ANTI-CORRUPTION MEASURES IN EU BORDER CONTROL

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CSD

CENTER FOR THE STUDY OF DEMOCRACY

The present report provides academic and policy perspectives, as well as rich empirical data on corruption observed in border guard institutions across the European Union. It also compares and analyses anti-corruption measures in EU Member States' border guard services, as well as the strategies and instruments used in corruption investigations of border guards.

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LIST OF ABBREVIATIONS

BCP – Border crossing point

CBP – Customs and Border Protection (USA)

CEPOL – European Police College

CSD – Center for the Study of Democracy

DHS – Department of Homeland Security (USA)

EACN – Contact Point Network against Corruption

EPAC – European Partners against Corruption

FRONTEX – European Union Agency for External Border Security

GRECO – Group of States against Corruption

ICE – Immigration and Customs Enforcement (USA)

ISS – Internal Security Strategy

MoI – Ministry of Interior

MS – Member State(s)

NYPD – New York Police Department

OECD – Organisation for Economic Co-operation and Development

UNDP – United Nations Development Programme

UNODC – United Nations Office on Drugs and Crime

USAID – United States Agency for International Development

REFERENCING GUIDE

A large proportion of the data and related analysis comes from electronic questionnaires, and from interviews. All data in the tables and figures are from these surveys and interviews unless otherwise stated. No quotes are attributed to interviewees. Instead the reference includes the Member State's abbreviation and the source: (S) if it is the survey, (I) if it is an interview.

For example, a statement that is supported by evidence from the survey from Germany will be abbreviated as '(S-DE)'; if the source is an interviewee from a BG agency in France it will be quoted as '(I-FR)'. The interviews with EU institutions (e.g. Frontex), will be quoted as '(I-EU)'. All other citations follow standard academic practices. The table below includes the country abbreviations used.

TABLE 1.   COUNTRY ABBREVIATIONS

AT		Austria	IT		Italy
BE		Belgium	LT		Lithuania
BG		Bulgaria	LU		Luxembourg
CY		Cyprus	LV		Latvia
CZ		Czech Republic	MT		Malta
DE		Germany	NL		Netherlands
DK		Denmark	PL		Poland
EE		Estonia	PT		Portugal
EL		Greece	RO		Romania
ES		Spain	SE		Sweden
FI		Finland	SI		Slovenia
FR		France	SK		Slovakia
HU		Hungary	UK		United Kingdom
IE		Ireland	EU		across-EU

EXECUTIVE SUMMARY

The purpose of this study is twofold – first, to provide border guards with a general overview of the relevant academic and policy research available on the subject of corruption; and second, to review and analyse mechanisms of corruption and the principal anti-corruption measures targeting them in the public security sector generally and in the area of border control institutions more specifically. As there is relatively little empirical work on the effectiveness of anti-corruption measures in law enforcement in general, the study reviewed, compared and analysed anti-corruption measures in place in EU MS border guard services, as well as methods used in investigations into corruption in border guards.

The report used three data-collection methods:
- **Literature review**: the study carried out a thorough review of the issue of corruption in the public security sector, focusing especially on studies relevant to border guard corruption. In addition, policy documents and legislation were also reviewed (some were provided by MSs).
- **Electronic survey**: electronic surveys were sent to representatives of border guards and internal affairs units in all 27 MSs. Of these, representatives in 23 MSs responded to the survey. Two different types of questionnaires were developed for each of the two categories of respondents.
- **Interviews:** on completion of the survey, respondents were contacted by phone (or wherever possible in person) and interviewed in order to obtain additional details or explanations. A total of 27 interviews were undertaken. In some MSs, due to the lack of information on corruption, it was deemed sufficient to interview only one respondent. In others two respondents, one from internal affairs and one from border guards, were interviewed.

Corruption and its dimensions

There is no universal definition of corruption and it may mean different things in different countries. Corruption is broadly defined as the *misuse of public office or entrusted power for private gain*. Some definitions include criminal offences as well as administrative deviance. Others also include motivational elements behind corrupt behaviour: private profit, status gain or power.

The corrupt activities most commonly mentioned in typologies of corruption include: bribery, conflict of interests, trading in influence, fraud, cronyism/nepotism, lobbying, patronage, gifts and hospitality. Bribery can be passive or active, and could come in many forms (cash, information, favours).

Corruption can be systemic, institutional or individual. It also can be petty (small-scale), or 'grand' corruption, leading to even "state capture".

There is no agreement on what causes corruption. However, factors known to influence the level corruption are: level of economic development and degree of economic competition, size of the public sector and structure of the government, quality of regulation, decentralization, cultural and socio-demographic factors, economic factors, geography and presence of organised crime.

Some social and economic conditions that cause corruption may be also a consequence of it, leading to a vicious circle. The economic consequences of corruption include the discouragement of (foreign) investments, lower national wealth, low quality and productivity of public services/bureaucracy, higher levels of poverty, low public trust and citizens' participation.

Public security sector corruption

The most important and widely-studied public security sector institution is the police force. Police corruption presents a number of special characteristics. Police officers are in regular contact with criminals, and may be under considerable pressure to act corruptly, while oversight of their work is by its very nature difficult. There are special types of corrupt practices available only to police officers and the causes of corruption are wider and different from those for other public officials.

In particular, definitions of corruption differ across MSs and may encompass police officers' deviance, misconduct, corruption and other criminal behaviour. The purpose of police corruption can include both, private and collective gain. The main types of corrupt activities include: favouritism, bribery, kickbacks, extortion, fixing of investigations/evidence, failing to report violations or protection of illegal activities, diversion of police resources and theft, internal pay-offs.

Law enforcement officers in big cities and land border areas are more vulnerable to corruption due to larger corruption pressures (from criminals or citizens). The level of police corruption often has deep historical roots. Examples include: the historical influence of the Mafia in Italy, or the involvement in organised crime of former security officers in Eastern Europe. Other causes may include institutional environment (level of tolerance of corruption within the police force) and peer group solidarity. The secrecy of police work, the level of autonomy within units, poor external oversight, officers' direct contact with criminals/informants are other factors facilitating corrupt behaviour.

Corruption among border guards

The practice of corruption in border guard services across the EU can be classed into three main groups. Organised crime-related, "petty" (small-scale) corruption, and administrative corruption similar to that which may occur in other large institutions.

Organised crime related corruption includes selling of information to criminal groups, facilitating passage of illegal goods/migrants, not reporting suspicious travel documents of migrants, obstructing investigations. Petty corruption might include activities such as providing a 'normal passage fee' to speed up border traffic (extortion) or waive minor irregularities, inducing petty smugglers to pay

small bribes to ensure problem-free passage or seeking payment for allowing the passage of known or wanted individuals.

Administrative/bureaucratic corruption is related to manipulation of public tenders, kickbacks from providers, nepotism-based recruitment and promotions. Border guards may collude with customs, local police, criminal police, or private companies to carry out more complex corruption schemes, while intermediary bribe-payers in more complex corruption schemes may include lawyers, informants, former BG officers, NGOs.

Factors influencing border guard corruption can be classed into two groups: Corruption pressures and income disparities. Pressure from large flows of irregular migrants and/or criminal networks increase risks of corruption. The physical location of remote land borders and BCPs, coastal regions, as well as major sea or air ports may also present a higher risk of corruption.

Income disparities: There are wide salary disparities among personnel working on the external borders of the EU. Such disparities fuel petty corruption, and create an environment that allows officers to engage in more serious corruption schemes. Border guards who are entrusted with customs or investigative powers are usually at a higher risk of corruption.

Anti-corruption measures in law-enforcement agencies

In many EU MSs, despite the absence of specific institutional anti-corruption measures, law-enforcement agencies rely on the broader anti-corruption infrastructure in place, which usually includes regulations related to public procurement, civil servants policies, penal codes, criminal asset forfeiture and money laundering legislation, and ombudsman institutions.

Anti-corruption measures in law enforcement can be either preventive (normative frameworks, training, recruitment) or reactive (disciplinary actions, investigations, penalties). They can also be punitive or persuasive (using punishments or rewards for integrity). Investigations into corruption can be initiated in a reactive (processing external or internal complaints), or pro-active manner (integrity testing, inspections, undercover agents). In some countries monitoring and criminal investigations are undertaken by internal affairs departments or specialized anti-corruption units, although their effectiveness and preferred approach differ widely.

Measures often have a complex range of objectives involving not only the prevention of corruption but also the protection of private data and human rights. Many measures indirectly affecting corruption have been developed with security considerations in mind. Scholars recommend the adoption of a holistic anti-corruption approach that addresses systematic aspects of corruption through a combination of measures: clear guidelines and policies, training, operational and HR management measures, risk analysis and monitoring, internal and external oversight, prosecution and penalties.

Studies from the US and Western Europe indicate that anti-corruption measures should correspond to the specific nature of corruption within the respective police force. Case studies from the US show that measures can be counterproductive and inadequate, and will simply change the form of corruption if they

fail to become proactive or address broader management and recruitment issues.

Anti-corruption measures for border guards

In some MS there are strategic plans and anti-corruption programmes specifically targeting border guard corruption. There are also specific codes of ethics for border guards. However, as a rule in Europe, most anti-corruption policies used by border guards are not devised with them specifically in mind.

Some of the key anti-corruption measures specifically addressing border guards uncovered in the study were:
- Vetting of applicants: In almost every MS job applications for border guards are carefully examined. The extent of the background checks, though, differs.
- Education: General anti-corruption topics are part of the initial education of border guards, but few MS include practical guidance in their on-going training.
- Penalties: In addition to prosecution, common responses to corruption are demotions, dismissals or transfers to different units and locations. A few MS reported disciplinary briefings of the entire unit after detection of a corruption case, so that other officers are warned against corrupt behaviour.
- Integrity testing: The act of putting an officer in a situation that tests their morality – commonly used in the US or the UK, and now being tested in some other MS.
- Rotation of border guards to different locations, posts or position is used to reduce likelihood of establishing entrenched corrupt relations.
- Electronic surveillance that is in place for security reasons may also be used as a corruption-prevention tool.
- Many MSs have dedicated internal affairs departments investigating police corruption, or even dedicated departments exclusively investigating border guard corruption.

In most MS, investigations into corrupt border guards are initiated in a reactive manner – usually in the course of other criminal investigations, or as a result of reports and complaints. Some MS use proactive approaches to generate leads for investigations based on risk analysis methods (data mining, or data washing) or the use of informants. The use of undercover agents, informants or electronic surveillance may be used in more complex cases. Integrity testing is one alternative to the traditional internal affairs investigations approach.

Conclusions

Countering corruption in the public security sector requires a concerted effort that involves numerous institutions and legislation. Successful measures to counter corruption are based on a broad anti-corruption 'infrastructure' that includes: accountability measures for public servants, public procurement laws and procedures, penal policies, anti-money-laundering legislation; and investigation of other institutions that may be exerting a corrupting influence over police officers (e.g. politicians or judiciary). The EU has recently become more pro-active on the problem of corruption in general, but specific policies related to the border guard community have not been discussed.

While many MSs across the EU have policies, institutions, and practices to combat corruption in their border guard services, there are very wide differences across the Union in the specific forms these take. Perceptions of the extent and seriousness of the problem of corruption also vary considerably across Europe. Moreover, the pressures and causes of corruption also diverge widely across the EU.

Given that, with the expansion of the Schengen area, most EU MS are dependent to some extent on the controls carried out by the border guard services of other MS, the need for some harmonisation of both perceptions of the risks of corrupt practice and the best responses to it seems clear.

To this end, the EC, Frontex and MS should at a minimum agree to place the issue of corruption in the guarding of the external borders of the European Union on the political and institutional agenda. Corruption should be factored in to assessments of risk on a regular basis and a dialogue on basic common principles that should be considered when addressing the risk of corruption in border guard services across the EU should be agreed. This would allow the adoption and adaptation to local conditions of anti-corruption measures that ensure a harmonised understanding of, and fight against, what is a serious and widespread problem.

1. INTRODUCTION

1.1. Corruption and border security in the EU

The discussion on corruption is almost as old as government, though only in the last two decades has it been a high political priority. This new urgency in discussing the full range and variety of corrupt practices, their causes and impact, stems from the increased pressure to introduce transparency and accountability criteria in development aid packages and mechanisms aimed at assisting developing countries, in addition to the tasks of overcoming criminal behaviours and risks in the European transition countries. Good governance and anti-corruption became key concepts in the way both the international financial institutions and Western governments approached Third-World and post-Communist transition reforms and policies.

By the same token, increased importance was given to countering graft in developed countries, some of which have a long tradition of tolerating and downplaying the risks of corrupt behaviour of public officials. Following the introduction of the US Government transparency and integrity standards and anti-corruption strategies in the 1990s, good government/integrity reforms dominated the public policies discourse at a global level. Accordingly, corruption became the subject of extensive theorising and substantial empirical research, which produced a vast array of approaches, explanations, typologies and prescriptions. This emphasis is likely to continue in the wake of the popular revolutions and protests in North Africa and the Middle East, which underlined the perverse linkages between authoritarian politics and corrupt practices.

Within Europe the enlargement of the EU represented a new challenge to the almost continent-wide supranational governance system. With the waning of old ideological cleavages and the broad democratic consensus, the twin challenges of large-scale corruption and organised crime came to the fore of a continent-wide political debate. Although initially some major European countries were reluctant to acknowledge corruption as a policy priority, empirical evidence from non-governmental organisations, Eurobarometer surveys, and law enforcement suggested the necessity of adopting a more rigorous approach to countering corruption at national and EU levels.

Furthermore, the looming threats from organised crime using corruption instruments in some candidate countries stressed the urgency to counter what was termed 'state capture', i.e. the organised crime/corrupt officials' associations and interactions aimed at circumventing democratic checks and balances and fair competition rules. Similarly, anti-corruption institutions' scanning and monitoring became an important part of the efforts to identify the 'weak link' in the public domain, usually targeted by criminals.

International organisations also agreed to give additional importance to anti-corruption strategies, tools and activities. The OECD (Organisation for Economic Co-operation and Development) adopted a Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, which came into force in 1999; two years later the Council of Europe introduced the Criminal Convention on Corruption and the Group of States against Corruption (GRECO) Review Mechanism, while in 2003 the United Nations (UN) General Assembly adopted its UN Convention against Corruption (UNCAC). The EU initiatives against corruption have been in comparison rather limited due to the fact that corruption has been considered a domestic issue ('third pillar'). With the coming into force of the Lisbon Treaty in 2009, the anti-corruption role of the EU laid out in the Stockholm Programme has been re-energised, and in 2011 the EC presented an anti-corruption package that laid out its vision for future anti-corruption initiatives. Corruption was also recognised in the EU's Internal Security Strategy (ISS) as an issue that undermines the foundations of democratic states.

1.2.   Objectives and structure of the study

The objectives of the present study are broader than a typical policy report. The first objective is to introduce border guard officials to the broader context of corruption, by presenting a general overview of the academic and policy research on corruption. To this end Chapter 2 of the report provides a very brief overview of the main strands of academic research into the causes and manifestations of corruption. An attempt has been made to 'translate' this research into plain policy language, for a broader audience and in particular border guard officers. Some academic debates and arguments have thus been purposely omitted to improve clarity.

The second objective is to review and analyse mechanisms of corruption in the public security sector and the principal anti-corruption measures targeting them. The research largely focuses on corruption in police forces: a topic that has attracted much attention around the world and in many EU MSs. Chapter 3 of the report examines the main causes and mechanisms of corruption in the police, and provides some academic typologies that have been used to explain this phenomenon.

Chapter 4 provides an in-depth examination of corruption related to border guards in the EU-27. As no major academic or policy research has been carried out on this topic either in the EU or in the United States, much of the data presented comes from policy documents or primary sources reviewed for the purposes of the present study.

Chapters 5 and 6 of the study focus on **anti-corruption policies and measures**. Chapter 5 provides an overview of anti-corruption measures in law enforcement, focusing mostly on measures adopted by the police. Chapter 6 reviews and comparatively analyses the anti-corruption measures in place in EU MS border guard services, drawing on the data obtained in the course of the present study.

1.3.   Definitions

There are two terms used throughout the report that need to be defined right from the start: 'border guards' and 'corruption'. In many MSs there is more than one institution involved in the protection of external borders. In some MS, 'border guards' are an independent agency, while in others they are part of the police or military. Throughout the study, the term used is 'border guards' to refer to the officers within any law-enforcement agency, or units within such agency, who have responsibility for the protection of the external borders of the EU.

The other term, 'corruption', and in particular 'border guard corruption' has been used in a broad sense. The interviewees and survey respondents in this study were not presented with a specific definition. Instead, the study addressed a range of unethical and criminal acts, leaving it to respondents to define or add any unethical or criminal acts that they felt were related to their daily tasks and their own understanding of corruption.

1.4.   Methods used

The present study builds upon previous research that the Center for the Study of Democracy carried out across the EU,[1] where the issue of border or police corruption was also examined. The current report used three data-collection methods:
- **Secondary literature review**: the study carried out a thorough review of the issue of corruption in the public security sector, focusing especially on studies relevant to border guard corruption. In addition, policy documents and legislation were also reviewed (some were provided by MSs).
- **Electronic survey**: electronic surveys were sent to representatives of border guards and internal affairs units in all 27 MSs. Of these, representatives in 23 MSs responded to the survey (the exceptions were AT PT, IE and BE). Two different types of questionnaires were developed for each of the two categories of respondents.
- **Interviews:** on completion of the survey, respondents were contacted by phone (or wherever possible in person) and interviewed in order to obtain additional details or explanations. A total of 27 interviews were undertaken. In some MSs, due to the lack of information on corruption, it was deemed sufficient to interview only one respondent. In others two respondents, one from internal affairs and one from border guards, were interviewed.
- Details about the methods used (response rates, list of participating agencies, questionnaire structures) are provided in Annex 1, along with the complete results of the electronic survey.

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[1]   See: CSD (2010): Examining the links between organised crime and corruption and CSD (2011): Study to identify best practices of cooperation between Border Guards and Customs.

1.5.   Representativeness and data-reliability

Although the study is generally based on the methodology of consulting key
subject experts throughout the EU, there are a number of knowledge gaps,
especially on the issue of corruption. Many MSs noted that due to the lack of
recent corruption experience or access to intelligence information, their analysis
of corruption practices is limited. Some services had only a couple of registered
cases per year. They probably wisely declined to infer any trends or make any
generalisations (S-FR, S-FI). The knowledge gaps could also be due partly to the
lack of the exchange of intelligence information between criminal investigation/
intelligence units (which were not part of this study) and internal affairs/border
guards. Therefore, this analysis of levels of corruption and anti-corruption meas-
ures in border guards is neither exhaustive nor representative.

2. CORRUPTION AND ITS DIMENSIONS

2.1. What is corruption?

Corruption means different things to different people and aggregate definitions are moulded by cultural factors. Thus there can be no universal definition of this phenomenon. Rather, both international organisations and national jurisdictions develop their own definitions of corruption. In the current academic and political discussions, 'corruption' is a broad term used to describe a wide spectrum of behaviours, ranging from criminal offences, the giving or receiving of a bribe, to concepts of good governance related to inefficiencies in public service delivery. Its most popular definition is 'the misuse of public office for private gain'. Another definition, coined by Transparency International, a specialised anti-corruption international NGO, which encompasses corruption in the private sector is 'the misuse of entrusted power for private gain'.[2]

The 2005 UN Convention against Corruption describes corruption as: 'The promise, offering or giving to [or the solicitation or acceptance by] a public official, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity, in order that the official act or refrain from acting in the exercise of his or her official duties.'[3]

Similarly, the Council of Europe defines corruption as: 'requesting, offering, giving or accepting, directly or indirectly, a bribe or any other undue advantage or prospect thereof, which distorts the proper performance of any duty or behaviour required of the recipient of the bribe, the undue advantage or prospect thereof.'[4]

Slightly broader definitions of corruption have been offered by Nye, who speaks of corruption as the abuse of public power not solely for private profit or wealth but also for 'status gains' (Nye 1967, pp. 417-427), and Khan (1996) who defines corruption as the misuse of public power for motives such as wealth, power, or status.

Spencer at al. describe corruption as 'many kinds of "irregular" influence, the objective of which is to allow the participants to make profits they are not entitled to, the method being the breaking of internal or external rules' (Spencer et al. 2006). The term 'corruption' involves diverse processes which have differ-

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[2] Transparency International (2010): Corruption Perception Index report
[3] UNODC, United Nations Convention against Corruption, New York, 2004. The Convention entered into force on 14 December 2005.
[4] Council of Europe, Civil Law Convention on Corruption, Strasbourg, 4 November 1999

ent meanings within different societies and the concept of corruption does not mean the same thing across jurisdictions.[5]

Transparency International (TI) gives the following definitions of some of the most common types of corrupt activities (TI July 2009):

Attempts at developing the typology of corrupt practices have led to the differentiation between three levels of this complex phenomenon (from Spencer et al. 2006, p. 7):

- **systemic**, when corruption is incorporated within the entire or particular sections (e.g. border control) of the rule of law system (multiple institutions: judiciary, police, customs, tax, etc.);
- **institutional**, where the institution affected is tolerant of corrupt practices;
- **individual**, where the person is prepared to undertake illegal actions because their employment provides them with an opportunity to exploit their position for gain.[6]

International institutions and academics also distinguish between '**grand**' corruption (where significant bribes within the highest levels of government are involved) and '**petty**' corruption (where smaller amounts of money are used to corrupt individuals within the context of established governance and social frameworks). A frequently identified form of grand corruption is 'political corruption': 'the abuse of entrusted power by political leaders for private gain' (TI, *Global Corruption Report 2004*, pp. 1, 21). Another form of grand corruption, described as '**state capture**', permits entrenched economic actors (e.g. oligarchs/tycoons in Eastern or Southern Europe) to manipulate policy formation and even shape legislation to their own advantage (Hellman and Kaufmann 2001).[7]

Another differentiation is between '**active**' and '**passive**' bribery.[8] **Active bribery** refers to the offence committed by the person who promises or gives the bribe. **Passive bribery** is the offence committed by the official who requests or receives the bribe. The asking of a bribe by an official is often also defined as a form of 'extortion/racketeering'.

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[5] In the early days of corruption research, corruption was interpreted as a normative concept constituting an immoral act (Banfield 1958; Myrdal 1968; Wraith and Simpkins 1963). However, simultaneously an alternative approach emerged which stressed that corruption is a **functional** and inevitable feature of the process by which pre-modern societies were transformed into modern bureaucracies (Merton 1961: 73). They highlighted the beneficial roles of corruption as an exchange mechanism of political action for economic wealth and political stability (Huntington 1968); a means to integrate elite and non-elite members (Nye 1967), and as a means of creating trust in new institutions during transitions (Bayley 1966). Nowadays, most definitions and scholarly understanding of corruption focus on the negative rather than the functionalist aspects.

[6] It should be noted that systemic and institutional corruption may both have normative levels. Thus, with a moderate level of systemic corruption within a State, particular institutions may regularly exceed the systemic norms, and within any institution individuals may exceed institutional norms: the weaker the norms, the more extreme the individual cases are likely to be.

[7] As Hellman and Kaufmann emphasise: 'We define state capture as the efforts of firms to shape the laws, policies, and regulations of the state to their own advantage by providing illicit private gains to public officials … [The] Capture economy is trapped in a vicious circle in which the policy and institutional reforms necessary to improve governance are undermined by collusion between powerful firms and state officials who reap substantial private gains from the continuation of weak governance'.

[8] Council of Europe (1999), Criminal Law Convention on Corruption

TABLE 2.   DEFINITIONS OF CORRUPT ACTIVITIES

Category	Definition
Bribery	The offering, promising, giving, accepting or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages (taxes, services, donations, etc.)
Collusion	A secret agreement between parties, in the public and/or private sector, to conspire to commit actions aimed to deceive or commit fraud with the objective of illicit financial gain. The parties involved often are referred to as 'cartels'.
Conflict of interest	Situation where an individual or the entity for which they work, whether a government, business, media outlet or civil society organisation, is confronted with choosing between the duties and demands of their position and their own private interests.
Cronyism or nepotism	Form of favouritism based on acquaintances and familiar relationships whereby someone in an official position exploits his or her power and authority to provide a job or favour to a family member or friend, even though he or she may not be qualified or deserving. Nepotism may stretch to include other common grounds such as race, religion, common origin (e.g. from the same village or nationality).
Fraud	The act of intentionally deceiving someone in order to gain an unfair or illegal advantage (financial, political or otherwise).
Gifts and Hospitality	Gifts and hospitality (e.g. vacations, luxury dinner, etc.) that could affect or be perceived to affect the outcome of business transactions and are not reasonable and bona fide.
Lobbying	Any activity carried out to influence a government or institution's policies and decisions in favour of a specific cause or outcome. Even when allowed by law, these acts can become distortive if disproportionate levels of influence exist – by companies, interest groups, associations, organisations and individuals.
Revolving Door	An individual who moves back and forth between public office and private companies, exploiting his/her period of government service for the benefit of the companies they used to regulate.
Trading in influence	The situation where a person is selling his/her influence over the decision process involving a third party (person or institution).
Patronage	Patronage refers to favouring political supporters, for example with government employment.

Source: Transparency International (2009)

Bribes can come in many forms: cash, valuables, company stock, inside information, favours (including sexual), entertainment, employment. They may be paid directly or indirectly (to a third party, such as a friend, relative, associate, favourite charity, private business, political party or election campaign); on a case-by-case basis, or as part of a continuing relationship in which officials receive

regular benefits in exchange for regular favours. As detection and investigative processes become more sophisticated, so the dynamics of successful corrupt practices become more obscure, making subsequent investigation and detection more difficult.

2.2.   Institutions and corruption

Almost any employee of a public institution could be a target for corruption: from the procurement officer who awards a contract for paper clips, to the Prime Minister who could be trading in influence with oligarchs or large corporations. The types of public institutions that could be corrupt also vary widely – from the local school or health clinic to entire national institutions (such as customs or revenue services).

Eurobarometer's surveys measuring the experience of Europeans with corruption show that the top institutions targeted are law enforcement related (police, customs, and tax administration, healthcare, and judiciary).[9] Government bureaucracies, as well as politicians (at the national and local level) are also targeted, especially by companies, not individuals.

Law-enforcement officers, prosecutors, judges or other officials may be corrupted to ensure that criminal activities are not investigated or prosecuted or, if they are prosecuted, to ensure a favourable outcome.

Public or private sector employees responsible for contracts for goods or services may be bribed to ensure that contracts are made with the party that is paying the bribe and on favourable terms. In some cases, where the bribe is paid out of the contract proceeds themselves, this may also be described as a 'kickback' or secret commission.

It must be understood that because exact definitions of corruption differ quite markedly between different jurisdictions, and many institutions now operate on a global basis, there is a grey area for multi-national institutions. A transaction that is considered corrupt in one state could take place in another, where it is not illegal. The US Foreign Corrupt Practices act is one possible approach to deal with the problem: US companies are held liable and could be prosecuted in the United States if they engage in bribery outside the US.

2.3.   Corruption and other forms of crime

As a political economy category, corruption should not be overstretched to include all forms of either misuse of political power (undemocratic or authoritarian rule), or other types of crime like embezzlement, theft, fraud and extortion.

Recent studies (CSD 2010) show that criminal structures target vulnerable public institutions/sectors and actors using appropriate corruption tools and mechanisms. Criminal collusion transforms corrupted public officials into associates of criminal networks in their illegal enterprises.

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[9]   For example Special Eurobarometer 374: Corruption report, February 2012.

2.4.   Measuring corruption

Before presenting some of the evidence about the factors that influence or cause corruption, a short note on how social scientists measure corruption:

Corruption is measured in a multitude of ways, and many of them have been criticised and problematised. There are different aspects of corruption that could be measured: frequency of occurrence, types, costs and effects, contributing factors, perceptions of corruption. The methods used in measuring corruption range from focus groups, case-studies, and field observations, to surveys of businesses, experts, or the general population, and assessments of institutions, provisions and practices. Recent UK experience with interviewing organised crime gang members in prison about their business methods, for example has proved remarkably successful in uncovering previously hidden intelligence.[10]

The most widespread method used to examine corruption is the large representative population sample survey. Most academic studies considered in this report base their findings on corruption data from such surveys, which may be conducted with groups of individuals or with companies. They can measure perceptions of corruption as well as actual experiences with corruption.[11] Perception-based surveys are probably the most widely used internationally. Prominent international surveys include the Transparency International (TI) Corruption Perception Index, the bi-annual Eurobarometer surveys, such as the *Attitudes of Europeans Towards Corruption* (Eurobarometer 2009), and the International Bank for Reconstruction and Development/World Bank indicators (Kaufman et al. 2008). Another increasingly used approach to measuring corruption is by quantifying experiences of corruption. TI's Global Corruption Barometer and Eurobarometer's survey (2009) are two examples of surveys measuring the experiences of ordinary citizens with corruption. At the national level, most EU MSs have not developed specific country-based corruption measuring mechanisms, and rely on the wide number of international or EU (e.g. Eurobarometer) measurement initiatives.[12]

A more sophisticated linkage between public perceptions and real levels of corruption in post-communist countries is emphasised in some studies: behaviours that were previously considered as normal and legitimate have become unacceptable or illegal corrupt practices, and vice versa (Andvig in Rose-Ackerman 2006). In addition, more reliable data on public servants as well as a wider coverage of corruption scandals (Beck and Robertson 2009) and the loss of the Communist Party's monopoly on bribe recollection (Andvig in Rose-Ackerman 2006) may alter perceptions of corruption, leading to higher levels of perceived corruption, whether this is factual or not. This in turn may increase the real level of corruption, as findings from Tavits (2010) would predict.

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[10]   Matrix Knowledge Group (2007): The illicit drug trade in the United Kingdom
[11]   Studies have established a strong link between perceptions of corruption and actual experiences of corruption.
[12]   In Bulgaria, where corruption has been considered a particular problem, between 1998 and 2009 an independent Corruption Monitoring System (CMS) was developed by the Center for the Study of Democracy to measure companies' and citizens' experiences of corruption.

2.5. Causes of corruption

The causes of corruption is probably one of the most studied and disputed areas for academics. Over the years numerous studies have been carried out examining the causes and the factors that influence levels of corruption. Such studies are usually based on some sort of cross-country comparison, using major international indices that measure corruption, such as those developed by Transparency International or the World Bank.

The identification of causes may suggest how to curb corruption. Yet identifying the causes may be challenging because of the tacit nature of corruption (i.e. the difficulty in measuring it) and, because of the ambivalent relationship

FIGURE 1. THE CAUSES AND DETERMINANTS OF CORRUPTION
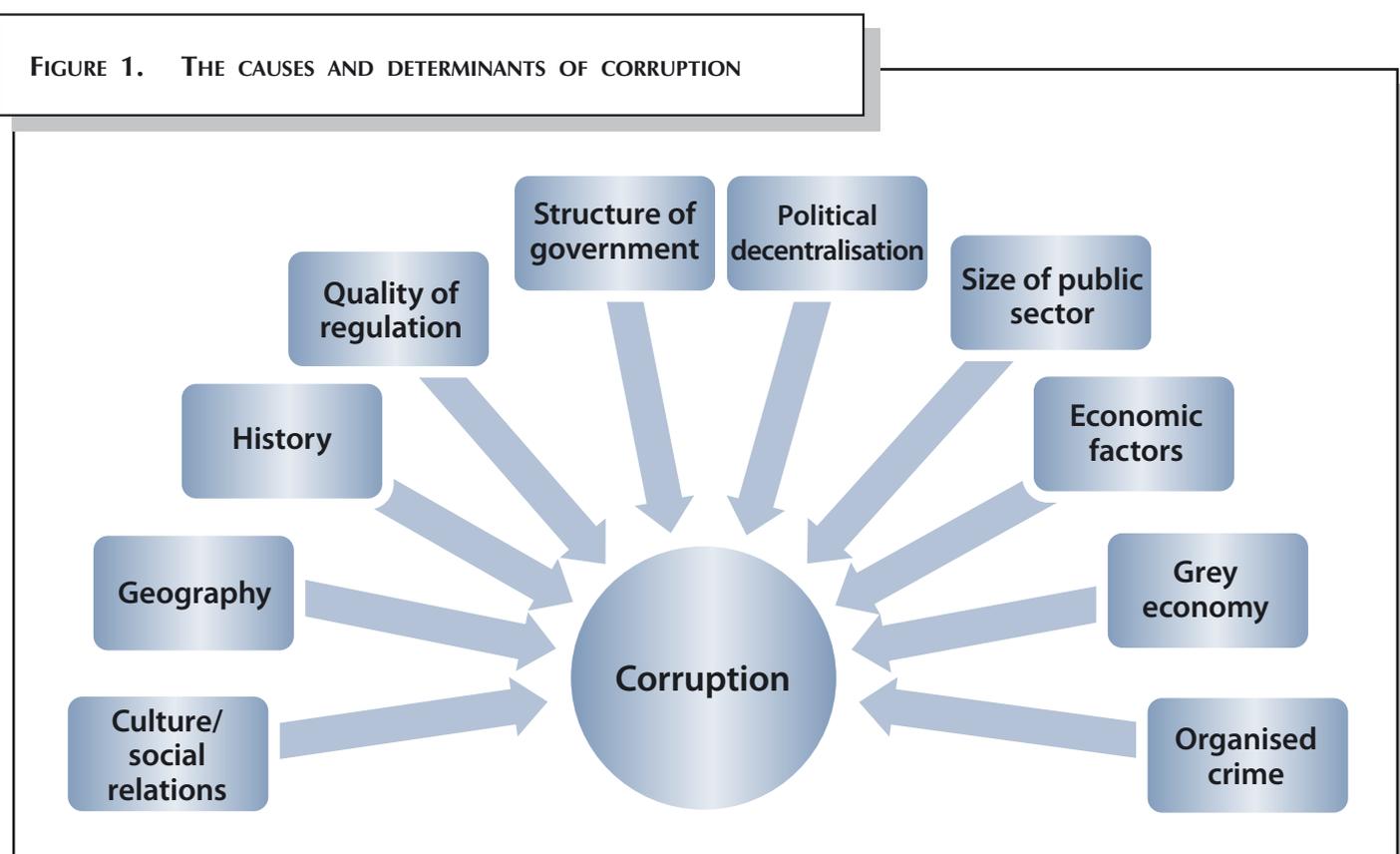
between the causes and consequences of corruption, it is not always clear what is cause and what is effect.

The main academic discussions revolve around a number of economic, political, cultural and geographic causal factors. The main factors are briefly overviewed in the sections below.

2.5.1. Corruption and economic development

A great number of studies have focused on how income, usually measured as GDP per capita, influences corruption. The majority of studies have concluded

that as incomes in a given country rise, corruption falls: (1) because corruption is seen as a 'commodity' the demand for which falls when incomes are higher, and (2) because when a country is richer, it has more resources to fight corruption (Damania et al. 2004; Persson et al. 2003; and van Rijckeghem and Weder 1997).

However, economic growth by itself does not represent a strong barrier to corruption. Growth can be hijacked by those who are corrupt, thereby disproportionately affecting those in power (Rose-Ackerman 2006: xvi). A case in point is the economic transition of the former communist EU countries. Although these states experienced economic growth after the fall of the old regimses, the corruption of the political elite and the penetration of the state by organised crime resulted in disproportionate economic benefits to corrupt government officials and those connected to the political elite (see for instance CSD 2010). Braun and Di Tella (2004) also argue that in some cases when incomes rise, e.g. during economic booms, 'moral standards' are lowered (as more wealth is available to be distributed), and corruption rises.

Scholars also have found that rapid modernisation may generate additional corruption as the wealth distribution happens at a time when the regulatory authority of the state is expanding and social norms are in flux (Huntington 1968).

Some authors (Kaufmann et al. 1999; Hall and Jones 1999) have questioned the 'causal relationship' between incomes and corruption (i.e. that lower incomes by themselves imply corruption). Common to a number of these studies is the concept of relative deprivation: individuals may be powerfully motivated to act corruptly when they see that an opportunity exists and they assess their current socio-economic status as deprived relative to actual or fictitious others. Relative deprivation can occur at any stage of the economic cycle and in states of very different affluence.

Gundlach and Paldam (2009) studied in depth the 'causal order' between corruption and incomes. They tried to answer the question: 'Do high/increasing incomes gradually lead countries to less corruption, or does reduced corruption allow countries to become richer?' Their analysis went beyond a cross-country comparison as they looked at how these two factors changed over several decades. Their conclusion was that growing incomes usually precede the reduction in corruption: i.e. that countries first need to become rich in order to be able to gradually reduce their level of corruption. Mo (2001), who studied 45 countries between 1970 and 1985, similarly found no impact of corruption on their economic growth.

Figure 2 below is simply a visualisation of the relation between income levels (expressed in terms of GDP per capita) and different indicators of corruption. The economic crisis changed in many ways the figure, as corruption experience and perceptions changed for a number of countries, such as Greece and Italy, which were hardest hit by corruption scandals and the economic crisis.

