

Strasbourg, 7 December 2018

Greco(2018)15

81st GRECO Plenary Meeting
(Strasbourg, 3-7 December 2018)

DECISIONS

At its 81st Plenary Meeting (Strasbourg, 3-7 December 2018), the Group of States against Corruption (GRECO) took the following decisions (see also the Summary Report of the meeting: Greco(2018)16):

1. adopted the agenda as it appears in the Summary Report of the meeting;

Information

2. took note of the information provided by Marin MRČELA, President of GRECO, Jan KLEIJSEN, Director, Information Society – Action against Crime Directorate, and Gianluca ESPOSITO, Executive Secretary of GRECO;
3. took note of the list of items discussed and decisions taken by Bureau 85 (Greco(2018)14), and in that context, took particular note of the following:
 - as an element of the continuing efforts to foster synergies with other anti-corruption monitoring bodies, the HUDOC-GRECO data base to be launched in February 2019 will also include links to the websites of the OECD and UNODC monitoring bodies;
 - Kazakhstan intends to sign and ratify an agreement on privileges and immunities for GRECO members and evaluation teams – once the agreement enters into force, Kazakhstan will become the 50th member of GRECO;
 - the 15th Council of Europe Conference of Ministers responsible for Sport (Georgia, October 2018) adopted a Resolution calling, *inter alia*, on the Committee of Ministers to “initiate the preparation of a study focusing on the legal and policy measures needed to effectively prevent and fight corruption”

Election of a Bureau member

4. noted with regret that by the end of 2018 Helena LIŠUCHOVÁ (Head of Delegation - Czech Republic) will leave her country’s delegation – and her positions as Bureau member and Gender Equality Rapporteur; elections will be held at the 82nd Plenary Meeting to fill the vacant seat in the Bureau;
5. noted that GRECO representatives are invited to inform the Executive Secretary in writing if they wish to stand for election/or to nominate candidates, preferably by 4 March 2019, it nevertheless being understood that, in accordance with the Rules of Procedure (Rule 9, paragraph 2), candidatures can be submitted up to 48 hours before the elections – all candidates will be asked to provide a very brief curriculum vitae;

Gender Equality Rapporteur

6. appointed Vita HABJAN BARBORIČ (Head of delegation – Slovenia, Bureau member) to act as GRECO’s new Gender Equality Rapporteur;

Study – Gender and Economic Crime

7. took note of the presentation by Prof Dr Wim HUISMAN and Dr Anne-Marie SLOTBOOM from the Department of Criminology, Vrije Universiteit Amsterdam, of the preparatory work for a study on Gender and Economic Crime they are conducting for the Council of Europe which will form part of the follow-up given by GRECO and MONEYVAL to the Council of Europe’s Gender Equality Strategy ;
8. noted that in the course of the study, an interview will be organised with each Head of delegation in GRECO on the basis of research questions that will be made available in advance, unless a delegation informs the Secretariat of their wish not to participate in the study;

Evaluation procedures

Fifth Round

9. adopted the Fifth Round Evaluation Reports on:

- **Estonia** (GrecoEval5Rep(2018)3)
- **Netherlands** (GrecoEval5Rep(2018)2)
- **Poland** (GrecoEval5Rep(2018)1)

and set the deadline of 30 June 2020 for the submission of the situation reports on measures taken to implement GRECO's recommendations;

10. noted with satisfaction that the authorities of Estonia authorise the publication of the report mentioned in decision 9 above;

11. invited the authorities of the Netherlands and Poland to authorise, as soon as possible, the publication of the reports mentioned in decision 9 above;

12. approved the composition of the evaluation teams responsible for the 5th Round evaluations of Albania, Belgium, Croatia, Germany and Norway (GrecoEval5(2018)4);

Fourth Round

13. approved the composition of the evaluation teams responsible for the 4th Round evaluations of Belarus, Liechtenstein and San Marino (GrecoEval4(2018)3) ;

Guidelines for GRECO Evaluation Teams

14. endorsed the revision of the Guidelines for GRECO Evaluation Teams (GrecoEval5(2018)5-fin) prepared, at the request of the Bureau, to include *Principles of Conduct during the Evaluation Process*;

