



Strasbourg, 21 December 2006

**Greco (2006) 27E**

**31<sup>st</sup> Plenary Meeting of GRECO**  
(Strasbourg, 4-8 December 2006)

**SUMMARY REPORT**

## **I. Opening of the meeting**

1. The 31<sup>st</sup> Plenary Meeting of GRECO was chaired by Drago KOS (President, Slovenia) and by Isabelle VAN HEERS (Vice-President, Belgium) during the first reading of the draft Second Round Evaluation Report on Bosnia and Herzegovina. The list of participants appears in Appendix I to this report.
2. The President opened the meeting. He welcomed in particular Austria, participating for the first time since it became GRECO's 43<sup>rd</sup> member on 1 December 2006, as well as all newly nominated representatives.
3. Mr Wendelin ETTMAYER, Permanent Representative of Austria to the Council of Europe expressed his satisfaction that Austria had joined GRECO and his appreciation of the concrete results achieved by the group. His country would participate fully in GRECO's work.

## **II. Adoption of the agenda**

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

## **III. Information by the President**

5. The President informed the plenary that the United Nations Office on Drugs and Crime (UNODC), which had been granted observer status with GRECO in October, was unfortunately unable to attend, as the Secretariat was preparing the First Conference of States Parties to the United Nations Convention against Corruption (Amman, 10-14 December 2006).
6. He drew attention to the results of Bureau 37 (cf. Greco (2006) 26E), mentioning two points of particular importance :
  - the level of compliance with second round recommendations could, in some cases, cause concern. This issue would be examined closer by the Bureau on the basis of an analysis to be prepared by the Secretariat. In the meantime, the Bureau agreed on a number of steps to be included in the working methods of the plenary in order to strengthen the compliance procedure. From 2007, every six months, a *tour de table* would be held to discuss possible problems met by members when implementing recommendations. The role of rapporteurs would be enhanced. Compliance report conclusions would include a short assessment of the overall compliance with recommendations and Heads of Delegations would be asked to provide more information on reasons for non-compliance with recommendations;
  - better use would be made of the considerable expertise and experience of GRECO representatives. Starting in 2007, regular *tours de table* would be held with a view to using GRECO as a forum for the exchange of information (including promising practices in anti-corruption policies, emerging trends, etc). Its two observers (OECD and UNODC) would be further involved in this process. The plenary would also be asked to examine the possibility of proposing the elaboration of additional anti-corruption instruments. Feed-back would be provided to GRECO after the carrying out of the first third round evaluation visits in order to ensure that consistency is achieved throughout the Third Evaluation Round.
7. The President had participated in the start-up conference of the Project against Corruption in Ukraine (UPAC) of the Council of Europe and the European Commission (Kiev, 25 September), a UN meeting (St. Petersburg) and a meeting of the RUCOLA 2 Project (Russian Federation – Development of legislative and other

measures for the prevention of corruption) of the Council of Europe and the European Commission (Moscow, 17-18 October) aimed, *inter alia*, at preparing an anti-corruption strategy.

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

8. The Executive Secretary reported on the following developments since GRECO's 30th Plenary Meeting (October 2006):

- the Russian Federation would join GRECO as its 44<sup>th</sup> member on 1 February 2007, date of entry into force of the Criminal Law Convention on Corruption (ETS 173) in its respect. The only Council of Europe member States not yet members of GRECO were Italy, Liechtenstein, Monaco and San Marino;

- GRECO's Budget for 2007 had been adopted by the Statutory Committee at its 11<sup>th</sup> Meeting (Strasbourg, 23 November 2006);

- a member of the Secretariat had made a presentation outlining GRECO's work at the constitutory meeting of the International Association of Anti-Corruption Authorities (IAACA) in Beijing on 22-26 October. One hundred and forty states were represented at this first meeting of the Association which was an initiative of the Government of China and supported by UNODC;

- the Secretariat participated in a United Nations Development Programme (UNDP) workshop to set up a network for anti-corruption practitioners (Bucharest, 6-8 November);

- the Secretariat had met with representatives of the Mexican Federal Institute for Access to Public Documents (IFAI) (Strasbourg, 16 November). They were particularly interested in issues related to Theme II of the Second Evaluation Round and wished to collaborate further with GRECO. In this context, a GRECO representative could be invited to their annual conference on transparency and a hearing with GRECO could be organised;

- the Secretariat had participated in the 12<sup>th</sup> International Anti-Corruption Conference (IACC) organised by the IACC Council and Transparency International (Guatemala, 15-18 November). One aim of the meeting had been the development of a common position of, in particular, civil society organisations represented with respect to monitoring the implementation of the United Nations Convention against Corruption;

- the Council of Europe had been invited to attend the First Conference of States Parties to the United Nations Convention against Corruption (Dead Sea, Jordan, 10-14 December) as an observer and would be represented by GRECO's Executive Secretary;

- referring to his letter of 28 November, the Executive Secretary underlined the importance of delegations constituting their lists of third round evaluators, in particular, in view of the fact that an important training event for evaluators on the theme of political party funding would be organised during GRECO's 32<sup>nd</sup> Plenary Meeting (March 2007);

- finally, he informed the plenary that the Bureau had instructed the Secretariat to revise the Vademecum which had been designed for the Second Evaluation Round, adapting it to the needs of the Third Evaluation Round and including useful information emanating from both the training module to be held

during the present plenary and the start-up training workshop to be organised during GRECO 32.