FIGURE 2.   THE RELATION BETWEEN INCOME (GDP), CORRUPTION
             CONTROL AND BRIBES
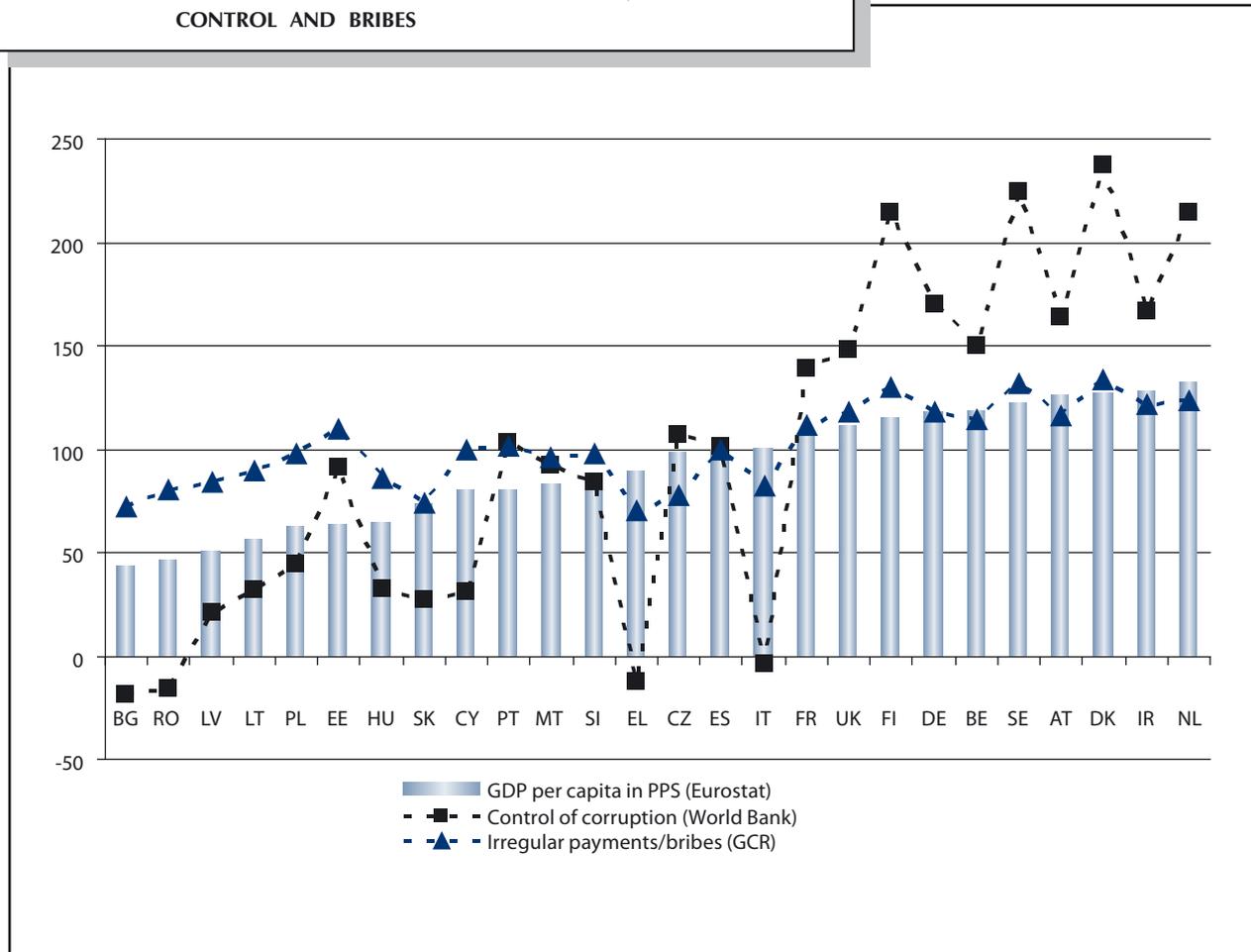
Sources: *Based on data from Eurostat, World Bank, World Economic Forum*[13]

2.5.2.   Size of the public sector

Early research saw corruption as a way around repressive government regulations. Small government with limited powers should mean less corruption. However, empirical research finds little support for this belief. The small size of the government may be due to the fact that it is not well funded because the degree of corruption means that it is not able to raise sufficient tax or other state revenue to fund government on a larger scale. Reducing the extent of government through privatisation is not the answer, as the privatisation process itself is often corrupt.

Using cross-country data on 100 countries, Goel and Nelson (1998) conclude that the size and scope of government affects the level of corruption. Contrary to previous research, the authors found that a large public sector was correlated

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[13]   The data used in the figure includes: World Economic Forum's Global Competitiveness Report (GCR) Index on Irregular Payments and Bribes for 2010-2011. The index ranges from 1 (very common) to 7 (never occurs). The data included in the figure is based on the 2010-2011 weighted average index, whereas it was multiplied by 20. The World Bank's Control of Corruption 2010 indicator estimates governance, ranging from approximately -2.5 (weak) to 2.5 (strong) governance performance. It was multiplied by 100 to match the scale. Eurostat's 2010 Volume indices of real expenditure per capita in PPS (EU27 = 100).

with lower levels of corruption, which could either be the result of stronger institutions or of a public that is more aware of corruption. The findings from research on 35 less developed countries found that it is the effectiveness of state bureaucracies rather than their size alone that reduces corruption. Competitive salaries, internal promotion and career stability, and meritocratic recruitment are key factors that ensure that a larger state bureaucracy means less corruption (Rauch and Evans 1999: 749).

A great number of studies have also argued that fewer trade regulations (such as low/no import tariffs and economic openness), are found to reduce corruption: the explanation being that companies are less likely to try to bribe officials to obtain licences or to lower import costs (Brunetti and Weder 2003; Knack and Azfar 2003; Persson et al. 2003).

2.5.3. Quality of regulation

Others have argued that it is the design of policies and regulations that causes corruption. For instance, inefficient and overly bureaucratic regulations may force companies or citizens to avoid them by corrupting public officials. Less 'bureaucratic' regulations on the other hand, may not have sufficient safeguards against opportunistic corruption. The lack of regulation at all may also be the result of corruption.

The quality of regulation also depends on the remuneration of public sector employees. Van Rijckeghem and Weder (1997) as well as Herzfeld and Weiss (2003) note that the increase in the salaries of public employees reduces corruption. Statistical analysis by other scholars, though, Gurgur and Shah (2005), have questioned the validity of these findings.

2.5.4. Degree of economic competition

Some researchers have argued that the lack of competition for public tenders, for example, allows companies to extract much higher prices and to corrupt public officials. These arguments have been questioned, because even when public tenders do attract multiple competitors, the companies can still corrupt public officials, especially if the regulations allow criteria such as 'quality' and not 'price' to determine the winner of a public procurement. The argument does not help us to understand either the issue of natural monopolies (such as public utilities), or the usefulness of limiting competition as a means of regulation (e.g. limiting the number of taxis in a town in order to reduce congestion and pollution).

2.5.5. Structure of government

Some researchers have argued that in democratic states there is less corruption: the obvious explanation is that corrupt governments are voted out by voters. Other studies have shown that it is not democracy itself, but rather the long history of democratic governance that explains low levels of corruption in certain countries (Treisman 2000). A number of studies have shown how the transition to democracy in former communist countries did not result in lower levels of

corruption. Montinola and Jackman (2002) explain this by showing that it is only after an effective opposition and the legislative body has been in place, does democratic governance lead to a reduction in corruption.

What is not so evident is that the constitutional form of government also has clear implications for levels of transparency and corruption. Empirical research shows that parliamentary democracies tend to have lower levels of corruption, while systems with a strong presidency seem to be more corrupt (Lambsdorff 2006: 11). The type of voting system also plays a role: corruption seems to be higher in countries where members of parliament are elected from party lists rather than selected by the voters. The size of the voting district is another factor: smaller voting districts are more conducive to corruption because there is less competition and higher barriers to entry for new parties or candidates (Kunicová and Rose-Ackerman, 2005; Lambsdorff 2006: 13). It should be noted that most of these results have been contested and various detailed factors have been added to explain exactly what interplay of factors influences corruption.

2.5.6.   Decentralisation

Another aspect to consider is the organisational model of government: centralised vs. decentralised. Kunicová and Rose-Ackerman (2005) have argued that federalism often increases corruption. 'Fractionalization' of countries and divisions along ethnic, linguistic or religious lines have also been found to increase corruption (Alesina et al. 2003)

Yet, there is disagreement about the effect of decentralisation on corruption. According to Goel and Nelson (1998), more decentralised countries are correlated with lower levels of corruption, as fragmentation allows for more active involvement of citizens to monitor and curtail corrupt activities. Treisman, however, quotes several earlier studies that show that decentralised systems are more susceptible to corruption as it is easier to penetrate the lower levels of government, and because there is greater intimacy and frequency of interactions at local level (Treisman 2000). The central authorities that deal with anti-corruption have limited access to, or overviews of local districts.

The effect of federalism on levels of corruption is also a subject of debate. Weingast (1995) argues that competition between autonomous sub-jurisdictions may reduce corruption and the checks and balances of a federal system may limit the centre's ability to conceal fraud. According to Susan Rose-Ackerman, the existence of a police force at each level of the federal structure can reduce the vulnerability to corruption of a single state law-enforcement agency (Rose-Ackerman 1994: 27)

In his empirical research, Treisman, however, finds that, all else being equal, federal states ranked more than one point higher on the corruption scale than unitary states. According to the author, the division of power between different levels of government that federal structure entails appears to lead to a greater burden of corruption (Treisman 2000: 18).

2.5.7.   Culture

A multitude of cultural factors have been hypothesised as relating to the propensity to corruption. Religion is often considered a key factor. Some social scientists, for instance, argue that religions with a high degree of hierarchical organisation (e.g. Catholic, Eastern Orthodox or Muslim) are associated with higher levels of corruption, because their hierarchical nature reduces 'civic engagement'. Such studies, therefore, consider Protestant countries as having lower levels of corruption. Treisman's (2000) analysis of 64 countries shows that significant Protestant populations contribute to lower levels of corruption.

In some societies corruption is higher because the phenomenon is less stigmatised, and taking or receiving gifts or bribes may not be considered unethical (Treisman 2000: 5). One argument put forward is that in societies where public trust is lower, favouritism prevails. Members of ethnic groups may feel that asking for favours from their own kin is the only effective way to obtain services. Ethnic leaders may pressure members of their group in office to illegally divert resources to their group (Treisman 2000: 3). The opposite case has also been argued, however, that the existence of social capital and interpersonal trust[14] in particular can counteract corruption in the public sector, as it forms the basis of cooperation between bureaucrats (to fight corruption), and between public officials and citizens[15] (La Porta et al. 1997: 336).

Another cultural factor that may contribute to higher levels of corruption is 'family values': in countries where the importance of the immediate or broader family is higher, forms of nepotism are more likely to exist. Other cultural values such as the 'reciprocation of favours' also increase corruption (Lambsdorff 2006).

2.5.8.   Gender and socio-demographic factors

The question as to whether there is some 'biological' factor that more often pushes men than women into corrupt deals has been only circumstantially examined in recent years, when there has been some research focused on women's role in society as a factor that explains the level of corruption. Swamy et al. (2001) and Dollar et al. (2001) show that higher levels of economic and political participation by women leads to lower levels of corruption. Sung and Chu (2003) have shown that promotion of gender equality and female participation lead to lower levels of corruption.

Human capital, usually proxied by the level of education (schooling), is also found to lower the level of corruption, as society is better equipped to control government behaviour or judge the government's performance (Ali and Isse 2003; Alt and Lassen 2003; Brunetti and Weder 2003).

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[14]   Sociologists have found that in some countries interpersonal trust is lower than in others.
[15]   La Porta et al. (1997: 334) and Uslaner (2004) also confirm the negative association between trust and corruption and Björnskov and Paldam (2004) find that trust is a significant variable, affecting levels of corruption.

2.5.9. Geography

The geographic realities, such as natural resources and neighbouring countries with high levels of corruption, have also been seen as contributing to the increase in levels of corruption.

According to Goel and Nelson (1998), one factor affecting the level of corruption in a country is its geographic extent. Geographically spread-out countries breed more corruption as dispersed territorial units make it harder to monitor officials, and corrupt employees have less chance of being reported, as they work in smaller conglomerations. The work of customs officials at a small border crossing far from central authorities can provide a good example of how geographic seclusion can be conducive to corruption.

2.5.10. Illicit economy and organised crime

One aspect that has attracted relatively little research is the issue of organised crime and illicit markets as causal factors for corruption. The difficulty of studying and measuring organised crime means there is only fairly weak empirical evidence upon which to base studies examining the links between the two. A 2009 comparative study found no direct causal link between organised crime and corruption: for instance, the large markets for drugs and paid sex in Western Europe did not immediately translate into high levels of corruption.[16] In other words, criminals would use corruption as a tool to facilitate crimes only when there is weak rule of law and inefficient anti-corruption mechanisms. In countries where it is not possible to use corruption, criminals use more complicated or conspiratorial methods to avoid detection by law enforcement.

2.6. Impact of corruption

The relation between causes and consequences of corruption is often unclear. The most typical example concerns the relation between development (e.g. GDP) and corruption. Usually, low income drives some government officials into seeking additional income, and this is seen as a cause of corruption. Corrupt officials are less likely to carry out their duties effectively, thus lowering the quality of public administration, and acting in the private instead of the public interest. This locks some countries into poverty and often exacerbates it. These points are elaborated further below.

Studies have looked at a number of possible effects of corruption, such as the distortion of budget allocations and the quality of public investments, services and environmental regulations; the distortion of markets in international trade, aid and lending, stocks and human capital; the grey economy, and the undermining of government effectiveness. While the economic impact of corruption on any specific area of the economy is hard to quantify, the major consequences can be summarised as follows:

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[16] Center for the Study of Democracy (2010): Examining the links between organised crime and corruption

- **Reduction of overall national wealth**: local and foreign investments are discouraged owing to the higher costs and the uncertainties of operating in a corrupt environment.
- **Lower quality of basic public services**, such as public education, health services, infrastructure, police, etc.
- **Distortion in the distribution of public funds**: misallocation of public spending in favour of private interests.

Corruption profits from, and contributes to the inefficiencies of public services and bureaucracies. The more efficient the public services are, the less there is room for corrupt practices and vice versa. Corruption may lead to poor-quality bureaucratic processes that employ public servants appointed on the basis of nepotism or bribes, without regard to their efficiency and capacity. Government officials have an incentive to create artificial bureaucratic bottlenecks, which give them an opportunity to extort bribes to speed up the provision of services (TI 2004: 311). Therefore, attempts to increase productivity must address corruption through public sector reform aimed at improving integrity in the bureaucracy.

The relationship between governance and economic factors is not simply one of cause and effect, but is a two-way process. This is often observed in countries already struggling with economic growth and democratic transition (Chetwynd et al. 2003: 3).

Corruption affects poverty by first having an impact on economic growth, which in turn increases levels of poverty. Corruption impedes economic growth by 'discouraging domestic and foreign investments, taxing and discouraging entrepreneurship, lowering the quality of the public infrastructure, decreasing tax revenues, diverting public talent into rent-seeking, and distorting the composition of public expenditure'. (Chetwynd et al. 2003: 4).

Corruption also affects the levels of poverty by reducing governance capacity: it weakens political institutions and citizens' participation, and leads to lower-quality government services and infrastructure. Low-quality governance increases poverty by restricting economic growth and by its inability to control corruption. Lastly, by reducing the capacity for governance, corruption may also lead to lower levels of public trust in the democratic and government institutions, and more broadly in the rule of law (Chetwynd et al. 2003: 4).

Corruption exacerbates social injustice, as the poor are forced to pay bribes to obtain food, housing, property, education, jobs and the right to participate in the cultural life of a community (TI 2004: 7).

Chapter 2: Key points

- There is **no universal definition of corruption** and it may mean differ-ent things in different countries. Corruption is broadly defined as the **misuse of public office or entrusted power for private gain.** Some definitions include criminal offences as well as administrative deviance. Others also include motivational elements behind corrupt behavior: pri-vate profit, status gain or power.

- The corrupt activities most commonly mentioned in typologies of cor-ruption include: bribery, conflict of interests, trading in influence, fraud, cronyism/nepotism, lobbying, patronage, gifts and hospitality. **Bribery** can be passive or active, and could come in many forms (cash, infor-mation, favours).

- Corruption can be systemic, institutional or individual. It also can be petty (small-scale), or 'grand' corruption, leading to even "state cap-ture".

- There is no agreement on what causes corruption. The **factors that are known to influence the level of corruption include** the level of eco-nomic development and degree of economic competition, size of the public sector and structure of the government, quality of regulation, decentralization, cultural and socio-demographic factors, economic fac-tors, geography and presence of organised crime.

- Some social and economic conditions that cause corruption may be also a consequence of it, leading to a vicious circle. The **economic conse-quences** of corruption include the discouragement of (foreign) invest-ments, lower national wealth, low quality and productivity of public services/bureaucracy, higher levels of poverty, low public trust and citi-zens' participation.

3.   PUBLIC SECURITY SECTOR CORRUPTION

Corruption in the public security sector[17] is a broad topic, yet the majority of academic or policy studies, as well as anti-corruption policies, have focused on the issue of corruption in the police forces. This emphasis stems from the concern that corruption of policing can rapidly undermine the rule of law and most directly and catastrophically reduce citizens' basic human rights.

3.1.   Defining police corruption

As with attempting to define corruption in the public sector, the efforts to define police corruption face various difficulties. 'Police corruption' takes on very different meanings across the EU. The well-known definition by Barker and Roebuck (1973: 3) encompasses '[…] deviant, dishonest, improper, unethical or criminal behaviour by a police officer.' In some EU police forces, such as France for instance, some aspects of criminal behaviour, especially involvement by police officers in organised criminal activities, are not classified as 'corruption'. Police corruption may refer simply to police misconduct (e.g. abuse of citizens) or to involvement in criminal activities without the presence of a 'corrupter'/bribe-payer: for instance in theft or drug use (Miller 2003: 2; Newburn 1999: 14).

The blurred boundaries between police officers' misconduct, corruption and crime have been underlined in a number of academic studies. Punch (2009) argues that misconduct does not need to be illegal, as some forms of deviance fall under the internal police regulations rather than under criminal law. This is particularly relevant to instances of police corruption involving a failure to act – for example, when crimes are not investigated or evidence not being properly secured.

Another matter of academic debate is whether the intent behind corrupt behaviour is personal or collective gain, whether this gain is of material nature only, and what qualifies as gain. Sayed and Bruce (1998) therefore define police corruption as 'any illegal conduct or misconduct involving the use of occupational power for personal, group or organisational gain.'

In his literature review, Newburn notes that most definitions of police corruption include 'the abuse of power/authority', as well as the 'intention to gain further advantage, private or organisational' (Newburn 1999). In relation to the former aspect, he argues that what is corrupted is the 'special trust' granted by the role (1999: 14). As such, a police officer who steals from the crime scene is corrupt, while he is simply a thief when he steals from a shop or from his friends, as

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[17]   The definition of 'public security sector' in the present report includes law enforcement (police, border guards, customs, gendarmerie, intelligence); state agencies tasked with other security functions, e.g. transport security; military; and private security companies.

then he acts outside his police role. This component combined with the motivational aspect of the corrupt act is also incorporated in Kleinig's definition of corruption (1996, quoted in Newburn, 1999: 14):

'Police officers act corruptly when, in exercising or failing to exercise their authority, they act with the primary intention of furthering private or departmental/ divisional advantage.'

Punch's (1985) definition of police corruption is the following:

'Corruption occurs when an official receives or is promised significant advantage or reward (personal, group or organisational) for doing something that he is under a duty to do anyway, that he is under a duty not to do, for exercising a legitimate discretion for improper reasons, and for employing illegal means to achieve approved goals.' (Punch 1985: 14)

Punch (2009) includes the following four concepts of deviant behaviour of police officers within his definition; all include the element of abuse of authority, but vary in the seriousness of the offence.

TABLE 3.   DEVIANT BEHAVIOUR OF POLICE OFFICERS

Type of misuse of public office	Description	Tools to deal with
Deviance	All forms of police activity that transgress internal regulations, the law and public expectations of legal and ethical conduct by the police	Internal regulations, Codes of conduct
Misconduct or 'occupational deviance'	Drinking on duty, poor punctuality, disrespect of a superior, neglect of duty	Internal disciplinary codes and regulations
Corruption	Taking petty bribes is the banal form of corruption; serious corruption may constitute attempts to pervert the course of justice, receiving payments or favours, corrupt handler-informant relationships, leaking confidential information, extraction and supply of seized controlled drugs, firearms or other material and conspiracies in relation of all these.	Criminal law
Crime	Gratuitous violence, armed robbery, rape and murder	Criminal law

Source: Punch (2009)

Punch argues that these four concepts provide a wider classification of police deviance, which reflects its diverse and changing forms, and that all three main categories of deviance – misconduct, conventional corruption and crime – are interrelated. He argues that an offence can start with 'rule bending, go on to passive corruption ('grass-eating'), but ends up with brutality and also perjury in court' (Punch 2000: 67). His categorisation aims to make a distinction between smaller, non-criminal offences – police misconduct that is not corrupt – and more serious crimes.

This definition tries to move away from the concept that the key element of corruption is personal gain, and takes into account diverse group motivations, external influences and behavioural patterns within an organisation.

Similarly, in his review of different definitions of corruption, Newburn concludes that the definition of corruption needs to take into account the means, the ends and the motivation behind the conduct (Newburn 1999: 15-16).

On the basis of the Syed and Bruce (1998) definition of corruption mentioned above, the authors of this report, in the course of their review of the interna-

TABLE 4.   DEVIANT BEHAVIOUR OF POLICE OFFICERS

Favouritism

'Looking the other way' for family and friends.
'Looking the other way' for colleagues and influential people.
Using police influence to provide illegitimate assistance to members of the above groups.

Bribery

Taking a bribe for non-enforcement of a violation.
Bribery for the obstruction of the criminal justice process.
Bribery for direct intervention in the criminal justice process.

Extortion

Limited paid protection to criminal operations.
Regular paid protection to criminal operations.

Kickbacks

Paying for favouritism regarding the delegation of legitimate tasks.
Payment (among police officers) in return for the awarding of work-related opportunities for corrupt incomes.
Payment regarding delivery or favourable treatment in respect of delivery of legitimate services.
Payment for delivery of illegitimate services.

Diversion of police resources

Officers or commanders selling, or providing disproportionate police services, during or after working hours.
Officers or commanders selling legitimate police services to criminals.
Targeting (using police powers illegitimately to help or victimise certain groups).

Deceptive practices

Falsely enhancing the performance reports of self or others in the police.
Making false statements or committing perjury.

Theft

Stealing from a crime scene and other areas of legitimate police presence.
Stealing from stored goods, such as evidence and recovered property.
Pre-meditated criminal activity.
Pre-meditated criminal acts for personal gain.
Extension of corruption, such as pooling of corrupt money among officers or selling stolen goods.

Source: Punch (2009)

tional literature, identify no less than 22 different corrupt practices specific to the police, falling within seven categories.

The authors have excluded from the table practices that are not regarded as corrupt, but are either criminal, examples of misconduct, or simply problematic.

Barker and Roebuck (1973) classified five diverse types of police corruption: act and actors involved; nature of norms violated; degree of peer group support; required degree of deviant organisation; and departmental reaction. Barker and Roebuck's classification is one of the most commonly used typologies of police corruption activities. It develops in a hierarchical order, demonstrating that cor-

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TABLE 5.   BARKER AND ROEBUCK'S CLASSIFICATION OF CORRUPT PRACTICES IN THE POLICE

Corruption of authoritys

Officers receive gain by virtue of their function without violating the law (e.g. free drinks, meals, services).

Kickbacks

Gain for referring business to particular firms.

Opportunistic theft

Stealing from arrestees (also known as 'rolling'), or from victims of crime or accidents.

Shakedowns

Gain for not following through on a criminal violation such as an arrest, impounding property or filing a charge.

Protection of illegal activities

Protection of those involved in illegal activities (typically prostitution, drug dealing, gambling, illicit bars), enabling the enterprise to continue (this could also apply to legitimate firms, bars, restaurants, groceries, etc. which occasionally break the law).

'The fix'

Undermining criminal investigation or proceedings, loss of evidence, fixing parking tickets, and so on.

Direct criminal activities

Committing a crime in clear violation of norms of criminality.

Internal pay-off

Officers pay supervisors for favourable adjustments to holiday arrangements or working duties – including shifts and hours of works, for promotion and for easy assignments.

Flaking and padding

Plating or adding to evidence to 'set someone up', to ensure a conviction or a longer sentence for a criminal (Punch 1985: 11).

Source: Barker and Roebuck (1973)

rupt police officers tend to start with petty transgressions and progress to committing more serious offences.[18] However, Punch argues that even this broad typology does not include all types of deviant practice, especially the more serious forms such as violence, sexual harassment, racism, and direct involvement in drug dealing.

3.2. Causes and types of police corruption

While the 'general causes of corruption' have been subject to a significant number of studies, the specific causes of police corruption have been much less studied. The main reason is the lack of reliable data. It can be immediately appreciated from the typologies above that many types of police corruption will not be accessible via public surveys (such as those of Eurobarometer or Transparency International) which only concern petty corruption. Much of the corruption that takes place in police forces, especially in Western Europe, involves serious and organised crime. Intelligence on the dynamics of this level of corruption tends to be concentrated within police forces themselves but is usually inaccessible to outside researchers. Surveys of police officers, another possible tool for examining police corruption, are also problematic, although police forces in the United States and some EU MSs have experimented with such surveys. However, where cases of institutional corruption or notorious individual corruption occur they are often made the subject of special governmental inquiries and/or court cases. Such case information has not been effectively analysed.

Many of the general causes (especially economic and cultural factors) presented in the previous sections of this report also apply to the police, much as they do to any other government bureaucracy. Therefore in this section, we shall meet our objective of describing factors that facilitate corruption in police forces and border guards by making inferences from the full range of public service corruption literature. These factors can be split in two categories: structural (i.e. causes that lie outside police forces) and institutional (causes that arise within the police force itself).

3.2.1. 'Blue code of silence'

One of the defining characteristics of the police is the very strong sense of group loyalty among officers. This is often referred to as the 'blue wall' or the 'blue code of silence'. This code is part of police culture, of an 'us vs. them' mentality, where police officers are reluctant to report unethical behaviour by their colleagues. The boundaries of this 'blue wall' differ and depend on the level of corruption that is tolerated. Officers who regularly go beyond the norm may well be avoided by colleagues and may be subject to eventual exposure, but this can be a slow process. A number of explanations of this phenomenon have been advanced. First, the one-sidedness of the battle against crime in many urban areas creates and reinforces a 'them and us' mentality especially if the demands made by senior officers on their subordinates are unrealistic. Second, it is in the nature of policing that very small teams of officers can very suddenly and unexpectedly encounter real physical threat, and at such moments

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[18] This is known as the 'slippery slope argument', originally developed by Kleinig (1996: 174).

colleagues must be able to rely on one another: the 'blue wall' makes it easier to rely on colleagues, especially if what may be required by the situation is against the rules.

3.2.2. Geographic/territorial perspective

The geographic location of a state or a city is likely to affect directly the levels of police corruption at national and local levels. National capitals, large cities, or tourist resorts with their large markets for illicit goods and services usually make law enforcement more vulnerable to corruption pressure than other cities. Transportation centres (e.g. port cities) and crossroads hubs also represent zones of increased corruption transactions in general, and illicit police involvement in particular.

A particularly salient territorial factor is the vicinity of international borders – what political scientists call 'borderlands', defined by Schendel and Abraham (2005: 44) as 'a zone or region within which lies an international border', or even 'borderland society' which they define as 'a social and cultural system straddling that border'. Often, such peripheral zones represent a huge challenge to law enforcement owing to the interactions between legal and illegal activities (bearing in mind that what might be legal on one side of an international frontier may be illegal across the border). For example, cross-border shopping and cross-border gambling are increasingly common; as are sweatshops and brothels set up across borders to avoid labour regulations or the police. These 'border games' are defined by Peter Andreas as 'the strategic interactions between border enforcers and unauthorized border crossers' (quoted in Schendel and Abraham 2005: 23).

A major reason that such vulnerability translates into higher levels of corruption in the border police and other border control agencies is the influx of irregular migrants. The combined effect of irregular migration and smuggling is usually higher corruption pressure on the affected border crossing points and the respective border agencies. The targets of corrupt practices by migrant smugglers are crucial public functionaries, such as passport inspectors at border checkpoints, clerical staff for passport applications and officials issuing residential registrations or marriage certificates (UNODC 2010a: 96). Corruption plays a significant role in the facilitation of irregular border crossings, in simplifying the visa issuance process, and in the lack of prosecution of smugglers.

3.2.3. Historical perspective

Although police corruption is both a universal and recurring phenomenon, some studies outline differences caused by the historic evolution of national institutions. For example, Punch (2009) compares the forms, causes and consequences of police corruption in four countries: the US, Great Britain, Belgium and the Netherlands.

Punch argues that police corruption in the US is an offspring of the organisational relationship between the police and city mayors through which corrupt city government infiltrated the police. Corrupt city government was usually based on organised criminal enterprises around gambling, prostitution and drug dealing,

so police corruption in the US tended to be shaped by that heritage. Various corruption scandals revealed that the use of extreme violence by the police was commonplace in the 1970s and the late 1990s (Punch 2009: 308).

According to Punch (2009), the different nature of politics and city government in Europe means that organised 'graft' is less prevalent than in North America. In the cases when there is political influence over police, it usually does not concern local government, but central authorities. The well-known example from Belgium (the so-called 'Dutroux affair') concerns the lack of adequate police action that led to the early release of a convicted rapist. Dutroux abducted young girls and was charged with five murders after his release. According to Punch, this was possible only because the convict enjoyed protection from high officials. This conclusion is supported by the Commission of Enquiry, which stated that the competence and effectiveness of the police was undermined by political interference with promotions and investigations, as well as by institutional rivalries (Punch 2009).

Most of the police corruption in Northern Europe can be described as 'noble-cause' or 'process' corruption, or corruption that stems from incompetence and failure to perform tasks adequately. 'Noble-cause' corruption refers to corrupt behaviour aimed at achieving good professional results. Officers may bend or break the law in order to bring perpetrators to justice. For example, in the UK physical violence was used by the police to obtain convictions of IRA members, while in Netherlands 'innovative' under-cover prosecutors were allowed to import large amounts of drugs to uncover drug routes (Punch 2009). It is of course virtually impossible to establish whether so-called noble-cause corruption is genuine or simply a manifestation of individual officers seeking preferment.

Other explanations of police corruption refer to historic peculiarities to explain the predominant types of police corruption in a given state. In Italy for instance, the influence of the Mafia has led to a steep decline in law-enforcement in southern Italy. Officers refrain from investigation in such regions because they would face corruption pressure and obstruction from local officers who are well-connected to the Mafia. Corruption in the form of inadequate performance then is shaped by the region's history of the influence of organised crime (CSD 2010: 90).

In the case of Eastern Europe, the communist legacy of stigmatisation and isolation of the police, which led to the formation of crony networks, was carried over into the police force after the collapse of the regime. In Bulgaria, the negative public perception of the 'People's Militia' led to the recruitment of new officers, mainly from families of active or retired police officers, which reinforced 'family-based' loyalties. This model caused the formation of family and crony networks in the police force, where personal contacts and favours were a major resource. The loyalty to the Communist Party was replaced by links to the sub-networks of the new political elites (CSD 2010: 218-219).

Furthermore, in the process of transition to democracy thousands of police and special services officers across Eastern Europe and the Former Soviet Union were dismissed, and many of them turned to organised criminal activities. They managed to preserve their informal contacts with former colleagues; this provided them with avenues to corruption, which many of them actively used.

3.3.   Institutional perspective

3.3.1.   General factors

Scholars have developed a number of different conceptual frameworks (Punch 2000; Newburn 1999; Van de Bunt 2004) to analyse the causes and forms of police corruption. Traditionally, the two main categories were police corruption as an **individual phenomenon**, also called the 'rotten apple doctrine' or 'flawed officer perspective', and police corruption as a **systemic phenomenon**. In the US, for a long time the dominant approach was to view police corruption as an individual phenomenon. This approach changed when the Knapp Commission, after investigating widespread corruption in the NYPD in 1971, came to the conclusion that the 'rotten apple doctrine' served as a 'scapegoat' that allowed senior officers to draw attention away from underlying problems in their organisations.[19]

Some authors argue that there are distinctive aspects of law enforcement as a profession that make it particularly vulnerable to corruption. Refuting the 'rotten apples' theory, which claims that police corruption is incidental, Newburn reviews some of the most popular theories on the nature and context of police work, identifying the 'constant factors' that allow police officers to pursue their own agenda. At the same time, factors that are not inherent to the profession and vary with time, place and culture, or 'variable factors', are just as crucial to the opportunities and pressures that create police corruption (Newburn 1999: 14).

Newburn's 'constant factors' in police corruption, based heavily on analysis of the UK experience, are as follows:
- **discretion**: the necessity for discretion in police duties facilitates corruption;[20]
- **low public visibility**: most of the public does not regularly witness or monitor police officers' daily activities;
- **peer group secrecy**: 'police culture' is characterised by a high degree of internal solidarity and secrecy;
- **managerial secrecy**: police managers themselves have generally worked their way up from 'the beat' and share many of the values with those they manage;[21]
- **status problems**: police officers are sometimes said to be poorly paid relative to their powers;
- **contact with criminals:** police officers inevitably come into contact with a wide variety of people who have an interest in corrupting them.

Newburn (1999: 22-23) also lists a number of 'variable factors', such as community structures, the organisation of the police force (i.e. hierarchical structures, decentralisation and strength of connection to local politics) and the level of anti-corruption activities (e.g. the existence of internal investigation departments).

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[19]   Knapp Commission report on police corruption (1972)
[20]   Police discretion is a powerful factor in the organisation of Anglo-Saxon policing but has less relevance in code-based criminal justice systems.
[21]   The UK police service can only be entered at the lowest rung of the hierarchy. Other MS police forces have different rules which may diminish the effect of this factor.

He explains that the way corruption is perceived by society and by the officers themselves (i.e. the existence of 'professional pride') and the deterioration of morale from dealing with crime on a daily basis are three of the key variable factors that affect police corruption. The way anti-corruption structures respond to 'events' (incidental corruption acts) and 'arrangements' (regular corruption activities), and the legal opportunities for corruption (activities prohibited by law, but in high demand) also influence the level of corruption in police.

In sum, Newburn claims that police officers have demanding responsibilities that are not matched by the remuneration they receive. They operate in an environment of secrecy and peer solidarity and they come into contact with people who have considerable resources and a strong interest in breaking rules of law and ethics. This position is partly supported by the observation that a period of very severe corruption in policing London during the 1970s ended rapidly following a radical re-structuring of police pay and conditions, which came into effect in the early 1980s. However, this massive change in the remuneration of the police also attracted for the first time a wave of better-educated recruits from higher socio-economic backgrounds. It would thus be over-simplistic to argue that pay in itself was the driver. It is also the case that when corruption reaches scandalous proportions, it often generates effective counter-measures. This was the case in London after the 1970s and in New York after the Knapp commission.

Similar typologies of the determinants of police corruption at the institutional level are offered by Punch (2000, 2009) and other authors. Punch (2000) also addresses the possibility that corruption is due to group behaviour rooted within established practices in the police force into which officers are initiated.

3.3.2. Structural fragmentation and organisational factors

Fractionalisation and operational autonomy

Within police forces different units have different objectives and are usually given the necessary operational autonomy to carry out their work. This, however, builds barriers between the different units that inhibit cooperation, and stress competition and may lead to 'turf wars' between them. This fragmentation and relative autonomy of the various units leads to low visibility and high operational freedom, rendering oversight nearly impossible, not to mention effective public accountability (Punch 2009). The fractionalisation is concentrated at the interface between two types of police: the 'street cops' and the 'management cops'. Policy and policing strategy is usually designed by management cops who may have little legitimacy or credibility at street level where the policies and strategies have to be implemented. This results in miscommunication, problems of morale and often the distortion or wilful avoidance of management's intentions.

Contact with offenders

Close association of police officers with criminals carries a real threat of lowering ethical standards, facilitating corruption and in extreme circumstances turning law officers into professional criminals (Punch 2009). Moreover, some proactive

methods can be highly problematic; those used in some high-profile crime areas involving undercover work (drug trafficking or organised crime) bring officers close to underworld figures. Another example of pro-active methods is the use of controlled delivery. The cooperation between the US Drug Enforcement Administration (DEA) and the Amsterdam police in 1994 led to a public scandal (Punch 2009). In an operation countering the illegal drug trade, the DEA engaged in the 'controlled' import of narcotics, whereby police agents posed as drug traffickers. The goal was to offer the imported drugs to illegal traders, apprehend them in the process, and recapture the narcotics before they reached the illegal market. The operation failed due to poor oversight, difficult implementation, double-crossing by informants and customs officials' corruption. The operational autonomy of 'creative' officers allowed the Dutch government to effectively become the largest importer of drugs into the country at that time, without significantly affecting the drugs trade (Punch 2009).

Organisational factors

Specific features in the organisation of the police forces could determine the way in which corruption is used (Punch 2009; Newburn 1999; Sherman 1974). These include:

- **Autonomous networks within the police force**: those networks are closed worlds, operating on their own, with little, if any, interaction with the rest of the force. Oversight is impossible and allows for deviation from the official duties.
- **Poor external oversight**, if any, allows corruption to 'slip under the radar' and go undetected and/or ignored for extended periods of time, until a major scandal breaks out.
- **'Cover-your-back' policies**. This is another indicator of segmentation between the levels of the hierarchy. Pressure on senior officers to deliver results might push them to turn a blind eye to rule-bending by more junior officers. In case of any problems, the upper layers do not take on the responsibility for any wrongdoing, and hide behind the "play by the rules" paradigm. This behaviour might foster distrust and contempt within the lower layers.
- **Murky guidelines** can result in involuntary deviation from the rules. It also makes corrupt offences more difficult to sanction and prosecute.
- **Impossible mandate**. The primary mission of the police is to reduce criminality, but many other external factors (economic or social) often have a stronger effect on crime than the police. The pressure on the police force to fulfil this mission creates conditions where implementation of the formal code can be distorted for a 'noble cause'. Some modes of investigation, especially in relation to organised crime, require a long-term investment of time, personnel and the means to cope with the complexity of the cases; they yield results only in the long term. Pressure from superiors to justify those investments can lead to some rule-bending to get things done faster and be able to justify the investment being made.

Other institutional factors, such as the lack of meritocracy in the police force, the low standards of recruitment of police officers, and their isolation from other social and professional groups explain the higher levels of police corruption in some MSs (CSD 2010).

The **effect of law enforcement hierarchy** on police corruption is a matter of debate. According to Edelbacher and Peruci (2004: 364) a strong hierarchy is dangerous when there is lack of effective external control, because unsupervised authority concentrated in the police leadership can corrupt the entire group. This is supported by Yokoyama (2004: 326-330, 342), who describes police corruption in Japan as 'structural'. Japanese police officers are well-disciplined conformists who rarely turn to corruption by themselves. When they do commit corrupt acts, they do so to comply within a police subculture that is deviant and highly bound by a 'code of secrecy'.

According to Edelbacher and Peruci, decentralised police structures could also be vulnerable to corruption if they lack effective internal or external corruption controls (2004: 365). Palmiotti (2005: 283-299) and Malinowski (2004: 21-46) argue that police corruption scandals have plagued major cities in the US because of their highly decentralised police structures. Hunter (2000) attributes corruption problems in decentralised police systems in the US to the domination of local autonomous governments that control local police departments. According to Hunter, in France, the hierarchical police system is vulnerable to influence by the national government.

Police rank and assignments as factors influencing police corruption are also matters of academic discussion. Maguer (2004: 283-305), in his research on French police corruption, indicates that the higher the rank of the official and the greater the discretion, the higher the risk of corruption. In France, high-ranking officers and officers in specialised units were more often implicated in officially documented cases of corruption than their colleagues 'on the beat' (CSD 2010: 262-263). In Britain, on the other hand, Punch (2004: 320), and Miller (2003) suggest that most officers facing criminal or disciplinary procedures are from the lower ranks, though occasionally senior officers, including the very top echelon, have been implicated in corruption cases. In Eastern Europe, Gounev and Bezlov (CSD 2009) show how corruption spread through the highest level of highly centralised police services, including the Ministry of Interior.

3.4. Typologies and forms of police corruption

Corrupt practices are often described without any nuances of their intensity, nature or final purpose. However different kinds of corruption need different remedies, thus creating a need for typologies or frameworks. To suggest the right anti-corruption measures, one needs to have a clear understanding of the extent and form of corruption in the particular police force. It needs to be clear if there are only isolated corrupt individuals ('rotten apples'), or corrupt groups of officers, or entire corrupt units or departments. Academics have spent much time trying to create typologies of the different forms of police corruptions that are encountered.

