

14th General Activity Report (2013) of the Group of States against Corruption

GRECO
Fighting corruption
Promoting integrity

Mission
Results and impact
Interaction

Thematic article
Gender dimensions of
corruption



Group of States against Corruption
Groupe d'États contre la corruption

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14th General Activity Report (2013) of the Group of States against Corruption

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Groupe d'États contre la corruption*

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Foreword

Marin MRČELA, President of GRECO

2 013 has been an eventful year for GRECO. We have now reached cruising speed in the 4th Evaluation Round which was launched in January 2012. The fourteen evaluation reports adopted by the end of 2013 on the subject of corruption prevention in respect of MPs, judges and prosecutors provide a good insight into common challenges and emerging trends. It is already clear at this stage that more needs to be done in a number of member states in order to further MPs' commitment to corruption prevention in their own ranks, and to reinforce integrity in the judiciary and prosecution services. The recommendations issued in this connection push for reform in areas such as ethical rules and codes of conduct, the prohibition or restriction of certain incompatible activities and the declaration of interests, assets and income.

Another momentous development in 2013 merits special mention: with a view to raising awareness of the direct and negative impact of corruption on vulnerable groups and deepen understanding of gender-specific manifestations of corruption, GRECO held the first pan-European Conference on Gender Dimensions of Corruption (Prague, December) under the auspices of the President of the Senate and the Ministry of Justice of the Czech Republic. It concluded that anti-corruption policies and strategies will be better tailored if gender is deliberately considered when examining the typology and impact of corruption (e.g. in the fields of education, healthcare, access to justice, trafficking in human beings) and if gender-disaggregated statistics are collected and properly analysed. This report contains a thematic article on these matters, written by GRECO's Gender Rapporteur and another committed expert.

Addressing this new topic which is not part of GRECO's traditional portfolio shows that we are prepared to enhance our rapid reaction capabilities. This does not mean, of course, that we intend to 'investigate' - on an ad-hoc basis - corruption scandals that hit the headlines in our member states; that would clearly overstep our remit. It nevertheless affirms our determination to follow closely, and on a continuous basis, topical anti-corruption developments and events in member states. This is reflected, for example, in official GRECO reactions to critical events, such as the stepping down of anti-corruption commissioners in one of our member states to denounce the lack of political will of their authorities to fight corruption. Moreover, GRECO is committed to making full use of its statutory 'toolbox' for exerting peer pressure, notably by arranging high-level missions to countries whose overall performance in implementing GRECO recommendations has to be categorised as "globally unsatisfactory".

The poor record of some of our member states in responding positively and swiftly to GRECO recommendations is indeed a source of concern. In most of the cases this situation reflects the difficulty (or sometimes impossibility) to reach a viable agreement among political parties in the countries concerned to improve the transparency of political financing – which, by the way, has turned out to be the 'hottest potato' GRECO has ever dealt with. But we are not willing any time soon to drop that potato for fear of getting burned; more clearly needs to be done, as also evidenced by the first evaluations under our Fourth Round, to make corruption prevention in political life a priority.

Luckily, it is not all gloom that surrounds this issue. We can tell many success stories of countries that have made progress as a consequence of being placed under closer scrutiny by GRECO. I am confident that the catalogue of such attainments will continue to grow.

In this respect, the support given by the Secretary General, Thorbjørn Jagland, is a precious resource. In January, he addressed the Parliamentary Assembly and said "corruption is today's biggest threat to democracy and it undermines citizens' trust in the rule of law." He stressed that the fight against corruption must be a priority of the Organisation and so sent a strong message to all member states that now is not the time for them to take their eye off the ball. GRECO is very grateful to the Secretary General

for having set such a clear priority and for insisting on the implementation of our recommendations in his high-level contacts which, arguably, has helped in a number of cases to take matters forward.

All this shows that change is driven by external and internal pressure as well as strong political resolve to bring about real reform. Closer cooperation between the European Union and the Council of Europe/GRECO, which has gained new momentum as a result of the publication of the first EU Anti-Corruption Report, will greatly contribute to spreading the message. This will also help drive reform, notably by raising the awareness of governments, national parliaments, civil society and the media to the issues at stake; and so will hopefully some of the contributions contained in this Fourteenth General Activity Report.

Mission and working framework

Aim and composition

GRECO's aim is to strengthen the capacity of its members to fight corruption by monitoring their compliance with the Council of Europe's anti-corruption standards¹, assessing the action taken by each member in response to its monitoring findings and recommendations and actively pushing for reform. A dynamic process of mutual evaluation and peer pressure is applied, combining the expertise of practitioners who act as evaluators and the state representatives who compose the GRECO plenary; support is provided by the Secretariat throughout the process. The evaluators and state representatives are nominated for each evaluation round, they provide expert input to the monitoring that is carried out and their professional profiles are matched with the themes under evaluation. Evaluators or state representatives can be designated to act as Rapporteurs in compliance procedures. The list of national delegations in GRECO can be consulted in Appendix I.

The following international organisations have observer status within GRECO which gives them access to the work of the plenary:

- ▶ International Anti-Corruption Academy (IACA)
- ▶ Organisation for Economic Co-operation and Development (OECD)
- ▶ Organization of American States (OAS)
- ▶ United Nations, represented by the United Nations Office on Drugs and Crime (UNODC)

1. Convention pénale sur la corruption (STE n° 173)
Convention civile sur la corruption (STE n° 174)
Protocole additionnel à la Convention pénale sur la corruption (STE n° 191)
Vingt principes directeurs pour la lutte contre la corruption (Résolution (97) 24)
Recommandation sur les codes de conduite pour les agents publics (Recommandation N° R (2000) 10)
Recommandation sur les règles communes contre la corruption dans le financement des partis politiques et des campagnes électorales (Recommandation Rec(2003)4)

The following bodies of the Council of Europe are also invited to designate a representative who has access to the work of the plenary:

- ▶ Council of Europe Development Bank (CEB)
- ▶ European Committee on Crime Problems (CDPC)
- ▶ European Committee on Legal Co-operation (CDCJ)
- ▶ Parliamentary Assembly of the Council of Europe (PACE)

Transparency

The long-standing practice within GRECO whereby its member states lift the confidentiality of evaluation and compliance reports shortly after their adoption goes well beyond what is provided for in its Rules of Procedure. Members are also urged to provide easy public access to translations into their national languages. Transparency and active visibility efforts demonstrate political will to put reforms into effect and can significantly facilitate the implementation of recommendations at domestic level by raising awareness of GRECO's findings across society.

Membership

Membership in GRECO is open, on an equal footing, to the 47 Council of Europe member states and non-member states that participated in the work leading to its establishment (of the latter, Canada, the Holy See, Japan and Mexico have not yet joined). Ratification by those states of the Criminal or Civil Law Conventions on Corruption (ETS Nos. 173 and 174) leads to automatic accession to GRECO.

The Committee of Ministers of the Council of Europe may invite other non-member states to accede to the conventions and/or GRECO. Other countries from a variety of regions across the globe have shown a well-informed interest in the Council of Europe's standard-setting instruments and in the

GRECO model. In December 2013 a formal invitation to join GRECO was issued by the Committee of Ministers to Kazakhstan which is expected to become a member during the course of 2014. Kyrgyzstan has also enquired about membership and Mexico has shown renewed interest in the work of GRECO.

Membership spans the whole of Europe and includes also the United States of America. Members (49) and dates of accession: 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), the Republic of 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)², Switzerland (1 July 2006), Austria (1 December 2006), the Russian Federation (1 February 2007), Italy (30 June 2007), Monaco (1 July 2007), Liechtenstein (1 January 2010), San Marino (13 August 2010) and Belarus (1 July 2006 – effective participation as of 13 January 2011).

Methodology

Evaluation

Teams of evaluators collect information on which to base their analysis first through questionnaires and then during on-site country visits which allow them to solicit further information through discussions with key domestic institutions and civil society representatives. The country-specific reports that are drawn up following the visits describe and analyse the current situation from data provided, collected and tested in and outside the country. Problems or challenges are identified and recommendations tailored to the specific situation of each country are made to generate the political will and to prompt the reforms needed to improve the capacity of states to prevent and fight corruption. Rigorously high technical standards are

2. 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

maintained and a balance is sought between defining policies that might be applied to all members and designing meaningful recommendations tailored to individual national profiles and shortcomings. These are trademarks of the GRECO model.

The evaluation reports adopted by GRECO are available at: www.coe.int/greco.

Compliance

Measures taken in response to GRECO recommendations are subject to a specific impact assessment – compliance procedure – that provides meaningful follow-up to GRECO evaluations. There are two main phases. The first is the adoption of a compliance report which assesses measures taken by each state to implement recommendations within the 18 months following an evaluation. Assessments are pursued – as necessary – following a further implementation period of 18 months in an addendum to the compliance report (First and Second Round compliance procedures) or a second compliance report (Third and Fourth Round compliance procedures). Intermediate or additional reporting duties and assessment phases occur if GRECO considers that the response to recommendations has been “globally unsatisfactory”. Compliance procedures related to previous evaluation rounds run in parallel to monitoring within the current evaluation round.

Enhancing compliance

In comparison with the Second and the Joint First and Second Evaluation Rounds, the level of compliance by member states with GRECO recommendations issued under the Third Evaluation Round has somewhat decreased.³ It is quite obvious that the implementation of these recommendations mostly implies legal amendments in rather technical and complex areas. The decrease in compliance may also be explained by the sensitivity of the issues at stake (notably the transparency of party and campaign funding), and the extension of GRECO monitoring to areas beyond direct governmental control and under the influence of political parties and parliaments. As a result of this situation, the performance of a number of member States in implementing GRECO’s recommendations has been categorised as “globally unsatisfactory”, pursuant to Rule 32 of the rules of procedure.

Rule 32 allows GRECO to decide which of the set of measures provided for it will apply in cases of non-compliance in order to enhance prospects for the

3. 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

implementation of recommendations. Ultimately, GRECO can contemplate terminating a non-compliance procedure after due consideration of the effect of the measures taken. Application of one of the Rule 32 measures – the organisation of a high-level, political mission to the country concerned – is now being envisaged in some cases. Proper publicity will be given to such missions in order to trigger domestic discussion and mobilise political will for addressing pending recommendations. Terminating a non-compliance procedure would involve the publication of a “declaration of non-compliance” and the Bureau has started to reflect on ways in which the issues that are the principle subject of non-compliance (currently, political funding) might be kept on GRECO’s agenda, for example by organising annual roundtables to review further progress or their inclusion in a future evaluation round.

The compliance reports adopted by GRECO are available at: www.coe.int/greco.

International Legal Instruments of the Council of Europe

The anti-corruption treaties developed by the Council of Europe deal with corruption from the point of view of criminal, civil and administrative law. Corruption is seen not only as a threat to international business or to financial interests but to the values of democracy, human rights and the rule of law that are upheld by the Organisation. The Criminal Law Convention on Corruption (ETS 173) sets out common standards for corruption offences – without limiting itself to a uniform definition of corruption. It deals with the substantive and procedural law matters that relate to those offences and its provisions on international cooperation are designed to facilitate direct and swift communication between national authorities.

The Civil Law Convention on Corruption (ETS 174) deals with compensation for damage, liability, contributory negligence, limitation periods, the validity of contracts, protection of employees, accounts and auditing, the acquisition of evidence, interim measures and international cooperation.

Even though states are strongly encouraged to become parties to the Council of Europe’s unique set of anti-corruption treaties, and to limit and withdraw any reservations they file, it should be noted that within GRECO, the same evaluation criteria and level of detailed scrutiny apply to states whether they have ratified or not. In 2013, Austria and Italy ratified the Criminal Law Convention on Corruption (ETS 173) which now applies to 45 GRECO member states. The Additional Protocol to the Criminal Law Convention on Corruption (ETS 191) was ratified by Austria, Azerbaijan, Iceland and Monaco and 34

GRECO member states are now bound by that legal instrument.

As the criminal law aspects of the fight against corruption have been more prominent in GRECO’s work to date, less attention has been given to the Civil Law Convention on Corruption (ETS 174); its applicability however progressed in 2013 with ratifications by Austria, Azerbaijan, Iceland and Monaco. Thirty four member states are now bound by that legal instrument.

Council of Europe Treaty Office:
(www.conventions.coe.int)

Evaluation Rounds

Evaluation rounds provide the structure for GRECO’s monitoring work. Each round has its own thematic scope and makes reference to the Council of Europe’s treaty-based standards and further “soft law” standard-setting texts established by the Organisation. The rounds are designed to respond to the topical concerns of the governments, institutions, civil society and citizens of its broad membership.

