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

COUNCIL OF EUROPE CONSEIL DE L'EUROPE

DIRECTORATE GENERAL I – LEGAL AFFAIRS
DEPARTMENT OF CRIME PROBLEMS

Strasbourg, 9 May 2003 **Greco (2003) 11E**

13th Plenary Meeting of GRECO
(Strasbourg, 24-28 March 2003)

SUMMARY MEETING REPORT

Document prepared by the
Secretariat of GRECO

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I. Opening of the meeting

1. The 13th Plenary Meeting of GRECO opened on 24 March 2003 at 11 am, with Mr Drago KOS (Slovenia) in the chair. Mr KOS welcomed the participants, a list of whom appears in Appendix I to this report. The Bureau had met beforehand (from 9 am to 11 am). The Vice-Chair, Ms Isabelle VAN HEERS (Belgium), chaired the discussions in connection with the examination of the compliance report (RC-I) on Slovenia [Greco RC-I (2003) 1E].

II. Adoption of the agenda

2. The meeting agenda was approved as it appears in Appendix II to this report.

III. Statement by the Chair

3. The Chair told members how, together with the Executive Secretary, he had attended a meeting with an inter-departmental delegation from the European Commission on 10 January 2003 to explore issues arising from the European Union's possible participation in GRECO. After the meeting, the Commission had sent the GRECO secretariat a list of questions on the likely impact of the European Community's accession to GRECO.

4. He also reported on his attendance at the Conference on the role of government and parliament in reducing corruption in central and eastern Europe, held at Wilton Park (United Kingdom) on 3 and 4 March 2003, and at the 4th Colloquy on the European security area held in Brussels (Belgium) on 17 and 18 March 2003.

IV. Statement by the Executive Secretary

5. The Executive Secretary reported on events of relevance to GRECO which had occurred since its 12th meeting (9-13 December 2002):

- Convention ETS no. 173 had been ratified by Poland on 11/12/02 (entry into force with regard to Poland: 01/04/03) and by Serbia and Montenegro on 18/12/02 (entry into force with regard to Serbia and Montenegro: 01/04/03). The Convention had come into force with regard to Finland on 01/02/03. To date, 20 countries had ratified the convention and a further 23 had signed it.
- Convention ETS no. 174 had been ratified by Lithuania on 17/01/03. It had been signed by Malta and Hungary on 15/01/03. To date, 10 countries had ratified the convention and a further 24 had signed it.
- Serbia and Montenegro would automatically become the 35th member of GRECO on 01/04/03, when Convention ETS no. 173 came into force with respect to that country.
- The Additional Protocol to Convention ETS no. 173 on arbitrators and jurors had been adopted by the Ministers' Deputies on 23 January 2003 and would be opened for signature on 15 May 2003. The text was available on the GRECO website.
- When examining the additional protocol, and further to the Parliamentary Assembly opinion on this text, the Ministers' Deputies had asked GRECO for an opinion on what could be done by the Council of Europe to address the problem of corruption in sport.
- The CDLR had asked GRECO for an opinion on the draft handbook of good practice in public ethics at local level.
- In a letter from the President of the EBRD to the Secretary General of the Council of Europe, dated 13 January 2003, the EBRD had indicated its desire for observer status with GRECO.
- An exchange of views had been held, earlier in March, between the Secretariat and a Mexican delegation in the course of which, the Mexican authorities indicated that they were considering the possibility to join GRECO directly, without waiting for the

prior ratification of Convention No 173. Mexico would also be hosting a conference in December 2003 to open for signature the UN Convention on Corruption.

- An exchange of views had been held between the Secretariat and a Japanese delegation to discuss the implications of Japan's possible accession to GRECO. In the course of the talks, mention had been made of the link between GRECO and other mechanisms that might be introduced, under the UN Convention.
- At its previous meeting, the FATF had considered GRECO's request for access to FATF documents in view of the relevance of FATF reports to the themes chosen for the Second Evaluation Round. GAFI had rejected GRECO's request while pointing out, however, that individual countries were at liberty to send GRECO the reports concerning them. The Council of Europe, moreover, was represented on the FATF.
- GRECO was invited to examine its 3rd annual activity report for 2002 and to adopt it. The Chair of GRECO would present this report at a hearing before the Committee of Ministers on 7 May 2003.
- The Secretariat and the Bureau had been involved in preparations for Global Forum III to be held in Seoul from 29 to 31 May 2003. The Chair and Executive Secretary had been invited to take part in several working groups.
- GRECO would also be represented at the 11th International Conference against Corruption, likewise to be held in Seoul, from 25 to 28 May 2003.

V. Examination and adoption of amendments to the Rules of Procedure

6. GRECO examined the Secretariat's proposed amendments to the Rules of Procedure. These amendments concerned in particular:

- *Rule 28, paragraph 6.* Further to a proposal by the United Kingdom, it was suggested that this paragraph be re-worded to allow the Secretariat to organise co-ordination meetings between members of an evaluation team and the delegation from the country being evaluated before a draft evaluation report was examined in plenary. This new wording would provide a legal basis for a practice that had been successfully trialled in the First Evaluation Round.

