27th Plenary Meeting of GRECO
(Strasbourg, 6-10 March 2006)

SUMMARY REPORT
I. Opening of the meeting

1. The 27th Plenary Meeting of GRECO was chaired by the President, Drago KOS (Slovenia) and by the Vice-President, Isabelle VAN HEERS (Belgium) for Item 5 on the agenda. The list of participants appears in Appendix I to this report.

2. The President opened the meeting by greeting the recently nominated representatives of Ukraine which had joined GRECO as its 40th member on 1 January 2006. The Head of the Delegation of Ukraine expressed his authorities’ commitment to participating fully in GRECO’s procedures. Prior to its accession to the group, Ukraine followed its work with interest and found inspiration in GRECO’s jurisprudence when carrying out legislative reforms. Notably, a Concept on Combating Corruption had entered into force and a Code of Integrity governing functions of state had been developed.

3. The President also welcomed all other representatives, referring in particular to those who had been newly nominated and to the participation of Mr Jaume BARTUMEU CASSANY (Parliamentary Assembly of the Council of Europe).

4. He regretted that Mr Kazimir ÅBERG (Head of Delegation, Sweden) would no longer serve on GRECO because of his taking up a new position. His contribution to GRECO’s work as Head of Delegation, member of the Bureau and evaluator had been highly valued.

II. Adoption of the agenda

5. The draft agenda was adopted as it appears in Appendix II to this report.

III. Information provided by the President

6. The President reported, in particular, on the results of Bureau 33 (cf. Greco (2006) 6E).

7. At its next meeting, the Bureau would discuss a possible method/mechanism which would allow GRECO to consider – and act on – the proliferation of international anti-corruption standards, training curricula and recommended “best practices” emanating from other international (monitoring) bodies and independent experts. In this context, the setting up of a working party would be considered.

8. Following a request from the authorities of Serbia and Montenegro, the examination of the draft Joint First and Second Round Evaluation Report on this country had been postponed to GRECO 29.

9. The Bureau would, at one of its forthcoming meetings, discuss the agenda and format of the planned start-up workshop for the Third Evaluation Round.

10. The Bureau had designated himself and the Vice-President as chairpersons of WP-PF and WP-ETS 173 respectively.

11. The President reminded the Plenary that GRECO had previously decided that any State joining GRECO after the close of the First Evaluation Round would be subject to a joint evaluation of both the First and Second Evaluation Rounds. Bureau 34 would be examining how to deal with countries that join GRECO after the end of the Second Evaluation Round (i.e. 31 December 2006).

12. The Bureau would, when necessary, provide feedback to Heads of Delegation on the contribution of individual evaluators with a view to ensuring optimum quality of
evaluations. Ways of appraising the level of cooperation enjoyed by GRECO evaluation teams during on-site visits could also be explored.

13. The President informed the Plenary that it appeared that the European network against corruption proposed by the Austrian EU Presidency would take the form of a network of police organisations and that its aim would be educational.

14. As already announced in his letter to all Representatives in GRECO of 9 February 2006, as the present plenary would, exceptionally, process four evaluation reports (including the first two Joint First and Second Round Evaluation Reports, which were considerably longer than Second Round Evaluation Reports), the President would invite comments on the descriptive parts of each report without reading these parts out; the analytical parts of the reports would be read in the usual manner (paragraph by paragraph).

IV. **Information provided by the Executive Secretary**

15. The Executive Secretary reported on the following developments since GRECO’s 26th Plenary Meeting (December 2005):

- Austria’s schedule for the ratification of the Civil Law Convention on Corruption (ETS 174) would probably be completed by the summer;

- the entry into force of the Criminal Law Convention on Corruption (ETS 173) and its additional protocol (ETS 191) with respect to Switzerland, and therefore accession to GRECO, was expected by the middle of 2006;

- a meeting in 24 January 2006 with Mr E. Jackson Ramíres, President of the Mexican Senate; the process of ratifying the Criminal Law Convention on Corruption (ETS 173) was expected to be completed in March 2006;

- Armenia had ratified the Additional Protocol to the Criminal Law Convention on Corruption (ETS 191);

