



Strasbourg, 19 February 2009

Public  
Greco (2009) 1E Final

## Ninth General Activity Report of GRECO (2008)

### Feature: Independent Monitoring of Party Funding

Adopted by GRECO 41  
(Strasbourg, 16-19 February 2009)

## FOREWORD

It is a pleasure for me to present the Ninth General Activity Report of the Group of States against Corruption (GRECO) which provides a succinct overview of the activities of the Group throughout 2008. Today, GRECO is widely referred to as setting an exemplary standard for international anti-corruption monitoring. The Group is highly regarded throughout the world for its scrupulous assessments and constructive recommendations. The scope of its membership which comprises 45 European States and the United States of America adds further credibility to the mechanism.

The bulk of GRECO's work centres around its evaluation and compliance procedures. In 2008, GRECO carried out twelve on-site evaluation visits, adopted the same number of evaluation reports and some 20 compliance reports. The evaluation reports contain a wealth of factual information on the situation in the members concerned, an expert appraisal of shortcomings and tailor made recommendations for improvements. Compliance reports provide a detailed assessment of measures taken to implement recommendations and, in a number of cases, describe examples of good practices in the fight against corruption.

It is a source of satisfaction to me that, due to the commitment of our members to visibility and transparency, the substance of GRECO's evaluation work is available to the public – the full text of evaluation and compliance reports adopted by the Group is accessible on the Internet to all interested institutions and individuals. I invite our readers to consult the available reports as it is impossible to do justice to the scope and quality of the work carried out by all concerned (member States, evaluation teams, rapporteurs, GRECO's plenary, the Secretariat) in a report of this nature.

It is worth noting, that one of our evaluation themes – political party funding – has given rise to increased media attention. It is a topic which is clearly at the heart of citizens' concerns regarding their trust in political and governance systems. GRECO is a mechanism that works constructively with individual governments in order to prompt (often highly technical) changes in legislative frameworks, practices and institutions. Such changes are not always so visible to the general public but I am sincerely convinced that they make a difference to the level of protection provided to the citizens of our member States against the scourge of corruption.

Other highlights of the last year include highly informative and thought provoking exchanges of views with representatives of other key players in the international fight against corruption. I would just like to mention here the discussions held with Mr Martin KREUTNER, Federal Bureau for Internal Affairs, Co-chair of the European Partners against Corruption (EPAC) and with Ms Huguette LABELLE, Chair of the Board of Directors of Transparency International (TI) – the leading international NGO in the fight against corruption.

I am particularly proud to present this year's feature article which was prepared by Ms Patricia PEÑA ARDANAZ, who acted as a consultant during the preparatory work for Theme II of GRECO's Third Evaluation Round *Transparency of Party Funding* and assists us with some of the evaluations carried out on that theme. Her expertise in the field of party funding gained, notably, through her work with the Electoral Commission of the United Kingdom contributed significantly to the quality of the framework upon which our third round evaluations on that theme are based (priority issues to be addressed, questionnaire, guidelines to evaluators, structure of evaluation visits).

Finally, on a more *political* note, the work carried out during 2008 has evidenced the undeniable progress made by many of our members in the fight against corruption. Nevertheless, we should not forget what the Right Honourable Terry DAVIS, Secretary General of the Council of Europe, said on the occasion of the International Day against Corruption on 9 December, namely that it is sometimes difficult “to ignore the impression that decision-makers often confuse lip-service with real action against corrupt practice and the abuse of authority”. The Secretary General went on to stress his hope “that the current financial and economic crisis will not lead – under the pretext of austerity measures – to the undermining of anti-corruption institutions and their efforts. This will only breed cynicism vis-à-vis policy makers and, indeed, the whole political system.” I can only concur with this thoughtful assessment which proves – if proof is needed – that GRECO’s work is indispensable.

**Drago KOS - President of GRECO**

Chairman of the Commission for the Prevention of Corruption (Slovenia)

**FEATURE****INDEPENDENT MONITORING OF PARTY FUNDING**

Patricia PEÑA ARDANAZ, Third Evaluation Round Consultant on party funding

**Introduction**

The relationship between political financing and corruption has been a longstanding area of concern for countries around the world. A number of trends have brought it to the forefront in recent years: increasing costs of election campaigns, concerns about inappropriate influence on political decisions, growing linkages with wider corruption issues affecting politics and government, and greater public demand for political transparency and accountability. At the centre of this issue lies the role of supervisory bodies in identifying, monitoring and addressing corruption in political financing.

In an effort to address these challenges, the Committee of Ministers of the Council of Europe has adopted Recommendation Rec(2003)4 on common rules against corruption in the funding of political parties and election campaigns which provides the basis of one of the two themes of GRECO's Third Evaluation Round<sup>1</sup>. Pursuant to Article 14 of the Recommendation "*States should provide for independent monitoring in respect of the funding of political parties and electoral campaigns... [and the]... independent monitoring should include supervision over the accounts of political parties and the expenses involved in election campaigns as well as their presentation and publication.*"

GRECO is currently well into its Third Evaluation Round, with evaluation reports having been adopted<sup>2</sup> in respect of ten member states – Estonia, Finland, Iceland, Latvia, Luxembourg, Netherlands, Poland, the Slovak Republic, Slovenia and the United Kingdom. These, together with the further evaluations underway – including Albania, Belgium, Denmark, France, Spain, Sweden and Norway – reflect virtually the full range of issues and practices regarding the independent monitoring of political financing, and serve as a useful starting point for drawing lessons on the fight against corruption in connection with political financing.

**One size does not fit all**

What is clear from the very beginning of the Third Round of GRECO evaluations is that there is no single model for ensuring oversight of political financing regulations. A variety of monitoring approaches exists across the member states of GRECO, with varying levels of independence from Government or political actors. Each has its own benefits and drawbacks. A common feature is, however, that effective monitoring is closely related to the general level of transparency of political financing.