- *Rule 31, paragraph 2.* It was proposed to abolish the practice of appending the situation report (RS) submitted by the authorities of the country undergoing evaluation to the compliance report (RC) prepared by the rapporteurs with the help of the Secretariat.

- *Rule 31, paragraphs 8 and 9.* It was proposed that a new wording be adopted for the conclusions which GRECO was able to draw after examining each compliance report. In particular, some delegations suggested that a degree of flexibility was called for, notably in cases where recommendations made in the First Round were no longer relevant or circumstances had changed or if some kind of action had been taken on the recommendation but it could not be implemented in its entirety. In such cases, GRECO might conclude that "the recommendation had been dealt with in a satisfactory manner".

7. GRECO approved its amended Rules of Procedure as set out in Greco (2003) 6E.

8. When discussing agenda item 9 (EBRD's request for observer status), some delegations pointed out that observers were not expressly covered by the confidentiality rules set out in Title III of the Rules of Procedure. GRECO accordingly instructed the Secretariat to prepare, in the light of the discussions, a new wording for the relevant rules, with a view to their consideration for adoption at the next Plenary Meeting, GRECO 14.

VI. Examination of the draft First Round Evaluation Report on Hungary

9. GRECO carried out a first reading of the draft First Round Evaluation Report on Hungary, as set out in Greco Eval I Rep (2002) 5E (P4).

10. First, the members of the GRECO evaluation team which had visited Hungary – Mr Salvador VIADA BARDAJI (Spain), Mr Claus-Peter HOLZ (Germany) and Ms Ramune SEDVYDYTE (Lithuania) – orally presented their assessment of the situation in Hungary with regard to action against corruption, in the light of the first round evaluation themes.

11. The Hungarian representatives presented GRECO with their comments on the draft report. Afterwards, the interveners from France and the Slovak Republic, appointed by the GRECO Bureau under Article 29, paragraph 2 of the Rules of Procedure, put their questions on the evaluation report [Greco Eval I (2003) 6 and 7] to the Hungarian representatives.

12. GRECO held a general debate based on the available documents and explanations provided. It then held an initial discussion on the draft report, paragraph by paragraph, and agreed on the amendments to be made. It concluded by carrying out a second reading of the amended draft.

13. In the course of the debate at second reading, GRECO looked at the scope of the immunity enjoyed by various categories of people in Hungary. Some delegations were in favour of drafting a recommendation for Hungary along the lines of those made to Bulgaria, Georgia or Romania, for example, with a view to narrowing the range of persons covered by these immunities. The Hungarian delegation, providing statistics, said that, in any event, these immunities are waived in corruption cases. Following a vote (16 in favour of adding a recommendation, 7 against and 2 abstentions), and taking into account the rule of the double majority provided for by Article 8 paragraph 7 of the Statute, the proposal to amend the report by introducing a new recommendation to Hungary in immunity matters is rejected.

14. After two readings, GRECO adopted the First Round Evaluation Report on Hungary, as set out in Greco Eval I Rep (2002) 5E.

15. GRECO asked the Hungarian delegation to confirm as soon as possible their authorities' consent to lifting the confidentiality of the report.

VII. Examination of the draft First Round Evaluation Report on the Netherlands

16. GRECO carried out a first reading of the draft First Round Evaluation Report on the Netherlands, as set out in Greco Eval I Rep (2003) 1E (P3).

17. The two members of the GRECO evaluation team present which had visited the Netherlands – Mr Atle ROALDSØY (Norway) and Mr Wolfgang SCHMID (Germany) – orally presented their assessment of the situation in the Netherlands with regard to action against corruption, in the light of the first round evaluation themes. The third evaluator, Ms Mimosa KIKOVSKA ("the former Yugoslav Republic of Macedonia"), apologised for not being able to participate in the present meeting due to health reasons.

18. The representatives of the Netherlands presented GRECO with their comments on the draft report. Afterwards, the Estonian and Icelandic interveners, appointed by the GRECO Bureau under Article 29, paragraph 2 of the Rules of Procedure, put their questions on the evaluation report [Greco Eval I (2003) 4 and 5] to the representatives of the Netherlands.

19. GRECO held a general debate based on the available documents and explanations provided. It then held an initial discussion on the draft report, paragraph by paragraph, and agreed on the amendments to be made. It concluded by carrying out a second reading of the amended draft.

20. After two readings, GRECO adopted the First Round Evaluation Report on the Netherlands, as set out in Greco Eval I Rep (2003) 1E.

21. GRECO asked the Netherlands delegation to confirm as soon as possible their authorities' consent to lifting the confidentiality of the report.[1]

VIII. Examination of the draft First Round Evaluation Report on the Czech Republic

22. GRECO carried out a first reading of the draft First Round Evaluation Report on the Czech Republic, as set out in Greco Eval I Rep (2002) 11E (P4).