Common approaches towards the understanding of police corruption are to attempt to classify either corrupt police practices or the profiles of policemen likely to engage in corruption. A popular framework is the one offered by Van de Bunt (2004) who classifies police corruption using four categories. Van de Bunt applies the concept of 'workplace crime' to depict how police corruption takes on different forms according to the rank and assignment of the particular officer, as reflected by his or her group and institution ('grid'), or place on the

institutional ladder. Based on an analysis of the team and institutional cultures of police officers, Van de Bunt describes four different types of corrupt behaviour, two of which ('donkeys' and 'hawks') are related to individual 'deviance', while two ('wolves' and 'vultures') are related to 'group deviance' (see table below).

This typology can be usefully applied to EU MSs. In countries with low levels of corruption but with large criminal markets and strong criminal networks, cases of police corruption of the 'wolves' or 'hawks' types are revealed from time to time (CSD 2010: 81). While the former type is subject to evaluation in terms of improvement or worsening of corruption practices, the latter type presents serious challenges.

As officers, 'hawks' have excellent knowledge of the system and the clear understanding that any wrongdoing would lead to severe consequences, and therefore

TABLE 6.   POLICE CORRUPTION CATEGORIES

Type	Grid	Group	Description
Donkeys	Strong	Weak	Work characterised by both isolation and subordination: individual deviance of lower-level officer
Hawks (rotten apples)	Weak	Weak	Extensive freedom, distance from organisation, individual deviance (example: higher ranking officers, or officers working on highly confidential material)
Wolves	Strong	Strong	Strong group identity creates a subculture that facilitates organised deviance; group protection against external controls
Vultures	Weak	Strong	Freedom to aggressively seek exploitable situations, using the cover offered by the group

Source: Van de Bunt (2004)

they are extremely cautious – even paranoid. On the other hand, corrupt officers operating in this type of environment have more advanced knowledge of investigations, agents and technologies than the experts in internal affairs units. Such officers operate without revealing their identity to criminal networks. In order to further reduce risks, they operate within limited time periods.

Drawing on Punch (2009), another category of extreme deviance, exemplified by predatory behaviour, can be added. Such cases go beyond deviant behaviours, and are of pure criminal nature; these deviant officers actually do extremely little, if any, police work, and are just criminals wearing blue and using the police institution and its capabilities and prerogatives to pursue personal criminal careers. These officers are of the 'vulture' type, who aggressively seek and create opportunities using the police institution as enabler (Punch 2009). In countries with ineffective institutions and a lack of internal controls over the police and investigators, the 'vultures' model is the norm (CSD 2010: 82).

Punch provides a profile-oriented typology of police officers and their relation to deviance and corruption (2009). He explains the motivation that draws police officers to rule-breaking through the so-called 'Dirty Harry' syndrome, which refers to police officers who often see themselves as engaged in a crusade against crime. They believe that the system is 'too lax', and that deviant measures are justified, if they are likely to produce the necessary results. Dirty Harry officers are more likely to be involved in rule-breaking. For example, they would not take a bribe to drop a case, but might resort to 'setting up' a suspect if he 'deserves it'.

Punch further differentiates between the following types of police rule-breakers:
- **Noble causers**: Rule-benders who maintain that the only way they can enforce the law is by using unorthodox means; this is justified (by them) as it indirectly serves the public good.
- **Innovators and number-crunchers**: Work on the boundaries/limits of the law to achieve ambitious results. In certain circumstances the numbers (i.e. the statistics that measure their performance, such as the number of solved crimes) become an end in themselves: these officers end up falsifying numbers to keep their score high. This pressure is self-generated, there is no external briber, no bribes, and nobody is searching for an external tangible gain, although these officers are often driven by vanity and a lust for status.
- **Crusaders**: This type of officer despises criminals and is obsessed with crime fighting, sometimes at the expense of the official paradigm. They tend to target particular types of cases or individual offenders.
- **Ideological combatants**: A variation of the 'crusader', where the whole institution is biased against a certain category of 'criminals'; a modern example of this was the Royal Ulster Constabulary and its interventions against the Irish Republican Army; in other words this is politically motivated police deviance.
- **Lone wolf**: An individual driven by a personal crusade; he is also similar to the crusader, but is characterised by 'attachment' to 'that one case'. Officers taking this approach often develop 'tunnel vision' regarding police work.
- **Cowboys**: Reckless policemen, closer to the folk-hero vision of the cowboy, using unorthodox methods, macho bravado, criminal slang, and affecting a nonchalant stance. The term 'cowboy' has a negative connotation among policemen, comprising: lack of discipline, rule breaking (typically driving too fast), playing practical jokes on colleagues, treating supervisors with (near) contempt, intimidating weaker colleagues, being recalcitrant about following instructions, having 'blurred' relations with the underworld. They nevertheless have a reputation of responding rapidly and generously if a colleague is in trouble and being secretly admired by some of their superiors.

It should be noted that these types of behaviour and relationships to rule-bending are dynamic and can overlap to some extent, or change over time. Punch argues that the style of behaviour adopted depends either on personality or on the prevalent behaviour in a specific group or station.

Punch's sources-based typology

Like many other social phenomena, corruption does not happen in a void; its manifestation depends on the specific conditions of its emergence. On this premise, Punch develops a third typology of corruption, which is based on the

nature of the corrupting source, which aims to cover a wider range of police deviant and corrupt practices.

Externally driven:
- **state domination:** Police forces are linked to the state or local politicians, and function as their service provider;
- **capture by deviant elite:** when the police force is 'captured' by a deviant elite and organised crime;

Within the police domain:
- **Grass-eating.** Low-level deviance of accepting freebies, usually viewed as a disciplinary offence, not a criminal one.
- **Process corruption.** Lying in court, altering evidence, making false statements sometimes leading to charges of perjury, conspiracy and 'perverting the course of justice'.
- **Meat-eating: predatory (strategic) corruption.** Proactive, aggressive efforts aimed at collecting a regular tax from legal/illegal activities or expanding the recollection possibilities. Can also mean/imply close cooperation with the underworld and participation in crimes.
- **Noble cause: combative (strategic) corruption.** Strongly motivated attempts to obtain convictions against criminals by illicit means.

The distinction between grass-eaters and meat-eaters was first made by the Knapp Commission. Although grass-eating is usually viewed as a less serious offence, the Commission argued that the larger number of grass-eaters in the NYPD in 1970 was 'the heart of the problem', and made corruption respectable (Punch 2009: 62; Newburn 1999: 20).[22]

System failure (labelling, and wider impact, of corruption):
- **Police institutional failure.** When exposed, the deviance seems to be part of the institutional working culture of the force.
- **Police and criminal justice failure.** The scandal expands beyond the police to touch other parts or the whole of the criminal justice system.
- **System failure with societal impact.** In this case the damage goes beyond the criminal justice state and challenges the way in which the state is governed. Punch exemplifies this with the Dutroux case in Belgium (2009: 30)

In this typology Punch tries to take into consideration various factors as external pressure for police deviance, the various motives for rule-breaking, the criminal nature of more serious police corruption offences, as well as their social and institutional impact.

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[22] The distinction became crucial when the counter-corruption regime of Pat Murphy became so successful that eventually it turned into a witch-hunt for grass-eaters and had to be curtailed before morale was adversely affected.

Chapter 3: Key points

Police corruption presents a number of special characteristics. Police officers are in regular contact with criminals, and may be under considerable pressure to act corruptly, while oversight of their work is by its very nature difficult. There are special types of corrupt practices available only to police officers and the causes of corruption are wider and different from those for other public officials. In particular:

• Definitions of corruption differ across Member States and may encompass police officers' deviance, misconduct, corruption and other criminal behaviour. The purpose of police corruption can include both, private and collective gain.
• The main types of corrupt activities include: favouritism, bribery, kickbacks, extortion, fixing of investigations/evidence, failing to report violations or protection of illegal activities, diversion of police resources and theft, internal pay-offs.

Causes

• Law enforcement officers in big cities and border areas are more vulnerable to corruption due to larger corruption pressures (from criminals or citizens). The level of police corruption often has deep **historical roots**. Examples include: the historical influence of the Mafia in Italy, or the involvement in organised crime of former security officers in Eastern Europe.
• Other causes may include **institutional environment** (level of tolerance of corruption within the police force) and **peer group solidarity**. The **secrecy of police work**, the **level of autonomy** within units, poor external oversight, officers' **direct contact with criminals/informants are other factors facilitating corrupt behaviour.**

4. CORRUPTION AMONG BORDER GUARDS

As the previous chapter has outlined, the issue of police corruption has drawn significant attention from academic and policy communities. Corruption in the border guard services, however, has remained outside the scope of such studies. The most plausible explanation for this lack of interest is the fairly low and tolerable rates of border corruption in Western Europe or North America, and, until recently, the relatively low priority given to irregular immigration and people-trafficking. EU MSs' interest in border-related corruption has usually focused on the issue of customs corruption (CSD 2004; OECD 2001[23]; Michael and Moore 2010; Ferreira, Engelschalk and Mayville 2007), as its impact on businesses and state budgets has been estimated at hundreds of billions of Euros annually. Likewise, concern in North America has concentrated on drug trafficking, also usually a customs issue.

The role of border guards has been omitted from these analyses of cross-border corruption largely due to a lack of understanding of how corruption schemes work. In fact, border guards may also be involved in such schemes, especially at land-border crossings and sea ports that play an important part in cross-border trade. Most studies that focus on cross-border trade-related corruption assume that such corruption involves only customs officials. Very few of the studies empirically explore the exact corruption mechanisms and therefore fail to take into account the important role of border guards in facilitating cross-border trade (both legal and illegal).

The present chapter aims first to present a detailed description of the range of corrupt practices in which border guards may become involved. This is mainly based upon the information received from Border Guard services themselves and the related internal affairs units. As noted in the introduction, the list is neither exhaustive nor representative. Some of the corruption schemes described are based on a single case that was described by interviewees, while others summarise general opinions. However, it provides a valuable description of the type of corrupt practices and pressures which are specific to the border environment and a valuable adjunct to the literature on police corruption. The chapter then goes on to explain some of the factors that influence the level and type of corrupt behaviour by border guards, and how that shapes the differences observed across the EU.

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[23] See Hors (2001): Fighting corruption in customs administration

4.1.   Corrupt border guard practices

The corrupt practices identified by border guards, described below, fall largely into three categories:[24]
- involvement in organised criminal activities;
- petty corruption; and
- administrative/bureaucratic corruption.

4.1.1.   Organised crime related corruption

Organised crime related corruption of border guards can fall into a number of categories and levels of seriousness. These include:
- selling of information;
- trafficking in cigarettes;
- smuggling of other consumer goods;
- organised migration crime;
- trafficking in drugs;
- smuggling of stolen vehicles;
- money laundering;
- ignoring travel bans;
- provision of false alibis;
- obstructing an investigation.

Below, we discuss each of these types identified in our survey:
- **Selling of information**: the provision of information to a range of illicit actors can include:
  ◊ *Providing information to criminal groups about ongoing investigations.* The provision of such information may be done through intermediaries and is important to criminals as it allows them to take additional precautionary measures. For instance, criminals can use accomplices that are 'clean', so when they cross borders, they do not raise any suspicion.
  ◊ *Providing operational information that helps criminal groups avoid detection*: this could include patrol routes and schedules of border guard patrols along land-borders or at sea borders.

- **Trafficking in cigarettes**: the present study identified that trafficking in cigarettes has become one of the biggest and fastest growing drivers of corruption along the EU's eastern land borders, as well as at some major ports in Western Europe. Unlike drugs, cigarettes do not have a social stigma. In addition, in many EU MSs they are considered a 'customs-only issue' (unlike drugs), and generally do not affect the overall assessment of police performance. The risks are also much smaller than with drugs (I-BG, I-HU, I-EL). Officers convicted of supporting drug traffickers receive prison terms of several years, even for small quantities of drugs. Facilitating cigarette smuggling is much harder to prove, and punishments are usually more lenient.

  Two types of border officers' involvement have been identified: passive and active. With passive support, officers provide information to criminal organisa-

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[24]   The corrupt practices are not attributed to particular Member States, because many of them may exist elsewhere but have not been detected.

FIGURE 3. IDENTIFIED OR SUSPECTED INVOLVEMENT OF BORDER GUARDS IN CORRUPT PRACTICES BETWEEN 2007 AND 2010 (NUMBER OF MS REPORTING)

During the past 3 years how often has your institution identified/suspected the involvement of border guards in any of the following practices?

	Illegally providing information to criminal groups	Manipulating or otherwise profiting from information in SIS, EURODAC or other	Illegally providing information to companies	Illegally providing information to migrants	Illegally providing information to politicians
No info	6	8	9	7	10
Not detected	4	5	6	3	7
Not detected but known to exist	2	4	5	7	7
Occasionally	9	5	5	6	5
Often	2	1	2	0	1
			1	0	0

Legend: Often / Occasionally / Not detected but known to exist / Not detected / No info
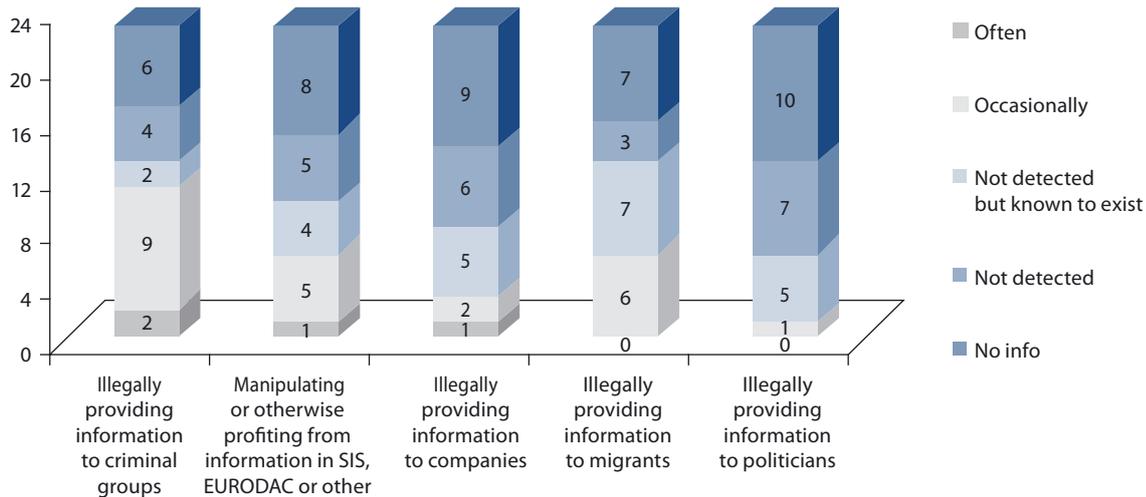
Source: Survey of border guards and internal affairs units

tions about patrol boats (I-EL) or the schedule of patrol teams, secret posts and so on, on green borders (I-HU, I-BG, I-LT, I-LV, I-RO, I-PL). Usually, such cases involve a single officer, and it is not known how they established contact with the criminal organisation and for how long the relationship had existed before detection. Even after the exposure of such officers, they are rarely convicted: most are simply dismissed; but in some cases even this is not possible, so they are simply moved to positions in the border services which offer less opportunity.

With the active form of support of smuggling, officers are paid to allow vehicles or even animals loaded with cigarettes to pass checkpoints unhindered. It is difficult, however, to prove intentional support on the part of the border guard as opposed to unintentional error or incompetence (I-HU, I-BG, I-LV, I-PL). Another malpractice which is hard to prove is the intentional non-registration of incidents, which leaves detected traffickers and their vehicles off vital computer databases (I-HU). Officers may receive payment for their favours through intermediaries, and sometime after the actual smuggling takes place (I-HU).

Smugglers organise dozens of cars daily, each carrying several master cases[25], and crossing the border a couple of times per day (I-BG, I-RO, I-PL). Where border crossing controls are tight, corrupt border officers supporting the **smugglers re-direct the cigarette traffic to safe passages through the 'green borders'** (I-HU, I-BG), or to other borders altogether (e.g. from the Romanian-Ukrainian to the Romanian-Moldovan border). (I-RO) Even container-size shipments may be re-routed through green borders (I-HU, I-BG).

The check at big BCPs is generally more in-depth; more officers and units work side by side there, so the shipping of large quantities of goods would suggest the infiltration of several officers. Green borders and small land BCPs, however, are more 'family-style, local; people get to know each other personally and officers are more inclined to just let people pass' (I-HU).

At BCPs, border guards may collude with customs officers in avoiding detailed checks of vehicles or passengers that have paid bribes (I-ES, I-BG, I-RO). If a border guard has a suspicion that a passenger or vehicle is transporting illicit goods, including cigarettes, they can ask the customs officers to carry out a detailed check. Although customs officers can refuse the detailed check, such consistent behaviour could raise suspicions and may lead to investigations. Therefore, corrupt customs officers usually try to ensure the complicity of border guards.
Some examples reported in the course of the survey include:
– In 2010, in Marseille, a border policeman who had set up his own cigarette smuggling network was uncovered (I-FR).
– In Hungary, within two weeks seven border guards were apprehended on the 'green border' with Ukraine and charged with supporting several cigarette smuggling groups (I-HU). It is believed that no senior border officials were involved in the scheme, but it is also possible that the short timeframe of the investigation limited its scope.
– A six-month investigation in Greece uncovered a group of seven coast guards and 15-16 civilians involved in cigarette smuggling (I-EL). Cigarettes were shipped from Cyprus and Turkey, passing into mainland Greece in order to load the cigarettes onto trucks. About 15 boats were unloaded in 2010, in the period when the criminal group was being monitored. In this case, a hierarchy within the group was observed, with the lowest-level coast guards getting €500 per shipment, and the highest-level officials getting €10,000 per shipment.

• **Smuggling of other consumer goods** (oil, alcohol): these schemes may either be related to organised crime or be merely a low-level shuttle trade run by individuals. In both cases, they have a lot in common with the cigarette-smuggling schemes already described.
• **Organised migration crime**: the facilitation of various forms of organised migration crime often involves not reporting suspicious/counterfeit travel documents. An irregular migrant with a counterfeit passport/irregular visa is not reported by a first-line officer, and is permitted to enter the country on receipt of a bribe. This type of corrupt behaviour is difficult to detect and

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[25] One master case contains 10,000 cigarette sticks or 500 normal cigarette packs, i.e. 20 cigarettes each. It is used as a measurement category and packaging term in the tobacco industry. The main categories include: stick (1 cigarette), pack (contains 20 cigarettes each), carton (contains 10 packs of cigarettes), master case, container (a standard shipping unit – one 40-foot container usually contains about 1,000 master cases, or 10 million cigarettes).

prove, as well-counterfeited travel documents may easily mislead an honest officer. The facilitation of illegal immigration may also be part of a larger organised crime scheme involving human trafficking.

People-trafficking cases present a challenge to investigators to prove the connection between traffickers and border guards. A case of corruption involving support for the organised trafficking of migrants was uncovered in Patra and Igoumenitsa (I-EL), in the course of a criminal investigation of organised crime. The support was provided by first-line officers who helped migrants go through the Greek border hidden in trucks. They were then loaded on ships bound for Italy. Another model of this general scheme involved letting migrants from the Near East through the Turkish-Greek border. They used old (i.e. non-biometric) Bulgarian passports of Bulgarian citizens living in Turkey. The collaborating border guard 'failed' to notice that the passport actually belonged to somebody else.

- **Trafficking in drugs**: involvement in drug trafficking was reported by only two countries, where the specific tasks and powers of border guards make this a practical possibility (I-UK, I-ES). Spain's Guardia Civil officers, for instance (either working in ports or in coastal areas), and local police in coastal towns are often targeted by organised criminals involved in smuggling cocaine or hashish. Corrupted officers either provide information on patrols, or fail to report to the customs authorities suspects who are transporting drugs. Other cases may be related to investigative powers: while police investigators at BCPs (e.g. airports) may only have powers to investigate migration crimes, in some countries they also investigate a broader range of crimes, including drug trafficking. It is in such instances that corrupt individuals may become involved in facilitating drug smuggling, obstructing investigations, or stealing and selling confiscated drugs (I-ES, I-NL).
- **Smuggling of stolen vehicles**: in some countries border guards/police have an obligation to check whether a vehicle figures in databases (Interpol/ national databases), or to check car documents. The border guards may also decide to inspect a vehicle, based on a risk profile (e.g. a luxury vehicle). They may be bribed into turning a blind eye to a VIN number that has been tampered with, or counterfeiting car-registration documents (S-LV, I-LT, I-BG).
- **Money laundering**. Cash controls usually involve customs administrations, but movement of large amounts of cash can be facilitated by border guards in many ways. For instance, border guards have occasionally aided organised crime related individuals, used as couriers by money-launderers for the smuggling of cash from North America to Mexico. (US Senate hearing 2010)
- Allowing the entry/exit of individuals for whom an arrest warrant has been issued, who are on probation, or are subject to some sort of a **travel ban** (e.g. are under investigation, or may have significant debts to banks). On such occasions the officer may simply accept a counterfeit travel document, or not check against EURODAC, SIS, or national criminal record databases.
- Another service that border guards may provide to organised criminals is the **provision of a false alibi**. Border guards may enter information into the system showing that a criminal has left and re-entered the country on certain dates, and that s/he has been outside the country during a certain period of time. This could be then used as evidence in court. With the increasing use of Advanced Passenger Information (API) and Passenger Name Record (PNR) data collection and storage systems by border guards, and their use in 'fixing' travel histories for use in criminal cases, this type of activity may become much more important.

During the past 3 years how often has your institution identified/suspected the involvement
of border guards in any of the following practices?
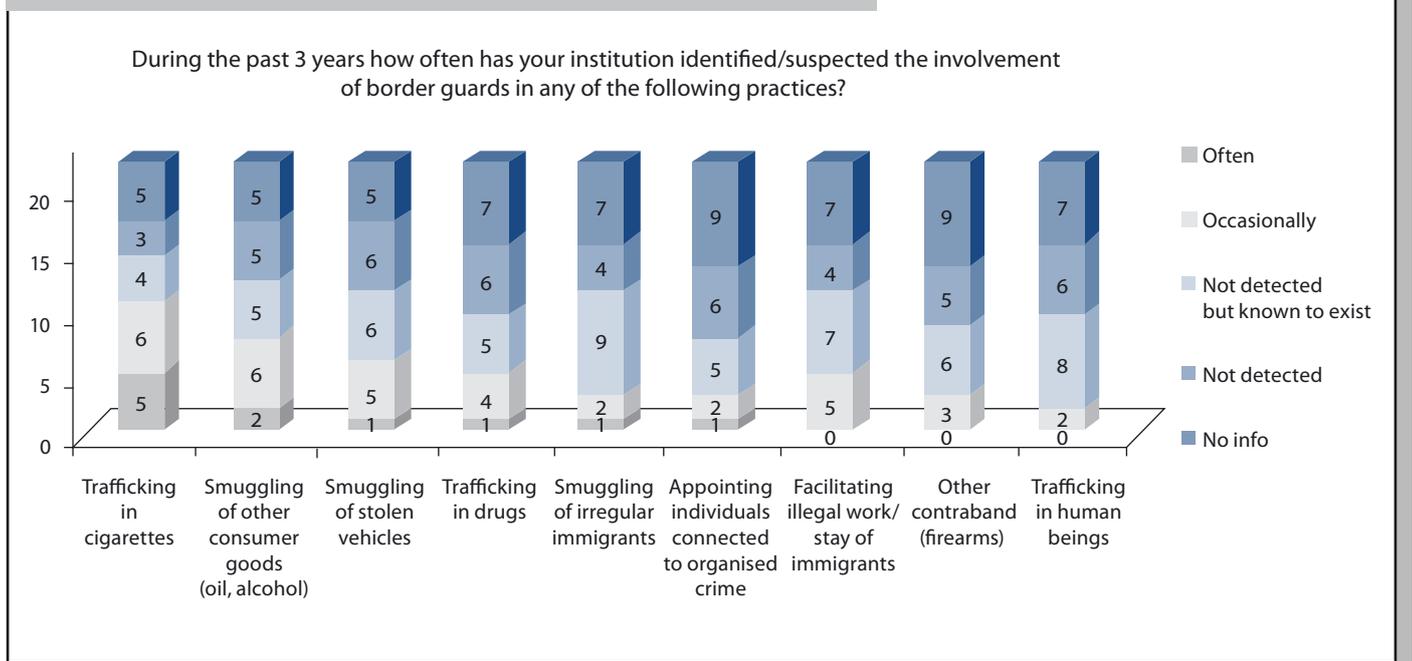
Source: Survey of border guards and internal affairs units

- Finally, a set of corrupt practices may result in **obstructing an investigation** (by providing criminals with information, hiding/mishandling evidence, withholding information from magistrates/investigators.

Intelligence data suggests that organised criminals often claim to have corrupt relations with border guards (as often evidenced in wiretaps), either in order to convince other criminals to do business with them, or to scare victims from reporting traffickers.

4.1.2.   Petty corruption

There are a number of corrupt activities in which border guards become involved that are not part of organised crime networks. Although organised criminals can again take advantage of a corrupt border guard through such schemes, this is done on a small scale, without particular recruitment, and it concerns corruption schemes which, if examined on a case-by-case basis, are considered petty corruption.

The types of petty corruption practices may include:

- Small bribes related to the **facilitation of smuggling**: This often involves smugglers of consumer goods (especially excisable goods, such as cigarettes and petrol); but any other consumer good where there is a significant price differential across a border (from food or medicine to clothing and electrical appliances) may be subject to smuggling by shuttle traders. While in some instances this trade is not related to organised crime, in others it is; for

instance, the cross-border smuggling of small quantities of cigarettes may involve a transfer of cigarettes between warehouses on each side of the border that are controlled by organised crime. This type of corruption seems to be most common among BGs at land-border crossings. Small-scale car dealers may also bribe border guards who uncover irregularities not to report them to customs, to avoid paying import taxes. (S-LT).

Border guard powers related to the enforcement of immigration laws also generate petty corruption:

- Small bribes to **speed up the border passage** of vehicles/persons. Border passage at specific times of the year, at both land borders/ferry terminals, will involve long queues. Therefore, lorry and bus drivers, or even passenger drivers may pay to 'jump the queue' and avoid waiting. This is common in some eastern European MS, where professional truck or bus drivers on transnational routes pay border guards small fees to avoid being fined for delays (BG, RO, PL, HU, EL). This practice has a significant effect on the public perception of border guards and the state apparatus itself.
- Small bribes which act as **facilitation fees** to avoid any type of problem, including questioning. Third-country nationals who have little knowledge of EU laws may offer to pay small bribes or have payments extracted from them, even without having violated any regulation. Such passage fee payers may include work migrants from Turkey, Ukraine and Belarus.

FIGURE 5. IDENTIFIED OR SUSPECTED THE INVOLVEMENT OF BORDER GUARDS IN CORRUPT PRACTICES BETWEEN 2007 AND 2010 (NUMBER OF MS REPORTING)

During the past 3 years how often has your institution identified / suspected the involvement of border guards in any of the following practices?
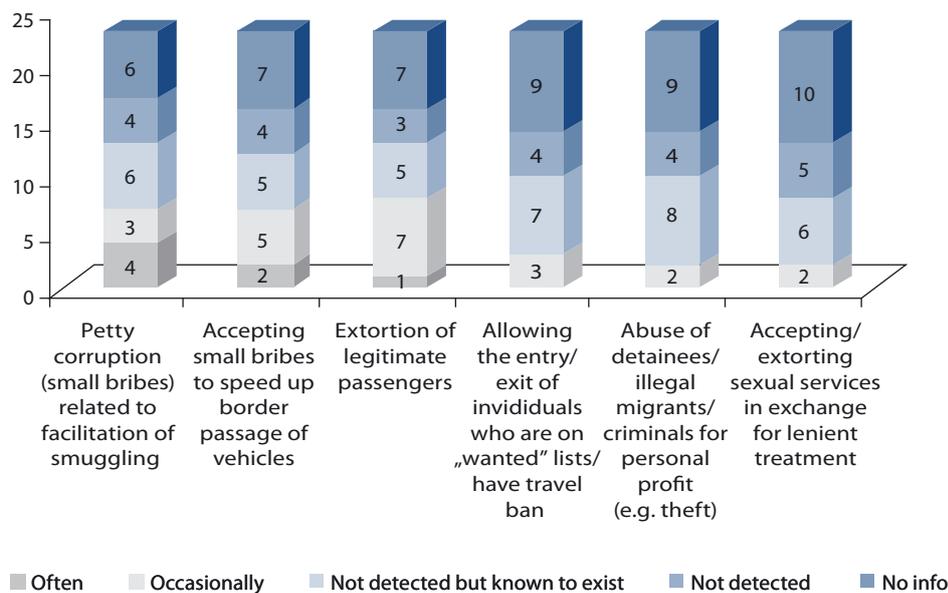
Source: Survey of border guards and internal affairs units

- **Abuse of detainees**, **irregular migrants**, **or asylum seekers** for personal profit, e.g. by stealing money, personal belongings, or illicit cargo. There is also the opportunity to accept or extort sexual services as a payment in kind.
- **Theft and sale of stolen goods** is particularly relevant to BGs working at airports/ports where they may have access to cargo or luggage. This could either be small-scale, opportunistic involvement, or be part of an organised crime scheme involving larger quantities of cargo.
- The facilitation of **illegal work or irregular immigration or visa documents** does not necessarily imply that an organised crime network is involved. Some MS reported individual cases, where small one-off illicit favours were done for friends/family (I-LU, I-UK). It was described in the following way by one respondent: *'The first line of corruption – immigrants try to obtain a visa from the Polish embassy in Ukraine. The second line is BCP – immigrants attempt to bribe officers in order to get into Poland. The third line is when they try to go back to Ukraine and have overstayed their visa/stay and they are prohibited from entering Poland for 5 years: then, they try to bribe/corrupt our officers and avoid legal consequences'.* (I-PL)
- **Allowing access** to the Schengen area of "banned" or "known" persons who figure on databases consulted at the BCP by not swiping the problematic identity document.

4.1.3.   Bureaucratic corruption

Bureaucratic corruption within border guard and police organisations is similar in many ways to corruption in other government bureaucracies. It is usually organised and concerns higher levels of management or leadership, either at BCP level or at the level of regional/central administration.

The main schemes identified include:
- **Manipulating public procurement tenders in exchange for kickbacks** or other benefits (kickbacks in this category were mentioned most frequently by MS); more specifically:
  - ◊ Kickbacks from service contractors providing construction, consulting, travel, insurance, or event management. This type of corruption usually involves BCP-level administration
  - ◊ Kickbacks from suppliers of uniforms, fuel, or other equipment
  - ◊ Manipulation of specifications for technical equipment that favours a particular supplier (the latter two types of corruption are more likely to occur at the central level).

- Use of senior BGs' authority over border crossing points to **extract kickbacks from service companies** which need permits and authorisations to operate in these areas. These corrupt practices are most relevant to land-border crossings where the senior officer in charge of the crossing is usually the head of border guards, and may have the discretionary power on security grounds to decide which companies can have access to the BCP. Heads of border crossings, therefore, may extract bribes from a company to allow it to operate at/through the border crossing.
- Senior posts at border crossings or units, with a high potential for collecting bribes, can be used as a form of promotion or reward for good work. Likewise, officers may have to **pay a bribe to local or regional superiors** in order to be appointed to certain positions. After being appointed they may

have to share part of their income from bribes with their manager or higher-level border guard officials.

- **Appointment or promotion of officers based on nepotism** (e.g. family members or friends are favoured over others). Nepotism may or may not be accompanied by bribery. The exact form of any bribes that are involved could follow any of the models described above, but the general rule is that they are proportionate to the expected income from bribes that the officer will gain. For instance, an officer may use connections at the BG headquarters and pay someone to be appointed at a border crossing where s/he expects to have additional income from bribes. The competition for such 'lucrative' BCPs may be such that applicants resort to bribery at various levels of the administration to obtain the position.

FIGURE 6. IDENTIFIED OR SUSPECTED INVOLVEMENT OF BORDER GUARDS IN CORRUPT PRACTICES BETWEEN 2007 AND 2010 (NUMBER OF MS REPORTING)

During the past 3 years how often has your institution identified / suspected the involvement of border guards in any of the following practices?
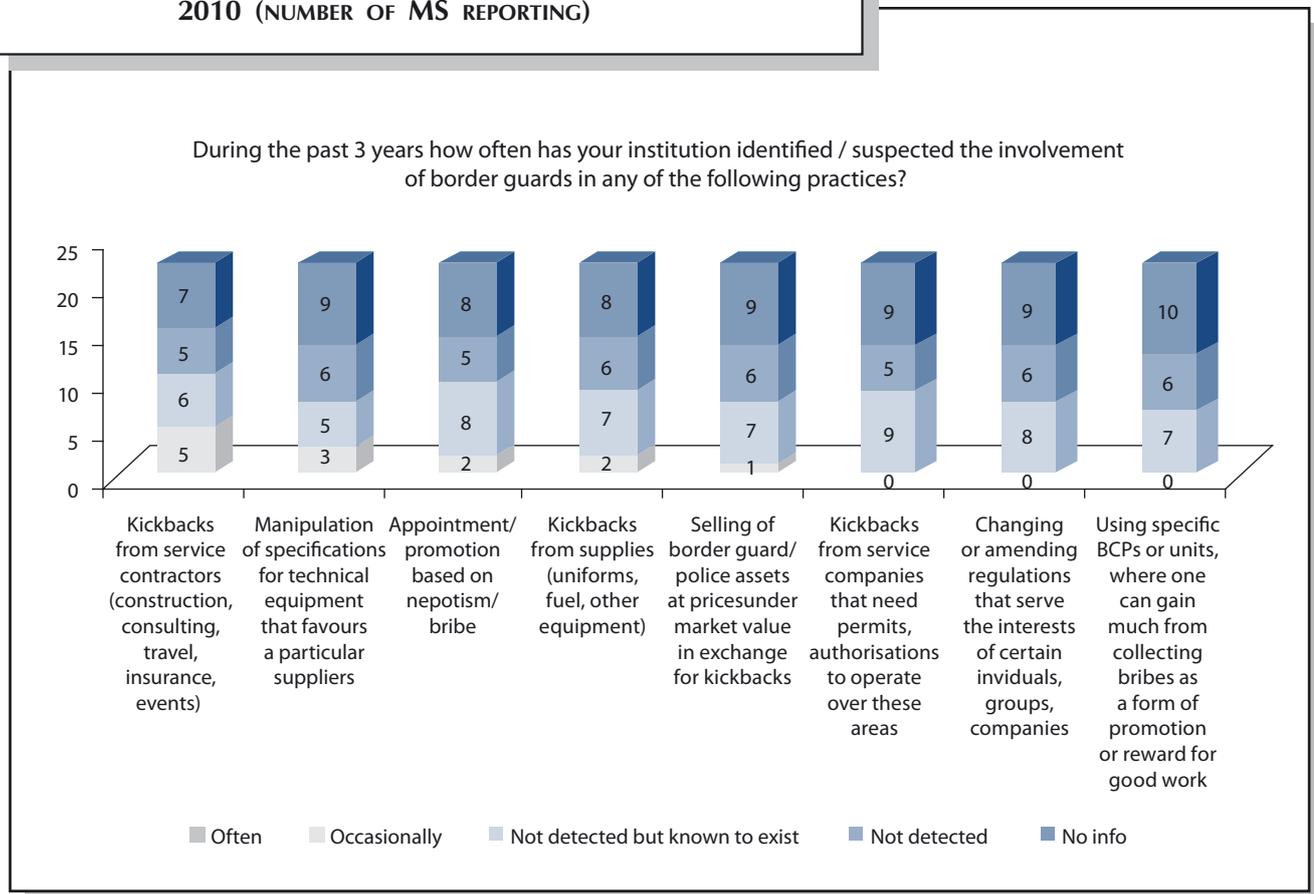
Source: Survey of border guards and internal affairs units

- The **sale at auction of excess border guard/police assets** (real estate, used cars, etc.) at prices significantly under market value in exchange for kickbacks is especially relevant in the process of EU expansion and the closing of BPCs and the reductions in BG personnel. Typically, the tendering procedures are not widely publicised, and several companies with the same beneficial owner may bid in the public auctions.
- **Amending regulations** in such a way that the new regulations serve the interests of certain individuals, groups or companies. Border police opinion

may be required during the passage of various security-related laws and regulations. Such opinions coming either from the border guard legal department or senior managers may be unduly influenced by the interests of private companies or individuals. The opinions may shape trans-border trade regulations or security rules so as to create valuable unintended private benefits.

- One softer form of corruption or what may be defined as institutional corruption (i.e. it is not illegal but it is morally questionable) could arise from private individuals or firms being able to **donate gifts/gratuities** in the form of cash, equipment, office supplies, petrol, etc.). In some MS, where such gratuities were not well regulated, it was found that individual police departments or units had been receiving such donations from individuals, or from firms related to individuals who were under investigations or suspected in criminal activities (I-BG). In the present study it was established that these opportunities were excluded in most countries, and where they were allowed a number of transparency measures were in place that precluded possibilities for corruption (see 6.3.1 Donations and gifts).

4.1.4.   Structure of corrupt relations

The description of the above corruption schemes raises the question of the **complexity of corruption networks** involved. Three types of corrupt involvement were identified by interviewees:

- The '**rotten apple**' model: this is probably the most prevalent type in West European countries. Rotten apples can enter the system either as new recruits who are, or were, connected to organised crime, or who had criminal records or were otherwise vulnerable to corruption. However, any border guard may be a target for corruption or become vulnerable to corruption because of a change in personal circumstances, such as sudden extreme financial need. Organised crime benefits from recruiting and working with lone individuals because this attracts less attention. Organised criminals may recruit single individuals across a number of border crossings or departments, and make occasional requests for apparently trivial pieces of information that actually allow them to build up valuable strategic intelligence.
- The second type of corruption involves **small groups of corrupt officers**. Usually the involvement of a higher-level officer requires at least one subordinate officer to be involved in the corrupt scheme. Such packs of 'wolves', as Van de Bunt calls them, are more common in MS or at BCPs/units where there is a strong anti-corruption culture and measures. As a result of working in an environment that is hostile to their activities, these groups of officers are well-organised and effective conspirators. Such groups do not need to be part of the same department or unit but may be part of a network in the service of organised criminals.
- The model least often mentioned by interviewees is characterised by wider systemic corruption, where entire units or BCPs may be corrupt. In such units corruption involves everyone from the head of the BCP/district command down to the lowest-level officers. The proceeds from bribes are shared and distributed to everyone and several types of organised crimes are likely to be involved. Such cases have recently been uncovered and prosecuted in Bulgaria and Romania (I-BG, I-RO).

4.2.   Factors in border guard corruption

While the previous chapters have outlined a number of general characteristics of corruption in law-enforcement agencies, there are some characteristics of corrupt practice that are specific to border guards. These characteristics derive from the powers and specific structure of the border guard institution and the specificities of the borders, including their geographic location and the broader issues of migration and cross-border trade (licit and illicit).

