19th Plenary Meeting of GRECO
(Strasbourg, 28 June - 2 July 2004)

SUMMARY MEETING REPORT
I. Opening of the meeting

1. The 19th Plenary Meeting of GRECO was opened and chaired by the President, Mr Drago KOS (Slovenia). The list of participants appears in Appendix I to this report.

2. The President welcomed all the representatives, in particular the newly appointed representatives of Azerbaijan, the Czech Republic, Denmark and France.

II. Adoption of the agenda

3. The meeting agenda was adopted as it appears in Appendix II to this report.

III. Information provided by the President

4. The President reported on his hearing at the 884th meeting of the Ministers’ Deputies of the CoE, on 19 May 2004, when he had presented GRECO’s Fourth General Activity Report for 2003, as well as the work in progress and the Group’s aims and future projects. His presentation is reproduced in document Greco Inf (2004) 6E. At the hearing numerous Deputies had expressed their support for GRECO. Some had suggested that GRECO should enhance its visibility through a more active public relations effort.

5. On 24 May 2004, Mr KOS, Mr RUPCHEV and the Executive Secretary had attended the high-level conference in Pristina on the theme “Kosovo fighting corruption”, marking the launch of Kosovo’s new anti-corruption strategy.

6. On 18 June 2004, the President had met the Ministers of Justice and of the Interior of the Republic of Serbia in Belgrade, to examine in particular questions concerning GRECO’s evaluation procedure (Greco Inf (2004) 7E).

7. The President reported on the 25th meeting of the Bureau, in Strasbourg on 7 and 8 June 2004 (cf. Greco (2004) 9E): the Bureau had accepted the idea of inviting representatives of the CoE’s Spokesperson and Press Division in order to explore the possibilities of increasing GRECO’s visibility. It had prepared a list of guidelines for the drafting of evaluation reports (appended to the Bureau’s meeting report) and invited GRECO members to complete the list of evaluators by designating five members. The member states were also invited to consider the possibilities of designating French-speaking evaluators. A reserve list of French-speaking experts should also be drawn up for use when the need arose.

IV. Information provided by the Executive Secretary

8. The Executive Secretary reported on the following developments since GRECO’s 18th Plenary Meeting (10-13 May 2004):

- the ratification by Sweden (25 June 2004) of the Criminal Law Convention on Corruption (ETS N° 173). The Convention had entered into force in respect of Azerbaijan and Iceland on 1 June 2004, and in respect of Belgium, Norway and Turkey on 1 July 2004. At the date of the meeting, 30 states had ratified the Convention and 16 others had signed it;

- the ratification by Sweden (25 June 2004) of the Civil Law Convention on Corruption (ETS N° 174). The Convention had entered into force in respect of Azerbaijan on 1 June 2004, and in respect Moldova and Malta on 1 July 2004. At the date of the meeting, 21 states had ratified the Convention and 17 others had signed it;
- the Protocol on arbitrators and jurors (ETS No 191): at the date of the meeting,
  4 states had ratified the Protocol, namely Bulgaria, Norway, the United Kingdom
  and Sweden, and 23 others had signed it. Five ratifications were necessary for the
  Protocol to enter into force;

- Azerbaijan had become GRECO’s 38th member on 1 June 2004. The Council of
  Europe member states which had not yet joined GRECO were the following:
  Andorra, Austria, Italy, Lichtenstein, the Russian Federation, San Marino,
  Switzerland and Ukraine. The Secretariat had heard from Austria and Switzerland
  that there was a possibility they might join GRECO by the end of 2005;

- the reinforcement of the GRECO Secretariat through the recruitment of another
  administrative officer (August 2004) and the filling of the post of personal
  assistant to the Executive Secretary as of 1 July 2004. Another additional
  administrative officer would be taking up her duties in October 2004;

- the Portuguese authorities’ proposal to organise a conference in 2005 on the fight
  against corruption; GRECO and its Bureau could contribute to this conference in
  the choice of sub-themes, rapporteurs, etc.

