecutorial discretion:** In order to avoid undue influence and partiality, there should exist clear rules regarding whether or not the prosecution should present criminal charges and what charges to present.
- **Witness protection:** In order to step up efforts to detect, investigate and prosecute high-profile and complex corruption cases, an adequate system to protect witness and deal with confidential information is required.
- **Mechanisms for inter-agency coordination:** This is particularly relevant when different government bodies play a role in the fight against corruption. For instance, it is crucial that the agency responsible for collecting and verifying asset declarations informs corruption-related investigations. Similarly, supreme audit institutions, and other administrative bodies dealing with ethical issues should cooperate with

specialised law enforcement agencies. In addition, public agencies and other law enforcement bodies should inform specialised units of alleged corruption cases which fall within their jurisdiction.

## Examples of specialised law enforcement bodies

Almost all UNCAC signatory countries have established one or more bodies or specialised departments to fight corruption through law enforcement (Transparency International 2013). Some countries have established designated anti-corruption agencies with repressive and investigative powers or even with prosecutorial functions. This is the case for instance in Azerbaijan. Others have opted for anti-corruption specialisation within the existing law enforcement and prosecution bodies (OECD 2013b).

This answer highlights the cases of Bulgaria, Croatia and Romania, as well as Spain and Slovakia. Links to specialised law enforcement units in other European countries are also provided.

### Bulgaria

#### Overview

Corruption in Bulgaria is a serious concern, and impunity is seen as a major impediment to the fight against corruption. Reports published by the European Commission have highlighted Bulgaria's challenges with regard to bringing corrupt officials to justice (European Commission 2014b).

As part of the country's efforts to curb corruption and enhance public confidence in public institutions in general and in the judiciary in particular, in 2008 the government established the State Agency for Public Security (SANS).<sup>1</sup> It is a specialised unit to investigate and prosecute corruption-related crimes committed in the country involving senior public officials.

<sup>1</sup> A list of the issues under SANS' responsibility is available at: [www.dans.bg/en/about-sans-menu-en/chaiperson-menu-en](http://www.dans.bg/en/about-sans-menu-en/chaiperson-menu-en)

Between 2009 and 2013, the unit's investigative powers were suspended. Only after the reforms adopted in June 2013, which merged it with the General Directorate for Combating Organised Crime, did it regain its investigative function. The reform extended the competence of the unit and brought more specialisation to the units while establishing joint investigative teams. A special team to deal with high-level corruption, trafficking and financial crimes was established (European Commission 2012). Low-level corruption is investigated by the ordinary police under the supervision of the Ministry of Interior (Business Anti-Corruption Portal 2013).

### *Appointments, resources and accountability*

As previously mentioned, it is crucial that the judiciary is free from political interference and influence; therefore, fair appointments that are based on clear and predefined criteria should be the norm. In the case of Bulgaria, there has been a lot of controversy regarding the appointment of key heads of public institutions, the unit being one them. The head of the unit is appointed by the parliament. The process of appointment has been opaque and allegedly influenced by political and economic interests (European Commission 2014a, 2014b).

Control over the unit is exerted by a specialised Standing Committee to the National Assembly (OECD 2013b).

### *Practice*

Following the establishment of the unit, the number of corruption cases prosecuted increased during 2009 and 2010. However, the number of cases dropped significantly in 2011, when just a few high-level cases reached court. At the same time, the number of dismissals and acquittals also increased. An analysis of corruption cases carried out by the Prosecutor's office at the request of the European Commission in recent years shows a disproportionately high number of acquittals (European Commission 2012).

In addition, this analysis points to the fact that corruption cases involving high-ranking officials/politicians are very rare (European Commission

2014).

The report points to a number of reasons for failures in the investigation and prosecution of corruption, including the fact that the majority of cases resulting in acquittal had been initiated without justification and were generally not ready to be submitted to the court. There is also concern regarding the impartiality of magistrates judging the cases (European Commission 2014b).

Factors such as an overly complex legal framework, weak technical capacity of prosecutors and investigators to build strong evidence, and weak witness protection legislation are also highlighted as reasons for the lack of success of the specialised unit (European Commission 2014).

