



Groupe d'Etats contre la corruption
Group of States against corruption

DIRECTORATE GENERAL I – LEGAL AFFAIRS
DEPARTMENT OF CRIME PROBLEMS



Strasbourg, 8 March 2002

Greco (2001) 16E Final

Second General Activity Report of GRECO (2001)

approved by GRECO's Bureau
(Paris, 14-15 February 2002)

adopted by GRECO at its 8th Plenary Meeting
(Strasbourg, 4-8 March 2002)

I. Terms of Reference

This is the general activity report of the Group of States against Corruption – GRECO – for 2001. It is submitted under Article 8, paragraph 1, iii) of the Agreement establishing GRECO and Rule 37 of the Rules of Procedure of GRECO.

II. Executive Summary

GRECO, which started functioning in September 1999, had by December 2001 32 member States. Following the starting-up period (1999-2000), during which GRECO had carried out several administrative and preparatory measures, such as the adoption of its Rules of Procedure, election of its Presidency and fixing the modalities of its first round of evaluation as well as carrying out 9 evaluations and adopting 3 evaluation reports, it was able in 2001 to concentrate more on the evaluation work. Thus, in 2001, GRECO conducted 14 evaluation visits and adopted 11 evaluation reports. Moreover, GRECO decided at its 6th and 7th Plenary Meetings to extend the First Evaluation Round, first until 30th June 2002, then until 31 December 2002, in order to take account of the rapid increase in the number of its member States. GRECO also agreed on the format of follow-up reports to be submitted by the members following their evaluation.

III. Membership

GRECO is a Partial and Enlarged Agreement open to the membership, on an equal footing, of Council of Europe member States, non-member States having participated in its elaboration and other non-member States having been invited to join it. By December 2001, GRECO had 32 members: Belgium, Bulgaria, Cyprus, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Lithuania, Luxembourg, Romania, the Slovak Republic, Slovenia, Spain and Sweden (founding States – 1 May 1999), Poland (date of accession – 20 May 1999), Hungary (9 July 1999), Georgia (16 September 1999), the United Kingdom (18 September 1999), Bosnia and Herzegovina (25 February 2000), Latvia (27 July 2000), Denmark (3 August 2000), the United States of America (20 September 2000), "The Former Yugoslav Republic of Macedonia" (7 October 2000), Croatia (2 December 2000), Norway (6 January 2001), Albania (27 April 2001), Malta (11 May 2001), Moldova (28 June 2001) and the Netherlands (18 December 2001).

IV. Evaluation Visits (First Evaluation Round)

Between January and December 2001 GRECO conducted evaluation visits to the following fourteen countries: France (30 January – 2 February), United Kingdom (26-30 March), Estonia (17-20 April), Ireland (1-4 May), Iceland (2-4 May), Poland (29 May – 1 June), Bulgaria (17-21 September), Germany (17-21 September), Lithuania (2-5 October), Romania (2-5 October), Hungary (8-12 October), Greece (12-16 November), Croatia (3-7 December) and Latvia (3-7 December). Information on the composition of the evaluation teams is contained in Appendix III.

The visits to Bosnia and Herzegovina, Denmark, "The Former Yugoslav Republic of Macedonia" and to the United States of America, initially foreseen for 2001, were postponed to early 2002 for various reasons.

V. Adoption of Evaluation Reports (First Evaluation Round)

GRECO adopted during its 5th Plenary Meeting (11-15 June 2001), by consensus the reports on Finland, Georgia, Luxembourg, Spain and Sweden. These reports were subsequently made public.

GRECO adopted during its 6th Plenary Meeting (10-14 September 2001), by consensus the reports on Estonia, France, Iceland and the United Kingdom. These reports were subsequently made public.

GRECO adopted during its 7th meeting (17-20 December 2001), by consensus the reports on Cyprus and Ireland. These reports were subsequently made public.

VI. Budget

The GRECO agreed during its 5th Plenary Meeting (11-15 June 2001) on a Draft Budgetary Proposal (prepared by the Bureau) for 2002 and instructed the Executive Secretary to submit the proposal to the Secretary General of the Council of Europe. The Budget was adopted by the Statutory Committee on 18 December 2001.