4.2.1.   The powers and corruption risks

Border guards' institutional set-ups and structures differ across the EU. The following general types could be discerned, depending on powers and tasks. The present study showed that there are increased risks of corruption for the border guards that have the following powers:

- **Investigation powers**: only some MS border guards can undertake criminal investigations, and where this power is available it may well be limited to irregular migration or trafficking in human beings; elsewhere, criminal investigations are normally carried out by the police. Police investigators may be present in border areas but they are not under the command of border guard administrations. Criminal investigators are bound to be targeted by organised criminals because they pose the greatest threat. The more extensive the investigatory powers of border guards, the more they become a target. Where police and border guards share investigatory powers or the police have a monopoly, then corruption among border guards is both less likely, and less likely to flourish if it exists.
- **Customs powers**: in some countries border guards have either full customs powers (UK) or limited customs powers at certain smaller border crossings (e.g. FI, FR). There are also law-enforcement institutions with border protection responsibilities that have customs powers (IT, ES).
- **Security duties**: In some MS, border guards are in charge of screening luggage for air transport passengers. The corruption of such staff is usually aimed at facilitating the smuggling of narcotics and other illicit goods.
- **Responsibilities sharing**: while in many MSs in Western Europe, border guards' responsibilities are limited to border control at international airports, the overall risk of corruption increases pro rata when responsibilities also include sea-ports and 'blue' borders, and even more so land and 'green' borders. In some MS, coast guard duties are entirely within Border Police responsibilities (RO, BG), while in others a separate coast guard institution exists (EL, FR, IT, SE).[26]
- **Border control and security powers** may be shared amongst several law-enforcement agencies, and as a result the corruption risks are spread across them (e.g. in ES the Civil Guard provides blue border security but also has some customs powers while the National Police is responsible for border control; a similar arrangement exists in Italy between the Financial Guard and

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[26] Yet even coast guard duties may be split between several institutions, as is the case in ES (where they are shared with the Civil Guard), with the Gendarmerie in FR, or with the Financial Guard in IT. The present study focused on the main institutions responsible for border control, and institutions with 'coast guard' duties were mostly excluded (with the exceptions of EL, ES). In addition, some customs agencies may have limited border control powers, such as the inspection of travel documents at smaller border crossings (e.g. FI).

the State Police). In other MS (e.g. BG and RO) all duties are concentrated within a single border guard institution. In other MS (e.g. DE and NL) local police may be responsible for border control at sea-ports.

The threat of corruption is also highly correlated with the size of the border guard service. In small, tight units corruption is difficult to conceal, especially if corrupt activity is prolonged and systematic in character. Such cohesive border guard forces are either generally corruption-free due to strong team ethics, or are institutionally corrupt with the whole team tolerating corruption and providing cover for colleagues. Some MSs (see Table 9) have between a few dozen or a few hundred border guards in total, while others have thousands.

4.2.2. Corruption pressures: officers and units

The data below should be considered with caution, taking into account the fact that MSs assess the threat of corruption in different ways. As one interviewee noted, their MS has no external land borders, and thus their threat assessment only covers sea and air borders (I-DE). With this caveat, the survey and interviews indicated that the most significant factors that explain the different levels of detected corruption in MS overall are (1) the different intensity of corruption pressures from organised crime or irregular migrants and (2) the type of border configuration.

FIGURE 7. BORDER TYPES AND RISKS
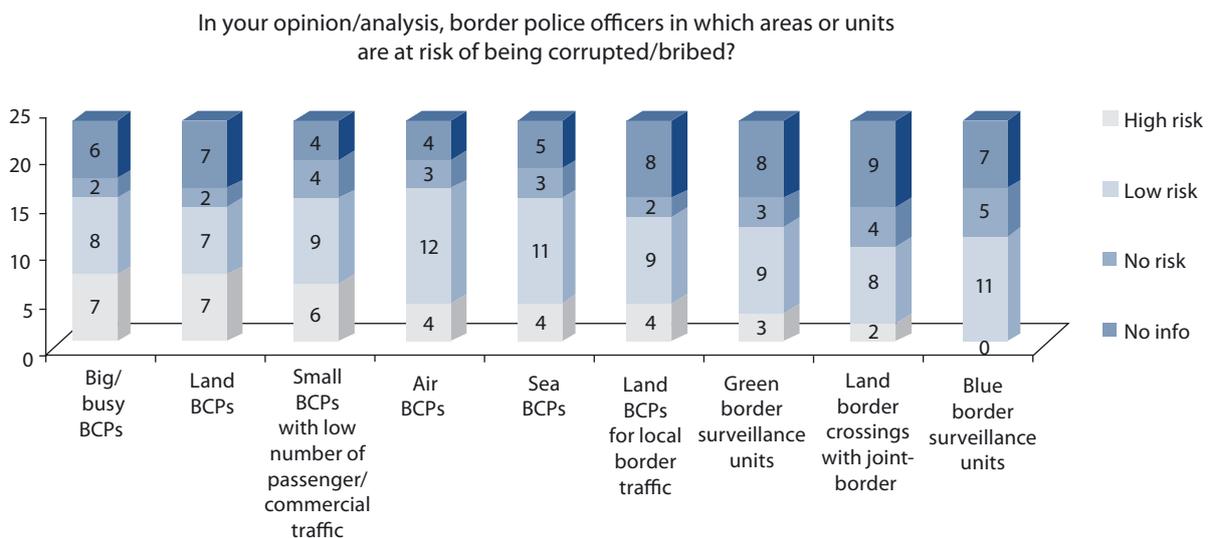
Source: Survey of border guards and internal affairs units

Corruption pressures

MSs on major drugs/cigarettes trafficking routes are subject to higher levels of corruption pressure from organised crime. Europe's eastern 'green' borders and major land BCPs, as well as its major sea ports/blue borders have been subject to **increasing** corruption pressure by cigarette smugglers in the past few years. This increasing pressure is the result of emerging and escalating price differentials between non-EU countries and the EU internal market, mostly due to high minimum levels of excise duty within the EU.

Another difference in pressures comes from the distinction between **large/ medium and small border crossings**. The larger border crossings along the EU's eastern land borders typically have well-developed infrastructure; are staffed by multiple agencies including well-resourced border guard units, and often exhibit sophisticated anti-corruption measures including video-monitoring. A similar description holds for major international sea-ports. However, notwithstanding these resources, the high volume of vehicles/vessels and passengers, especially during peak periods, makes the smuggling of irregular migrants or illicit commodities less risky at these locations. In such BCPs, therefore, corruption is often an unnecessary expense that criminals try to avoid. Moreover, the multiple agencies and level of oversight makes widespread systematic corruption difficult, unless it is tolerated at the highest level. Therefore, we tend to find that where corruption exists at major border crossings it tends to be the result of more sophisticated schemes with a greater financial throughput than the type of corruption observed at smaller border crossings. The 'rotten apples' type of corruption is less likely, and corruption schemes commonly involve cooperation between several border guards, or more complex collaboration between teams of BGs, customs officers, and sea-port employees. (I-ES, I-BG, I-RO)

As previously noted, malpractice at smaller land border crossings often involves doing favours for friends and family. Small-scale cigarette smugglers normally choose to operate across smaller border crossings, while container shipments involving large bribes tend to go through bigger BCPs (I-BG). Similarly, petty criminals buy their 'waiving of a travel ban' at a smaller BCP, while higher level/ white collar criminals would go through major BCPs (I-BG), where they either count on not getting detected or arrange complex corruption schemes.

In the Nordic countries the **degree of corruption pressure (almost none)** is radically different from that identified in other EU MS, especially at its south-eastern land borders. In Finland, for instance, **since 2005 there have been only two [registered] cases** of attempted bribery of the FBG – and both were minor cases: in 2006 in the North at the Raja-Jooseppi BCP someone offered a bribe in order to be able to continue to Finland with a car, which is against regulations; and in 2007 at the Salla BCP someone tried to bribe a border guard in order to be able use a car with tinted front windows. (I-FI)

TABLE 7.   GREEN/BLUE BORDER AREAS AND BCP WITH INCREASED VULNERABILITY TO CORRUPTION[27]

Country	Green/blue borders, BCPs
BG	BCPs: Kapitan Andreevo, Lesovo, Kulata, Kalotina, Ilinden, Sofia airport, Burgas airport, Varna airport, green borders with Serbia and FYR Macedonia
CY	No data provided
CZ	No data provided
DE	Frankfurt am Main airport
DK	No data provided
EE	Border with Russia and Latvia
EL	BCPs: Kakavia; Patra port, Igoumentitsa port, Pireaeus port
ES	Barcelona airport, Palma de Mallorca airport, Madrid airport, Andorra, Gibraltar, Malaga, Puerto de Vigo, Melilla port, Ceuta port, Algeciras, Almería, blue borders near Galicia
FI	No data provided
FR	Marseille – Porto Vecchio sea-port
HU	Röszke (border with Serbia), Záhony (border with Ukraine), green border with Ukraine
IT	No data provided
LT	BCPs: Panemunė and Kybartai (Russian border), Lavoriskes, Medininkai, Raigardas and Salcininkai (Belarusian border), border with Kaliningrad
LU	No data provided
LV	Border with Belarus, border with Russia
MT	No data provided
NL	Schiphol airport
PL	Border with Ukraine, Kaliningrad green border
RO	Green border with Moldova and Serbia
SE	Bridge to Denmark
SI	Border with Croatia
SK	Border with Ukraine
UK	No data provided

Source: Survey of border guards and internal affairs units

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[27] Member states were asked the questions: Are there particular border crossing points or external border areas (either sea or land) where corruption is considered to be more likely (either because there is a larger flow of illicit goods or irregular migrants in this area)? Some countries chose not to provide information, usually on the grounds that such information is sensitive.

Corruption opportunities

The land borders and blue border/coastal regions provide significantly more corruption opportunities than major border crossing points and airports. Along green borders/coastal areas border patrols often find themselves in a situation where they are unsupervised and the probability of detection is minimal. Border guards serving in many land-border regions or coastal regions come from local communities where the chances of knowing and hence becoming involved with local cross-border smugglers are much higher. Where generally fertile conditions for the growth of corruption exist, they tend to affect local city authorities as well. This further increases the level of threat.

In addition to identifying structural/role related sources of corruption threat (see above) respondents were also asked to identify specific demographic profiles linked to border guard corruption. Young officers were singled out for several reasons as vulnerable to corruption: first because they are often in the same age group as criminals (they may be visiting the same gym/night clubs), but also because of their lack of experience, they are more easily enticed into corruption schemes: being lured by drugs/prostitutes; asked for small favours, and gradually involved in larger schemes (including through threats and extortion based on evidence of previous malpractice or criminal behaviour) (I-PL, I-UK). The economic circumstances of border guards also provide opportunities for enticement and blackmail (I-PL). While financial crisis can strike at any time, the young and new parents are particularly vulnerable.

FIGURE 8.   OFFICER LOCATION AND VULNERABILITY
            TO CORRUPTION

In your opinion/analysis, border police officers in which areas or units are at risk of being corrupted/bribed?

	1st line duties at landborder BCPs (lorries/ commercial vehicles)	1st line duties at landborder BCPs (passengers/ passenger vehicles)	1st line duties at airborder BCPs	1st line duties at sea-border BCPs	2nd line duties at airborder BCPs	2nd line duties landborder BCPs	1st line duties at landborder BCPs (busses)	2nd line duties at sea-border BCPs
No info	7	7	4	6	5	7	7	6
No risk	2	2	2	2	4	2	3	4
Low risk	7	8	12	11	10	10	9	10
High risk	7	6	5	4	4	4	4	3

High risk   Low risk   No risk   No info

Source: Survey of border guards and internal affairs units

FIGURE 9.   OFFICER AND UNIT VULNERABILITY TO CORRUPTION

In your opinion/analysis, border police officers in which areas or units are at risk of being corrupted/bribed?
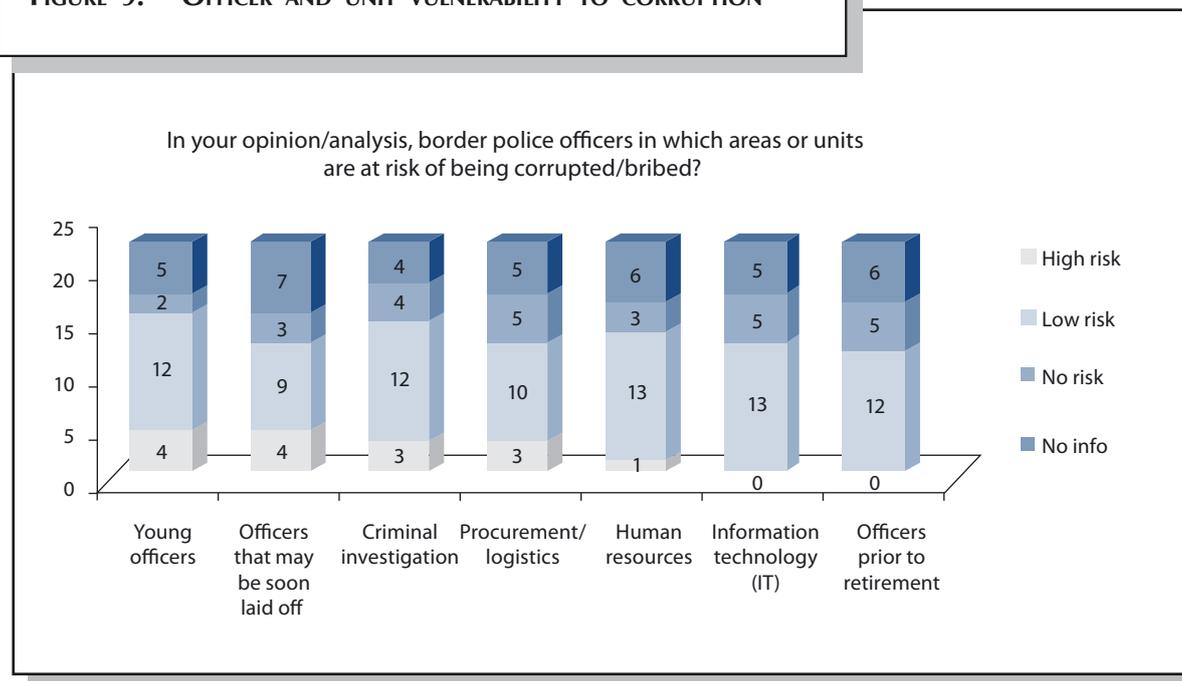
Source: Survey of border guards and internal affairs units

4.2.3.   Institutional and social factors

Political corruption and political influence over border guards, especially at the national and regional level, requires specially designed research. In the course of the present study, the interviewees were not comfortable openly discussing such issues. Nevertheless, clearly in some MSs, the head of border guards is a political appointee. Where such role-holders benefit from corrupt practices or could so benefit, then the possibility of using the post as a reward or selling it for gain within a ruling party must be acknowledged. However, it was not possible to investigate these threats during this study.

At the local level, particularly in small towns along the external land-borders of the EU, complex corruption networks may involve local businesses engaged in cross-border trafficking of goods. Local politicians can rise to prominence because of their association with such enterprises, or may become involved with them once they have created a local political reputation. Such political involvement can be either for personal financial gain or in order to promote local projects that help raise the political status of the individual concerned. (I-PL, I-LT)

4.2.4.   Income disparities

As the previous chapter noted, one of the main variables that explains the differences in corruption levels between countries is income disparity. In the course

TABLE 8. SALARIES AND VULNERABILITIES (MONTHLY SALARIES/€)

	A	B	C	D	E	F
	First line officers starting salary (€)	First line average salary (€)	Starting BG salary/ average net salary	Average BG salary/ average net salary	Starting monthly salary in PPP (€)	Average monthly salary in PPP (€)
LU	2,500	3,500	83 %	117 %	2,075	2,905
FI	2,900	3,510	139 %	168 %	2,348	2,842
DE	1,800	2,700	93 %	139 %	1,726	2,589
SE	1,900	2,900	97 %	147 %	1,563	2,385
NL	1,200	2,500	49 %	102 %	1,115	2,323
ES (GC)	1,500	2,000	107 %	142 %	1,546	2,062
FR	1,670	2,278	109 %	148 %	1,507	2,056
UK	1,600	2,000	72 %	90 %	1,597	1,996
CY	1,500	1,500	81%	81 %	1,684	1,684
DK	2,000	2,000	68 %	68 %	1,405	1,405
IT	1,200	1,500	75 %	94 %	1,159	1,405
EL (HCG)	700	1,250	44 %	78 %	736	1,314
MT[28]	800	1,000	72 %	91 %	1,027	1,284
SK	700	900	118 %	152 %	978	1,257
SI	1,043	1,043	118 %	118 %	1,233	1,233
EL (NP)	800	950	50 %	59 %	841	999
PL	450	600	96 %	128 %	727	969
LV	451	694	112 %	173 %	625	961
EE	500	700	101 %	142 %	668	936
LT	400	515	109 %	140 %	614	791
RO	338	374	121 %	134 %	575	636
BG	270	320	118 %	140 %	531	630
HU	250	300	71 %	85 %	385	462

Source: Survey of border guards and internal affairs units

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[28] Salary figures are not net of taxes, but there are significant additional allowances for 'special duty', and 'Sunday and public holiday' allowances

of the present survey an analysis of border guard incomes across the EU was made. The table below[29] uses three comparative frameworks:

- nominal salaries
- border guard salaries vs. average salaries in the MS
- border guard salaries compared in terms of purchasing power parity (PPP) – i.e. taking into account the differences in the standards of living.

The key observations from this table are:

- There are wide salary disparities among personnel working on the external borders of the EU – as much as eleven-fold in nominal terms and six-fold in PPP terms between the lowest (HU) and highest (LU) earners. Nominal salary disparities are important because criminals are familiar with them. If one compares the US with the EU: in the US salaries of border guards are the same along the entire federal border, while in the EU the disparities are enormous.
- One MS with both internal and external EU borders also reported salary disparities between ordinary border police officers and 'Schengen officers' (the latter's salaries are higher because they get additional funds from the EU), which created a sort of competition between two divisions within the same border police force (I-SI).

- BG salaries in new MSs, especially at the starting level, are, on average, higher than the average incomes in these countries (see highlighted figures in Table 7). There are two plausible explanations of this: first, in former communist countries, border guards were part of the Soviet internal security model, where law-enforcement agencies were a priority and were well remunerated. Secondly, BG officers in these MS have exerted significant pressure to reduce the gap between their salaries and those of West European colleagues. This pressure has been politically supported.

TABLE 9.   ACTUAL AND DESIRED SALARIES

	Actual average monthly salary (€)	Desired monthly salary (€)	Desired % increase in salary (€)
BG	320	950	197 %
RO	375	1,028	174 %
HU	300	800	167 %
EL	950	2,000	111 %
LT	515	858	67 %
PL	600	900	50 %
SK	900	1,100	22 %
EL	1,250	1,500	20 %

Source: Survey of border guards and internal affairs units

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[29] Border guards were asked to provide data on 'First line' and 'second line' starting and average salaries. But as the differences between the first and second line officers in most countries were none or insignificant, for the sake of simplicity we provide only the first line officer salaries. Some salary figures were provided in local currency and were converted according to the exchange rate as of December 2011. The table above is only a **rough estimate** to enable the comparison between incomes, and the vulnerability that they create to heighten the risks of corruption, commented in this report. However, a proper comparative study of the correlation between levels of corruption and income levels would need to take into account a much more detailed view of salary grades within institutions, taxes, early-pension rights, and other benefits.

The survey asked respondents to state 'What realistic average salary would make a significant contribution to reducing the threat of corruption?' The answers provided were generally the personal opinions of the officers charged with filling out the survey. The interviews indicated, though, that these opinions reflected a general discontent and widespread perceptions among officers of being underpaid. Such perceptions are exactly what some criminals try to take advantage of. They argue that they want to 'restore justice' by providing additional income through bribes.

There were three types of comments provided in response to this question. In the first group, the highest earners (LU, SE, FI, DK), said that the salaries are quite high and preclude vulnerability to corruption. The second group of countries (e.g. UK, FR, DE) said that the salaries are 'OK' or that they were designed to provide a 'comfortable shelter' from corruption (I-FR). In the third group of countries, where respondents admitted that the salaries were 'not enough', comments were divided into two groups. The first group stated that the low salary did not matter as there is not much corruption (I-MT, I-ES, I-SI, I-EE); the other group of respondents (see Table 8) – which includes the countries with the lowest salaries (HU, BG, PL, SK, RO), or those affected significantly by the current economic crisis (EL, IT) where there have been salary reductions/hiring freezes – considered that low salaries are a significant factor driving corruption. In some MSs the opinion was that, due to the lack of differentiation in salaries, in areas of the country with higher a standard of living, such as the capital, starting officer salaries were rather low (I-IT).

4.2.5. The impact of the economic crisis

The majority of respondents said that they have seen no change in corruption trends as a result of the financial and economic crisis that began in 2008. The crisis as a driver of corruption was however mentioned by countries that have lower economic indicators such as GDP, employment, average income (e.g. BG, PL), or have been more severely affected by the crisis (EL, ES, LT, LV, RO).

The most common problem discussed was the reduction of salaries (EL, RO, LT, HU). In Greece, the actual reduction is about 30 %, while in Hungary it is 25 % (i.e. in Euros, as the forint lost value). According to respondents this leads to increased risk of corrupt practices in sensitive areas, e.g. the Greek-Turkish border, the Greek-Albanian border, or the major ports. 'Employees want to make money easily in these conditions, knowing they will be unable to meet the costs of loans taken before the crisis' unless they find additional sources of income (I-EL).

The growth of cigarette smuggling after 2009, in Greece, Poland and other countries along the eastern border may have turned some financially indebted officers towards corruption: 'people are trying to get easy money through smuggling' (I-PL). In the most sensitive eastern areas of Latvia the increased unemployment created by the crisis drove some officers into smuggling illicit goods and other criminal activities.

However, there have also been some positive aspects of the crisis. It is now easier to retain personnel in police and border guard units because competition from other employment sectors has diminished. It is also possible to recruit

officers with higher qualifications, as the relative attractiveness of public service salaries has increased. In this economic environment the threat of demotion or dismissal for malpractice is much more potent than it was before. For these reasons the impact of the crisis on corruption should be studied on a country-by-country basis and in some countries even region by region.

4.2.6.   Calendar-related risk factors

In addition to the risk factors described above, interviewees provided two examples of calendar related risk increases. For instance the summer season was identified as posing a higher risk at land/green borders: 'In summer the risk of corruption increases on external land borders with Belarus and Russia because at that time road and weather conditions are easier for smugglers, irregular migrants, etc.' (I-LT). Other respondents noted that during busy times at BCPs (weekends, sports events and national holidays) risks also increase as it becomes easier to conceal illegal activity in the higher volume of border traffic (S-PL).

4.3.   Bribes, and how they are paid

This section begins by summarising the two main ways in which bribes are paid, then goes on to look at who are the major payers of bribes, and the specific channels and strategies they use.

The exact mechanisms by which border guards are corrupted can vary significantly. There are two general categories:
- through **direct contact** with bribe-payers;
- through **intermediaries** who are in direct contact both with bribe-payers and with border guards.

In some countries or at some border areas direct contact between border guards and bribe-payers is frequently facilitated by some sort of informal social network: family, friends, or acquaintances that happen to offer the opportunity for criminals and border guards to meet in a conducive atmosphere. In smaller towns, either close to international sea-ports or along land borders, such social networks are likely to be tightly knit: even casual places like local pubs/coffee shops, gyms or schools will provide the focal point of a social network, which is then used to develop a relationship of trust between border guards and bribe-payers (I-ES, I-LT, I-PL, I-BG, I-RO, I-LU).

In much of Western Europe, however, the greatest concentrations of border guards – at international airports and major international sea ports – are located either within, or on the edge of, larger cities. In these locations informal social networks of the kind described above are rare, and for this reason intermediaries are more likely to feature in the corruption process.

Bribe-payers fall into three main groups: 1) those involved in petty corruption, 2) those involved in larger-scale schemes, and 3) those who come into the category of 'intermediaries'.

The perpetrators of petty corruption usually pay directly the small sums involved. Examples are the small-scale smugglers of cigarettes and alcohol, shuttle traders,

FIGURE 10. BRIBE-PAYERS AND BORDER GUARDS

In your country, which of the categories of people are likely to directly attempt
to corrupt (e.g. bribe) a border guard?

Category	Value
Organised criminals	15
Companies (e.g. transporting goods)	12
Lorry drivers/boat captains	11
Passenger car drivers	11
Defense lawyers (representing criminals or irregular migrants)	10
Regular bus passengers	8
Bus drivers	8
Friends/family of border guard officers	8
Informants	7
Former officers	6
Non-profit organizations supporting asylum seekers / immigrants	3
Special services	3
Politicians	3
Prosecutors (magistrates)	0

Source: Survey of border guards and internal affairs units

and the small-time car-dealers who buy the cars themselves in Western Europe
and personally drive them east. Facilitators of irregular migration at green borders
may also try to bribe border patrols directly.

In more complex corruption schemes, especially those involving organised crime,
an intermediary is more commonly used to pay the bribe.

The survey and interviews suggested that organised criminals are the most
likely to pay significant bribes **directly** to border guards (the levels of bribes are
dealt with in the next section). There are several ways in which the corruption
of officers is managed by this group.

- **Identifying vulnerable officers**: several MSs, and CBP officials in the US,
  reported that criminals are likely to monitor and identify officers who are
  especially likely to respond to overtures. The FBI reported that Mexican drug
  cartels use infiltration tactics similar to the ones used by foreign intelligence
  services to recruit spies. They target the following groups:
  - officers who are not happy with their job or have some kind of serious
    work-related problems;
  - officers who have personality or behavioural problems that make them
    vulnerable to blackmail, such as alcohol or drug abuse, marital infidelity,
    or gambling addictions. Vulnerability to blackmail may be created by ini-

tially obtaining small favours (the 'slippery slope approach'). Then officers are forced to do bigger favours under the threat of exposure until fully fledged blackmail is possible.
  – Officers who have some type of financial problem.

- **Infiltration of border guards**: the difficulty of corrupting border guards directly may make the effort of infiltrating border guard units worthwhile. A border guard applicant is usually recruited by the criminal organisation prior to applying for the position. Such applicants often express a specific desire to serve in high-risk areas where corruption most often takes place: i.e. busy airports (I-NL), sea-ports (I-ES), or land-border units/crossings (I-BG). In some cases the recruitment by organised crime may start during training at border guard academies (I-LT). Another approach criminal organisations may take is to recruit an officer who is not as yet in a position where he can be useful (for instance in the administration) and then encourage him to apply for a transfer to a position where they can profit from him/her (e.g. at a major international airport) (S-NL).

As noted above, there is a third category of bribe-payers, the **intermediaries**, who are legitimate logistics and professional services experts, some of whom are employed (willingly or otherwise) by organised criminals to bribe border guards:

- **Defence lawyers**: as one respondent noted 'in my country there are well known 'big lawyers' that defend high-level criminals. These lawyers always have a role in paying the bribes. Of course this is very difficult to prove. But I think this occurs in many EU countries' (I-EL). Previous research confirms that in many EU MSs there are certain high-risk criminal lawyers (usually with smaller practices) that are likely to resort to corruption.[30]
- **Non-profit organisations** (NPOs) which support asylum seekers or immigrant communities, and often provide legal defence or advice to irregular migrants, have also been known to occasionally use corruption as a way of coping with the situation of their clients and stakeholders. Such NPOs frequently suffer from conflicting loyalties (client's needs versus domestic law) and are vulnerable to infiltration and blackmail by organised criminal gangs.
- **Informants**, who are often themselves involved in criminal activities, are also considered a risk category. Usually they are in a position to meet privately with police/border guard officers. They could use these situations to involve a border guard or police officer in a criminals
- The involvement of **former officers** is also common (I-PL, I-LV): these may be officers who have been dismissed for corrupt behaviour, or may have subsequently become involved in criminal activities. They can contact former colleagues for favours.
- **Interpreters or lawyers to irregular migrants**: in small border towns and areas, there are usually a small number of such professionals who compete to provide services for the government to asylum seekers or irregular migrants. As border guards have discretion for the choice of interpreters and lawyers, they may get a kickback (i.e. a percentage of the government fee paid to interpreters and lawyers) for channelling business their way.

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[30] In the UK research carried out by the Law Society showed that criminality among lawyers is far more common in law practices with a single practitioner.

- **Other government officials** involved in smuggling schemes, especially customs officers; and, in some cases, transportation authorities may also try to recruit border guards into the schemes in which they are involved (I-RO).

4.4.   Levels of bribes

The levels of bribes that border guards may receive differ widely. One issue that is reported across the EU and also in the US is that corrupt border guards often sell their cooperation for surprisingly small amounts (either relative to their salaries or relative to the amount of risk that they are taking). The amount of the bribe will depend on the regularity of the involvement, the type of commodity being smuggled or service provided, and the level of the officer involved. The following 'rates' were identified in the interview process:

- Small facilitation payments for speeding up processing of passengers or simply for not 'causing any problems', along the EU's eastern **land** borders (no cases were reported for air/sea borders). These can start from as little as €1 (per passenger/vehicle) (I-HU) to €5 – €10 (I-BG). Not every vehicle or passenger is 'taxed', as usually foreign cars/or passengers that may be vulnerable due to some irregularity. Some MSs reported that usually additional income was €80 – €100 per shift per officer, as the goal was to make an additional €800 – €900 per month (I-BG). In some corruption schemes investigated, the petty corruption was part of an organised scheme where not only petty bribes were extorted but also bigger amounts. The corruption was systemic and bribe revenues were distributed up the command chain. Bribes varied around €10 per vehicle but for agricultural machines the rate was (€60), while for criminal schemes the bribes were even higher. The investigation showed that some officers in scheme earned as much as €15,000 month. (I-HU)
- Information costs can vary and depend on the country and the type of information (e.g. in the Netherlands, €50 for a car licence plate).
- The **'waiving' of a travel ban**, in Bulgaria for instance, may cost €200 (e.g. if the ban is due to debt to a bank), and up to €350 if the travel ban is due to a police investigation. For key, well-known criminal bosses, the fee could reach €20,000.
- **Providing an alibi** that a criminal has been outside the country during a key period of time could cost €1000 – €2000 (I-BG, I-RO).
- The **cigarette smuggling** bribe rates (according to tobacco industry sources) are relatively stable, and they are usually quoted in lump sums, as this includes the amount paid to both customs and border guards. For instance, the import of 600 to 700 master cases (one master case contains 500 normal cigarette packs, i.e. 20 cigarettes each) could cost between €20,000 and €50,000 in Bulgaria; €20,000 in Romania and €50,000 in Italy. Payments to border guards depend on their rank: the range is between €500 (low-ranking officers) and €10,000 to higher-ranking officers, but the particular amount depends on the type and quantity of the cargo (I-EL). In Spain, an officer involved in the smuggling of a container of cigarettes (one container contains about 10 million cigarette sticks or 1,000 master cases) may make around twice the monthly salary of a border guard (about €5,000) (I-ES). In Romania a similar rate was identified: corrupt BGs at one of the most extensive corrupt networks investigated and dismantled made €500 per day from bribes from petty and organised smugglers. This income was then shared with offic-

ers who were not in the shift, as well as their superiors. The head of the BCP made as much as €10,000 in additional income per month (I-RO).

- In one of the cases provided by Spain, the two officers made about €5,000 for each shipment of hashish (usually around 2,000 kg) that passed through the port or was unloaded on the coast. The corrupt officers were involved in providing information to the traffickers and physically helping in the drugs' transportation (I-ES).

In corrupt systems (such as the one described above in Romania) officers usually share their income with their **colleagues and their supervisors**, or even the head of the border crossing. Therefore, the corruption income should be seen as a 'communal income' which secures the complicity of everyone (including officers who are not in a position to take bribes themselves). This share could represent as much as two-thirds (but usually around half) of the total daily proceeds from bribes (I-BG, I-RO). The lowest-level officers usually are not aware how high up the redistribution goes. The communal funds may also be used to hire a defence lawyer if things go wrong, or to pay an informant/a 'mole' within anti-corruption departments or criminal investigation units.

4.5.   Scale of the problem and typologies

How big an issue is border related corruption? No absolute answer can be given, only a relative one. In the United States, for instance, where annually only about 20 border guards (out of around 40,000) are arrested on corruption charges, and there are a few hundred investigations each year, this is considered a 'significant problem' (US Senate Hearing 2010). The proponents of a 'zero tolerance' approach argue that it only takes one corrupt border guard to allow a terrorist or nuclear weapon into the country (even though the corrupt officer may be led to think that he/she was only helping a drug dealer).

The authors of this report emphasise that the statistical data collected in the course of this study should not be used to compare EU MSs because, as noted at the beginning of this chapter, there are multiple institutions in the different MS responsible for border protection, and not all of them provided data or participated in the study. Making comparisons is further complicated by the fact that the institutions involved have different powers, which, as explained at the beginning of the chapter, results in different corruption risks. In addition, to make proper comparisons a key benchmark is the number of BGs deployed. This is in itself quite problematic because in countries where border guards operate as a separate institution they have their own administration, which inflates the total number of personnel. In others, where border guards are part of the police force, this inflation does not occur. This should be kept in mind when interpreting the following table.

TABLE 10. PROSECUTED, INVESTIGATED, OR OTHERWISE SANCTIONED OFFICERS IN 2010

	Number of border guards[31]	Prose-cutions	Dismissed	Disciplinary penalty	Other	Investigations/ investi-gated BGs	Explanations
BG	5,813	20	45	-[32]	-	70	
CZ	596[33]	-	-	-	-	37	
CY	95	0	0	0	-	-	
DK[34]	300	0	0	0	0	-	
EE	1,100	0	0	0	0	1	
FI	2,800	0	1	0	8	0	
FR	1,747	3	0	3	0	5	
DE	8,940	1	-	-	-	1	3-5 cases per year
EL	4,657	7[35]	4	1	4		
IT	5,010	12	0	0	0	11	
HU	3,073	n/a	n/a	n/a	n/a	n/a	
LV	2,453	18	13	0	5	18	
LT	3,491	5	0	2	5	11	
LU	30	0	0	0	0	0	
MT	48	0	0	0	0	0	
NL	1,271	-	5	5	-	10	
PL	9,078	16	-	-	-	24	
RO	11,180	38	-	-	-	140	510 suspected

[31] The numbers of border guards were provided by Frontex. It should be noted that in some Member States border guards and immigration officers are part of a single institution, for which a total number of staff is provided. In other Member States, the numbers relate only to offic-ers with border guard duties.

[32] The '-' sign means that no information was provided rather than that there were 0 cases.

[33] This is only the staff at external borders, i.e. airports. In addition there are 2554 officers in the Alien Police, which also deals with immigration issues.

[34] In Denmark some police officers have 'border guard duties only on a part-time basis'. In addition, they must have worked prior to that as a police officer for about 10 years. As a result the demographic profile of each border guard differs significantly. (I-DK)

[35] The number of prosecutions was reported by the Hellenic Coast Guard. The National Police of Greece reported 0 cases.

TABLE **10.** PROSECUTED, INVESTIGATED, OR OTHERWISE SANCTIONED
OFFICERS IN **2010** (CONTINUED)

	Number of border guards[31]	Prose-cutions	Dismissed	Disciplinary penalty	Other	Investigations/ investi-gated BGs	Explanations
SK[36]	1,089	0	0	0	0	5	
SI[37]	1,886	0	0	0	0	0	2-3 cases per year prior to 2007
ES	9,851	9	-	25	-	24/38	
SE	236	0	0	0	0	0	2-3 cases in total in past 10 years
UK	7,867	7	3	10	1	47	

Source: Survey of border guards and internal affairs units. Data on number of border guards – Frontex.

Using the data from the above table and the interviews, three groups of countries could be discerned:

- Those with a **high volume** of prosecutions/investigations and a **high** probability of corruption: countries along the Eastern land border of the EU
- Those with a **an average level** of prosecutions/investigations: UK, Netherlands, Spain, Italy, Greece
- Those with a **low volume** of prosecutions/investigations: all other MSs.
- A number of factors appear to be driving corruption and corruption risk, as identified in this study:
- A **high volume** of prosecutions/investigations: this group of countries is characterised by long green borders with multiple land BCPs, which are experiencing pressure from criminal groups involved in the smuggling of illicit goods. In addition, some MS in this group have high levels of corruption. As a result, these countries are most active in implementing anti-corruption measures and proactively investigating corruption.
- **The high level of investigations may also reflect political priorities**. In Bulgaria and Romania, the levels of investigations/prosecutions in 2010 were unusually high, and were part of the effort to strengthen border controls in view of the expected accession to the Schengen area (I-RO, I-BG). In Poland, border corruption was also prioritised (I-PL). Another factor that explains the high levels of corruption in law enforcement in former communist countries is the significant level of involvement of former security officers, including border guards, in criminal activities. They facilitate the interaction between criminal groups and corrupt security forces, acting either directly as mediators, or providing their inside knowledge of the services to the criminal groups.

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[36] Border and alien police are a single institution.
[37] The statistical data provided is only from Police Internal Affairs. Prosecutors may investigate corrupt police officers without involving the Internal Affairs department, and these cases are not included in the statistics.

Economic pressure and government efforts to reduce fiscal losses caused by smuggling also result in intensified control over corruption (BG, HU, RO).

- An **average level** of prosecutions/investigations: the relatively high levels of detection of corruption in the UK, Spain and the Netherlands is due to three main factors:

  1. the **proactive corruption-investigation policies** that lead to higher levels of detected corruption (this issue is discussed in Chapter 6 dealing with anti-corruption policies)

  2. the **relatively high pressure from organised crime**:

  a. Spain is a major gateway for drugs (cannabis and cocaine) and is subject to migrant flows (from Morocco/N. Africa)

  b. Netherlands is a major gateway/distribution centre for drugs (especially cocaine) and

  c. The UK is one of the largest consumer markets for illicit drugs, and is a favoured ultimate destination for irregular migrant flows, including victims of trafficking.

  3. **Additional customs powers**: BGs in the UK (the UKBA) and in Spain (the Civil Guard) combine border protection with customs duties, and this exposes the officers to significant corruption pressures. In addition, despite the relatively lower number of investigations conducted in Greece and Italy, these two countries are also to be categorised in this group, as there is evidence of high corruption pressure from immigration flows, organised crime and smuggling of illicit goods (especially illicit cigarettes).

- A **low volume** of prosecutions/investigations stems from a variety of factors:

  1. MS with **historically low levels of corruption** (FI, DK, SE, LU). These countries consider that even if there is some minimal level of corruption among border guards, it is not 'mission critical'. As a result they have a very passive policy of corruption investigation, or an almost complete lack of proactive anti-corruption measures. The effect is zero detections of corruption in most of these countries.

  2. The corruption pressures on some MS in this category are insignificant, as the countries are **not affected by irregular migrant flows** and/or have very small domestic illicit drug/cigarette markets;

  3. Three of the MS in this group have either **no external EU land** borders or only airports – the latter having lower levels of corruption risk (LU, SE, MT).