23. The Executive Secretary informed GRECO that, unfortunately, Mr Bernard J. OOSTEROP (the evaluator from the Netherlands member of the evaluation team that visited the Czech Republic), was unfortunately unable to attend the present meeting due to very serious health reasons. All the participants, but in particular the evaluators and the members of the Secretariat who had had the privilege of working with him directly, wished to express to him their deep gratitude and appreciation for the quality of his contribution as evaluator of the Czech Republic during the First Evaluation Round and for the unstinting way he had supported GRECO's work, both through his personal efforts and through his professional skills. GRECO instructed its Chair to convey this message in writing as soon as possible to Mr Bernard J. OOSTEROP (see Appendix III).[2]

24. The two other members of the GRECO evaluation team which had visited the Czech Republic – Mr Alistair BROWN (United Kingdom) and Mr Zaal MARGVELASCHVILI (Georgia) - orally presented their assessment of the situation in the Czech Republic with regard to action against corruption, in the light of the first round evaluation themes.

25. The Czech representatives presented GRECO with their comments on the draft report. Afterwards, the Belgian and Hungarian interveners, appointed by the GRECO Bureau under Article 29, paragraph 2 of the Rules of Procedure, put their questions on the evaluation report [Greco Eval I (2003) 2 and 3] to the Czech representatives.

26. GRECO held a general debate on the available documents and explanations provided. It then held an initial discussion on the draft report, paragraph by paragraph, and agreed on the amendments to be made. It concluded by carrying out a second reading of the amended draft.

27. After two readings, GRECO adopted the First Round Evaluation Report on the Czech Republic, as set out in Greco Eval I Rep (2002) 11E.

28. GRECO asked the Czech delegation to confirm as soon as possible their authorities' consent to lifting the confidentiality of the report.[3]

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[1] Following authorisation by the authorities of the Netherlands, the report became public on 7 May 2003.
[2] Having been informed of the death of Bernard J. OOSTEROP, on Friday 25 April 2003, the Executive Secretary, on behalf of all the GRECO members and its Secretariat, extended his deepest sympathy to his family.
[3] Following authorisation by the authorities of the Czech Republic, the report became public on 22 April 2003.

IX. Examination of the compliance report on Slovenia

29. GRECO, presided for this item by Ms Isabelle VAN HEERS (vice-Chair), went on to examine the draft compliance report on Slovenia, prepared by the two rapporteurs appointed by GRECO, Mr Tudorel STEFAN (Romania) and Mr Paul STEPHENSON (United Kingdom), as set out in Greco RC-I (2003) 1E, (P3). The purpose of this report was to assess implementation of the recommendations made by GRECO to Slovenia in the First Evaluation Round. It was based on the situation report forwarded by the Slovenian authorities [Greco RS-I (2003) 1E] and additional information subsequently requested by the rapporteurs.

30. The Vice-Chair, Ms VAN HEERS, presented participants with the draft report. GRECO examined the draft, paragraph by paragraph, and agreed on the amendments to be made.

31. GRECO adopted the compliance report on Slovenia, as set out in Greco RC-I (2003) 1E. This report and the report on the Slovak Republic (see Item X, hereafter) were to serve as a model for the further examination of compliance reports by GRECO.

32. GRECO asked the Slovenian delegation to confirm as soon as possible their authorities' consent to lifting the confidentiality of the compliance report.[4]

X. Examination of the compliance report on the Slovak Republic

33. GRECO went on to examine the draft compliance report on the Slovak Republic, prepared by the two rapporteurs appointed by GRECO – Mr Fernando SANCHEZ-HERMOSILA (Germany) and Mr Jacek GARTSKA (Poland) – as set out in Greco RC-1 (2003) 2E (P3). The purpose of this report was to assess implementation of the recommendations made by GRECO to the Slovak Republic in the First Evaluation Round. It was based on the situation report forwarded by the Slovak authorities [Greco RS-I (2003) 2E] and additional information subsequently requested by the rapporteurs.

34. The Chair, Mr Drago KOS, presented participants with the draft report and a list of amendments agreed between the rapporteurs and the Slovak authorities prior to discussion of the draft [GRECO RC-I Misc (2003) 1E] in plenary. GRECO examined the draft report, paragraph by paragraph, and the list of proposed amendments and agreed on the amendments to be made.

35. GRECO adopted the compliance report on the Slovak Republic, as set out in Greco RC-I (2003) 2E.

36. The Slovak representative confirmed with GRECO on Friday 28 March 2003 that his authorities had consented to lifting the confidentiality of the report.[5]

XI. Request for observer status made by the EBRD

37. The Executive Secretary presented participants with the request made by the President of the European Bank for Reconstruction and Development (EBRD), Mr Jean LEMIERRE, to the Secretary General of the Council of Europe, Mr Walter SCHWIMMER, in a letter dated 13 January 2003, to participate in GRECO's work as an observer [Greco (2003) CS1].