VII. Other matters dealt with by GRECO (and its Bureau)

5th Plenary Meeting (Strasbourg, 11-15 June 2001)

GRECO was informed by the President and the Executive Secretary of the hearing of GRECO's President before the Committee of Ministers in March 2001 and of various conferences and meetings relating to corruption organised in 2001. GRECO appointed Mr Akos KARA (Hungary) as its representative for the Reflection Group on the advisability of drawing up an additional protocol to the European Convention on laundering, search, seizure and confiscation of the proceeds of crime (PC-S-ML), established under the European Committee on Crime Problems (CDPC). It held an exchange of views on the possible participation of the European Union in GRECO. Moreover, it agreed on the composition of Evaluation Teams.

6th Plenary Meeting (Strasbourg, 10-14 September 2001)

Due to the largely increased number of member States, GRECO extended the First Evaluation Round (initially 1 January 2000 – 31 December 2001) until 30 June 2002. It agreed on the composition of the Evaluation Teams for the visits to be carried out before the end of 2001. Moreover, GRECO agreed on the format of follow-up reports to be submitted by members already evaluated.

At the request of the Committee of Ministers, GRECO adopted an opinion on Recommendation 86 (2000) of the Congress of Local and Regional Authorities in Europe on the financial transparency of political parties and their democratic functioning, and submitted it to the Committee of Ministers.

7th Plenary Meeting (Strasbourg, 17-20 December 2001)

GRECO amended its Rules of Procedure as reproduced in document GRECO (1999) 4 Final Rev. GRECO held an exchange of views concerning the format of follow-up Reports, held a preliminary exchange of views on the content of its Annual Report for 2001 and adopted its Programme of Activities for 2002, including inter alia a decision to further extend the First Evaluation Round until 31 December 2002 on account of its largely increased membership. Moreover, it agreed on the composition of the Evaluation Teams responsible for visits to be carried out until the end of April 2002.

GRECO appointed Mrs Eva ROSSIDOU PAPKYRIACOU (Cyprus) as its representative to the Council of Europe Reflection Group on the advisability of drawing up an additional protocol to the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (PC-S-ML, in replacement of Mr Akos KARA (Hungary)).

GRECO instructed the Secretariat to prepare a compendium of all existing recommendations adopted by GRECO in the framework of the First Evaluation Round. GRECO held also an exchange of views concerning the use of terminology in the field of immunities.

Bureau Meetings

The Bureau met on four occasions in 2001: the 7th and 8th meetings took place in Strasbourg on 6-7 March and 12 June respectively, the 9th meeting in Paris on 12-13 July, and the 10th meeting in Portoroz (Slovenia) on 28 September.

The Bureau prepared the organisation of the Plenary Meetings, including the drafting of documents, such as the Budget for 2002, opinions and decisions, and modalities for the evaluation visits and the teams of evaluators as well as other technical/administrative matters.

VIII. Representatives of members of GRECO and Evaluators

The list of representatives appointed by member States to sit on GRECO appears in Appendix I. The list of Evaluators, prepared in accordance with Article 10 paragraph 4 of the Statute, is contained in Appendix II.

IX. Other matters

The Multidisciplinary Group on Corruption (GMC held its 25th and final plenary meeting on 24-26 October 2001 in Strasbourg. The GMC approved the additional Protocol to the Criminal law Convention on the criminalisation of corruption with regard to arbitrators and jurors and the draft explanatory memorandum thereto. The GMC also approved the draft Recommendation on the common rules for the prevention of corruption in the funding of political parties and electoral campaigns and the draft explanatory memorandum thereto. These texts were submitted to the Committee of Ministers for adoption/authorisation of publication. Moreover, the GMC adopted its Final Activity Report.

The 6th European Conference of Specialised Services in the Fight against Corruption, devoted to the theme "Preventing corruption in Europe: civil society and international community contribution", was held in Portoroz, Slovenia, on 26-28 September 2001. The Bureau of GRECO was present and held its 10th meeting during this event.

X. Information on GRECO, including Evaluation Reports

Information on GRECO and its activities, including the full text of the adopted Evaluation Reports, are available on the GRECO website www.greco.coe.int.

APPENDIX I

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APPENDIX III

COMPOSITION OF EVALUATION TEAMS OF COUNTRIES VISITED IN 2001 / COMPOSITION DES EQUIPES D'EVALUATION DES PAYS VISITÉS EN 2001

France

Date : 30 January / janvier – 2 February / février 2001

State of the Evaluation Report / Etat du Rapport d'Evaluation : Adopted at the 6th Plenary Meeting on 10-14/09/2001 - Public / Adopté lors de la 6^{ème} Réunion plénière les 10-14/09/2001 – Public.