In several countries the monitoring function sits within **public administrations**. Where there is public funding of political parties and elections, monitoring often falls under the remit of the Ministry of Finance, Ministry of the Interior or a similar body. Monitoring in these cases usually concentrates on public spending reporting requirements and does not operate with full independence from government. Sometimes the monitoring function exists elsewhere in the state bureaucracy. State audit offices and tax authorities are seen to carry out their work with a degree of impartiality and autonomy, and have experience in monitoring compliance in the public domain, often with overlapping legislative provisions. In most cases where monitoring bodies or mechanisms exist, however, the monitoring is channelled through a Minister who is an elected member of the political party in power. As such, the monitoring mechanism is not truly independent; there is, for example, a risk – real and perceived – that campaign finance regulations are used to favour the party in power by harassing or sanctioning opposition parties. The effect is to undermine the credibility and effectiveness of monitoring efforts.

<sup>1</sup> For details cf. paragraphs 4-6 of this report.

<sup>2</sup> At end 2008.

Other countries turn to **legislatures** to perform a supervisory role, building on the scrutiny and oversight role of assembly members or parliamentarians. Electoral financing law can require, inter alia, that election campaign and party financing accounts be tabled in parliament, submitted to the Assembly Leader, or be considered by a cross-party committee of elected officials. Legislatures are seen to reflect the will of citizens and can offer a good measure of independence in comparison to public administrations. There is nonetheless a drawback to this approach: elected members are effectively regulating themselves and thus potentially in a position of conflict of interest. It can be argued that there is no incentive for elected members, even though from opposition parties, to truly probe political financing issues and corruption can remain undetected.

Elsewhere the **judiciary** plays a key role in the independent oversight of political financing. A court of audit or an electoral court can consider political party and election campaign financing matters and assess whether they comply with electoral law. A well-functioning judicial system can provide the ultimate means of ensuring fair and equal consideration before the law. While general courts in some countries can be quite rigid institutions and often deal with a wider range of matters, it may prove difficult to establish systems where these courts would fully consider the wide range of matters relating to political financing in addition to their basic judicial functions. On the other hand, courts of audit, which are often vested with investigative powers, resources and specialisation, may have a potential to supervise political financing in some countries in an effective manner.

In recent years, many GRECO member states have taken steps to situate the supervision of political financing within a **permanent independent body**. The most common form is a commission, which also undertakes broader functions in the management of electoral processes – for example: the registration of political parties/candidates, voter awareness activities, and planning for and administering elections. Independence takes various forms – non-partisan staff, direct funding from central budget, no links to public administration or reporting through a particular minister, high budgetary autonomy albeit usually with rigorous reporting and high transparency requirements. Anti-corruption bodies – sometimes similar to law enforcement agencies with various degrees of independence – are also favoured mechanisms, given their ability to draw linkages between interrelated areas of corruption, watchdog function and role in promoting greater accountability and transparency, particularly in the political and economic spheres. In order to undertake their role effectively, electoral commissions (or similar) and anti-corruption bodies need to remain free from political influence; this can be difficult and at times officials, including those at senior level, may be subject to extreme professional and personal pressure to submit to external influences. They can also be vulnerable to changes in policy direction under new governments. Under certain circumstances this can lead to existing legislation being repealed or the introduction of new provisions that fundamentally curtail the supervisory function. The requirement for political parties to have their accounts verified by **independent auditors** is also a valuable component of a supervisory system to reinforce the financial discipline and decrease possibilities for corruption.

While the establishment of monitoring mechanisms or bodies normally requires regulations, and current global trends point towards greater regulation of political financing in general, it must be acknowledged that some countries, including from GRECO's membership, have opted not to follow this path to date. Drawing on their historical and cultural traditions, their positions are informed by a philosophy that political parties are private entities, distinct from public administration and control, and that individuals have a fundamental right to privacy about their political affiliations, including, for example, the privacy of political financing contributions. These are also often countries with longstanding traditions of transparency and accountability in respect of public administration, but without detailed regulatory systems in respect of political parties and election candidates. Nevertheless, faced with increasing international and domestic calls for more formalised disclosure, one approach has been voluntary disclosure agreements between political parties. In such systems, reaching a fair balance

between the legitimate interest of the independence of political parties and election candidates as well as their supporters' integrity on the one hand and the legitimate interest of the public to know more in detail who they vote for on the other hand, is a major challenge.

### **Characteristics of effective independent monitoring**

The effectiveness of monitoring mechanisms will depend, generally speaking, on a number of interconnected elements.

**Impartiality** is paramount. The body authorised with supervising political party and election campaign financing must be free from political influences in order to maintain public trust and confidence. This can be achieved by adopting a deliberately non-political approach whereby the officials have no direct political affiliations. In other cases the choice has been made to establish multi-partisan governance structures, whereby no single party is seen to dominate others and in ideal circumstances, decisions are taken by consensus. In all cases it is crucial to have procedures in place to ensure transparency and accountability in the appointment and dismissal of senior officials charged with monitoring political financing. Several GRECO reports to date have highlighted problems in this area. Moreover, truly independent and impartial monitoring bodies may, in addition to their primary monitoring function, also exercise an advisory function, for example, to guide political parties on how to comply with funding and reporting rules. Such a pro-active approach can prove particularly useful in systems where the regulations are far-reaching and complex.

Effective monitoring requires a **clear mandate**. Across GRECO member states there are a variety of challenges in this area. In some countries the monitoring function is not recognised by state and non-state (e.g. political parties) actors due to weak legislation or differing legal interpretations. In other cases, mandates are contested and no organisation can claim to have the leading role in monitoring political financing. Shared responsibilities between tax authorities, state audit officials, Ministry of Finance, Ministry of Interior etc. often lead to a lowest common denominator outcome. Each agency does the bare minimum to fulfil its legal obligations, but there are no effective means of coordinating monitoring activities and ensuring that all elements of political financing are captured. Some of the most effective monitoring systems are those where a single agency has a **comprehensive mandate** to supervise all areas of political financing. The monitoring of annual political party accounts only tells part of the political financing story. The identification of corruption issues necessitates a broad supervisory mechanism, including oversight of donations, election campaign income and expenditure by parties and candidates, as well as that of related organisations and "third parties".

A comprehensive mandate can only be put into practice if monitoring bodies are granted **adequate powers and resources**. These powers can include the ability to require political parties and candidates to submit additional information, have access to information held by others (such as banks, media companies, tax authorities), perform full audits and/or investigations, and make binding regulations. Monitoring bodies also need effective and flexible procedures and sanctions to enforce their decisions by themselves and, when necessary, for forwarding cases for prosecution by the relevant judicial authorities.