The current Fourth Evaluation Round – the Prevention of Corruption in respect of Members of Parliament, Judges and Prosecutors – opened in January 2012. Each of the three professional groups is examined in relation to its place within a wider country and democratic context, bearing in mind the necessary tension and difficult balance that must be struck and maintained between fundamental principles: between promoting transparency and protecting privacy; between earning trust and taking responsibility; and between encouraging good conduct and enforcing rules.

To foster essential support from national parliaments and the professional bodies of the judiciary for the implementation of recommendations issued by GRECO, representatives of both branches are associated with GRECO’s work – through their participation in evaluation teams.

A full set of reference and working materials related to the Fourth Evaluation Round is available at: www.coe.int/greco.

Fourth Evaluation Round

Prevention of corruption in respect of members of parliament, judges and prosecutors

(underway since 1 January 2012):

- ▶ ethical principles and rules of conduct
- ▶ conflicts of interest
- ▶ recruitment, career and conditions of service (judges and prosecutors)

- ▶ transparency of the legislative process (members of parliament)
- ▶ remuneration and economic benefits (members of parliament)
- ▶ prohibition or restriction of certain activities
- ▶ declaration of assets, income, liabilities and interests
- ▶ supervision and enforcement of rules and regulations
- ▶ advice, training and awareness

Third Evaluation Round

(1 January 2007 – 31 December 2011):

Theme I: Incriminations

- ▶ essential concepts to be captured in the definition of passive and active bribery as well as trading in influence
- ▶ limitation periods
- ▶ jurisdiction
- ▶ special defences

Theme II: Political funding

- ▶ transparency of books and accounts of political parties and election campaigns
- ▶ monitoring of party and campaign funding
- ▶ enforcement of the relevant funding rules

Second Evaluation Round

(1 January 2003 – 31 December 2006):

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

First Evaluation Round

(1 January 2000 – 31 December 2002):

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

Members that join GRECO after the close of an evaluation round are subject to evaluation on the themes of previous rounds before joining the current one, starting with the first two rounds that are covered in [Joint First and Second Round Evaluations](#).

Core work – Results and impact in 2013

Evaluation procedures – key findings

On-site visits carried out by GRECO in 2013	Evaluation reports adopted in 2013
Fourth Evaluation Round:	Fourth Evaluation Round:
■ Sweden (11-15 March)	■ Finland
■ Slovak Republic (15-19 April)	■ France
■ France (13-17 May)	■ Iceland
■ “The former Yugoslav Republic of Macedonia” (13-17 May)	■ Luxembourg
■ Spain (10-14 June)	■ Netherlands
■ Denmark (9-13 September)	■ Slovak Republic
■ Belgium (21-25 October)	■ Spain
■ Croatia (21-25 October)	■ Sweden
■ Albania (28 October-1 November)	■ “The former Yugoslav Republic of Macedonia”
■ Norway (18-22 November)	

Finland

Corruption prevention concerning members of parliament (MPs), judges and prosecutors relies to a large degree on trust, openness and public scrutiny and appears to be quite effective in practice. According to international indices, the perception of corruption in general and with respect to the above categories of persons in particular is clearly below the EU average. Domestic actors suggest further increasing transparency and awareness in certain areas rather than introducing a regime built on mandatory declarations, restrictions and enforcement. While GRECO takes account of this context, it nevertheless wishes to stress that the risks of corruption resulting from conflicts of interest must not be underestimated. GRECO's recommendations – as well as several further suggestions – aim at raising awareness among MPs, judges

and prosecutors about such risks, further increasing transparency and ultimately fostering public trust in them and the institutions they represent.

With respect to MPs, it is recommended to establish a Code of Conduct, clarify the concept of conflict of interest in the meaning of article 32 of the Constitution as well as the mechanism for its implementation, further elaborate the rules on acceptance of gifts and other advantages, make the disclosure of outside ties mandatory and widen its scope and ensure enforcement. Such measures should be seen as safeguards to ensure that the parliamentary process is free from – and also seen to be free from – improper external influence.

The dissemination of the recently adopted Ethical Principles for Judges – in particular to lay judges and expert members of courts, the establishment of a comprehensive set of standards of ethics and conduct

for prosecutors, as well as the provision of further guidance on these matters – including through specific training – are recommended. In addition, accessory activities – especially arbitration assignments – of high-ranking judges, which triggered much media attention at the time of the evaluation visit, warrant closer consideration. Finally, the Finnish authorities may wish to reflect on several further suggestions, inter alia, regarding the appointment procedure in respect of referendaries, expert members of courts and lay judges as well as disciplinary liability of judges and prosecutors for misconduct. Work on the Act on Judges and Courts, including regulation of the status of judicial staff, could provide a good opportunity to respond to some of GRECO's recommendations and proposals. The authorities may also wish to consider the elaboration of corresponding specific legislation on prosecutors.

France

If France, as a whole, appears to be little affected by corruption according to the various opinion polls conducted in recent years, the situation can vary strongly from one institution to another. Judges and prosecutors are well perceived in terms of integrity, whereas the public perception concerning elected officials is clearly negative. Nonetheless, controversies concerning both the judiciary and parliament in recent years have triggered reforms aimed at making these institutions more resistant to undue influences, and at introducing or improving standards on integrity, among other changes.

The reforms implemented in October 2013 by the laws on transparency of public life represent positive developments concerning the management of conflicts of interest and the system for the declaration of assets and interests of members of parliament. Occasional conflicts of interests (whether real or perceived) are not adequately addressed as yet and information on assets needs to be made accessible to a broader public. The introduction of deontological rules and mechanisms in 2010 and 2011 by the Assembly and the Senate also goes in the right direction. However, senators are not direct addressees of the new standards, which is a lacuna and gifts, hospitality and other benefits are not regulated in a clear and consistent manner. There is also need for a system of sanctions within the parliament for infringements. Finally, on the topic of resources made available to parliamentarians, three areas appear to be particularly problematic in practice and call for swift improvements: the modalities for hiring parliamentary assistants and collaborators (due to risks of disguised lobbying, of fictitious jobs and the use of funds for unrelated purposes), the operational expenses allowances and finally the so-called parliamentary reserve (due to serious risks for integrity).

France has a long-standing and effective tradition in the area of recruitment and training of judges and prosecutors, in the area of standards on professional conduct and impartiality as well as supervision (the Superior Council of Magistracy and its counterpart responsible for administrative court judges). Rules for ethical conduct introduced in 2010 and 2011 and the long-standing publication of the decisions and opinions of the above bodies complement effectively the measures and the standards aimed at ensuring a high level of integrity and professionalism among magistrates in the judicial and administrative area can be seen as exemplary. All French courts are not subject to similar arrangements, leading sometimes to serious concerns in practice as is the case for commercial and labour courts. Moreover, certain aspects related to the autonomy of career magistrates are preoccupying: there are risks of problematic interference of the executive in disciplinary proceedings and the appointment/career development of judges and even more, of prosecutors. This calls for improvements since the current situation can generate “reluctance” among practitioners when they deal with sensitive cases.

Iceland

Iceland is both small in terms of population and fairly isolated geographically. The collapse of its banking system in 2008 severely shook the confidence of the country, its population and its institutions, and has resulted in a reappraisal of the transparency and the informal checks and balances that were assumed to exist and to act as a restraint on power and wrongdoing in its community. More particularly, the banking crisis has raised some fundamental questions in Iceland about the integrity of its governing institutions and the concept of corruption as it should be understood in the Icelandic context. A recurring issue is that of the extensive personal and professional relationship networks that exist. Handling inter-relationships and addressing real or potential conflicts of interest is clearly a constant, and now a heightened, challenge.

For parliamentarians, the issue of business links and independence, as well as conflicts of interest more generally is a live one. A reflection process has already started in this area and some tools have been developed to increase transparency, not only of parliamentary proceedings (an area in which the country has a tradition of openness), but also of the activities of its individual members, including through the introduction of a financial declaration system and the on-going development of a code of conduct. The authorities can only be encouraged to further develop the applicable rules so that they are meaningful and effective in promoting a parliamentary ethos that acknowledges and openly addresses corruption prevention, conflicts of interest and more generally, deontological matters, and in increasing public confidence in this sector.

The judiciary is of a high standard and no allegations of corruption have ever been made involving judges. Positive steps have been taken to improve transparency, including the issuing in 2010 of new detailed rules on the appointment of judges – an area which had prompted public criticism because of the potential for political interference in the process. The prosecution system appears to enjoy high levels of public satisfaction. Additional measures can be taken to strengthen its independence, including by ensuring security of tenure and by providing a stricter separation of roles between public prosecutors and police at district level.

As to the prevention of conflicts of interest, judges and prosecutors are clear on the rules guiding them in specific cases (e.g. rules on incompatibility, bans on additional activities, recusal). However, there is room for greater reflection on issues of ethics and conduct, particularly in small districts. A reflection process has started concerning the drafting of a code of conduct for the profession. The Committee on Judicial Functions which authorises additional activities and decides on conflicts of interest situations and infringement of the rules is currently reevaluating its role in order to become more proactive and to look into conflicts of interest from a broader perspective. In the prosecution service, plans are underway to develop a comprehensive policy on training and education of prosecutors.

Luxembourg

The country has gradually become aware of certain problems and shortcomings that can be attributed to its preventive and law enforcement measures and significant improvements have been made over the past 4 to 5 years (regarding, for example, incrimination of corruption, access of investigators to financial information, regulation of political financing, the protection of whistleblowers) and are on-going (for example preparation of a law on freedom of access to information). The unprecedented 2011 'Livange-Wickrange' case shed light on various practices related to bonuses and other benefits traditionally granted to elected officials by private groups or by businesses involved in state contracts and highlighted the limited capacity of the country to deal with such sensitive issues.

Members of the unicameral parliament are currently subject to minimum requirements to preserve their integrity and prevent corruption. These consist basically in the declaration and publication of business functions or other remunerated activities since 2004. For the time being, the mechanism is proving ineffective as it is wholly voluntary and is taken seriously by elected officials to a variable degree. To redress the resulting deficiencies, a code of conduct is expected

to enter into force in 2014. It will govern the conduct of members, laying down rules to preserve integrity and manage potential conflicts of interest, and will regulate gifts and other benefits. It also aims to reinforce the declaration system with new topics, and a supervisory collegial body would be entrusted with applying disciplinary measures in the event of breaches. Whilst welcoming these initiatives, GRECO recommends a series of further improvements, including the declaration of more detailed financial information and increasing the consistency of the rules for gifts and other benefits offered to members. There is also a need to regulate contacts with third parties who seek to influence the legislative work, and to review disciplinary measures.

As concerns judges and prosecutors, who constitute a single body of magistrates in Luxembourg, GRECO has noted various deficiencies, above all the lack of harmonised legislation in this area. This may be explained by the fact that Luxembourg created a judicial structure worthy of a larger country. Reforms in June 2012 began to harmonise the conditions of recruitment and status of judges and professional prosecutors, and also abolished recourse to lawyers which was a source of potential problems. A code of ethics was adopted in May 2013 with a view to regulating the conduct of judges and prosecutors. GRECO deems that reforms are still needed to harmonise and clarify the current rules which are often misunderstood by practitioners, such as the rules pertaining to the management of conflicts of interest. It furthermore strongly supports the planned constitutional reforms to create an independent Prosecutors office and a National Council of Justice. The latter should handle disciplinary matters, and the promotion of judges and prosecutors. The management of courts should also be harmonised and, possibly, periodic evaluation of judges and prosecutors introduced to facilitate the work of supervisors and to promote career development based on merit.

Netherlands

The prevention of corruption in respect of Members of Parliament (MPs), judges and prosecutors relies to a large degree on mutual trust, openness and public scrutiny, in addition to the fact that they do not enjoy any immunity from prosecution for criminal conduct. There are few mandatory regulations, restrictions and even less supervision. MPs, but also judges and prosecutors, are instead encouraged to fully engage in society, through accessory activities, to avoid being isolated in an ivory tower. This system appears to be fairly effective and public trust in their integrity is noticeably higher than the EU average.

There are few rules pertaining to the integrity of MPs and this topic has traditionally been left to political

parties and factions to deal with, according to their own systems of values and beliefs. The system is reactive, relying mainly on the media to expose misconduct and on the parliamentarian concerned to step down, on his/her own initiative or at the request of his/her political party or faction. GRECO believes that there is room for improvement and that the Parliament, as an institution, could take on a more proactive role to increase the awareness of its members – many of whom do not have much experience of parliamentary work – of ethics, integrity and exposure to possible conflicts of interest. It is recommended to develop codes of conduct for Members of both Chambers of Parliament, with their participation, to review current registration requirements as regards interests, assets and liabilities, to ensure supervision and enforcement of rules and to extend the guidance and training on ethical matters available.

