



Strasbourg, 4 February 2008

Greco (2007) 25E

35th Plenary Meeting of GRECO
(Strasbourg, 3-7 December 2007)

SUMMARY REPORT

I. Opening of the Plenary Meeting

1. The 35th Plenary Meeting of GRECO was chaired by Drago KOS (President, Slovenia), and by Marin MRČELA (Vice-President, Croatia) for the examination and adoption of the Third Round Evaluation Report on Slovenia. The list of participants appears in Appendix I to this report.
2. The President opened the meeting by welcoming all representatives, referring in particular to those who had been newly nominated.

II. Adoption of the agenda

3. The President reminded the plenary that item 3 of plenary agendas now provided for delegations to be given the floor if they wished to share information on particular challenges they face or on other anti-corruption issues. Only Theme I of the draft Third Round Evaluation Report on the United Kingdom would be examined at the present meeting. Time constraints resulting from the postponement of the evaluation visit from July to October meant that examination of Theme II of the report would be carried out at GRECO 36 (February 2008). It was to be noted that the report as a whole (Themes I and II) would be formally adopted at GRECO 36. The agenda was adopted as it appears in Appendix II to this report.

III. Information provided by the President, Delegations and the Executive Secretary

4. Referring to the Bureau 41 meeting (cf. Greco (2007) 22E) the **President** indicated that the question of further training needs for the Third Evaluation Round had been discussed at some length. Training provided in 2007 had been particularly useful to delegations and evaluators. The Bureau considered, however, that it would be in a better position to assess further needs once GRECO had gained more experience from the first evaluations in the round.
5. Authorisation to publish the Second Round Compliance Reports on Albania and "the former Yugoslav Republic of Macedonia" as well as the Addenda to the First Round Compliance Reports on Bosnia and Herzegovina and Malta had not yet been given by the countries concerned.
6. The President also reported that he had been invited to meet the Minister of Justice of Serbia in November. He had been informed of the state of measures being taken to implement GRECO's Joint First and Second Round recommendations to Serbia. In December, he had participated in the Closing conference of the joint Council of Europe/European Commission project : Russian Federation – Development of Legislative and other Measures for the Prevention of Corruption (RUCOLA-2). On that occasion he met with the head of the Inter-institutional working group, Mr Victor Ivanov to discuss the features of new anti-corruption legislation to be adopted before the March 2008 presidential elections.
7. The President informed the plenary that current draft legislation on the ratification of the United Nations Convention against Corruption provided for the establishment of a special "independent" anti-corruption Commissioner within the government of Slovenia. Under the legislation, the current Commission for the Prevention of Corruption would be abolished at the beginning of 2009 and its tasks would be allocated to the Court of Audit and a variety of other bodies/agencies. This splitting of tasks would undoubtedly have a negative impact on the overall coordination of anti-corruption policy in Slovenia. As Chairman of the Commission for the Prevention of Corruption, the President was himself being put under some pressure to step down before the beginning of 2009 – references had again been made in the

press to a case he had supposedly been involved in as Deputy Head of the Criminal Police in 1999 and for which all charges against him had been dropped.

8. The **representative of Italy** informed the plenary about the celebration, in Rome, in November, of the Tenth Anniversary of the OECD Anti-Bribery Convention with events organised jointly by the Italian Ministry of Justice, the High Commissioner against Corruption of Italy and the OECD. First, Prosecutors from the States parties to the convention met to discuss ways of overcoming difficulties in detecting, investigating and prosecuting foreign bribery. This was followed by a High level conference during which Ministers and other high level officials of the States parties reaffirmed their commitment to enforcing the OECD convention. The conference adopted a "Tenth Anniversary Statement". Finally, an expert meeting was held to examine the effectiveness of measures adopted to date to ensure detection, investigation and prosecution foreign bribery offences.
9. The **representative of Sweden** highlighted a research project being carried out by the National Anti-Corruption Unit within the National Council for Crime Prevention (Brå) – The structure of corruption in Sweden. Summary information in English was available at the following address www.bra.se.
10. The **representative of Luxembourg** informed the plenary about the planned establishment of a consultative body which would, among other things, be responsible for overseeing the implementation of GRECO and OECD recommendations. He also mentioned new legislation which increased possibilities for confiscation and seizure and draft legislation dealing with the criminal liability of legal persons.
11. The **Executive Secretary** reported on the following developments since GRECO's 34th Plenary Meeting (November 2007):
 - The Statutory Committee had met on 29 November and had adopted GRECO's budget for 2008. Mr Bruno GAIN, Permanent Representative of France to the Council of Europe, was elected President of the Statutory Committee, replacing the former Permanent Representative of the Slovak Republic. The budget had increased by approximately 6% in comparison to 2007 to cover the costs of additional evaluation visits and higher participation in plenaries in 2008 (new member States and a larger number of evaluators assisting GRECO during adoption procedures). During the meeting, GRECO and its secretariat received much praise for their work to-date. Members of the Statutory Committee raised the question of reducing the period of time between evaluation visits and the adoption of reports and it was suggested that the budget could increase further in the future as it was clearly understood that it would not be possible to increase output beyond that foreseen for 2008 without additional resources.
 - internal consultations were underway in Belarus regarding an agreement between the country and the Council of Europe on the privileges and immunities of members of GRECO evaluation teams which would need to be concluded before Belarus acceded to GRECO following the entry into force in its respect – on 1 July 2006 - of the Civil Law Convention on Corruption (ETS 174). Further news was expected in early 2008;
 - there had been indications that Kazakhstan was contemplating becoming a party to the Criminal or the Civil Law Convention on Corruption (ETS 173 or 174);
 - on 23 November, the Deputy Representative of the Secretary General in Kyiv had organised a public presentation of GRECO's Joint First and Second Round Evaluation Report on Ukraine (published on 20 October 2007) to, among others,