The **lack of financial and staff resources** is one of the most frequently cited reasons for underperforming supervisory bodies, regardless of whether the monitoring is undertaken by an electoral commission, audit body, anti-corruption agency, parliamentary committee, or within a government department. These bodies require sufficient staff with skills and experience to undertake compliance checks, identify risks and report findings. Regulating campaign finance, especially actual expenditure, is costly and time consuming. In order to verify accounts properly, monitoring bodies need to do more than merely rubber stamp the parties' and candidates' balance sheets. They must take time to scrutinise party records adequately, verify that declared expenditure and income correspond with receipts and invoices, and consult other sources of information

about income and spending (e.g. media and civil society reporting of campaign activities, independent data about campaign advertising).

Here too there are large variations amongst GRECO member states. While some countries have put in place monitoring bodies with permanent offices and secretariats, others rely on informal arrangements whereby a few officials are deployed to temporary offices on an ad-hoc basis to carry out compliance checks, normally just around the election period. Effective monitoring depends on stable, predictable organisational funding, procedures and sufficient budgetary autonomy to allow for work planning and a flexible use of human and other resources. In practice, funding delays very quickly translate into incomplete or delayed compliance monitoring, drastically reducing the impact of supervisory efforts in corruption in political financing.

## **Conclusions**

A key issue facing Governments today is the need for a practical framework for the effective regulation of political party and election campaign financing in order to maintain and build public confidence in this important aspect of the electoral process. Independent monitoring is at the centre of this issue.

In the last two decades there has been a substantial increase in the number of countries with new constitutions, electoral and political party laws. Several of the Third Round evaluations completed to date note the recent drafting or introduction of new legislative frameworks on political financing. This is a promising finding, demonstrating that a greater number of GRECO member states are taking the issue of corruption in political financing seriously.

Nevertheless, the relative “newness” of political financing regulation also raises the likelihood of errors and unforeseen challenges as knowledge and practice develop internationally. There is often a considerable difference between having a legal framework for disclosure and the actual practice of disclosure. Evidence from the initial tranche of Third Round GRECO evaluations supports the view that despite numerous laws on their books, many states lack effective monitoring and enforcement mechanisms. New monitoring systems often suffer from loopholes and unanticipated shortcomings, stemming in part from the inability to draw on historical practice to inform their direction. The relevant legal provisions will almost certainly require further changes in the near future in order to be in line with the above-mentioned Council of Europe Recommendation and to comply with the specific recommendations resulting from GRECO’s Third Round country evaluations.

In this ever-changing environment it is important to remember that, while effective monitoring bodies share common elements, there is no ideal political finance regime that can be transposed from country to country. Regulations and organisational structures need to build upon a country's specific constitutional, legal and democratic traditions and to ensure, above all, an appropriate level of transparency. If they succeed in doing so, their efforts to address political financing corruption issues will stand a much better chance of succeeding.

## GRECO - WORKING FRAMEWORK AND METHODS

1. The Group of States against Corruption (GRECO) was established<sup>3</sup> in order to improve the capacity of its members to fight corruption. GRECO monitors the observance of Council of Europe anti-corruption instruments and standards<sup>4</sup> through a dynamic process of mutual evaluation and peer pressure.

2. GRECO **monitoring** involves the collection of information through questionnaires and on-site country visits which enable evaluation teams to solicit further information through high-level discussions with domestic key players (including representatives of civil society and the media), and subsequently the drawing up of evaluation reports. These reports, which are submitted to peer review during GRECO plenary meetings, contain formal recommendations to the authorities of the evaluated country in order to improve its level of compliance with the provisions under consideration.

3. GRECO's work is structured by evaluation rounds, each covering a selection of specific themes. To date three Evaluation Rounds have been launched.

4. GRECO's current **Third Evaluation Round** (as of 1 January 2007) is devoted to two distinct themes:

- Theme I: the *incriminations* provided for in the Criminal Law Convention on Corruption (ETS n° 173), its Additional Protocol (ETS n° 191) and Guiding Principle 2 (Resolution (97) 24);
- Theme II: the *transparency of party funding* (as understood by reference to Recommendation Rec(2003)4 of the Committee of Ministers on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns).

5. The first theme focuses on the transposition into domestic law of key provisions of the reference instruments and in particular of the corruption offences established by these instruments.

6. The second theme covers, inter alia, the requirements upon political parties to properly account for and publicise income (including donations and loans) and expenditure, the supervision of parties' routine operations and of election campaigns, as well as the enforcement of financing rules and regulations.

7. As regards GRECO's previous evaluation rounds, the **First Evaluation Round** (1 January 2000 – 31 December 2002) dealt with themes based on specific provisions of the Council of Europe's Twenty Guiding Principles for the Fight against Corruption (Resolution (97) 24), in particular

- independence, specialisation and means available to national bodies engaged in the prevention and fight against corruption
- extent and scope of immunities.

The **Second Evaluation Round** (1 January 2003 – 31 December 2006) addressed themes based on specific provisions of the Council of Europe's Twenty Guiding Principles

<sup>3</sup> On 18 April 2002, the Committee of Ministers of the Council of Europe adopted Resolution Res(2002)6 authorising the continuation of the Enlarged Partial Agreement establishing GRECO which had been set up on 1 May 1999. Thus, GRECO became a permanent body of the Council of Europe.

<sup>4</sup>

- the Criminal Law Convention on Corruption (ETS 173)
- the Civil Law Convention on Corruption (ETS 174)
- the Additional Protocol to the Criminal Law Convention on Corruption (ETS 191)
- the Twenty Guiding Principles against Corruption (Resolution (97) 24)
- the Recommendation on Codes of Conduct for Public Officials (Recommendation No. R (2000) 10)
- the Recommendation on Common Rules against Corruption in the Funding of Political Parties and Electoral Campaigns (Recommendation Rec(2003)4).



for the Fight against Corruption (Resolution (97) 24) and associated provisions of the Criminal Law Convention on Corruption (ETS n° 173), in particular

- identification, seizure and confiscation of corruption proceeds
- public administration and corruption (auditing systems, conflicts of interest)
- prevention of legal persons being used as shields for corruption
- tax and financial legislation to counter corruption
- links between corruption, organised crime and money laundering.

