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THE EUROPEAN UNION**

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NOTE

From:	Presidency
To:	COREPER/Council
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Subject:	Council Conclusions on the EU Anti-corruption report

On 3 February 2014 the Commission released the first EU Anti-corruption report¹. The report was presented in CATS on 25 February 2014 and a first exchange of views took place in GENVAL on 1 April 2014. A number of delegations requested the issue to be discussed at CATS level followed by discussion in the Council in order to give the Ministers an opportunity to express their views on the Report and to adopt Council conclusions in June 2014.

On 24 April 2014 the Presidency presented to CATS possible elements for draft Council Conclusions on the Report. On the basis of the views expressed by delegations and the written input submitted by 12 May 2014, the Presidency proposed a consolidated version of the draft Council Conclusions which were agreed at technical level.

¹ 6113/14 JAI 61 GENVAL 6.

In view of the above, COREPER is invited to agree that the draft Council Conclusions on the EU Anti-corruption report, as set out in the Annex are submitted to the Council for adoption.

Council Conclusions on the EU Anti-corruption Report

The Council of the European Union,

Mindful of the detrimental impact of corruption on values of democracy and rule of law principle on which EU and its Member States are based, as well the cost of corruptive practices for society,

Noting with concern that although for a long time there has been a high political commitment to tackle corruption within the EU and a number of policies and measures have been gradually put in place, corrupt practices still pose a challenge throughout the EU, while they vary in nature and extent from one Member State to another,

Affirming that it is a common endeavour of EU and its Member States to fight corruption in a coherent manner and that it is in a common interest to promote high anticorruption standards across the EU,

Recalling the Communication of the European Commission on fighting corruption in the EU of 6 June 2011²,

Hereby,

1. **Welcomes** the first EU Anti-corruption Report³ issued by the Commission on 3 February 2014. This is a valuable tool to consolidate anti-corruption efforts and promote high anti-corruption standards across the EU based on a comprehensive approach. It should be seen as a next step in advancing the establishment of an EU-wide area based on integrity values.

² 11237/11 GENVAL 62 COSCE 10 DROIPEN 59.

³ 6113/14 JAI 61 GENVAL 6.

2. **Calls on** the Commission to engage actively in close cooperation with the Member States in a review of the methodology of the Report with a view to enhancing its political weight and value. Particular attention should be given to the prior involvement of the Member States in the fact-finding stages of the procedure in order to collect objective and reliable data. Establishing a dialogue with the Member States would be instrumental in the formulation of recommendations by the Commission tailored to the specific situation in each Member State with a view to supporting the anti-corruption policies put in place.
3. **Subscribes** to the view that the conclusions of the Report should draw on solid evidential basis and substantive and operationally relevant information⁴ in the areas of competence of the EU. The results of corruption perception polls, while indicative for the existence of corruption-related risks across the EU, have limited relevance to the effectiveness of targeted anti-corruption measures and therefore should not be in the focus of the findings of the Report.
4. **Invites** Member States to make further efforts to encourage anti-corruption prevention measures and enforce effectively anti-corruption laws and policies at national level also in the light of the Report, while noting that the situation varies from one Member State to another. Particular attention should be given to the development of effective preventive policies and adequate control mechanisms to manage corruption risks and conflicts of interest, as well as to the establishment of specific measures designed to address the political dimension of the corruption phenomenon.
5. **Notes that** identifying and analysing cross-cutting issues of particular relevance at EU level is an important tool to conduct effective EU anti-corruption policies. For example, the area of public procurement, which is in the focus of the Thematic chapter of the first Report, demonstrates features particularly vulnerable to corruption and should be properly addressed in the context of a wider assessment of the current public procurement rules, as well as throughout systematic efforts to reinforce a wide-ranging set of integrity measures therein.

⁴ The European Court of Auditors' view on the Commission's Report on anti-corruption measures, CNL002287EN04-14PP-DEC043-14FIN, 9.04.2014.

6. **Urges** the Commission to include in the Report a review of the integrity policies put in place in the EU institutions, which is an indispensable part of any comprehensive assessment of the EU anti-corruption policies.
 7. **Calls** in this respect for the full accession of the EU to GRECO as soon as possible and for the ensuing evaluation of the EU institutions under GRECO's evaluation mechanism while taking into account the different characteristics of the states and the EU institutions, and asks the Commission to speed up preparatory work to that effect.
 8. **Invites** the Commission to continue work on this initiative and to pursue the development of the next EU Anti-corruption Report in the light of these conclusions.
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