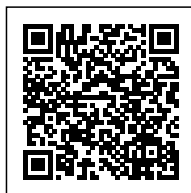


POLITICAL PARTIES' COMPLIANCE PROCEDURES ARE FAILING

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Recent corruption scandals show that political parties and public administration bodies must improve internal controls and be independently audited, says Purificación Pujol

To say that political parties' compliance procedures are not working would be an understatement. Following several corruption scandals involving senior members of Spanish political parties and public administration officers, the argument that political parties and public administration bodies

should be independently audited has become stronger than ever before. It is imperative that these institutions implement efficient internal controls and that these controls are subject to an equally efficient external auditing system.

Why? Because transparency is the basis of democracy. Any entity receiving public funds, regardless of the amount, is in principle a public interest-related entity and should, therefore, consistently apply the transparency principle. This is mandatory for all public entities operating in all European Union member states.

Need for independent regulator

What are the possible solutions to this problem? Auditing procedures should be undertaken by independent bodies and be sponsored by an independent regulator. Otherwise, they would lack independence. This is very important because decisions taken by public entities ultimately affect us all. When awarding a contract through a public tender, the adoption of objective and impartial criteria results in the selection of the best proposal, the one that would better serve the public interest. Awarding a contract to a son, cousin, or an undisclosed related company is unacceptable as a matter of principle. Awarding a public contract while disregarding solid reasoning and auditing principles is unimaginable in any democracy.

Political parties and public administration bodies have several protocols designed to ensure compliance with applicable laws and regulations. However, judging by the most recent news, these protocols have failed to work. Indeed, Spain is plagued by compliance boards or agencies, whose members lack transparency and ethical principles. The same is true with respect to many laws passed in Spain – a fairly large amount of legal provisions are redundant, useless or impractical. We should have laws dealing effectively with corruption allowing judges to immediately seize money obtained by civil servants or any other individual or company illegally.

Less red tape

What would be the effect of such changes? An efficient legal control system would significantly reduce bureaucracy, as more transparency would mean less red tape. We would also see positive results in our daily lives. There are many things in our daily lives that take months to complete when they could be accomplished in one day.

But tackling this issue will not be easy. The roots of the problem run deep within our culture. Breaking the law or evading taxes, for instance, does not trigger a strong social objection, as is the case in other countries. Today, our political parties and public administration bodies are just a reflection of our society and its values.

Transparency attracts investors

Failing to implement an effective auditing system among political parties and public administration bodies has a high political, economic and a social cost. More transparent, and properly regulated, societies will undoubtedly attract more investors, create more jobs and result in a more dynamic economy.

What should happen now? The first step towards achieving more transparency across the political spectrum is to pass a law requiring political parties to have independent audits in order to assess their internal procedures. The next step is to raise social awareness that public money belongs to all of us. Imagine you are missing €50 from your wallet. Your immediate reaction is to find out who stole your money, bring justice, and recover your belongings as soon as possible. That should be the same reasoning in the case of public money.

We all have a role

Additionally, we all have a part to play in addressing this issue. We should lead by example regardless of our job or role. For instance, as a judge, whenever a court file is being delayed I have the duty to explain to all the parties involved the reasons for the delay. Along the same lines, a while ago I ended up writing a report with the aim of preventing office material supplies from being

provided to the court, as we had countless pens and post-its. There was no need for such materials at the time. Every little bit helps.

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