representatives of the Ministry of Justice, the Presidential Office, the State Civil Service Administration and a European Commission delegation who all stressed the usefulness of the report and the need to link assistance programmes to GRECO recommendations. The **representative of Ukraine** added that on 15 December, in the context of the International Anti-Corruption Day, the Ministry of Justice would organise a roundtable for informal dialogue with appropriate NGOs and other organisations on the implementation of GRECO's recommendations;

- copies of the final statement adopted by the high-level conference organised to mark the tenth anniversary of the OECD Anti-Bribery Convention (which the Executive Secretary had attended), reported on above by the representative of Italy, were available in the meeting room;

- copies were also available of the reply adopted by the Committee of Ministers to a written question "Preventing corruption in Slovenia" from Mr Bartumeu Cassany as well as of the reply by the Committee of Ministers to Parliamentary Assembly recommendation 1792 (2007) on Fair trial issues in criminal cases concerning espionage or divulging state secrets. GRECO's comments, in particular on the question of the protection of whistleblowers had been expressly referred to by the Committee of Ministers.

IV. First Round Compliance Procedure – Greece

12. The draft Addendum to the First Round Compliance Report on Greece was based on information provided by the authorities of the country as required by the conclusions of GRECO's First Round Compliance Report. Following a detailed reading, GRECO adopted the Addendum to the First Round Compliance Report on Greece (Greco RC-I (2004) 2E Addendum) and thus terminated the first round compliance procedure in respect of that country.
13. GRECO noted with satisfaction that the authorities of Greece authorised the publication of the Addendum.

V. Second Round Compliance Procedure – Croatia and Romania

14. The draft Second Round Compliance Report on Croatia had been prepared, in consultation with Rapporteurs designated on behalf of Iceland and Slovenia, on the basis of a Situation Report submitted by the authorities of the country. The rapporteurs communicated their observations on the draft compliance report to the plenary and a detailed reading of the report followed.
15. The draft Second Round Compliance Report on Romania which had been prepared, in consultation with Rapporteurs designated on behalf of Austria and Azerbaijan, on the basis of a Situation Report submitted by the authorities had undergone a first reading at GRECO 34 (November 2007). A second reading of a revised version of the draft report which took account of additional information provided subsequently by the authorities (cf. GRECO 34 decision 9 – Greco (2007) 24E) was carried out by the present plenary.
16. GRECO adopted the Second Round Compliance Reports on Croatia (Greco RC-II (2007) 13E) and Romania (Greco RC-II (2007) 8E). The deadline fixed for the submission of additional information regarding the implementation of recommendations was 30 June 2009 in both cases.
17. GRECO noted with satisfaction that the authorities of Croatia authorised the publication of the compliance report and invited the authorities of Romania to authorise publication as soon as possible.

VI. Joint First and Second Round Evaluations

18. GRECO approved the composition of the Teams in charge of the Joint First and Second Round evaluations of the Russian Federation, Italy and Monaco as contained in document Greco Eval II (2003) 1 bil of 23 November 2007.