8. Any member to have joined GRECO after the close of its Second Evaluation Round is subject to a **Joint First and Second Round Evaluation** which covers the whole range of issues examined during the first two rounds. This comprehensive approach is considered indispensable both for the sake of equal treatment of all members and to gain a clear and accurate picture of the anti-corruption regulatory framework and policies of new member States.

9. Measures taken to implement recommendations are subsequently assessed by GRECO under a specific **Compliance Procedure**, the first stage of which is the adoption of a compliance report some 24 months after an evaluation report has been addressed to a member State.

10. Information on GRECO and its activities are available on its website [www.coe.int/greco](http://www.coe.int/greco) (including the full text of adopted Evaluation and Compliance Reports) and in a leaflet which can be requested from the Secretariat.

## 2008 - PRINCIPAL ACTIVITIES

11. As in previous years, the major part of GRECO's 2008 work programme was devoted to the carrying out of evaluation and compliance procedures. The Group had to draw on a very broad spectrum of specialised knowledge and to demonstrate a significant degree of flexibility in order to perform in-depth analyses and assessments within the framework of its Third Evaluation Round while, over the same period, carrying out the evaluation of some of its most recent members on the themes of its First and Second Evaluation Rounds and continuing the ongoing assessment of measures taken by its other members to implement the recommendations of those first two rounds.

### Meetings

#### Plenary Meetings in 2008

GRECO 36 (Strasbourg, 11-15 February)  
 GRECO 37 (Strasbourg, 31 March – 4 April)  
 GRECO 38 (Strasbourg, 9-13 June)  
 GRECO 39 (Strasbourg, 6-10 October)  
 GRECO 40 (Strasbourg, 1-5 December)

#### Bureau Meetings in 2008

Bureau 42 (Strasbourg, 11 January)  
 Bureau 43 (Berlin, 7 March)  
 Bureau 44 (Strasbourg, 19 May)  
 Bureau 45 (Strasbourg, 15 September)  
 Bureau 46 (Strasbourg, 7 November)

## Evaluation procedures

12. GRECO evaluation teams, accompanied each time by at least one member of the Secretariat, carried out Joint First and Second Round evaluation visits to Monaco (14-18 April), the Russian Federation (21-25 April) and to Italy (13-17 October) and Third Round evaluation visits to Latvia (21-25 January), Poland (23-27 June), Sweden (25-29 August), France (22-26 September), Spain (22-26 September), Norway (10-14 November), Albania (17-21 November), Belgium (17-21 November) and Denmark (8-11 December).

13. GRECO, sitting in plenary, completed the Joint First and Second Round evaluation procedures in respect of four of its members (Austria, Monaco, the Russian Federation and Switzerland) with the adoption of evaluation reports addressing in all some 90 recommendations to the authorities of the countries concerned and completed the Third Round evaluation procedures in respect of eight of its members (Estonia, Iceland, Latvia, Luxembourg, the Netherlands, Poland, the Slovak Republic and the United Kingdom) with the adoption of evaluation reports addressing in all some 120 recommendations to the authorities of the countries concerned.

## Compliance procedures

14. GRECO brought to a final close the last in the series of its First Round compliance procedures with the adoption of Addenda to the First Round Compliance Reports on Moldova and the United States of America.

15. Second Round compliance procedures were opened with the adoption of Second Round Compliance Reports on Cyprus, the Czech Republic, Greece, Hungary, Ireland, Moldova, Portugal and the United States of America – in each case, and in accordance with the Rules of Procedure, the assessment of further measures taken to implement outstanding recommendations would commence within a period of 18 months. Second Round compliance procedures were closed in respect of Estonia, Finland, Luxembourg, Poland and the Slovak Republic with the adoption of the relevant Addenda to Second Round Compliance Reports. One member (Slovenia) was asked to provide, after a further period of 6 months, additional information on measures taken to put into action several Second Round recommendations, the full implementation of which is tied to the operation of the Commission for the Prevention of Corruption. GRECO also opened Joint First and Second Round compliance procedures on Armenia, Azerbaijan, Montenegro, Serbia and Turkey with the adoption of Joint First and Second Round Compliance Reports on these countries, which had been the first to be submitted, on their accession to GRECO, to an evaluation covering the themes of the first two rounds. All of these were asked to report back within 18 months on measures taken to implement outstanding recommendations.

16. Moreover, GRECO discussed possible actions to be taken to provide support to members in implementing recommendations. The first stage in this process was the organisation of a *tour de table* (see paragraph 22 below). Subsequently, it was agreed that requests for guidance and support could take three forms; (1) informal request for advice or information to one or more GRECO members; (2) requests addressed to and dealt with by the Secretariat directly and (3) requests to the Secretariat, which could be forwarded to one or more GRECO members who had themselves successfully addressed a similar situation. Due to concerns as to whether it was possible for the Group to reconcile its role as a monitoring body with providing formal advice/assistance on how to implement recommendations resulting from its monitoring, it was however emphasised that any form of guidance could under no circumstances be construed as a binding opinion and pre-empt the conclusion to be reached by GRECO concerning compliance with a recommendation. Finally, clear guidelines were issued on the procedure to be followed for the submission of information upon which draft Compliance Reports and Addenda to Compliance Reports are based in order to ensure that sound assessments of the merits of information could be made during the drafting and adoption process, without making too high demands on the plenary's time.

## Exchanges of views

17. The first exchange of views held in 2008 (during GRECO's 37<sup>th</sup> Plenary Meeting) was with Mr Martin KREUTNER, Federal Bureau for Internal Affairs, Austria, Co-chair of the European Partners against Corruption (EPAC). The activities of EPAC, which gathered representatives from European Union national Police Oversight Bodies and Anti-Corruption Agencies, focused on the sharing of experience at operational (as opposed to political) level and could be considered as being complementary to the work of GRECO. The establishment of a catalogue of practitioners who could act as contact partners, facilitated, among other things, the identification of common standards and best practices, the implementation of international standards and exchanges of experience on prevention, education, etc. It was planned to set up a more formal structure: a European Anti-Corruption Network to carry out these activities.

18. GRECO's Bureau, meeting in Berlin in March at the invitation of the Germany Ministry of Justice, held discussions with representatives of the international secretariat of Transparency International (TI) and of TI's German Chapter. Possibilities for further cooperation were looked into and an up-date on current activities was provided, with the Bureau highlighting the importance not only of conventions but also of "soft law instruments" (in the Council of Europe context: recommendations and resolutions adopted by the Committee of Ministers) in the fight against corruption.