Members of the judiciary have a long standing reputation of independence and impartiality, and public trust in their integrity is high. Integrity has been chosen as a core value in the Agenda of the Judiciary 2011-2014 and a comprehensive integrity programme was implemented in 2012-2013. It comprises an inventory and update of the existing rules, promotion of the integrity of judges through the discussion of ethical dilemmas and dedicated counselling, as well as communication of these efforts to the public. GRECO supports this policy, but considers that a limited number of areas deserve more attention. In particular the issue of substitute judges who, because of their important role in the judicial system, need to benefit from appropriate guidance on possible conflicts of interest.

Compared with the judiciary, the prosecution service is one step ahead in implementing a similar integrity policy. It aims to enhance integrity and prevent misconduct, through an updating of the regulations and the creation of a safe climate for an on-going discussion of integrity challenges within each office. It also contains elements for a swift reaction when misconduct does occur. GRECO welcomes the thorough and balanced approach adopted by the prosecution service in this integrity policy.

Slovak Republic

Over the past decade, perceptions of levels of corruption have been rather volatile. They decreased sharply after the country's accession to the European Union in 2004. By 2011, perceptions had returned to 2004 levels – 4.00 on Transparency International's Corruption Perceptions Index. In contrast to a number of other countries, corruption within the judiciary has for years been perceived as being at a higher level than corruption among politicians and perceptions overall are well above the EU average.

Analysis of the policy and regulatory frameworks demonstrates a high degree of convergence as regards common challenges to be addressed in respect of

members of parliament (MPs), judges and prosecutors. First and foremost, the need for preventative measures is underestimated by the authorities and substantially heightens vulnerability to corruption. An appropriate strategy for tackling those risks and other issues under evaluation would need to be built upon well-articulated and enforceable codes of conduct and conflicts of interest standards. The strategy would also benefit from relying on quality initial and on-going training, as well as advice and counselling to firmly entrench the notions and principles of organisational ethics and ensure consistency in implementation. The extent of corruption risks appears to be clear to the Government, as acknowledged in its 2012 Manifesto, but political will to accomplish the necessary reforms needs to be further reinforced. The scope and purpose of the reforms are to be made transparent and are to respond to the legitimate public concerns.

Regulation of parliamentarians' contacts with lobbyists and others with partial interests and the acceptance of gifts and other advantages warrant strong attention. Adequate enforcement of asset declaration and conflicts of interest rules calls for strengthening of the mandate and attribution of supplementary resources to the Parliamentary Committee on the Incompatibility of Functions. Further refinements to the financial disclosure regime appear to be necessary in order to capture financial and business interests of MPs.

The low level of public trust and the lack of transparency and accountability within the judiciary, including at the very top level, erode public confidence in the rule of law and demand priority attention. The vulnerability of the judiciary (and to a certain extent of the Public Prosecution Service) to undue political interference is also a matter of concern and is to be remedied. The enforcement of asset declaration rules would benefit from being further improved: in respect of judges, adequate human and material resources could be made available to the responsible oversight body and, in respect of prosecutors, unimpeded public access to asset declarations and affidavits on auxiliary employment is to be ensured, with due regard to the privacy and security of prosecutors and their family members. The scope of declarations of both judges and prosecutors could be broadened so as to cover liabilities and gifts above a certain threshold.

Spain

In spite of the many measures taken in recent years to introduce regulation to better fight corruption, to strengthen the resources and specialisation of law enforcement bodies dealing with economic crime and ultimately to indict offenders, there has been growing concern about corruption in Spain. The breadth of public disillusionment and mistrust has been further aggravated by the economic crisis.

Pollsters reserve the lowest levels of trust for politicians and political parties. Well aware of the lack of

confidence they face, the Spanish authorities have initiated several reforms to recast trust levels, i.e. a transparency law, broad access to information regarding the legislative process, a financial declaration system for parliamentarians open to public scrutiny on the websites of the respective Chambers. GRECO takes account of all these positive measures and further supports the on-going reflection on how to regain institutional credibility. Additional steps are recommended to instil, maintain and promote a strong culture of ethics among parliamentarians, including through the adoption of a code of conduct and the introduction of targeted awareness measures on integrity matters. Likewise, it would also be important to heighten transparency around MPs' contacts with third parties, to provide more detailed and up-to-date information in financial declarations, and to significantly strengthen supervision and enforcement mechanisms in Parliament.

The judiciary and the prosecutorial service in Spain are of high quality and, with the exception of some isolated cases, there is no substantial evidence of corruption. However, concern exists about the efficient functioning of the justice system with its overburdened courts and about risks from political influence. More particularly, while the independence and impartiality of individual judges and prosecutors have been broadly undisputed to date, much controversy surrounds the issue of the structural independence of the governing bodies of the judiciary and the prosecutorial service – the primary concern being the perception that partisan interests could penetrate judicial decision-making processes. This is particularly dangerous at a time when cases involving political corruption are on the rise. The mere existence of this shadow of doubt is undesirable, and steps should be taken to ensure that the justice system is not only free, but also seen to be free, from improper external influence. Moreover, flaws in the structural independence of the government of the judiciary can only become, in the long term, detrimental to the independence and impartiality of individual judges.

Spanish judges and prosecutors have a strong spirit of public service and dedication to public duty. However, codes of conduct are yet to be adopted for both. Likewise, further mechanisms could be introduced to open channels for the discussion of ethical dilemmas and to provide for dedicated advisory services and guidelines in relation to conflicts of interest and other integrity-related matters.

Sweden

Sweden has traditionally been considered one of the least corrupt countries in Europe. Corruption prevention – including with respect to members of parliament (MPs), judges and prosecutors – appears to be quite effective in practice. There exists an established culture of openness and easy access to information which provides the public and the media with the

means to keep track of public-sector activities. In addition, there exist several institutional safeguards against corruption, inter alia, the Chancellor of Justice and the Parliamentary Ombudsmen who are tasked with supervising the actions of public officials including judges. That said, public opinion appears to have progressively woken from what is sometimes described in Sweden as a certain “naivety” about the phenomenon of corruption and its occurrence in Sweden. Awareness of the risks of corruption and conflicts of interest seems to have risen over the years and could benefit from being further stimulated.

In particular, GRECO has identified several areas regarding corruption prevention among MPs which leave room for improvement. While integrity levels appear to be generally high, a more proactive attitude towards ethical questions and risks of conflicts of interest is needed. More specifically, it is recommended to develop a code of conduct, clarify the disqualification rules and require ad hoc disclosure of actual and potential conflicts of interest, develop rules on the acceptance and registration of gifts and other advantages, widen the scope of asset declarations and ensure enforcement of the rules. Such measures should be seen as safeguards to ensure that the parliamentary process is free from – and also seen to be free from – improper external influence.

In relation to judges, it is recommended to complement the recent documents on “Good judicial practice” by further measures aimed at offering proper guidance on ethical questions – including dedicated training – and to take appropriate measures with a view to strengthening the independence, impartiality and integrity of lay judges. A commission tasked with making proposals for modernising the system of lay judges has recently been set up under the Ministry of Justice and the authorities are invited to take account of GRECO's suggestions in the reform process. It is crucial that a set of clear ethical standards be made applicable to all prosecutors, coupled with complementary measures such as dedicated training. The initiative taken by the Prosecutor General in this respect is clearly to be welcomed. Further suggestions regard, inter alia, accessory activities – especially arbitration assignments – of judges and possible measures aimed at further strengthening the status and role of the Parliamentary Ombudsmen and the Chancellor of Justice.

“The former Yugoslav Republic of Macedonia”

A well-developed legal framework covering most areas under review is in place. The Law on the Prevention of Corruption (LPC) and the Law on Prevention of Conflicts of Interest (LPCI) are a recent, fairly sound basis for integrity rules and standards. They apply to all public officials, including Members of Parliament (MPs), judges and prosecutors and contain detailed

rules on conflicts of interest, incompatibilities, accessory activities, gifts and asset declarations.

The effective implementation and enforcement of legislation is of concern and needs to be addressed as a matter of priority. Much remains to be done to educate about integrity and conflicts of interest, to ensure better implementation of the legal framework and to improve the public image of MPs, judges and prosecutors.

In so far as rules applicable specifically to Members of Parliament are concerned, those on transparency of the legislative process are good, but there is room for improvement as regards public participation processes. There are also clear and quite strict rules on incompatibilities and accessory activities which appear to be well-known by those to whom they apply. MPs do comply with their obligations to submit statements on conflicts of interest and asset declarations, but there remain doubts on whether further changes in their situation are accurately reported and arrangements for related monitoring need to be improved. Likewise, there are rules in place regarding gifts but compliance is not supervised. The lack of a genuinely widespread culture of integrity contributes to the MP's negative public image.

Although judges also suffer from a lack of public trust, it seems to be mainly the result of judicial backlogs

and lack of a public relations policy as opposed to a systemic corruption problem. Backlogs are decreasing but GRECO has doubts about the excessive weight given to productivity criteria in the appraisal of judges. Lots of efforts have been devoted to ensuring that the selection, appraisal and disciplinary liability of judges are decided according to objective criteria, but the legislative provisions are not fully implemented and there are still concerns about undue interference, and the Judicial Council whose decisions need to be more transparent.

Prosecutors are subject to similar rules as judges and the level of public confidence is comparable, the main criticism being a lack of transparency and poor communication with the public. A similar lack of oversight of the implementation of rules on gifts, asset declarations and statements on conflicts of interest was observed as with the other categories under review.

The State Commission for the Prevention of Corruption which enjoys a high level of independence plays an important role in anti-corruption policy. Its ability to act in the area of corruption prevention is however hampered in practice by budgetary and staff constraints and by a certain lack of proactivity, which need to be addressed.

Compliance procedures – key results

Compliance reports adopted in 2013

Third Round:

- Compliance Reports on Andorra, Cyprus, the Czech Republic, Georgia, the Republic of Moldova and Ukraine – procedures ongoing
- Second Compliance Report on Spain – procedure ongoing
- Second Compliance Reports on Albania, Croatia, Ireland, Lithuania and Norway – procedures closed
- Addenda to the Second Compliance Reports on Estonia, Iceland – procedures closed

Third Round, Rule 32 procedure⁴:

- Compliance Reports on Bosnia and Herzegovina and Switzerland – Rule 32 procedures opened
- Second Compliance Reports on France and Malta – Rule 32 procedures opened
- Interim Compliance Reports on Belgium, the Czech Republic, Denmark, France, Germany, Greece, the Slovak Republic, Slovenia and Sweden – procedures ongoing
- Interim Compliance Reports on the Netherlands (Theme II) and Portugal – Rule 32 procedures closed

Joint First and Second Rounds:

- Compliance Report on Liechtenstein – procedure ongoing;
- Addendum to the Compliance Report on Italy – procedure closed;
- Third Addendum to the Compliance Report on Ukraine – procedure ongoing

4. See 2.4 Methodology – Enhancing compliance.

The information gathered and assessments made show that, due to the impact of GRECO, a broad range of policy, legal and institutional reforms, and capacity-building, training and awareness-raising efforts have been carried out.

In the framework of the compliance procedures under the [Third Evaluation Round](#), examples of the concrete measures taken by member states to implement GRECO recommendations, taken from compliance reports made public in 2013, include:

- ▶ [ratification of the Criminal Law Convention on Corruption ETS 173 \(Italy\)](#);⁵
- ▶ [ratification of the Additional Protocol to the Criminal Law Convention on Corruption ETS 191 \(Bosnia and Herzegovina, Georgia, Iceland, Lithuania\)](#);⁶
- ▶ [abolition of the dual criminality requirement](#) with respect to the offences of bribery and trading in influence (Estonia, Georgia);
- ▶ [reinforcement of the sanctions provided for in cases of trading in influence and/or bribery offences](#) (Albania, Iceland, Lithuania);
- ▶ [the criminalisation of several types of corruption-related activities in respect of trading in influence and/or active bribery offences](#), namely: active trading in influence (Hungary, Lithuania, Republic of Moldova, Spain); granting of advantages to third party beneficiaries (Andorra, Croatia, Georgia, Lithuania, Republic of Moldova); use of (and acting as) intermediaries (Andorra, Czech Republic, Republic of Moldova);
- ▶ [the criminalisation of bribery offences committed by different public actors](#): foreign arbitrators and foreign jurors (Albania, Estonia, Georgia, Iceland, Lithuania, Republic of Moldova); foreign public officials, members of foreign public assemblies, international officials, members of international parliamentary assemblies and judges and officials of international courts, (Albania, Andorra, Republic of Moldova);
- ▶ [amendments to legislation in respect of bribery in the private sector in order to clearly cover the full range of persons who direct or work for, in any capacity, private sector entities](#) (Azerbaijan, Croatia, Estonia, Iceland, Republic of Moldova);
- ▶ [the establishment of clear rules ensuring the necessary independence of auditors](#) called upon to certify the accounts of political parties and election candidates (Cyprus, Iceland, Ireland, Norway, Serbia);

5 Austria also ratified this legal instrument in 2013.

6 Austria, Azerbaijan and Monaco also ratified this legal instrument in 2013.

- ▶ [the introduction of standardised formats for financial reports of political parties](#) (Albania, Cyprus, Georgia, Ireland, Norway, Portugal, United Kingdom);
- ▶ [the elaboration of measures aiming to increase the transparency of the accounts of entities which are related to political parties](#), or otherwise under their control (Netherlands, Serbia);
- ▶ [the provision of more precise definitions of the mandates of oversight bodies entrusted with the supervision of political financing](#) (Norway, Serbia).