  4. Four MS in this group (LU, MT, SE, DK) have very small border guard forces, some of which are **amongst the best paid** in the EU.

An interesting comparison can be made between the above groups of countries and their rates of prosecution and rates of prosecution in the United States. However, the comparison needs to be approached carefully as, strictly speaking, the US Customs and Border Protection service has only one exact analogue in

the EU (the UK Border Agency) which combines border and customs control duties.[38]

Similarly to countries along the EU's Eastern border, the US CBP faces great corruption pressures from cross-border smuggling activities along its southern land border with Mexico: but whereas in the case of the CBP the key commodity is drugs, in Eastern Europe it is mostly cigarettes.

Much like Spain's Civil Guard and the UKBA, the CBP has customs powers, which increases the corruption risks. Most importantly, as evidenced from the great number of investigations, the US has a very aggressive corruption prevention and investigation policy, which results in relatively high levels of detection.

Even a broad comparison of the number of investigations in the EU (around 400) and the US (870) suggests a significant discrepancy. Although drug markets and drug traffic in the EU are comparable in size and volume to those in the US, there was no evidence from this research to suggest that organised crime was making the same level of concentrated effort in the EU as in the US to corrupt border guards. The profile of corruption along the US borders seems more organised and professional due to the urbanisation of the border and the absence of traditional social networks that simply ignore the rules (which can be the case in small remote border towns). In the EU, organised crime may

TABLE 11.   POINT OF COMPARISON: CORRUPTION IN THE US CUSTOMS AND BORDER PROTECTION (CBP)

	Southwest border corruption related arrests	Total corruption related arrests[39]	Investigations	Total CBP staff	EU BGs	EU* investigations
2005	16	26	401	28,000		
2006	9	14	244			
2007	4	7	283			
2008	14	22	334			
2009	22	27	585			
2010	-	31	870	58,000	110,000 (est.)	418

*EU data is from the survey of border guards and internal affairs units

Source: CBP and DHS data presented at Senate Hearings 2010[40] and 2011[41]

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[38]   The data in the table are not complete, and exact numbers are difficult to come by as there were additional criminal investigations that involved investigations of corrupt CBP staff that were conducted by the Immigration and Customs Enforcement (ICE) as well as the FBI. These could have overlapped with the DHS or CBP's own internal investigations, as until 2011 there was little or no coordination between them.

[39]   Levels of detected corruption inside Immigration and Customs Enforcement (ICE) were similar in relative terms to the CBP.

[40]   United States Senate hearing (2011)

[41]   United States Senate hearing (2010)

also use tactics developed along US borders. There are already some cases of (attempted) recruitment of future border guards by organised crime (e.g. the Russian border in LT, the Turkish border with Bulgaria, the southern ports of Spain, major airports in the UK and The Netherlands).

Another point of comparison that may indicate the scale of the problem is a comparison between border guards' and police corruption. Both the opinion of interviewees and the prosecution data indicate that **the average level of corruption observed in border guards is lower than the level for police in general**. While in some countries it is believed that border guards and police have similar levels of corruption (FR, IT), the predominant assessment is that corrupt practices amongst border guards are less common. This distinction is true both for MS with low levels of corruption (UK, DE, NL), and MS with high levels of corruption (EL, BG, RO, SK, HU).

There are a number of possible explanations. In their everyday environment border guards are subject to less corruption pressure than police officers, especially criminal investigators, because their powers are restricted. Second, in the countries of the former Soviet bloc, border guards were militarised and isolated from police (a similar tradition is observed with the Civil Guard in Spain). For former communist bloc countries, which used to be run on the principle that 'the West is striving to penetrate and conquer us', external borders were of very high priority. Accordingly, officers serving at the border received higher salaries, were subject to much stricter control and discipline, while their social contacts were restricted (often they even lived in special border-zone towns). Despite the changes that took place after 1990, this specific institutional sub-culture has been preserved to a large extent, which helps to explain the claims by interviewees (BG, SK, HU) that rates of border guard corruption are lower than in these MS's police.

Lastly, border guard agencies and units may take advantage of their relationship with the police to reduce corruption levels. Border guards are often recruited from the ranks of police officers who may already have been vetted, and therefore less likely to be corrupt. On the other hand, border guards with police background who are discredited may be moved back to police units (if evidence is difficult to collect to prove them guilty).

4.6. Border guards and corruption in other institutions

The survey indicated that border corruption is rarely an isolated phenomenon. MSs that reported relatively high levels of border corruption usually mentioned at least three other types of institutions involved in corruption:
- **Corruption in the customs services**: In MS where the border and customs controls are carried out by separate institutions, corrupt schemes may involve a high degree of 'cooperation' between officers of the two agencies to provide a smooth passage for smugglers. Various examples were provided: often, detailed customs checks are ordered by a border guard, and customs officers can mount such checks at their own discretion. To offer an effective service to smugglers, therefore, border guards and customs officers must coordinate their responses in dealing with the particular vehicle or persons involved in the corruption scheme.

- The **local/criminal police** may be involved in patrolling near border/coastal areas, or investigating cross-border crime. Cooperation between the corrupt officers and border guards may be necessary, for instance, during the unloading of drugs on a remote beach to make sure that the unloading operation is not disturbed (I-ES).
- **Private sector corruption**: corrupt sea-port/airport staff employed by private firms may work together with corrupt border guards to avoid detection. For example, at the big sea ports in the Netherlands, Greece, the UK, and Belgium, where border guards and port companies work closely together and corrupt relationships have been occasionally uncovered. There are cases in which major smuggling schemes through the ports have involved both border guards and dock workers. Private security companies providing airport security/or cargo and luggage inspection may become complicit in smuggling schemes. In one such example, private security and BGs were complicit in the illicit export of cash from Bulgaria to China (I-BG).
- **Local government corruption**: In border communities (especially in small towns along land borders or sea-ports), it was recognised that the corruption of border guards is also often related to corruption in local authorities. Similarly, in the United States the FBI has recognised that corruption of BCP staff is not an isolated phenomenon but tends to embrace corruption of state and local government officials. Corruption of other staff, such as TSA (Transportation Security Authority) or DHS (Department of Homeland Security) may be initiated at borders and ports to ensure that goods or people successfully smuggled at the point of entry are equally successfully moved inland to their final destination.

One issue that is not always clear is the extent to which border corruption is either a form of '**extortion**' tax, or a **corruption pressure** that originates from criminal groups/irregular migrants/companies. Unlike customs officers, who can use the complexities and loopholes of a customs code and administrative procedures to slow down border crossings by commercial vehicles and extort money from legitimate companies or passengers, border guards have far fewer opportunities at hand.

There are three areas where border guards may become involved in extortion: 1) immigration control (especially asylum seekers or certain third-country nationals), 2) schemes where they become complicit with customs officials who extort money from legitimate companies and private persons, and 3) administrative corruption regarding public contracts.

Chapter 4: Key points

Corrupt practices	**Organised crime related** corruption includes selling of information to criminal groups, facilitating passage of illegal goods/migrants, not reporting suspicious travel documents of migrants, obstructing investigations. **Petty corruption:** a 'normal passage fee' to speed up border traffic or wave minor irregularities; shuttle traders, including petty smugglers pay small bribes to ensure problem-free passage. **Administrative/bureaucratic corruption** is related to manipulation of public tenders, kickbacks from providers, nepotism-based recruitment and promotions. **Border guards may collude** with customs, local police, criminal police, or private companies to carry out more complex corruption schemes. **Intermediary bribe-payers** in more complex corruption schemes may include lawyers, informants, former BG officers, NGOs.
Factors in border guard corruption	**Corruption pressures and opportunities:** pressure from large flows of irregular migrants; criminal networks increase risks of corruption; Remote land borders and BCPs, coastal regions, major sea-/airports have a higher risk of corruption. **Income disparities:** There are wide salary disparities among personnel working on the external borders of the EU. Such disparities fuel petty corruption, and create an environment that allows officers to engage in more serious corruption schemes. **Institutional factors:** BGs that have customs or investigative powers are at higher risk of corruption; Small BG forces and teams are either corruption-free or infused with corruption.

5. ANTI-CORRUPTION MEASURES IN LAW-ENFORCEMENT AGENCIES

Empirical studies examining the effects of, or obstacles to, the implementation of anti-corruption measures in the police are not available publicly. What literature there is comes largely from training and organisational development sources and simply recommends measures, with little, if any, evidence of their impact. The majority of recent academic literature focuses on the corruption experience of a very limited number of countries: the United States (Ivkovic 2005, Klockars et al. 2006, Punch 2009), Australia (Prenzler 2009), the UK (Punch 2009) and the Netherlands (Punch 2009).

This chapter presents some general considerations about how anti-corruption measures and policies relate to corruption practices. The measures discussed come from both the EU and the United States. Those measures adopted specifically by border guards are discussed in detail in the next chapter.

Measures are either pre-emptive (preventive) or reactive, they can also be punitive or persuasive (using punishments or rewards for integrity). They often have a complex range of objectives involving not only the prevention of corruption but also the protection of private data and human rights. Many security measures indirectly help to prevent corruption, but often it is difficult to tell whether this was the primary or even secondary intent.

5.1. Anti-corruption infrastructure

The anti-corruption measures and mechanisms in law-enforcement agencies should not be analysed independently of the broader anti-corruption infrastructure that a country has established. There are two main reasons for this.

First, the undue influence of political and judicial institutions on law-enforcement agencies could be significant. Politicians or legal prosecutors may influence police to investigate political opponents, or stop investigations of government officials. Similarly, corrupt courts may be used to manipulate police investigations. Unless adequate comprehensive anti-corruption measures are adopted to prevent corruption in these higher-level spheres, internal institutional law-enforcement measures themselves will be ineffective. The most typical anti-corruption measures in the political sphere focus on regulating the financing of political parties, and imposing rules on the lobbying of politicians by interest groups. Prevention of corruption in the judiciary, much like prevention measures in government bureaucracies, focuses on a range of technical measures (e.g. random distribution of cases to judges) as well as corruption monitoring units (e.g. anti-corruption commissions/'inspectorates').

Second, in many EU MSs, despite the absence of institutional anti-corruption measures, law-enforcement agencies rely on the broader anti-corruption infrastructure, which may include:

- regulations related to **civil servants** (e.g. mandatory annual disclosure of personal financial information; conflicts of interest);
- **public procurement** laws and procedures (here even EU-level regulations have an anti-corruption effect);
- **penal policies**: e.g. the criminalisation of all forms of corruption from bribery to trading in influence; criminalisation of both the giver ('corruptor') and the receiver;
- **corruption investigation resources** aimed at public officials: such as special prosecution units or investigative agencies that deal with all corruption cases involving high-level public officials, including law-enforcement officers. Several countries have such independent bodies with sweeping investigative and policy-making powers, prevention and public awareness responsibilities (e.g. Independent Commission Against Corruption in Hong Kong (Kidd and Richter 2003: 353-355);
- **Ombudsman institutions**, which in addition to monitoring human rights violations often monitor aspects of corruption (Jordanova 2002: 472:475). For instance, in 2010 an investigation by the European Anti-Fraud Office (OLAF) into European Parliament financing irregularities was closed prematurely. This led the European Ombudsman to conclude that OLAF's mandate to investigate fraud and corruption had been interpreted in an overly narrow way and to recommend that the investigation should be reopened (European Ombudsman 2010: 34);
- criminal **asset forfeiture**/confiscation regimes assisted by Financial Investigation Units to ensure that the proceeds of corrupt schemes are identified and are subject to confiscation;
- **anti-money laundering** legislation and regulations that make it more difficult to hide the proceeds of corruption;
- **financial and fiscal controls** of public bodies by national audit offices that help identify loss of fiscal revenue;
- **government transparency legislation** (public 'access to information' laws);
- **comprehensive 'electronic government' policies** that may prevent corruption of certain services provided by law-enforcement (e.g. related to traffic police).

All of the above anti-corruption measures are nowadays part of a broader anti-corruption infrastructure of every EU MSs. They affect public security institutions in the same way that they impact other government bodies.

Police oversight

An important aspect of the broader infrastructure for fighting corruption in law-enforcement agencies is the existence of a general system of measures and principles for police oversight. In the EU, most MSs have signed up to the principles of the European Partners Against Corruption (EPAC). These principles enshrine the central role of independent police oversight bodies, whose main

tasks (amongst others) include the prevention, identification, and investigation of police misconduct (EPAC 2011:6).[42]

5.2. The EU and the fight against corruption

The national anti-corruption measures need to be seen in light of the EU and international[43] anti-corruption policies and legal commitments (EC 2011: 9). Specific EU anti-corruption legislation is fairly limited. It includes Framework Decision 2003/568/JHA on combating corruption in the private sector, adopted in July 2003, aimed at criminalising both active and passive bribery and establishing more detailed rules on the liability of legal persons. Another instrument is the EU *Convention on the fight against corruption involving officials of the European Communities or officials of the EU MSs* that entered into force in 2005.[44] In 2011, the European Commission (EC) issued a Communication on fighting corruption in the EU[45], where it identified a number of shortcomings in the areas of monitoring, prevention, and combating corruption. The communication laid out new anti-corruption initiatives that would be put in place between 2011 and 2013.

5.2.1. Monitoring of anti-corruption policies

In June 2011, the European Commission adopted a *Decision on establishing an EU anti-corruption reporting mechanism for periodic assessment,*[46] known as the 'EU Anti-corruption report'. The basis of this mechanism will be a bi-annual Report, which will assess the implementation of anti-corruption policies and the efforts of the MS in a comparable fashion. Starting in 2013, the report will:
- assess the situation in the EU regarding the fight against corruption;
- identify trends and best practices;
- make general recommendations for adjusting EU policy on preventing and fighting corruption;
- make tailor-made recommendations for MSs;
- help MSs, civil society and other stakeholders to identify shortcomings, raise awareness and provide training on anti-corruption.

This report will complement other reporting mechanisms, such as the Council of Europe Group of States against Corruption (GRECO), the OECD Working Group on Bribery, and the review mechanism of the UN Convention against Corruption (UNCAC). Each of these focuses on specific aspects of the fight against corruption but none of them comprehensively addresses the needs of the EU.

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[42] EPAC, Police Oversight Principles, November 2011. http://www.epac.at/download/PO%20 Principles_25nov11.pdf
[43] Several EU Member States have ratified all or most of the existing international anti-corruption instruments. However, three EU Member States have not ratified the Council of Europe's Criminal Law Convention on Corruption, twelve have not ratified its additional Protocol 34, and seven have not ratified the Civil Law Convention on Corruption. Three Member States have not yet ratified the UN Convention against Corruption. Five EU Member States have not ratified the OECD Anti-Bribery Convention.
[44] Council of the European Union (1997)
[45] European Commission (2011a and 2011c)
[46] European Commission (2011b)

5.2.2. Law enforcement, judicial and police cooperation within the EU

The second aspect of the EC anti-corruption effort aims at adopting measures aimed at strengthening the capacity to combat corruption across the EU.

Judicial and police cooperation

- Under its 2010–2014 strategy, Europol is committed to providing increased support to law-enforcement operations, and function as the EU criminal information hub and EU centre for law-enforcement expertise. Currently, only two per cent of the cases handled by Europol deal with corruption, prompting the EC to urge it to take a more active part in the fight against corruption, which should include regular threat assessment reports.
- MS growing needs for cross-border judicial cooperation in the fight against corruption should be met by Eurojust, which must enhance its role in the exchange of information.
- European Partners Against Corruption (EPAC), and its subsidiary, the EU Contact-Point Network Against Corruption (EACN)[47] will provide more operationally oriented deliverables to facilitate corruption investigations.

Financial investigations and asset recovery

The EC has established that strict measures to facilitate the confiscation of the proceeds of crime have not yet been implemented in many MS. The EC proposed a revised EU framework in 2011 to ensure that MS courts have sufficient capability to identify, confiscate and manage criminal assets including assets obtained from corruption. The Commission will adopt a strategy in 2012 to improve the quality of financial investigations and support the development of financial intelligence to be shared among MS (EC 2011: 11).

Protection of whistleblowers

As in other areas, the effectiveness of the protection afforded to whistleblowers is uneven across MS, even though whistleblowing is a key component of all effective anti-corruption strategies. The handling of cross-border protection rackets is particularly difficult. The EC plans to carry out an assessment in this field as a basis for further action at the EU level.

Training of law-enforcement officials

The European Commission also plans to support the development of targeted training programmes on corruption for law-enforcement agencies through the European Police College (CEPOL). These programmes are expected to cover specific aspects of handling cases of corruption with cross-border implications.

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[47] Since 2008, the EACN brings together Member States' anti-corruption authorities, as well as the Commission, OLAF, Europol and Eurojust.

5.2.3. Public procurement

Mechanisms such as GRECO or the OECD's do not cover the issue of public procurement. The present EU legal framework on public procurement does not include 'specific provisions on prevention and sanctioning of conflicts of interest, and only includes a few specific rules to control favouritism and corruption' (EC 2011: 11). The EC launched a consultation in January 2011 to remedy this shortcoming.

5.2.4. Strengthening of administrative capacity

Significant funds are being allocated by the *EU cohesion policy* to the strengthening of administrative capacity at all levels, including regionally, especially in less developed regions and newer MSs. The added administrative efficiency that should result will reduce actual levels of corruption and consequently the pressure on personnel to become corrupt. Once administrative efficiency has been improved, additional specific anti-corruption measures can be added.

There are several other areas where EU policies are making an impact. These include EU accounting standards, improvement of statistics, prevention of corruption in sports, protection against corruption related to EU funds, etc. As these initiatives are of limited relevance to border guards, they are not discussed in this report.

5.3. Anti-corruption measures and the police

At the international level, Interpol has also adopted Global Standards to Combat Corruption in Police Forces/Services.

5.3.1. Transparency and public awareness

Development agencies recommend that policy makers should support anti-corruption efforts with awareness campaigns and the involvement of the media, allowing greater oversight by NGOs and other watchdogs (USAID 2007: 15). Education of citizens about their rights regarding police corruption, and how to act if they experience corruption can also aid institutional efforts (Kim 2003: 8, 11). In this context, an additional measure is boosting police transparency and accountability through mandatory, regular publication of police activity and performance statistics.

5.3.2. Operational management measures

Operational management measures are crucial to the prevention of corruption, but often depend on the specific institutional and management set-up. Some of the more common measures include:
- Higher and middle-level police officers should have **responsibility for the actions of their subordinates**. 'They need to be made aware of this responsibility through appropriate training. They should be familiar with the typical indicators of corruption and they should have a checklist of 'first aid' meas-

ures to deal with any case of corruption in their immediate area of respon-sibility.' (Kunze 2007: 2)
- The **four eyes principle** should be applied, i.e. every decision should be countersigned by another officer (Kunze 2007: 2).
- **record all interviews with citizens**;
- **plain-clothes corruption patrols** in vulnerable sites;
- **cameras in police cars**;
- **limit cash payments to police officers**;
- **streamline administrative procedures** and fight against administrative bot-tlenecks (Ali 2000: 8).

There are a number of proactive measures that some police departments are adopting (Prenzler 2009). These include:
- **integrity testing** that may target personnel in higher-risk positions or carried out at random. In some police departments in the United States, it is man-datory that a certain number of officers (as high as ten per cent in some departments) undergo an integrity test.
- **Drug and alcohol tests** for existing personnel;
- **periodic reinvestigations** (that may include financial audit).

5.3.3.   Human resources management measures

There are a number of measures that have focused on preventing future corrupt acts via a careful selection process of future police officers. The measures that exist in some countries include various types of **integrity tests** and **background checks** (Prenzler 2009):
- polygraph tests;
- drug tests;
- home visits;
- intelligence checks on associates;
- character checking in recruit training and probationary programmes;
- personal finance checking;
- higher educational standards.

The way these measures are implemented is also important. They may be chan-nelled through the HR department or a unit within the Internal Affairs depart-ment. A further measure for preventing corruption within the selection process itself is to use a multi-departmental Recruitment Integrity Committee (Prenzler 2009: 65-78).

The second category of HR measures covers the various **disciplinary actions** that can be taken against staff and which act as a deterrent. When prosecution for corruption cannot be pursued due to insufficient evidence, administrative sanctions may still be used (Ali 2000: 7):
- dismissal from the service;
- reduction in rank;
- stoppage or deferment of promotion;
- fine or reprimand;
- retirement in the public interest;
- posting to unpopular/unattractive positions.

Minor offences may be sanctioned with 'written warnings', especially when new recruits are concerned. They are more likely to be unsure about the rules or to have innocently picked up bad habits from more seasoned police officers. The written warning serves a dual purpose: (1) early warning, stating the need to correct the suspect behaviour, and (2) provide a basis for long-term monitoring of deviant behaviour (the warning goes on the HR record for future reference). This approach has been advocated in Australia and welcomed by officers in the UK (Porter and Warrender 2009: 19).

Whatever measure is adopted, a clear set of rules is needed, possibly within a single 'disciplinary matrix' (Prenzler 2009: 93).

Other authors have recommended that officials convicted of corruption and fired for this reason should not be reinstated in any related area of public service for some considerable time (Kim 2003: 9).

The introduction or strengthening of programmes to encourage the reporting of corruption should also be managed by Human Resources departments. These programmes should include:
- protection for bribe-payers who decide to report corruption. Programmes to protect whistleblowers could include ombudsman, anonymous letterboxes/ phone lines, or witness protection programmes.
- Appropriate channels to blow the whistle, and protected opportunities to do so without raising suspicion[48] (Punch 2009);
- legal obligation for officials to report witnessed or suspected acts of corruption, possible disciplinary sanction if this is not done (Kim 2003: 11);
- disincentives and penalties for *avoiding* reporting or for making accusations in bad faith.

Hiring and promotion should be exclusively based on competence and merit, not on nepotism, favouritism, quota system or for political reasons (CSD 2010: 85). Clear and comprehensive job descriptions are a pre-requisite to fair hiring and promotion practices.

Some authors have commented on the effects of a two-tier recruitment and training system for upper and lower ranks of officers. In two-tier systems senior officers do not start at the street level, and are protected to some extent from the corrupting influence of the street (Punch 2009: 23). However, such two-tier recruitment tends to create a 'them and us' culture in which junior ranks do not hold senior officers in high regard. This does not foster a homogeneous, cohesive police force (Punch 2009: 103).

Retired officials should also be monitored in terms of their post-retirement jobs, in order to avoid ex-officers serving as middlemen between police forces and criminals (Kim 2003: 9).

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[48] Failed attempts to blow the whistle which result in the whistleblower being identified and subject to harassment, informal sanctions, loss of position etc. are usually well publicised, and accounts are useful in pinpointing weaknesses in provisions for whistleblowers.

5.3.4.   Corruption monitoring and investigations

There are different levels of investigations and monitoring. The first level is carried out by various **managers** or supervisors, or by internal audit. These are usually based on document and process inspection. For the criminal investigations of police corruption, several mechanisms are applied.

- **Inspectorates/complaints bodies**: some of these only consider cases of police misconduct involving abuse of citizens. Other inspectorates may also examine cases of corruption. Such bodies are typically outside the police force itself, either an entirely independent entity or part of the Ministry of Interior.
- **Internal affairs units**: have tended to develop in countries (BG, RO, EL, CY) with high levels of corruption or after particular scandals. Because they are internal, such units may have limited effectiveness, avoiding 'high-level' cases, focusing mostly on low-level traffic police corruption or avoiding complex investigations related to organised crime (CSD 2010: 83).

According to Ivkovic, who examined the findings and recommendations of some of the major investigative commissions that have been formed to address large-scale corruption in large US police departments Ivkovic 2005: 102) there are two major approaches adopted by police/law-enforcement agencies when investigating corruption in law enforcement:

- **Reactive investigations**: initiated on the basis of information obtained through complaints of corruption or information about existing cases of corruption submitted to the police agency by citizens, police officers, the media and other institutions. These avenues of obtaining information about police corruption 'rarely provide a systematic, continuous source of information to investigators' (Ivkovic 2005: 113). Reactive investigations often face difficulties in securing corroborative evidence (due to the code of silence among the police, the claimant's reluctance to provide information, or insufficient resources of the investigative body to pursue every single complaint).
- **Proactive investigations**: initiated on the basis of information collected by the agency itself. The measures involved in proactive investigations could vary in terms of targets and level of intrusion. For instance, random integrity tests can either target a sample of all police officers or only new recruits. Focused integrity tests are more often used in preliminary investigations and can target a specific police officer or group of police officers. Such tests can be done in the form of undercover operations when there is reasonable ground for suspicion of corruption. Proactive methods also vary in their level of intrusion, ranging from examination of public records, to more intrusive methods, such as electronic surveillance, wiretaps or undercover operations.

5.4.   Effects of anti-corruption measures

The anti-corruption measures that police forces adopt should (in theory) be commensurate with the type of corruption that the police are experiencing. A case in point that has been examined at length by academics and policy makers is corruption in the New York City Police Department (NYPD). Punch argued that anti-corruption measures adopted by the NYPD after an initial review of corruption in 1970-71 (known as the Knapp Commission) did not consider sufficiently the nature of corruption identified. For this reason, twenty years later in 1992,

the second investigation into NYPD corruption (Mollen Commission)[49] found that corruption had changed in nature, but was still significant.

After the 1971 review, the NYPD adopted a number of measures, but most of them were aimed at reinforcing and strengthening what officers and the NYPD were **supposed** to be doing:
- decentralisation of command and personal responsibility of district commanders for corruption (there were 180 of them in New York);
- rotation of officers working in sensitive areas;
- limiting the autonomy of detectives;
- Strengthening internal investigations ('internal affairs') by introducing proactive tactics such as 'integrity testing' and recruiting 'associates' of the internal investigation departments right out of the academy (i.e. young officers who were reporting on corrupt colleagues);
- reduced enforcement of some laws (e.g. related to gambling or religious gatherings) that were used by officers to extort most bribes.

These measures managed to transform corruption in the following ways (Punch 2009: 70):
- Corruption was less widespread, and instead of entire departments and units being involved, the scope of the problem was limited to small groups and particular crews of police officers.
- Instead of extorting money from gambling facilities and ordinary citizens, corrupt officers had turned to making money from criminals: drugs-related corruption had come to entirely overshadow other types of corruption. In effect corruption had become more 'criminal' and dangerous but less of an irritant to the man and woman in the street.

The Mollen Commission concluded that the ambitious anti-corruption measures had failed to have their intended effect because:
- Internal Affairs departments had **failed to become proactive**, because they lacked independence. The NYPD leadership had stopped them from conducting the necessary bold and comprehensive investigations, fearing that the outcomes would have publicly embarrassed the NYPD.
- When significant investigations were carried out, they were broken down into a number of components **targeting individual officers**, even if in fact wider groups of senior officers were involved. Again this was done in order to disguise from the public the true scope of systemic corruption.
- The **recruitment practices** were not affected by the measures, and becoming an officer at the NYPD was still based on favouritism (allowing new recruits to be selected on the likelihood of their tolerating corrupt practices).

Therefore, the Mollen Commission recommended a much greater degree of independence and strongly proactive investigation, new recruitment practices, drug testing of officers, and higher penalties (Punch 2009: 74).

Another aspect of failed policy measures at the NYPD on which other authors (Ivkovic 2005: 25-26) have focused, concerns preventing 'slippery slope' situations: i.e. targeting officers who accept small gratuities from the local community ('half-price meals or free drinks') to prevent them from encountering more serious ethical problems. The restrictive policy that the NYPD tried to adopt of

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49   The Mollen Commission (1994)

zero tolerance of gifts and gratuities of any kind faced a number of difficulties: (1) it was difficult and expensive to enforce such policy; when it became clear that high-level NYPD officials were being treated at a restaurant it developed a strong sense of distrust and cynicism amongst lower ranks; (2) as the measure seems unreasonable, it pushed otherwise honest officers to participate in the 'code of silence' by not only tolerating breaches of such unreasonable prohibitions, but also tolerating other unethical behaviour; (3) the broader cultural context was opposed to such prohibitions, as there was a community culture of giving gratuities to other state employees (postal workers and teachers), and excluding police officers from this culture was inconsistent.

The extended example of the NYPD is provided so that law-enforcement officials can place the anti-corruption measures and practices presented in the following chapter within an operational framework and understand the true complexity of designing an effective anti-corruption regime. Two factors should be taken into account when considering the adoption of an anti-corruption measure:

- First, anti-corruption measures may transform the character of corruption but not its overall impact in any significant way. They may only push corrupt officers into extorting income from another source. In other words, as with all crime prevention measures, there is always the risk of displacement. The NYPD case shows that failing to take the displacement problem into account can make things worse: widespread but rather trivial forms of corruption can be transformed into much more serious and dangerous, if less widespread forms.
- Second, the anti-corruption measures need to stretch beyond targeting the corrupt practices to address broader management and recruitment issues: i.e. a systemic rather than a narrowly targeted approach.
- Finally, anti-corruption measures only work if there is strong and **dedicated leadership** that sets clear ethical standards and boundaries, and does not tolerate corruption (Punch 2000: 321).

Chapter 5: Key points

- In many EU Member States, despite the absence of specific institutional anti-corruption measures, law-enforcement agencies rely on the **broader anti-corruption infrastructure** in place, which usually includes regulations related to public procurement, civil servants policies, penal codes, criminal asset forfeiture and money laundering legislation, and ombudsman institutions.
- Anti-corruption measures in law enforcement can be either **preventive** (normative frameworks, training, recruitment) or **reactive** (disciplinary actions, investigations, penalties). They can also be punitive or persuasive (using punishments or rewards for integrity). **Investigations** into corruption can be initiated in a reactive (processing external or internal complaints), or pro-active manner (integrity testing, inspections, undercover agents). In some countries monitoring and criminal investigations are undertaken by internal affairs departments or **specialized anti-corruption units**, although their effectiveness and preferred approach differ widely.
- Measures often have a **complex range of objectives** involving not only the prevention of corruption but also the protection of private data and human rights. Many measures indirectly affecting corruption have been developed with security considerations in mind. Scholars recommend the adoption of a **holistic anti-corruption approach** that addresses systematic aspects of corruption through a combination of measures: clear guidelines and policies, training, operational and HR management measures, risk analysis and monitoring, internal and external oversight, prosecution and penalties.
- Studies from the US and Western Europe indicate that anti-corruption measures should correspond to the **specific nature of corruption** within the respective police force. Case studies from the US show that measures can be counterproductive and inadequate, and will simply change the form of corruption if they fail to become proactive or address broader management and recruitment issues.

6. ANTI-CORRUPTION MEASURES FOR BORDER GUARDS

The anti-corruption measures identified in the course of the present study need to be considered carefully for a number of reasons. First, in the majority of MSs, it was difficult to distinguish between specific measures designed for the police forces/public servants and those especially referring to border guards. Secondly, none of the police/border guard institutions use any methods that monitor levels of corruption – therefore it is not possible to assess the impact of the measures described.

The measures reported by respondents must also be seen as proportional responses to the **perceived** level of 'corruption contamination' in each MS, and even in specific border regions and at BCPs within a given MS. The measures reported often represent a robust political response to perceived levels of threat from terrorism, migration or organised crime. In many newer MSs they are also a 'confidence-building measure' to provide assurance to partner countries, particularly in the Schengen area, that the EU's eastern external borders are not porous. As explained in the previous chapter, anti-corruption measures need to target adequately the nature of corruption encountered. They need to be designed with answers to the following key questions in mind: is the threat from single corrupt officers, groups of officers or more complex networks of corrupt officers? What cultural/social factors may prevent the effective application of corruption measures, or distort their effect?

The chapter presents several categories of anti-corruption measures: it starts by outlining any general strategies and anti-corruption action-plans that border guards or police institutions may have. It then splits anti-corruption measures into operational (related to management or work processes) and human resources management related (hiring and other employment policies). It finally examines measures related to corruption investigation, paying special attention to the investigative instruments used and the set-up of corruption investigation units.

6.1. Strategic and legal frameworks

National laws and institutional norms governing policing differ widely across the EU in the way they address issues of corruption, depending on the risk perception of corruption in border guard services. Some MS have adopted a zero-tolerance approach towards corruption in law enforcement in general, which is reflected in the normative framework that applies to the border guards as well. These MS feel that it is important that all officers are required to know and understand ethical codes and standards. In such MS most violations/offences related to corruption come from lack of knowledge or awareness about existing regulations and policies (I – DE). The following factors determine the extent and

restrictiveness of the MS anti-corruption strategy and the accompanying legal framework:

- risk and threat perceptions;
- visibility of the problem;
- number of identified and investigated cases of corruption/scale of the problem;
- external political pressures (e.g. from other EU MS);
- internal political or economic pressure;
- police culture.

The survey showed that not many MS have anti-corruption strategies and policies designed specifically for border guards (see Table 12). Instead, anti-corruption issues are largely understood as an integral component of the training and education of police officers and public servants within the ministries of interior in general (see 6.4.4 Anti-corruption training and education). If border guards do not have measures specifically designed for them and the threat and pressure that applies to them, they may be subject to inappropriate measures and standards of ethics designed with general police work or other public service in mind.

Many interviewees pointed out that the lack of specific border guard related policies is compensated for by the general anti-corruption effect of ethical codes, codes of conduct, penal policies and other legislation in the respective MS. This point is consistent with the conclusions of the Frontex Study on Ethics of Border Security within the EU.[50] The study found that most of these codes of conduct were not written specifically for border guards, but for the police, despite the considerable difference in tasks.

6.1.1. Risk analysis

In some MS the drafting and implementation of the legal framework related to anti-corruption is preceded by a detailed analysis of the **risk** of corruption in individual areas of work (I-BG, I-DE, I-NL, I-EE, I-RO). This can be done in the form of a situation report (I-LV, I-LT), which is then updated on an annual basis. The result of such analytical documents is often an action plan that details specific tasks for each risk area. The implementation of these tasks is supposed to be monitored and evaluated in regular implementation reports. However, only two respondents mentioned the existence of such mechanisms within the border guard services (I-LV, I-LT). In Bulgaria the Border Police has developed an internal risk register related to the organisation of the prevention and detection of corruption (S-BG). In Germany, the internal audit department conducts a specific risk analysis of corruption, where it identifies areas that are most vulnerable to corruption in each administrative office of the federal police (I-DE). Working areas and corresponding preventive measures are then classified in relation to levels of risk exposure (low, medium, high).

Some MS differentiate in their risk analysis between the risk of **structural corruption** and **opportunistic corruption** (I-DE). In Germany, in the first category, there is only a low risk of an officer developing long-term relationships with

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[50] Centre for the Study of Global Ethics, University of Birmingham (2010): *Ethics in Border Security.*

Are any of the following analyses/monitoring carried out?

	Internal audit reports	Assessment of work/operational procedures and their amendment to reduce risk of corruption	Assessment of positions/units at risk and corruption pressure for various levels of officers	Developing of risk profiles of officers
No info	1	1	1	1
Never	7	6	11	13
Occasionally	6	8	6	7
Regularly	9	8	5	2

Legend: ☐ Regularly ☐ Occasionally ☐ Never ☐ No info
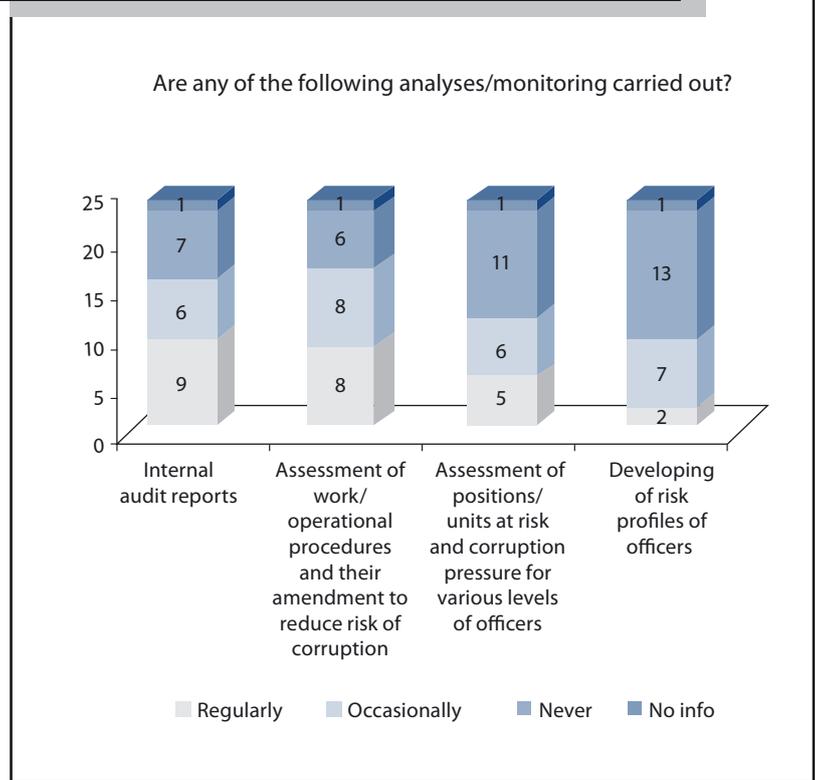
Source: Survey of border guards and internal affairs units

suppliers or other third parties over many years, as the exposure to such risks has been reduced through reliable public procurement rules and other policies. The officers exposed to **opportunistic** corruption are naturally more high-risk (those in entry permits awarding roles, drug detection, passport control, all front-line officers), so there are tailored preventive and control measures developed for such high-risk posts (rotation, tailored trainings, etc).

One interviewee indicated that the risk assessments conducted by the internal affairs department of the police have established that corruption is particularly widespread within the traffic police (I-SK); therefore, in the case of Slovakia, corruption among border guards is only a minor aspect of these risk assessments.

Independent research studies in Finland and surveys conducted by the Finnish Border Guard (2009–2010) showed that the officers of the Finnish Border Guard score very highly in the category 'impartiality', while the officers of the Finnish police, customs and border guard are practically 'unbribable' (I-FI).

In some MS the tools presented in Figure 11 are used not only for monitoring or strategic purposes (drafting of prevention measures, trainings and policies), but also as a means of gathering operational information which is used for initiation of investigations (see section 6.5.2. Patterns of investigation initiation).

6.1.2. Border guard specific regulations

Only a few MS, mainly those along the EU's Eastern border, have strategic anti-corruption plans, which contain provisions addressing corruption in the border guard forces specifically. In 2010, Lithuania's State Border Guard Service developed its own anti-corruption programme, based on the Lithuanian national anti-corruption strategy.[51] This document is based on a previous situation analysis within the border guard service for the period 2006-2010. The analysis identified several risk areas in which Lithuanian border guards are vulnerable to corruption. Furthermore, the Lithuanian border guard service annually develops action points and implementation plans of the anti-corruption programme.[52] The action plan addresses issues such as anti-corruption training, the provision of a whistle-

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[51] Corruption prevention programme of the State Border Guard Service at the Lithuanian Ministry of the Interior for 2011–2013 (in Lithuanian): http://www.pasienis.lt/index.php?3109567577

[52] 2012 Action plan for implementation of the corruption prevention programme of the State Border Guard Service at the Lithuanian Ministry of the Interior (in Lithuanian): http://www.pasienis.lt/index.php?3109567577

blowing programme, public procurement regulations and rotation of officers. There are also instructions for border guards about non-acceptance of bribes. In addition, the Lithuanian State Border Guard Service reports annually to the Ministry of Interior on the progress of implementation of each task.[53] Latvia has a very similar strategic programme in place (I-LV, S-LV, strategic documents provided by the interviewees). As such, these two countries have the most comprehensive strategic anti-corruption frameworks for border guards within the EU. In Romania and Bulgaria the border police prepare annual action plans for implementation of the national anti-corruption strategies, as part of a requirement that applies to the entire public administration (S-RO, S-BG). The Romanian border police also submit quarterly and annual progress reports on implementation and prevention objectives (I-RO).

