



PRESS RELEASE 16.6.2023

STRONG CRITICISM OF THE ANTI-CORRUPTION DIRECTIVE PROPOSAL

On May 3, 2023, the European Commission published its proposal for an anti-corruption directive and eight days later, the Denunciators of Judicial Authoritarianism alliance sent a very harsh criticism and proposals for improvement, both to the European Commission itself and to the European Parliament.

The Alliance has not made this criticism public, until now, for various reasons.

The day before, May 2, the United Nations made public that corruption accounts for 25% of the world's public spending.

The purpose of the European Commission's proposal for a directive is for the European Parliament and the Council of the European Union (governments of the member countries) to legislate a new directive to harmonize corruption offenses and their penalties.

The brief calls for them to correct the serious errors in the proposal, recalling that the European Commission's Rule of Law reports are incompatible with the corruption figures that the European Union itself published in 2018, let alone the current increase in corruption, made official by the European Parliament in 2022.

The sources or informants used by the European Commission, of which reference is made in the proposal itself, are criticized. It is proposed to differentiate between countries with systemic corruption from the others. The European Parliament itself, since 2022 refers to "systemic corruption", i.e. corrupt institutional systems, which is different from a system where there are isolated corrupt individuals.

The solutions are very different in the case of systemic corruption and, precisely, it is said that the failure of the European Public Prosecutor's Office is due to not having taken it into account.

It is strongly criticized that the crime of prevarication is not included, since it is the main crime of corruption and, in addition, it is said that "it drives psychopathy and leads to totalitarianism, decadence and economic collapse".

It is requested that it be established that "the Government, as a whole, or its members

may commit the crime of administrative prevarication".

It is requested that expressions such as "advantages of any kind" and "undue advantage" be eliminated because "most Spanish prosecutors and judges will state that it has not been proven that there was any advantage for the corrupt".

It is criticized that "We find particularly insufficient the approach to the crime of obstruction of justice (Article 12 Obstruction of justice), because the main problem usually arises when municipal, regional or state institutions, including the Government itself, delays the response to the courts, provides it biased or refuses to give it".

Further on it is said: "The omission of protection for corruption whistleblowers and the right to obtain compensation for retaliation, contemplated in the UNCAC and in Directive (EU) 2019/1937, can only be understood as an intimidating act against corruption whistleblowers; therefore, they should be included".

The proposal is reproached in its entirety because "For all of the above, we believe that the European Commission has no intention whatsoever to fight corruption."

It concludes: "If the European Union does not establish the fight against corruption as its top priority, then it will be more useful to promote the elimination of the euro and the European Union or to leave the EU as big business is already doing".

[More information at www.contraautoritarismojudicial.org](http://www.contraautoritarismojudicial.org)