38. In a letter to Mr LEMIERRE dated 10 February 2003, the Secretary General of the Council of Europe said that he had instructed the Executive Secretary of GRECO to take

[4] Following authorisation by the authorities of Slovenia, the report became public on 25 April 2003.
[5] Following authorisation by the authorities of the Slovak Republic, the report became public on 1st April 2003.

the necessary steps to ensure that the request was dealt with promptly, in accordance with the prescribed procedure.

39. In a letter dated 10 February 2003, sent to the Permanent Representatives to the Council of Europe of the GRECO member states, the Director General of Legal Affairs had pointed out that GRECO was an enlarged partial agreement and that, under the applicable rules, the EBRD's request would be placed on the agenda of the next plenary session of GRECO (24 to 28 March 2003) unless a government informed the Secretary General, by 10 March 2003, that it wished the matter to be dealt with by the Committee of Ministers. The OECD had obtained observer status under this procedure in 2002.

40. Since the matter had not been referred to the Committee of Ministers for decision within the prescribed time-limit (four weeks), it was for GRECO to decide whether to grant observer status to the BERD.

41. A number of delegations had informed the Executive Secretary in writing that they did not see any reason why the EBRD should not be granted observer status with GRECO, particularly in view of the interest it had expressed in anti-corruption issues. The Executive Secretary pointed out that the EBRD had been involved in the work of the GMC from the outset, and in particular, in the drafting of Council of Europe instruments to combat corruption. International financial organisations such as the EBRD had information and studies at their disposal which could be of use to GRECO in its research.

42. Some delegations nevertheless felt that it was important to find out more about the EBRD's motives for making such a request, given that GRECO reports were ultimately made public and posted on the Internet. They proposed that GRECO hold an exchange of views with the EBRD on this subject at its next meeting, GRECO 14, in July 2003.

43. With regard to any requests received by GRECO in future, some delegations suggested that GRECO establish more precise criteria for considering such requests, which were likely to become more numerous as time went on:

- what interest motivates the application for observer status?
- how would GRECO benefit from granting such status?

44. One delegation observed that representatives of observers to GRECO should be subject to the confidentiality rules laid down in Title III of the Rules of Procedure and should face the same consequences if they broke these rules. GRECO accordingly instructed the secretariat to draw up proposals for amendments to the Rules of Procedure with regard to observers admitted to GRECO.

XII. Request for an opinion from the Committee of Ministers on initiatives which could be taken by the Council of Europe with regard to corruption in sport.

45. The Executive Secretary reminded participants of the grounds for the Committee of Ministers' decision in response to the opinion expressed by the Council of Europe's Parliamentary Assembly on the draft Additional Protocol to Convention ETS no. 173.

46. Some delegations expressed doubts about GRECO's capacity to perform functions other than the monitoring functions referred to in Article 2 of its Statute. Others agreed that while it was not GRECO's job to prepare legal texts, GRECO could nevertheless express opinions, especially when asked to do so by other Council of Europe committees, in view of its members' expertise in the field of combating corruption. The task of drafting legal instruments to combat corruption could be assigned to a committee of experts established specifically for this purpose.

47. One delegation proposed to begin by conducting a survey based on a short questionnaire concerning the problems of corruption in sport faced by GRECO member States.

48. GRECO decided to instruct the Secretariat to prepare a short questionnaire to be sent to all members concerning the problems of corruption in sport and to prepare an analytical report based on the replies received. GRECO could examine these documents at a next meeting.

XIII. Request for an opinion from the Steering Committee for Local and Regional Democracy (CDLR) on the draft handbook of good practice containing a Model Initiatives Package on public ethics at local level.

49. The Chair briefly summarised the content of the Model Initiatives Package prepared by the CDLR and the request for an opinion.

50. Since various issues raised by the handbook were related to one of the themes of the Second Evaluation Round, GRECO agreed to prepare a draft opinion and to examine it with a view to adoption at its next plenary meeting.

51. GRECO appointed Ms Lucinda MacMAHON (Ireland) and Mr Silvio CAMILLERI (Malta) as rapporteurs in charge of the preparation, with the help of the Secretariat, of a draft opinion on the CDLR's draft Model Initiatives Package, for consideration with a view to adoption at the next plenary meeting of GRECO.

XIV. General activity report for 2002

52. The Chair outlined GRECO's general activity report for 2002, as approved by the Bureau [Greco (2003) 5E].

53. GRECO adopted its general activity report for 2002 and instructed the Secretariat to forward it to GRECO's Statutory Committee and to the Committee of Ministers of the Council of Europe. It further noted that its Chair would be asked to present this report at a hearing before the Ministers' Deputies on 7 May 2003.

XV. Budgetary proposals for 2004

54. The Chair presented participants with budgetary proposals for 2004, as approved by the Bureau [Greco (2003) 8E].

55. GRECO members held an exchange of views and approved the budgetary proposals for 2004[6]. They instructed the Executive Secretary to forward them to the Secretary General of the Council of Europe for consideration by the Budget Committee and adoption later by the Statutory Committee, in conformity with Article 18 of the Statute.