19. During its 39<sup>th</sup> Plenary Meeting, GRECO held an exchange of views with Ms Huguette LABELLE, Chair of the Board of Directors of Transparency International. Ms Labelle outlined the principle fields of activity of the organisation which can be resumed as follows: keeping the issue of corruption high on national and international agendas, building commitment by governments, acting as a solution provider and assisting in the development of educational tools aimed at strengthening the moral compass of young people. The importance of identifying and highlighting the devastating effects corruption can have on individual human lives was underlined. She expressed particular concern about the vulnerable position of advocates of integrity and of those fighting corruption as well as the need for ensuring a strong, corruption-free judiciary throughout the world. The diverse effects and use made of TI's Corruption Perception Index (CPI) were also evoked. As the CPI reflected perception as opposed to levels of corruption (so far unmeasurable), it could be open to misinterpretation. For example, highly publicised anti-corruption cases tended to increase public awareness of corruption and therefore influence its overall perception of the seriousness of the problem in a given country, whereas those very actions that raise public perception could lead to a reduction in real levels of corruption. TI believed that the benefit gained from maintaining a focus on the issue of corruption outweighed the effect any misinterpretation of the CPI could have. Moreover, the CPI was to be read in conjunction with the Bribe Payers Index and other published studies to obtain as broad a picture as possible; it was also more meaningful to focus on the score of a given country over a period of time than on the ranking of that country within each CPI.

20. At the same meeting, Ms Brigitte STROBEL-SHAW, United Nations Office on Drugs and Crime (UNODC) provided GRECO with information on the state of ratification of the United Nations Convention against Corruption (UNCAC) and more particularly on the priorities fixed by the Conference of the States Parties to the Convention as regards review of implementation of the convention, technical assistance, asset recovery and information gathering as well as on the work underway in view of the Third Session of the Conference of the States Parties which would be held in Doha (Qatar) in November 2009. GRECO's President congratulated the UNODC on its work and encouraged it in its efforts to ensure viable review of the implementation of the convention. GRECO, despite its broad and diverse membership had secured acceptance of its methods and above all ultimately recognised the benefits obtained from adopting a cooperative and constructive approach to monitoring.

21. Furthermore, GRECO took note with interest of a viewpoint entitled "Corruption distorts the system of justice and damages poor people in particular", published by the

Council of Europe’s Commissioner for Human Rights, Mr Thomas HAMMARBERG. The Commissioner highlights the distortive effect of corruption in the justice system which often goes hand in hand with political interference. He provides interesting examples of how human rights and particularly the rights of the poor are threatened by corrupt practices and calls for comprehensive, high-priority programmes to stamp out corruption at all levels and in all public institutions – “The poor need legal aid, not pressure to pay bribes. They need proof that everyone is equal before the law. They need a system of justice that is fair and unbiased”. GRECO will invite the Commissioner to a future exchange of views with the plenary to explore this matter further and to discuss other issues of mutual interest.

### ***Tours de table***

22. The organisation of regular *tours de table* provided a useful platform for an exchange of information on good practice, difficulties encountered and emerging trends. During its 36<sup>th</sup> Plenary Meeting, GRECO discussed challenges faced in implementing certain recommendations emanating from the First and/or Second Evaluation Rounds. In particular, mention was made of the fact that reforms related to the scope of and procedures for lifting immunities required amendments to Constitutions and that procedural requirements for such changes were high. In some cases the time lapse between a political decision to establish a specialised anti-corruption agency or body and its translation into practice was particularly long, due in part to political obstacles. There seemed to be widespread consensus as to the need to establish criminal liability of legal persons, however, incorporating appropriate legal provisions into national legal frameworks sometimes proved difficult. It was felt that knowledge of the issues regarding “pantouflage”, i.e. the improper movement of a public official to the private sector, needed to be developed in order to issue meaningful recommendations on this matter. Moreover, some practical problems had been faced in obtaining the adherence of newly formed governments to commitments to GRECO established previously (i.e. the actual implementation of recommendations and proper reporting on implementation) and some efforts needed to be made in some member States to ensure awareness of the fact that the responsibility for implementing GRECO recommendations is not solely that of the government, but can lie with any of a number of institutions (e.g. the judiciary, Parliament ...).

23. A second *tour de table* was organised during GRECO’s 39<sup>th</sup> Plenary Meeting on the Civil Law Convention on Corruption (ETS 174). Delegations shared information on any obstacles to signature or ratification of the convention, provisions which involved particular challenges for domestic legislation, the relation between civil and criminal proceedings and examples of jurisprudence and good practice. In a number of countries domestic law had apparently met all the requirements of the convention prior to ratification. Among the issues that had or would require some attention in order to ensure full implementation of the convention, provisions for State responsibility, limitation periods and protection of whistleblowers were mentioned. The issues that still needed to be addressed by States that had not yet ratified, were very similar. As it was, in most cases, too early to provide practical examples of the application of civil remedies, a further *tour de table* on the topic will be organised at a later stage.

24. Furthermore, it was agreed that the topic Sponsoring and Corruption, in particular the sponsoring of public bodies by private sector entities to fulfil public tasks and the problems associated with public officials who are invited to events sponsored by corporations, would be a suitable topic for a future *tour de table*.

### **GRECO’s 10th Anniversary**

25. Consideration was given to the format and content of the programme for a high-level conference which would be held – back to back with GRECO’s 44<sup>th</sup> Plenary Meeting - on 5 October 2009 to celebrate GRECO’s 10<sup>th</sup> anniversary.

## COOPERATION WITH OTHER BODIES OF THE COUNCIL OF EUROPE

26. GRECO's President presented the Eighth General Activity Report (2007) to the **Ministers' Deputies** of the Council of Europe during their 1023<sup>rd</sup> Meeting (Strasbourg, 2 April). He expressed satisfaction in the further growth in membership. To his mind, GRECO's compliance procedure was one of the strongest points of the mechanism's process. He gave recognition to the progress made by many members as well as to the fact that reform processes take time – but, more could and should be done to translate recommendations into domestic legislation and practice.