VII. Third Evaluation Round

19. For the first time since the launch of the round on 1 January 2007, Third Round Evaluation Reports were submitted to peer review by GRECO. Third Round Evaluation Reports are composed of two parts: **Theme I** on *Incriminations* provided for in the Criminal Law Convention on Corruption (ETS 173), its Additional Protocol (ETS 191) and Guiding Principle 2 (Twenty Guiding Principles against Corruption - Resolution (97) 24) and **Theme II** - *Transparency of Party Funding* (as understood by reference to Recommendation Rec(2003)4 on common rules against corruption in the funding of political parties and electoral campaigns). In line with standing practice, an in-depth reading of the draft reports was carried out by the plenary with the participation of the Evaluation Teams who had visited the countries concerned earlier in the year. Before adoption, the reports underwent a second reading of drafts revised in the light of the discussions held during the first reading.
20. GRECO adopted the Third Round Evaluation Reports on Finland (Greco Eval III Rep (2007) 2E – Themes I and II) and Slovenia (Greco Eval III Rep (2007) 1E – Themes I and II) and carried out two readings of the draft Third Round Evaluation Report on the United Kingdom (Greco Eval III Rep (2007) 3E – Theme I) - (cf. paragraph 3 above).
21. GRECO noted with satisfaction that the authorities of Finland authorised the publication of the report and invited the authorities of Slovenia to authorise publication as soon as possible.
22. Following discussions during the examination of the above reports, it was established that GRECO could recommend to members who have not done so to sign and ratify anti-corruption conventions/protocols adopted in pursuance of the Committee of Ministers' Programme of Action against Corruption.
23. The composition of the Teams in charge of the Third Round Evaluations of Albania, Belgium, Denmark, France, Lithuania, Norway, Poland and Spain - as contained in document Greco Eval III (2007) 1bil of 6 December 2007 - was approved.

VIII. Programme of Activities for 2008

24. The Executive Secretary informed the plenary that the Heads of Delegation of all the countries for which provisional dates for evaluation visits in 2008 had been included in the calendar contained in the draft Programme of Activities had been contacted by letter proposing dates for visits and deadlines for the submission of replies to GRECO's questionnaires. He urged those who had not already done so to reply as rapidly as possible in order to ensure a manageable schedule for 2008. GRECO adopted its Programme of Activities for 2008 as it appears in document Greco (2007) 20E Final.

IX. General Activity Report (2007)

25. GRECO agreed with the proposal of Bureau 41 to include a substantive section on revolving doors / *pantouflage* in its Eighth General Activity Report (2007) and noted with satisfaction that Mrs Jane LEY, Deputy Director, Office of Government Ethics (United States) had accepted to prepare a draft of the section. The draft report would be submitted to Bureau 42 (January 2008) and subsequently presented to GRECO 36 (February 2007) for adoption.

X. Second Session of the Conference of States Parties to the United Nations Convention against Corruption (Indonesia, 28 January – 1 February 2008)

26. The plenary adopted a Communication to be transmitted to the second session of the Conference of States parties to the United Nations Convention against Corruption on review of implementation of the UN convention (Greco (2007) 21E Final). Following its communication to the first session of the Conference (Jordan, December 2006), GRECO restates its readiness to offer its knowledge and experience in the field of peer review and to contribute to any efforts aimed at avoiding overlap and duplication and at ensuring that different monitoring processes enhance each other. The text of the communication is reproduced in Appendix III.

XI. Exchange of Views

27. Mr Franz-Hermann BRÜNER, Director General of the European Anti-Fraud Office (OLAF) participated in an exchange of views with GRECO during which he presented the scope of action of OLAF and measures against corruption taken by the European Commission. Bearing in mind the Memorandum of Understanding between the Council of Europe and the European Union, a number of fields of mutual interest were identified (for example, good governance, political party funding, EU Contact-point network against corruption) and it was agreed that possibilities for future exchanges with OLAF and/or other appropriate European Union bodies would be actively explored in the months to come.

XII. International Anti-Corruption Day (9 December 2007)

28. To mark International anti-corruption day, the President made an Internet video statement, broadcast on the Council of Europe's website, in which he commented on the high levels of corruption which still permeate society and public institutions in some GRECO member States; he stressed in particular that it was too early to be satisfied with the current state of anti-corruption endeavours in Europe and around the world.

XIII. Adoption of decisions

29. The decisions of the 35th Plenary Meeting were adopted, as they appear in document Greco (2007) 24E.

XIV. Dates of forthcoming meetings

30. The 36th Plenary Meeting would be held in Strasbourg on 11-15 February 2008. GRECO noted that the Bureau would hold its first meeting in 2008 in Strasbourg on 11 January.

APPENDIX I

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

ALBANIA / ALBANIE

Mr Saimir STRUGA

Inspector, Department of International Administrative Control and Anti-Corruption, Council of Ministers

ANDORRA/ANDORRE

Mme Maribel LAFOZ JODAR (Chef de délégation)

Commissaire de Police

M. Ivan ALIS SALGUERO

Avocat, Assesseur du Ministère de l'Intérieur et de la Justice

ARMENIA / ARMENIE

Mr Artur OSIKYAN (Head of delegation) – **Apologised / Excusé**

Deputy Head of the State Tax Service

AUSTRIA / AUTRICHE

Mr Christian MANQUET (Head of delegation)

