

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

Wednesday, 19 June 2013, Brussels

### Meeting Report

Participants:

Experts: Philip Gounev, James Hamilton, Matti Joutsen, Goran Klemenčič, Michael Levi, Jana Mittermaier, Quentin Reed, Xavier Sisternas, Laura-Oana Stefan, Paul Stephenson.

European Commission: Jakub Boratynski (Head of Unit HOME/A2, chair of the meeting); Raluca Stefanuc, Borbála Garai, Jonas Hakansson, Kalin Ivanov (HOME/A2).

#### **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 is currently streamlining draft chapters. Together with other Commission services, DG HOME is also working on the part of the Report that will cover anti-corruption policies within EU institutions. While the exact adoption calendar remains to be confirmed, the Report will be adopted before the end of 2013.

DG HOME also gave a brief update on the ongoing study on "*Development of an EU evaluation mechanism in the area of anti-corruption with a particular focus on identifying and reducing the costs of corruption in public procurement involving EU funds.*" The final report for this project is expected before the summer break this year.

DG HOME presented the main objectives and activities planned for the ACR communication strategy. EU Representations in the Member States will be briefed on their respective country chapters beforehand in order to organise press conferences on the publication day. In the months following publication, Commission staff at various levels will participate in events together with national stakeholders.

#### **Discussion on preliminary drafts of the general section and the public procurement chapter of the EU Anti-Corruption Report (ACR)**

During the meeting, the experts read and provided suggestions on the draft horizontal (general) chapter of the EU Anti-Corruption Report, including sections regarding the methodology, the trends identified and the main findings of the country analyses, as well as the draft thematic chapter on public procurement. The drafts were shared only on paper and collected at the end of the meeting.

The draft general chapter was well received and the clarity of its structure and presentation largely appreciated. Suggestions were made, among others, to: further clarify the references to good practices (i.e. some experts considered that the practices in the current draft would better fit in the category of 'promising' practices); consider developing in the future a quality assessment of the impact of the good/promising practices; include aspects related to rule of law and social cohesion/trust; better explain the methodology used for the Eurobarometer surveys quoted in the

drafts; provide a short introduction for each topic in focus presented in the section on main findings to elaborate on the importance of each issue; move more upfront and further elaborate on the added value of ACR and the synergies with other monitoring mechanisms; include more explanations on the negative correlation between corruption, economic indicators and citizens' trust, including in public institutions.

The experts mentioned concrete examples of good and 'promising' practices. They stressed, however, that practices should be carefully analysed in the context of each country and the specific circumstances of each sector. They also provided suggestions for the development of the experience-sharing programme to support peer learning among Member States, local NGOs and other stakeholders. Such programme may consist of regular workshops, support for cross-border initiatives, dissemination of guidelines and materials, etc.

The experts also reiterated their strong view that the Report's credibility and added value depend on maintaining detailed and constructive criticism of anti-corruption efforts in individual Member States and EU Institutions.

As regards the draft chapter on public procurement, most experts found it overly technical and dry. Several suggestions were made to explain in simpler language the impact of public procurement fraud and corruption on people's daily lives. As the draft chapter is now focused on actual practices and does not point to Member States or clusters of countries, most experts suggested including direct references to Member States. The experts also suggested making a clearer link between public procurement corruption and political corruption. Most experts considered that the draft recommendations are too general and need to be more precise. Other suggestions mentioned in the meeting with regard to this draft chapter: clarify the differences between the Eurobarometer business survey and the general perception survey on corruption; further explore the differences in conviction rates involving EU funding and national funding; highlight and address the lack of data in the Member States; highlight the risks raised by negligence in public procurement procedures, as well as those related to the lack of accountability or insufficient checks and balances; refer to conflict of interests risks in all stages of public procurement procedures and not only during the bidding process; estimate the losses due to corruption in public procurement per capita; explain more clearly the limitations of the EU acquis on public procurement. One expert suggested including illustrative case studies (without revealing names or countries) that could substantiate the main findings and the recommendations.

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

Next expert group meeting: **17 September 2013.**