XVI. Other business

56. The Chair of the Statutory Committee, Ms Anna LAMPEROVA (Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Slovakia to the Council of Europe) congratulated GRECO on its efficient work. GRECO thanked the Ambassador for her contribution to this, the 13th meeting, and for her support of GRECO's work.

57. GRECO instructed its Chair to write to Mr Bernard J. OOSTEROP (evaluator appointed by the Netherlands) forthwith, in order to convey its sincere gratitude for the quality of

[6] The French and German representatives, who wished to submit the draft budget to their respective authorities, declined at this stage to take part in the adoption of these decisions.

his input in the First Round evaluation of the Czech Republic and for the unstinting way he had supported GRECO's activities and ideals, both through his personal efforts and through his professional skills.

58. GRECO took note of the table of First Evaluation Round intervening countries (Greco Eval I (2002) 3 rev.).

59. GRECO approved the list of members responsible for preparing the forthcoming First Round Compliance Reports (Greco Eval I (2003) 1).

60. GRECO approved the composition of the Second Round evaluation teams with regard to the countries comprising Groups A and B, as amended following discussion (Greco Eval II (2003) 1bil).

61. GRECO selected the following countries to be part of Group C for the Second Evaluation Round procedures: Belgium, Iceland, Latvia and Spain and asked the representatives of these countries to send their replies to the Second Evaluation Round questionnaire to the secretariat by 30 September 2003, in accordance with GRECO's Programme of Activities for 2003 (Greco (2002) 34E).

62. GRECO decided to select countries to be part of Group D for the Second Evaluation Round procedures at its forthcoming plenary meeting.

63. GRECO adopted the list of decisions in respect of its 13th plenary meeting [Greco (2003) 10E].

XVII. Dates of forthcoming meetings

64. GRECO took note of the proposed meeting dates for 2003 (Greco (2003) 9). The Bureau would hold its 19th meeting in Paris, on 23 and 24 June 2003.

65. GRECO decided to hold its 14th plenary meeting in Strasbourg from 7 to 11 July 2003 and its 15th plenary meeting in Strasbourg from 13 to 17 October 2003.

APPENDIX I

LIST OF PARTICIPANTS /*LISTE DES PARTICIPANTS*

ALBANIA / ALBANIE

Mr Ardian DVORANI - ***Apologised / Excusé***
Director of Codification Department, Ministry of Justice

Mrs Rezarta ABDIU
Adviser of the Minister of State to the Prime Minister, Council of Ministers

BELGIUM / BELGIQUE

Mme Isabelle VAN HEERS
Magistrat Fédéral, Palais de Justice – Extension

Mme Claire HUBERTS
Conseiller adjoint, Direction Générale de la Législation pénale et des Droits de l'Homme, Ministère de la Justice

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Mr Nedzad HADZIMUSIC - ***Apologised / Excusé***
Director for Political Multilateral Relations and Cooperation, Ministry of Foreign Affairs

BULGARIA / BULGARIE

Mr Georgi RUPCHEV
Head of Section "International Legal Cooperation", Ministry of Justice

CROATIA / CROATIE

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Deputy District Attorney, District Attorney's Office, Zupanijsko Drzavno Odvjeninistvo U Zagrebu

CYPRUS / CHYPRE

Mrs Maria PAPAIOANNOU
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Mrs Kateřina CIZLOVA
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Mr Petr POSPISIL
Security Policy Department, Section for Analyses and Strategies, Ministry of Interior

Mr Robert FREMR
Presiding Judge, High Court in Prague

DENMARK / DANEMARK

Mr Poul DAHL JENSEN - ***Apologised / Excusé***
Public Prosecutor, Public Prosecutor's Office

Mr Flemming DENKER
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ESTONIA / ESTONIE

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FINLAND / FINLANDE

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Mr Kaarle J. LEHMUS
Inspector General of the Police, Ministry of the Interior, Police Department

FRANCE

M. Franck ZIENTARA
Magistrat, Administration Centrale, Bureau du droit économique et financier, Ministère de la Justice, Direction des affaires criminelles et des grâces

GEORGIA / GEORGIE

Mr Mikheil BATIASHVILI - ***Apologised / Excusé***
Deputy Director of Anti-corruption Bureau, Anti-corruption Bureau

Mr Zaal MARGVELASHVILI - ***Apologised / Excusé***
Deputy Director of the International Law Dept, Ministry of Foreign Affairs

GERMANY / ALLEMAGNE

Mr Fernando SANCHEZ-HERMOSILLA
Judge at the District Court, Federal Ministry of Justice

Mr Claus-Peter HOLZ
Bundeskriminaldirektor, Bundeskriminalamt

Mr Wolfgang SCHMID
Senior Prosecutor, Prosecution Office Stuttgart

GREECE / GRECE

Mr Petros KAKALIS
Judge, Supreme Court, Ministry of Justice

Mr Athanasios TSOULOS - ***Apologised / Excusé***
Judge at the Court of First Instance, Ministry of Justice