V. Second Round Evaluation procedure

Examination of the draft Evaluation Reports on Finland, Latvia, Iceland and
Estonia

9. GRECO examined the draft (P3) Second Round Evaluation Report on Finland.

10. Members of the Evaluation Team (cf. list of participants, Appendix I) made
    introductory presentations. The representatives of Finland presented their
    authorities’ comments, which were followed by a first reading of the draft report
    (paragraph by paragraph).

11. GRECO adopted the Second Round Evaluation Report on Finland as it appears in

12. GRECO noted with satisfaction that the authorities of Finland authorised
    publication of the report¹.


14. Members of the Evaluation Team made introductory presentations. The
    representatives of Latvia presented their authorities’ comments, which were
    followed by a first reading of the draft report (paragraph by paragraph).

15. GRECO adopted the Second Round Evaluation Report on Latvia as it appears in

16. GRECO noted with satisfaction that the authorities of Latvia authorised publication
    of the report².

17. GRECO examined the draft (P3) Second Round Evaluation Report on Iceland.

¹ The report was published on 6 July 2004.
² The report was published on 5 July 2004.
18. Members of the Evaluation Team made introductory presentations. The representatives of Iceland presented their authorities’ comments, which were followed by a first reading of the draft report (paragraph by paragraph).


20. GRECO invited the Icelandic delegation to authorise publication of the report as soon as possible.

21. GRECO examined the draft Second Round Evaluation Report on Estonia at second reading, as it appears in Greco Eval II Rep (2003) 4E (2\textsuperscript{nd} reading) and adopted it as it appears in Greco Eval II Rep (2003) 4E.

22. GRECO invited the Estonian delegation to authorise publication of the report as soon as possible.

Membership of the Second Round teams responsible for evaluating Croatia, Malta, Romania and “The Former Yugoslav Republic of Macedonia”

23. GRECO approved the membership of the Second Round teams responsible for evaluating Croatia, Malta, Romania and “The Former Yugoslav Republic of Macedonia” (Greco Eval II (2003) 1bil of 28 June 2004).

VI. First Round Compliance procedure

Examination of the draft Compliance Reports on Lithuania, Poland and Romania

24. GRECO examined the draft (P3) First Round Compliance report on Lithuania. It was based on the Situation Report forwarded by the Lithuanian authorities (Greco RS-I (2004) 6E) and additional information provided by the country. Following debate, GRECO adopted the First Round Compliance Report on Lithuania as it appears in Greco RC-I (2004) 6E.

25. GRECO examined the draft (P3) First Round Compliance report on Poland. It was based on the Situation Report forwarded by the Polish authorities (Greco RS-I (2004) 5E) and additional information provided by the country. Following debate, GRECO adopted the First Round Compliance Report on Poland as it appears in Greco RC-I (2004) 5E.

26. GRECO examined the draft (P3) First Round Compliance report on Romania. It was based on the Situation Report forwarded by the Romanian authorities (Greco RS-I (2004) 8F) and additional information provided by the country. Following debate, GRECO adopted the First Round Compliance Report on Romania as it appears in Greco RC-I (2004) 8E.

27. GRECO invited the delegations of Lithuania, Poland and Romania to authorise publication of the reports as soon as possible.

28. At the initiative of the Norwegian delegation, GRECO considered that the extent to which a country could be considered to have dealt with a recommendation in a satisfactory manner when that country had said that the recommendation could

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3 The report was published on 19 August 2004.
4 The report was published on 6 July 2004.
5 Following the authorisation of the Lithuanian, Polish and Romanian authorities, the First Round Compliance reports on Lithuania, Poland and Romania were published respectively on 21 July 2004, 13 September 2004 and 9 July 2004.
not and would not be implemented because it was supposedly irrelevant, needed clarification. GRECO agreed that at its next meeting the Bureau should examine its approach concerning the level of implementation of its recommendations.