In the framework of compliance procedures covering the [Joint First and Second Evaluation Rounds](#), examples of action taken in response to GRECO recommendations, taken from compliance reports made public in 2013, include:

- ▶ [establishment and/or strengthening of specific bodies](#) responsible for monitoring the implementation and the effectiveness of the measures taken by each administration to develop its anticorruption plans (Italy, Liechtenstein) and for the investigation and prosecution of corruption offences (Austria);
- ▶ [reform of the statute of prosecutors](#) (Austria);
- ▶ [the adoption of a Code of Conduct for public officials](#) as well as the introduction of rules on the prevention and resolution of conflicts of interest (Italy, Liechtenstein (draft), Russian Federation (model code), Ukraine);
- ▶ [training activities for public servants, including law enforcement staff](#): prevention measures, compliance with codes of ethics and principles of official conduct (Austria, Italy, Liechtenstein, Russian Federation, Ukraine);
- ▶ [the introduction or strengthening of protective measures for persons who report suspicions of corruption in public administration in good faith – “whistleblowers”](#) (Austria, Italy, Liechtenstein (draft), Russian Federation, Ukraine);
- ▶ [increased sanctions](#) for several corruption offences (Italy) and the [extension of the statute of limitation](#) for several corruption offences (Italy, Liechtenstein);
- ▶ [the elaboration and/or establishment of liability of legal persons for corruption offences](#) (Russian Federation (partially), Ukraine (draft legislation), Italy (corporate liability for active bribery));
- ▶ [provision for the confiscation of the proceeds of corruption](#) (Russian Federation (partly), Ukraine);
- ▶ [the preparation and adoption of legal amendments in order to enhance transparency in stock corporations and private foundations](#) (Austria).

News from member states

During the course of the year, in addition to formal reporting obligations, member states informed the plenary of current domestic affairs and developments. It is not all good news but corruption clearly continues to hold a prominent place on national agendas.

Croatia:

- ▶ the Supreme Court and the Association of Judges were vehemently opposed to two elements of new legislation: the introduction of an obligation on the President of the Supreme Court to make an annual report to Parliament and increased influence of the Ministry of Justice in the appointment of Court Presidents.

Cyprus:

- ▶ a new Code of Ethics for Public Officials includes obligations as regards transparency and the avoidance of actions that might compromise integrity; it also states an explicit prohibition of all forms of corruption.

Czech Republic:

- ▶ an amendment to the Constitution concerning immunities makes the prosecution of a Deputy or Senator at the end of their mandate possible;
- ▶ draft legislation on party funding and the prosecution service was put on hold until the formation of a new government.

France:

- ▶ details were provided of the parliamentary debate on Government Bills reflecting two main policy directions in respect of transparency in public life and the strengthening of measures to combat serious economic and financial crime.

Georgia:

- ▶ the composition of the Anti-corruption Council (interagency body that sets policies and monitors compliance) was extended to include more civil society representatives;
- ▶ legislation was adopted to increase the independence of the judiciary through a stronger High Council of Judges and of the prosecution service by providing that the Minister of Justice only retains responsibility for developing general criminal justice policy guidelines and no longer has the power to intervene;

- ▶ it was planned to extend the list of persons subject to asset declaration and to facilitate public oversight by setting up an electronic declaration system;
- ▶ draft legislation to improve whistleblower protection was being prepared.

Germany:

- ▶ as immunity affords very little protection to MPs, one concern raised in discussions on a series of draft bills regarding bribery of parliamentarians was that criminal law might be instrumentalised for the purpose of making false allegations of bribery, for example during election campaigns;
- ▶ the maximum fine that can be imposed on legal persons for criminal offences such as corruption was raised to 10 times the original fine of 1 million Euros. As the confiscation of illicit gains can also be ordered (no ceiling is applied) the cumulative effect of both could be very hard-hitting. The law was also changed to prevent companies avoiding liability in the case of mergers.

Latvia:

- ▶ the country was invited to join the Organisation for Economic Cooperation and Development (OECD), to become a full member of the OECD Working Group on Bribery in International Business Transactions and to accede to the OECD Convention on combating bribery of foreign public officials in international business transactions;
- ▶ following an analysis of the defence of “effective regret” it was decided that in such cases release from liability would no longer be compulsory;
- ▶ amendments were made to legislation regarding the liability of legal persons including state owned/controlled companies so that it can be decided whether proceedings against a legal and natural person should be conducted jointly or separately in order that prosecution is not delayed or hindered by difficulties in identifying the natural or legal persons responsible.

Luxembourg:

- ▶ restructuring of the judicial institutions – including the setting-up of a national judicial council and a supreme court – was being considered;
- ▶ a code of ethics for ministers, primarily concerning conflicts of interest was adopted;
- ▶ jurisprudence clearly confirmed that in order to establish an offence of trading in influence or corruption, proof that an agreement (“pacte de corruption”) between the bribe-giver and the bribe-taker had been established is not required.

Malta:

- ▶ increased sanctions are applicable for bribery of members of the judiciary;
- ▶ a prescription period for offences of bribery by members of parliament is no longer applied;
- ▶ draft legislation on political party funding was being prepared.

Republic of Moldova:

- ▶ the Centre for combating Economic Crimes and Corruption (previously under direct parliamentary control) was replaced by the National Anti-Corruption Centre which is placed under the Government; its Director is appointed by the President of the Republic to remove opportunities for political pressure and its functional and operational independence are guaranteed by law;
- ▶ the Criminal Code was amended to criminalise the manipulation of sports events and arranged bets;
- ▶ a policy of zero tolerance towards corruption within the Justice sector led to consideration of a range of draft legislation and a concept was developed for reform of the public prosecution service to reinforce procedural independence, provide for specialisation and implement integrity enhancing measures.

Montenegro:

- ▶ the chapters on Rule of Law, Home Affairs and Human Rights of the action plan for European Union integration which include issues related to GRECO's Third Round recommendations were completed.

Netherlands:

- ▶ new legislation was adopted concerning the transparency of political party funding and, following media attention to references made by the Senate to GRECO, a motion was handed in asking the Minister of the Interior to report in detail on each recommendation issued to the Netherlands;
- ▶ new legislation on financial and economic crime includes raised penalties for money laundering and corruption, broader misuse of public funds offences and linking the maximum fines that can be imposed on companies to their annual turnover.

Portugal:

- ▶ the Council for the Prevention of Corruption (CPC) was established and made responsible for gathering and structuring information related to the prevention of corruption, supporting

public sector bodies in implementing preventive legal instruments and administrative measures, drawing up legal opinions on domestic and international legal instruments and coordinating the implementation of GRECO recommendations.

Romania:

- ▶ while chairing the South-East European Cooperation Process (SEEC) until mid-2014, Romania was promoting the issue of integrity, among other priorities;
- ▶ a GRECO-style peer review model (including on-site visits to the major national ministries and independent agencies) was being used under the national Anti-Corruption Strategy, focusing on the implementation of integrity standards. In 2013, 30 missions were conducted to, for example, the Ministries of the Interior and of Public Finance, the Public Procurement Agency and the Public Prosecutor's Office. The monitoring results – primarily intended for national institutions – could allow comparisons to be made that might be of particular interest to GRECO.

Russian Federation:

- ▶ a system for the declaration by all officials of expenditure over three times their annual income and for the auditing of declarations was in place;
- ▶ non-conviction based confiscation (by court decision at the request of the prosecutor) where an official fails to prove the legal origin of assets was provided for;
- ▶ the regime of declaration of assets, income and expenditure was extended to cover public corporations and other institutions and structures (Central Bank, pension funds, public social insurance funds, etc.);
- ▶ a new directorate within the Presidential administration deals with corruption prevention issues – including those analysed within GRECO's Fourth Evaluation Round.

Serbia:

- ▶ the Anti-Corruption Agency chose to submit its first annual report on political party financing to Parliament on 9 December to mark the International Anti-Corruption Day.

Slovak Republic:

- ▶ draft legislation was prepared to establish the criminal liability of legal persons by the Ministry of Justice's Commission on Criminal Law.

Slovenia:

- ▶ the Commission for the Prevention of Corruption (CPC) published its first report on the supervision of assets of senior public officials. A number of anomalies or failings were detected. The CPC's investigations were hindered on a number of occasions and attempts were made to undermine its work but public support was high – 92% support in one poll for the Commission's supervision and the publication of its findings;
- ▶ in November, the Chief Commissioner of the CPC and his two Deputies addressed their resignation to the President of Slovenia in a letter detailing the reasons behind their decision. It was published with a report on the major obstacles encountered by the CPC in its work, including proposals for anti-corruption measures they believe are needed.

Spain:

- ▶ the Transparency Law (no. 19/2013) applicable to all public administration bodies entered into force. The Council for Good Governance was set up to supervise compliance with the law which is structured around 3 pillars: active disclosure of key texts applicable to public authorities (instructions, regulations, etc.), broad public access to information and good governance (principles and penalties).

Sweden:

- ▶ a proposal was drawn up by the Ministry of Justice for a new law on transparency in party funding – political parties participating in elections to the Riksdag, county and municipal councils or the European Parliament. The aim was to ensure public insight into how political parties finance their political activities and how electoral candidates finance their personal election campaigns. The views and comments of the referral bodies taking part in mandatory national consultations on the proposal (inter alia, political parties at central, regional and local level, municipalities, authorities and NGOs) would be taken into account.

“The former Yugoslav Republic of Macedonia”:

- ▶ a system for collecting data (including templates for tracking corruption-related criminal offences and misdemeanours as well as data on perpetrators and victims broken down by gender) was being developed by the national intergovernmental body responsible for coordinating anti-corruption policy activities.

Turkey:

- ▶ An EU-funded project implemented by the Council of Europe aimed at strengthening the coordination of anti-corruption policies and practices – the areas of national legislation that would need review in the light of international anti-corruption standards were identified and in that context the results of GRECO monitoring which are considered a reliable, impartial and coherent source of information and analysis were used. Importance would be given to national coordination – between public bodies but also involving international organisations, civil society, academia and the private sector. Specific software would be developed to facilitate data collection and analysis in order to inform policy making and improve implementation, and training would be provided to inspectors and auditors on data collection and analysis, mapping risk areas, modern investigative techniques, etc.

Ukraine:

- ▶ a package of four anti-corruption laws was adopted: introducing a mechanism for the verification of asset declarations, defining the institutions responsible for settling issues related to conflicts of interest, establishing the liability of legal persons for corruption offences committed on their behalf or in their interest, and providing for a review of confiscation procedures and equivalent confiscation;
- ▶ the State Anti-Corruption Programme (action plan for the implementation of the National Anti-Corruption Strategy) was amended to take account of proposals made by civil society organisations, in particular the national chapter of Transparency International (TI), including that such organisations should play a greater role in the implementation of the State Anti-Corruption Programme through joint actions with the Ministry of Justice.

United Kingdom:

- ▶ the second Open Government Partnership National Action Plan 2013-2014 which includes a number of commitments with respect to transparency was published;
- ▶ it was decided to bring all anti-corruption efforts together under one cross-government anti-corruption plan with input from business and civil society in order to ensure greater coordination and coherence in tackling corruption both domestically and internationally;
- ▶ the National Crime Agency was created – tasked with tackling the full range of crime threats including fraud, bribery and corruption.

Interaction and outreach

The Council of Europe

Mr Thorbjørn JAGLAND, *Secretary General of the Council of Europe* stated before the Parliamentary Assembly (First part-session, January) that as corruption is today's biggest threat to democracy and it undermines citizens' trust in the rule of law – fighting corruption and other forms of misuse of power is a priority of the Organisation. In March, during an exchange of views with GRECO (59th Plenary Meeting) he congratulated the Group on the quality of its work, the relevance to society of the areas under scrutiny and the clear strengths and benefits of its methodology and its ability to generate a strong sense of ownership among its members. The support for implementation provided by the Secretary General in his political contacts is highly appreciated by GRECO.

Technical assistance and cooperation

The work of the Economic Crime Cooperation Unit is one of the three pillars of coordinated action deployed by the Council of Europe in the fight against corruption: the setting of norms and legal standards, monitoring, and technical assistance.