HUNGARY / HONGRIE

Mr Akos KARA
Legal Adviser, Ministry of Justice

Mr Sandor DUSIK
Expert Adviser, Ministry of Interior

Ms Eszter KÖPF

Mr Zoltan LEKO

ICELAND / ISLANDE

Mr Stefan EIRIKSSON
Director of Police and Judicial Affairs, Ministry of Justice *(attending 24-27 March)*

IRELAND / IRLANDE

Ms Lucinda MacMAHON
Assistant Principal Officer, Criminal Law Reform Division, Department of Justice, Equality and Law Reform

LATVIA / LETTONIE

Mr Rudolfs KALNINS ***– Apologised / Excusé***
Chief Officer of the Secretariat to the Corruption Prevention, Council of Latvia

LITHUANIA / LITUANIE

Mr Jurgis JURGELIS
Advisor to the Director General, State Security Department

Mrs Ramune SEDVYDYTE
Chief Specialist, International Department, Special Investigation Service of Lithuania Division of Legal Affairs, Personnel and Internal Investigations

LUXEMBOURG

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Jean-Paul FRISING
Procureur d'Etat Adjoint, Parquet du Tribunal d'Arrondissement de Luxembourg

MALTA / MALTE

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Deputy Attorney General, Attorney General's Chambers

MOLDOVA

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Procureur, Chef du Département des Relations Internationales, Bureau du Procureur Général

NETHERLANDS / PAYS-BAS

Ms Eline WEEDA
Policy-maker at the Investigation Department, Ministry of Justice

Mr Bernard J. OOSTEROP - *Apologised / Excusé*
Former Police Officer, Senior Adviser of the Secretary General, Ministry of Justice

Mrs drs. Iris van den HAUTEN-HINNEN
Ministry of Justice, Directorate General for Law Enforcement

Mr Arthur van DIJK
Head of Financial and Economic Crime Department, Ministry of Justice, Directorate General for Law Enforcement

Mr Alex BELLING

Mr Paul FRIELINK

NORWAY / NORVEGE

Mr Atle ROALDSØY
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Mr Adam WRZOSEK - ***Apologised / Excusé***
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PORTUGAL

Mrs Luisa Maia GONÇALVES
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ROMANIA / ROUMANIE

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Mr Tudorel STEFAN
Director, Department of European and Euro-Atlantic Integration, Ministry of Justice

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Mr L'ubomir HANUS
Counsellor, Mission of the Slovak Republic to the European Communities

Dr. Tibor BARATH
Head of N.C.B INTERPOL, Prezidium Policajneho zboru

Ms Zuzana STOFOVA

Dr Jaroslav PAL'OV
Deputy Director of Bureau of International Police Cooperation, Head of National Central Bureau of INTERPOL

SLOVENIA / SLOVENIE

Mr Drago KOS **(President of GRECO / Président du GRECO)**
State Undersecretary, Office for the Prevention of Corruption of the Republic of Slovenia

Mr Klaudijo STROLIGO - ***Apologised / Excusé***
Director of the Office for Money Laundering Prevention, Ministry of Finance

Mr Roman PRAH
Assistant Director, Office for the Prevention of Corruption of the Republic of Slovenia

SPAIN / ESPAGNE

Mr Sancho IÑIGUEZ HERNÁNDEZ
Legal Adviser, Legal Affairs with the European Union and International Organisations

Mr Salvador VIADA BARDAJÍ, Public Prosecutor, The Hague

SWEDEN / SUEDE

Mr Kazimir ÅBERG
Head of the Director–General's Office, Economic Crimes Bureau, Division for International Affairs

Mr Håkan ÖBERG
Director, Economic Crimes Bureau, Division for International Affairs

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

Mr Nikola TUPANCEVSKI
Docent Ph.D. at the Law Faculty (Criminal Law), University "St. Cyril and Methodius"

Ms Mimoza KIKOVSKA - ***Apologised / Excusé***
Head of Department for European Integration, Ministry of Justice

UNITED KINGDOM / ROYAUME-UNI

Ms Anna HODGSON
Policy Advisor, Home Office

Mr Paul STEPHENSON - *Apologised / Excusé*
Head of Corruption and Criminal Policy Section, Sentencing and Offences Unit

Dr Alastair BROWN
Assistant Procurator Fiscal, Public Prosecutor's Office, Procurator Fiscal's Office

UNITED STATES OF AMERICA / ETATS-UNIS D'AMERIQUE

Mr Joseph E. GANGLOFF - ***Apologised / Excusé***
Senior Counsel, Office of International Affairs, U.S. Department of Justice

Mr Mark RICHARD
Senior Counsellor for Criminal Justice Matters, US Mission to the European Union *(attending 24-27 March)*

PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE /
ASSEMBLEE PARLEMENTAIRE DU CONSEIL DE L'EUROPE

MR MICHEL HUNAULT - ***APOLOGISED / EXCUSE***
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REPRESENTATIVE OF THE CDCJ / *REPRÉSENTANT DU CDCJ*