VII. **Procedure under Rule 32, paragraph 2 of the Rules of Procedure**

29. Acting on decision 12 of GRECO 16 (Greco (2003) 31E), the delegation of Georgia submitted a report, under the procedure provided for in Rule 32, para. 2(i) of the Rules of Procedure, on its country’s progress with the implementation of the recommendations made in the First Round Evaluation Report on Georgia (Greco Eval I Rep (2001) 5E Final).

30. GRECO took note that the Georgian authorities had submitted the said report on 29 June 2004 and agreed that this was too late for it to be examined at the present meeting.

31. It agreed that there was no need, at this stage, to take action under sub-paragraphs (ii) and ff. of Rule 32, paragraph 2 of the Rules of Procedure, concerning the non-compliance procedure.

32. It decided that the reports to be submitted by Georgia in keeping with decision 12 of GRECO 16 (Greco (2003) 31E) should be sent to the Executive Secretary at least one month before each Plenary, it being understood that additional information could always be presented to GRECO during its plenary meetings if necessary.

33. GRECO appointed Mr Ákos KARA (Hungary) Special Rapporteur responsible for preparing the report on Georgia’s progress with the implementation of GRECO’s First Round recommendations, for examination by the plenary meeting.

VIII. **Observer status with GRECO**

34. GRECO again examined the application for observer status with GRECO which the European Bank for Reconstruction and Development (EBRD) had addressed to the Council of Europe.

35. Following a vote, in keeping with the procedure laid down in Greco (2003) 27E rev4, GRECO decided not to grant the EBRD observer status.

36. GRECO nevertheless stressed that the EBRD and itself shared certain values and aims and that other avenues of co-operation should be explored which did not involve observer status.

IX. **2005 budget**

37. GRECO examined and approved GRECO’s budgetary proposals for 2005 (Greco (2004) 11E). It instructed the Executive Secretary to forward them to the Secretary General for examination by the Budget Committee, before they were sent to the Statutory Committee for adoption.

X. **Adoption of decisions**

38. GRECO adopted the decisions of the 19th Plenary Meeting, as they appear in Greco (2004) 10E.
XI. Dates of forthcoming meetings

39. GRECO’s 20th Plenary Meeting would be held in Strasbourg from 27 to 30 September 2004. GRECO noted that its Bureau would meet on 8 and 9 September 2004 in Strasbourg.
APPENDIX I

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

ALBANIA / ALBANIE

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

Ms Rezarta ABDIU
Director of Anti-Corruption Unit, Council of Ministers

ARMENIA / ARMENIE

Mr Ashot GALOYAN
Adviser to the Minister of Foreign Affairs, Ministry of Foreign Affairs

AZERBAIJAN / AZERBAIDJAN

Mr Inam KARIMOV
Chief Adviser, Department of Coordination of Law Enforcement Bodies, Executive Office of the President of the Republic of Azerbaijan

Mr Kamran ALIYEV
Senior Assistant to the Prosecutor General, General Prosecutor’s Office

BELGIUM / BELGIQUE

Mme Isabelle VAN HEERS
Vice-Présidente du GRECO – Vice-President of GRECO
Magistrat Fédéral, Parquet Fédéral

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Mr Sead TEMIM
Prosecutor, Federal Prosecutor’s Office of the Federation of Bosnia and Herzegovina

BULGARIA / BULGARIE

Mr Georgi RUPCHEV
Head of Department International Legal Cooperation, Ministry of Justice

CROATIA / CROATIE

Mr Dražen JELENIĆ
Deputy Head of USKOK, Office for Prevention of Corruption and Organised Crime

CYPRUS / CHYPRE

Mrs Eva ROSSIDOU PAPAKYRIACOU – Apologised / Excusée
Law office of the Republic of Cyprus, Counsel of the Republic

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Ms Kateřina CIZLOVA
Lawyer, International Department, Section for International Organisations and International Cooperation, Ministry of Justice

Ms Karin BINDEROVA
Lawyer / EU Coordinator, Security Policy Department, Ministry of the Interior
DENMARK / DANEMARK