Intervenors/Intervenants : Norway/Norvège, Luxembourg

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- ii) Ms Nastja FRANKO, Circuit State Prosecutor, Circuit State Prosecutor's Office (Slovenia / Slovénie)
- iii) Prof. Dr. Hans-Jörg ALBRECHT, Director, Max Planck-Institute for Foreign and International Penal Law, Freiburg (Germany / Allemagne)

United Kingdom / Royaume-Uni

Date : 26-30 March / mars 2001

State of the Evaluation Report / Etat du Rapport d'Evaluation : Adopted at the 6th Plenary Meeting on 10-14/09/2001 - Public / Adopté lors de la 6^{ème} Réunion plénière les 10-14/09/2001 – Public.

Intervenors/Intervenants : Germany/Allemagne, Latvia/Lettonie

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- ii) Mr Endre BÓCZ, Chief Public Prosecutor of the Capital, Chief Public Prosecutor's Office of the Capital (Hungary / Hongrie)
- iii) Mr John BUCKLEY, Director of Audit, Controller and Auditor General (Ireland / Irlande)

Estonia / Estonie

Date : 17-20 April / avril 2001

State of the Evaluation Report / Etat du Rapport d'Evaluation : Adopted at the 6th Plenary Meeting on 10-14/09/2001 - Public / Adopté lors de la 6^{ème} Réunion plénière les 10-14/09/2001 – Public.

Intervenors/Intervenants : Bulgaria/Bulgarie, Sweden/Suède

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Ireland / Irlande

Date : 1-4 May / mai 2001

State of the Evaluation Report / Etat du Rapport d'Evaluation : Adopted at the 7th Plenary Meeting on 17-20/12/2001 - Public / Adopté lors de la 7^{ème} Réunion plénière les 17-20/12/2001 – Public.

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- iii) Mr Giorgi BARAMIDZE, Member of Parliament and of the Committee for the Defence Security (Georgia / Géorgie)

Iceland / Islande

Date : 2-4 May / mai 2001

State of the Evaluation Report / Etat du Rapport d'Evaluation : Adopted at the 6th Plenary Meeting on 10-14/09/2001 - Public / Adopté lors de la 6^{ème} Réunion plénière les 10-14/09/2001 – Public.

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Poland / Pologne

Date : 29 May / mai – 1 June / juin 2001

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Hungary / Hongrie

Date : 8-12 October / octobre 2001

State of the Evaluation Report / Etat du Rapport d'Evaluation : For examination at GRECO 9 / Pour examen lors de GRECO 9

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Germany / Allemagne

Date: 17-21 September / septembre 2001

State of the Evaluation Report / Etat du Rapport d'Evaluation : For examination at GRECO 8 / Pour examen lors de GRECO 8

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Date: 17-21 September / septembre 2001

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Date: 2-5 October / octobre 2001

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Date: 12-16 November / novembre 2001

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- iii) Mme Gordana CENIC-JOTANOVIC, Adjointe au Ministre des Finances de la Republika Srpska, (Bosnia and Herzegovina / Bosnie-Herzégovine)

Latvia / Lettonie

Date: 3-7 December / décembre 2001

State of the Evaluation Report / Etat du Rapport d'Evaluation : For examination at GRECO 9 / Pour examen lors de GRECO 9

Intervenors/Intervenants : à déterminer

Evaluation team / Equipe d'évaluation :

- i) DCI Jim WARNOCK, Police officer, Professional Standards Unit, National Crime Squad, Operation Support Unit (UK / Royaume-Uni)
- ii) Mr Marko SORLI, Judge, Head of the Department of International judicial cooperation (Slovenia / Slovénie)
- iii) Mrs Ülle RAIG, Legal Adviser, Penal Law Department, Ministry of Justice (Estonia / Estonie)

Croatia / Croatie

Date: 3-7 December / décembre 2001

State of the Evaluation Report / Etat du Rapport d'Evaluation : For examination at GRECO 9 / Pour examen lors de GRECO 9

Intervenors/Intervenants : à déterminer

Evaluation team / Equipe d'évaluation :

- i) Mr Ljubomir JOVANOVIC, Counsellor to the Minister of Interior, General Police Directorate, Head of Division for Organised Crime (Slovenia / Slovénie)
- ii) Mrs Magdolna HAJDÚ, Public Prosecutor, General Prosecutor's Office (Hungary / Hongrie)
- iii) Mr Markku RYYMIN, Head of Crime Intelligence Division, National Bureau of Investigation (NBI) (Finland / Finlande)