The work of the Unit in 2013, specifically in the anti-corruption field, included the launch of three new projects jointly funded by the European Union and the Council of Europe in cooperation with Serbia (reforms in law enforcement and the judiciary), the Russian Federation (protecting entrepreneurs from corrupt practices), and Turkey (strengthening the coordination of policies and practices).

Some examples of activities within ongoing projects include:

- ▶ training of investigators, prosecutors, policy makers and law drafters (Eastern Partnership (EaP) anti-corruption and good governance regional project)

- ▶ an in-country Diagnostic Assessment of the anti-corruption institutional and legal framework involved local and international experts in a peer review (based on the GRECO methodology) of institutions in Morocco (South Neighbourhood Programme)
- ▶ assistance to the Tunisian Anti-Corruption Authority for the development of its internal rules of procedure (South Neighbourhood Programme)
- ▶ completion of the 1st assessment cycle on the compliance of Kosovo⁷ with international standards (Project against Economic Crime – PECK)

The Unit has published a Manual on Basic Concepts of Anti-corruption which is based on training materials and research developed over three years of training activities in Council of Europe member states. Currently it is available in English and Russian, further editions in French and Arabic are being prepared. Further

Further reading and contacts: www.coe.int/corruption

Corruption as a threat to the rule of law

The Parliamentary Assembly of the Council of Europe (PACE) issued a report, a resolution, and a recommendation to the Committee of Ministers entitled "Corruption as a threat to the rule of law". The texts adopted during that process can be consulted at www.assembly.coe.int. Among other issues that might impact on future anti-corruption work within the Organisation, the Committee of Ministers, in its reply to PACE, undertakes to consider engaging in a reflection process to identify emerging issues that merit more attention in connection with the Organisation's current array of anti-corruption activities and initiatives.

⁷ All references to Kosovo, whether to the territory, institutions or population, shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

The Committee of Ministers also picks up on the positive stress placed, in PACE's report, on the need for domestic parliaments to actively contribute, in their respective national contexts, to the implementation of recommendations issued by GRECO and other monitoring bodies.

Corruption in the non-profit sector

The European Committee on Crime Problems (CDPC) was tasked by the Committee of Ministers to look into the feasibility of drawing up an additional protocol to the Criminal Law Convention on Corruption (ETS 173) to expand its scope to specifically cover the non-profit sector (notably sport). As part of consultations on this matter, GRECO decided that it was not possible to take a firm position on such an additional instrument until the outcome of work underway in EPAS on a draft Convention to Combat the Manipulation of Sports Results is known. Coordination on this question was ensured by Ms Helena LIŠUCHOVÁ, (Czech Republic) who sits both in the CDPC and GRECO.

Further reading and contacts: www.coe.int/cdpc

European Label of Governance Excellence (ELoGE)

ELoGE is an award granted to local authorities that achieve a high level of governance as measured against benchmarks set in relation to twelve principles of good democratic governance at local level. This tool, developed by the Democratic Governance Directorate serves to promote innovation and excellence in the provision of public services and the exercise of public authority.

Further reading and contacts:
www.coe.int/localdemocracy

Manipulation of sports results

Ms Helena LIŠUCHOVÁ, member of GRECO's Bureau (Czech Republic) was involved in consultations concerning possible law enforcement aspects of the draft Convention to Combat the Manipulation of Sports Results that is being prepared by the Enlarged Partial Agreement on Sport (EPAS).

Further reading and contacts: www.coe.int/epas

Transnational organised crime

Ms Elena KONCEVICIUTE (Lithuania) is GRECO's representative in the Ad hoc Drafting Group on Transnational Organised Crime (PC-GR-COT) set up to prepare a White Paper for consideration by the Committee of Ministers on selected trends and developments in transnational organised crime in member

states which might be considered as priority areas and could serve as a basis for developing an integrated strategic approach within the Organisation.

Further reading and contacts: www.coe.int/cdpc

Whistleblowing

The European Committee on Legal Co-operation (CDCJ) has prepared a draft Recommendation on the Protection of Whistleblowers and accompanying Explanatory Memorandum intended for adoption by the Committee of Ministers. The draft text advocates for the adoption of national frameworks in Council of Europe member states for the protection of whistleblowers based on a set of common principles. The protection of public sector whistleblowers had been looked at in GRECO's Second Evaluation Round and as public interest disclosure will often reveal elements of underlying corruption, GRECO might be asked to contribute to monitoring the implementation of relevant parts of the recommendation. Two former GRECO experts, Mr Paul STEPHENSON and Ms Anna MYERS (United Kingdom), and Ms Vita HABJAN, member of GRECO's Bureau (Slovenia) have been associated with this work.

Further reading and contacts: www.coe.int/cdcj

External relations

Solicitations for input to other activities are frequent and potential for cooperation is regularly brought to the attention of the plenary. Some longstanding contacts are maintained, others result from the specific thematic focus of the current evaluation round or other topical issues. The highly dynamic interplay of initiatives in the international anti-corruption community undeniably favours real progress in the fight against corruption.

European Union (EU)

Cooperation around the common goal of reinforcing anti-corruption policy has operated for some time through well-established frameworks for consultation between the Secretariats of the European Commission and GRECO, including in the fields of the EU's European Neighbourhood Policy and enlargement. At an exchange of views (60th Plenary Meeting, June), Mr Reinhard PRIEBE, Director for Internal Security, DG Home Affairs of the European Commission, informed GRECO of the Commission's intention to draw widely on GRECO's findings to prepare the first EU Anti-Corruption Report. The report, which was published by the Commission on 3 February 2014 highlights selected recommendations from GRECO or OECD reports and aims inter alia to promote their implementation by raising awareness

and strengthening political engagement to address corruption in an effective manner.

As is stated in the EU Anti-Corruption Report there is a particularly important synergy with GRECO given that it covers all EU member states as well as other European countries of relevance for future EU enlargement and the Eastern Partnership. Participation of the EU in GRECO is provided for under Article 5 of GRECO's Statute and GRECO has consistently held that EU participation in GRECO would contribute to more coordinated anti-corruption policies in Europe and strengthen their impact. It has also maintained the view that, in order to respect the principle of equal treatment among members, EU participation should involve the evaluation of EU institutions by GRECO. In 2013 the European Commission launched an impact assessment in consultation with the EU institutions in order to analyse the feasibility and possible modalities of accession to GRECO.

European Research Centre for Anti-Corruption and State-Building (ERCAS)

This body provides policy advice to governments, development agencies and the EU. Mr Arman KHAGHAGHORDYAN, Coordinator at ERCAS presented to GRECO (60th Plenary Meeting, June) its European Commission funded research project, ANTICORRP (Anticorruption Policies Revisited: Global Trends and European Responses to the Challenge of Corruption) which investigates the factors that promote or hinder the development of effective anti-corruption policies.

Global Organization of Parliamentarians against Corruption (GOPAC)

Information and expertise sharing with GOPAC's Global Task Force on Parliamentary Ethics on corruption prevention in parliament has been maintained since its contribution to the preparatory work for GRECO's Fourth Evaluation Round.

Integrity Bureau (BI-OM) of the Public Prosecution Service of the Netherlands

Ms Kitty NOOY, Chief District Prosecutor and National Integrity Programme Manager and Ms Heleen SMIT, Policy Advisor and Integrity Coordinator presented to GRECO (62nd Plenary Meeting, December) the new BI-OM integrity policy put in place at the request of the Board of Prosecutors General. The comprehensive policy involved the setting-up of the BI-OM as a centre of expertise for providing advice nationwide; the development of a code of conduct, instructions on handling integrity breaches and communication guidelines; and the designation of a pool of investigators and of confidential integrity officers within the Public Prosecution Service.⁸

⁸ The presentation can be accessed on GRECO's Homepage: http://www.coe.int/t/dghl/monitoring/greco/meetings/tours%20de%20table_en.asp

International Anti-Corruption Academy (IACA)

IACA has had observer status in GRECO since 2011. Details of IACA's academic programme – a two-year post graduate Master in Anti-Corruption Studies (MACS), the Anti-Corruption Summer Academy and the "Best of" series of seminars were shared with the plenary. The Federal Ministry of Justice of Austria, IACA and GRECO will jointly organise a conference on "Strengthening the capacity of parliamentarians, judges and prosecutors to prevent corruption in their own ranks: emerging trends from two years of GRECO Round IV evaluations" that will be held under the auspices of the Austrian chairmanship of the Committee of Ministers of the Council of Europe in April 2014.

International Institute for Democracy and Electoral Assistance (International IDEA)

International IDEA provided information to GRECO (59th Plenary Meeting, March 2013) on its Political Finance Database, a source of global comparative information on political finance regulations in 180 countries. Future cooperation on safeguarding integrity in the electoral process is foreseen.

International IDEA provided support to efforts by the authorities of Sweden to implement Third Round recommendations on political party and candidate finance by organising a seminar in cooperation with OSCE/ODIHR.

Organisation for Economic Co-operation and Development (OECD)

The OECD has had observer status in GRECO since 2002. Close relations are maintained and GRECO is an observer in the OECD Working Group on Bribery in International Business Transactions and a member of the Steering Group of the OECD Anti-Corruption Network (ACN) for Eastern Europe and Central Asia. In the context of ACN monitoring, examples of good practices and of the interpretation given to the Council of Europe anti-corruption standards are shared in fields where the OECD does not have its own standard-setting instruments.

The Public Governance Committee of the OECD is developing a high-priority strategy for building a policy-making process conducive to trust through transparency, openness, integrity and inclusiveness. In the context of this work, contributions were made to the OECD Forum on Transparency and Integrity in Lobbying: How to win back trust? that looked into political party and election campaign funding – one of a number of initiatives taken by other organisations in that field since GRECO started its work on the transparency of party funding – and to the work of the subsequent OECD Policy Forum on Restoring

Trust in Government: Addressing Risks of Influence in Public Decision Making.

GRECO's former President, Mr Drago KOS (Slovenia) was designated by the OECD Working Group on Bribery in International Business Transactions to take up its chairmanship in January 2014.

Organisation for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

OSCE/ODIHR interest in anti-corruption policies and practices has grown, primarily in the area of political financing. GRECO has observer status in the OSCE/ODIHR Core Group of Experts on Political Parties which facilitates the transfer of information and expert advice on developments and trends relating to GRECO standards and national practices. The OSCE/ODIHR in partnership with the Council of Europe's Venice Commission can provide, on the request of member states, assessments of draft legislation in the area of party funding or political party regulation.

Interest in further cooperation with GRECO, in particular on the development of professional and ethical standards for parliamentarians as well as the issue of lobbying has been expressed by the OSCE/ODIHR Secretariat.

Organization of American States (OAS)

The OAS has had observer status in GRECO since 2011. The secretariats of the OAS Follow-Up Mechanism of the Inter-American Convention against Corruption (MESICIC) and of GRECO made a joint presentation of the respective monitoring results, experience and lessons learned of the two regional bodies to a plenary session devoted to implementation review during the Fifth Session of the Conference of the States Parties to the United Nations Convention against Corruption.

Transparency International (TI)

Meetings with national chapters of this leading global non-governmental organisation are regularly included on the schedules of GRECO evaluation visits. Other cooperation in 2013 focused on expertise sharing on whistleblowing.

UNITED NATIONS

United Nations Office on Drugs and Crime (UNODC)

UNODC has had observer status in GRECO since 2006. Close relations are maintained and GRECO follows, in particular, the work of the Conference of the States Parties to the United Nations Convention against Corruption (UNCAC) on implementation review. The Resource Guide on Strengthening Judicial Integrity

and Capacity is of particular relevance to GRECO's Fourth Evaluation Round and is just one of many examples of areas where emerging synergies between the UNCAC and regional anti-corruption mechanisms are developing. GRECO was represented at the Fifth session of the Conference and the Fourth Session of the Implementation Review Group.

UNODC provided an up-date on activities of the UNCAC review mechanism (59th Plenary Meeting, March). Many of its features draw on the experience developed by GRECO. The 10th Anniversary of the convention – which has obtained almost universal adherence – was celebrated in 2013.

United Nations Development Programme (UNDP)

In the context of the Council of Europe's policy aimed at mainstreaming gender equality issues, there has been fruitful cooperation between GRECO's Gender Rapporteur, Ms Helena LIŠUCHOVÁ (Czech Republic) and UNDP representatives.

Office of the United Nations High Commissioner for Human Rights (OHCHR)

Cooperation involved providing input for a research-based report on the negative impact of corruption on the enjoyment of human rights to serve as a basis for recommendations to the Human Rights Council. GRECO reports are included in the input provided by the Council of Europe to the Universal Periodic Review on the human rights situation prepared by the OHCHR.