Mr Flemming DENKER
Deputy Director, The Public Prosecutor for Serious Economic Crime

Ms Eva RØNNE NIelsen
Deputy Public Prosecutor, The Office of the Director of Public Prosecutions

ESTONIA / ESTONIE

Ms Mari-Liis LIIV
Adviser, Corruption Specialist, Department of Crime Policy, Ministry of Justice

Mr Margus KURM, Vice Chancellor of Criminal Policy, Ministry of Justice

Mrs Ülle RAIG
Leading Police Inspector, Estonian Financial Intelligence Unit (FIU), Central Criminal Police

FINLAND / FINLANDE

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

Ms Helinä LEHTINEN
Ministerial Advisor, Ministry of Justice, Crime Policy Department

Mr Juhani KORHONEN, Legal Adviser, Ministry of Justice

FRANCE

M. Franck ZIEN'TARA
Magistrat, Chargé de mission auprès du Directeur des Affaires Juridiques, Ministère des Affaires Etrangères

M. Pierre SOCCOJA
Secrétaire Général du Service Central de Prévention de la Corruption, Service Interministériel placé auprès du Ministère de la Justice

GEORGIA / GEORGIE

Mr Levan KHETSURIANI
Chief Adviser, Anti-corruption Policy Coordinating Department, National Security Council

GERMANY / ALLEMAGNE

Mme Angelika LAITENBERGER
Procureur, Ministère de la Justice

GREECE / GRECE

Mr Petros KAKALIS
Judge, Vice-President of the Court of Cassation, Ministry of Justice

Mr Platon TSOULOUFAS
Lawyer, Ministry of Justice

HUNGARY / HONGRIE

Mr Ákos KARA
Head of Division, Ministry of Justice

Mr Sandor DUSIK
Principal Counsellor, Ministry of Interior
ICELAND / ISLANDE
Ms Ragna ARNADOTTIR
Director of Legal Affairs, Ministry of Justice
Mr Þorsteinn JONSSON, Secretary General, Supreme Court of Iceland
Mr Þórhallur VILHJÁLMSSON, Legal Expert, Head of Division, Ministry of Finance

IRELAND / IRLANDE
Ms Antoinette DORAN
Criminal Law Reform, Department of Justice, Equality and Law Reform
Mr Henry MATTHEWS
Professional Officer, Office of the Director of Public Prosecutions
Ms Nicola MURPHY – Apologised / Excusée
Administrative Officer, Department of Justice, Equality and Law Reform, Criminal Law Reform Division
Mr Tony McDermottroe – Apologised / Excusée
Principal Officer, Criminal Law Reform Division

LATVIA / LETTONIE
Mrs Inese TERINKA
Senior Specialist, Legal Division, Corruption Prevention and Combating Bureau

LITHUANIA / LITUANIE
Ms Aušra BERNOTIENE
Deputy Director, Department of International Law and European Integration, Ministry of Justice

LUXEMBOURG
M. Jean BOUR
Procureur d’Etat, Parquet du Tribunal d’Arrondissement de Diekirch

MALTA / MALTE
Apologised / Excusée

MOLDOVA
Mme Cornelia VICLEANSCHI
Procureur, Chef du Service des Relations Internationales, Bureau du Procureur Général

NETHERLANDS / PAYS-BAS
Ms Eline WEEDA
Policy maker, Investigation Dept, Ministry of Justice

NORWAY / NORVEGE
Mr Atle ROALDSØY
Senior Adviser, Police Department, Ministry of Justice
Mr Bjørn VALVIK
Chief of Police, Flora politistasjon
POLAND / POLOGNE
Mr Cezary MICHALCZUK
Prosecutor, Department of International Cooperation and European Law, Ministry of Justice

Mme Iwona JANOWSKA-MARCINIAK
Senior Specialist, Ministry of Finance, Bureau of Fiscal Documentation

PORTUGAL
Ms Luisa Maia GONÇALVES
Director of Department, International Relations, Ministry of Justice

