

RULES OF PROCEDURE OF THE EU NETWORK AGAINST CORRUPTION

The European Commission Directorate General Migration and Home Affairs,

Having regard to the creation of the EU Network Against Corruption by the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy, JOIN(2023) 12 final, Brussels 3.5.2023,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Article 1

Operation of the Network

The EU Network Against Corruption, hereafter “the Network” (and any of its sub-groups) is chaired by the unit in charge of integrity and anti-corruption within the European Commission Directorate General Migration and Home Affairs (hereafter “DG HOME”).

The Network shall act at the request of the Chair.

Article 2

Mandate and objectives

1. The Network aims to unite key stakeholders in the prevention of and fight against corruption in the EU. Its general objective is to enhance cooperation, promote transparency, and foster the exchange of knowledge and good practices in the area of anti-corruption and integrity.
2. Specifically, the Network aims to facilitate collaboration among stakeholders by offering a platform for dialogue on common challenges and solutions; develop and disseminate good practices, guidelines, and policies related to anti-corruption efforts and address specific anti-corruption topics based on the evolving needs of the EU and its Member States, supporting the continuous development of anti-corruption policies.

Article 3

Convening a meeting

1. The Chair convenes the Network's meetings either on its own initiative or at the request of a simple majority of members after the Chair has given its agreement.
2. The Network may convene joint meetings with other groups to discuss matters falling within their respective areas of responsibility.

3. In principle, meetings of the Network shall be held in-person, on premises provided for by the Commission. Virtual and/or hybrid meetings may be held depending on the circumstances.
4. A plenary meeting of the Network, open to all members, shall take place around once a year.
5. The Network's meetings are open to members, observers, and invited experts. They are not public and operate under Chatham House rules, unless otherwise announced by the Chair.
6. The Chair can convene meetings of the Network in smaller settings with more limited participation, depending on the topic discussed.

Article 4

Agenda

1. The Chair shall draw up an agenda for each meeting and share it with the members of the Network invited to that meeting.
2. Before drafting an agenda, the Chair shall consult the members on the topics it intends to discuss. Members can throughout the year request the Chair to discuss topics or to make a presentation in the Network's meetings.

Article 5

Documentation to be sent to members

1. The Chair shall send the invitation and the draft agenda of the meeting to the members no later than fifteen calendar days before the date of the meeting.
2. The Chair shall send documents on which the Network is consulted to the members no later than seven calendar days before the date of the meeting.
3. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraphs 1 and 2 may be reduced to five calendar days before the date of the meeting.

Article 6

Opinions of the Network

1. As far as possible, the Network shall adopt its opinions, guidelines, recommendations or reports by consensus.
2. Should consensus not be possible, the Chair can decide to adopt on the basis of simple majority.

Article 7

Sub-groups

1. The Chair may set up sub-groups for the purpose of examining specific questions or topics. Sub-groups shall report to the Network plenary. They shall cease to exist as soon as their mandate is fulfilled or when the Chair so decides.
2. Should there be a need for members of sub-groups that are not members of this Network, these can be invited by the Chair as invited experts (see Article 9).

Article 8

Membership criteria

1. The Chair is entitled to update the list of members in accordance with the criteria set out here, including that the person or organisation has proven experience and/or expertise in the prevention of and fight against corruption with a clear relevance for the European Union as a whole or related to cross-border cooperation.
2. Membership of the Network can consist of five types.
 - I. Individuals acting in a personal capacity, independently and in the public interest.

This category includes the Local Research Correspondents on Corruption, national experts who also contractually provide specific anti-corruption expertise to the Commission outside of the Network.
 - II. Individuals who represent a common interest shared by stakeholder organisations in a particular policy area. They do not represent individual stakeholders, but a particular policy orientation common to different stakeholder organisations. They may be proposed by stakeholder organisations.
 - III. Organisations in the broad sense of the word including companies, associations, NGOs, networks, trade unions, universities, research institutes, law firms, interest representations companies and consultancies.

Eligible organisations should represent a spectrum of views relevant for the EU as a whole and/or have a clear cross-border element. Individual organisations, or those with a narrower focus will generally not be considered eligible as members (i.e. individual companies in one sector with a compliance programme; trade unions active in one EU Member State, etc.) but can be considered as invited experts (Article 9).
 - IV. Member States' authorities, at national, regional or local level.
 - V. Other public entities, EU institutions, bodies, offices or agencies, and international organisations.
3. Members shall reflect a balanced composition with expertise in the areas of anti-corruption. The Chair will ensure that the Network aims to guarantee an appropriate representation of stakeholders and experts in the field, an appropriate distribution

between the different member categories and a balanced representation of gender and geographical origin.