6.1.3.   General anti-corruption regulations with effect on border guards

A number of MS (PL, HU, EE, SI, SK and CZ) have either **national action plans** to combat corruption or broad **anti-corruption strategies** that apply to all public sector institutions. Most of these countries have made considerable efforts to ensure that there are preventive anti-corruption measures in the state administration, because of the pressure from EU institutions on new MSs in this respect. However, the level of success in the implementation of such ambitious anti-corruption programmes differs from country to country, and the existence of a solid legal framework does not, by itself, guarantee the effective reduction of corruption among border guards (I-BG).

In other MS, there are **strategic documents** which apply to the police and/or the public sector servants in general (S-DE, S-NL, I-UK). In Germany, for instance, there are guidelines[54] for the entire Federal Administration that apply also to the Federal Police. In addition, there is a small specific section that applies only to the Federal Police (Bundespolizei), the body tasked with border police functions.

Some respondents explained that their respective countries do not have any specific anti-corruption strategies or regulations due to the low risk of corruption in border guards, or in the police in general (I-SE, S-DK, I-LU and I-FI).

6.1.4.   Codes of ethics

Even in the absence of strategic documents dealing with corruption, in some countries (FI, SE, DK and EL) anti-corruption matters are indirectly addressed in other documents. The following examples were cited: national legislation, internal administrative rules, instructions on financial and administrative procedures which also have an impact on corruption prevention in the public sector (e.g. disciplinary codes, civil servants' code of conduct, policies on gifts and donations, hospitality rules).

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[53] 2011 Report on the implementation of the corruption prevention programme of the State Border Guard Service at the Lithuanian Ministry of the Interior (in Lithuanian): http://www.pasienis.lt/index.php?3109567577

[54] *Recommendations for the Prevention of Corruption in the Federal Administration* [Empfehlungen zur Korruptionsprävention in der Bundesverwaltung, June 2010].

TABLE 12.   STRATEGIC-LEVEL ANTI-CORRUPTION DOCUMENTS

Type of normative framework	Anti-corruption policies/action plans/guidelines specific to BGs	National anti-corruption strategy/action plan/other anti-corruption legislation for the public administration/police forces		Corruption is addressed in the code of ethics/ code of conduct of the police/ in other legislation (penal code, etc)
Country	Latvia Lithuania Romania Bulgaria	Poland[55] Hungary Czech Rep. Slovenia Slovakia Estonia	Germany UK Netherlands France	Finland[56] Sweden[57] Denmark Italy Spain Greece Malta Luxembourg

Source: Supplementary documents sent by survey participants/desk research

According to the Frontex-commissioned study on ethics in border security (see above), incorruptibility is a value that is articulated in some way in the public service codes of conduct issued in nearly all MS, many of which give detailed explanations of what kind of behaviour is illegal or unethical, and what kinds of conflicts of interest should be avoided or reported.[58] Bribes are a central focus of the provisions on incorruptibility. However, the study also notes that **these more general, police-related codes and policies might not cover many of the ethically problematic tasks border guards perform**. These tasks are not examined in any detail in this report.

6.2.   Operational measures

Operational measures employed by border guard administrations across the EU include rotation in different forms, the 'four-eyes' principle (mandatory two-person teams),[59] technical surveillance, random inspections, and monitoring (see Figure 12). In a few MS there are restrictions imposed on some categories of

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[55]   In addition, Poland has a code of conduct designed specifically for border guard officials (Centre for the Study of Global Ethics 2010).

[56]   Finland has a Border Guard Act (Declaration of Values), a section of which is devoted to the regulation of border guard conduct (Centre for the Study of Global Ethics 2010).

[57]   Additional research established that Sweden has had a National Anti-Corruption Unit since 2003, which is part of the Swedish Prosecution Authority. In 2006 the Unit launched a national network against corruption, which also cooperates with police and customs. Its aim is to develop more specific policies and effective risk management of corruption risks in the public sector. See also: Utrecht University (2008).

[58]   Centre for the Study of Global Ethics, University of Birmingham (2010): *Ethics in Border Security*.

[59]   Two-person teams are a recommendation of the *Schengen Handbook* for land-border checks, but not because of corruption concerns.

officers or work areas on the use of mobile phones while on duty (I-UK, I-RO, I-SK, I-LT, I-NL), as well as restrictions on carrying cash. These measures are not necessarily used to prevent corruption, but are rather based on general security considerations (I-MT, I-IT). Rotation, for instance, may be intended to help officers gain experience in performing different tasks (I-FI). Video surveillance is used mostly as a security precaution, but this does not exclude the potential detection of corruption (I-IT, I-LT).

Some common operational measures used by border guard forces are discussed below.

6.2.1.   Rotation

One of the most frequently applied operational measures is the rotation of officers and duties, including:
* random changes in shift allocation and duration;
* random rotation of officers in respect of daily duty rosters;
* rotation of team members;
* rotation of officers at certain posts.

As the rotation of officers between different duties might not be effective, in some countries a computer-generated schedule is used to rotate shifts (I-BG, I-HU, I-MT[60]). Therefore, the border guard officer never knows exactly how long s/he might work on a certain shift: the shift may range from 30 minutes to 4 hours. This makes it difficult for smugglers to plan on passing through when a particular guard is on shift. Combined with restrictions on the use of mobile phones, this could be an effective prevention tool for more complex corruption schemes.

In many MS there are limitations to the use of rotation methods. Rotation may depend on the ad-hoc situation at the borders. For example, border guards are moved between particular BCPs to cope with fluctuations in border traffic (I-SK). However, this kind of *ad-hoc* rotation can still have a preventive effect, as officers do not know their point of deployment in advance (I-MT).

6.2.2.   Electronic surveillance

There are limitations to using surveillance measures. National legislation in some MS allows audio and video recording only in cases of suspected corruption or as part of an investigation, and requires court permission (I-BG, I-EL,[61]I-LT). Therefore, unauthorised video and audio surveillance are of little use in preventing corruption (I-FR, I-EL), as courts do not recognise evidence from surveillance recordings (I-BG). Nevertheless, some interviewees revealed that the existence of electronic surveillance had proved very useful in investigations (even live streaming to internal affairs investigators was possible (I-LT, I-BG), or may even serve

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[60]   In Malta the border guards apply random rotation of officers at different duties, but the schedules are not computer-generated (I-MT).

[61]   The interviewee from the Greek Internal Affairs of the Hellenic Coast Guard department stated that audio and video surveillance was used in detecting a well-organised criminal scheme for smuggling large volumes of cigarettes, which involved seven corrupt coast guards (I-EL).

FIGURE 12. TYPES OF OPERATIONAL PREVENTIVE MEASURES

Which of the following operational preventive measures are used in your institution?
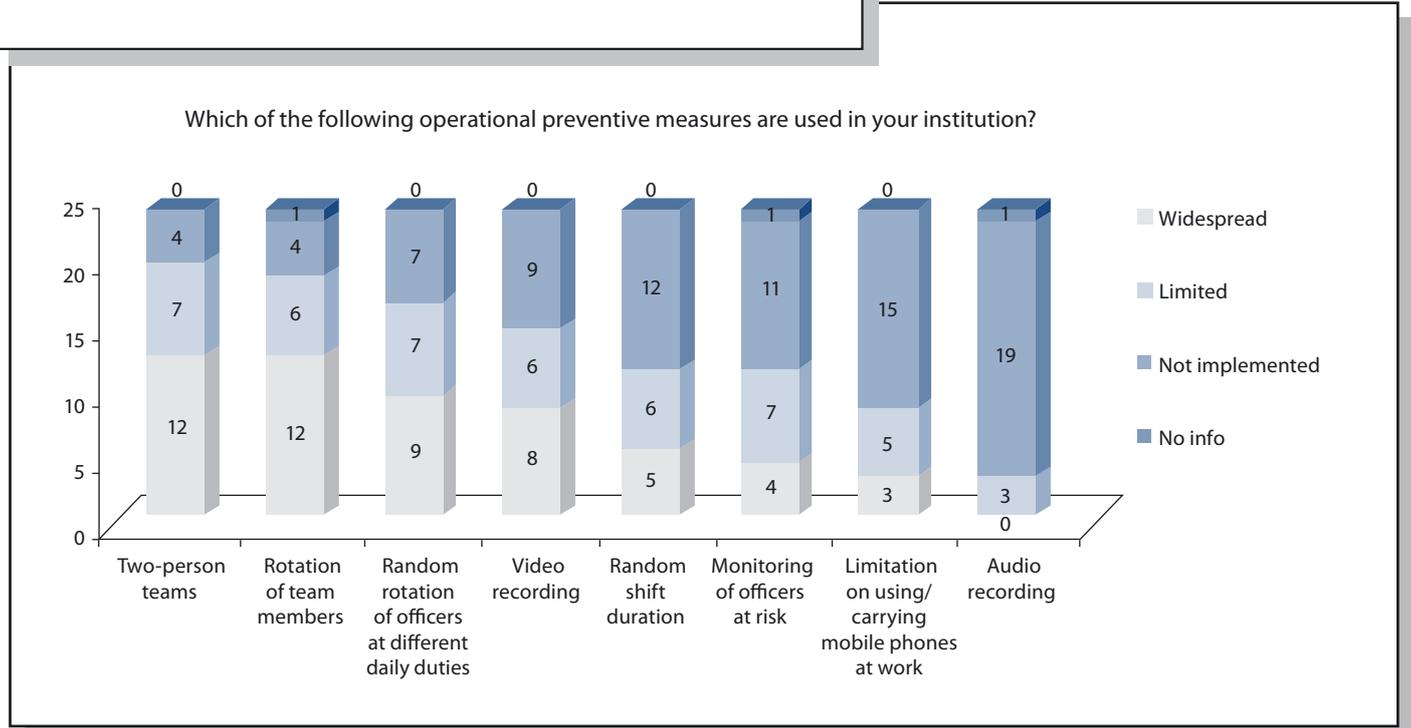
Source: Survey of border guards and internal affairs units

as evidence in court (I-LV, I-SI). Respondents from MS where the border police use surveillance methods reported the following practices:

- Several MS have had problems with processing the huge volumes of data collected.
- Attempts to review video recordings from high-risk border areas on a random basis have proven too costly and time consuming (I-BG).
- Corrupt border guards also adapt and engage in corrupt practices in areas where there is no surveillance (at land borders when there are buses or long lanes of waiting traffic this is quite possible).
- Some officers may purposely damage surveillance equipment.
- Surveillance equipment maintenance personnel may be drawn into corrupt practices.

6.2.3. 'Four-eyes' principle

The two-person team or so-called 'four-eyes' principle is one of the most frequently applied counter-corruption measures across the EU. A second-line officer may be required to be present together with the first-line border guard at document control points (ports and airports). (I-MT)

Officers from other units or institutions (customs or police) are included in surveillance units, during cross-departmental operations (I-LT, I-BG), or in smaller border guard forces, where the random inclusion of partnering institutions is feasible for certain surveillance operations (I-MT).

6.2.4.   Random inspections

Random physical inspections of BCPs by internal or external control units, or by supervisors (I-SK) may include inspection of personal belongings, car, or working space (I-HU, I-SK). The purpose is to find excessive amounts of cash, presumably received from bribes. The national laws in some MS prohibit inspections of officers' cars (I-BG).

FIGURE 13.   TYPES OF OPERATIONAL PREVENTIVE MEASURES

Which of the following operational preventive measures are used in your institution?
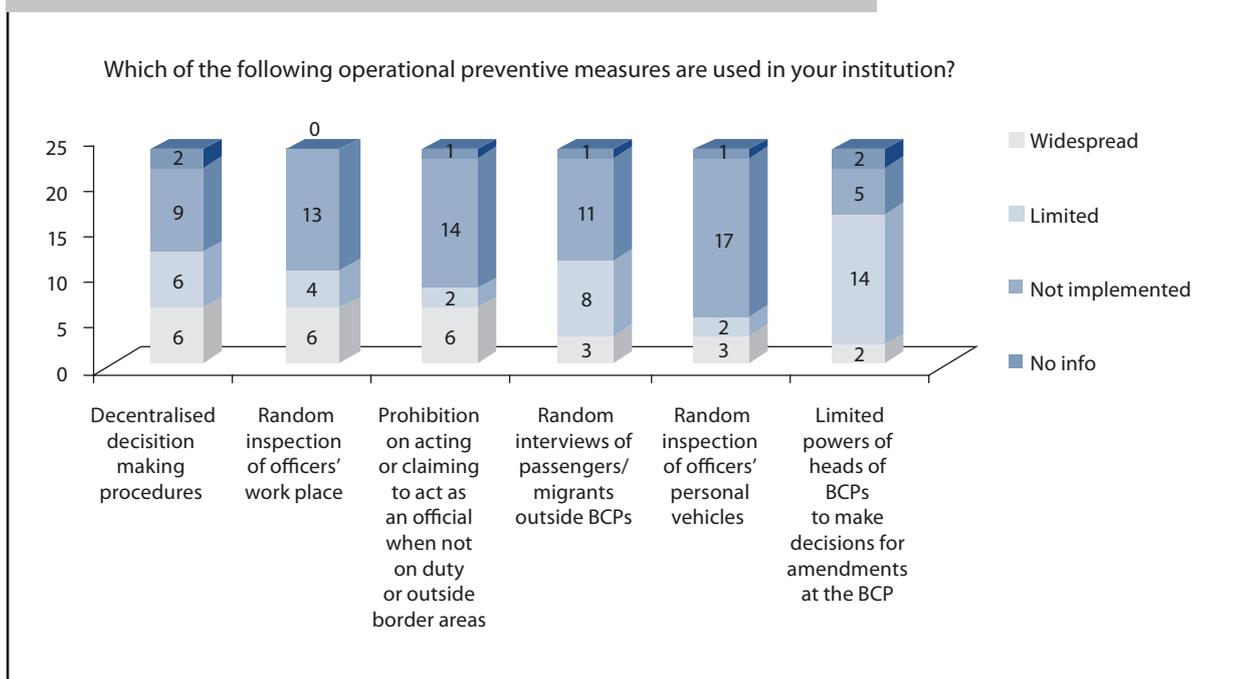
Source: Survey of border guards and internal affairs units

6.2.5.   Interviews of passengers

Another form of control involves interviews with randomly selected passengers about the service that they have received while passing through the border. In countries where there is large-scale petty corruption, this is a potentially effective measure. In Bulgaria for instance, this has been done on an *ad-hoc* basis, especially during the summer months when large numbers of third-country nationals pass through the country (I-BG). In Malta, when suspicions of police misbehaviour arise, passengers checked by the border police officers may be then questioned about their experience at the entry point (I-MT).

6.3. Administrative anti-corruption measures

6.3.1. Donations and gifts

Donations and gifts take a number of forms, and may be offered either by institutions or individuals. For example, an institution may donate money or equipment to a government department, or an institutional charity; or an individual may wish to give an individual officer money or other gift in gratitude for a service s/he has performed. In MS where donations and gifts can be accepted, there is a review and approval mechanism that ensures transparency and control over sponsoring activities on part of private companies or individuals. In most cases donations are registered and undergo approval at central level by a special designated commission or review board (I-DE, I-EL, I-FI, I-CZ, I-MT). In the MS where donations are allowed, the following measures to prevent corruption and conflict of interest were reported:
* limitations on the value, form and use of donations;
* public/online list of donors (I-EL);
* limitation on participation in public tenders by donors;
* donations can be accepted only through a police or independent charity organisation for specific social needs;
* donations are to be included in the annual budget and financial planning.

In some MS, the approval process for donations is managed at central level, and border guard forces rarely receive any donations because of the bureaucratic approval procedure (I-EL). Another respondent indicated that there are no defined rules for prevention of conflict of interest and corruption in the acceptance of donations (I-LT).

Some MS differentiate between institutional sponsoring and gratuities given to individual officers, and handle these two categories in a different manner (I-DE). Some MS prohibit the acceptance of donations such as computers or weapons which relate directly to the requirements of the role; such items must be purchased only through public procurement procedures (I-DE). In other MS the situation is the opposite: government agencies are allowed to accept gifts/donations such as money and equipment. However, there is a requirement that the donation has to be used for the agency's legal tasks and responsibilities (I-FI).

In terms of personal gifts three approaches were reported:
* Gifts are not allowed at all, and if accepted they become the object of a disciplinary penalty. There may be a ban on police officers accepting money or other gifts for exercising their functions (I-DE), or a ban on all kinds of gifts regardless of why they are offered (I-EL).
* Gifts are allowed, but with limitations on value (the limit ranges between 25 and 50 €), form (e.g. Christmas gifts or flowers only) and purpose. Even if gifts are generally prohibited, small gestures in the form of a bottle of wine or a pack of cigarettes '*are not considered corruption if the officer does not show preference to the person from whom he received the gift*' (I-EL).
* No specific limitations on the acceptance of gifts.

FIGURE 14. DONATIONS/GIFTS/GRATUITIES BY PRIVATE INDIVIDUALS OR FIRMS

Are direct donations / gifts / gratuities (e.g. cash, equipment, office supplies, petrol, etc.) by private individuals or firms allowed in your country?

	To the Ministry in charge of border control	To the institution (police/ border guard)	Via a police charity/ foundation	To police or border guard departments/ districts	To units (e.g. investigation unit, patrol unit)	To individual officers
No	15	15	17	21	21	22
Yes	8	8	6	2	2	1

■ Yes   ■ No

Source: Survey

6.3.2. Public procurement

As noted above, public procurement laws and procedures are part of the anti-corruption infrastructure and in many MS they have an anti-corruption effect. In some countries the border guards are not involved in the public procurement process (I-MT) which is usually managed at the central/national level of the border guard institutions, or by separate units within the police (I-DE). Furthermore, there are control mechanisms for the conduct of public tenders, ensuring that each purchase above a certain sum undergoes independent review and approval by other institutions (e.g. finance ministry or independent boards). External oversight is also provided by national audit and revenue agencies or special public procurement units (I-BG, I-EE, I-RO, I-CZ). Several MS have adopted EU standard regulations in this respect (I-SE, I-NL, I-FI). In most MS, annual procurement plans are approved in advance, when the border police can declare its purchasing needs.

6.3.3. IT security

The survey established that most MS have extensive IT-related control measures to prevent corruption and the abuse of power. The various measures that were examined were standard for police forces and many private sector institutions. Such measures ensure that access to information is provided only to officers who need it; that unauthorised access or irregular patterns of activity (e.g. accessing private information or frequent access to certain types of information) alerts supervisors or anti-corruption units; that any information usage is logged and

could be reviewed in the course of an investigation or internal audit. Some respondents argued that when corruption levels are low there is no need for implementing such preventive IT measures (I-DK).

FIGURE 15. IT ANTI-CORRUPTION MEASURES

Which of the following IT security measures have been implemented by your institution?
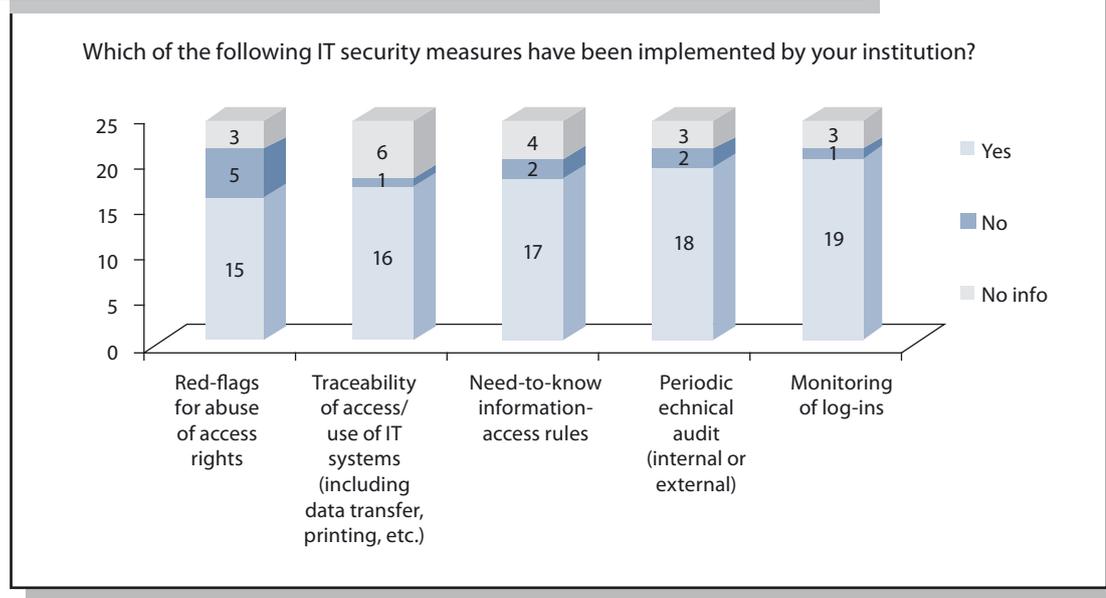
Source: Survey of border guards and internal affairs units

6.4.   Human resource management related measures

Chapter 4 of this report outlined a number of corrupt practices related to the management of human resources in the border guard services in the EU. The best anti-corruption measure in this context is a well regulated and well defined system of human resources management. This will normally involve a strict system of job assignment: transparent and coherent promotion rules based on an objective performance assessment procedure; a high-technology based personnel information system; and effective safeguards shielding the overall system from nepotism and political influence. Yet, even in such systems there are opportunities for corruption, and therefore a number of particular measures outlined by respondents should be noted.

6.4.1.   Recruitment and vetting

Background checks for new employees are conducted in almost all MS, but they differ in scope and depth. In France, for example, besides the traditional checks on contacts between potential recruits and high-risk individuals or environments, the checks may include interviews with parents and relatives of the candidate in order to build a clearer moral profile. The UK Border Agency has rigorous recruitment and vetting/clearance procedures for staff, which reduces the risk of corruption considerably (I-UK); applicants to the

UKBA need to prove they have a sound financial background. The Lithuanian border guard service runs checks on everyone who wants to become a border guard. These include checks on the applicant's previous activities to identify any suspicious connections to criminals (I-LT). In Slovenia, corruption related issues uncovered during background checks have significant impact on the employment decision (I-SI). Security checks in the Netherlands are repeated for all staff every five years (I-NL).

However, it was also reported that in remote areas it can be nearly impossible to recruit officers outside the circle of local residents. As a result, the informal relationships between the candidates and the local community continue to exist even when not all of them are desirable (LT, PL, BG, RO and EL).

Personnel vetting and investigations of border guards in the US

The CBP is working to make sure that its employees have personal values and behaviour in sync with the values of the organisation. The personnel security division initiates background investigations that are quite thorough and can include a criminal history check, records checks, verification of previous employment, education and military claims, credit review and interviews with family and associates and other checks. Additional interviews may be conducted as needed, to resolve any inconsistencies or issues raised. The process is designed to ensure that candidates are reliable, trustworthy, of good conduct and character, and suitable for employment.

Next, applicants are referred to the credibility assessment division for possible **polygraph screening**. Towards the end of 2011, about 25 % of new applicants were subject to polygraph tests. The 2010 Anti-Border Corruption Act mandated that, by January 2013, 100 % of applicants must pass polygraph tests.[62] Those who do can be referred to a contractor or to a CBP background investigative unit. Once a final report of investigation is complete it is referred back to CBP to decide if an applicant is suitable for employment based on the information gathered. Adjudicators decide on suitability based on specific guidelines drawn from laws, executive orders and Office of Personnel. 'The best predictor of future behaviour is past behaviour – people who fail to pay bills, shoplift, etc., show more concern for themselves than the safety or well-being of citizens or society' according to John Schwartz, Director of the Credibility Assessment Division. CBP investigators also identify potential vulnerabilities and assess documented cases of corruption to determine what factors may have caused the situation.
Sources: Frontline 2009[63]; *Senate Hearing June 2011*[64]

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[62]   United States Senate hearing (2010)
[63]   Kane (2009)
[64]   United States Senate hearing (2011)

6.4.2. Integrity testing

The survey established that, in the EU, methods of integrity testing are usually employed during investigations, rather than for corruption prevention or as an ongoing monitoring measure (see Figure 16). Integrity tests can be done via the following methods, depending on the level of intrusion into the personal life of the targeted officer:

* background/security checks of potential employees;
* polygraph tests (lie detector);
* drug and alcohol tests;
* monitoring of personal life-styles, comparing disclosed income with spending, assessment of debt;
* random or targeted inspections of officers' workplace or vehicles, document-based inspections, monitoring of personal/HR files of officers;
* offering bribes to officers, creating an opportunity for the officer to become involved in corruption.

What most MS described as integrity tests are detailed background or security checks prior to the employment of officers. In some MS there is no tradition of using polygraph tests (I-FR, I-EL, I-ES), while in other MS, such as Germany, such methods are prohibited by law. Interviewees from the Nordic countries argued that there is no need for this measure because levels of corruption are low, while in other MS the 'lie detector' violates some basic individual rights. It was also suggested that polygraph tests are not entirely reliable. In Poland, however, there are attempts to conduct such tests on potential employees (I-PL).

Some interviewees admitted that the polygraph test can be a significant help, but the results cannot be used as evidence (I-SK). In some MS the polygraph is used only if suspected officers agree to it voluntarily (I-SK, I-IT, I-BG, I-LT), or if there is reasonable ground for suspicion.

In the United States, there is also a debate about introducing polygraph tests for current employees, as part of the mandatory *'periodic personnel reinvestigations'*, conducted every five years for all employees (Senate Hearing 2010).

FIGURE 16. INTEGRITY TESTS: CORRUPTION PREVENTION TOOLS

Which of the following human resource/management related anti-corruption measures have been implemented by your institution?
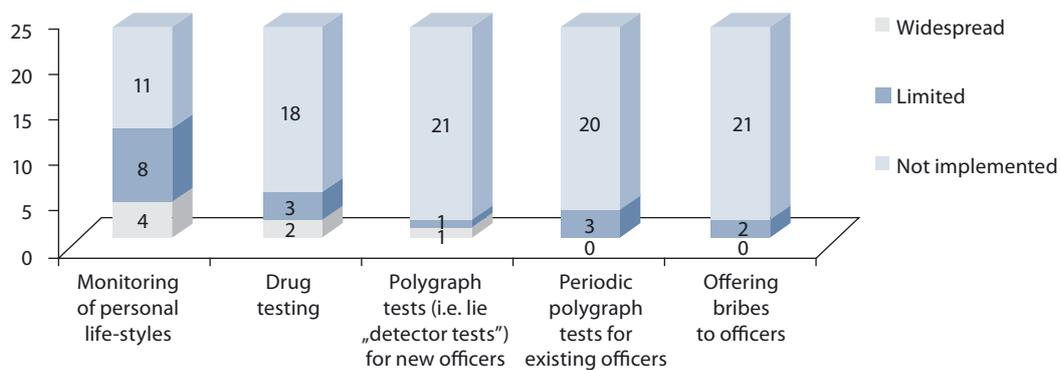
Source: Survey of border guards and internal affairs units

Integrity testing

Integrity tests are common in the US, the UK, and Australia. They do not take the form of direct provocation by means of a bribe by an undercover officer. Instead such tests seek to create a situation where the officer is tempted to commit an immoral act; the test simply creates a common situation of criminal opportunity. The difference between integrity tests and **'entrapment'** is that the tested officer is not offered any extraordinary incentive (i.e. a very large sum of money), but encounters something which is commensurate with his/her regular duties.

The traditional tests conducted in the US since the 1970s involve an undercover officer posing as a regular citizen, who turns in a lost wallet to a police officer. The wallet contains cash and personal ID information. The officer is expected to turn the wallet over to the police station. Some officers keep the cash instead and fail to complete their duty. Such tests could be **random** or **targeted** only at certain officers (against whom there have been many complaints or about whom intelligence suggests corrupt behaviour). **Targeted** tests are more efficient in countries with low levels of corruption. Integrity tests usually target petty corruption (Prenzler and Ronken 2001).

An example of a border guard integrity test conducted by the CBP Office of Internal Affairs is the following: a border patrol agent is sent to a vehi-

cle abandoned by irregular migrants/smugglers. The vehicle contains $4,000 in cash. When he returns to the station he is instructed to report to his immediate supervisors, where he states that he had recovered $2,300 and subsequently prepared a report documenting the amount. (Senate Hearing 2011)[65]

6.4.3.   Job rotation

Unlike the operational rotation described above (section 6.2.1), job rotation aims to prevent the establishment of durable corruption networks or personal relations with local communities that may influence an officer's judgement. A number of approaches were presented:

- Staff rotation is used especially in high-risk border areas, or where the officers' position puts them at risk (I-DE, I-PL) (I-DE),[66] and assignments are limited to five years.
- New recruits may be deployed 'away' from their place of residence for a certain period.
- Rotation may only concern high-level officers and station directors for terms up to five years (I-LT, I-EE), or they may be excluded from rotation (I-PL, I-BG).

The main limitation to job rotation is that it is **expensive** (the moving of an officer needs to be funded), it may require **additional training** (I-LU) (e.g. if moved from a green border to an airport). In countries with small border guard forces and few BCPs, rotation is limited because it is not feasible and would disturb the normal functioning of the border administration (I-LU).

6.4.4.   Anti-corruption training and education

In several MS anti-corruption training is limited to issues related to police codes of conduct, ethics and integrity issues, and education on criminal law (I-EL, I-EE, I-MT, I-ES). Anti-corruption issues are also addressed during the initial training of border guards, but are not always followed by any ongoing practical training (I-SE, I-DK, I-FI). In Finland, for instance, corruption prevention topics are integrated into other parts of the training curricula of border guards – for example, in connection with classes on border checks, and classes on crime prevention where issues such as civil servants' responsibilities, the role of corrupt officials in organised crime and methods of recruiting officials by organised crime are covered.

In other MS, however, border guard officers may receive specific instructions on the non-acceptance of bribes, and anti-corruption education is an on-going proc-

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[65]   The Honorable Alan D. Bersin, Commissioner, US Customs and Border Protection, Border corruption: Assessing customs and border protection and the Department of Homeland Security Inspector General's Office collaboration in the fight to prevent corruption, Hearing before the Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs, US Senate. (United States Senate hearing: 2011)

[66]   Federal Government Directive Concerning the Prevention of Corruption in the Federal Administration, 30 July 2004.

ess (I-LV, I-LT, I-BG, I-RO, I-SI). Anti-corruption training is given to new officers, with practical cases and examples of misbehaviour provided by the internal affairs departments (I-LT). '*We try to "scare" them*', as one interviewee put it. Such additional training by internal affairs departments may take place in units where corruption has been uncovered. However, such events are carefully handled to avoid 'teaching' other officers how to avoid anti-corruption controls (I-NL).

6.4.5. Penalties policies

In addition to filing criminal charges for corruption, other approaches are often considered. Dismissing an officer is the harshest penalty, as they lose not only a regular income, but also social benefits and a pension (I-EL, I-IT, I-MT). Petty corruption is punished with a range of disciplinary penalties, such as relocation and reduction in rank (I-BG, I-RO, I-HU, I-PL, I-EL, I-LT). Relocation is considered an effective way to 'extract someone from the corrupt environment' (I-BG, I-LT). Relocation is also used when there is insufficient evidence to file charges. Relocation faces the same financial limitations outlined above with job rotation.

6.4.6. Salary policies and rewards

A great majority of the interviewees argued that salaries are one of the most significant factors that determine levels of corruption in the border guard administration. As Chapter 4 showed, there is a significant discrepancy in salary levels across the EU. When asked to rate best practices and most successful anti-corruption measures, higher salaries (including sufficient social benefits) was the item most frequently mentioned by the survey participants. As Figure 17 shows, however, as an anti-corruption measure, higher salaries for high-risk positions are the exception rather than the rule within the EU.

Interviewees from countries with a low number of corruption cases reported that the salaries of border guard officers are relatively high compared to other public officials (I-DK, I-FI, I-SE). It was reported that in these countries even the salaries at the lowest level are high enough to provide a decent standard of living and support one's family. It should be noted that salary cuts due to state budget savings in countries affected by the global financial crisis could have a negative effect on border guards' morale and create an increased threat of corruption. This applies especially in MS where the threat of corruption is relatively high and salaries are relatively low (I-EL).

There are financial stimuli for high-risk positions and **additional rewards** for successful seizures of illegal goods in some MS (I-IT, I-LV, I-LT), but in many countries these have been removed or reduced due to lack of funds (I-SI, I-LT). Before the economic crisis, border guards in Lithuania received additional rewards for seizures of all types of illicit goods, but currently this applies only to cigarettes (I-LT). In Greece, officers working in high-risk areas do not receive higher salaries (I-EL). In Italy, border guards' salaries do not reflect the variations in living costs associated with their geographical location (I-IT).

Additional rewards in some MS are fixed, and are based on the impact of the seizure. For instance, in Lithuania in the case of cigarette smuggling (I-LT), they are one per cent of the reduction that would otherwise have occurred in the state

budget. The reward might be shared between the 10 or 15 officers involved in the operation. Or it might be €200 for one officer, or, if s/he uncovers two or three cases, s/he might receive a bonus of €300 – €400. In other MS the reward is across a range: from €50 to €2,000 depending on the situation (I-IT).

However, in countries with high unemployment and increasing public sector lay-offs, job security can become a stronger motivator than bribes.

FIGURE 17. HUMAN RESOURCE/MANAGEMENT RELATED
ANTI-CORRUPTION MEASURES

Which of the following human resource/management related anti-corruption measures have been implemented by your institution?
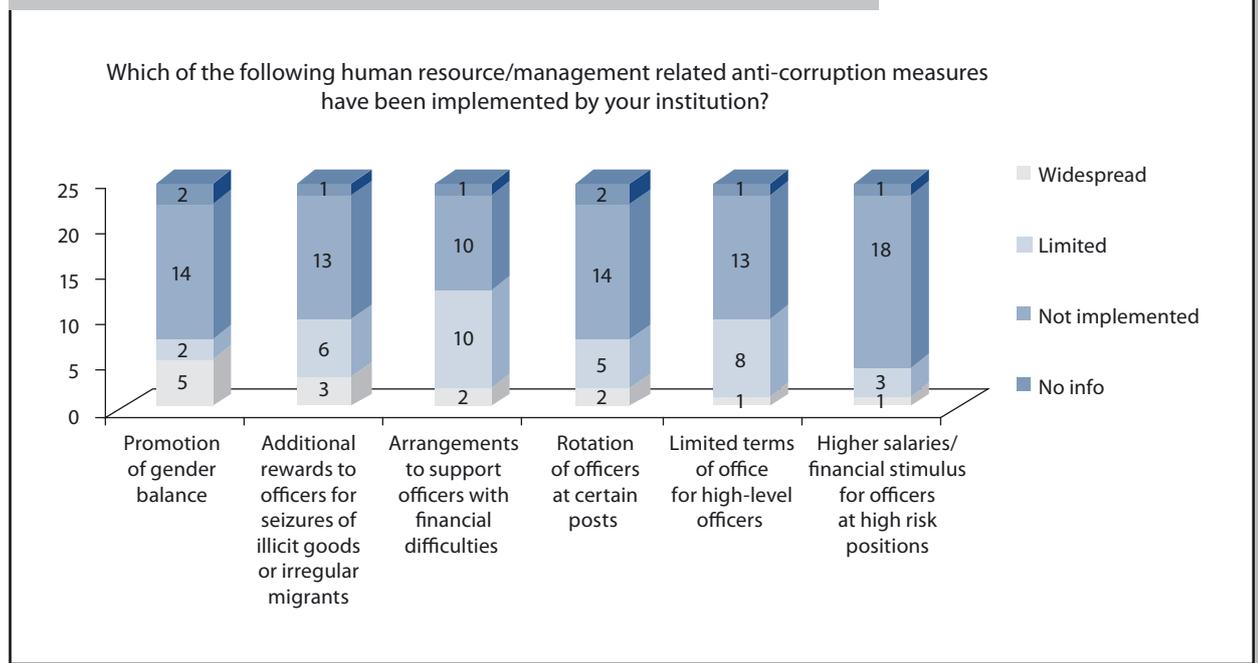
Source: Survey of border guards and internal affairs units

6.4.7. Counselling and financial support

Some MS offer anonymous/psychological counselling for officers with financial or family problems (I-DE, I-NL). Officers may even raise donations for colleagues who need financial support (S-BG). In the majority of MS no financial assistance is provided.

In most MS the disclosure by officers of their assets and debts is mandatory. However, it is questionable to what extent these declarations are thoroughly reviewed and acted upon in the case of irregularities. Often no consequences follow with problematic asset declarations, as the capacity to analyse them (especially if they are not electronic) is very limited (I-BG).

FIGURE 18. HUMAN RESOURCE/MANAGEMENT RELATED
           ANTI-CORRUPTION MEASURES

Source: Survey of border guards and internal affairs units

6.4.8.   Corruption complaints systems

Border guards rarely use anonymous reporting channels of communication to report on colleagues. (I-LT, I-NL and I-SI, I-BG) In Lithuania for instance, out of 224 reports only two or three came from border guards.

In some MS such reports are reviewed by an external oversight body (SI, CZ, RO, SI, LV).[67] Another approach is to appoint a special contact person/counsellor who either reviews corruption issues, or who may be approached confidentially by employees to discuss them (I-DE, I-NL). The privilege of confidentiality, however, does not cover the knowledge of an offence.

The main issue with anonymous hotlines that the public uses to report corruption is the quality of intelligence to allow an investigation to begin. Very few of the complaints (e.g. 12-13 % in SI) are credible, and few or none were related to border guards (I-SI, I-LT, I-BG, I-EL, I-NL, I-DE). Also, legal protection of anonymous informants (I-RO, I-FR) is problematic.

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[67]   'Slovenian regulation distinguishes between the reporting of corruption and the reporting of unethical or illegal activity. The former report can be submitted to the dedicated Commission for the Prevention of Corruption or other external competent bodies, while the latter shall be made to the superior or a duly appointed person within the organization, and in this case the Commission only plays a complementary role.' (Léderer, S. and Hüttl, T. (2010): Whistleblower Protection in Central and Eastern Europe – Final Study. Found at: http://www. whistleblowing-cee.org)

6.5. Investigations into border guard corruption

In MS along the EU's external eastern land-border (I-EE, I-LT, I-LV, S-RO, I-PL, I-HU, S-SK), investigations into corrupt border guards receive higher priority than elsewhere. This is either because of **political/EU pressure**, or **economic pressure** through losses to state revenue due to contraband. It may also be related to terrorism-related threat perceptions (NL, UK) or to a broader zero-tolerance approach to corruption (UK).