World Bank

GRECO held a special session to present the characteristics of a sample of systems for financial disclosure (60th Plenary Meeting, June) where Ms Jane LEY, Head of the Delegation of the United States of America in GRECO, Deputy Director of the US Office of Government Ethics and Mr Horia GEORGESCU, President of the National Integrity Agency of Romania were joined by Ms Ivana ROSSI from the World Bank.⁹ Significant resources are made available by the World Bank in support of their initiatives in the field of asset disclosure: the Financial Disclosure Law Library (legislation from 176 jurisdictions) and two reports entitled Public Office, Private Interests – Accountability through Income and Asset Disclosure and, Using Asset Disclosure for Identifying Politically Exposed Persons.

A full list of events and meetings is available in Appendix III.

⁹ The presentations can be accessed on GRECO's Homepage: http://www.coe.int/t/dghl/monitoring/greco/meetings/tours%20de%20table_.asp

Governing structures and management

The permanent, specific bodies constituting GRECO are the Plenary, the Bureau and the Statutory Committee. The Statute also provides for ad hoc bodies, principally evaluation teams but also working parties.

Plenary and Bureau

GRECO elects a President, Vice-President and Bureau for each new evaluation round. The positions of President and Vice-President for the duration of the Fourth Evaluation Round were taken up in 2012 by Mr Marin MRČELA, Justice at the Supreme Court of Croatia and Mr Christian MANQUET, Head of Department, Directorate for Penal Legislation, Ministry of Justice of Austria respectively.

The plenary is composed of representatives of member states appointed on a “permanent” basis (Rule 3 of the Rules of Procedure). The intention is to allow for consistency in GRECO’s monitoring work – due to the direct involvement of representatives in the peer review process during the examination and adoption of evaluation and compliance reports. The plenary also takes final decisions on the focus of GRECO’s monitoring, policy and planning.

Statutory Committee – Budget and Programme of Activities

The Statutory Committee is composed of the Permanent Representatives to the Council of Europe of GRECO member states and representatives of the two states that are GRECO members but not members of the Council of Europe (Belarus and the United States of America). Its principle task is to adopt GRECO’s budget. In line with the biennial programme and budget method implemented by the Organisation, the Statutory Committee, chaired in 2013 by Ambassador Charles Edouard HELD, Permanent Representative of Switzerland to the Council of Europe, adopted GRECO’s budget for 2014 and provisionally approved the budget for 2015.

The expertise provided by evaluators and national representatives which is not remunerated from GRECO’s budget has been key to the cost-effectiveness of this monitoring mechanism. It is becoming apparent that technical adjustments applied to budgets across the Organisation might affect negatively GRECO’s ability to maintain its current rhythm of activities as, however much priority is given to its work, its budget cannot benefit from a transfer of funds within the Organisation due to GRECO’s status as an enlarged agreement. GRECO hopes that this will be borne in mind in future discussions on its financial resources.

Secretariat

The Secretariat, headed by Wolfgang RAU, Executive Secretary, provides substantial analytical and technical input to GRECO’s monitoring work and is responsible for the management of the budget and programme of activities as well as external relations (organisational chart of GRECO’s Secretariat – see Appendix IV).

Thematic article

Gender dimensions of corruption

By Helena LIŠUCHOVÁ, GRECO's Gender Equality Rapporteur and Bureau member, Acting Head of International Co-operation Department, Ministry of Justice, Czech Republic and Anca JURMA, Chief Prosecutor, Service for International Cooperation, Prosecutor's Office attached to the High Court of Cassation and Justice, Romania

Protection against corruption and gender equality are two concepts that are essential ingredients for an advanced democratic society. Although their interrelationship may not be obvious at first glance, a steadily growing number of studies from around the globe have looked at the nexus between the two, drawing insightful, albeit at times controversial, conclusions.

The protection against corruption, with its multiple facets, is one of the core areas of interest for the Council of Europe, whose mission is to uphold democracy, human rights and the rule of law. GRECO, its anti-corruption monitoring body, has taken the lead in the development and promotion of advanced anti-corruption standards and the implementation of targeted anti-corruption measures in 49 member states.

As a parameter that is central to safeguarding human rights, the functioning of democracy, respect for the rule of law and economic growth and competitiveness, gender equality has also been an issue of prime concern for the Organisation. With its treaties on combating human trafficking and domestic violence, the Council of Europe has opened a deeper reflection on gender equality standards and has been exploring whether incorporating a gender perspective might bring added value to its activities in other sectors, including the prevention and fight against corruption.

It was in response to the January 2012 decision of the Committee of Ministers of the Council of Europe that GRECO took some first steps to reflect on whether and how a gender perspective could or should be incorporated into its work.¹⁰ Having obtained strong

support from its member states, GRECO decided to pursue the following three objectives in 2013:

- ▶ to ensure that gender issues are highlighted at various stages of GRECO's monitoring procedure;
- ▶ to support national research and data collection and to allow for the exchange of findings amongst member states; and
- ▶ to establish regular communication and co-operate with other Council of Europe organs as well as other international organisations on gender equality and mainstreaming issues.

Progress has been made under each of these goals. First of all, member states have agreed to a [more systematic collection of data](#) in the framework of GRECO's Fourth Evaluation Round dedicated to corruption prevention in respect of members of parliament, judges and prosecutors. In 2013, 25 member states responded to GRECO's data collection request. This was in addition to a brief questionnaire circulated in 2012 to which 19 responses were received. Therefore, a total of 33 countries responded in some way to GRECO's examination of gender and corruption, which allowed several important conclusions to be drawn.

With regard to gender and representation, data disaggregated by gender is readily available on the number of MPs, ministerial posts, parliamentary chairs and heads of political groups. The same is also true for data on judges and prosecutors at different levels, including in high-ranking posts. The data provided on male and female representation in national government leaves little room for misinterpretation: national politics are dominated by men in most GRECO member states.

⁹ Please refer to GRECO's Thirteenth General Activity Report (2012), p. 19.

Country	National Parliament		Government Ministers		Heads of Committee		Heads of Factions	
	Female	Male	Female	Male	Female	Male		
Croatia	38	113	4	17	7	22		
Cyprus	7	49	1	10	1	17		
Czech Republic	42	158	2	7	2	16		
Estonia	22	79	1	12	1	10		
Finland	86	114	9	11	7	9		
France	152	422	10	11	2	6		
Germany	204	416	5	9	15	24		
Greece	62	238	1	19	2	21		
Hungary	36	350	0	6	1	24		
Ireland	26	132	5	24	2	19		
Latvia	23	77	4	10	6	9	0	6
Lithuania	34	107	1	13	4	10	5	(16)
Malta	10	59	2	10	2	8		
Republic of Moldova	20	81	4	10	4	6		
Poland	110	460	4	18	4	25		
Portugal	66	164	12	3	11	1		
Romania	55	354	4	12	2	17	0	6
Russia	61	389	--	--	4	26	0	4
San Marino	11	49	0	9	2	4	2	7
Slovenia	31	59	3	11	10	15	0	8
Sweden	157	192	13	11	6	9	--	--
Switzerland	58	142	3	4	2	9	2	5
Turkey	79	470	1	25	1	16	1	4

Nevertheless, some countries are making efforts to ensure better representation within their parliaments and governments of the diverse population they are meant to serve. In Ireland, for example, the Chair of the Revenue Board has described as “particularly clever” a Government move to ensure that state funding to political parties is halved unless 30% of their election candidates are women. In Romania, a draft law amending the legal framework on party financing contains a provision stipulating that parties receiving state grants - which would be conditional on them promoting women on their electoral lists - should spend more than 10% of those grants on women’s organisations. Such measures intend to strengthen legitimacy and overcome the soaring disengagement

which may stem from real and perceived corruption among politicians. Additionally, since women represent 50% or more of the population in most GRECO member states, it is considered undemocratic and no longer acceptable to have low numbers of women in decision-making positions.

Turning to judges and prosecutors, it was in 2012 that gender disaggregated data was collected for the first time and included in the biannual review of national judicial systems produced by the Council of Europe’s European Commission for the Efficiency of Justice (CEPEJ). It shows again that the gender imbalance is typically in favour of male rather than female judges across most of GRECO’s membership.

Evaluation report on European judicial systems, European Commission for the Efficiency of Justice (CEPEJ), 2012 Edition: Table 11.29 Number of male and female professional judges per category of courts (first instance, second instance and Supreme Court) (Q46)

States/entities	Professional judges sitting in First instance Courts		Professional judges sitting in Second instance Courts		Professional judges sitting in Supreme Courts	
	Males	Females	Males	Females	Males	Females
Albania	163	126	47	21	11	5
Andorra	6	6	9	3	0	0
Armenia	128	37	28	10	14	3
Austria	624	639	108	65	41	14
Azerbaijan	388	36	122	13	35	6
Belgium	657	618	180	125	22	5
Bosnia and Herzegovina	219	425	77	121	48	48
Croatia	394	961	200	292	20	20
Cyprus	47	44	12	1	12	1
Czech Republic	655	1208	391	578	140	91
Estonia	49	114	18	24	16	3
Finland	380	351	107	86	27	16
France	1585	3265	785	975	155	180
Georgia	86	77	25	27	13	6
Greece	347	832	207	385	156	114
Hungary	501	1165	361	775	38	51
Iceland	28	15	0	0	8	1
Ireland	74	28	32	5	6	2
Italy	2602	2764	598	395	238	57
Latvia	65	233	27	98	23	26
Lithuania	221	415	74	20	29	8
Luxembourg	51	97	NA	NA	21	19
Republic of Moldova	220	97	31	48	27	20
Monaco	8	8	4	1	12	3
Montenegro	91	116	17	18	9	9
Netherlands	859	1085	330	218	32	6
Norway	229	142	111	48	11	9
Poland	2523	4711	1261	1952	115	63
Portugal	511	938	290	132	79	6
Romania	547	1325	529	1572	24	84
San Marino	7	4	3	0	0	0
Slovak Republic	329	579	139	224	38	42
Slovenia	154	639	53	141	22	15
Spain	1402	1807	950	451	70	9
Sweden	428	306	159	149	19	20
Switzerland	526	271	227	80	28	10
"The former Yugoslav Republic of Macedonia"	221	316	50	53	17	7
Turkey	5091	2359	NA	NA	189	88
UK-Scotland	131	37	16	1	NA	NA

The situation is pretty similar with respect to prosecutors.

Evaluation report on European judicial systems, European Commission for the Efficiency of Justice (CEPEJ), 2012 Edition: Table 11.35 Number of male and female public prosecutors per category of courts (first instance, second instance and Supreme Court) (Q55)

Etats/entités	Public prosecutors in First instance Courts		Public prosecutors in Second instance Courts		Public prosecutors in Supreme Courts	
	Males	Females	Males	Females	Males	Females
Albania	188	80	23	5	15	3
Armenia	214	16	87	11	47	3
Austria	156	141	20	15	9	5
Belgium	317	346	113	44	14	1
Bosnia and Herzegovina	139	122	NAP	NAP	23	24
Croatia	167	270	72	86	13	11
Czech Republic	379	478	126	119	85	53
Denmark	186	363	65	75	22	37
France	664	735	321	186	46	9
Germany	2755	2014	263	112	75	25
Greece	159	221	101	43	18	1
Hungary	425	689	215	306	45	61
Iceland	41	33	NAP	NAP	2	5
Italy	1008	692	171	50	53	4
Latvia	82	172	35	45	23	33
Lithuania	310	250	112	70	53	39
Luxembourg	19	15	NA	NA	6	6
Malta	9	21	9	21	NA	NA
Republic of Moldova	395	196	17	6	82	41
Monaco	4	0	4	0	1	0
Montenegro	57	54	2	7	2	7
Netherlands	310	381	58	32	4	1
Norway	237	234	59	35	8	4
Poland	1466	2115	1140	898	35	14
Portugal	557	836	49	25	3	5
Romania	515	591	343	422	228	227
Russian Federation	13149	10299	3638	3504	526	441
San Marino	1	0	1	0	1	0
Serbia	229	291	38	24	21	8
Slovak Republic	323	308	104	85	72	43
Slovenia	42	94	6	9	7	7
Spain	180	424	764	1014	19	7
Sweden	NA	NA	NA	NA	6	4
"The former Yugoslav Republic of Macedonia"	83	78	14	15	7	4
Turkey	3757	260	NA	NA	179	45
UK-Scotland	192	304	NA	NA	NA	NA

More nuances can however be found in Croatia, Estonia, Hungary, the Republic of Moldova and the Russian Federation. For example, the data sample from Croatia shows a gender imbalance favouring women in the legal system, although not necessarily in senior posts. Female judges are in the majority at all court levels, and the available figures suggest that this trend is unlikely to change since more women than men enter the service. In higher courts, the ratio between female and male judges is however decreasing. Also, while women make up the majority of court presidents in first instance courts, this is not the case in higher courts and at the Supreme Court.