Compliance procedures

Joint First and Second Rounds

15. referring to the decision taken by GRECO in December 2017 (GRECO 78 – decision 8) and to the instructions given by the Bureau to the Secretariat in November 2018 (Bureau 85) agreed that if no positive response is received by 10 December 2018 to the request sent to the authorities of **Belarus** to receive a high-level mission in January 2019, the last stage of the non-compliance procedure (Rule 32) will be applied;

Third Round

16. adopted the 2nd Third Round Compliance Report on:

- **Bosnia and Herzegovina** (GrecoRC3(2018)10)

and, in accordance with Rule 31 revised, paragraph 9 of the Rules of Procedure, requested the Head of delegation of Bosnia and Herzegovina to submit additional information regarding the implementation of certain recommendations by 30 September 2019 at the latest;

17. adopted the 2nd Addenda to the 2nd Third Round Compliance Reports on:

- **Belgium** (GrecoRC3(2018)12)
- **Sweden** (GrecoRC3(2018)11)

and terminated the compliance procedure in respect of both members, in this round;

18. noted with satisfaction that the authorities of Sweden authorise the publication of the report mentioned in decision 16 above;

19. invited the authorities of Bosnia and Herzegovina and Belgium to authorise, as soon as possible, the publication of the reports mentioned in decisions 15 and 16 above;

Fourth Round

20. adopted the *Interim* Fourth Round Compliance Report on:

- **Hungary** (GrecoRC4(2018)16)

and concluded that the level of compliance with the recommendations remains “**globally unsatisfactory**” in the meaning of Rule 31 revised, paragraph 8.3 of the Rules of Procedure;

21. in accordance with Rule 32, paragraph 2 (i) of the Rules of Procedure, requests the Head of delegation of Hungary to provide a report on progress in implementing the outstanding recommendations by 31 December 2019 at the latest;

22. pursuant to Rule 32, paragraph 2 (ii) a) of the Rules of Procedure, invites its President to send a letter – with a copy to the President of the Statutory Committee – to the Head of Delegation of Hungary on the need to take determined action with a view to achieving tangible progress as soon as possible;

23. pursuant to Rule 32, paragraph 2 (iii) of the Rules of Procedure, requested that the authorities of Hungary receive a high-level mission in order to discuss on the spot with all stakeholders concerned ways to expedite the recommended legislative and policy changes highlighted by the report mentioned in decision 19 above;

24. adopted the Fourth Round Compliance Report on:

- **Republic of Moldova** (GrecoRC4(2018)10)

and set the deadline of 30 June 2020 for the submission of a situation report on additional measures taken to implement the recommendations;

25. adopted the Fourth Round Compliance Report on:

- **Austria** (GrecoRC4(2018)15)

and concluded that the level of compliance with the recommendations is “**globally unsatisfactory**” in the meaning of Rule 31 revised, paragraph 8.3 of the Rules of Procedure;

26. pursuant to Rule 32, paragraph 2 (i), requested the Head of delegation of Austria to provide a report on progress in implementing the outstanding recommendations by 31 December 2019;

27. adopted the Fourth Round Compliance Report on:

- **Italy** (GrecoRC4(2018)13)

and set the deadline of 30 June 2020 for the submission of a situation report on additional measures taken to implement the recommendations;

28. adopted the 2nd Fourth Round Compliance Report on:

- **Croatia** (GrecoRC4(2018)14)

29. and, in accordance with Rule 31 revised, paragraph 9 of the Rules of Procedure, requests the Head of Delegation of Croatia to submit additional information regarding the implementation of certain recommendations by 30 September 2019;

30. noted with satisfaction that the authorities of Italy authorise the publication of the report mentioned in decision 26 above;

31. invited the authorities of Hungary, the Republic of Moldova, Austria and Croatia to authorise, as soon as possible, the publication of the reports mentioned in decisions 19, 23, 24 and 27 above;

32. welcomed the recent decision by the authorities of **Poland** to reinstate the judges of the Supreme Court, which is in line with GRECO's recommendations in the Ad hoc (Rule 34) Report on Poland (adopted in March 2018) and the subsequent Addendum to the Fourth Round Evaluation Report on Poland (adopted in June 2018);