A judicial reform that aims, among other things, at addressing issues related to the Prosecutor's Office and investigatory services is currently being discussed with key stakeholders (European Commission 2014b).

## **Croatia**

### *Overview*

In 2001, as part of the government's anti-corruption package the [Office for the Suppression of Corruption and Organised Crime \(USKOK\)](#) was created. The establishment of the office aimed at strengthening law enforcement and prosecutorial services to effectively fight corruption and organised crime throughout the country (OECD 2013b). The office enjoys a broad mandate to investigate, prosecute and prevent corruption and organised crime.

The competence of the office is defined by law, Article 21 of the Law on Office for Suppression of Corruption and Organised Crime, and it includes, among others, the following criminal offences:

- accepting and offering a bribe
- abuse of office
- unfair competition
- trafficking in human beings, extortion, kidnapping, robbery, money laundering, fraud

if these crimes were committed by an organised criminal group

- money laundering and tax evasion

The office's focus is on middle and high-level corruption cases, with petty corruption cases being investigated and prosecuted by regular prosecutors of the State Attorney's office (Pervan 2010). Within this framework, high-level corruption cases prosecuted by the office are judged by corruption courts, and small-scale corruption cases prosecuted by ordinary prosecutors are judged by regular regional courts.

The office comprises four departments: the Research and Documentation Department, responsible for collecting data on corruption and organised crime as well as for communicating with other state bodies with the aim of detecting corruption and organised crime activities; the Anti-corruption and Public Relations Department, responsible for awareness-raising activities and studies on the nature and forms of corruption in the country; the Prosecutor's Department, responsible for directing the work of the police in investigating the offences stated in Article 21 and for applying security measures with regard to seizing the proceeds of crime; and the International Cooperation and Joint Investigation Department, responsible for cooperation with other states and international bodies with regard to the crimes of Article 21 (OECD 2013b).

A specialised unit within the police, The National Police Office for Suppression of Corruption and Organised Crime (PN-USKOK), was also established in 2009 to support the investigation of corruption cases.

The office also has access to several special investigative techniques, such as, interception of telephone conversations, and simulated bribe giving, among others. In addition, the office enjoys extensive confiscation powers and it can freeze assets of perpetrators during the investigation. According to the new Criminal Procedure Act 2009, all perpetrators' assets are considered to be acquired as pecuniary gain unless the perpetrator can prove that it was acquired legally (Pervan 2010).

Moreover, in order to facilitate the detection of corruption, the office cooperates with several public

bodies, including the Tax Administration (granting the office access to tax data), the Police Directorate on the exchange of information in pre-investigative stage of proceedings (access to crime-intelligence data), as well as the Public Procurement Agency (Pervan 2010).

Investigations have to be carried out within six months. In very complex cases, the office may apply to the attorney-general for an extension of a maximum six months to complete the investigations.

### *Appointments, resources and accountability*

The head of the office is appointed by the attorney-general for a term of four years, renewable once. Deputy prosecutors are also appointed by the attorney-general based on the proposal of the head of the office. As of 2012, there were 28 deputy prosecutors working at the office (European Commission 2012).

With regards to accountability mechanisms, the office publishes on its website a report of its activities and main corruption cases investigated (Pervan 2010).

### *Practice*

According to the European Commission's 2012 Progress Report, substantial progress has been made in the fight against corruption in Croatia. Law enforcement agencies have been proactive, particularly in the prosecution of high-level corruption. However, attention should be paid to prosecutorial discretion. The current system does not provide for independent checks on decisions by state prosecutors to not investigate/ prosecute denunciations of corruption (European Commission 2012).

In addition, the report underscores the importance of applying dissuasive and effective sentences in these cases ensuring the punishment of those involved. The report also states that more attention should be given to corruption at the local level (European Commission 2012).

### *Romania*

## Overview

The fight against corruption in Romania has been one of the most debated issues in the country and at the regional/ international level. The European Commission has highlighted on several occasions the country's failure to control corruption and punish high-level ranking officials. In 2002, the government established the National Anti-corruption Directorate, a specialised anti-corruption prosecution structure with the objective of boosting the country's fight against corruption (European Commission 2014c).