- his participation in the Vienna Meeting on UNCAC Monitoring (24 January). The meeting gathered the so-called “Friends of the Convention” group, composed of 18 countries, including Austria, France, the Netherlands, Norway, Poland, the Russian Federation, United Kingdom and the United States of America. The meeting was a follow-up to the Transparency International (TI)-led and UN-sponsored Study Group on monitoring of the United Nations Convention against Corruption (UNCAC) which had drawn up a draft report for consideration by the Conference of State Parties to the UNCAC to be held in December 2006. The aim of the meeting was to mobilise support for a proper follow-up to the UNCAC among the countries in the group. The format and level of such a follow-up remained unclear and some concern about duplication of work with existing anti-corruption monitoring bodies/mechanisms was expressed. A revised draft report would be drawn up and submitted by TI and UNODC to a wider circle of countries at a meeting to be held in Lisbon (22-24 March 2006);

- during the third week of February, the Russian Duma had ratified the United Nations Convention against Corruption. This development was in part due to Council of Europe efforts to promote the ratification of both the UN and Council of Europe anti-corruption conventions. Ratification of the Criminal Law Convention on Corruption (ETS 173) was expected to follow;

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¹ On 24 March 2006, the Executive Secretary received formal confirmation that Switzerland’s accession to GRECO would be effective on 1 July 2006.
- a report issued by the Social, Health and Family Affairs Committee of the Parliamentary Assembly of the Council of Europe (copies available) on Poverty and the fight against corruption in the Council of Europe member States (Doc. 10834) which made extensive reference to GRECO. The draft resolution included in the report took note of GRECO’s comments on the Parliamentary Assembly Recommendation 1646 (2004) “Improving the prospects of developing countries; a moral imperative for the world”. The report drew on GRECO evaluation reports when describing the situation in several Council of Europe member States and called for parliaments to prepare legislation on the funding of political parties;

- a paper issued by the FATF/Asia Pacific Group (APG) Project Group on links between anti-corruption and AML/CFT issues (copies available) containing three main proposals, i.e. that the anti-money laundering assessment methodology should be supplemented to include information on anti-corruption measures, that a general survey of ethical standards in FATF and APG member jurisdictions be carried out and that a research paper on the links between corruption and money laundering be produced. The Project Group recommends extending its membership to representatives from a number of international bodies, including GRECO.

V. Joint First and Second Round Evaluation procedure

Draft Joint First and Second Round Evaluation Reports on Armenia and Turkey

16. GRECO examined the draft (P3) Joint First and Second Round Evaluation Report on Armenia.

17. Members of the Evaluation Team (cf. list of participants) made introductory presentations. Representatives of the country presented their authorities’ comments, which were followed by a first reading of the draft report in the manner described in paragraph 14 above.


19. GRECO noted with satisfaction that the authorities of Armenia authorise the publication of this report.

20. GRECO examined the draft (P3) Joint First and Second Round Evaluation Report on Turkey.

21. Members of the Evaluation Team (cf. list of participants) made introductory presentations. Representatives of the country presented their authorities’ comments, which were followed by a first reading of the draft report in the manner described in paragraph 14 above.


23. GRECO invited the authorities of Turkey to authorise, as soon as possible, the publication of this report.
Composition of Evaluation Team – Andorra


VI. Second Round Evaluation procedure

Draft Second Round Evaluation Reports on Cyprus and Hungary

25. GRECO examined the draft (P3) Second Round Evaluation Report on Cyprus.

26. Members of the Evaluation Team (cf. list of participants) made introductory presentations. Representatives of the country presented their authorities’ comments, which were followed by a first reading of the draft report in the manner described in paragraph 14 above.


28. GRECO invited the authorities of Cyprus to authorise, as soon as possible, the publication of this report.

29. GRECO examined the draft (P3) Second Round Evaluation Report on Hungary.

30. Members of the Evaluation Team made introductory presentations. Representatives of the country presented their authorities’ comments, which were followed by a first reading of the draft report in the manner described in paragraph 14 above.


32. GRECO invited the authorities of Hungary to authorise, as soon as possible, the publication of this report.

VII. First Round Compliance procedure

Draft Second Addendum to the First Round Compliance Report on Slovenia

33. GRECO examined the draft Second Addendum to the First Round Compliance Report on Slovenia with the Vice-President, Isabelle VAN HEERS (Belgium), in the Chair. It was based on information (Greco Eval I (2006) 3 English only) provided by the authorities of the country regarding the dismantling of the Slovenian Commission for the Prevention of Corruption, as required by the conclusions of the Addendum to the First Round Compliance Report on Slovenia, adopted by GRECO at its 26th Plenary Meeting (December 2005).