Budgetary situation and update from the Statutory Committee (31 October 2018)

33. noted that the 2019 Budget adopted by GRECO's Statutory Committee on 31 October 2018, with the additional financial and/or "in-kind" contributions made by member States for the 2018/2019 biennium (see 33 below), would allow GRECO to carry out a programme of work structured around three Plenary Meetings in 2019; the current budgetary uncertainty may nevertheless make it necessary for the Council of Europe 2019 budgets – including GRECO's budget – to be reviewed in the first half of 2019;

34. welcomed the additional financial and/or "in-kind" contributions (e.g. covering the travel and subsistence expenses of experts or covering the cost of interpretation for on-site visits) already made by the delegations of Armenia, Austria, Bulgaria, the Czech Republic, Estonia, Finland, Georgia, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Monaco, Norway, Poland, Romania, Russian Federation, Serbia, Slovak Republic, Switzerland, Ukraine and the United States of America for the 2018/2019 biennium;

Programme of Activities 2019

35. adopted its Programme of Activities for 2019 (Greco(2018)13-fin);

36. noted in particular the budgetary and scheduling aspects contained in paragraph 7 of the programme;

Follow-up to the Šibenik Conference: *Strengthening transparency and accountability to ensure integrity: united against corruption* (Croatia, 15-16 October 2018)

37. noted that a first meeting of the international Network of Corruption Prevention Authorities (Šibenik Network) launched at the conference was taking place in the margins of the present plenary meeting (5 and 6 December);

GRECO's 20th Anniversary - 2019

38. took note of the information provided by the Head of Delegation of France about the state of preparations for the meeting to celebrate the 20th Anniversary that will be organised in the framework of the Chairmanship of France of the Committee of Ministers of the Council of Europe – it is likely to take place on the first day of GRECO 83, Monday 17 June 2019 and the plenary meeting would be extended to the end of the day on Friday 21 June 2019;

Topical anti-corruption developments/events in member States (Item 4 of the Agenda)

39. took note of the information provided by the Delegations of Belarus, Cyprus, Hungary, Italy Serbia, Spain, Switzerland and “the former Yugoslav Republic of Macedonia”;

Publication of Reports

40. called on the authorities of the member States concerned (Belarus, the Czech Republic, Hungary and San Marino) to authorise without further delay the publication of the reports adopted by GRECO at previous plenary meetings;¹

Information from observer organisations and Council of Europe bodies

41. took note of the information provided by the representative of the OSCE Office for Democratic Institutions and Human Rights;

Miscellaneous

42. noted that only the Fourth round compliance reports that are published before 21 December 2018 (authorisation to publish to be given by 17 December) will be taken into account in GRECO's General Activity Report for 2018;
43. took note of the Executive Secretary's reminder of how essential it is that Heads of Delegation inform the Secretariat of changes in the composition of their national delegations promptly so that the accuracy of the official List of Representatives and mailing lists for all correspondence (including confidential documents) can be maintained at all times; only experts already in the official List of Representatives, or other experts specifically for the examination of their country's report, can participate in GRECO Plenary Meetings;
44. welcomed the exhibition, organised by the Delegation of the Russian Federation, of posters from a competition for International Anti-Corruption Day (9 December) inviting young people from Armenia, Belarus, Kazakhstan, Kyrgyzstan, Tajikistan and the Russian Federation to express their views on corruption (<http://anticorruption.life/>);

¹ *Action to be taken when publishing adopted reports* (decision 26, GRECO 58):

- agree a same-day publication date with the Secretariat
- clearly mark both the date of adoption and date of publication on the cover page
- make the national language version available and easily accessible on a domestic website
- notify the Secretariat of the location of the report by communicating the internet link to it
- include a link on the domestic website to the official language versions on GRECO's website.

Forthcoming meetings

45. took note of the following dates:

- 86th Bureau meeting ([London], 15 February 2019)
- 82nd Plenary Meeting (Strasbourg, 18-22 March 2019)
- 83rd Plenary Meeting (Strasbourg, 17-21 June 2019)
- 84th Plenary Meeting (Strasbourg, 2-6 December 2019).