

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

26 February 2014, Brussels

## Meeting Report

Participants:

Experts: Hans-Joachim Fritz, Maria Gavouneli, Philip Gounev, Goran Klemenčič, Elena Koncevičiūtė, Victor Lapuente, Michael Levi, Paul Stephenson.

European Commission: Reinhard Priebe (Director for Internal Security, DG HOME), Anabela Gago (Head of Unit HOME A2), Gilles Pelayo (Deputy Head of Unit HOME A2), Raluca Stefanuc, Borbála Garai, Kalin Ivanov (HOME A2).

### **Update by DG HOME on publication of the EU Anti-Corruption Report (ACR) and planned follow-up activities**

The Directorate-General for Home Affairs (DG HOME) provided an update on the state of play of the EU Anti-Corruption Report (ACR) which was published on 3 February 2014, initial reactions received from Member States and other stakeholders, and plans for follow-up work.

The Commission will put in place an experience sharing programme to help Member States, local NGOs and other stakeholders exchange good practice and overcome shortcomings in anti-corruption policy, facilitate follow-up of future steps suggested in the EU Anti-Corruption Report, raise awareness, and provide training.

The Commission intends to engage the Member States in dialogue on follow-up of the ACR.

### **Experts' feedback on the first EU Anti-Corruption Report**

The experts congratulated the Commission team on publication of the report. The report has generated a symbolic impact by setting a precedent, in addition to extensive media coverage. It has also facilitated the streamlining of anti-corruption issues into broader Commission policy including the European Semester cycle of economic policy guidance. The ACR serves as an awareness-raising tool (including within the EU institutions). The ACR may also have partially contributed to recent policy steps against corruption in Germany and Malta.

However, the experts are disappointed by the absence of a chapter on the EU institutions; the credibility of future reports will depend on this point. Moreover, the general chapter needs to name countries; reference to clusters of countries can be objectively justified if based on statistically significant patterns.

More substantial assessment is needed of the impact of good practices highlighted in the report. Pointing to anti-corruption agencies as good practice risks perpetuating received wisdom or encouraging the unthinking transfer of the model to countries for which it is ill suited.

The section on public procurement is 'dull' but important. Whistleblower protection merits closer attention.

### **Experts' recommendations for follow-up work and future ACRs**

Follow-up of future steps suggested in the first report needs to be encouraged through high-level political dialogue with Member States. The timing of such engagement needs to take into account windows of opportunity within each country, and feed into each country's reform processes in due course. Asking governments how they plan to follow up can encourage implementation of future steps suggested in the report. The experts advise the Commission to invest in 'marketing' the EU Anti-Corruption Report, including through a website.

Clarity and predictability of methodological steps are necessary in drafting the next ACR. The experts advise the Commission to clearly explain from the outset whether and how it plans to consult Member States on drafts of the next report. Such transparency will help build trust and contribute to the external credibility of the process.

Monitoring (including through the network of local research correspondents) needs to be followed by a mid-term taking stock of progress, before the second report.

It is important for the ACR to fill a gap left by other international anti-corruption monitoring mechanisms. Reporting by GRECO and the OECD focuses on technical detail, whereas the Commission can add value through a broader policy report, helping to shape the political agenda in Member States.

Future ACRs could explore more closely the impact of different structural models of local government. As numbers risk monopolising media attention, any future estimate of the cost of corruption needs to reflect substantive analysis and point to specific objectives.

Suggestions for a cross-cutting theme for the next ACR:

- corruption in healthcare (including procurement, price fixing, and petty corruption);
- whistleblowing;
- anti-corruption measures concerning elected officials;
- local government;
- transparency of financial flows;
- defence sector.

The research design of any study requires careful reflection before the study is commissioned, to ensure focus on the real situation on the ground. It is important for future reports not to lose sight of the underlying phenomenon of corruption amid the formal proliferation of laws,

initiatives and structures against corruption. More in-depth analysis is needed of the actual impact of anti-corruption measures.

Publication of Eurobarometer results should be separate to ensure that survey data become public as soon as they are available, and to avoid distraction from the ACR's policy messages. Clearer distinction is necessary between Eurobarometer surveys on corruption and the ACR.

Clearer distinction is also needed in the timing of the ACR and reports by the Cooperation and Verification Mechanism (CVM) for Bulgaria and Romania. Publication of the ACR only 12 days after the CVM reports generated some confusion in Bulgaria and Romania. Better timing can improve the ACR's visibility in those two countries.

Preparations for the next report need to compensate for disparities in the amount of information available on various Member States. It would also be helpful to obtain from Member States comparable crime statistics and other data going beyond perception; the Commission is best placed to address this challenge. Efforts need to be resumed on identification of relevant indicators. Closer involvement of Member States and civil society is advisable in coverage of the anti-corruption measures they have undertaken. Permanent representations in Brussels need to be involved, but the most pertinent information about follow-up can be obtained directly from the relevant national institutions.

The Commission should mainstream anti-corruption issues in other policy areas and exercises and ensure that ACR suggestions are followed through those venues. The Commission could also consider setting up a European anti-corruption network to involve all relevant institutions in the European Union that can facilitate communication and sharing of information in this field.

Experts would appreciate an opportunity in future to read an entire draft of the report, rather than a selection of country chapters, to have a better general overview and to trace changes more easily. The Commission should consider convening an expert group meeting shortly before publication of the next report.

The experts stressed that the success of the mechanism depends on allocating the necessary human resources within the Commission to the follow-up of the first ACR and the drafting of the next report.

One seminar in the experience sharing programme could focus on sharing best practice in whistleblower protection.

## **Conclusion**

DG HOME invited the experts to provide further feedback in writing on lessons learned from the first EU Anti-Corruption Report and suggestions for future work. Paul Stephenson volunteered to consolidate the group's feedback and forward it to the Commission before 21 March 2014.

 **Next expert group meeting**

Tentative date for the next expert group meeting: June 2014.