34. GRECO adopted the Second Addendum (Greco RC-I (2003) 1E Addendum II Revised 2) and thus terminated the First Round compliance procedure in respect of Slovenia, while indicating that it would appreciate to be kept informed about the concrete steps taken to ensure co-ordination of anti-corruption policy in Slovenia in the future, i.e. after the existing Commission for the Prevention of Corruption has been effectively dismantled.

35. GRECO invited the authorities of Slovenia to authorise, as soon as possible, the publication of this Second Addendum.
VIII. Procedure under Rule 32, paragraph 2 of the Rules of Procedure

36. At its 25th Plenary Meeting (October 2005), GRECO had adopted an Overall Assessment of Information provided by the Delegation of Georgia, pursuant to Rule 32, paragraph 2, al. (i) of its Rules of Procedure (Greco Eval I (2005) 4E Rev). The conclusions of the overall assessment and related decisions required the submission of additional information to the Executive Secretary.

37. At the present meeting, GRECO examined additional information submitted by the Georgian authorities on 17 February 2006 (Greco Eval I (2006) 1 English only) as well as an opinion prepared by its Special Rapporteur for the First Evaluation Round Compliance Procedure on Georgia, Mr Ákos KARA (Hungary) (Greco Eval I (2006) 2E).

38. The progress achieved and the political will for further progress reported by Georgia was acknowledged by the President and clarification was provided aimed at defining what was still expected from the Georgian authorities. GRECO expressed disappointment, in particular, about the fact that the detailed Draft Action Plan with clear deadlines and agencies responsible for the implementation of the National Anti-Corruption Strategy had not yet been formally adopted.

39. Georgia was asked to submit additional information regarding the implementation of First Round recommendations i, iv, xv, xxiii and xxiv to the Executive Secretary by 31 March 2006. In conformity with Rule 32, paragraph 2, al. (ii) of GRECO’s Rules of Procedure, the President would send a letter, with a copy to the President of the Statutory Committee, to the Head of Delegation, drawing attention to the non-compliance with the relevant recommendations – second stage of the non-compliance procedure in respect of Georgia.

IX. Sixth General Activity Report (2005)

40. GRECO examined its draft Sixth General Activity Report (2005) which had been approved by Bureau 33. For the second year running, the report included a substantive issue: “The fight against corruption in public administration – emerging themes from GRECO Round II Evaluations”.

41. On the understanding that the draft would be amended to reflect the Plenary’s comments, the Report was adopted (Greco (2006) 1E Final) and the Secretariat was instructed to forward it to the Statutory Committee and to the Committee of Ministers of the Council of Europe, in accordance with Article 8, paragraph 1, iii of the Statute.

X. Adoption of decisions

42. GRECO adopted the decisions of the 27th Plenary Meeting, as they appear in document Greco (2006) 4E.

XI. Dates of forthcoming meetings

43. GRECO’s 28th Plenary Meeting would be held in Strasbourg on 9-12 May 2006 (4 days). GRECO noted that its Bureau would next meet in Strasbourg on 13 April 2006 and that working parties WP-ETS 173 and WP-PF would hold their first meetings in Strasbourg on 21-22 March 2006.
APPENDIX I

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

ALBANIA / ALBANIE - Apologised / Excusée

ANDORRA/ANDORRE

Mme Maribel LAFOZ (Chef de délégation) – Apologised / Excusée
Commissaire de Police, Chef de la Division de la Police Criminelle

ARMENIA / ARMENIE

M. Christian TER STEPANIAN
Représentant Permanent de l'Arménie auprès du Conseil de l'Europe

M. Lévon AMIRDJANIAN
Représentant Permanent Adjoint de l'Arménie auprès du Conseil de l'Europe

Mr Artur OSIKYAN (Head of delegation)
Deputy Head of the State Tax Service

Mr Ara NAZARYAN
Member of Civil Service Council

Mr Tigran BARZEGYAN
Head of the Legal Department of the Government of the Republic of Armenia

Mr Nerses YERITSYAN
Advisor to the Chairman of the Central Bank of Armenia

Mr Bagrat YESAYAN
Advisor to the President of the Republic of Armenia

AZERBAIJAN / AZERBAIDJAN

Mr Kamran ALIYEV
Head of Department, General Prosecutor’s Office

BELGIUM / BELGIQUE

Mme Isabelle VAN HEERS (Chef de délégation)
Vice-Présidente du GRECO – Vice-President of GRECO
Substitut du Procureur du Roi, 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 delegation)
Head of Department International Legal Cooperation, Ministry of Justice