The responsibility for investigating corrupt border guards may rest with very different units and institutions. In most MS, such investigations are carried out by the criminal police or by internal affairs departments. The survey identified the following units/agencies in charge of corruption investigations.

TABLE 13. INSTITUTIONS WITH POWERS TO INVESTIGATE BORDER GUARD CORRUPTION

	Prosecutor's office/ criminal police	Border guard internal affairs department	Independent investigation agency/ anti-corruption or ethics commission	Police internal affairs/inspectorate
Bulgaria				√
Czech R.				√
Estonia		√		
Finland	√			
France	√		√	√
Germany	√		√	
Greece	√	√		
Hungary	√			√
Italy	√			√
Lithuania			√	
Latvia		√	√	
Luxembourg				√
Malta	√			√
Netherlands[68]			√	√
Poland	√	√	√	√

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[68] In the **Netherlands**, the National Police Internal Investigations Department or 'Rijksrecherche' (responsible for investigating public officials) is a division of the Dutch police, but it falls under the exclusive responsibility and authority of the Board of Procurators General of the Public Prosecutions Department. Investigations may also be assigned by the prosecution to the Internal Affairs Bureau (BIZ) or Internal Investigations Bureau (BIO) of the respective police departments.

TABLE 13.	INSTITUTIONS WITH POWERS TO INVESTIGATE BORDER GUARD CORRUPTION (CONTINUED)			

	Prosecutor's office/ criminal police	Border guard internal affairs department	Independent investigation agency/ anti-corruption or ethics commission	Police internal affairs/inspectorate
Romania[69]			√	
Slovakia				√
Slovenia	√		√[70]	
Spain	√			√
Sweden	√			√
Denmark	√			
UK		√		

Source: Survey and interviews with border guard/internal affairs units

In some MS there are special anti-corruption institutions (either within the judicial ministry or the ministry of interior) that can launch criminal investigations into corrupt public officials, including border guards (RO, CZ, NL). In MS where the border guard is a separate institution, there is often an internal affairs department within the border police (LV, LT).[71]

6.5.1. Investigations by the type of corruption source

The three general types of corrupt practice (see 2.1) – corruption related to organised crime, conventional corruption and administrative corruption – require different investigative approaches. As the level of complexity rises, so the appropriate set of investigative tools needed to collect evidence and prosecute corrupt officers will change. In addition, particular corruption schemes, whether they relate to illicit goods (e.g. drugs or cigarettes) or smuggling of migrants, also require different investigative strategies. Forms of corruption in which border officers not only support smuggling, but also actively protect and even organise the activity, require the joint work of a number of investigators, often across

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[69] In **Romania**, the Anti-Corruption General Directorate is the authorized authority in charge of corruption investigations. The head of the directorate is subordinate to the state prosecutor's office.

[70] In **Slovenia**, the Commission for the Prevention of Corruption can conduct administrative investigations into public sector corruption, lobbying and conflicts of interest. The Commission is not subordinate to any other state institution or ministry, and does not receive direct instructions from the executive or the legislature.

[71] The border police with no internal affairs units were unable to provide information on criminal investigations (S-CZ, I-EL). Similarly, interviewees in MS where corruption in border guards is extremely low and investigations are rare, were unable to provide any insight into the investigation process (I-FI, I-SE, I-DK, I-LU, I-MT).

different law-enforcement agencies. Investigations of criminal groups of officers are particularly problematic because they are well aware of the detection and investigation techniques and procedures that will be used against them, and they are therefore quickly able to adapt to them.

A major challenge to investigators is also presented by the more complicated and semi-legal forms of people-trafficking into the EU. For instance, migrants from former Soviet republics might enter Schengen MSs as students in small universities or colleges, by paying low tuition fees or producing fake documents at the border, which border officers accept as valid. Once admitted, the migrant can move freely in most of the EU MS. With this type of corrupt practice, it is difficult to prove that the border officers' action is intentional and that this malpractice occurs on a regular basis.

Investigations of petty corruption (e.g. small bribes meant to facilitate faster processing or related to shuttle trading with excisable goods) can be very resource-intensive and relatively ineffective, especially in situations where it is widespread and tolerated by management. Such investigations are often carried out at border crossing points where this type of corruption is most visible, or where hierarchical payment systems from bottom to top have been identified. The scope of such investigations has to be proportional to the perceived threat at local level. This makes comparison across regions and MS difficult. (I-HU, I-PL)

In corrupt schemes which involve payments being made by subordinates to superiors there is the additional problem that accused officers are not willing to give evidence that they are making payments to their seniors. If they do, they can be charged with involvement in a criminal group, and would be subject to substantially harsher penalties.

The overriding problem with the type of investigations described above is that they are random and fragmented, mirroring the nature of the corruption itself. Limited capacity means that investigations tend to be limited to the most obvious cases, or are restricted to preserve the public image of the border guard institutions. These restrictions mean that only some of the corrupt officers get convicted or fired, while the rest 'learn their lesson' (which, however, may not be to stop but merely to be more discreet) making further investigations even harder (I-BG, I-HU).

Therefore petty corruption, when exercised on a large scale, requires complex joint investigation efforts. An example is a 2011 joint investigation into border police officers by Bulgarian and Romanian authorities. It revealed a scheme where border guards who carry out joint inspections had arranged bribes to be paid in the other side of the border, instead of in the jurisdiction where the offence took place. Thus, if an irregular migrant was let through on the Romanian side, the bribe was paid on the Bulgarian side, and vice versa. The bribe proceeds were then shared between Bulgarian and Romanian border guards. The scheme was based on the assumption that the crime (receiving a bribe) could not be investigated by national investigators, as it was committed in a foreign country, i.e. on the other side of the border.

6.5.2.   Patterns of investigation initiation

The survey showed that most investigations into corruption in border guards are of a **reactive nature**. In some MS, 'digging' (preventive investigations without suspicion or a report) is not allowed (I-NL).

The interviews indicated that most corruption investigations are initiated in the course of other – including criminal – investigations, or investigations conducted by secret services or other law-enforcement agencies (see Figure 19). Many interviewees reported that information on corrupt border guards often emerges in the course of investigations into criminal structures. Two such cases were reported in France in 2010: in the first case, a French border guard provided the addresses of victims to organised criminals in collaboration with an Italian carabineer. In the second case, the police investigated drug trafficking using telephone wiretaps. Accidentally, the wiretaps discovered that a border guard was involved in organising cigarette smuggling, and a separate investigation was launched (I-FR). The initiation of investigations into coast guards in Greece (for trafficking of cigarettes and allowing passage of irregular migrants hidden in trucks) has followed the same pattern (I-EL). Similar cases were reported in Spain, Hungary and Bulgaria.

FIGURE 19. HOW ARE INVESTIGATIONS INTO CORRUPTION OF BORDER GUARDS INITIATED?
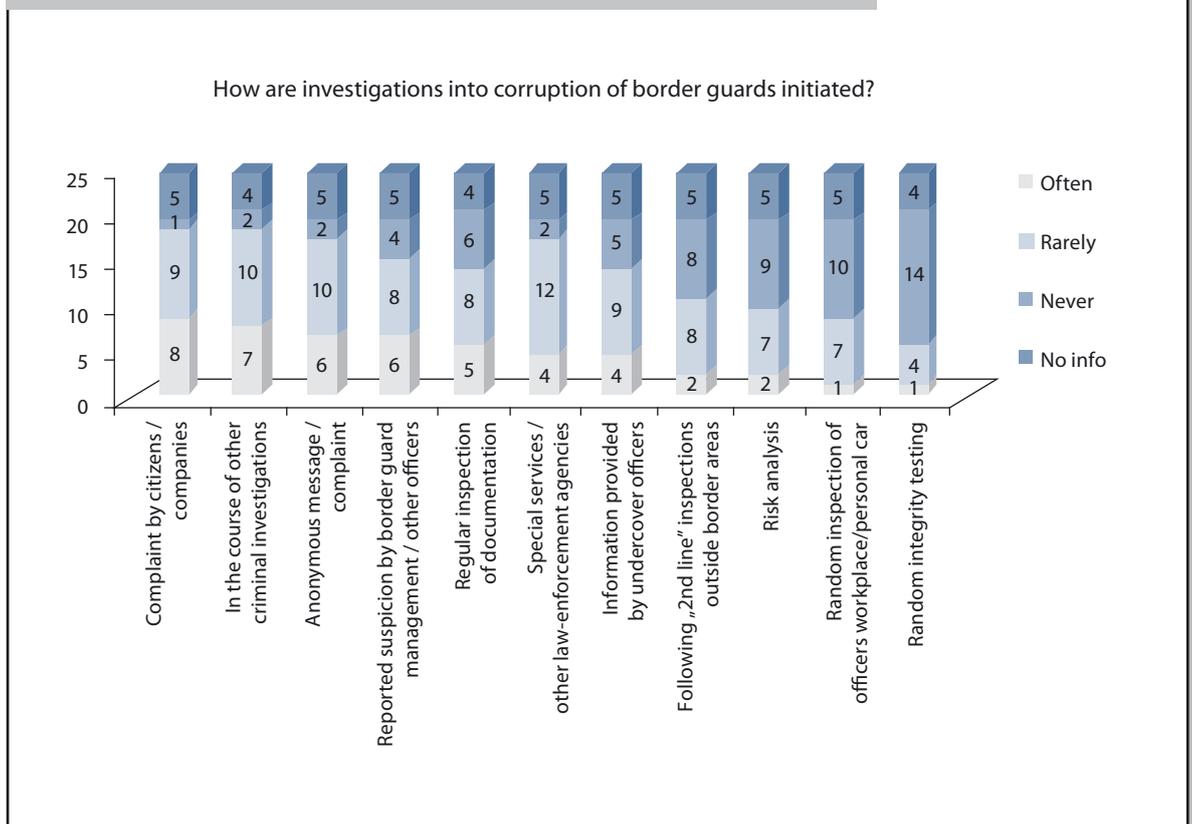
Source: Survey of border guards and internal affairs units

The number of interviewees who mentioned in the questionnaire that **anonymous messages**, and reports by citizens/companies, led to investigations being initiated was surprisingly high. However, during the interviews it became clear that such sources of intelligence information were often not reliable. One interviewee explained that in his country '*any information, report, analysis, complaint, message or suspicion that may even remotely refer to the possibility of corruption is enough to initiate a fully-fledged investigation*' (S-MT). However, in MS with higher levels of corruption, there were a great number of anonymous messages, making it necessary for internal affairs units to carefully screen them as many provided little detail or were fraudulent (I-LT, I-BG, I-HU, I-SK). To a lesser extent, suspicions reported by border guard management were cited as drivers of investigation (see Figure 19). Although anonymous messages are often difficult to follow through, in some MS they can give enough hints for targeted integrity tests (I-BG, I-HU).

Detection of corruption through **proactive investigations** involving random inspections, integrity tests and tips from undercover agents or informants are not widespread in the MS which responded to the survey. The UK Border Agency is one of the few border administrations that apply data mining as a tool for identifying certain risk behaviours or patterns (I-UK). Investigations in the Slovak border guard service also usually start on the basis of '*operative knowledge*' gained by members of the inspections department of the Ministry of Interior (I-SK). Furthermore, the Slovak investigators use information from undercover agents, supported by technical proactive tools (such as wiretapping) as the basis for their investigations. The undercover agents, however, rarely use provocative methods, such as directly offering bribes to officers or provoking them to get involved in corruption.

Several MS use risk analysis, audits and inspections as a form of a proactive gathering of information on vulnerable officers and areas of work (I-SK, I-UK, I-DE, I-BG; see Figure 19). Internal audits and performance reviews of their personnel may also be used to detect irregularities and start internal investigations.

6.5.3.   Investigative methods

The methods used in corruption investigation most often fall along the lines of a typical criminal investigation. In many MS, criminal involvement of border guards is usually investigated by regular criminal investigators, where the full range of methods may be used. The scale and seriousness of the crime also play a role in the justification of more intrusive methods. The methods mentioned in the by MS in the electronic survey also reflect the powers of the internal affairs units that participated in the study.

- Risk analysis as a method of generating investigation leads is a proactive approach. (I-UK) **Data mining** is one such method. The UK Border Agency has access both to its own data archives and those of other agencies. Cases already cleared are put together and searched for certain patterns. **Data washing** is an approach where two different data sets are brought together to detect abnormalities. One example included matching anti-money laundering data (suspicious activity reports) with employee records (including those of BGs) at a sea-port. (I-UK)
- **Using informants** is widespread (I-SK, I-EL, I-LT). One way of recruiting informants is by offering irregular migrants favourable treatment if they cooperate with the investigation. (I-SK) In a small country the placement of an

undercover agent involves many risks, as everybody knows everybody else. (I-BG) In some MS **undercover agents** are used only in serious criminal investigations (I-EL, I-RO, I-LT). The undercover agents may need to be placed at very high managerial positions in situations with high levels and very complex cases of corruption (I-RO).

- **Electronic surveillance**, **wiretapping** is the subject of legal limitations in several MS, and in some countries is used only in the course of high-profile criminal investigations (I-FR, I-SK).
- **Life-style checks** of police, including border guard officers, may be another risk-analysis approach (I-HU, I-PL, I-SK, I-LV). These checks are done in the course of an already ongoing investigation, but can also be requested by superior officers. Permission from the prosecution is not always required (I-HU).
- The **use of integrity testing** as an alternative approach to regular internal affairs investigations was outlined above (6.4.2). Integrity tests may also involve use of electronic surveillance. As such, few countries use such methods in their investigations or monitoring (Figure 20). Some MS have experimented with limited forms of integrity testing, usually at a low level, and most often targeting traffic-police corruption (I-SK, I-RO, I-HU). A displacement effect of such tests in some MS has been to divert bribe extortion towards **foreign** drivers, who are not likely to be undercover agents (I-HU).
- Only in a few MS are corruption investigations complemented by **financial investigations** and attention paid to money laundering associated with bribery and confiscation of assets acquired through corruption (I-NL, I-EE, I-PL, I-UK).

FIGURE 20. METHODS USED IN INVESTIGATIONS OF BORDER GUARDS SUSPECTED OF CORRUPTION
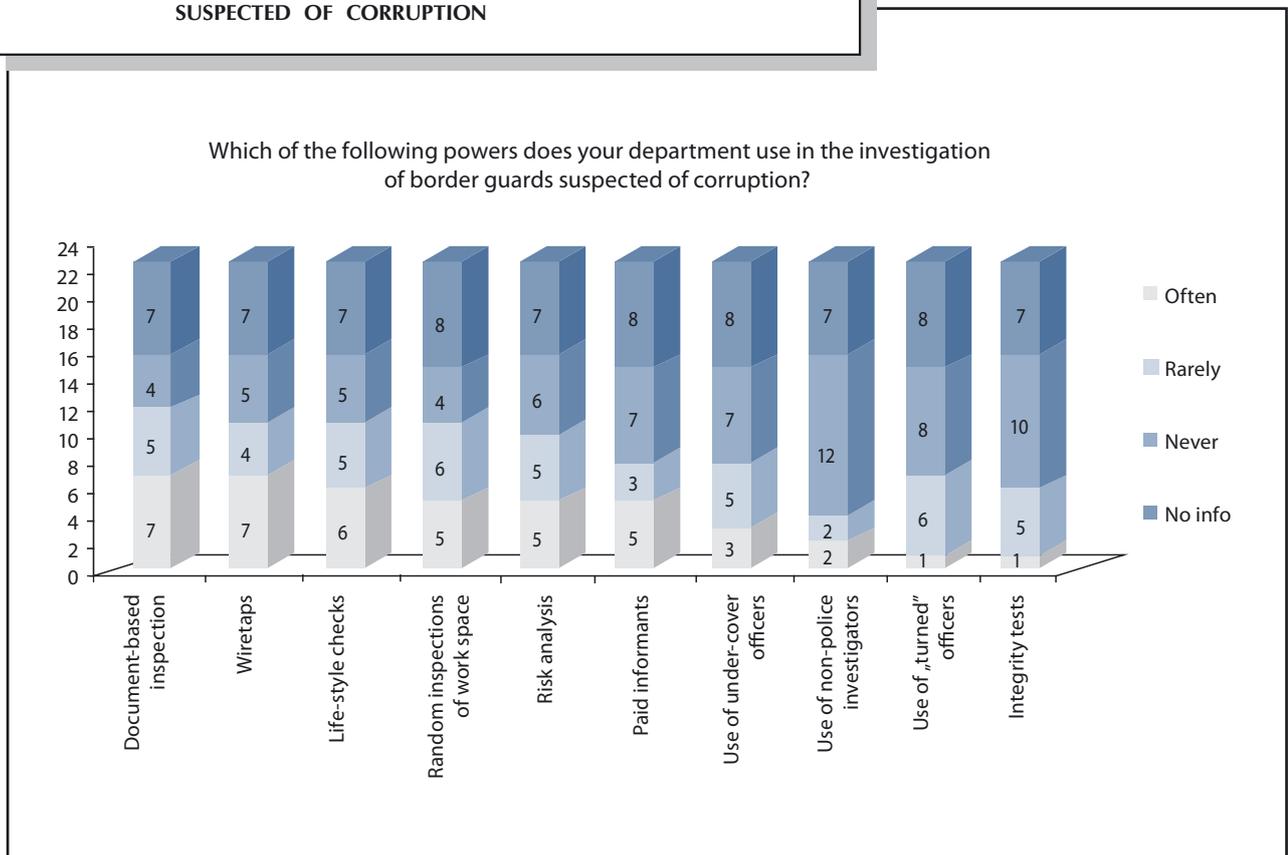
Source: Survey of border guards and internal affairs units

Chapter 6: Key points

Legal frameworks	In some MS there are strategic plans and anti-corruption programmes specifically targeting border guard corruption. There are also specific codes of ethics for border guards.
Preventive and control measures	Such measures should be commensurate with the level of the corruption problem. Some of the key measures may include: Vetting of applicants: In almost every MS job applications for border guards are carefully examined. The extent of the background checks, though, differs. In the US all BG candidates must pass a lie-detector exam. Education: General anti-corruption topics are part of the initial education of border guards, but few MS include practical guidance in their on-going training. Penalties: In addition to prosecution, common responses to corruption are demotions, dismissals or transfers to different units and locations. A few MS reported disciplinary briefings of the entire unit after detection of a corruption case, so that other officers are warned against corrupt behaviour. Integrity testing: The act of putting an officer in a situation that tests their morality – commonly used in the US or the UK, and now being tested in some other MS. Rotation of border guards to different locations, posts or position is used to reduce likelihood of establishing entrenched corrupt relations. Electronic surveillance that is in place for security reasons may also be used as a corruption-prevention tool.
Investigation powers	Many MSs have dedicated internal affairs departments investigating police corruption, or even dedicated departments exclusively investigating border guard corruption.
Investigations and investigative methods	In most MS, investigations into corrupt border guards are initiated in a reactive manner – usually in the course of other criminal investigations, or as a result of reports and complaints. Some MS use proactive approaches to generate leads for investigations based on risk analysis methods (data mining, or data washing) or the use of informants. The use of undercover agents, informants or electronic surveillance may be used in more complex cases. Integrity testing is one alternative to the traditional internal affairs investigations approach.

7. CONCLUSIONS

7.1. Corruption and corrupt practices

'Corruption' includes a broad range of practices: bribery, collusion, trading in influence, conflict of interest, fraud, lobbying. The factors that cause corruption are a matter of great academic debate. Fundamental factors such as 'culture' may explain why in some areas or countries there are more informal social relations that lead to a higher level of corruption. There are also some 'pre-existing conditions', such as history or geography that may create vulnerabilities to corruption. Scientists have also examined the impact of a number of economic factors (such as GDP per capita) or the size of the grey or the 'black' economy, as well as governance issues: the size of the public sector, the structure of the government, or the political decentralisation of the country.

Institutions of the public security sector often face greater corruption pressure because of the nature of their work. Corruption in law enforcement, principally so far studied only in regard to police forces, has a number of special characteristics. The term 'police corruption' may refer to a very broad range of practices (including *any* type of immoral or unethical behaviour) or to a very narrow understanding which excludes many forms of criminal behaviour. Corrupt police practices are often seen as a 'slippery slope' where more innocent corrupt behaviour (e.g. treating relatives or friends favourably) leads to more serious corrupt practices that include taking bribes either to take action against a criminal competitor or not to take action against the bribe-payer. Corrupt practices go even further into selling information or services to criminals, or engaging directly in criminal activities (e.g. theft, drugs distribution).

Some of the specific factors that facilitate police corruption depend on the nature of police work: the fact that it is often done in secrecy or in close teams. The so called 'blue code of silence', or the strong sense of group loyalty among police officers, often prevents officers from reporting corrupt colleagues. In some MS, historic factors may also play a role in facilitating police corruption: for instance, an officer's involvement in, or sympathising with, independence movements; or the significant presence of former police officers in criminal groups. The direct contact with criminals or informants, usually far from the public eye, also facilitates corruption. Further, judicial or political corruption may be a factor in corrupting border guards, who may come under pressure to treat someone favourably or discontinue an investigation. In Europe, there are wide variety of institutional bodies performing the border guard function: while in most countries this job is mainly done by the police, this is not the case everywhere and to what extent border police are separate from the "normal" police force also varies considerably, further complicating the types of possible corruption and measures to combat them.

The corrupt practices that border guards in particular can become involved in (because of the specific tasks they perform) can be divided into three main categories: (1) involvement in organised criminal activities; (2) petty corruption; and (3) administrative/bureaucratic corruption. These practices vary within the EU and their manifestations depend upon a number of factors: differences in corruption pressures (from organised crime) and corruption opportunities along different types of borders (e.g. land vs. air borders); types of units (e.g. administrative vs. border guard patrols); income disparities; or institutional factors, such as the institutional subculture. Other important determinants of corruption among border guards are the institutional set-up, the powers and the institutional methods used to counter corruption.

Organised crime related corruption is probably the most serious, as it could range from selling services or information to organised criminals (e.g. about border guard patrols, or investigations) to being directly involved in criminal activities (smuggling illicit goods or migrants, or protecting criminal groups). The factors that facilitate or influence the level of organised crime related corruption include not only the level of corruption pressure from flows of illicit goods or irregular migrants, but to the more general issues outlined above: the secrecy of work in remote border locations; the local culture (i.e. informal social relations in small border towns or areas); general economic factors (e.g. salary levels of BGs).

Several border areas, identified in the course of the study, are characterised by increased corruption pressure from organised crime or illegal migration. One of the highest corruption risks was related to cigarette smuggling. It was also reported that the eastern and southern external EU land borders, the Blue border/coastal regions in southwest Europe, and the major sea-ports and major airports had a higher corruption risk from drug-trafficking and international migration.

Petty corruption practices (such as treating favourably petty criminals and irregular migrants for small bribes) are usually related to the general economic situation in the country, the institutional culture and the criminal opportunities created by large flows of migrants or criminal goods (e.g. cigarettes). Often such petty corruption is a form of passive bribery where the border guards extort money from passengers or migrants.

The analysis showed that the salary levels of BGs working along the EU's external eastern land border are significantly lower in comparison to the salaries of BGs in most other MS: a factor that significantly heightens the risks of petty corruption. In addition, in the past two years the pressure from petty as well as organised smugglers of illicit tobacco products has grown significantly.

Bureaucratic/administrative corruption seems to be rarely detected within border guard institutions, usually because the public sector contracts and procurement are not carried out by border guard units, but by the police or Ministry of Interior. At land-border crossings, however, border guards' managers have the authority to influence public tenders concerning the infrastructure of the border crossing, and in some MSs these powers have been abused for personal enrichment.

7.2.   Countering corruption

Countering corruption in the public security sector requires a concerted effort that involves numerous institutions and legislation. The successful measures to counter corruption are based on a broad anti-corruption 'infrastructure' that includes: accountability measures for public servants, public procurement laws and procedures, penal policies, anti-money-laundering legislation; and investigation of other institutions that may be exerting a corrupting influence over police officers (e.g. politicians or judiciary). Some MSs have strategic documents, which apply to the police and/or the public sector in general. MSs in the Eastern part of the EU have national action plans to combat corruption or broad anti-corruption strategies that apply to all public sector institutions, which include specific measures applicable to border services. Ethical codes and policies sometimes cover border guards' ethical issues as well.

There are specific operational, human resources related, or technical measures that police and border guard institutions use to counter organised crime. Common operational measures include staff rotation, electronic surveillance, streamlining and narrowly defining work processes, or team work. Common forms of measures concerning human resources management include background checks on new recruits, monitoring of personal assets and financial situation, a wide range of sanctions (penalties) or rewards schemes. In some MS, integrity testing has been introduced.

The approaches to the investigation of corrupt border guards differ across the EU. While some border guards or police forces have dedicated internal affairs units, others rely on criminal police investigations. The advantage of using dedicated internal affairs units is that they often use proactive methods to uncover corrupt cases, such as risk analyses (e.g. data mining), integrity testing, anonymous reporting schemes, and so on. As a result, MSs that have such dedicated units generally report higher number of corruption-related investigations or actual corruption cases.

Depending on the corruption factors, described above, and the approach MSs have adopted in combating and investigating corruption, three groups of countries can be identified. The first group consists of MSs with a high volume of prosecutions/investigations. They have lengthy land borders and land border crossing points (BCPs) with significant pressure from organised crime, especially cigarette smugglers. The high rate of prosecutions within the last few years in some of these countries shows the efforts they make to tackle systemic issues, and was partially motivated by the expansion of the Schengen area. In the second group are countries with a moderate volume of prosecutions/investigations. They have intensive flows of goods and passengers, generating high risk, but at the same time they have developed relatively extensive corruption investigation strategies (UK, ES, and NL). The third group of countries with a low volume of prosecutions/investigations comprises MS that have the lowest corruption level in general, according to international surveys (FI, SE, DK, and LU). To this group also belong MS where corruption pressures are insignificant, as the countries are away from irregular migrant flows, have very small domestic illicit markets or have no external EU border.

The organisational position of the **investigative bodies** responsible for corruption in border guards differs among the MS, but these bodies are most commonly located in the criminal police or **dedicated internal affairs** departments within the police or the border security forces. In some MS in Eastern Europe, independent anti-corruption bodies have been established solely for this purpose. The scope and methods of investigation into corruption among border guards are largely determined by the risk perception in the particular MS, the priority that the problem receives, but also by the intensity of corruption pressure from organised crime and illegal migration flows at the particular border. The importance of investigations can also be determined by political or economic pressure to reduce illegal contraband or to demonstrate effectiveness in the overall fight against corruption in the public sector, especially in Eastern Europe.

At the same time, but only in a few countries, **proactive anti-corruption** tools are in place. Investigations into corrupt border guards are initiated in most cases in the course of other criminal investigations (usually of organised crime groups), or as a result of anonymous or internal reports. It should be noted, however, that the relative lack of internal reporting stems from the widespread reluctance to report corrupt colleagues – one of the defining characteristics of police culture, and known as the 'code of silence' – among most border guards in the EU. Very few countries use undercover agents, informants or other advanced forms of intelligence as part of corruption-related criminal investigations. Corruption risk analysis is undertaken in some countries with the purpose of identifying areas and officers at risk, and using the analysis to implement preventative measures or launch preliminary investigations.

7.3.   Recommendations: towards common approaches against border corruption

All the MSs of the EU acknowledge the need to monitor, prevent and detect corruption – regardless of the level of threat posed by corruption at their borders, and regardless of their level of investment in counter-corruption measures specifically or indirectly aimed at border guards. Even MS with virtually no public sector corruption or with only a very limited border-based corruption threat should nevertheless support EU-level investment in tackling corruption where it manifests itself. On this basis the European Commission, Frontex, and MSs could take a number of actions.

Recommendations to Frontex

- Include the countering of corruption as part of the common integrated border management for all MSs.
- Border corruption is a politically sensitive matter to MSs. Nevertheless, the threat posed by corruption is now generally recognised. It should be monitored as part of Frontex Risk Analyses
- Periodic assessments of the risk and threat of corruption in EU border guard institutions should be undertaken.

Recommendations to the EC

- Make the issue of border-related corruption (and this refers not only to border guards but also to customs or other border services) an integral of the EU's Internal Security Strategy.
- Use instruments such as the External Borders Fund to promote exchange of best practices and common approaches to tackling corruption among EU-27 border guards.
- Work towards agreement on a set of minimum anti-corruption standards and measures, and monitor the impact of such measures. The minimum aim might be to adopt a set of common principles to support the work towards this goal.
- Cooperate with customs authorities in developing mechanisms for joint investigations of corruption that involves both border guards and customs officers.

To MSs

- Work with third countries, especially along the eastern and southern land borders of the EU, and encourage or support initiatives aimed at reducing corruption in their border guards or customs services.
- Consider the adoption of a minimum set of corruption prevention measures and risk-analysis tools.

ANNEX 1: METHODS AND SURVEY RESULTS

During the first phase of the project, along with a literature review, six scoping interviews were conducted with national representatives at Frontex, along with representatives of General Directorate 'Internal Security' at the Bulgarian Ministry of Interior. In addition, a former high-level officer from the Bulgarian General Directorate Border Police worked along with the team on the development of a survey questionnaire. During the scoping phase, the survey questionnaire was improved and took into account the comments of Frontex staff.

Following this phase, the survey was sent to all MSs, to relevant institutions agreed with Frontex. It was decided that only a limited number of Coast Guards would be involved in the study, and the main focus was to be on border guards.

Electronic survey

Some MSs decided to approach filling out the survey differently. In most countries, a number of departments were consulted and participated in completing the questionnaire. In some countries, such as Sweden, respondents went to significant lengths to examine the issue of corruption, as such information was not regularly collected, by calling police departments around the country or checking media databases. In some MSs, the questionnaires were handed down to local departments (in Italy the respondents were based at the port of Ancona; in Hungary a number of border area prosecutors and departments were tasked with completing the questionnaire). While such 'local approaches' provided an interesting view of how things worked in practice in specific areas, they could provide little knowledge about the general situation around the country.

The survey questionnaire had three sections: 1) on corruption practices, 2) on anti-corruption measures, 3) on corruption investigation. Three different versions of the survey questionnaire were sent to MSs, depending on the particular institutional set-up:
- A 'border guard survey questionnaire', which went to heads of border guards; this included two modules: one on corruption practices and one on anti-corruption measures.
- An 'internal affairs questionnaire', which went to internal affairs departments that were not part of the border guards (and which investigated police corruption more broadly). This questionnaire included two modules: one on corruption practices and another on corruption investigation. The survey results indicated that such external corruption investigation units had little familiarity with particular border guard anti-corruption measures.

- A joint questionnaire, which went to internal investigation units that were part of the border guard service (e.g. NL, ES, UK, LT). It included all three modules: on corruption practices, on anti-corruption measures, and on corruption investigation.

The questionnaire included a mix of open or 'multiple choice' questions. The full list of institutions that responded is provided in Table 13, along with the response rates.

Interviews

The interviews conducted were with the respondents who were generally responsible for completing the survey. They lasted about one hour, and where possible were conducted in the language of the respondents: English, French, German, Spanish, Hungarian, Slovak, Czech, and Bulgarian were used during the interviews. The objectives of the interview were:
- to gather additional explanations, as often some questions were not answered (usually due to lack of data) or the answers were short;
- to gather examples of cases of corruption; this was considered a good approach for understanding some issues that might have been omitted by the respondents in the questionnaire;
- To discuss more sensitive issues or obtain personal opinions that might not necessarily be put in writing.

TABLE 14.   LIST OF RESPONDING MS AND INSTITUTIONS

Country	Institution	Department	Survey	Interview
Bulgaria	Ministry of Interior	Border Police Directorate General	√	√
Bulgaria	Ministry of Interior	Internal Security Directorate	√	√
Cyprus	Cyprus Police		√	
Czech Republic	Directorate of Alien Police Service (Ministry of Interior)	Division of External Borders	√	√
Denmark	Danish National Police	National Alien's Department	√	√
Denmark	Danish National Police	National Alien's Department	√	
Estonia	Police and Border Guard Board	Internal Control Bureau	√	√
Estonia	Border Guard Cooperation Bureau	EU Cooperation Division	√	√
Finland	Finnish Border Guard	Department of External Border Control	√	√
Finland	Finnish Border Guard	Justice Department	√	

TABLE 14. LIST OF RESPONDING MS AND INSTITUTIONS (CONTINUED)

Country	Institution	Department	Survey	Interview
France	National Police	General Inspectorate of the National Police (IGPN)	√	√
France	National Police	Border Police Service (DCPAF)	√	√
Germany	Federal Police Headquarters	Internal Affairs and Internal Audit Section	√	√
Greece	Hellenic Coast Guard	Internal Affairs Office	√	√
Greece	Hellenic Coast Guard	Personnel Directorate	√	√
Greece	Hellenic Police Headquarters	Aliens Division	√	√
Hungary	Hungarian National Police		√	
Hungary	Prosecution service of Hungary	Szabolcs-Szatmár-Bereg County Prosecution Service	√	√
Hungary	Prosecution service of Hungary	Jász-Nagykun-Szolnok County Prosecution Service	√	√
Italy	State Police	Ancona Air and Sea Border Police Office	√	√
Latvia	State Border Guard of Latvia	Analytical Unit of the Operational Management Board of the Central Board	√	√
Latvia	State Border Guard of Latvia	Analytical Unit	√	
Latvia	Central Board of the State Border Guard	Operative Activity Unit of the Criminal Investigation Board	√	
Lithuania	State Border Guard	Immunity Division	√	√
Lithuania	Ministry of Interior of Lithuania	Public Safety Policy Department	√	
Luxembourg	Direction Générale de la Police Grand-Ducale	Airport Police, Document Expertise Unit	√	√
Malta	Malta Police Force	Border Guard	√	√
Netherlands	Royal Marechaussee	Department of Safety and Integrity	√	√
Poland	Border Guard	Border Guard	√	√
Poland	Border Guard	Internal Affairs Unit	√	√
Romania	Border Police	Frontex NCP		√
Romania	Ministry of Administration and Interior	Anticorruption General Directorate	√	√

TABLE 14.   LIST OF RESPONDING MS AND INSTITUTIONS (CONTINUED)

Country	Institution	Department	Survey	Interview
Slovakia	Bureau of Border and Alien Police	Border Guard Division of Slovakia Police	√	√
Slovakia	Bureau of Border and Alien Police	Inspection of Ministry of Interior	√	√
Slovenia	General Police Directorate	Border Police Section	√	√
Slovenia	General Police Directorate (Service of the Director General of the Police)	Internal Affairs and Integrity Division	√	√
Spain	National Police	Central Borders Unit	√	√
Spain	National Police			
Spain	Guardia Civil	Jefatura Fiscal y de Fronteras	√	√
Spain	Guardia Civil	Servicio de Asuntos Internos	√	√
Sweden	National Bureau of Investigation	Central Border Management Division	√	√
Sweden	Swedish National Police Board	Internal Investigations Unit	√	
UK	UK Border Agency	Anti-Corruption and Counter Fraud – Security and Anti-Corruption Unit	√	√

Total survey questionnaires sent: 54
Total responses: 41
Total number of conducted interviews: 34

The general outline of the three modules of questions included in the survey questionnaire is provided below. Following this, we provide more detailed answers to the survey questionnaire, where the specific questions are provided.

Survey questionnaire

Module 1: Corruption practices
1. How many border guards have been (1) prosecuted or (2) otherwise sanctioned during 2010 for either corruption (according to the above definition) or involvement in criminal activities? Please provide any relevant statistics regarding such cases.
2. In your opinion/analysis, border police officers in which areas or units are at risk of being corrupted/bribed?
3. Are there particular border crossing points or external border areas (either sea or land) where corruption is considered to be more likely (either because

there is a larger flow of illicit goods or irregular migrants in this area)? Could you please list these areas:

4. During the past 3 years how often has your institution identified/suspected the involvement of border guards in any of the following practices?
5. In your country, which of the categories of people are likely to directly attempt to corrupt (e.g. bribe) a border guard?
6. Are direct donations/gifts/gratuities (e.g. cash, equipment, office supplies, petrol, etc.) by private individuals or firms allowed in your country?

Module 2: Anti-ccorruption measures
1. Does your institution have a special anti-corruption strategy/action plan/or any other strategic level document? If it is public could you please attach an electronic copy along with the questionnaire or internet-link (even if it is not in English).
2. Which units and institutions may investigate corruption of border guards in your country?
3. How are investigations into corruption of border guards initiated?
4. Are any of the following analyses/monitoring carried out?
5. Which of the following operational preventive measures are used in your institution?
6. 'Whistle blowing programme': If such a programme exists in your institution or if the institution is part of a wider governmental whistle blowing programme, could you describe shortly how this programme functions, and what has been the effect of the programme?
7. Which of the following human resource/management related anti-corruption measures have been implemented by your institution?
8. In some MSs, low salaries for front-line officers relative to comparably important public service posts are considered a factor that increases their vulnerability to corruption. We would like to examine this factor. Could you indicate what is the monthly salary of officers in your institution?
9. Information technology related anti-corruption measures: which of the listed measures is implemented by your institution.
10. Anti-corruption education: please describe if border-guards (either new or current staff) undergo any specific education either on codes of conduct, or practical aspects of corruption (such case studies/role playing) on how to deal with cases of corruption.
11. Public tenders: In addition to rules and regulations that are part of the national legislation related to public contracts/tenders, are there any additional/special regulations that aim to prevent corruption, which have been developed by your institution?
12. Is there any external oversight over procurement? (e.g. review boards with the participation of non-governmental organisations or other ministries)
13. Donations (gratuity)
14. Which of the above anti-corruption measures do you consider to have had the most significant impact in reducing/preventing corruption in your institution?

Module 3: Corruption investigation
1. Which of the following powers does your department use in the investigation of border guards suspected of corruption?
2. Are the corruption investigations of corrupt border guards complemented by investigation into laundering of profits from corrupt activities and confiscation of such assets?

3. Are investigations of border guards/police officers working at Border Crossings/ border areas considered a priority for political or other reasons (e.g. national security)?
4. How many investigations of border guards have been carried out over the past year (2010)? What is the total number of border guards investigated? What is the total number border guards in your country?

ANNEX 2: SURVEY RESULTS

The tables below **summarise** the responses to the electronic survey. To simplify the presentation of the results, the tables below show the data in the following way:

- Each country is presented with only **one response**. Even though in some MS two or more responses were provided by different institutions or departments, only one of the responses is taken into account. For instance, if the Internal Affairs department commented that they were aware of certain corrupt practice, while the Border Guards were not aware, the response included is that of the Internal Affairs department. During the interviews we tried to reconcile differences in the responses between institutions and departments.
- Some questionnaires also reflect data from the interviews. Therefore, if in the course of an interview a respondent corrected or clarified the logic behind their answer (e.g. if they had misunderstood a question), this was corrected.
- The responses provided are colour coded. Typically, respondents were asked to provide answers in the form of a scale. In the report, the figures provided take into account only some of the answers (e.g. we have combined in the figures in the main report answers that states that something is 'very likely' or 'somewhat likely' to occur.
- The tables are presented in the order in which they appeared in the questionnaire, as outlined in the preceding section.