Head of Unit, Directorate for Penal Legislation, Federal Ministry of Justice

Mr Erich KÖNIG

Constitutional Service, Dep. V/4, Media / Information Society/Financing of political parties

Federal Chancellery

Mr Hubert SICKINGER

Research fellow of the Institute of Conflict Research

Mr Thomas OBRUCA

Federal Bureau for Internal Affairs, BIA, Federal Ministry of the Interior

AZERBAIJAN / AZERBAIDJAN

Mr Inam KARIMOV (Head of delegation) - **Apologised / Excusé**

Chief Adviser, Dpt of Coordination of Law Enforcement Bodies, Executive Office of the President of the Republic

M Lévon AMIRDJANIAN

Représentant Permanent Adjoint de l'Arménie auprès du Conseil de l'Europe

BELGIUM / BELGIQUE

Mle Claire HUBERTS (Chef de délégation)

Conseillère adjointe, Service des questions pénales, générales et intales, DG de la Législation Pénale et des Droits de l'Homme, Ministère de la Justice

M. Guido HOSTYN

Premier conseiller de direction, Secrétaire de la Commission de contrôle des dépenses électorales

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Mr Sead TEMIM

Prosecutor, Federal Prosecutor's Office of the Federation of Bosnia and Herzegovina

BULGARIA / BULGARIE

Mr Georgi RUPCHEV

Director of International Cooperation and European Integration, Ministry of Justice

CROATIA / CROATIE

Mr Marin MRČELA (Head of delegation)

Vice-Président du GRECO – Vice-President of GRECO

Judge at the County Court in Zagreb

CYPRUS / CHYPRE

Ms Despo THEODOROU
Counsel of the Republic, Law Office of the Republic of Cyprus

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Ms Helena LIŠUCHOVÁ (Head of delegation)
International Department, Section for International Organisations and International Co-operation,
Ministry of Justice

DENMARK / DANEMARK

Mr Flemming DENKER
Deputy Director, Public Prosecutor for Serious Economic Crime

Ms Alessandra GIRALDI
Deputy Chief Prosecutor, Office of the Director of Public Prosecutions

ESTONIA / ESTONIE

Ms Mari-Liis LIIV (Head of delegation)
Head of Criminal Statistics and Analysis Division, Criminal Policy Department, Ministry of Justice

FINLAND / FINLANDE

Mr Kaarle J. LEHMUS (Head of delegation)
Inspector General of the Police, Ministry of the Interior, Police Department

Ms Helinä LEHTINEN
Ministerial Advisor, Ministry of Justice, Crime Policy Department

Mr Jussi AALTONEN
Senior Adviser, Ministry of Justice

Mr Ilari HANNULA, expert

Mr Arto JÄÄSKELÄINEN, expert

Mr Markku KUUSELA, expert

Mr Jukka RAPPE, expert

FRANCE

M Michel BARRAU
Chef du Service Central de Prévention de la Corruption, Service Interministériel placé auprès du
Ministère de la Justice

M Yves-Marie DOUBLET
Directeur adjoint, Service des affaires juridiques, Assemblée nationale, Division du contrôle et des
études juridiques

GEORGIA / GEORGIE

Mr Levan KHETSURIANI
Adviser, Office of the State Minister on Reforms Coordination of Georgia

GERMANY / ALLEMAGNE

Mr Matthias KORTE (Head of delegation)
Head of Division, Ministry of Justice

Mr Stefan SINNER
Deputy Head of Division, German Bundestag, Administration, Secretariat of the Legal Affairs
committee

GREECE / GRECE

Mr Dimitrios GIZIS
Assistant Public Prosecutor, Athens Court of First Instance

HUNGARY / HONGRIE

Mr Ákos KARA (Head of delegation)
Deputy Head of Department, Ministry of Justice

ICELAND / ISLANDE

Ms Ragna ARNADOTTIR (Head of delegation)
Deputy Permanent Secretary, Director of Legal Affairs, Ministry of Justice

IRELAND / IRLANDE

Mr Henry MATTHEWS
Office of the Director of Public Prosecutions

ITALY / ITALIE

Ms Ileana FEDELE
Magistrate, Expert within the Office of the High Commission against corruption

Mr Fabrizio GANDINI
Magistrate, Magistrate attached to Office I, Directorate General of Penal Law

LATVIA / LETTONIE

Ms Inese TERINKA
Senior Specialist, Legal Division, Corruption Prevention and Combating Bureau (KNAB)

LITHUANIA / LITUANIE

Ms Elena KONCEVICIUTE
International Relations Officer, International Cooperation Division, Special Investigation Service

LUXEMBOURG

M Jean BOUR (Chef de délégation)
Procureur d'Etat, Parquet du Tribunal d'Arrondissement de Diekirch