Mrs. Cristina LUZESCU
Juge, Cour Suprême de Justice

REPRESENTATIVE OF THE CDPC / REPRÉSENTANT DU CDPC

M. Daniel FONTANAUD - ***Apologised / Excusé***
Président du CDPC, Commission des Communautés Européennes

SCIENTIFIC EXPERT / EXPERT SCIENTIFIQUE

Prof. Dr Albin ESER – ***Apologised / Excusé***
Max Planck-Institute for Foreign and International Penal Law, Abteilung Strafrecht

PRESIDENT OF THE STATUTORY COMMITTEE OF GRECO /
PRÉSIDENT DU COMITÉ STATUTAIRE DU GRECO

Mrs Anna LAMPEROVA
Ambassadeur Extraordinaire et Plénipotentiaire, Représentant Permanent de la République slovaque auprès du Conseil de l'Europe *(attending 26 March)*

Mr Juraj KUBLA
Adjointe au Représentant Permanent de la République slovaque auprès du Conseil de l'Europe *(attending 26 March)*

OBSERVERS / OBSERVATEURS

Gwenaëlle LE COUSTUMER
Administrateur, OCDE, Division de Lutte contre la Corruption, Direction des Affaires Financières, Fiscales et des Entreprises *(attending 24-26 March)*

EXPERTS HAVING PARTICIPATED IN THE EVALUATION VISITS CARRIED OUT IN THE FOLLOWING COUNTRIES: /
EXPERTS EVALUATEURS AYANT PARTICIPE AUX VISITES D'EVALUATION MENÉES DANS LES PAYS SUIVANTS

Czech Republic / République tchèque (1-4 October / octobre 2002)

Evaluation team / Equipe d'évaluation :

Mr Bernard J. OOSTEROP, Former Police Officer, Senior Adviser of the Secretary General, Ministry of Justice (Netherlands / Pays-Bas) Apologised / Excusé

Dr Alastair BROWN, Assistant Procurator Fiscal, Public Prosecutor's Office, Procurator Fiscal's Office (United Kingdom / Royaume-Uni)

Mr Zaal MARGVELASHVILI, Deputy Director of the International Law Dept, Ministry of Foreign Affairs (Georgia / Géorgie)

Hungary / Hongrie (8-12 October / octobre 2001)

Evaluation team / Equipe d'évaluation :

Mr Claus-Peter HOLZ, Bundeskriminaldirektor, Bundeskriminalamt (Germany / Allemagne)

Mr Salvador VIADA BARDAJÍ, Public Prosecutor, The Hague (Spain / Espagne)

Mrs Ramune SEDVYDYTE, Chief Specialist, International Department, Special Investigation Service of Lithuania Division of Legal Affairs, Personnel and Internal Investigations (Lithuania / Lituanie)

Netherlands / Pays-Bas (26-29 August / août 2002)

Evaluation team / Equipe d'évaluation :

Mr Atle ROALDSØY, Senior Adviser, Police Department, Ministry of Justice (Norway/ Norvège)

Mr Wolfgang SCHMID, Senior Prosecutor, Prosecution Office Stuttgart (Germany / Allemagne)

Ms Mimoza KIKOVSKA, Head of Department for European Integration, Ministry of Justice ("The Former Yugoslav Republic of Macedonia" / « L'ex-République yougoslave de Macédoine »)

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

Mr Manuel LEZERTUA, Executive Secretary to GRECO, Directorate General I, Legal Affairs, Council of Europe

M. Carlo CHIAROMONTE, Administrateur, Direction Générale des Affaires Juridiques, Conseil de l'Europe

Mr Björn JANSON, Administrative Officer, Directorate General of Legal Affairs, Council of Europe

M. Christophe SPECKBACHER, Administrateur, Direction Générale des Affaires Juridiques, Conseil de l'Europe

Mr Spyros TSOVILIS, Administrateur, Direction Générale des Affaires Juridiques, Conseil de l'Europe

Ms Fiona MYLES, Assistant, Directorate General of Legal Affairs, Council of Europe

Ms Sonya FOLCA, Assistante, Direction Générale des Affaires Juridiques, Conseil de l'Europe

Ms Penelope PREBENSEN, Assistant (Evaluation rounds), Directorate General of Legal Affairs, Council of Europe

Mlle Laure PINCEMAILLE, Assistante (Cycles d'évaluation) / Direction Générale des Affaires Juridiques, Conseil de l'Europe

Ms Simona GHITA, Webmaster, Direction Générale des Affaires Juridiques, Conseil de l'Europe

INTERPRETERS / *INTERPRETES*

S. BAILEY
I. MARCHINI
M. CARALY

APPENDIX II

AGENDA / *ORDRE DU JOUR*

1. Opening of the meeting at **11h00** / *Ouverture de la réunion à **11h00***

2. Adoption of the draft agenda / *Adoption de l'ordre du jour*

3. Information by the President */ Information par le Président*

4. Information by the Executive Secretary / *Information par le Secrétaire Exécutif*

5. Examination and adoption of amendments to the Rules of Procedure / *Examen et adoption des amendements du Règlement Intérieur*