#### **V. Address by the Secretary General of the Council of Europe**

9. To mark the forthcoming International Anti-Corruption Day (9 December), the Secretary General addressed the plenary and replied to delegations' questions. His speech was issued with a press release (cf. Appendix) on 6 December. He likened corruption to a virus which remained a serious threat to the functioning of democratic institutions and, ultimately, human and social rights – core values of the Council of Europe. He supported in particular GRECO's initiatives to reduce the immunities enjoyed by certain categories of holders of public office and/or elected representatives and commended the Group for the high standards for monitoring it had set and its anti-corruption efforts. He encouraged GRECO to expand its activities and to reinforce its cooperation with the United Nations and the OECD.
10. During the following exchange of views, the Secretary General stressed the high quality of the Council of Europe's anti-corruption standard setting instruments, but also the need to influence attitudes and cultures in society. Greater visibility of GRECO's work was needed at governmental level. The pan-European scope of the group was an undeniable strength, it had an important role to play in ensuring democratic stability in the region.

#### **VI. Second Round Evaluation procedure**

##### Second Round Evaluation Reports on Bosnia and Herzegovina and Georgia

11. Having heard introductory presentations by the members of the Evaluation Teams (cf. list of participants) and comments by the representatives of the countries concerned, a first reading of the draft evaluation reports and plenary discussions followed. A second reading of revised drafts prepared by the Secretariat in the light of the debates preceded the adoption of the reports.
12. GRECO adopted after two readings the Second Round Evaluation Reports on Bosnia and Herzegovina (Greco Eval II Rep (2005) 8E) and Georgia (Greco Eval II Rep (2006) 2E).
13. The authorities of Bosnia and Herzegovina and of Georgia were invited to authorise, as soon as possible, publication of the reports.

#### **VII. Joint First and Second Round Evaluation procedure**

##### Joint First and Second Round Evaluation Report on Andorra

14. Having heard introductory presentations by the members of the Evaluation Team (cf. list of participants) and comments by the representatives of the country concerned, a first reading of the draft evaluation report and plenary discussions followed. A second reading of a revised draft prepared by the Secretariat in the light of the debate preceded the adoption of the report.
15. GRECO adopted after two readings the Joint First and Second Round Evaluation Report on Andorra (Greco Eval I-II Rep (2006) 1E).
16. The authorities of Andorra were invited by GRECO to authorise, as soon as possible, publication of the report.

17. GRECO approved the composition of the Evaluation Teams in charge of the Joint First and Second Round Evaluations of Austria and Switzerland, having taken note that one change in the composition of the team for Switzerland and any subsequent changes necessary would be made by the Secretariat in consultation with the President.

### **VIII. First Round Compliance procedure**

#### Addendum to the First Round Compliance Report on Croatia

18. The draft Addendum to the First Round Compliance Report on Croatia was based on information provided by the authorities of the country concerned as required by the conclusions of GRECO's First Round Compliance Report. Following a detailed reading, GRECO adopted the Addendum to the First Round Compliance Report on Croatia (Greco RC-I (2004) 4E Addendum) and thus terminated the first round compliance procedure in respect of that country.
19. GRECO noted with satisfaction that the authorities of Croatia authorised the publication of the Addendum.

### **IX. Third Evaluation Round**

20. Bearing in mind the order in which members had been evaluated in the Second Evaluation Round, the Bureau had proposed the next group of countries to be evaluated within the framework of the Third Evaluation Round. Moreover, the Netherlands expressed the wish to be evaluated already in 2007. The plenary agreed that the second wave of countries would be composed of Estonia, Luxembourg, Iceland, Latvia and the Netherlands. Deadlines for the submission of replies to the questionnaires would be fixed with the Secretariat, with the first countries from the second wave being asked to submit them by 31 May 2007.
21. The President urged delegations to submit their lists of third round evaluators by 15 January 2007 as indicated in the Executive Secretary's letter of 28 November 2006 and to reconsider the composition of delegations with a view to including a representative who is knowledgeable in the area of political party funding. It was intended that a start-up training workshop on the funding of political parties for GRECO delegation members and third round evaluators be organised during GRECO's 32<sup>nd</sup> Plenary Meeting.
22. In the meantime, delegations participated in an introductory **training module on party financing**. Three specialised experts: Yves-Marie DOUBLET, Assemblée Nationale, Paris, Patricia PEÑA, former Director of Regulatory Service of the UK Electoral Commission and Marcin WALECKI, IFES, Washington had accepted an invitation to run the module. The experts first commented on the items of GRECO's third round questionnaire on party funding which, in the light of their experience, appeared to be of particular relevance and could merit to be explored further during GRECO's forthcoming on-site visits. Each of them then presented an overview of their own country's party financing system (i.e. France, United Kingdom, Poland) for the sake of providing practical examples. A series of questions and discussions followed both parts of the presentations.