MALTA / MALTE

Apologised / Excusé

MOLDOVA

Mme Cornelia VICLEANSCHI (Chef de délégation)
Procureur, Chef de la Section Générale, Bureau du Procureur Général

MONACO

M Thierry PERRIQUET
Conseiller près de la Cour d'Appel, Palais de Justice

M Frédéric COTTALORDA

Chef de Section, Service d'Information et de Contrôle sur les Circuits Financiers (SICCFIN),
Département des Finances et de l'Economie

MONTENEGRO / MONTENEGRO

Ms Ana NIKOLIC
Senior Advisor, Directorate for Anti-Corruption Initiative

Mr Dusan DRAKIC, Adviser, Directorate for Anti-Corruption Initiative

NETHERLANDS / PAYS-BAS

Mr Bastiaan WINKEL-BOER
Policy Advisor, Ministry of Justice

NORWAY / NORVEGE

Mr Atle ROALDSØY (Head of delegation)
Senior Adviser, Police Department, Ministry of Justice

Mr Jens-Oscar NERGÅRD

Senior Adviser, Ministry of Government Administration and Reform

POLAND / POLOGNE

Mr Cezary MICHALCZUK (Head of delegation)
Prosecutor, Department of International Cooperation and European Law, Ministry of Justice

PORTUGAL

Mr Jorge MENEZES FALCÃO (Chef de délégation)
Conseiller Juridique, Bureau des Relations Internationales, Ministère de la Justice

ROMANIA / ROUMANIE

Ms Oana SMIDT HAINEALA (Head of delegation)
Director of the Department for the Relations with the Public Ministry, Prevention of criminality and corruption

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Ms Veronika MILINCHUK
Deputy Minister of Justice, Ministry of Justice

Mr Vladimir KALANDA
First Deputy Director, Federal Migration Service

Mr Igor STOROZHENKO
Parliamentary Assistant to the Chairman of the State Duma's Anti-Corruption Commission

REPUBLIC OF SERBIA / REPUBLIQUE DE SERBIE

Ms Ana MARIČIĆ (Head of delegation)
Legal Advisor, Secretariat for the implementation of the National Judicial Reform Strategy
Ministry of Justice

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Mr Daniel GABČO (Head of Delegation)
Head of the Department of Strategic Analysis and International Co-operation, Combating
Corruption Bureau, Police Force Presidium

SLOVENIA / SLOVENIE

Mr Drago KOS
President of GRECO / Président du GRECO
Chairman, Commission for the Prevention of Corruption

Mr Jure ŠKRBEČ
Consultant, Commission for the prevention of corruption

Ms Sandra A. BLAGOJEVIĆ
Consultant, Commission for the Prevention of Corruption

Ms Sabina DOLINŠEK, Ministry of the Interior

Mr Luka KREMŽAR, Ministry of Justice

Mr Zoran MLADENOVIC, Court of Audit)

Ms Katja REJEC LONGAR, Ministry of Justice

Mr Bostjan SKRLEC, Prosecutor, Public Prosecutor's office

Mr Jurij TOPLAK, Faculty of Law

Mr Damjan TUSAR, Ministry of Public Administration

SPAIN / ESPAGNE

Mr Rafael VAILLO
Legal Counsellor, Ministry of Justice

SWEDEN / SUEDE

Ms Lena HÅLL ERIKSSON (Head of delegation)
Director General, Ministry of Justice

SWITZERLAND / SUISSE

M Ernst GNÄGI (Chef de délégation)
Chef de l'unité du droit pénal international, Office fédéral de la Justice

"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA" / "L'EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE"

Ms Slagjana TASEVA (Head of delegation)
Professor of Criminal Law, Director, Police Academy

TURKEY / TURQUIE

M Ergin ERGÜL (Chef de délégation)
Magistrat, Directeur Général Adjoint, Direction Générale du Droit International et des Relations Extérieures, Ministère de la Justice

UKRAINE

Mr Ruslan RIABOSHAPKA (Head of delegation)
Head of the Department of Legal Issues, Law Enforcement Activity and Fight against Crime
Ministry of Justice

Mr Mykhaylo BUROMENSKIY
President of the Institute of Humanitarian Research

UNITED KINGDOM / ROYAUME-UNI

Mr Roderick MACAULEY (Head of delegation)
Head of EU and International Criminal Law, Corruption and Fraud, Criminal Law Policy Unit
Ministry of Justice

Mr Tom BARNES
Criminal Law Policy Unit, Home Office, Sentencing and Offences Unit

UNITED STATES OF AMERICA / ETATS-UNIS D'AMERIQUE

Mr Richard M. ROGERS (Head of delegation)
Senior Counsel to the Assistant Attorney General, Criminal Division, Department of Justice

