

# GRECO: Fifth Round Evaluation Report on Germany



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## News

On 15 December 2020, GRECO published its [fifth round evaluation report on Germany](#). The focus of this evaluation round is on preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies. The evaluation focuses particularly on issues of conflicts of interest, the declaration of assets, and accountability mechanisms (for other reports on this evaluation round à [euclid 4/2018, 208;1/2019, 43-44; 3/2019, 182-184](#) and [1/2020, 30-32](#) and the following report on Albania).

Germany was among the founding members of GRECO. The country implemented GRECO's recommendations to varying degrees in the first three evaluation rounds and is currently in non-compliance proceedings in relation to the fourth evaluation round. It encountered particular difficulties in the implementation of the recommendations on corruption prevention with regard to Members of Parliament (MPs).

In international surveys, Germany is generally perceived to have low levels of corruption, and the police enjoys a high level of trust among citizens. Nevertheless, a parliamentary committee of inquiry was set up to look into the extensive hiring of consultants by the Minister of Defence in 2018. In recent years, increased attention has also been paid to the close relationships between those in top executive positions and businesses. The lack of transparency of external influences, including the influence of lobbyists who formerly held top executive positions has also become a matter of increasing concern. New rules were therefore introduced in 2015 that restrict the type of employment former federal officials can take up after leaving office. There is also broad public support for more transparency with regard to lobbying.

In this context, GRECO recommends that the following be considered regarding central governments (top executive functions):

- Adopting specific codes of conduct for persons with top executive functions, complemented by appropriate guidance regarding conflicts of interest and other integrity-related matters;
- Subjecting ministers and parliamentary state secretaries to systematic briefings on integrity issues at regular intervals;
- Analysing the Freedom of Information Act in an independent and thorough manner, with a particular focus on the scope of exceptions and their application in practice;
- Identifying, documenting, and disclosing substantial external input to legislative proposals;
- Introducing detailed rules on the way in which persons with top executive functions interact with lobbyists and other parties seeking influence on the government's legislative and other activities.
- Disclosing sufficient information about the purpose of these contacts;

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- Ensuring the consistency and transparency of any employment decisions involving state secretaries and directors-general after their public service;
- Considering the extension of the “cooling-off period” and introducing sanctions for failure to comply with any respective decisions;
- Obliging persons with top executive functions to declare their financial interests publicly on a regular basis and taking into consideration that these declarations should also include financial information on spouses and dependent family members.

With regard to law enforcement agencies, GRECO recommends:

- Expanding the Anti-Corruption Code of Conduct to include standards of behaviour for the Federal Criminal Police Office and the Federal Police, complemented by concrete examples and explanations;
- Improving the tailoring of initial and in-service trainings on integrity to the different staff categories within the Federal Police;
- Strengthening the screening processes for new recruits in the Federal Police and repeating them at regular intervals;
- Publishing information on complaints received, actions taken, and sanctions imposed by the Federal Criminal Police Office.

The GRECO report acknowledged the internal and external channels available to staff of the Federal Criminal Police Office and the Federal Police to report misconduct confidentially. However, Germany should strengthen the protection of whistleblowers beyond the mere protection of their identity.

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