The directorate is a special directorate within the Prosecutor's Office attached to the High Court of Cassation and Justice. It consists of four main sections: the section for combating corruption; the section for combating corruption offences committed by military personnel; the section for combating offences connected to those of corruption; the criminal justice section. The law grants the directorate autonomy with regard to its jurisdiction, personnel and resources (OECD 2013b).

The agency was set up to deal only with high- and medium-level corruption crimes; petty corruption cases remain under the responsibility of ordinary prosecution offices to avoid an overload of cases (OECD 2013b).

Within this framework, the directorate is responsible for the investigation and prosecution of bribery and other corruption-related offences in cases of high- and medium-level corruption. According to the Government Ordinance n.43/2002, the following cases are under the competence of the directorate:

- when the damage caused by the offence exceeds €200,000
- when the value of the bribe exceeds €100,000
- when the offence was committed by a member of parliament, members of the government, high-level officials of central and local administration, mayors, judges, prosecutors, police officers, as well as custom officials
- when there is fraud affecting European Union

funds

The directorate also relies on the support of judicial police officers and specialists to conduct investigations and gather the necessary evidence. Investigators and prosecutors of the directorate may use a wide range of special investigative techniques, including interceptions, undercover investigations, access to financial data, and monitoring of financial transactions, among others. Directorate staff have also been trained to conduct searches using specialised hardware and software tools (OECD 2013b).

## *Appointments, resources and accountability*

The head of the directorate is appointed by the president based on the proposal of the minister of justice with the prior opinion of the Superior Council of Magistracy for a three-year term, renewable once.

Prosecutors are hired following a recruitment process and the decision of the head of the directorate for an unlimited term. The law specifies the necessary qualifications for being able to join the directorate, which include: a strong professional background, good moral behaviour and six years' professional experience as a judge or prosecutor (OECD 2013b).

The directorate has its own budget. Besides receiving domestic funding, it has received significant financial and technical support from foreign funding.

## *Practice*

The European Commission highlights the directorate's performance in recent years with a significant increase in the number of indicted defendants as well as convictions. During 2013, the directorate presented 270 indictments, including against members of parliament, senators, a former minister and senior civil servants. There was also a high number of final convictions (244), many of which with prison sentences. However, there is no assessment of the quality and fairness of the investigations and prosecutions.

## **Spain: Special Prosecutor's Office against Corruption and Organised Crime**

In spite of the corruption challenges still faced by the country, Spain has a long tradition in specialised anti-corruption bodies and specialised units established in other countries such as Romania are based on the Spanish model.

### *Overview*

The [Special Prosecutor's Office against Corruption and Organised Crime](#) (ACPO) was established in 1995 within the State Prosecutor's Service with responsibility for investigating and prosecuting high-level bribery and corruption-related offences.

The special unit was created to overcome the challenges related to gathering evidence in corruption-related cases. It comprises a team of specialised prosecutors as well as specialists and experts in different fields (OECD 2013b).

Article 5 of the ACPO statute states that the unit will take part in criminal proceedings considered by the prosecutor-general as of "special importance" with respect to embezzlement, influence peddling, bribery, and money laundering, among others.

Against this backdrop, the prosecutor-general directs cases to the unit based on the following attribution criteria (OECD 2013b):

- if the offence (as listed in Article 5) was committed by high-level public officials of the national, provincial, local and autonomous administration
- if the offence was committed by a low-level official, but it is complex or of economic and social importance
- if the offence was committed by organised criminal groups
- if the offence falls under the jurisdiction of the National Court, which is competent for serious fraud

The unit has access to a series of special investigative techniques. For instance, it can access

the Tax Inspectorate database containing information on tax returns and bank accounts of all individuals and private entities in the country. In addition, the unit may also access other relevant information held by other public and law enforcement bodies (OECD 2013b).

### *Appointments, resources and accountability*

The prosecutor-general is appointed and removed from office by the king. The head of the unit is appointed by the government based on the suggestion of the prosecutor-general. Similarly, all of the unit's prosecutors are appointed by the government based on a proposal by the prosecutor-general and consultations with the Prosecutor General Council. There are no formal qualification requirements, but appointed prosecutors usually have expertise in economic crime and tax fraud (OECD 2013b). Prosecutors can only be removed from office by the prosecutor-general following disciplinary proceedings.

