

8th Meeting of the Group of Experts on Corruption

17 September 2013, Brussels

Meeting Report

Participants:

Experts: François Badie, Hans-Joachim Fritz, Maria Gavouneli, Philip Gounev, James Hamilton, Goran Klemenčič, Elena Konceviciute, Michael Levi, 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 has further revised the 28 draft country chapters ensuring a more factual approach. Following a recommendation from the expert group, the thematic chapter on public procurement is being revised to include references to countries.

DG HOME started in the second half of August 2013 consultation meetings with Member States on draft country chapters of the ACR. Member States' delegations received the list of issues in focus for their respective country ahead of the meeting, and the paper draft country chapters (with the exception of recommendations) in the meeting. It has been up to MS to decide upon the appropriate composition of their delegations sent to Brussels.

The consultation meetings held so far have been very useful and constructive. Member States' feedback included clarifications, factual corrections and updates on the most relevant recent developments. Following the meeting, delegations checked details and received clarifications from national authorities, and provided DG HOME with further factual updates, references and texts of specific legal provisions, official documents and other reports. Ultimately, the Commission takes full responsibility for the text of the country chapters.

The Inter-Service Consultation process within the Commission should take place in the second half of October. The ACR would most likely be adopted in November 2013.

On the adoption day, the ACR will be launched in Brussels, followed by events organised by EU Representations in the Member States. Each country chapter will be available in English and in the respective national language. DG HOME is interested in an optimal impact for the public debate; therefore the format of launching activities needs to be adapted to the national context. The events could be (co-)hosted by public authorities, academic institutions, civil society, parliamentary committees, etc.

The Commission will also put in place an experience sharing programme to help Member States, local NGOs and other stakeholders exchange good practices and overcome shortcomings in anti-corruption policies, ensure follow-up of the EU Anti-Corruption Report's recommendations, raise awareness or provide training. The experts were invited to make concrete suggestions regarding the potential format of this programme.

Experts' feedback on the second versions of draft country chapters

During the meeting, each expert read four to eight draft country chapters and provided feedback and suggestions for improvements. The drafts were shared only on paper and collected at the end of the meeting.

The second versions of draft country chapters were well received and in general regarded as well balanced. Suggestions were made, among others, to: reinsert an introductory paragraph to each country chapter that would summarize the overall assessment of the state of play; ensure that the recommendations clearly reflect the body of the text; explain the purpose of the textboxes and whether they illustrate a problem or a successful policy. Many experts found the examples in the boxes very useful for the overall illustration of analyses and findings. Various opinions were expressed regarding the appropriate level of detail for recommendations. Two experts suggested that the recommendations be placed at the very end of each chapter, while others supported the current format (i.e., under each issue in focus following the presentation of facts). There was also one suggestion to reconsider the concept of recommendations, given that this Report is more policy-oriented than a technical instrument. Some experts stressed that it is important for the EU Anti-Corruption Report to be even more straightforward and express more clearly whether certain measures or instruments are considered good or negative practices.

Experts' feedback on the draft section on the European Commission and EU budget

The expert group found this draft section too descriptive and without added value. The experts pointed out that to ensure credibility, the draft should take a more analytical approach and reflect an in depth assessment of the existing instruments, their actual impact, the most important risks and the remaining deficiencies that need to be addressed. In the experts' view, the draft should also comprise clear commitments and recommendations. The importance of covering all relevant EU institutions was also mentioned in the discussions.

Several experts pointed to the need for an external objective evaluation rather than limiting this exercise to a self-evaluation of the Commission which may be seen as subjective. To this end, a suggestion was made to limit this section of the first Report to an explanation of the challenges in carrying out such an assessment and the need to ensure an external objective evaluation that would require more time, and commit to such an evaluation before 2015. One expert stressed that EU participation in GRECO could ensure such an external evaluation of all EU institutions. Some suggestions were made to include textboxes with anonymised examples of corruption cases, practices and vulnerabilities, and to provide more OLAF statistics on corruption investigations. DG HOME mentioned the ongoing evaluation of anti-

corruption policies in EU institutions carried out by Transparency International which is due to be finalised in the first half of 2014.

Conclusion and AOB

DG HOME asked the experts to reflect on possible formats of the public events to be organised in Member States after the adoption of the ACR, and to send their ideas to DG HOME by 24 September 2013. The experts were also asked to propose ideas for the experience sharing programme before 18 October 2013.

After the publication of the first EU Anti-Corruption Report, DG HOME will send a questionnaire asking the experts to evaluate the ACR process, the methodology, the format of the Report, consider lessons learnt and make concrete suggestions for improvement of the subsequent ACR 2015.

Next expert group meeting

Tentative date for the next expert group meeting: 17 December 2013.