27. The President also participated in two informal meetings of Presidents of monitoring bodies of the Directorate General of Human Rights and Legal Affairs which had been organised by the Swedish Chair of the **Committee of Ministers** to discuss questions of mutual interest and to identify any needs for coordination.

28. The results of GRECO's work have been used to provide input to monitoring missions of the **Parliamentary Assembly** of the Council of Europe (PACE) and the Group's expertise on judicial corruption was sought by the Assembly's Committee on Legal Affairs and Human Rights. The Committee held a hearing on the subject in Moscow which was attended by GRECO's President. GRECO's Secretariat also contributed to a PACE seminar on the activities of the Council of Europe and the Parliamentary Assembly in the field of Rule of Law and Democracy (Strasbourg, 8-10 December) by addressing the theme 'Corruption as a main challenge for democratic society'.

## OBSERVERS

29. GRECO was represented through its President and/or the Secretariat at the following meetings organised by the **OECD**, which has had observer status in GRECO since 2002:

- OECD Working Group on Bribery in International Business Transactions (Paris, 19-21 March and 17-20 June) and Consultation meeting on review of OECD anti-bribery instruments (Paris, 16 June)
- 7<sup>th</sup> General Meeting of the Anti-Corruption Network for Eastern Europe and Central Asia – ACN (Tbilisi, 25-27 June)
- Latin-American regional conference "Commitment and co-operation in the fight against Corruption" organised jointly by the Government of Mexico and the OECD (Mexico City, 29-30 September)
- OECD/ACN Istanbul Action Plan Evaluators Training Seminar (Basel, 15-17 December).

30. Even though the constraints of the work programmes of both bodies sometimes made it difficult for them to participate in all relevant meetings, cooperation between GRECO and the OECD remained regular. Prior to the consultation meeting on 16 June mentioned above, GRECO's President had been invited to formulate comments on the OECD working group's consultation paper on "Review of the OECD instruments on combating bribery of foreign public officials in international business transactions ten years after adoption". He had underlined the common interest of both organisations in avoiding overlap; acknowledged the importance of the OECD instruments in the fight against international bribery of foreign private sector agents, the application of liability of legal persons to state-owned/controlled companies and mutual legal assistance, where a review of the OECD anti-bribery instruments and subsequent monitoring by the Working Group on Bribery might have the most added value for GRECO members. He had also signalled areas where GRECO's Third Round Evaluation reports could provide useful input, i.e. solicitation of (foreign) public officials (and in this context, effective regret), bribery through intermediaries, bribes for the benefit of third parties, jurisdiction over

bribery offences and statutes of limitation. Finally, he had stressed that in the context of GRECO's monitoring, so-called soft law instruments (resolutions, recommendations) had turned out to provide as 'hard' a basis for addressing recommendations to GRECO members as the relevant conventions .

31. In addition, GRECO's Secretariat had been consulted on a draft document entitled "Framework for enhancing transparency and accountability in lobbying", prepared by the Public Governance and Territorial Development Directorate of the OECD.

32. The **United Nations**, represented by the **United Nations Office for Drugs and Crime** (UNODC) has had observer status with GRECO since October 2006. GRECO's President and/or Secretariat attended the following meetings organised by the United Nations:

- Second Session of the Conference of the States Parties to the United Nations Convention against Corruption (Nusa Dua, 28 January – 1 February)
- Open-ended Intergovernmental Working Group on Review of Implementation of the United Nations Convention against Corruption (Vienna, 22-24 September and 15-17 December)

33. GRECO was regularly kept abreast of the ongoing work related to the review of implementation of the United Nations Convention against Corruption and GRECO's Secretariat ensured that the UNODC was appropriately informed of GRECO's monitoring methodology and the results of its work. A Communication was addressed to the Second Session of the Conference of States parties to the United Nations Convention against Corruption (cf. above), underlining the importance of proper review of implementation of international legal instruments in the fight against corruption. GRECO also restated 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.

#### **MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNCIL OF EUROPE AND THE EUROPEAN UNION**

34. In line with the steps pursued by the Council of Europe and the European Union through their Memorandum of Understanding to further strengthen their co-operation and to ensure synergies and coherence in their work, the results of GRECO evaluations have continued to serve as a useful source of input to European Commission progress review reports in the framework of EU enlargement and neighbourhood policies.

35. Since GRECO's exchange of views with Mr Franz-Hermann BRÜNER, Director General of the European Anti-Fraud Office (OLAF), the previous year, contacts between the two bodies became more frequent in 2008 and GRECO was represented at a number of events organised or co-organised by OLAF:

- by the Secretariat: Conference on civil law consequences of corruption (Bremen, 14-15 March)
- by the Secretariat: Second conference of the Research Network of Anti-Corruption Agencies (ANCORAGE-NET) on "Empowering anti-corruption agencies: defying institutional failure and strengthening preventive and repressive capacities" organised by the University of Lisbon in collaboration with the Australian National University with support from OLAF (Lisbon, 15-17 May)
- by Mr Georgi ROUPCHEV, Bureau member (Bulgaria), Mr Matthias KORTE, Bureau member (Germany) and the Secretariat: Conference "Intensifying cooperation in prosecution of corruption and other crimes directed against the financial interests of the European Union" organised by the Public Prosecutor General's Office of Celle (Germany) with support from OLAF (Celle, 26-28 May).

36. Possibilities for future exchanges with other appropriate European Union bodies were further explored and it was agreed that a representative of the Secretariat of the European Commission would be invited for an exchange of views with GRECO in 2009, in order to discuss possible ways in which the European Community could be involved in GRECO's work.

37. Finally, it should be noted that GRECO's Statute and Rules of Procedure as well as the Criminal and Civil Law Conventions on Corruption (ETS Nos. 173 and 174) make provision for the participation of the European Community in GRECO.