The unit is financed through the budget of the State Prosecution Service by the Ministry of Justice and it does not have its own annual budget or any earmarked funds (OECD 2013b). With regard to accountability measures, the unit is required to inform the prosecutor-general about all cases being investigated. The prosecutor-general provides a report on the unit's activities to the Board of Court Prosecutors every six months (OECD 2013b).

### *Practice*

The unit has investigated and prosecuted several high-level corruption cases in recent years (OECD 2013b). However, according to the most recent GRECO report, few have resulted in convictions (GRECO 2014).

According to the report, the extremely legalistic approach applied in Spain combined with an unclear division of responsibilities between prosecutors and judges causes serious delays in the prosecution and trial of corruption cases (GRECO 2014).

## **Slovakia: Special Prosecutor's Office**

### Overview

The Special Prosecutor's Office was established in 2004 to deal with corruption, serious economic and terrorist crimes, serious crimes committed by organised criminal groups, as well as crimes committed by members of parliament, judges and prosecutors in the exercise of their functions. In addition, crimes that fall under the jurisdiction of the Specialised Criminal Court can only be prosecuted by the office (OECD 2013b).

The office was established within the General Prosecution Office, but in practice it enjoys a great deal of independence and autonomy in conducting its activities (UNODC 2013).

The office can only prosecute cases and supervise the pre-trial phase. Investigations of corruption-related cases are carried out by the Bureau for the Fight against Corruption of the Police Forces, a specialised anti-corruption unit of the police. The bureau is supervised by the Public Prosecutor's Office, and special investigative techniques, such as surveillance, access to bank secrets data, and non-residential searches require its approval (OECD 2012).

### Appointments, resources and accountability

The head of the office is elected by parliament for a five-year term based on the proposal of the prosecutor-general. Prosecutors are appointed by the head of the office with the approval of the Prosecutor's Council. As of 2012, the office was not fully staffed and struggling to deal with all its cases within the timeliness prescribed by the law (OECD 2012).

The office submits a detailed account of its activities to the parliament on an annual basis (OECD 2012), but there are no established accountability mechanisms to the public (Transparency International Slovakia 2012b).

### Practice

Following the establishment of the specialised police unit responsible for investigating corruption cases

and the specialised prosecution service, there has been a significant increase in the number of corruption cases brought before the courts (UNODC 2013). Nevertheless, concerns over the decision to initiate investigations and eventually prosecute high-level political figures have been raised. There have been denunciations against high-ranking politicians that have not been investigated or prosecuted, putting into question the independence of these special units (OECD 2012, Transparency International Slovakia 2012a).

In addition, the analysis of cases investigated and prosecuted shows that the majority of them are relatively small and do not involve high-ranking officials (UNODC 2013). According to the review of the OECD anti-bribery convention, it seems that there is no clear prioritisation to investigate serious bribery cases (OECD 2012).

### Other examples

**Denmark:** [Public Prosecutor for Serious Economic Crime](#)

**France:** [Central Office against Corruption, Financial and Fiscal Offences](#)

**Netherlands:** [National Public Prosecutor's Office for serious fraud and environmental crime](#)

**United Kingdom:** [The Serious Fraud Office](#)

## 2. ANTI-CORRUPTION COURTS

### Overview and rationale

There is very limited research on anti-corruption courts in general, and on their impact in particular.

The existing literature on the topic highlights that anti-corruption courts have been established to "insulate corruption cases from existing corrupt systems and to build special expertise in the handling of complex cases" (Schutte and Butt 2013, 2).

Excessive delays in trying high profile corruption cases can undermine the credibility of the government's commitment to anti-corruption and are likely to fuel a culture of impunity. Court specialisation is often perceived as a strategy to

generate efficiency. As a result, one of the most common arguments used in favour of setting up specialised anti-corruption courts is the need to accelerate the judgement of corruption case (Chêne 2010).

