

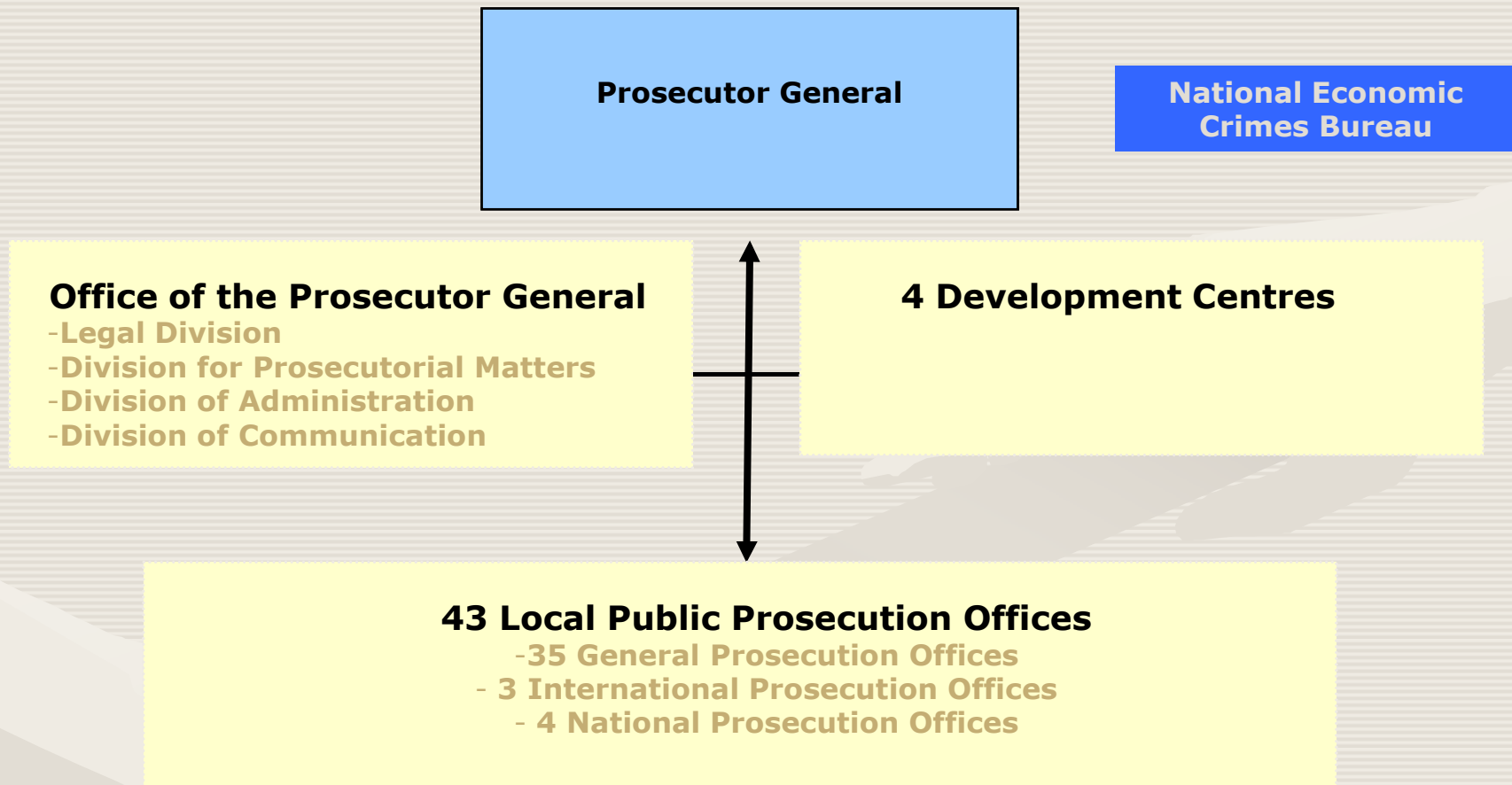


The National Anti-Corruption Unit (NACU)