### **X. Programme of Activities for 2007**

23. GRECO adopted its Programme of Activities for 2007 as it appears in document Greco (2006) 20E Final.

## **XI. Seventh General Activity Report (2006)**

24. GRECO agreed with the proposal of Bureau 37 to include a substantive section on whistleblowing in its Seventh General Activity Report (2006) and noted with satisfaction that Mr Paul STEPHENSON, Public Concern at Work (United Kingdom), who had been a member of GRECO's Bureau during the Second Evaluation Round, had accepted to prepare a first draft of the section. The draft report would be submitted to Bureau 38 (February 2007) and subsequently presented to GRECO 32 (March 2007) for adoption.

## **XII. First Conference of States Parties to the United Nations Convention against Corruption**

25. Copies were available of a background document, prepared by the Secretariat of the UNODC for the First Conference of States Parties (Dead Sea, Jordan, 10-14 December 2006), entitled "Methods for the review of the implementation of the United Nations Convention against Corruption". It provided an overview of existing monitoring and review mechanisms and proposals to the conference. The Executive Secretary reminded the plenary that GRECO's President and Secretariat had been actively involved in the reflection process on ways in which the implementation of the UNCAC could be assessed, notably in the framework of the "Friends of the convention" group and the Transparency International Study Group on monitoring of the UNCAC.
26. Following an exchange of views between delegations, GRECO adopted a Communication on review of implementation of the United Nations Convention against Corruption (Greco (2006) 28E Final – cf. Appendix IV), to be addressed to the First Conference of States Parties by GRECO's President. The importance of proper review of implementation and coordinated technical assistance is underlined and GRECO's readiness to offer its expertise in the field of peer review is stated. GRECO noted that its Executive Secretary would participate in the conference.

## **XIII. Elections**

27. The plenary was informed of the list of candidates to the presidency, vice-presidency and the Bureau for the duration of the Third Evaluation Round which would be launched on 1 January 2007. The elections were carried out by secret ballot, by a majority of the votes cast and in accordance with Rules 5 and 9 of GRECO's Rules of Procedure. The results were as follows:
- Mr Drago KOŠ (Slovenia) was elected **President**
  - Mr Marin MRČELA (Croatia) was elected **Vice-President**
  
  - Mr Georgi RUPCHEV (Bulgaria)
  - Mr Dimitrios GIZIS (Greece)
  - Ms Eline WEEDA (Netherlands)
  - Ms Laura-Oana STEFAN (Romania)
  - Mr Mark RICHARD (United States of America) were elected members of the **Bureau** (English alphabetical order of countries).
  
  - Mr Edmond DUNGA (Albania) would, as non-elected candidate to the Bureau, be called to fill the first future vacant seat on the Bureau, in accordance with Rule 7 of the Rules of Procedure.

**XIV. Adoption of decisions**

28. The decisions of the 31<sup>st</sup> Plenary Meeting were adopted, as they appear in document Greco (2006) 25E.

**XV. Dates of forthcoming meetings**

29. The 32<sup>nd</sup> Plenary Meeting would be held in Strasbourg on 19-23 March 2007. GRECO noted that its new Bureau would first meet in Strasbourg on 5-6 February 2007.

## **APPENDIX I**

### **LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS**

#### **ALBANIA / ALBANIE**

M. Edmond DUNGA  
Inspector, Department of Internal Administrative Control and Anti-Corruption (DIAC), Council of Ministers,

#### **ANDORRA/ANDORRE**

Mme Maribel LAFOZ (Chef de délégation)  
Commissaire de Police, Chef de la Division de la Police Criminelle, Servei de Policia

M. Jordi PONS LLUELLES  
Directeur de l'Unité de Prévention de Blanchiment, Unitat de Prevenció de Blanqueig (UPB)

M. Jacint RISCO SUBIRA  
Secrétaire d'Etat de la Fonction Publique, Ministère de l'Economie

M Carles FIÑANA PIFARRÉ  
Procureur Adjoint, Ministère Public d'Andorre, Ministère de la Justice et de l'Intérieur