TABLE 15. IN YOUR OPINION/ANALYSIS, BORDER POLICE OFFICERS IN WHICH AREAS OR UNITS ARE AT RISK OF BEINGCORRUPTED/BRIBED?

	Air BCPs	Land BCPs	Land BCPs for local border traffic	Land border crossings with joint-border	Sea BCPs	Small BCPs with low number of passenger/commercial traffic	Big/busy BCPs	Green border surveillance units	Blue border surveillance units
BG	High risk	High risk	No info	High risk	High risk	High risk	High risk	Low risk	Low risk
CZ	No risk	No info	No info	No info	No info	No info	No info	No info	No info
CY	No info	No info	No info	No info	No risk	No risk	No info	No info	No risk
DK	No risk	No risk	No risk	No risk	No risk	No risk	No risk	No risk	No risk
EE	No risk	No risk	No risk	No risk	No risk	No risk	No risk	No risk	No risk
FI	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
FR	Low risk	No info	No info	No info	Low risk	No info	No info	No info	No info
DE	High risk	No info	No info	No info	Low risk	No info	No info	Low risk	Low risk
EL	Low risk	High risk	Low risk	Low risk	High risk	Low risk	High risk	No info	No info
IT	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	No risk	Low risk
HU	No info	High risk	High risk	Low risk	No info	High risk	Low risk	High risk	Low risk
LV	Low risk	High risk	Low risk	No info	Low risk	Low risk	High risk	Low risk	No risk
LT	Low risk	High risk	High risk	Low risk	Low risk	High risk	High risk	High risk	Low risk
LU	Low risk	No info	No info	No info	No info	Low risk	No info	No info	No info
MT	Low risk	No info	No info	No info	Low risk	Low risk	Low risk	No info	Low risk
NL	High risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
PL	Low risk	High risk	High risk	High risk	Low risk	High risk	High risk	High risk	Low risk
RO	Low risk	High risk	High risk	Low risk	High risk	High risk	High risk	Low risk	Low risk
SK	No info	Low risk	Low risk	No risk	No info	No risk	Low risk	Low risk	No info
SI	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
ES	High risk	Low risk	Low risk	No risk	High risk	High risk	High risk	No info	No info
SE	No info	No info	No info	No info	No info	No info	No info	No info	No info
UK	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk

TABLE 16. IN YOUR OPINION/ANALYSIS, BORDER POLICE OFFICERS IN WHICH AREAS OR UNITS ARE AT RISK OF BEING CORRUPTED/BRIBED?

	Human resources	Information technology (IT)	Procurement/ logistics	Criminal investigation	Officers prior to retirement	Officers that may be soon laid off	Young officers
BG	Low risk	Low risk	High risk	High risk	Low risk	High risk	High risk
CZ	No info	No info	No info	No info	No info	No info	No info
CY	No risk	No risk	No risk	No risk	No info	No info	No info
DK	No risk	No risk	No risk	No risk	No risk	No risk	No risk
EE	No risk	No risk	Low risk	No risk	No risk	No risk	No risk
FI	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
FR	No info	Low risk	No info	No info	No info	No info	No info
DE	Low risk	Low risk	No risk	High risk	No info	No info	No info
EL	Low risk	Low risk	No risk	High risk	Low risk	High risk	Low risk
HU	High risk	No risk	No risk	No risk	Low risk	High risk	Low risk
IT	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
LV	Low risk	No info	Low risk	Low risk	No risk	No risk	Low risk
LT	Low risk	Low risk	High risk	Low risk	Low risk	Low risk	High risk
LU	No info	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
MT	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
NL	Low risk	Low risk	Low risk	Low risk	Low risk	No info	Low risk
PL	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	High risk
RO	No info	No info	Low risk	Low risk	No info	No info	Low risk
SK	Low risk	No risk	High risk	Low risk	No risk	High risk	High risk
SI	No info	No info	No info	No info	Low risk	Low risk	Low risk
ES	Low risk	Low risk	No info	Low risk	No risk	Low risk	Low risk
SE	No info	No info	No info	No info	No info	No info	No info
UK	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk

Table 17. In your opinion/analysis, border police officers in which areas or units are at risk of being corrupted/bribed?

	Officers with 1st line duties at air border BCPs	Officers with 2nd line duties at air border BCPs	Officers with 1st line duties at land-border BCPs (Passengers)	Officers with 1st line duties at land-border BCPs (Buses)	Officers with 1st line duties at land-border (commercial vehicles)	Officers with 2nd line duties land-border BCPs	Officers with 1st line duties at sea-border BCPs	Officers with 2nd line duties at sea-border BCPs
BG	High risk	High risk	High risk	High risk	High risk	High risk	High risk	High risk
CZ	No info	No info	No info	No info	No info	No info	No info	No info
CY	Low risk	No risk	No info	No info	No info	No info	No info	No risk
DK	No risk	No risk	No risk	No risk	No risk	No risk	No risk	No risk
EE	No risk	No risk	No risk	No risk	No risk	No info	No risk	No risk
FI	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
FR	Low risk	No info	No info	No info	No info	No info	Low risk	No info
DE	High risk	Low risk	No info	No info	No info	No info	Low risk	Low risk
EL	High risk	Low risk	Low risk	No risk	High risk	Low risk	High risk	Low risk
HU	No info	No info	High risk	High risk	High risk	Low risk	No info	No info
IT	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
LV	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
LT	Low risk	No risk	High risk	Low risk	High risk	Low risk	Low risk	No risk
LU	Low risk	Low risk	No info	No info	No info	No info	No info	No info
MT	Low risk	Low risk	No info	No info	No info	No info	Low risk	Low risk
NL	High risk	High risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
PL	Low risk	Low risk	High risk	High risk	High risk	High risk	Low risk	Low risk
RO	Low risk	High risk	High risk	High risk	High risk	High risk	High risk	High risk
SK	No info	No info	High risk	Low risk	High risk	High risk	No info	No info
SI	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk
ES	High risk	High risk	Low risk	Low risk	Low risk	Low risk	High risk	High risk
SE	No info	No info	No info	No info	No info	No info	No info	No info
UK	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk	Low risk

	Illegally providing information to criminal groups	Illegally providing information to migrants	Illegally providing information to companies	Illegally providing information to politicians	Unlawful use of databases
TABLE 18. DURING THE PAST 3 YEARS HOW OFTEN HAS YOUR INSTITUTION IDENTIFIED/SUSPECTED THE INVOLVEMENT OF BORDER GUARDS IN ANY OF THE FOLLOWING PRACTICES?					
BG	Occasionally	Occasionally	Often	Occasionally	Occasionally
CZ	No info	No info	No info	No info	No info
CY	No info	No info	No info	No info	No info
DK	No info	No info	No info	No info	ND, KE*
EE	No info	No info	No info	No info	No info
FI	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
FR	Occasionally	No info	No info	No info	No info
DE	No info	No info	No info	No info	No info
EL	Occasionally	Occasionally	Not detected	Not detected	Not detected
HU	Occasionally	ND, KE	No info	No info	No info
IT	Not detected	Not detected	Not detected	Not detected	Not detected
LV	Occasionally	Occasionally	Occasionally	Not detected	Occasionally
LT	Occasionally	ND, KE	ND, KE	ND, KE	ND, KE
LU	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
MT	Not detected	Not detected	Not detected	Not detected	Not detected
NL	Occasionally	Occasionally	ND, KE	No info	No info
PL	Occasionally	No info	No info	No info	Occasionally
RO	Often	ND, KE	Not detected	Not detected	Not detected
SK	Occasionally	ND, KE	ND, KE	ND, KE	Occasionally
SI	No info	Occasionally	No info	No info	No info
ES	Often	ND, KE	Occasionally	ND, KE	Often
SE	Not detected	Not detected	Not detected	Not detected	Not detected
UK	Not detected	Occasionally	Not detected	Not detected	Occasionally

* ND, KE stands for 'not detected but known to exist'

TABLE 19. **DURING THE PAST 3 YEARS HOW OFTEN HAS YOUR INSTITUTION IDENTIFIED/SUSPECTED THE INVOLVEMENT OF BORDER GUARDS IN ANY OF THE FOLLOWING PRACTICES?**

	Smuggling of irregular migrants	Facilitating illegal work/stay of immigrants	Trafficking in persons	Trafficking in drugs	Trafficking in cigarettes	Smuggling of stolen vehicles	Smuggling of other consumer goods (oil, alcohol)	Other contraband (firearms)	Other criminal activity. Please explain:	Appointing individuals who are connected to OC
BG	ND, KE*	ND, KE	Occasionally	ND, KE	Occasionally	Often	Often	ND, KE	ND, KE	ND, KE
CZ	no info	no info	no info	no info	no info	no info	no info	no info	no info	no info
CY	no info	no info	no info	no info	no info	no info	no info	no info	no info	no info
DK	no info	no info	no info	no info	no info	no info	no info	no info	no info	no info
EE	no info	no info	no info	no info	no info	no info	no info	no info	no info	no info
FI	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
FR	no info	Occasionally	no info	no info	Occasionally	Occasionally	no info	no info	no info	no info
DE	no info	no info	no info	no info	no info	no info	not detected	no info	no info	no info
EL	Often	ND, KE	ND, KE	Occasionally	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
HU	ND, KE	Occasionally	not detected	not detected	Often	Occasionally	ND, KE	no info	no info	no info
IT	not detected	not detected	not detected	not detected	not detected	not detected	not detected	not detected	not detected	not detected
LV	ND, KE	not detected	not detected	not detected	Often	not detected	Occasionally	not detected	not detected	not detected
LT	Occasionally	no info	Occasionally	ND, KE	Often	Occasionally	Often	no info	no info	ND, KE
LU	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
MT	not detected	not detected	not detected	not detected	not detected	not detected	not detected	not detected	not detected	not detected
NL	ND, KE	Occasionally	ND, KE	Occasionally	ND, KE	ND, KE	ND, KE	Occasionally	Occasionally	Occasionally
PL	Occasionally	Occasionally	no info	Occasionally	Occasionally	Occasionally	Occasionally	Occasionally	no info	no info
RO	ND, KE	ND, KE	ND, KE	no info	Often	not detected	Occasionally	ND, KE	not detected	not detected
SK	ND, KE	ND, KE	ND, KE	ND, KE	Occasionally	ND, KE	Occasionally	ND, KE	ND, KE	Occasionally
SI	no info	no info	ND, KE	ND, KE	Occasionally	Occasionally	Occasionally	no info	no info	no info
ES	ND, KE	ND, KE	ND, KE	Often	Often	ND, KE	Occasionally	Occasionally	no info	Often
SE	not detected	not detected	not detected	not detected	not detected	not detected	not detected	not detected	not detected	not detected
UK	not detected	Occasionally	not detected	not detected	Occasionally	not detected	not detected	not detected	no info	not detected

*ND, KE stands for 'not detected but known to exist'

TABLE 20. DURING THE PAST 3 YEARS HOW OFTEN HAS YOUR INSTITUTION IDENTIFIED/SUSPECTED THE INVOLVEMENT OF BORDER GUARDS IN ANY OF THE FOLLOWING PRACTICES?						
	Petty corruption related to facilitation of smuggling	**Extortion of legitimate passengers**	**Petty corruption for speeding up border passage of vehicles**	**Abuse of detainees/illegal migrants/criminals (e.g. theft)**	**Accepting sexual services in exchange for lenient treatment**	**Allowing the entry/exit of individuals who have a travel ban**
BG	Often	Often	Often	ND, KE*	ND, KE	Occasionally
CZ	no info	no info	no info	no info	no info	no info
CY	no info	no info	no info	no info	no info	no info
DK	no info	no info	no info	no info	no info	no info
EE	no info	no info	no info	no info	no info	no info
FI	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
FR	no info	no info	no info	no info	no info	no info
DE	no info	no info	no info	no info	no info	no info
EL	ND, KE	Occasionally	Occasionally	Occasionally	ND, KE	Occasionally
HU	Often	Occasionally	Often	no info	no info	Occasionally
IT	not detected	not detected	not detected	not detected	not detected	not detected
LV	Occasionally	ND, KE	ND, KE	ND, KE	not detected	ND, KE
LT	Often	Occasionally	Occasionally	ND, KE	no info	ND, KE
LU	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
MT	not detected	not detected	not detected	not detected	not detected	not detected
NL	ND, KE	Occasionally	no info	Occasionally	Occasionally	no info
PL	Occasionally	Occasionally	Occasionally	no info	Occasionally	no info
RO	Often	ND, KE	ND, KE	ND, KE	no info	ND, KE
SK	Occasionally	ND, KE	Occasionally	ND, KE	ND, KE	ND, KE
SI	ND, KE	no info	ND, KE	no info	no info	no info
ES	ND, KE	Occasionally	Occasionally	ND, KE	ND, KE	ND, KE
SE	not detected	not detected	not detected	not detected	not detected	not detected
UK	not detected	Occasionally	not detected	not detected	not detected	not detected

* ND, KE stands for 'not detected but known to exist'

TABLE 21. DURING THE PAST 3 YEARS HOW OFTEN HAS YOUR INSTITUTION IDENTIFIED/SUSPECTED THE INVOLVEMENT OF BORDER GUARDS IN ANY OF THE FOLLOWING PRACTICES?

	Extracting kickbacks from service contractors (construction, consulting)	Kickbacks from supplies (uniforms, fuel, other equipment)	Manipulation of specifications of a tender to favour a supplier	Selling of BG assets under market prices for kickbacks	Amending regulations that serve private interests	Appointment/ promotion based on nepotism	Promotion to units with high incomes from bribes	Extracting kickbacks from service companies working at BCPs
BG	ND, KE*	ND, KE	No info	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
CZ	No info	No info	No info	No info	No info	No info	No info	No info
CY	No info	No info	No info	No info	No info	No info	No info	No info
DK	No info	No info	No info	No info	No info	No info	No info	No info
EE	No info	No info	No info	No info	No info	No info	No info	No info
FI	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
FR	No info	No info	No info	No info	No info	No info	No info	No info
DE	No info	No info	No info	No info	No info	No info	No info	No info
EL	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
HU	ND, KE	ND, KE	Not detected	Not detected	Not detected	Not detected	Not detected	ND, KE
IT	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected
LV	Not detected	Not detected	ND, KE	ND, KE	ND, KE	ND, KE	Not detected	Not detected
LT	Occasionally	Occasionally	Occasionally	ND, KE	ND, KE	Occasionally	No info	No info
LU	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
MT	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected
NL	Occasionally	No info	No info	No info	No info	No info	No info	ND, KE
PL	Occasionally	Occasionally	Occasionally	No info	No info	Occasionally	No info	No info
RO	Occasionally	Not detected	Not detected	Not detected	Not detected	ND, KE	ND, KE	ND, KE
SK	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE	ND, KE
SI	No info	No info	No info	No info	No info	No info	No info	No info
ES	Occasionally	ND, KE	Occasionally	Occasionally	ND, KE	ND, KE	ND, KE	ND, KE
SE	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected
UK	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected	Not detected

* ND, KE stands for 'not detected but known to exist'

TABLE 22. IN YOUR COUNTRY, WHICH OF THE CATEGORIES OF PEOPLE ARE LIKELY TO DIRECTLY ATTEMPT TO CORRUPT (E.G. BRIBE) A BORDER GUARD?

	Defence lawyers	Organised criminals	Companies (e.g. transport)	Lorry drivers/ captains	Car drivers	Bus passengers	Bus drivers	Friends/ family of officers	Former officers	Informants	Magistrates	Politicians	Non-profit organisations	Special services
BG	Most likely	Most likely	Most likely	Most likely	Most likely	Most likely	Most likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely
CZ	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info
CY	Somewhat likely		No info	No info	No info	No info	No info	No info	No info	No info	No info	Not likely	No info	No info
DK	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely
EE	Not likely	Somewhat likely	Not likely	Not likely	Not likely	Somewhat likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely
FI	Not likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Not likely	Somewhat likely	Not likely	Somewhat likely	Somewhat likely	Somewhat likely
FR	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info
DE	Not likely	Most likely	Most likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely
EL	Most likely	Most likely	Most likely	Somewhat likely	Somewhat likely	Somewhat likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely
HU	Not likely	Most likely	Somewhat likely	Most likely	Somewhat likely		Somewhat likely	Somewhat likely	Somewhat likely	Not likely	No info	Not likely	Not likely	No info
IT	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info
LV	Somewhat likely	Most likely	Somewhat likely	Most likely	Most likely	Not likely	Somewhat likely	Most likely	Most likely	Somewhat likely	Not likely	Somewhat likely	Somewhat likely	Somewhat likely
LT	Somewhat likely	Most likely	Most likely	Most likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Not likely	Not likely	Not likely	Not likely
LU	Somewhat likely	Somewhat likely	Somewhat likely	Not likely		Not likely	Not likely	Somewhat likely	Somewhat likely	Somewhat likely	Not likely	Somewhat likely	Somewhat likely	Somewhat likely
MT	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely
NL	Somewhat likely	Somewhat likely	Not likely	Somewhat likely	Somewhat likely	Not likely	Not likely	Not likely	Not likely	Somewhat likely	Not likely	No info	Not likely	Not likely
PL	No info	Most likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	No info	No info	No info	Not likely
RO	Somewhat likely	Most likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Somewhat likely	Not likely	No info	No info	No info	No info	No info
SK	Somewhat likely	Most likely	Somewhat likely	Somewhat likely	Somewhat likely	Not likely	Not likely	Not likely	Somewhat likely	Not likely	Not likely	Not likely	Not likely	Not likely
SI	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely
ES	Somewhat likely	Most likely	Somewhat likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Somewhat likely	Not likely	Not likely	Not likely	Not likely
SE	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely	Somewhat likely	Not likely	Not likely	Not likely	Not likely	Not likely	Not likely
UK	Not likely	Most likely	Not likely	Not likely	Not likely	Not likely	Not likely		Not likely	Not likely	Not likely	Not likely	Not likely	No info

TABLE 23.	ARE DIRECT DONATIONS/GIFTS/GRATUITIES (E.G. CASH, EQUIPMENT, OFFICE SUPPLIES, PETROL, ETC.) BY PRIVATE INDIVIDUALS OR FIRMS ALLOWED IN YOUR COUNTRY?

	To the Ministry in charge of border control	Directly to your institution (police/ border guard)	To individual police/border guard departments/ districts units	Directly to units (e.g. investigation unit, patrol unit)	Via a police charity/ foundation	To individual officers
BG	No	Yes	No	No	No	No
CZ	Yes	Yes	No	No	Yes	No
CY	Yes	Yes	No	No	No	No
DK	No	No	No	No	No	No
EE	No	No	No	No	No	No
FI	Yes	Yes	Yes	Yes	Yes	Yes
FR	No	No	No	No	Yes	No
DE	No	No	No	No	No	No
EL	Yes	No	No	No	No	No
HU	No	No	No	No	No	No
IT	No	No	No	No	No	No
LV	Yes	Yes	No	No	No	No
LT	Yes	Yes	Yes	Yes	Yes	No
LU	No	No	No	No	Yes	No
MT	No	No	No	No	No	No
NL	No	No	No	No	No	No
PL	No	No	No	No	No	No
RO	Yes	Yes	No	No	No	No
SK	Yes	Yes	No	No	Yes	No
SI	No	No	No	No	No	No
ES	No	No	No	No	No	No
SE	No	No	No	No	No	No
UK	No	No	No	No	No	No

TABLE 24. ARE ANY OF THE FOLLOWING ANALYSES/MONITORING CARRIED OUT?

	Assessment of positions/units at risk and corruption pressure for various levels of officers	Assessment of work/operational procedures and their amendment to reduce risk of corruption	Developing of risk profiles of officers	Internal audit reports
BG	Regularly	Regularly	Never	Occasionally
CZ	No info	No info	No info	No info
CY	Never	Never	Never	Never
DK	Never	Never	Never	Never
EE	Never	Occasionally	Never	Regularly
FI	Never	Occasionally	Never	Regularly
FR	Never	Occasionally	Never	Regularly
DE	Regularly	Regularly	Occasionally	Regularly
EL	Occasionally	Never	Never	Regularly
HU	Never	Never	Never	Never
IT	Occasionally	Occasionally	Occasionally	Never
LV	Never	Occasionally	Never	Never
LT	Occasionally	Regularly	Regularly	Regularly
LU	Never	Never	Never	Never
MT	Never	Regularly	Occasionally	Occasionally
NL	Occasionally	Occasionally	Occasionally	Occasionally
PL	Occasionally	Regularly	Occasionally	Regularly
RO	Regularly	Regularly	Never	Occasionally
SK	Regularly	Regularly	Regularly	Regularly
SI	Never	Regularly	Never	Regularly
ES	Regularly	Occasionally	Occasionally	Never
SE	Never	Never	Never	Occasionally
UK	Occasionally	Occasionally	Occasionally	Occasionally

TABLE 25. WHICH OF THE FOLLOWING OPERATIONAL PREVENTIVE MEASURES ARE USED IN YOUR INSTITUTION?

	Random rotation of officers at different daily duties	Random shift duration	Two-person teams	Rotation of team members	Monitoring of officers at risk	Video recording	Audio recording	Limitation on using/carrying mobile phones at work
BG	Not implemented	Not implemented	Widespread	Limited	Limited	Limited	Not implemented	Not implemented
CZ	Widespread	Not implemented	Widespread	No info	Not implemented	Not implemented	Not implemented	Not implemented
CY	Limited	Not implemented	Limited	Limited	Not implemented	Not implemented	Not implemented	Not implemented
DK	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
EE	Widespread	Widespread	Widespread	Widespread	Limited	Widespread	Not implemented	Not implemented
FI	Not implemented	Not implemented	Widespread	Not implemented	Not implemented	Widespread	Not implemented	Not implemented
FR	Limited	Not implemented	Widespread	Widespread	Not implemented	Widespread	Not implemented	Not implemented
DE	Widespread	Widespread	Widespread	Widespread	Widespread	Not implemented	Not implemented	Not implemented
EL	Limited	Limited	Widespread	Widespread	Widespread	Not implemented	Limited	Not implemented
HU	Limited	Limited	Limited	Widespread	Limited	Limited	Not implemented	Limited
IT	Widespread	Limited	Widespread	Widespread	Widespread	Widespread	Not implemented	Not implemented
LV	Limited	Limited	Limited	Limited	Not implemented	Limited	Not implemented	Limited
LT	Widespread	Widespread	Widespread	Widespread	Widespread	Widespread	Limited	Widespread
LU	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
MT	Widespread	Not implemented	Limited	Limited	Limited	Limited	Not implemented	Not implemented
NL	Limited	Not implemented	Limited	Widespread	Limited	Not implemented	Not implemented	Limited
PL	Widespread	Limited	Widespread	Widespread	Widespread	Widespread	Not implemented	Limited
RO	Widespread	Widespread	Widespread	Widespread	No info	Limited	No info	Widespread
SK	Widespread	Limited	Limited	Widespread	Limited	Widespread	Not implemented	Widespread
SI	Not implemented	Widespread	Not implemented	Widespread	Not implemented	Widespread	Not implemented	Not implemented
ES	Limited	Not implemented	Limited	Limited	Not implemented	Not implemented	Not implemented	Not implemented
SE	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
UK	Not implemented	Not implemented	Widespread	Limited	Limited	Limited	Limited	Limited

TABLE 26. **WHICH OF THE FOLLOWING OPERATIONAL PREVENTIVE MEASURES ARE USED IN YOUR INSTITUTION?**

	Prohibition on acting or claiming to act as an official when not on duty or outside border areas	Random interviews of passengers/ migrants outside BCPs	Random inspection of officers' personal vehicles	Random inspection of officers' work place	Decentralised decision-making procedures	Limited powers of heads of BCPs to make decisions for amendments at the BCP
BG	Limited	Widespread	Not implemented	Limited	Limited	Limited
CZ	Not implemented	Not implemented	Not implemented	Widespread	Limited	Limited
CY	Not implemented	Not implemented	Not implemented	Not implemented	Limited	Limited
DK	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
EE	Widespread	Limited	Not implemented	Not implemented	Widespread	Limited
FI	Not implemented	Limited	Not implemented	Not implemented	Not implemented	Limited
FR	Not implemented	Not implemented	Not implemented	Not implemented	No info	No info
DE	Not implemented	Not implemented	Not implemented	Not implemented	Widespread	Limited
EL	Widespread	Widespread	Widespread	Widespread	Limited	Limited
HU	No info	No info	No info	Limited	No info	No info
IT	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Limited
LV	Not implemented	Limited	Not implemented	Not implemented	Not implemented	Limited
LT	Widespread	Widespread	Widespread	Widespread	Widespread	Limited
LU	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
MT	Not implemented	Limited	Not implemented	Not implemented	Not implemented	Widespread
NL	Not implemented	Not implemented	Not implemented	Limited	Widespread	Limited
PL	Limited	Limited	Not implemented	Widespread	Limited	Not implemented
RO	Widespread	Limited	Limited	Widespread	Widespread	Limited
SK	Widespread	Limited	Widespread	Widespread	Limited	Limited
SI	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
ES	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Limited
SE	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
UK	Widespread	Limited	Limited	Limited	Widespread	Widespread

TABLE 27.   WHICH OF THE FOLLOWING HUMAN RESOURCE/MANAGEMENT RELATED ANTI-CORRUPTION MEASURES HAVE BEEN IMPLEMENTED BY YOUR INSTITUTION?

	Offering bribes to officers	Polygraph tests (i.e. lie 'detector tests') for new officers	Periodic polygraph tests for existing officers	Drug testing	Monitoring of personal life-styles
BG	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
CZ	Not implemented	Not implemented	Not implemented	Not implemented	Limited
CY	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
DK	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
EE	Not implemented	Not implemented	Not implemented	Not implemented	Limited
FI	Not implemented	Not implemented	Not implemented	Widespread	Limited
FR	Not implemented	Not implemented	Not implemented	Limited	Not implemented
DE	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
EL	Not implemented	Limited	Limited	Widespread	Widespread
HU	Not implemented	Not implemented	Not implemented	Not implemented	Widespread
IT	Not implemented	Not implemented	Limited	Not implemented	Limited
LV	Not implemented	Not implemented	Not implemented	Not implemented	Widespread
LT	Limited	Not implemented	Not implemented	Limited	Widespread
LU	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
MT	Not implemented	Not implemented	Not implemented	Not implemented	Limited
NL	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
PL	Limited	Widespread	Limited	Not implemented	Limited
RO	Not implemented	Not implemented	Not implemented	Not implemented	Limited
SK	Not implemented	Not implemented	Not implemented	Limited	Limited
SI	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
ES	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
SE	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
UK	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented

TABLE 28. WHICH OF THE FOLLOWING HUMAN RESOURCE/MANAGEMENT RELATED ANTI-CORRUPTION MEASURES HAVE BEEN IMPLEMENTED BY YOUR INSTITUTION?

	Promotion of gender balance	Higher salaries/ financial stimulus for officers in high-risk positions	Rewards to officers for seizures of illicit goods/irregular migrants	Arrangements to support officers with financial difficulties	Rotation of officers at certain posts	Limited terms of office for high-level officers
BG	Widespread	Not implemented	Widespread	Widespread	Not implemented	Not implemented
CZ	Not implemented	Not implemented	Not implemented	Limited	Not implemented	Not implemented
CY	Not implemented	Not implemented	Not implemented	Not implemented	no info	Not implemented
DK	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
EE	Widespread	Widespread	Limited	Limited	Not implemented	Limited
FI	Not implemented	Not implemented	Not implemented	Limited	Limited	Not implemented
FR	Not implemented	Not implemented	Not implemented	Widespread	Not implemented	Widespread
DE	Not implemented	Not implemented	Not implemented	Limited	Widespread	Limited
EL	Not implemented	Not implemented	Not implemented	Not implemented	Limited	Limited
HU	no info	no info	no info	no info	no info	no info
IT	Widespread	Limited	Widespread	Not implemented	Not implemented	Limited
LV	no info	Limited	Limited	Not implemented	Limited	Limited
LT	Not implemented	Not implemented	Limited	Limited	Limited	Limited
LU	Not implemented	Not implemented	Not implemented	Limited	Not implemented	Not implemented
MT	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
NL	Not implemented	Not implemented	Limited	Limited	Widespread	Limited
PL	Widespread	Not implemented	Limited	Limited	Not implemented	Not implemented
RO	Widespread	Limited	Widespread	Limited	Limited	Limited
SK	Limited	Not implemented	Limited	Limited	Not implemented	Not implemented
SI	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
ES	Limited	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
SE	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
UK	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented

	Limitations for previously convicted officers to return to their position	Limitations on working for companies which may have been providers of services or equipment to border guards	Prohibition of off-duty employment (i.e. 2nd job)	Limitations on ownership in private companies	Mandatory annual disclosure by officers of their personal assets	Mandatory annual disclosure by officers of their debts
BG	Widespread	Limited	Limited	Not implemented	Widespread	Widespread
CZ	Not implemented	Not implemented	Widespread	Widespread	Limited	no info
CY	Widespread	Not implemented	Widespread	Widespread	Not implemented	Not implemented
DK	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
EE	Widespread	Widespread	Limited	Limited	Widespread	Widespread
FI	Widespread	Not implemented	Limited	Not implemented	Limited	Limited
FR	Widespread	Widespread	Limited	Limited	Not implemented	Not implemented
DE	Limited	Not implemented	Limited	Limited	Not implemented	Not implemented
EL	Widespread	Limited	Widespread	Widespread	Widespread	Widespread
HU	no info	no info	no info	no info	Limited	no info
IT	Widespread	Not implemented	Widespread	Widespread	Not implemented	Not implemented
LV	Widespread	Limited	Limited	Widespread	Widespread	Widespread
LT	Widespread	Not implemented	Limited	Limited	Widespread	Limited
LU	Not implemented	Not implemented	Limited	Limited	Not implemented	Not implemented
MT	Widespread	Not implemented	Widespread	Widespread	Not implemented	Not implemented
NL	Widespread	Not implemented	Limited	Limited	Not implemented	Not implemented
PL	Widespread	Limited	Widespread	Widespread	Widespread	Widespread
RO	Widespread	Not implemented	Limited	Not implemented	Widespread	Widespread
SK	Widespread	Not implemented	Widespread	Widespread	Widespread	Not implemented
SI	Not implemented	Not implemented	Limited	Not implemented	Not implemented	Not implemented
ES	Limited	Not implemented	Widespread	Limited	Not implemented	Not implemented
SE	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented	Not implemented
UK	Widespread	Widespread	Widespread	Widespread	Not implemented	Not implemented

TABLE 29. **WHICH OF THE FOLLOWING HUMAN RESOURCE/MANAGEMENT RELATED ANTI-CORRUPTION MEASURES HAVE BEEN IMPLEMENTED BY YOUR INSTITUTION?**

TABLE 30. WHICH OF THE FOLLOWING IT SECURITY MEASURES HAVE BEEN IMPLEMENTED BY YOUR INSTITUTION?

	Monitoring of log-ins	Need-to-know information-access rules	Traceability of access/use of IT systems (including data transfer, printing, etc.)	Red-flags for abuse of access rights	Periodic technical audit (internal or external)
BG	Yes	Yes	Yes	Yes	Yes
CZ	Yes	Yes	Yes	Yes	No
CY	Yes	Yes	Yes	Yes	Yes
DK	Yes	Yes	Yes	Yes	Yes
EE	Yes	Yes	Yes	Yes	Yes
FI	Yes	No info	Yes	No	Yes
FR	Yes	Yes	Yes	Yes	Yes
DE	Yes	Yes	Yes	Yes	Yes
EL	No	No	No	No	No
HU	No info	No info	No info	No info	No info
IT	Yes	Yes	Yes	Yes	Yes
LV	Yes	Yes	No info	Yes	Yes
LT	No info	No info	No info	No info	No info
LU	Yes	Yes	Yes	No	Yes
MT	Yes	Yes	Yes	Yes	Yes
NL	Yes	Yes	No info	No	Yes
PL	Yes	Yes	Yes	Yes	Yes
RO	Yes	Yes	Yes	Yes	Yes
SK	Yes	Yes	Yes	Yes	Yes
SI	No info	No info	No info	No info	No info
ES	Yes	Yes	No info	No	Yes
SE	Yes	No	Yes	Yes	Yes

TABLE 31. How are investigations into corruption of border guards initiated?

	Reported suspicion by BG management/officers	Random integrity testing	Complaint by citizens/companies	Anonymous message/complaint	In the course of other criminal investigations	Special services/other law-enforcement agencies	Regular inspection of documentation	Random inspection of officers workplace, personal car	Risk analysis	Information provided by undercover officers	Following '2nd line' inspections outside border areas
BG	Often	Never	Often	Often	Rarely	Rarely	Often	Rarely	Rarely	Rarely	Rarely
CZ	no info	no info	no info	no info	no info	no info	no info	no info	no info	no info	no info
CY	Rarely	Never	Often	Rarely	Rarely	Rarely	Never	Never	Never	Rarely	Never
DK	Never	Never	Never	Never	Never	Never	Never	Never	Never	Never	Never
EE	Never	Rarely	Rarely	Rarely	Rarely	Rarely	Rarely	Never	Never	Rarely	Never
FI	no info	Never	no info	no info	no info	no info	no info	no info	no info	no info	no info
FR	no info	no info	no info	no info	Rarely	no info	Rarely	no info	no info	no info	no info
DE	Rarely	Never	Rarely	Rarely	Often	Rarely	Rarely	Never	Rarely	Never	Never
EL	Often	Often	Rarely	Rarely	Often	Rarely	Often	Rarely	Rarely	Often	Often
HU	Rarely	Rarely	Often	Often	Rarely	Often	Rarely	Rarely	Never	Rarely	Rarely
IT	no info	no info	no info	no info	no info	no info	no info	no info	no info	no info	no info
LV	Never	Never	Rarely	Never	Rarely	Rarely	Never	Never	Never	Rarely	Rarely
LT	Rarely	Never	Rarely	Rarely	Often	Often	Rarely	Rarely	Rarely	Rarely	Rarely
LU	Rarely	Never	Rarely	Rarely	Rarely	Rarely	Never	Never	Never	Never	Never
MT	no info	no info	no info	no info	no info	no info	no info	no info	no info	no info	no info
NL	Rarely	Never	Rarely	Rarely	Rarely	Rarely	Rarely	Never	Rarely	Rarely	Never
PL	Often	Never	Often	Rarely	Often	Rarely	Often	Rarely	Rarely	Never	Rarely
RO	Often	Rarely	Often	Often	Often	Rarely	Rarely	Rarely	Rarely	Often	Rarely
SK	Rarely	Never	Often	Often	Rarely	Rarely	Often	Often	Often	Often	Often
SI	Never	Never	Rarely	Rarely	Never	Never	Never	Never	Never	Never	Never
ES	Often	Never	Often	Often	Often	Often	Often	Never	Never	Often	Never
SE	Rarely	Never	Rarely	Rarely	Rarely	Rarely	Never	Never	Never	Rarely	Never
UK	Often	Rarely	Often	Often	Often	Often	Rarely	Rarely	Often	Rarely	Rarely

TABLE 32.	WHICH OF THE FOLLOWING POWERS DOES YOUR DEPARTMENT USE IN THE INVESTIGATION OF BORDER GUARDS SUSPECTED OF CORRUPTION?											
	Wiretaps	Integrity tests	Paid informants	Use of undercover officers	Use of 'turned' officers	Risk analysis	Document-based inspection of units/offices	Involvement of civilian (i.e. non-police) investigators	Random inspections of Border Guard units	Life-style checks (i.e. comparing lifestyle/assets to salary levels)
BG	Often	Rarely	Never	Rarely	Rarely	Often	Rarely	Never	Rarely	Rarely
CZ	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info
CY	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info
DK	Never	Never	Never	Never	Never	Never	Never	Never	Never	Never
EE	Often	Never	Rarely	Never	Rarely	Never	Rarely	Never	Never	Never
FI	No info	No info	No info	No info	Never	No info	No info	Never	No info	No info
FR	Rarely	Never	Never	Never	Never	Often	Often	Never	Often	Often
DE	Never	Never	Never	Never	Never	Often	Often	Never	Often	Never
EL	Never	Never	Never	Often	Rarely	Never	Often	Never	Often	Often
HU	Rarely	Rarely	Never	Never	Never	Never	Never	Never	Rarely	Rarely
IT	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info
LV	Often	Rarely	Often	Rarely	Rarely	Rarely	Often	Never	Often	Often
LT	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info
LU	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info
MT	No info	No info	No info	No info	No info	No info	No info	No info	No info	No info
NL	Rarely	Never	Rarely	Rarely	Never	Rarely	Never	Never	Never	Never
PL	Often	Rarely	Often	Rarely	No info	Rarely	Often	Never	Often	Often
RO	Often	Rarely	Often	Often	Rarely	Rarely	Rarely	Rarely	Rarely	Rarely
SK	Often	Often	Often	Often	Often	Often	Often	Rarely	Rarely	Often
SI	Never	Never	No info	No info	No info	Rarely	Rarely	No info	No info	Rarely
ES	Often	Never	Often	Never	Never	Never	Rarely	Often	Rarely	Often
SE	Never	Never	Never	Never	Never	Never	Never	Never	Never	Never
UK	Rarely	Never	Rarely	Rarely	Rarely	Often	Often	Often	Rarely	Rarely

TABLE 33.   WHICH OF THE ABOVE ANTI-CORRUPTION MEASURES DO YOU CONSIDER TO HAVE HAD THE MOST SIGNIFICANT IMPACT IN REDUCING/PREVENTING CORRUPTION IN YOUR INSTITUTION? IF ANY TYPE OF FORMAL ASSESSMENTS/EVALUATIONS OF THE SPECIFIC POLICY MEASURE HAVE BEEN DONE, PLEASE MENTION THE RESULTS.

Type of anti-corruption measure	Number of interviewees who mentioned the measure	Country of origin of the interviewees
Good salaries/salary increases/social benefits	7	FI, FR, LV, LT, LU, PL, SK
Anti-corruption education/ethics training (initial and ongoing)	6	EE, FI, LV, LT, PL, SI
System of internal/system control and management oversight	6	NL, RO, FI, FR, LV, UK
Setting an example through formal and informal investigations, disciplinary penalties and prosecution, risk of being dismissed	5	FR, EL, LT, IT
Recruitment/screenings of new officers	4	FI, FR, LT, UK
Rotation/'four-eyes' principle	3	LT, NL, IT
Cooperation with other law-enforcement agencies	2	LT, IT
Intolerance towards corruption as part of the general institutional culture	2	FR, UK
Internal and external audits	1	FI
Regulations related to sponsoring/donations and gifts	1	LU
Effective investigations unit	1	UK

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