Mr Robert LEVENTHAL
Director, Anticorruption and Governance Initiatives, Bureau for International Narcotics and Law Enforcement Affairs, U.S. Department of State

Ms Jane LEY
Deputy Director, US Office of Government Ethics

PRESIDENT OF THE STATUTORY COMMITTEE OF GRECO / PRÉSIDENT DU COMITÉ STATUTAIRE DU GRECO**PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE / ASSEMBLEE PARLEMENTAIRE DU CONSEIL DE L'EUROPE**

M Jaume BARTUMEU CASSANY
Membre de la Commission des questions juridiques et des droits de l'homme de l'Assemblée
Parlementaire, Membre du Conseil Général

**REPRESENTATIVE OF THE CDCJ / REPRÉSENTANT DU CDCJ
Apologised / Excusé****REPRESENTATIVE OF THE CDPC / REPRÉSENTANT DU CDPC**

Mr Damir VEJO
Head of the Department for Organised Crime and Corruption, Ministry of Security of Bosnia and Herzegovina

**OBSERVER UNITED NATIONS – UNODC / OBSERVATEUR NATIONS UNIES – ONUDC
Apologised / Excusé**

OBSERVER OECD / OBSERVATEUR OCDE
Apologised / Excusé

GRECO EVALUATION TEAMS / EQUIPES D'EVALUATION DU GRECO

**Third Round Evaluation of FINLAND /
Evaluation du Troisième Cycle de la FINLANDE**

Incriminations:

Mr Henry MATTHEWS (Ireland / *Irlande*)
Office of the Director of Public Prosecutions

Mr Flemming DENKER (Denmark / *Danemark*)
Deputy Director, Public Prosecutor for Serious Economic Crime

Transparency of Party Funding / Transparence du Financement des Partis:

Mr Stefan SINNER (Germany / *Allemagne*)
Deputy Head of Division, German Bundestag, Administration, Secretariat of the Legal Affairs committee

Mr Jens-Oscar NERGÅRD (Norway / *Norvège*)
Senior Adviser, Ministry of Government Administration and Reform

M Yves-Marie DOUBLET (Consultant)
Directeur adjoint, Service des affaires juridiques, Assemblée Nationale

**Third Round Evaluation of SLOVENIA /
Evaluation du Troisième Cycle de la SLOVENIE**

Incriminations:

Mr Matthias KORTE (Germany / *Allemagne*)
Federal Ministry of Justice, Head of Division IIA4, "Economic Crime, Computer Crime, Corruption-related Crime and Environmental Crime

Ms Ana NIKOLIC (Montenegro / *Monténégro*)
Senior Advisor, Director for Anti-Corruption Initiative

Transparency of Party Funding / Transparence du Financement des Partis:

Mr Jussi AALTONEN (Finland / *Finlande*)
Senior Adviser, Ministry of Justice

Mr Hubert SICKINGER (Austria / *Autriche*)
Research fellow of the Institute of Conflict Research

Ms Patricia PEÑA ARDANAZ (Consultant)

**Third Round Evaluation of the UNITED KINGDOM /
Evaluation du Troisième Cycle du ROYAUME-UNI**

Incriminations:

Mr Richard M. ROGERS (United States of America / *Etats-Unis d'Amérique*)
Senior Counsel to the Assistant Attorney General, Criminal Division, Department of Justice

Mr Georgi RUPCHEV (Bulgaria / *Bulgarie*)
Director of International Cooperation and European Integration, Ministry of Justice

Transparency of Party Funding / Transparence du Financement des Partis:

Part II postponed to the 36th Plenary Meeting / Partie II reportée à la 36e reunion plénière

RAPPORTEURS

Second Round Compliance Reports / Rapports de Conformité du Deuxième Cycle

RC-II CROATIA / CROATIE

Ms Ragna ARNADOTTIR (Iceland / Islande)

Ms Sandra A. BLAGOJEVIC (Slovenia / Slovénie)

RC-II ROMANIA / ROUMANIE (second reading / deuxième lecture)

Mr Inam KARIMOV (Azerbaijan / Azerbaïdjan) – **Apologised / Excusé**

Mr Christian MANQUET (Austria / Autriche)

Exchange of views / Echange de vues

Mr Franz-Hermann BRÜNER, Director General of the European Anti-Fraud Office (OLAF) / Directeur Général de l'Office européen de Lutte anti-fraude (OLAF)

COUNCIL OF EUROPE SECRETARIAT / SECRETARIAT DU CONSEIL DE L'EUROPE

Mr Wolfgang RAU, Executive Secretary of GRECO, Directorate General of Human Rights and Legal Affairs

Mr Björn JANSON, Deputy to the Executive Secretary, Directorate General of Human Rights and Legal Affairs

Mr Christophe SPECKBACHER, Administrative Officer, Directorate General of Human Rights and Legal Affairs