M. Josep Maria FRANCINO BATLLE  
Conseiller Ministériel, Cabinet du Ministre des Finances, Ministère des Finances

M. Alexandre CUCURELLA ROSSELL  
Responsable du Registre des Sociétés, Ministère de l'Economie

M. Manel RIERA MARTINEZ  
Chef du Département d'Urbanisme, Ministère d'Ordonancement du Territoire

#### **ARMENIA / ARMENIE**

Mr Ara S. NAZARYAN  
Member of Civil Service Council

#### **AUSTRIA / AUTRICHE**

Mr Wendelin ETTMAYER  
Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Austria to the Council of Europe

Mr Christian MANQUET (Head of delegation)  
Head of Unit, Directorate for Penal Legislation, Federal Ministry of Justice

#### **AZERBAIJAN / AZERBAIDJAN**

Mr Kamran ALIYEV  
Head of Department, Prosecutor General'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 Vjekoslav VUKOVIC (Head of delegation)  
Assistant Minister of Security of Bosnia and Herzegovina, Council of Ministers of Bosnia and Herzegovina,

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

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

Mr Damir VEJO  
Chef du Service pour le crime organisé et la corruption, Ministère de la Sécurité de la Bosnie-Herzégovine

## **BULGARIA / BULGARIE**

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

## **CROATIA / CROATIE**

Mr Marin MRČELA (Head of delegation)  
Judge at the County Court in Zagreb

## **CYPRUS / CHYPRE**

Mrs Eva ROSSIDOU PAPAKYRIACOU – **Apologised Excusée**  
Senior Counsel of the Republic, Law Office of the Republic

## **CZECH REPUBLIC / REPUBLIQUE TCHEQUE**

Ms Helena LIŠUCHOVÁ (Head of delegation)  
International Department, Section for Int'l Organizations and Int'l Co-operation, Ministry of Justice

## **DENMARK / DANEMARK**

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

Mrs Alessandra GIRALDI  
Deputy Chief Prosecutor, Office of the Director of Public Prosecution

## **ESTONIA / ESTONIE**

Ms Mari-Liis LIIV (Head of delegation)  
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## **FINLAND / FINLANDE**

Mr Kaarle J. LEHMUS (Head of delegation)  
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## **FRANCE**

Mme Claire MORICE (Chef de délégation)  
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## **GEORGIA / GEORGIE**

Mr Zurab TCHIABERASHVILI  
Permanent Representative of Georgia to the Council of Europe

Mr Vakhtang LEJAVA (Head of delegation)  
Deputy State Minister on Reforms Coordination, State Chancellery

Ms Rusudan TUSHURI  
Head of the International Legal Relations Department, Ministry of Justice

Ms Tina BURJALIANI  
Head of the Legal Department, Office of the Prosecutor General of Georgia

Mr Levan KHETSURIANI  
Adviser to the State Minister on Reforms Coordination

## **GERMANY / ALLEMAGNE**

Mr Malte MERZ  
State Prosecutor, Ministry of Justice

Mr Manfred MOEHRENSCHLAGER  
Retired Senior ministerial counsellor, Head of Division, Ministerial Council, Ministry of Justice,

## **GREECE / GRECE**

Ms Maria GAVOUNELI  
Lecturer in International Law, Advisor to the Minister of Justice, University of Athens

Mr Dimitrios GIZIS  
Prosecutor, Athens Court of 1<sup>st</sup> Instance

## **HUNGARY / HONGRIE**

Mr Ákos KARA (**Head of delegation**) – **Apologised / Excusé**  
Head of Division, Ministry of Justice

## **ICELAND / ISLANDE**

Ms Palina RUNARSDOOTTIR  
Deputy to the Permanent Representative of Iceland to the Council of Europe

## **IRELAND / IRLANDE**

Mr Liam FITZGERALD  
Principal Officer, Criminal Law Reform Division, Department of Justice, Equality and Law Reform

## **LATVIA / LETTONIE**

Ms Inese GAIKA  
Head of International Cooperation Division, Corruption Prevention and Combating Bureau (KNAB)

## **LITHUANIA / LITUANIE**

Ms Elena KONCEVICIUTE  
International Relations Officer, International Cooperation Division, Special Investigation Service,

Ms Egle GREBLIUNAITE

## **LUXEMBOURG**

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

## **MALTA / MALTE**

Mr Silvio CAMILLERI (Head of delegation)  
Attorney General, Attorney General's Office, The Palace

## **MOLDOVA**

Mme Cornelia VICLEANSCHI (Chef de délégation)  
Procureur, Chef de la Section Générale, Bureau du Procureur Général

M. Anatolie DONCIU  
Chef de la Direction Générale d'analyses et de pronostic du Centre de Lutte contre les Crimes Economiques et la Corruption,

## **REPUBLIC OF MONTENEGRO / REPUBLIQUE DU MONTENEGRO**

Ms Ana NIKOLIC (Head of delegation)  
Senior Advisor, Directorate for Anti-Corruption Initiative