### Main characteristics

As with any other court, it is crucial that principles of independence and autonomy are respected. Judges and court officials should be appointed/ hired based on their technical capacity and abide by the highest integrity standards. Appropriate financial resources and access to an effective case management system are also key. There should also be accountability mechanisms in place. Decisions should always be justified and impartial, and citizens should have access to the court's activities and recent rulings.

In the case of specialised anti-corruption courts, training on complex issues related to corruption and economic crimes may be helpful. In addition, rules on the maximum time within which the court has to decide on a case may help to avoid backlogs.

An analysis of anti-corruption courts shows that different models have been adopted. Some anti-corruption courts may thus have limited jurisdiction and hear only certain criminal offences, such as corruption offences committed by senior public officials or bribes above a certain amount. This is the approach adopted in countries such as Croatia and Slovakia. Other anti-corruption courts are responsible for hearing all corruption cases, such as the Indonesian Court for Corruption.

### Examples of anti-corruption courts

Much less common than specialised law enforcement units, anti-corruption courts have been established more often in developing countries, such as India, Indonesia, Malaysia, the Philippines, and Uganda.

In Europe, according to a [database](#) compiled by the European Commission on European judicial systems, Slovakia is the only member state that has a dedicated anti-corruption court. Prior to its accession to the European Union, Croatia also adopted regional anti-corruption courts.

In Bulgaria, a specialised court and prosecution office for organised crime became operational in 2012 (European Commission 2012). The court deals with crimes committed by organised criminal groups, including corruption-related crimes. However, the country still does not have a dedicated court to deal specifically with corruption offences. Against this backdrop, this answer only analyses the case of Croatia and Slovakia.

### Croatia

In 2008 special court departments were established in the four county courts (Osijek, Rijeka, Split and Zagreb), the so-called "USKOK courts".

These courts have subject matter and territorial jurisdiction of criminal cases under USKOK's competence (Praver 2010). Therefore, these courts only hear middle and high-level corruption and organised crime related cases. Crimes that are prosecuted by regular prosecutors are dealt with through ordinary regional courts.

The judges in the specialised department have more experience of working on complex cases. They are appointed through the annual schedule by the court president, based on the opinion of the Council of Judges. They also have to pass through a security check (Praver 2010). According to Amnesty International (2010), special court judges receive higher salaries and are recruited from amongst the most experienced criminal law judges.

The Helpdesk could not find more information regarding the operations of these anti-corruption courts or their performance in comparison to other regular regional courts.

### Slovakia

The Specialised Criminal Court was created in 2009 to substitute the Special Court, which was considered unconstitutional by the Constitutional Court years before. The main rationale for establishing the court was to build the capacity of the judicial system to deal with complicated criminal cases that are often also of great economic and social significance. The establishment of a single court with wide territorial jurisdiction may also help to reduce the influence and

pressure exercised by local economic and political elites on the judiciary (Transparency International Slovakia 2012b).

The Specialised Criminal Court is a court of first instance positioned at the same level as regional courts. Its decisions can be appealed to the Supreme Court. It has jurisdiction over criminal matters, and it rules on the following offences (Act 291/2009):

- deliberate killings
- fraud and corruption in public procurement
- abuse of power
- acceptance of a bribe
- indirect corruption
- creation and promotion of criminal or terrorist groups
- crimes committed by criminal or terrorist groups
- economic crimes and crimes against property<sup>2</sup>
- abuse of the European Union's funds

There is no assessment of the effectiveness of the court and its role in reducing corruption in the country. The analysis of corruption related judgments in recent years shows a steep increase in the number of convictions after the establishment of the court – from 25 per cent in 2005 to approximately 75 per cent in 2011 (Transparency International Slovakia 2012b).

The court is perceived as independent and very professional. Financial as well as human resources are considered to be sufficient and the educational background of judges and staff is also said to be adequate (Transparency International Slovakia 2012a).

<sup>2</sup> Offences referred to in the Slovak Criminal Code in Title IV, Title V), when the offender causes by the offence serious injury or unjustified advantages or damage to the extent of up to 25,000 times the minor damage; (minor damage currently €266) is defined in Section 125 of the Slovak Criminal Code (Part One: General part, Section 125).

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