

## 9<sup>th</sup> Meeting of the Group of Experts on Corruption

17 December 2013, Brussels

### Meeting Report

Participants:

Experts: Francois Badie, Maria Gavouneli, Philip Gounev, Goran Klemencic, Elena Konceviciute, Laura Stefan, Paul Stephenson.

European Commission: Raluca Stefanuc and Borbála Garai.

#### **Brief update by DG HOME on latest developments relevant for the EU Anti-Corruption Report (ACR)**

DG HOME gave a brief update on the state of play of the EU Anti-Corruption Report (ACR). DG HOME informed that it has continued to revise and update the general chapter and the 28 draft country chapters of the first EU Anti-Corruption Report (ACR), ensuring a more factual approach. The adoption of the first EU Anti-Corruption Report is scheduled for 29 January 2014.

#### **Experts' feedback on the latest set of versions of the general chapter and the draft country chapters**

The aim of the meeting was to gather the latest feedback from the experts by providing them with an opportunity to read the latest versions of the draft first EU Anti-Corruption Report. Since four experts have a professional background linked to national authorities, FR, SI, LT and EL were not included in the package for consultation so as to keep equal treatment among Member States.

During the meeting, each expert read the draft general chapter and a number of draft country chapters of their choice and provided feedback and suggestions for improvements. The drafts were shared only on paper and collected at the end of the meeting.

#### **Comments on the draft general chapter:**

- The experts stressed the importance of making a clear commitment with the first EU Anti-Corruption Report for future reports to include an assessment of anti-corruption policies regarding EU institutions, taking also account of the EU commitments related to its participation in GRECO.
- Issues related to overall political accountability should be clearly spelled out in the general chapter of the ACR.
- It is important for the ACR to reflect upon anti-corruption policies and aspects that can lead to structural changes rather than promoting institutional or legislative models in isolation. With regard to anti-corruption agencies, some experts stressed that even if some are producing results over certain periods of time, they still have rather limited powers which cannot lead on their own to fundamental structural changes.

- The overview of the main findings of the ACR should have a concrete spin and refer to Member States to which the practices are attributable to. In the experts' view this would ensure an added value to the existing monitoring exercises.
- The results of the perception surveys, such as the Eurobarometer, should be interpreted with caution, in view of their limitations, and any division per clusters in the light of such results should be avoided.
- UNCAC implementation and cooperation with GRECO should be spelled out clearly, jointly with an overview of the existing EU, European and international anti-corruption legislative and institutional framework.

#### **Comments on the draft country chapters:**

- Overall the chapters give a balanced overview of the state of play of corruption challenges and anti-corruption policies in a quite concise manner. In this context, the experts stressed that it is equally important to maintain the necessary critical approach.
- Many experts stressed that references to concrete cases or practical examples are very important for illustrating the overall analyses and ensuring a good narrative of the assessments.
- When reflecting upon areas that need further improvement in each country, in the experts' view particular attention should be paid to ensuring a differentiated approach, in view of each country's particular challenges, in line with the objectives of the ACR.
- Particular attention should be also paid to ensuring a perfect correspondence between the concrete aspects highlighted in the main findings of the general chapter and the country chapters.
- Many experts stressed the need for the country chapters to present less extensively GRECO findings and focus mainly on the follow-up of the most important GRECO recommendations that need to be further supported.
- Some experts considered that the Commission should not shy away for clearly spelling out sets of standards in relation to some aspects which are fundamental for the anti-corruption policies, such as, for example, appointment of prosecutors or independence guarantees for prosecution services and judiciary.
- ACR should highlight good practices evaluated in view of their actual impact and taking account of their particular context and circumstances, in line with the ACR objective to avoid suggesting one-size-fits-all solutions.
- Some experts stressed that the country chapters, like the general chapter, should put particular emphasis on political accountability not only in relation to criminal cases, but also on a wider note, covering integrity, ethics and political responsibility aspects.
- Issues related to immunities of elected or appointed officials or judiciary should be included in the overall analyses.
- A number of other more concrete suggestions were made with regard to specific country chapters.

#### **Next expert group meeting**

To be decided in early 2014. Experts expressed interest to meet at end of January/beginning of February 2014.