Ms Laura SANZ-LEVIA, Administrative Officer, Directorate General of Human Rights and Legal Affairs

Ms Tania VAN DIJK, Administrative Officer, Directorate General of Human Rights and Legal Affairs

Mr Michael JANSSEN, Administrative Officer, Directorate General of Human Rights and Legal Affairs

Ms Elspeth REILLY, Assistant, Directorate General of Human Rights and Legal Affairs

Ms Penelope PREBENSEN, Administrative Assistant, Directorate General of Human Rights and Legal Affairs

Mme Laure HEIM, Assistant (Evaluation rounds), Directorate General of Human Rights and Legal Affairs

Mme Marie-Rose PREVOST, Assistant, (Evaluation rounds), Directorate General of Human Rights and Legal Affairs

Ms Simona GHITA, Webmaster, Directorate General of Human Rights and Legal Affairs

INTERPRETERS / INTERPRETES

Ms Sally BAILEY

Ms Chloé CHENETIER

Ms Cynera JAFFREY

APPENDIX II

AGENDA / ORDRE DU JOUR

1. Opening of the meeting at **09h30** / *Ouverture de la réunion à 09h30*
2. Adoption of the agenda / *Adoption de l'ordre du jour*
3. Information from the President, Delegations and the Executive Secretary (including on Bureau 41) / *Information du Président, de Délégations et du Secrétaire Exécutif (y compris sur Bureau 41)*
4. First reading of draft Third Round Evaluation Reports / *Première lecture de projets de Rapport d'Evaluation du Troisième Cycle* :
 - **Finland / Finlande** (Monday – Tuesday / *lundi – mardi*)
 - **Slovenia / Slovénie** (Tuesday – Wednesday[Thursday morning] / *mardi – mercredi[jeudi matin]*)
 - **United Kingdom / Royaume-Uni** ([Wednesday afternoon]Thursday / *[mercredi après-midi]jeudi*)*

Evaluation teams and national delegations concerned are requested to be present as follows: / Les Equipes d'évaluations et délégations nationales concernées sont priées d'être présentes comme suit :

- Finland / *Finlande* (Monday 09h00 – Tuesday 18h00 / *lundi 09h00 – mardi 18h00*)
 - Slovenia / *Slovénie* (Tuesday 09h00 – Thursday 13h00 / *mardi 09h00 – jeudi 13h00*)
 - United Kingdom / *Royaume-Uni* (Wednesday 14h30 – Thursday 18h00 / *mercredi 14h30 – jeudi 18h00*)
5. Examination and adoption of the Addendum to the First Round Compliance Report on **Greece** / *Examen et adoption de l'Addendum au Rapport de Conformité du Premier Cycle sur la Grèce*
 6. Examination and adoption of the Second Round Compliance Reports on **Croatia** and **Romania** (second reading) / *Examen et adoption des Rapports de Conformité du Deuxième Cycle sur la Croatie et la Roumanie (deuxième lecture)*
 7. Joint First and Second Evaluation Rounds – composition of the Teams in charge of the evaluation of the Russian Federation, Italy and Monaco / *Premier et Deuxième Cycles d'Evaluation conjoints – composition des Equipes chargées de l'évaluation de la Fédération de Russie, de l'Italie et de Monaco*
 8. Third Evaluation Round - composition of the Teams in charge of the evaluation of Poland, Spain, France, Norway, Denmark, Albania, Belgium and Lithuania / *Troisième Cycle d'Evaluation - composition des Equipes chargées de l'évaluation de la Pologne, l'Espagne, la France, la Norvège, le Danemark, l'Albanie, la Belgique et la Lituanie*
 9. Adoption of the Programme of Activities for 2008 (approved by Bureau 41) / *Adoption du Programme d'Activités pour 2008 (approuvé par le Bureau)*
 10. Eighth General Activity Report (2007) – substantive issue (Bureau 41 proposal) / *Huitième rapport général d'activités (2007) – question de fond (proposition du Bureau 41)*

* Part I "Incriminations" only / *Partie I "Incriminations" seulement.*

11. Second Session of the Conference of the States Parties to the United Nations Convention against Corruption (Indonesia, 28 January – 1 February 2008) – draft Communication from GRECO / *Deuxième Session de la Conférence des Etats Parties à la Convention des Nations Unies contre la Corruption (Indonésie, 28 janvier – 1er février 2008) – projet de Communication du GRECO*
 12. **Second reading** and adoption of the draft Third Round Evaluation Reports on Finland and Slovenia** (**Friday**) / **Deuxième lecture** et adoption des projets de Rapport d'Evaluation du Troisième Cycle sur la Finlande et la Slovénie** (**vendredi**)
13. Exchange of views with Mr Franz-Hermann BRÜNER, Director General of the European Anti-Fraud Office (OLAF) – **Friday** 7 December, 11h00 / *Echange de vues avec M. Franz-Hermann BRÜNER, Directeur Général de l'Office européen de Lutte anti-fraude (OLAF) - **vendredi** 7 décembre, 11h00*
14. Miscellaneous / *Divers*
 15. Adoption of decisions / *Adoption des décisions*
 16. Dates of next meetings / *Dates des prochaines réunions*