As with national politics, ensuring diversity within the judiciary is becoming an issue. In 2012, in the United Kingdom, a House of Lords Report had found that a judiciary where only one in 20 judges is non-white and fewer than one in four is female was undermining the public confidence in courts. The report concluded that a more diverse judiciary - in terms of gender and minority groups - "can bring different perspectives to bear on the development of the law and to the concept of justice itself." Additionally, GRECO's own report on the United Kingdom adopted in 2012 had welcomed the on-going discussions within the judiciary on how to ensure greater diversity (including gender diversity) through the selection process.

Perhaps not surprisingly, countries' responses to GRECO's questionnaires also revealed that the way in which criminal statistics on corruption offences are collected continues to vary significantly among member states. While such statistics are readily available and most of the countries do disaggregate by offender, other information on the offender or victim (for example, post, position or sector of employment) is not being collected. That being said, separate statistics on specific professional groups such as judges, prosecutors and MPs tend to be kept, so information with regard to relevant wrongdoing is available at national level. Other than that and data that distinguishes between public and private sector corruption, very little sector-related information is available for analysis. Collecting this additional data might prove sensible as it would facilitate a more correct understanding of the typology and impact of corruption within different sectors and with respect to vulnerable groups. Also, as the idea that there is a "victim" in corruption has not been widely accepted, this information is not being collected in the context of criminal statistics. The only exceptions are Lithuania and the Republic of Moldova where information on "victims" and their gender is compiled, along with the gender of the alleged or convicted offender.

Use of the questionnaires has proved to be instrumental in advancing not only GRECO's first but also second objective - [to support national research and data collection](#) and to allow for the exchange of

findings. GRECO was particularly delighted to learn that, thanks to its initiative, "the former Yugoslav Republic of Macedonia" included the collection of disaggregated data on perpetrators and victims of corruption offences into its "Methodology for monitoring anti-corruption policies". This example can be followed, where possible, also by other countries.

As concerns GRECO's third goal - [to establish communication and co-operation](#) within and outside the Council of Europe on gender equality and gender mainstreaming issues, in 2013 GRECO's Gender Equality Rapporteur was again invited for an exchange of views with the Gender Equality Commission of the Council of Europe and attended a training event for Gender Equality Rapporteurs. It was also with great satisfaction that GRECO welcomed the adoption on 6th November 2013 of the Council of Europe's Gender Equality Strategy for 2014-2017. It includes several strategic objectives, notably:

- ▶ combating gender stereotypes and sexism;
- ▶ preventing and combating violence against women;
- ▶ guaranteeing equal access of women to justice;
- ▶ achieving a balanced participation of women and men in political and public decision-making; and
- ▶ achieving gender mainstreaming in all policies and measures.

Additionally, partnership was established with the Committee on Equality and Non-Discrimination of the Parliamentary Assembly of the Council of Europe based on the understanding that the topic of gender and corruption was a novel issue that deserved further research and greater visibility at Council of Europe level. As for co-operation outside the Organisation, contact has been established with the Regional Centre for Europe and the CIS of the United Nations Development Programme (UNDP) and, at their invitation, GRECO has contributed to the development of a survey on men and women in public service, which will be carried out in several EU Eastern Partnership countries in 2014.

Last but not least, in order to provide a forum for stakeholders with whom GRECO had entered into contact and whose research findings it considered to be particularly informative, GRECO held the [first pan-European Conference on Gender Dimensions of Corruption](#) under the auspices of the President of the Senate and the Ministry of Justice of the Czech Republic (Prague, 13 December 2013). During this one-day event a wealth of ideas, research conclusions and hypotheses were presented, some of which may constitute a viable basis for anti-corruption policy development. Among the perspectives analysed were for example:

- ▶ plausible differences in male and female behaviour regarding corruption in various contexts, including,

for example, explanations for corrupt behaviour by reference to features related to masculinity or femininity;

- ▶ the relationship between levels of corruption and increasing participation/representation of women (e.g. depending on the proportion of men and women in the workplace; the presence of women in top managerial posts; women's representation in government; women's participation in social life; the level of democracy in a country);
- ▶ the possible influence of gender on the typology of corrupt acts and the existence of specifically gendered forms of corruption, such as sexual extortion;
- ▶ the different impact/consequences of corruption on men and women as victims in general and in some specific sectors (i.e. trafficking in human beings, healthcare, education, access to justice);
- ▶ possible differences in the level of perception and tolerance of corruption among men and women;
- ▶ the unhealthy triangle linking poverty, gender inequality and corruption.

The participants concluded that corruption touches citizens of both sexes and, as a consequence, the prevention and fight against corruption should benefit everyone, regardless of gender. Nonetheless, corruption, in its many forms, is a social phenomenon — or, more accurately, multiple social phenomena — that occurs in the context of embedded gender relations.

Whether it is a case of bribery, extortion, misuse of personal connections, other illicit practices, or, as is often the case, a combination of one or more of those, interactions are shaped by gendered norms and expectations. Moreover, the current economic climate in Europe, clouded by the austerity measures that burden citizens, further diminishes tolerance of unfair criminal practices, such as corruption. Given that public interest in corruption has dramatically increased in the last few years, a greater emphasis is being placed on preventing corruptive networks from being formed, rather than on efforts to fight corruption with punitive measures. Also, bearing in mind that gender equality standards and the empowerment of women are essential elements of effective democracy building and measures against poverty, they can only be achieved through seriously tackling corruption. Therefore, anti-corruption policies and policies aimed at the advancement of women should go hand in hand, in order to produce positive, long-lasting results.

The conference concluded by asking GRECO and its Gender Equality Rapporteur to pursue a human rights-based approach to protection against corruption and gender equality, as it naturally stems from the Council of Europe's mandate, and to continue exploring the gender dimensions of corruption and promoting further research and tailored initiatives and responses at national and sub-national levels. The work under this project has therefore received further impetus and will continue beyond 2013.

Appendices

APPENDIX I – Representatives in GRECO (at 20/12/2013)

ALBANIA / ALBANIE

Mrs Eridana ÇANO (Head of delegation)
Chief of Staff
Minister of State on Local Issues
Government of Albania

Ms Helena PAPA
Inspector/Coordinator
Department of Internal Administrative
Control and Anti-Corruption (DIACA)
Council of Ministers

ANDORRA / ANDORRE

Mrs Clàudia CORNELLA DURANY
(Head of delegation)
Head of International Relations
Ministry of Finance

Ms Meritxell SALVAT PERARNAU
Specialist in International Relations
Ministry of Finance

ARMENIA / ARMENIE

Mr Artur OSIKYAN (Head of delegation)
Deputy Head of Police

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

Substitut/e
Ms Anna MARGARYAN
Chair of Criminal Law and Criminology
Yerevan State University
Faculty of Law

Substitut/e
Mr Gevorg KOSTANYAN
Assistant
Office of the President of the Republic

AUSTRIA / AUTRICHE

Mr Christian MANQUET (Head of delegation)
Vice-President of GRECO / Vice-président du GRECO
Head of Department,
Directorate for Penal Legislation
Ministry of Justice

Mr Christian EISNER
Chancellery

Substitut/e
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Legal Adviser
Department for International Cooperation
and Projects
Bureau of Anti-Corruption
Ministry of the Interior

Substitut/e
Mr Hermann FALLY
Head of Department 4
International Cooperation
Bureau of Anti-Corruption
Ministry of the Interior

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Mr Vusal HUSEYNOV (Head of delegation)
Advisor
Law Enforcement Coordination Department
Administration of the President of the Republic
Secretary of the Commission
for Combating Corruption

Mr Kamran ALIYEV
Director
Anti-Corruption Department
General Prosecutor's Office

Substitut/e
Mr Elnur MUSAYEV
Senior Prosecutor
Anticorruption Department
General Prosecutor's Office

BELARUS

Mr Vladimir KHOMICH (Head of delegation)
Director
Research and Practical Centre for Problems
of Reinforcing Law and Order of the
General Prosecutors Office

Substitut/e
Mr Pavel SASCHEKO
Head of Department
Research and Practical Centre for Problems
of Reinforcing Law and Order of the
General Prosecutors Office

Ms Nadzeya SHAKEL
Assistant Director
Research and Practical Centre for Problems
of Reinforcing Law and Order
General Prosecutor's Office

Substitut/e
Mr Igor SEVRUK
Head of Department
Supervision over the National
Investigative Committee
General Prosecutor's office

BELGIUM / BELGIQUE

M. Frederik DECRUYENAERE (Chef de délégation)
Attaché au Service des Infractions
et Procédures Particulières
Service Public Fédéral Justice (SPF Justice)

Substitut/e
M^{me} Claire HUBERTS
Attachée au Service des Principes de Droit pénal
et de la Procédure pénale
Service Public Fédéral Justice (SPF Justice)

M. Marc VAN DER HULST
Secrétaire Général Adjoint
Parlement fédéral

Substitut/e
M^{me} Ria MORTIER
Présidente du Conseil supérieur de la Justice
Présidente de la Commission de nomination
et de désignation néerlandophone
Avocat général à la Cour de Cassation
Conseil supérieur de la Justice

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Mr Vjekoslav VUKOVIC (Head of delegation)
Assistant Minister
Sector for Fight against Terrorism, Organised
Crime and Drugs Abuse
Ministry of Security

Mr Srdja VRANIC
National Public Administration Reform (PAR)
Coordinator
Office of the Chairman
Council of Ministers

BULGARIA / BULGARIE

Mr Georgi RUPCHEV (Head of delegation)
State Expert
Directorate of International Cooperation
and European Affairs
Ministry of Justice

Substitut/e
Mrs Nadya HRINGOVA
Senior Expert
Directorate of International Legal
Cooperation and European Affairs
Ministry of Justice

Mr Petar PETKOV
Public Prosecutor
Supreme Prosecutor's Office

CROATIA / CROATIE

Mr Marin MRČELA
President of GRECO / Président du GRECO
Justice at the Supreme Court

Mr Dražen JELENIĆ (Head of delegation)
Deputy State Attorney General

Substitut/e
Mr Davor DUBRAVICA
Magistrate
Chairman of the Regional Anti-Corruption
Initiative for South Eastern Europe (RAI)

Substitut/e
Mr Krěsimir SIKAVICA
General Police Directorate
Economic Crime and Corruption Department
Division for Corruption Department
Ministry of the Interior

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Mr Philippos KOMODROMOS (Head of delegation)
Counsel of the Republic
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Mrs Rena PAPAETI-HADJICOSTA
Senior Counsel of the Republic
Law Office of the Republic of Cyprus

Substitut/e
Ms Despo THEODOROU
Counsel of the Republic
Law Office of the Republic of Cyprus

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Ms Helena LIŠUCHOVÁ (Head of delegation)
Bureau Member / Membre du Bureau
Gender Rapporteur
Acting Head, International Cooperation Department
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Ms Kateřina ČERMAKOVA
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Expert, Security Policy Department
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Substitut/e
Mr Václav MLYNÁŘÍK
Security Expert, Security policy department
Ministry of the Interior

DENMARK / DANEMARK

Ms Marie TULLIN (Head of delegation)
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The State Prosecutor for Serious
Economic and International Crime

Mr Lars LICHTENSTEIN
Head of Section
Office of the Director of Public Prosecutionsw

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Représentant Permanent de la Suisse auprès du Conseil de l'Europe

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APPENDIX II – Meetings

Bodies constituting GRECO

Plenary Meetings

GRECO 59 (18-22 March)
GRECO 60 (17-21 June)
GRECO 61 (14-18 October)
GRECO 62 (2-6 December)

Bureau Meetings

Bureau 63 (15 February)
Bureau 64 (17 May)
Bureau 65 (6 September)
Bureau 66 (8 November)

Statutory Committee

18th Meeting – Approval budget 2014 (20 November))

Exchanges of views

Exchanges of views were held between the plenary and the following:

- ▶ Mr Thorbjørn JAGLAND, Secretary General of the Council of Europe – GRECO 59
- ▶ Ms Elin FALGUERA, Programme Officer, political parties team, International Institute for Democracy and Electoral Assistance (International IDEA) – GRECO 59
- ▶ Mr Alfonso ZARDI, Democratic Governance Directorate of the Council of Europe – GRECO 59
- ▶ Mr Reinhard PRIEBE, Director for Internal Security, European Commission – GRECO 60
- ▶ Mr Aram KHAGHAGHORDYAN, European Research Centre for Anti-Corruption and State-Building (ERCAS), Hertie School of Governance – GRECO 60
- ▶ Ms Kitty NOOY, National Programme Manager and Ms Heleen SMIT, Integrity Coordinator, Prosecution Service Integrity Bureau (BI-OM) of the Netherlands – GRECO 62