### **COOPERATION WITH OTHER ORGANISATIONS AND INSTITUTIONS**

38. GRECO is invited regularly to provide input at events related to its field of expertise. In the course of the year, GRECO was represented at the following events:

- seminar "Is political financing transparent enough" organised by TI-Finland and the Ministry of Justice of Finland (Helsinki, 22 January) - Secretariat
- conference "Culture of Cooperation between national and European authorities in the fight against fraud and corruption", organised by the *DBB Akademie* (Cologne, 25 February) - President
- conference "Creating a national anti-corruption strategy" (Warsaw, 17 March) - President
- conference on Public Ethics and Civil Society, organised by Citizens Indeed (Athens, 28-29 March) - Mr Dimitrios GIZIS, Bureau member
- Good practices transfer conference and training session (Romania, 22-23 May) - President
- Alliance for Liberals and Democrats for Europe (ALDE Group) seminar "Tackling corruption in the EU" (Brussels, 27 May) - Secretariat
- European Centre for Parliamentary Research and Documentation (ECPRD) seminar entitled "The European Central Bank in a New European and World Economy" (Strasbourg, 11 September) - Secretariat
- Institute for Educational Planning (IIPe)-UNESCO Summer School session on "Transparency, responsibility and measures for fighting corruption in the education sector" (Paris, 23 September) - Secretariat
- 13<sup>th</sup> International Anti-Corruption Conference – IACC (Athens, 30 October – 2 November) - Secretariat
- project closing event – focused on the institutional infrastructure needed for the prevention of corruption - organised by the Minister of the Interior and the General Inspectorate of Bulgaria (28-29 November) - Ms Inese GAIKA, Representative of Latvia in GRECO
- conference "The fight against corruption – an international challenge" organised by the Government of Andorra on the occasion of International Anti-Corruption Day (Andorra, 9 December) - Secretariat
- conference organised by Transparency International - Bosnia and Herzegovina on the occasion of International Anti-Corruption Day (Sarajevo, 11 December) - Mr Edmond DUNGA, Bureau member (Albania).

39. In the course of 2008, GRECO's Secretariat also met, *inter alia*, with a group of Students from the Netherlands Academy for Legislation (3 April), participants in a roundtable on Georgia with the Special Representative of the Secretary General (21 April), officials from the Ministries of Foreign Affairs of Georgia and Ukraine (24 April), a

group of Swedish journalists (24 April), members of the Constitutional Committee of the Finnish Parliament (13 May), participants in a roundtable on Azerbaijan with the Special Representative of the Secretary General (15 May), the Executive Director of the Basel Institute of Governance, Mr Daniel Thelesklaf (20 May), a group of politicians from Sweden (21 May), judges of the Constitutional Court of Montenegro (29 May), the Minister for Local Government and Financial Markets of Sweden, Mr Mats ODELL (29 May), a group of high level managers in public administration from Armenia, Azerbaijan, Georgia, Russia, Ukraine and the Balkan countries (3 June), a group of Swedish lawyers from the Raoul Wallenberg Institute of Human Rights in Lund (17 June), study visitors from the *Ecole Nationale de la Magistrature* of France (27 June), a group of high-level foreign officials participating in a round of lectures at the *Ecole Nationale d'Administration* – ENA (1 July), study visitors from the Human Rights Institute of Catalonia (26 September) and the Chechen State University (22 October), a group of national ECHR trainers of judges and prosecutors from Ukraine (26 November) and senior officials from the Hubei province of China (16 December).

## VISIBILITY

40. All adopted reports are made available on GRECO's website following the prior authorisation of the member State concerned. The publication of Evaluation Reports is announced by News flashes and press releases issued on GRECO's homepage and on the Council of Europe's Internet portal. Moreover, members are now invited to translate reports into their national language and to make them available to the public. In 2008 a number of such translations were posted on GRECO's website.

41. GRECO also disposes of an information leaflet "Monitoring compliance with Council of Europe anti-corruption standards" and a compendium of anti-corruption instruments of the Council of Europe, destined for distribution to the general public.

42. In April, GRECO published its Eighth General Activity Report (2007) – which featured an article on Revolving Doors / *Pantouflage* prepared by Jane LEY, Deputy Director, Office of Government Ethics (Representative of the United States of America in GRECO).

43. As evidenced by press coverage, GRECO's modus operandi and work, in particular on the issue of political financing have given rise to considerable interest throughout the year.

## BUDGET AND PROGRAMME

44. In 2008, GRECO's budget was supplemented by welcome additional resources from voluntary contributions from Monaco and the United Kingdom which were used to contribute to the costs related to the carrying out of evaluation visits.

45. During its 38<sup>th</sup> Plenary Meeting GRECO approved budgetary proposals for 2009 and instructed the Executive Secretary to submit the proposals to the Secretary General. The proposals were subsequently endorsed by the Budget Committee and adopted by the Statutory Committee on 27 November, under the chairmanship of Mr Bruno GAIN, Permanent Representative of France to the Council of Europe, who stressed how important it was the GRECO be provided with the necessary means to continue its work satisfactorily and that viewpoint was supported without reserve by the Statutory Committee.

46. The effective management of the budget and programme by the Secretariat and the additional resources allocated to GRECO for 2009 – including an additional post, will go some way towards allowing GRECO to face the challenges put before it. In this connection, GRECO wishes to express once again its gratitude for the continuous support to its work provided by the Secretary General and the Statutory Committee.



47. At its 40<sup>th</sup> Plenary Meeting, GRECO adopted its Programme of Activities for 2009, as it appears in document Greco (2008) 19E Final. GRECO had agreed that it would be necessary to hold five plenary meetings in 2009 as its peer-review process continued to place increased demands on the plenary, in particular as regards the volume and complexity of the reports produced. When proposing the schedule of evaluations to be carried out in 2009, the Secretariat again paid particular attention to ensuring an even distribution of work throughout the year and to allowing for foreseeable planning of the content of plenary meetings over the years to come.

## MEMBERSHIP

48. GRECO is an Enlarged Partial 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 invited to join it. GRECO currently has 46 members: Belgium, Bulgaria, Cyprus, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Lithuania, Luxembourg, Romania, 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), the Netherlands (18 December 2001), Portugal (1 January 2002), the Czech Republic (9 February 2002), Serbia (1 April 2003), Turkey (1 January 2004), Armenia (20 January 2004), Azerbaijan (1 June 2004), Andorra (28 January 2005), Ukraine (1 January 2006), Montenegro (6 June 2006)<sup>5</sup>, Switzerland (1 July 2006), Austria (1 December 2006), the Russian Federation (1 February 2007), Italy (30 June 2007) and Monaco (1 July 2007). The List of representatives appointed by member States appears in [Appendix I](#).

49. At the date of adoption of the present report, Liechtenstein and San Marino were the only Council of Europe member States still not to have joined GRECO.

