



Strasbourg, 29 June 2007

**Greco (2007) 11E**

**33<sup>rd</sup> Plenary Meeting of GRECO**  
(Strasbourg, 29 May – 1 June 2007)

**SUMMARY REPORT**

## **I. Third Evaluation Round – Training Workshop on Incriminations**

1. The first day of the meeting was devoted to a training workshop designed to provide third round evaluators and delegation members with expert insight into the issues to be covered under Theme I of GRECO's Third Evaluation Round, i.e. the incriminations provided for in the Criminal Law Convention on Corruption (ETS 173), its Additional Protocol (ETS 191) and Guiding Principle 2 (GPC 2). Drago KOS (President of GRECO, Slovenia) chaired the workshop. After welcoming the participants he provided a brief description of GRECO operations to-date and highlighted the crucial role played by evaluators in GRECO's monitoring work. The workshop was an ideal opportunity for examining the complex technicalities to be borne in mind when monitoring the implementation of international anti-corruption standards in the criminal law sector and the practical aspects of applying criminal legislation in the investigation and prosecution of corruption.
2. Eight international experts, including experienced prosecutors, acted as intervenors. Within the framework of two sessions, issues to which evaluators should be attentive during on-site evaluation visits and when formulating recommendations were signalled (cf. Programme reproduced in Appendix II). The focus was on the Criminal Law Convention on Corruption (ETS 173) and GRECO's evaluation questionnaire on incriminations. Insight into the experience of the OECD was also provided by the Head of the organisation's Anti-corruption Division.
3. The Secretariat was asked to ensure that the conclusions of the workshop be reflected in the Guidelines for evaluators.

## **II. Opening of the Plenary Meeting**

4. The 33<sup>rd</sup> Plenary Meeting of GRECO was chaired by Drago KOS (President, Slovenia). The list of participants appears in [Appendix I](#) to this report.
5. The President opened the ordinary meeting on Wednesday 30 May. He welcomed all representatives, referring in particular to those who had been newly nominated.

## **III. Adoption of the agenda**

6. The President informed GRECO that the Committee of Ministers had invited GRECO to make comments on Recommendation 1792 (2007) of the Parliamentary Assembly of the Council of Europe on Fair trial issues in criminal cases concerning espionage or divulging state secrets. It was proposed, therefore, to include a new item on the agenda (item 13). The agenda was adopted as it appears in [Appendix II](#) to this report.

## **IV. Information provided by the President**

7. In recent months, the President had visited the United States of America, where he met with the Director of the Office of Government Ethics and the Deputy Attorney General, and the Russian Federation, where he was informed of planned new legislation, the state of preparation of a national anti-corruption strategy and of a decision to establish a national anti-corruption agency. He had participated in an international conference on fighting corruption in Eastern Europe, held in Romania and had been invited, in his capacity as Chairman of the Slovenian Commission for the Prevention of Corruption, to Kazakhstan and Moldova.

8. The President drew attention to the results of Bureau 39 (cf. Greco (2007) 7E) and reported on the following :
- the decision of the Constitutional Court of Slovenia (April 2007) on the unconstitutionality of parts of the Law on Incompatibility of Public Functions with Profit-making Activity – which sought to abolish the Commission for the Prevention of Corruption and the government’s plans for the preparation of a new law. In its ruling the Constitutional Court used wording derived from the United Nations Convention against Corruption, stating that if there should be a body dealing with corruption, it must be autonomous and independent;
  - the accession of the Republic of Montenegro to the Council of Europe on 11 May 2007 (since its independence, the country had remained a GRECO member);
  - the Bureau’s call on delegations to respect the 18-month deadline for the submission of situation reports (deadline fixed in conclusions of evaluation reports) and additional information (deadline fixed in conclusions of compliance reports). The President underlined the need to respect these deadlines in order to ensure equal treatment of all members during the two stages of the compliance procedure, to allow the members, rapporteurs and the secretariat sufficient time to prepare reports and to ensure an effective and foreseeable planning of plenary meetings. He expected the Heads of delegation of Albania, Bosnia and Herzegovina, Greece, Malta and Spain to submit the required input as soon as possible in order to allow for timely preparation of the draft reports in view of GRECO 34 (October 2007).

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

9. The Executive Secretary reported on the following developments since GRECO’s 32<sup>nd</sup> Plenary Meeting (March 2007):
- the Minister of Justice of Italy had informed the Deputy Secretary General of the Council of Europe in March 2007 that there was no obstacle to ratifying the Criminal Law Convention on Corruption (ETS 173). No firm commitment was made as to the date of ratification, which depended on the parliamentary schedule;
  - the reorganisation of the Secretariat of the Council of Europe. The Directorate Generals of Human Rights and Legal Affairs (DGI and DGII) had been merged to form the new Directorate General of Human Rights and Legal Affairs which comprises three pillars: the Directorate of Standard-Setting, the Directorate of Cooperation and the Directorate of Monitoring, of which the GRECO Secretariat is now a component together with the Secretariat of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the Department of the European Social Charter (ESC), the Department for the Execution of Judgments (CM-EXEC), the Secretariat of the European Commission against Racism and Intolerance (ECRI), the Secretariat of the Framework Convention for the Protection of National Minorities (FCNM) and the Secretariat of the Committee of Experts on the Evaluation of Anti-Money Laundering Measures. GRECO’s Secretariat had moved to new premises (G Building) in April, which gave rise to some organisational problems related to meetings held in the Palais de l’Europe. Delegations were informed that a file of reference texts was available for consultation only in the meeting room;
  - Mr Michael JANSSEN had joined GRECO’s Secretariat as an Administrative Officer on 1 June;