Mr Dimitar KUMURDJIEV
Legal Adviser to the Bulgarian Parliament
CROATIA / CROATIE
Mr Marin MRČELA (Head of delegation)
Judge at the County Court in Zagreb

CYPRUS / CHYPRE
Mrs Eva ROSSIDOU PAPAKYRIACOU (Head of delegation)
Senior Counsel of the Republic, Head of the Unit for Combating Money Laundering

Mrs Clea ZAMBARLOUKOU
Chief Public Administration and Personnel Officer, Public Administration and Personnel Department, Ministry of Finance

CZECH REPUBLIC / REPUBLIQUE TCHEQUE
Mr Jan VIDRNA
Director, Department of the General Inspection, Ministry of Justice

DENMARK / DANEMARK
Mr Flemming DENKER
Deputy Director, Public Prosecutor for Serious Economic Crime

ESTONIA / ESTONIE
Ms Mari-Liis LIIIV (Head of delegation)
Adviser, Corruption Specialist, Department of Crime Policy, Ministry of Justice

FINLAND / FINLANDE
Mr Kaarle J. LEHMUS (Head of delegation)
Inspector General of the Police, Ministry of the Interior

FRANCE
Mme Claire MORICE (Chef de délégation)
Chargée de Mission, Direction des Affaires juridiques, Ministère des Affaires étrangères

GEORGIA / GEORGIE
M. Zurab TCHIABERASHVILI
Permanent Representative of Georgia to the Council of Europe

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

GERMANY / ALLEMAGNE
Mr Malte MERZ
State Prosecutor, Ministry of Justice

Mrs Birgit LAITENBERGER
Head of Division, Ministerial Counsellor, Ministry of the Interior

GRECE / GRECE
Ms Maria GAVOUNELI (Head of delegation)—Apologised / Excusée
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HUNGARY / HONGRIE

Mr Ákos KARA (Head of delegation)
Head of Division, Ministry of Justice

Mr Tibor SEPSI
Legal Advisor, Ministry of Justice, Department of Public Law

ICELAND / ISLANDE

Mr Helgi Magnúss GUNNARSSON
Director of Public Prosecution

IRELAND / IRLANDE

Mr Liam FITZGERALD (Head of delegation)
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Mr Barry O’CONNOR
Principal Officer, Criminal Law Reform Division, Dept of Justice, Equality and Law Reform

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LUXEMBOURG

M. Jean BOUR (Chef de délégation)
Procureur d’Etat, Parquet du Tribunal d’Arrondissement de Diekirch

MALTA / MALTE

Ms Michelle BUONTEMPO
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MOLDOVA

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Mr Mladen SPASIC
Head of the Department for Combating Organised Crime, Ministry of the Interior

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Ms Alexandra KAPIŠOVSKÁ
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SLOVENIA / SLOVENIE
Mr Drago KOS (Head of delegation)
President of GRECO / Président du GRECO
Chairman, Commission for the Prevention of Corruption

Mr Roman PRAH
Senior Adviser, Commission for the Prevention of Corruption

SPAIN / ESPAGNE
Mrs Rosalía SERRANO
Legal Adviser, Ministry of Justice

SWEDEN / SUEDE
Mr Kazimir ÅBERG (Head of delegation)
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Mr Håkan ÖBERG
Director, Division of International Affairs, Economic Crimes Bureau
"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA" / "L'EX-RÉPUBLIQUE YUGOSLAVE DE MACÉDOINE"

Mr Nikola TUPANCESKI (Head of delegation)
Professor of Criminal Law, Faculty of Law Justinianus “Primus”

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M Ergin ERGÜL (Chef de délégation)
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Mr Ömer ATALAR
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Mr Richard JARVIS
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Deputy Chief of Staff, Senior Counsel to the Assistant Attorney General, Criminal Division, Department of Justice

GRECO EVALUATION TEAMS / EQUIPES D’ÉVALUATION DU GRECO

Joint First and Second Round Evaluation of Armenia /
Evaluation conjointe des Premier et Deuxième Cycles de l’Arménie

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Second Round Evaluation of Cyprus /
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Mr Richard JARVIS (United Kingdom / Royaume-Uni)
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Second Round Evaluation of Hungary /
Evaluation du Deuxième Cycle de la Hongrie

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Mrs Birgit LAITENBERGER (Germany / Allemagne)
Head of Division, Ministerial Counsellor, Ministry of the Interior