Topics

- About the unit
- The Swedish legislation on corruption
- My thoughts on how corruption can be countered

The Swedish Prosecution Authority



A prosecutors duties

1. leads the investigation, initiates and decides the use of coercive measures
2. Can decide on arrests for max 4 days
3. Decides on prosecution, i.e. whether to indict or not
4. Appears in court
5. Entitled to appeal to and handle cases in the court of appeal

National Anti-Corruption Unit

- A unit within the Swedish Prosecution Authority
- Established in 2003
- The unit
 - is headed by a Director
 - seven Public Prosecutors
 - three specialised forensic accountants

National Anti-Corruption Unit

A staff well experienced in criminal investigations concerning

- Financial crimes
- Serious organized crimes
- International co-operation

The units main task

- Criminalized corruption
- Complex or extensive crime of senior executives within private or public sector who have abused or exploited the power that comes with his position
- Offences related to such crime (eg breach of trust against a principal, book-keeping crime and so on)

National Anti-Corruption Unit

- A specialist investigative unit, intelligence and IT-forensic resources at the National Police is attached to NACU
- co-operates with other authorities such as the National Tax Authority
- Supervising authorities, such as the State Audit Institution and the National Competition Authority are also vital partners to co-operate with

National Anti-Corruption Unit

- Deals with 80 - 120 cases pro annum
- The cases concerns both public and private sector
- There are no visible signs of corruption in public administration linked to serious organized crime

Sources of new cases

- Media
- Whistle blowers
- Public
- Reports from compliance or people in similar positions
- Information from other authorities

A stylized, light beige illustration of two hands shaking, symbolizing agreement or partnership. The hands are rendered in a simple, modern style with soft shadows, set against a light beige background.

Some of the principles of Swedish criminal law concerning corruption

Bribery, two sides of one coin

THE BRIBER

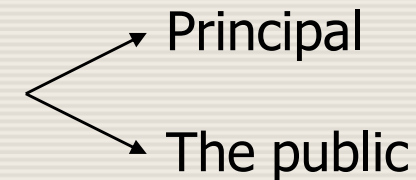
- Promises
- Offers
- Gives

THE BRIBED

- Accepts promises
- Demands
- Receives

Improper reward for exercising
one's duties

Create dependence – in order to violate a trust



The Bribe

- Rewards, benefits, conditions
- Cash, gift vouchers, goods, services, bonuses, rebates, loans, personal guarantees
- Travel, food, accommodation, restaurants, etc.
- Well-paid jobs
- Discounts, attention

The reward does not need to have financial value for the receiver – other attractions suffice

Bribes = improper rewards

- A bribe
 - an employee receiving a benefit for performing an unallowed act while exercising his duties
 - an employee receiving an improper benefit without performing an unallowed act while exercising his duties.

Improper

- Assessment of all the circumstances such as
 - Openness
 - Purpose
 - Terms
 - Value of the reward
 - Status of the recipient
 - Personal connection
 - Consent from the principal
 - Practice and public perception
 - Protected interest

Trading in influence

- Offer, promise or grant benefits to another person in order to influence the exercise of public authority or public procurement in an improper way
- Targeted on people surrounding a decision-maker

Negligent financing of bribery

- a commercial organisation provides financial or other assets to anyone representing it in a certain matter and which thereby through gross negligence furthers the offences of giving a bribe or trading in influence in that matter
- Important for the the business sector to establish a code on gifts and other benefits

How to prevent corruption within the public sector?

- Openness
 - legislation about public access to the authorities' activities and to official records
 - Free and independent media
- Monitoring of those in power
- Independent judiciary
- Well-paid officials

Why relatively low level of corruption in Sweden?

- The principle of public access to official records
- Long time stable political situation
- Low corruption tolerance level among the general population