Corruption and Conflicts of Interest
A Comparative Law Approach

Edited by

Jean-Bernard Auby
Sciences Po, France

Emmanuel Breen
Paris Sorbonne University, France

Thomas Perroud
Paris Est University and Sciences Po, France

STUDIES IN COMPARATIVE LAW AND LEGAL CULTURE

Edward Elgar
Cheltenham, UK • Northampton, MA, USA
Contents

List of contributors vii

Introduction xiv
Jean-Bernard Auby, Emmanuel Breen and Thomas Perroud

PART I CONFLICTS OF INTEREST AND CORRUPTION:
A FINE LINE?

1. Corruption and conflicts of interest
Susan Rose-Ackerman 3

PART II COMPARATIVE STUDIES ON CORRUPTION AND
CONFLICTS OF INTEREST FROM A PROCEDURAL
PERSPECTIVE

2. Regulatory authorities and conflicts of interest
Hubert Delzangles 15

3. The conflicts of interests of public officers: Rules, checks and
penalties
Bernardo Giorgio Mattarella 30

4. Protecting the integrity of the U.S. federal procurement system:
Conflict of interest rules and aspects of the system that help
reduce corruption
Daniel I. Gordon 39

5. Corruption and conflicts of interest: Future prospects on lobbying
Grégory Houillon 53

6. Condemning corruption and tolerating conflicts of interest:
French ‘arrangements’ regarding breaches of integrity
Pierre Lascoumes 67

7. Integrity in English and French public contracts: Changing
administrative cultures?
Yseult Marique 85

8. Policy considerations when drafting conflict of interest
legislation
Richard E. Messick 113
9. Conflict of interests of government members and the risk of corruption: An assessment of pre-revolutionary Tunisia and Egypt  
Carolyn Moser  
124

10. Is (French) continental law efficient at fighting conflicts of interests?  
Timothee Paris  
139

11. Corruption and conflicts of interests in the United Kingdom  
Cecily Rose  
150

12. The legal regulations for the prevention of corruption of civil servants in Turkey and the Council of Ethics for Public Service  
Çagla Tansug  
167

PART III INTERNATIONAL ORGANIZATIONS AND THE FIGHT AGAINST CORRUPTION AND CONFLICTS OF INTEREST

13. Corruption, conflicts of interests and the WTO  
Susan Ariel Aaronson and M. Rodwan Abouharb  
183

14. ‘Global integrity’: National administrations versus global regimes  
Elisa D’Alterio  
198

15. How Multilateral Development Banks invest corruption in their funded projects  
Mariangela Benedetti  
215

16. Introduction to the World Bank’s policies in the fight against corruption and conflicts of interests in public contracts  
Laurence Folliot-Lalliot  
236

PART IV EUROPEAN ADMINISTRATIVE LAW AND THE FIGHT AGAINST CORRUPTION AND CONFLICTS OF INTEREST

17. Mismanagement by European Agencies: Concerns, institutional responses, and lessons  
Edoardo Chiti  
253

18. Footprints in the sand: Regulating conflict of interest at EU level  
Simone White  
272

19. OLAF: The anti-corruption policy within the European Union  
Patrycja Szarek-Mason  
288

Index  
303