** The report on the United Kingdom (Parts I and II) will be adopted as a whole at GRECO 36 (11-15 February 2008) / *Le rapport sur le Royaume-Uni (Parties I et II) sera adopté dans son intégralité lors de GRECO 36 (11-15 février 2008).*

APPENDIX III

COMMUNICATION on review of implementation of the United Nations Convention against Corruption in view of the Second Session of the Conference of States Parties to the Convention

The Group of States against Corruption (GRECO), the 46-member Council of Europe anti-corruption monitoring body which also counts the United States of America among its members, has followed with interest and has contributed to, the debate on the review of implementation of the United Nations Convention against Corruption (UNCAC). It is pleased that it has been given the opportunity to share its experience as a fully-fledged regional peer-review mechanism at several international fora concerned with this process.

In the light of eight years of country-specific monitoring, GRECO can only endorse what has now become a widely held position, namely that effective review is a cornerstone of the effective implementation of international legal instruments in the fight against corruption.¹

GRECO welcomes the work completed by the Conference of the States Parties to the United Nations Convention against Corruption, at its first session (Amman, December 2006). More particularly, GRECO notes with interest that the States Parties underline in Resolution 1/1 ("Review of implementation") that any review mechanism under the UNCAC should "complement existing international and regional review mechanisms in order that the Conference of the States Parties may, as appropriate, cooperate with them and avoid duplication of effort."

In this connection, GRECO also notes with satisfaction that at the meeting of the Open-ended Intergovernmental Working Group on Review of the Implementation of the United Nations Convention against Corruption (Vienna, 29-31 August 2007) explicit reference was made to potential areas of synergy with other existing review mechanisms and the use that could be made of their results and findings.²

Against this background, GRECO wishes to stress that its first two evaluation rounds (1999-2006) have so far generated more than 150 country-specific reports – available on-line www.coe.int/greco – dealing with a wide range of issues which are also addressed in the UNCAC. Among these are:

- Prevention of corruption (strategies, action plans, anti-corruption bodies and professionals),
- Criminalisation and law enforcement (including the confiscation and other deprivation of instrumentalities and proceeds of corruption),
- Policies against corruption in public administration (access to information, codes of ethics, post-service restrictions for public officials, whistleblower protection)

¹ GRECO has a mandate to monitor the following six anti-corruption instruments of the Council of Europe: Criminal and Civil Law Conventions on Corruption (ETS 173 and ETS 174), Additional Protocol (ETS 191) to the Criminal Law Convention; Resolution (97) 24 on the twenty guiding principles for the fight against corruption, Recommendation No. R (2000) 10 on codes of conduct for public officials and Recommendation Rec(2003)4 on common rules against corruption in the funding of political parties and electoral campaigns.

² Cf. Report on the meeting of the Open-ended Intergovernmental Working Group on Review of the Implementation of the United National Convention against Corruption held in Vienna from 29 to 31 August 2007, Document CAC/COSP/2008/3, paragraph 48.

- Liability of legal persons for corruption offences (including effective control of the establishment/registration of legal persons).

This work is being complemented – in the context of GRECO’s current Third Evaluation Round – with in-depth evaluations of members’ party and campaign funding systems as well as of the implementation in domestic law and practice of the corruption offences established under the Council of Europe’s Criminal Law Convention on corruption (ETS 173) and its Additional Protocol (ETS 191).

GRECO’s country-specific reports contain comprehensive information and examples of good practice, which are no doubt of interest in respect of the effective implementation of the UNCAC and a meaningful review of its implementation.

GRECO invites all interested parties to make best use of the information generated through its peer review process.

In line with its Communication addressed to the Conference of the States Parties at its first session³, the Group of States against Corruption reiterates that it is prepared to offer its knowledge and experience in the field of peer review and to support the implementation of the UNCAC to the extent possible. It is willing, in particular, to contribute to any forthcoming reflection process on how to avoid duplication and overlap and to coordinate, *in concreto*, a possible UNCAC review mechanism with already existing monitoring processes and systems in an endeavour to ensure that different monitoring processes enhance each other.

³ Communication adopted by the Group of States against Corruption of the Council of Europe on 8 December 2006 on the review of implementation of the United Nations Convention against Corruption in view of the 1st Session of the Conference of States Parties to the Convention, Document CAC/COSP/2006/CRP.4