## **NETHERLANDS / PAYS-BAS**

Ms Eline WEEDA (Head of delegation)  
Senior policy maker at the Investigation Department, Ministry of Justice

## **NORWAY / NORVEGE**

Mr Dag NENNINGSLAND  
Senior Adviser, Ministry of Justice and Police

## **POLAND / POLOGNE**

Mr Cezary MICHALCZUK (Head of delegation)  
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**

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Assessor Principal / Legal Advisor, Bureau for International, European and Co-operation Affairs  
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## **ROMANIA / ROUMANIE**

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Mrs Anca JURMA  
Head Prosecutor, International Cooperation Service , National Anticorruption Prosecutor's Office

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Mrs Aleksandra POPOVIC (Head of delegation)  
Assistant Minister, Ministry of Justice

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**SLOVENIA / SLOVENIE**

Mr Drago KOS  
**President of GRECO / Président du GRECO**  
Chairman, Commission for the Prevention of Corruption

Mr Jure ŠKRBEČ  
Researcher, Faculty for Criminal Justice, External consultant for the Commission for the Prevention  
of Corruption

**SPAIN / ESPAGNE**

Mr Rafael VAILLO  
Legal Counsellor, Ministry of Justice

Ms Maria DE LAS HERAS  
Public Prosecutor, Attorney General's Office

**SWEDEN / SUEDE**

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Director General, Ministry of Justice

**SWITZERLAND / SUISSE**

M. Ernst GNAEGI (Chef de délégation)  
Chef de la section droit pénal international, Office fédéral de la Justice

Mme Muriel BARRELET  
Collaboratrice scientifique, Office fédéral de la Justice

Mme Susanne PÄLMKE  
Procureur fédéral, Ministère public de la Confédération

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

Mr Nikola TUPANCESKI (Head of delegation) – **Apologised / Excusé**  
Professor of Criminal Law

**TURKEY / TURQUIE**

M. Ergin ERGÜL (Chef de délégation)  
Magistrat, Directeur Général Adjoint, Direction Générale du Droit International et des Relations  
Extérieures, Ministère de la Justice

Mr Abdullah ÇİFTÇİ  
Prime Minister's Office

Mr Ayşegül GENÇ  
Chief-Inspector, Prime Minister's Office

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Ministry of Justice

Mr Mykhaylo BUROMENSKIY  
President of the Institute of Humanitarian Research

## **UNITED KINGDOM / ROYAUME-UNI**

Mr Tom BARNES  
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Ms Ekim BIREROGLU  
Criminal Law Policy Unit, Home Office

Mr Keith McCARTHY  
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## **UNITED STATES OF AMERICA / ETATS-UNIS D'AMERIQUE**

Mr Mark RICHARD (Head of delegation)  
Senior Counsellor for Criminal Justice Matters, US Mission to the European Union

Ms Jane LEY  
Deputy Director, US Office of Government Ethics

Mr Richard M. ROGERS  
Senior Counsel to the Assistant Attorney General, Criminal Division, Department of Justice

### **GRECO EVALUATION TEAMS / EQUIPES D'EVALUATION DU GRECO**

#### **Joint First and Second Round Evaluation of Andorra / Evaluation des Premier et Deuxième Cycles conjoints de l'Andorre**

M. Edmond DUNGA (Albania / Albanie)

Ms Anca JURMA (Romania / Roumanie)

Mr Georgi RUPCHEV (Bulgaria / Bulgarie)

#### **Second Round Evaluation of Bosnia and Herzegovina / Evaluation du Deuxième Cycle de la Bosnie-Herzégovine**

Mrs Maria DE LAS HERAS (Spain / Espagne)

Mr Ara S. NAZARYAN (Armenia / Arménie)

Mr Keith McCARTHY (United Kingdom / Royaume-Uni)

#### **Second Round Evaluation of Georgia / Evaluation du Deuxième Cycle de la Géorgie**

Mr Juris JURISS (Latvia / Lettonie) – **Apologised / Excusé**

Ms Maria GAVOUNELI (Greece / Grèce)

Mr Manfred MOEHRENSCHLAGER (Germany / Allemagne)

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

Mme Anna LAMPEROVA – **Apologised / Excusée**

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

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

M. Jaume BARTUMEU CASSANY

Membre du Conseil Général,

**REPRESENTATIVE OF THE CDCJ / REPRÉSENTANT DU CDCJ**

Mr Petar RASHKOV – **Apologised / Excusé**

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

**REPRESENTATIVE OF THE CDPC / REPRÉSENTANT DU CDPC**

Mr Damir VEJO

Head of the Department for Organised Crime and Corruption, Ministry of Security of Bosnia and  
Herzegovina