ROMANIA / ROUMANIE
Mme Nicoleta ILIESCU
Conseillère du Ministre de la Justice, Direction des Etudes et Elaboration des Actes normatifs et Documentation, Ministère de la Justice

SERBIA AND MONTENEGRO / SERBIE-MONTENEGRO
Mr Veselin SUKOVIC
Director of the Anti-Corruption Initiative Agency

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE
Dr Jaroslav PAL’OV
Director of Bureau of International Police Co-operation, Presidium of Police Forces, 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

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

SPAIN / ESPAGNE
Mr Javier ALBALADEJO CAMPOS, Legal Adviser, International Relations Department, Ministry of Interior

SWEDEN / SUEDE
Mr Kazimir ÅBERG
Director of International Affairs, Head of Director, General’s Office, Economic Crimes Bureau

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

Mr Nikola TUPANCEVSKI – Apologised / excusé
Assistant at the Law Faculty (Criminal Law), University "St. Cyril and Methodius"

Mme Snezana MOJSOVA
Chef de Division de l’Intégration Européenne et de la Coopération Internationale, Ministère de la Justice

Mrs Mimoza KIKOVSKA
Deputy Head of Department for European Integration, Ministry of Justice
**TURKEY / TURQUIE**

M. Ergin ERGÜL  
Chef de Département, Direction Générale du Droit International et des Relations Extérieures, Ministère de la Justice

**UNITED KINGDOM / ROYAUME-UNI**

Ms Anna HODGSON  
Policy Advisor, Home Office

**UNITED STATES OF AMERICA / ETATS-UNIS D'AMÉRIQUE**

Mr Joseph E. GANGLOFF  
Senior Counsel, Office of International Affairs, U.S. Department of Justice

**SCIENTIFIC EXPERT / EXPERT SCIENTIFIQUE**

Prof. Dr Albin ESER  
Max Planck-Institute for Foreign and International Penal Law, Abteilung Strafrecht

**EXPERT-EVALUATORS RESPONSIBLE FOR THE EVALUATION OF THE FOLLOWING COUNTRIES / EXPERTS-EVALUATEURS RESPONSABLES DE L'ÉVALUATION DES PAYS SUIVANTS**

**Second Round Evaluation of Finland / Evaluation du Deuxième Cycle de la Finlande**

Mr Klaudijo STROLIGO (Slovenia / Slovénie)  
Director of the Office for Money Laundering Prevention, Ministry of Finance

Mr Lennart KLAACKENBERG (Sweden / Suède)  
Advisor to the Swedish Government on anti-corruption issues, Ministry of Justice

**Second Round Evaluation of Latvia / Evaluation du Deuxième Cycle de la Lettonie**

Ms Eline WEEDA (Netherlands / Pays-Bas)  
Policy maker at the Investigation Department; Ministry of Justice

Mr Kestutis ZABORSKAS (Lithuania / Lituanie) – Apologised / Excusé  
Head of Analytical Organisational Division, Special Investigations Service

Mrs Maria PAPAIOANNOU (Cyprus / Chypre) – Apologised / Excusé  
Unit for Combating Money Laundering, Counsel of the Republic, Law office of the Republic of Cyprus

**Second Round Evaluation of Iceland / Evaluation du Deuxième Cycle de l'Islande**

Mr Flemming DENKER (Denmark / Danemark)  
Deputy Director, The Public Prosecutor for Serious Economic Crime

Mr Joseph E. GANGLOFF (United States of America / Etats-Unis d'Amérique)  
Senior Counsel, Office of International Affairs, U.S. Department of Justice

Mr Antonio VERCHER NOGUERA (Spain / Espagne)  
Public Prosecutor, Public Prosecutor’s Office in the Supreme Court, Fiscalía del Tribunal Supremo
PRESIDENT OF THE STATUTORY COMMITTEE OF GRECO / PRÉSIDENT DU COMITÉ STATUTAIRE DU GRECO