External relations

GRECO – represented by the President, his representative or by the Secretariat – provided input at the following meetings:

Organisation for Economic Co-operation and Development (OECD) – Observer in GRECO

- ▶ OECD Forum on Transparency and Integrity in Lobbying – How to win back trust? (Paris, 27-28 June) – Secretariat
- ▶ Anti-Corruption Network for Eastern Europe and Central Asia (ACN) – 12th monitoring meeting of the Istanbul Action Plan (IAP) and 15th ACN

Steering Group meeting (Paris, 23-25 September)
– Secretariat

- ▶ OECD Policy Forum on Restoring Trust in Government: Addressing Risks of Influence In Public Decision Making (Paris, 14-15 November) – Mr Yves-Marie DOUBLET, GRECO evaluator, and Secretariat

United Nations Office on Drugs and Crime (UNODC) – Observer in GRECO

- ▶ Implementation Review Group of the United Nations Convention against Corruption – Fourth Session (Vienna, 27-31 May) – Secretariat
- ▶ Conference of the States Parties to the United Nations Convention against Corruption – Fifth Session (Panama City, 25-29 November) – President and Secretariat
- ▶ Regional Anti-corruption Conference for South Eastern European countries to mark the 10th Anniversary of the opening for signature of the United Nations Convention against Corruption (Sarajevo, 9-10 December) – Ms Vita HABJAN BARBORIČ, Bureau member

European Union

- ▶ European Parliament, Policy Department for Budgetary Affairs workshop: Better avoidance of Conflict of Interest – EU Agencies and Other Bodies Moving Forward (21 February) – Secretariat
- ▶ European Anti-Fraud Office conference: Making the fight against corruption in the EU more effective (St. Julian's, Malta, 16-17 May) – Secretariat
- ▶ European Commission, DG Enlargement / Council of Europe bilateral consultations (Strasbourg, 27 May) – Secretariat
- ▶ Seminar on anticorruption and conflict of interest – study tour for elected representatives and senior administrative staff from municipalities in the Balkan region, organised by the Technical Assistance Information Exchange Instrument of the European Commission (Brussels, 11-13 September) – Secretariat
- ▶ European Neighbourhood Policy bilateral European External Action Service (EEAS) / Council of Europe consultations (Strasbourg, 14 October) – Secretariat

Organization for Security and Co-operation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

- ▶ Political Party Expert Seminar (Warsaw, 10-11 July) – Secretariat

- ▶ Annual Meeting of the OSCE/ODIHR Core Group of Experts on Political Parties (Warsaw, 10-11 July) – Secretariat
- ▶ OSCE/EU Conference on good practices for political party and campaign financing (Skopje, 30-31 October) – Mr Yves-Marie DOUBLET, GRECO evaluator
- ▶ International Institute for Democracy and Electoral Assistance (International IDEA)/ODIHR Seminar on Political Party and Candidate Finance (Stockholm, 6 November) – Secretariat

Others

- ▶ Conference: Preventing corruption in the justice system jointly organised by the NGO Centre for the analysis and prevention of corruption and the Embassy of the USA in Chisinau (Chisinau, 28 January) – Ms Cornelia VICLEANSCHI, Head of Delegation
- ▶ Global Organization of Parliamentarians against Corruption (GOPAC) 5th Global Conference (Manila, 30 January – 2 February) – Secretariat
- ▶ Transparency International conference: Whistleblowing for Change: Leveraging Whistleblower Protection Laws to Promote Whistleblowing in the Public Interest (Berlin, 11 March) – Secretariat
- ▶ High-level meeting with Mr Didier BURKHALTER, (then) Vice-President of the Federal Council and Head of the Federal Department of Foreign Affairs and Ms Simonetta SOMMARUGA, Head of the Federal Department of Justice and Police (Bern, 10 April) – Mr Christian MANQUET, Vice-President and Secretariat
- ▶ Meeting between GRECO's Gender Rapporteur and representatives of the United Nations Development Programme (UNDP) on Gender Dimensions of Corruption (Bratislava, 19 April) – Ms Helena LIŠUCHOVÁ, Bureau member and Gender Rapporteur, and Secretariat
- ▶ World Bank Third Conference on Financial Disclosure by Public Officials: Increasing the effectiveness of disclosure systems through innovation (Istanbul, 13-14 May) – Secretariat
- ▶ Commissioner for Information of Public Importance and Personal Data Protection, Serbia, Conference on the Protection of Whistleblowers (Belgrade, 23-24 May) – Secretariat
- ▶ International Anti-Corruption Academy symposium: Public – Private Cooperation in the fight against Corruption (Luxembourg, 5 June) – President
- ▶ Ministry of Finance, France, conference: Ethics in public management (Paris, 11-12 June) – Secretariat
- ▶ Seminar on the criminal justice response to corruption in Slovenia (Brdo, 25 September) – Secretariat

- ▶ Financial Action Task Force (FATF) Expert Meeting on the FATF's role in combating corruption (Paris, 12 October) – Secretariat
- ▶ Ministry of Justice, Republic of Moldova International Conference: Justice Free of Corruption (Chisinau, 21 October) – Secretariat
- ▶ National Conference and Workshop : An effective anti-corruption framework in Albania (Tirana, 12-13 November) – Vice-President

Council of Europe

GRECO – represented by the President, his representative or by the Secretariat – provided input at the following meetings:

- ▶ Enlarged partial agreement on Sport – EPAS meetings of the Drafting Group of a draft international convention to combat the manipulation of sports results with a focus on law-enforcement (Paris, 15-17 January and Strasbourg, 24-26 September and 25-27 November) – Ms Helena LIŠUCHOVÁ, Bureau member, and Secretariat
- ▶ Exchange of views at a joint meeting of the Committee on Rules of Procedure, Immunities and Institutional Affairs and the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe (24 January) – President
- ▶ Congress of Local and Regional Authorities 24th Session (Strasbourg, 21 March) – President
- ▶ Information seminar for the secretaries of national delegations to the Parliamentary Assembly of the Council of Europe on activities run by the Council of Europe in the field of democracy and the fight against corruption (Strasbourg, 26 and 27 April) – Secretariat
- ▶ European Committee on Legal Co-operation (CDCJ), meeting to consult key stakeholders on the protection of whistleblowers (Strasbourg, 30-31 May) – Ms Vita HABJAN BARBORIČ, Bureau member and Ms Anna MYERS, whistleblowing expert
- ▶ Exchange of views with the Committee of Ministers' Deputies (1173rd meeting, Strasbourg, 12 June) – President of GRECO
- ▶ European Committee on Crime Problems (CDPC) 1st meeting of the Ad hoc drafting Group on Transnational Organised Crime (Strasbourg, 24-26 June) – Ms Elena KONCEVICIUTE, Representative

- ▶ Venice Commission 10th European Conference of Electoral Management Bodies: The Code of Good Practice in Electoral Matters: strengths and potential developments (Chisinau, 26-27 June) – Secretariat
- ▶ Gender Equality Conference: Media and the Image of Women (Amsterdam, 4-5 July) – Ms Helena LIŠUCHOVÁ, Bureau member and Gender Rapporteur
- ▶ Joint Venice Commission / GRECO expert meeting on parliamentary immunities in Romania (Strasbourg, 3 October) – Mr Yves-Marie DOUBLET, GRECO evaluator, and Secretariat
- ▶ Third Intercultural workshop on democracy: Political parties – key factors in the political development of democratic societies, co-organised by the Ministry of Foreign Affairs of Romania, the Venice Commission and OSCE/ODIHR (Bucharest, 18-19 October) – Ms Vita HABJAN BARBORIČ, Bureau member
- ▶ Meeting of the European Committee on Local and Regional Democracy (CDLR) (Strasbourg, 15 November) – President
- ▶ Venice Commission expert meeting on parliamentary immunities (Venice, 5 December) – Mr Yves-Marie DOUBLET, GRECO evaluator
- ▶ Informal meeting between the Presidents of Council of Europe monitoring bodies and the Secretary General (Strasbourg, 17 December) – Vice-President and Secretariat
- ▶ Mr Michel HUNAUULT, Former Deputy (France) and former Member of the Parliamentary Assembly of the Council of Europe (24 May)
- ▶ a delegation from the Electoral Council of the Netherlands: Mr Henk KUMMELING, Chairman, Mr Melle BAKKER, Secretary-Director, Mr Edward BRÜHEIM, Senior legal advisor / Co-ordinator international affairs (3 June)
- ▶ Ms Laurien KOSTER, President, and Ms Anne VAN EIJDHOVEN, Policy Adviser, from the Netherlands Institute for Human Rights (4 September)
- ▶ Mr Pierre MEMHELD, Senior Advisor, Organised Crime Observatory Geneva (22 October)
- ▶ a delegation from Kazakhstan: Mr Alexei VOLKOV, Deputy Minister of Foreign Affairs, Mr Almaz KHAMZAYEV, Ambassador Extraordinary and Plenipotentiary, Head of the Mission of Kazakhstan to the EU, Mr Akyltai KASSIMOV, Chairman of the Supervisory Collegium on criminal cases of the Supreme Court, Mrs Elvira AZIMOVA, Deputy Minister of Justice, Mr Timur SULTANGOZHIN, Head of Division, European Department, Ministry of Foreign Affairs, Mr Dauren YENSEBAYEV, Senior Prosecutor, Office of the General Prosecutor, Mr Nikolay ZHUMAKANOV, Counsellor, Mission to the EU, Mrs Assima AUBAKIR, Second Secretary, Mission to the EU (29 October).

The Secretariat briefed groups of study visitors as follows:

Individuals and study visitors

The Secretariat met with:

- ▶ a delegation of parliamentarians from Canada (25 January)
- ▶ Mr Fahrudin RADONCIC, Minister of Security, Bosnia and Herzegovina (15 April)
- ▶ Ms Alina MUNGIU-PIPPIDI, Director, European Research Centre for Anti-corruption and State Building – ERCAS and Professor of Democracy Studies at the Hertie School of Governance, Berlin (19 April)
- ▶ Mr Jean-Claude MIGNON, President, Parliamentary Assembly of the Council of Europe (30 April)
- ▶ Mr Andrew BRADLEY, Director, Office of International IDEA to the EU (3 May)
- ▶ Mr Norbert LORENZ, Head of Unit, Legal Service, European Parliament (23 May)
- ▶ Law Faculty, University of Avignon (31 January)
- ▶ Eurojuris France – network of barristers, solicitors and bailiffs (1 February)
- ▶ newspaper editors, Ukraine (5 March)
- ▶ Prosecution Service, Georgia (6 March)
- ▶ European Doctoral College, Strasbourg (14 March)
- ▶ Haute Ecole Paul Henri Spaak, Belgium (23 April)
- ▶ Ecole nationale de la Magistrature, France (24 June and 30 September)
- ▶ Constitutional Court, Montenegro (27 June)
- ▶ High School of Justice, Georgia (28 June)
- ▶ National Institute of Justice, Bulgaria (19 September)
- ▶ Office of the Federal Business Ombudsman, Russian Federation (6 December)
- ▶ Auditor General's Office and Supervisory Commission, Guangdong province, China (9 December)
- ▶ Gendarmerie nationale, France (21 December)

APPENDIX III – Secretariat

(within Directorate General I – Human Rights and Rule of Law, Information Society and Action against Crime Directorate)

Wolfgang Rau, **Executive Secretary**

Elsbeth Reilly, Personal assistant
Penelope Prebensen, Administrative assistant

Section I

Björn Janson, Head
Laura Sanz-Levia, Administrator
Sophie Meudal-Leenders, Administrator
Marie-Rose Prevost, Assistant

Evaluation and compliance procedures in respect of:

Albania
Belarus
Bosnia and Herzegovina
Croatia
Denmark
Estonia
Finland
Hungary
Iceland
Ireland
Italy
Malta
Montenegro
Poland
Russian Federation
San Marino
Serbia
Slovenia
Spain
Sweden
“The former Yugoslav Republic of Macedonia”
Turkey
Ukraine
United Kingdom
United States of America

Section II

Christophe Speckbacher, Head
Michael Janssen, Administrator
Liubov Samokhina, Administrator
Laure Pincemaille, Assistant

Evaluation and compliance procedures in respect of:

Andorra
Armenia
Austria
Azerbaijan
Belgium
Bulgaria
Cyprus
Czech Republic
France
Georgia
Germany
Greece
Latvia
Liechtenstein
Lithuania
Luxembourg
Republic of Moldova
Monaco
Netherlands
Norway
Portugal
Romania
Slovak Republic
Switzerland

Central Office – logistics

Penelope Prebensen, Head
Marie-Rose Prevost
Laure Pincemaille

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Group of States against Corruption
Groupe d'États contre la corruption

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