Mr Luis Miguel PINTO DE SOUSA E SILVA (Portugal)
Inspecteur en Chef des Finances, Inspection Générale des Finances (IGF), Contrôle des Recettes fiscales

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

Mme Anna LAMPEROVA – Apologised / Excusée
Ambassadeur Extraordinaire et Pléni potentiare, Représentation Permanente de la Slovaquie auprès du Conseil de l’Europe

PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE / ASSEMBLÉE PARLAMENTAIRE DU CONSEIL DE L’EUROPE

M. Jaume BARTUMEU CASSANY
Membre de la Commission des questions juridiques et des droits de l’homme de l’Assemblée Parlementaire ; Membre du Conseil Général, Andorre

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

Ms Olga SAVRAN
Administrator, Anti-corruption Division, OECD

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

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

M. Carlo CHIAROMONTE, Administrative Officer, Directorate General I – Legal Affairs

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

M. Spyros TSOVILIS, Administrative Officer, Directorate General I – Legal Affairs

Ms Laura SANZ-LEVIA, Administrative Officer, Directorate General I – Legal Affairs

Ms Tania VAN DIJK, Administrative Officer, Directorate General I – Legal Affairs

Ms Elspeth REILLY, Assistant, Directorate General I – Legal Affairs

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

Mme Marie-Rose PREVOST, Assistante, (Evaluation rounds), Directorate General I – Legal Affairs

Mme Jeanne LITSCHGI, Assistante, (Evaluation rounds), Directorate General I – Legal Affairs
Ms Simona GHITA, Webmaster, Direction Générale I - Affaires Juridiques

**INTERPRETERS / INTERPRETES**

Mme Sally BAILEY

Mme Julia TANNER

Mme Chloé CHENETIER
APPENDIX II

AGENDA / ORDRE DU JOUR

1. Opening of the meeting at 09h30 / Ouverture de la réunion à 09h30

2. Adoption of the agenda / Adoption de l’ordre du jour

3. Information by the President and the Executive Secretary (including on Bureau 33) / Information par le Président et le Secrétaire Exécutif (y compris sur Bureau 33)

4. First reading / Première lecture :

draft Second Round Evaluation Reports on / projets de Rapport d’Evaluation du Deuxième Cycle sur :
- Cyprus / Chypre : Tuesday / mardi
- Hungary / Hongrie : Thursday / jeudi

draft Joint First and Second Round Evaluation Reports on / projets de Rapport d’Evaluation des Premier et Deuxième Cycles conjoints sur :
- Armenia / Arménie : Monday / lundi
- Turkey / Turquie : Wednesday / mercredi

Evaluators and national delegations concerned are requested to be available during the following periods: / Les évaluateurs et délégations nationales concernés sont invités à être disponibles pendant les périodes suivantes :

- Armenia / Arménie : All day Monday and Tuesday morning/ Lundi toute la journée et mardi matin
- Cyprus / Chypre : All day Tuesday and Wednesday morning / Mardi toute la journée et mercredi matin
- Turkey / Turquie : All day Wednesday and Thursday morning / Mercredi toute la journée et jeudi matin
- Hungary / Hongrie : All day Thursday and Friday morning / Jeudi toute la journée et vendredi matin

5. Examination of the additional information requested in the Conclusion of the Addendum to the First Round Compliance Report on Slovenia (Greco RC-I (2003) 1E Addendum) / Examen des informations complémentaires demandées dans la Conclusion de l’Addendum au Rapport de Conformité du Premier Cycle sur la Slovénie (Greco RC-I (2003) 1F Addendum)

6. Follow-up to the Conclusions of GRECO’s Overall Assessment of Georgia’s compliance with First Round Recommendations (Greco Eval I (2005) 4E Revised), in accordance with Decisions 9 and 10 of GRECO 25 / Suites aux Conclusions de l’Evaluation Globale par le GRECO du niveau de conformité de la Géorgie aux recommandations du premier cycle (Greco Eval I (2005) 4F Révisé), conformément aux Décisions 9 et 10 du GRECO 25

7. Second reading and adoption of the draft Evaluation Reports on Armenia, Cyprus, Hungary and Turkey (Friday) / Deuxième lecture et adoption des projets de Rapport d’Évaluation sur l’Arménie, Chypre, la Hongrie et la Turquie (vendredi)


10. Miscellaneous / Divers

11. Adoption of decisions / Adoption des décisions

12. Dates of next meetings / Dates des prochaines réunions