**OBSERVER UNITED NATIONS – UNODC / OBSERVATEUR NATIONS UNIES – ONUDC**

**Apologised / Excusé**

**OBSERVER OECD / OBSERVATEUR OCDE**

**Apologised / Excusé**

**TRAINING MODULE / MODULE DE FORMATION**

**Experts**

M. Yves Marie DOUBLET

Directeur adjoint, Assemblée Nationale, Service des affaires juridiques, Division contrôle et études  
juridiques,

Ms Patricia PEÑA

Former Director of Regulatory Services of the UK Electoral Commission

Mr Marcin WALECKI

Senior Advisor for Political Finance, IFES - Center for Transitional and Post-Conflict Governance

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

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

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

M. Christophe SPECKBACHER, Administrative Officer, Directorate General I – Legal Affairs

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

Ms Laura SANZ-LEVIA, 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 Laure HEIM, Assistante (Evaluation rounds), Directorate General I – Legal Affairs

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

Ms Simona GHITA, Webmaster, Direction Générale I - Affaires Juridiques

**INTERPRETERS / INTERPRETES**

Mme Sally BAILEY

Mme Isabelle MARCHINI

Mme Julia TANNER

## 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 37) / *Information par le Président et le Secrétaire Exécutif (y compris sur Bureau 37)*
4. International Anti-Corruption Day (9 December) – **Address by the Secretary General of the Council of Europe** (Wednesday, 09h30) / *Journée internationale de lutte contre la corruption (9 décembre) – Allocution du Secrétaire Général du Conseil de l'Europe* (mercredi, 09h30)
5. First reading / *Première lecture* :  
  
draft Second Round Evaluation Reports on / *projets de Rapports d'Evaluation du Deuxième Cycle sur* :
  - **Bosnia and Herzegovina / Bosnie-Herzégovine** : Wednesday / *mercredi*
  - **Georgia / Géorgie** : Tuesday / *mardi*  
draft Joint First and Second Round Evaluation Report on / *projet de Rapport d'Evaluation des Premier et Deuxième Cycles conjoints sur* :
  - **Andorra / Andorre** : Monday / *lundi*  
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* :
  - Andorra / *Andorre* : all day Monday and Tuesday morning / *lundi toute la journée et mardi matin*
  - Georgia / *Géorgie* : all day Tuesday / *mardi toute la journée*
  - Bosnia and Herzegovina / *Bosnie-Herzégovine* : Tuesday afternoon and all day Wednesday / *mardi après-midi et mercredi toute la journée*
6. Examination and adoption of the Addendum to the First Round Compliance Report on **Croatia** / *Examen et adoption de l'Addendum au Rapport de Conformité du Premier Cycle sur la Croatie*
7. Composition of the Evaluation Teams in charge of the Joint First and Second Round Evaluation of Austria and Switzerland / *Composition des Equipes chargées de l'Evaluation Conjointe des Premier et Deuxième Cycles de l'Autriche et la Suisse*
8. Adoption of the Programme of Activities for 2007 (approved by Bureau 37 / *Adoption du Programme d'Activités pour 2007 (approuvé par le Bureau 37)*
9. Seventh General Activity Report (2006) - substantive issue to be addressed (Bureau 37 proposal) / *Septième rapport général d'activités (2006) - question de fond à traiter (proposition du Bureau 37)*
10. Third Evaluation Round - second wave of countries to be evaluated (Bureau 37 proposal) / *Troisième Cycle d'Evaluation - deuxième vague de pays à évaluer (proposition du Bureau 37)*
11. Third Evaluation Round – **Training module** for GRECO delegations on party financing (Thursday, 09h30 – 13h00) / *Troisième Cycle d'Evaluation – Module de formation*



*pour les délégations au GRECO sur le financement des partis politiques (jeudi 09h30 – 13h00) : **presentations** by / **présentations** par Yves-Marie DOUBLET, Assemblée Nationale, Paris ; Patricia PEÑA, former Director of Regulatory Services of the UK Electoral Commission and Marcin WALECKI, IFES, Washington*

12. Exchange of views regarding a possible follow-up process to the United Nations Convention against Corruption – first session of the Conference of the States Parties to the United Nations Convention against Corruption (Jordan, 10-14 December 2006) / *Echange de vues relatif à une éventuelle procédure de suivi de la Convention des Nations Unies contre la Corruption – première session de la Conférence des Etats parties à la Convention des Nations Unies contre la Corruption (Jordanie, 10-14 décembre 2006)*
13. **Elections** of the President, Vice-President and members of the Bureau for the Third Evaluation Round (Friday) / **Elections** du Président, du Vice-Président et des membres du Bureau pour le Troisième Cycle d'Evaluation (vendredi)
14. **Second reading** and adoption of the draft Evaluation Reports on **Andorra**, the **Bosnia and Herzegovina** and **Georgia** (Friday) / **Deuxième lecture** et adoption des projets de Rapport d'Evaluation sur **Andorre**, la **Bosnie-Herzégovine** et la **Géorgie** (vendredi)
15. Miscellaneous / *Divers*
16. Adoption of decisions / *Adoption des décisions*
17. Dates of next meetings / *Dates des prochaines réunions*