Mme Anna LAMPEROVA
Ambassadeur Extraordinaire et Plénipotentiaire, Représentation Permanente de la Slovaquie auprès du Conseil de l'Europe, Représentante Permanente de la Slovaquie auprès du Conseil de l'Europe

PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE / ASSEMBLÉE PARLEMENTAIRE DU CONSEIL DE L'EUROPE
To be nominated / A désigner

REPRESENTATIVE OF THE CDCJ / REPRÉSENTANT DU CDCJ

Mr Petar RASHKOV
Director, International Legal Co-operation and International Legal Assistance, Ministry of Justice

REPRESENTATIVE OF THE CDPC / REPRÉSENTANT DU CDPC

OBSERVER OECD / OBSERVATEUR OCDE

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

Mr Wolfgang RAU, Executive Secretary of GRECO, Directorate General I – Legal Affairs, Council of Europe

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

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

M. Spyros TSOVILIS, Administrateur, Direction Générale I - Affaires Juridiques, Conseil de l'Europe

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

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

Mme Laure HEIM, Assistante (Cycles d’évaluation), Direction Générale I - Affaires Juridiques, Conseil de l’Europe

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

Ms Jennifer RICE, Assistant, Directorate General I – Legal Affairs, Council of Europe

INTERPRETERS / INTERPRETES

Mme Sally BAILEY

Mme Isabelle MARCHINI

Mme Martine CARALY
APPENDIX II

AGENDA / ORDRE DU JOUR

1. Opening of the meeting at 09h30 / Ouverture de la réunion à 09h30
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. Communication by Bureau 25 / Communication du Bureau 25
6. First reading and examination of the draft Second Round Evaluation Reports on: / Première lecture et examen des projets de Rapport d’Évaluation du Deuxième Cycle sur :
   - Finland / Finlande : Monday (consideration in plenary) / lundi (examen en plénière)
   - Latvia / Lettonie : Tuesday (consideration in plenary) / mardi (examen en plénière)
   - Iceland / Islande : Wednesday (consideration in plenary) / mercredi (examen en plénière)

   The evaluators and the national delegations concerned are, nevertheless, requested to be available during the following periods: / Les évaluateurs et les délégations nationales concernés sont, toutefois, invités à être disponibles pendant les périodes suivantes :
   - Finland / Finlande : Monday all day (consideration in plenary) and Tuesday morning / lundi toute la journée (examen en plénière) et mardi matin
   - Latvia / Lettonie : Tuesday all day (consideration in plenary) and Wednesday morning / mardi toute la journée (examen en plénière) et mercredi matin
   - Iceland / Islande : Wednesday all day (consideration in plenary) and Thursday morning / mercredi toute la journée (examen en plénière) et jeudi matin

7. Examination and adoption of the draft First Round Compliance Reports on: Lithuania, Poland and Romania (Thursday) / Examen et adoption des projets de Rapport de Conformité du Premier Cycle sur la Lituanie, la Pologne et la Roumanie (jeudi)
9. Second reading and adoption of the draft Second Round Evaluation Reports on Finland, Latvia and Iceland (Friday) / Deuxième lecture et adoption des projets de Rapport d’Evaluation du Deuxième Cycle sur la Finlande, la Lettonie et l’Islande (vendredi)
10. First Round Compliance procedure – Georgia / Procédure de Conformité du Premier Cycle – Géorgie
11. Composition of Second Round Evaluation Teams in charge of the evaluation of Croatia, Malta, Romania and “the former Yugoslav Republic of Macedonia” / Composition des Équipes d'Évaluation du Deuxième Cycle chargées de l'évaluation de la Croatie, Malte, la Roumanie et “l'ex-République yougoslave de Macédoine”

12. Request by the European Bank for Reconstruction and Development (EBRD) for observer status with GRECO / Demande de la Banque Européenne pour la Reconstruction et le Développement (BERD) pour le statut d'observateur auprès du GRECO

13. Budget 2005 / Budget 2005

14. Miscellaneous / Divers

15. Adoption of decisions / Adoption des décisions

16. Dates of next meetings / Dates des prochaines réunions