6. Examination of the compliance reports on **Slovenia** (Monday 24 afternoon) and **Slovak Republic** (Wednesday 26 after examination of the draft evaluation report on the Netherlands) / *Examen des projets de rapport de conformité sur la **Slovénie** (lundi 24 après-midi) et la **République Slovaque** (mercredi 26 après l'examen du projet de rapport d'évaluation sur les Pays-Bas)*

7. **First reading** and examination of the draft evaluation report on the following countries: / ***Première lecture** et examen du projet de rapport d'évaluation sur les pays suivants :*

   - **Hungary / *Hongrie :*** Tuesday 25 March 2003, 10am / *mardi 25 mars 2003, 10h*
   - **Netherlands / *Pays-Bas :*** Wednesday 26 March 2003, 10am / *mercredi 26 mars 2003, 10h*
   - **Czech Republic / *République Tchèque :*** Thursday 27 March 2003, 10am / *jeudi 27 mars 2003, 10h*

   The evaluators and the national delegation concerned are, nevertheless, requested to be available during the following periods: / *Les évaluateurs et la délégation nationale concernés sont, toutefois, invités à être disponibles pendant les périodes suivantes* :

   - **Hungary / *Hongrie :*** Monday all day, Tuesday all day (consideration in plenary) and Wednesday morning / *lundi toute la journée, mardi toute la journée (examen en plénière) et mercredi matin*
   - **Netherlands / *Pays-Bas :*** Tuesday afternoon, Wednesday all day (consideration in plenary) and Thursday morning / *mardi après-midi, mercredi toute la journée (examen en plénière) et jeudi matin*
   - **Czech Republic / *République Tchèque :*** Wednesday afternoon, Thursday all day (consideration in plenary), Friday morning / *mercredi après-midi, jeudi toute la journée (examen en plénière), vendredi matin*

8. **Second reading** and adoption of the draft evaluation reports on **Hungary**, the **Netherlands** and the **Czech Republic** (Friday, 28 March 2003) / ***Deuxième lecture** et adoption des projets de rapport d'évaluation sur la Hongrie, les **Pays-Bas** et la **République Tchèque** (vendredi, 28 mars 2003)*

9. Request for observer status in GRECO made by European Bank for Reconstruction and Development (EBRD) (doc Greco (2003) CS1) / *Demande de statut d'observateur auprès du GRECO faite par la Banque européenne pour la Reconstruction et le Développement (BERD) (doc Greco (2003) CS1)*

10. Request for an opinion from Committee of Ministers on the opportunity of having a legal text on corruption in sport (doc Greco (2003) 4E) / *Demande d'avis du Comité des Ministres sur l'opportunité de prévoir un texte juridique sur la corruption dans le sport (doc Greco (2003) 4F)*

11. Request for an opinion from the Steering Committee for Local and Regional Democracy (CDLR) on a Model Initiatives Package on public ethics at local level (doc Greco (2003) 2E) / *Demande d'avis du Comité directeur sur la démocratie locale et régionale (CDLR) sur le Paquet d'initiatives modèle dans le domaine de l'éthique publique au niveau local (doc Greco (2003) 2F)*

12. GRECO Activity report for 2002 / *Rapport d'activité du GRECO pour 2002*

13. Bugdetary proposal for 2004 / *Proposition budgétaire pour 2004*

14. Miscellaneous / *Divers*

15. Dates of the next meetings / *Dates des prochaines réunions*

APPENDIX III

LETTER FROM THE PRESIDENT
TO Mr. Bernard J. OOSTEROP
ON BEHALF OF GRECO

DIRECTORATE GENERAL I – LEGAL AFFAIRS
DEPARTMENT OF CRIME PROBLEMS Please quote: JC/MLR/BJ/fm

Strasbourg, 28 March 2003

Mr Bernard J OOSTEROP

The Netherlands

Dear Mr OOSTEROP

I was very sorry that you could not attend the 13th Plenary meeting of GRECO on 24-28 March 2003.

During its plenary meeting, GRECO was well aware of your valuable contribution to the work carried out by the GRECO Evaluation team of which you are a member. In particular, your colleagues, Dr Alastair BROWN and Mr Zaal MARGVELASHVILI, as well as the GRECO Secretariat have given proof of how well the team worked together and have praised your own contribution. Let me thank you sincerely for your efforts. I can inform you that the report as drafted by the Evaluation team was largely accepted by the GRECO plenary meeting. Accordingly, this report, which will be sent to you shortly, will provide an important basis for the future fight against corruption in the Czech Republic.

Several colleagues have spoken about your excellent personal and professional qualities and I can only regret that you are suffering from a terrible illness.

On behalf of the member states of GRECO, its Secretariat, the Evaluation team and representatives of the Czech Government, I would like to emphasise that our sincere thoughts are with you in your difficult moment.

Yours sincerely

Drago KOS
President of GRECO