4. Type II and III members may become members only if they are registered in the EU Transparency Register.
5. Type III, IV and V members may designate their relevant representatives on an ad hoc basis, depending on the meeting agenda and according to the topic under discussion.
6. Type III, IV and V members shall be asked to designate at minimum two contact persons who will receive all communication of the Network.
7. Membership does not by default grant rights to remuneration or any reimbursement of costs/expenses in relation to the activities Network. The European Commission may reimburse travel and accommodation expenses incurred by participants in the activities of the Network.
8. Relevant stakeholders can send a reasoned request for membership to Home-anti-corruption@ec.europa.eu to which the Chair will reply in due time.

Article 9

Invited experts

1. The Chair may invite experts with specific expertise regarding a subject matter on the agenda to take part in the work of the group or sub-groups on an *ad hoc* basis.
2. Relevant stakeholders can send a reasoned request to attend as an invited expert to Home-anti-corruption@ec.europa.eu to which the Chair will reply in due time.

Article 10

Observers

1. Candidate countries and potential candidates for EU membership, and EEA countries may be granted an observer status on their request or by direct invitation.
2. Observers shall nominate at least two representatives. They may designate their relevant representatives on an ad hoc basis, depending on the meeting agenda and according to the topic under discussion.
3. Observers and their representatives may be invited by the Chair to take part in the discussions of the Network and its sub-groups to provide expertise.
4. Relevant stakeholders can send a reasoned request to become an observer to Home-anti-corruption@ec.europa.eu to which the Chair will reply in due time.

Article 11

Secretariat

DG HOME shall provide secretarial support for the Network and any sub-groups. DG HOME reserves the right to organise the support in cooperation with an external contractor.

Article 12

Minutes of the meetings

Minutes on the discussion on each Article on the agenda and on the opinions delivered by the Network shall be meaningful and complete. Minutes shall be drafted under the responsibility of DG HOME.

Article 13

Attendance list

At each meeting, the secretariat shall draw up an attendance list specifying, where appropriate, the organisations, Member States' authorities or other public entities to which the participants belong¹.

Article 14

Conflicts of interest

1. In order to ensure the highest level of integrity of experts, as well as public confidence in the Commission's activities, individuals applying to be appointed acting in a personal capacity shall disclose any circumstances that could give rise to a conflict of interest. In particular, they shall submit a declaration of interests ('DOI') form together with an updated curriculum vitae, as part of their application to become members of the Network. Submission of a duly completed DOI form shall be necessary in order for an individual to be eligible to be appointed as a member.
2. Members or alternate members appointed to act in a personal interest before the adoption of these Rules of Procedure shall be required to submit a duly completed DOI form in order for DG HOME to determine whether they may continue to participate in the work of the Network.
3. Article 11 of Commission Decision of 30.5.2016 establishing horizontal rules on the creation and operation of Commission expert groups applies, mutatis mutandis, to the declaration and assessment of interests under these Rules of Procedure.
4. At the plenary meeting of each calendar year, the Chair shall remind all members serving in a personal capacity of their obligation to promptly inform DG HOME of any relevant change in the information previously provided, including as regards upcoming activities,

¹ The names of the representatives of organisations, Member States' authorities or other public entities may be included only subject to their prior freely given, specific, informed and unambiguous consent, in compliance with Article 3(15) and Article 7 of Regulation 2018/1725.

in which case they must immediately submit a newly completed declaration of interests describing the change, in order to enable DG HOME to assess it in due course.

5. Should a conflict of interest in relation to an expert appointed in a personal capacity arise, DG HOME shall take all appropriate measures.
6. Conflicts of interest shall be reported in writing, e.g. in the minutes of the Network's meeting. Information registered must be adequate, relevant and not going beyond what is necessary for the purpose of the management of the conflict of interest.

Article 15

Correspondence

1. Correspondence relating to the group shall be addressed to the Chair via Home-anti-corruption@ec.europa.eu
2. Correspondence with members of the Network shall be maintained via e-mail through the contact Articles which members and observers provide for that purpose (see Article 8).

Article 16

Transparency

1. DG HOME shall make available all relevant documents, including the agendas, the minutes and participants' submissions, on a dedicated website, where this information can be found. In particular, DG HOME shall publish the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes.
2. Exceptions to publication shall only be possible where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001².

Article 17

Access to documents

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001³.

² These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

³ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

Article 18

Special allowances

In principle, participants in the activities of the Network or sub-group shall not be remunerated for the services they offer. Payment of a 'special allowance' (remuneration) to members and invited experts is only possible in exceptional cases, in compliance with the procedure and conditions laid down in Commission Decision C(2016) 3301 final.

Article 19

Professional secrecy and handling of classified information

The members of the Network and sub-groups and their representatives as well as observers and invited experts are subject to the obligation of professional secrecy which, by virtue of the Treaties and the rules implementing them, applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/4435 and 2015/444. Should they fail to comply with those obligations, the Commission may take all appropriate measures.

Article 20

Modifications of the rules of procedure

The Rules of Procedures may be amended with a view of taking into account any development impacting the work of the EU Network Against Corruption.