### **APPENDIX III**

#### **ADDRESS BY THE SECRETARY GENERAL OF THE COUNCIL OF EUROPE Press Release and Speech**

##### **PRESS RELEASE**

##### **“Corruption undermines the very foundations of democracy”**

Strasbourg, 06.12.2006 – “When public officials, politicians or members of the judiciary engage in sleaze and blatant disrespect of the common good, the very foundations of democracy are at stake,” said Council of Europe Secretary General Terry Davis when addressing today the 31<sup>st</sup> plenary session of the Group of States against Corruption (GRECO).

A few days before the International Day against Corruption, the Secretary General supported the GRECO initiatives to reduce the immunities enjoyed by certain categories of holders of public office and/or elected representatives. “Bringing Ministers, Members of Parliament and high-level public officials to justice for illicit enrichment and other corrupt dealings as seen in some of our member states will strengthen the trust of citizens in democratic institutions and the rule of law.”

GRECO has set high standards for monitoring the anti-corruption efforts of the vast majority of the Council of Europe’s member states. It should further expand its activities and reinforce its cooperation with the United Nations and the OECD,” said Mr Davis.

On 1<sup>st</sup> February 2007, GRECO will welcome the Russian Federation as its 44<sup>th</sup> member. GRECO’s upcoming activities will focus on the funding of political parties.

The full text of the Secretary General’s speech is available at [www.coe.int](http://www.coe.int).

##### **SPEECH**

Corruption is to democracy as flu is to a human being. We are all at risk, and there is no fool-proof protection. Its effects vary from temporary malfunction to lasting and even fatal damage.

Luckily, there are vaccines, and there can be no doubt that when it comes to prevention and treatment, GRECO has become a trademark of excellence which has set high standards for monitoring the anti-corruption efforts of the vast majority of the Council of Europe’s member states.

I note with great satisfaction that, since its inception in 1999, GRECO has been growing at a considerable pace and now comprises 43 members, since Austria joined at the beginning of this month.

I am also pleased to learn that the Russian Federation will become GRECO’s 44<sup>th</sup> member on 1 February 2007.

I very much hope that the remaining four member states outside the GRECO family, namely Italy, Liechtenstein, Monaco, and San Marino, will follow the Austrian and Russian examples.

This process of enlargement will no doubt contribute to strengthening the international anti-corruption movement in which the Council of Europe and GRECO, as its anti-corruption monitoring body, have played and continue to play a pioneering role.

In a time of budgetary austerity, sacrifices must be made. I appreciate that you have been especially careful and responsible when presenting me with your budgetary proposals for 2007, and I am very grateful to you.

In this respect, I am pleased to note that a significant part of your third evaluation round will be devoted to the funding of political parties. I expect this work to attract much public attention and to help to enhance even further GRECO's visibility. The choice of this burning issue will also underline GRECO's capacity to act as a multidisciplinary body – and not only multidisciplinary but also intercontinental.

In this context, I congratulate you on your decision to grant observer status to the United Nations, represented by the United Nations Office on Drugs and Crime (UNODC). This UN body is strongly committed to promoting the ratification and implementation of the United Nations Convention against Corruption - in the elaboration of which the Council of Europe has played an active part. And we continue to support its implementation through GRECO and a variety of technical assistance projects.

In this global context, close cooperation between the Council of Europe and other international key players, such as the United Nations and the OECD, will be increasingly important in future in order to reinforce the effectiveness of our anti-corruption policies and avoid overlap and duplication.

Given the very nature of corruption, nobody knows exactly how much taxpayers' money and corporate funds is skimmed off by this insidious practice. That said, estimates by the World Bank indicate that about 780 billion Euros are paid in bribes each year, and that, Ladies and Gentlemen, is a lot of money.

The evidence gathered during GRECO's on-site visits also shows that corruption is booming in many Council of Europe member states.

There is, therefore, no reason for complacency.

For the Council of Europe, corruption remains a serious threat to the functioning of democratic institutions and, ultimately, human and social rights which are at the very heart of the values of our Organisation.

When public officials, politicians or members of the judiciary engage in sleaze and blatant disrespect of the common good, the very foundations of democracy are at stake.

It is therefore a more than welcome development that society at large is becoming increasingly reluctant to accept graft or malpractice in public administration, or the abuse of position by elected representatives – and insists more and more on high standards of integrity and good governance, in both the public and the private sector.

It is also encouraging to see that impunity for abuses of official position is widely perceived to be unacceptable.