## SECRETARIAT

50. GRECO’s Secretariat (cf. organigramme reproduced in [Appendix II](#)) is part of the Directorate of Monitoring within the Directorate General of Human Rights and Legal Affairs

## TERMS OF REFERENCE OF THE REPORT

51. The general activity report of the Group of States against Corruption – GRECO – for 2008 is submitted pursuant to Article 8, paragraph 1, iii) of GRECO’s Statute and Rule 38 of its Rules of Procedure.

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<sup>5</sup> Following independence, Montenegro succeeded to all treaties to which the State Union of Serbia and Montenegro was a party, including the Criminal Law Convention on Corruption (ETS No 173) making it *ipso facto* a member of GRECO.

**APPENDIX I / ANNEXE I****LIST OF REPRESENTATIVES IN GRECO /  
LISTE DES REPRESENTANTS AU GRECO**

At / au : 23/12/08

**ALBANIA / ALBANIE**

Mr Oerd BYLYKBASHI (Head of delegation)  
Director  
Department of Internal Administrative Control  
and Anti-Corruption (DIAC)  
Council of Ministers

M. Edmond DUNGA  
**Membre du Bureau – Bureau Member**  
Head of the Office in the Anticorruption Secretariat  
SARAJEVO (BiH)

**Substitutes:**

Mr Saimir STRUGA  
Inspector  
Department of Internal Administrative Control  
and Anti-Corruption  
Council of Ministers

Mrs Helena PAPA  
Inspector  
Department of Internal Administrative Control and  
Anti-Corruption  
Council of Ministers

**ANDORRA / ANDORRE**

Mme Maribel LAFOZ JODAR (Chef de délégation)  
Membre de l'Unité de prévention et lutte contre la  
corruption  
Ministère de la Présidence et des Finances

M. Ivan ALIS SALGUERO  
Avocat  
Assesseur de l'Unité de prévention et de lutte  
contre la corruption  
Ministère de la Présidence et des Finances

**ARMENIA / ARMENIE**

Mr Artur OSIKYAN (Head of delegation)  
Deputy Chairman of the State Revenue  
Committee

Mr Karen GEVORGYAN  
Deputy Dean of International Relations  
Faculty of Law  
Yerevan State University

**Substitute:**

Mr Gevorg KOSTANYAN  
Assistant  
President of the Republic of Armenia

**AUSTRIA / AUTRICHE**

Mr Christian MANQUET (Head of delegation)  
Head of Unit, Directorate for Penal Legislation  
Federal Ministry of Justice

Ms Doris NIEDERSÜSS  
Federal Chancellery  
Constitutional Service

**Substitutes:**

Mr Martin KREUTNER  
Director Federal Bureau for Internal Affairs, BIA  
Federal Ministry of the Interior

Ms Gerlinde WAMBACHER  
Federal Bureau for Internal Affairs, BIA  
Legal Affairs & Controlling  
Federal Ministry of the Interior

**AZERBAIJAN / AZERBAIDJAN**

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Chief Adviser  
Department of Coordination of Law Enforcement  
Bodies  
Executive Office of the President of the Republic  
Secretary of the Commission for Combating  
Corruption

Mr Kamran ALIYEV  
Head of Department  
Prosecutor General's Office

**Substitute:**

Mr Vusal HUSEYNOV  
Senior Advisor  
Secretary of the Commission for Combating Corruption

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Direction Générale des Droits et Libertés  
fondamentales  
Service public fédéral Justice (SPF Justice)

M. Guido HOSTYN  
Premier conseiller de direction  
Secrétaire de la Commission de contrôle des  
dépenses électorales  
Sénat

**Substituts:**

Mme Isabelle VAN HEERS

M. Paul MULS  
Premier conseiller de direction  
Secrétaire de la commission de contrôle des  
dépenses électorales  
Chambre des représentants

**BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE**

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Assistant Minister of Security of Bosnia  
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Council of Ministers of Bosnia and Herzegovina  
Ministry of Security

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

**Substitute:**

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**BULGARIA / BULGARIE**

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Directorate of International Cooperation and  
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State Expert

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Public Prosecutor  
Supreme Prosecutor's Office

**Substitute:**

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Ministry of Justice

**CROATIA / CROATIE**

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Justice of the Supreme Court

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 Avocat Général auprès de la Cour d'Appel de Paris

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 Ministère des Affaires étrangères et européennes

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Bureau des Relations Internationales  
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Legal Advisor  
Bureau for International European and Co-operation Affairs  
Ministry of Justice

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Ms Oana SCHMIDT-HAINEALA (Head of delegation)  
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Crime and Corruption Prevention  
Ministry of Justice

Ms Anca JURMA  
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International Cooperation Service  
National Anticorruption Directorate  
Prosecutors' Office attached to the High Court of Cassation and Justice

**Substitute:**

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**RUSSIAN FEDERATION / FEDERATION DE RUSSIE**

Mr Georgy MATYUSHKIN (Head of delegation)  
Deputy Minister of Justice  
Ministry of Justice

Mr Oleg PLOKHOI  
Deputy Head  
Human resources and government awards  
Department  
Administration of the President

**Substitutes:**

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First Deputy to the Chairman of the Committee on  
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Assembly of the Russian Federation

Mr Andrei ILYIN  
Deputy Head of Section  
Office of the Representative of the Russian  
Federation at the European Court of Human  
Rights  
Ministry of Justice

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Organisation de Coopération et de Développement Economiques (**OCDE**)

United Nations, represented by the UN Office on Drugs and Crime (**UNODC**) /  
Nations Unies, représentées par l'Office des Nations Unies contre la Drogue et le Crime (**ONU DC**)

**APPENDIX II / ANNEXE II**

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Denmark  
Estonia  
Finland  
Hungary  
Iceland  
Ireland  
Italy  
Malta  
Montenegro  
Poland  
Russian Federation  
Serbia  
Slovenia  
Spain  
Sweden  
"the former Yugoslav Republic of Macedonia"  
Turkey  
Ukraine  
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Austria  
Azerbaijan  
Belgium  
Bulgaria  
Cyprus  
Czech Republic  
France  
Georgia  
Germany  
Greece  
Latvia  
Lithuania  
Luxembourg  
Moldova  
Monaco  
Netherlands  
Norway  
Portugal  
Romania  
Slovak Republic  
Switzerland