Bringing Ministers, Members of Parliament and high-level public officials to justice for illicit enrichment and other corrupt dealings as seen in some of our member states will strengthen the trust of citizens in democratic institutions and the rule of law. In this respect, initiatives to reduce the immunities enjoyed by certain categories of holders of public office and/or elected representatives, as recommended by GRECO on a number of occasions, are steps in the right direction.

Despite many successes in the anti-corruption movement, in which the Council of Europe will continue to play a determined role, it must never be forgotten that both in political life and in the economic sphere there are powerful factors prompting and encouraging corrupt practices, such as exposure to tough competition, positions which involve the exercise of considerable unchecked and uncontrolled power - sometimes compounded by a culture of silence and favouritism.

It is therefore essential for states to agree – and continue to agree – to submit themselves to the international scrutiny of their efforts to fight corruption and for them to act vigorously on the outcome of such scrutiny, as is expected from them in the GRECO process.

In other words keep tabs on your pulse, take your temperature regularly, and do not forget to get your shots.

**APPENDIX IV**  
**COMMUNICATION**  
**on review of implementation of the**  
**United Nations Convention against Corruption**  
**in view of the 1st Session of the**  
**Conference of States Parties to the Convention**

The opening for signature of the United Nations Convention against Corruption (UNCAC) in Merida in 2003 marked a significant achievement in the global fight against corruption.

The short period of time in which the UNCAC has reached the minimum number of ratifications required for its entry into force and the current pace at which further ratifications occur, clearly indicate that the fight against corruption remains high on the international agenda.

It is to be hoped that all Council of Europe member States become party to this important instrument in due course. However, ratification is only one – but crucial – step towards determined and global anti-corruption measures which are as important for the progress and the security of the developing world as they are for the developed world.

Without proper review of implementation - and without appropriate and coordinated technical assistance to the most needy parties to the UNCAC to support implementation - there will be a risk that many of its provisions will remain ineffectual in practice, including those related to the repatriation of assets which is one of the key objectives of the convention.

In the European context the need for complementing the existing Council of Europe anti-corruption conventions<sup>1</sup> and other legal instruments<sup>2</sup> with a suitable and sustainable review mechanism was recognised at an early stage and led, in 1999, to the setting up of the Group of States against Corruption (GRECO). With 43 members on 1 December 2006 the Group encompasses nearly all European States as well as the United States of America.

GRECO's objective is to improve the capacity of its members to fight corruption by monitoring their compliance with Council of Europe anti-corruption standards through a dynamic process of mutual evaluation and peer pressure.

GRECO, through a number of its representatives and its secretariat, has followed with interest – and contributed to - the ongoing reflection on the review of the implementation of the UNCAC.

If the idea of establishing a fully-fledged review mechanism for the UNCAC is taken on board by the Conference of the States Parties, it should also be considered how to coordinate such a mechanism with already existing monitoring processes and systems, in

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<sup>1</sup> I.e. the 1999 Criminal and Civil Law Conventions on Corruption (ETS 173 and ETS 174) as well as the Additional Protocol (ETS 191) to the Criminal Law Convention. These conventions cover a vast array of subjects also addressed in the UNCAC.

<sup>2</sup> I.e. Resolution (97) 24 on the twenty guiding principles for the fight against corruption, Recommendation No. R (2000) 10 on codes of conduct for public officials and appended model code and Recommendation Rec(2003)4 on common rules against corruption in the funding of political parties and electoral campaigns.

order to avoid duplication and overlap and to ensure that different monitoring processes enhance each other (e.g. by making "appropriate use of the information produced by other international and regional anti-corruption mechanisms.")<sup>3</sup>  
This is all the more important as monitoring usually places a heavy burden on the countries concerned<sup>4</sup>; currently, there appear to be signs of monitoring-fatigue which must be taken seriously.

Finally, GRECO wishes to recall that, in the context of the opening for signature of the UNCAC, (Merida, December 2003), the Deputy Secretary General of the Council of Europe stated that the Organisation was prepared to contribute to this process in any way that may be deemed necessary.

GRECO is prepared to offer its expertise in the field of peer review and to support the implementation of the UNCAC to the extent possible.

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<sup>3</sup> Cf. Conference of the States Parties to the United Nations Convention against Corruption, *Methods for the review of the implementation of the United Nations Convention against Corruption*. Document CAC/COSP/2006/5, paragraph 5. In this connection, it is to be stressed that both GRECO evaluation and compliance reports contain a wealth of information and examples of good practice which are of relevance in the context of the efficient implementation, and effective review, of the United Nations Convention against Corruption.

<sup>4</sup> In this connection attention should also be drawn to existing international anti-money laundering monitoring mechanisms which also deal with matters addressed by both the UNCAC and the Council of Europe Criminal Law Convention on Corruption.