- he recalled GRECO's new practice which consists in inviting countries to translate GRECO reports into their national language, which would be applied in the case of reports scheduled for adoption at the present meeting;

- his participation in a conference on "Funding of political parties and election campaigns" organised jointly by the Stefan Batory Foundation and the Institute of Public Affairs (Warsaw, 26 April 2007). Both institutions had carried out thorough monitoring of the 2005 presidential election campaigns and presented to the conference – which was attended by Polish Members of Parliament – a comprehensive report on the shortcomings observed, e.g. problems related to accounting for in-kind donations and major problems deriving from loopholes in legislation which enable campaign organisers to evade limitations on donations and expenditure. The findings would be of clear relevance to GRECO's forthcoming third round evaluation of Poland;

- copies were available of a motion by members of the Parliamentary Assembly of the Council of Europe Mr Bartumeu Cassany and others for a recommendation on the protection of whistle-blowers which explicitly refers to GRECO's work and will contribute to raising awareness on this issue;

- with reference to the new item on the agenda of the present meeting (item 13), the Secretariat had drawn up draft Comments on Recommendation 1792 (2007) of the Parliamentary Assembly of the Council of Europe on Fair trial issues in criminal cases concerning espionage or divulging state secrets for consideration by GRECO.

10. The Executive Secretary drew attention to GRECO's calendar for 2007 (Proposed dates for 2007 – Greco (2007) 2E) which listed the ten evaluation visits scheduled to take place by the end of the year (both third round and joint first and second round).
11. Finally, he confirmed that the conclusions of the Training workshop on party financing held during GRECO 31 had been reflected in the Guidelines for GRECO Evaluators (Greco Eval III (2007) 7E REV) and that this "living document" would be further updated to reflect the results of the Training workshop on incriminations held the day before.

## **VI Hearing**

12. The Federal Institute of Access to Public Information (IFAI) of Mexico, represented by Mr Alonso Lujambio Irazábal, Director and Mr José Jarero, Director of International Affairs presented the institute which is an autonomous, decentralised agency of the Federal Public Administration. The IFAI is entrusted with monitoring implementation of the Law on Transparency and Access to Public Government Information. In particular, it is responsible for guaranteeing the right to access public governmental information, protecting personal data held by the federal government and ruling on individual appeals when access to information held by the agencies and entities of the federal government is denied.
13. GRECO took note with interest of the presentation. The ensuing discussion allowed participants to share examples of national experience regarding such questions as definitions of public information; exceptions to the right of access to information; electronic management/follow up of information requests and review procedures.

## **VII. First Round Compliance Procedure - Portugal**

14. The draft Addendum to the First Round Compliance Report on Portugal was based on information provided by the authorities of the country 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 Portugal (Greco RC-I (2005) 2E Addendum) and thus terminated the first round compliance procedure in respect of that country.
15. The authorities of Portugal were invited to authorise, as soon as possible, the publication of the Addendum.

## **VIII. Second Round Compliance Procedure**

### **Draft compliance reports on Belgium, Bulgaria, Germany, Lithuania, Malta and Sweden**

16. The draft Second Round Compliance Report on Belgium, prepared in consultation with Rapporteurs designated on behalf of Andorra and Moldova, on the basis of a Situation Report forwarded by the authorities of Belgium, had been subject to a first reading during GRECO 32 (March 2007). As requested (decision 8 of GRECO 32), on 4 May the authorities provided the Secretariat and the Bureau with additional information on measures which had been announced as imminent at the time of the first reading. A second reading of a draft of the compliance report – which had been revised in light of the aforementioned information - was carried out by the plenary.
17. The draft Second Round Compliance Reports on Bulgaria, Germany, Lithuania, Malta and Sweden were prepared on the basis of Situation Reports forwarded by the relevant authorities and in consultation with Rapporteurs designated on behalf of "the former Yugoslav Republic of Macedonia" and the United States of America for Bulgaria, the Czech Republic and the United States of America for Germany, Estonia and Ireland for Lithuania, Cyprus and the United Kingdom for Malta, and Croatia and Finland for Sweden. The rapporteurs communicated their observations on the draft compliance reports to the plenary and a detailed reading of each report followed.
18. GRECO adopted the Second Round Compliance Reports on Belgium (Greco RC-II (2006) 9E), Bulgaria (Greco RC-II (2007) 4E), Germany (Greco RC-II (2007) 3E), Lithuania (Greco RC-II (2007) 5E), Malta (Greco RC-II (2007) 6E) and Sweden (Greco RC-II (2007) 1E). The deadline fixed for the submission of additional information regarding the implementation of recommendations is 30 November 2008 in each case.
19. GRECO noted with satisfaction that the authorities of Germany and Sweden authorised the publication of the compliance reports.
20. The authorities of Belgium, Bulgaria, Lithuania and Malta were invited by GRECO to authorise, as soon as possible, publication of the compliance reports.

## **IX. Compliance levels - Exchange of views**

21. An exchange of views was held on the results of the Secretariat's analysis of member States' compliance with GRECO's second round recommendations. The President informed the plenary that the Bureau (Bureau 39, cf. Greco (2007) 7E) had examined the analysis and intended to continue its discussions at Bureau 40 on the basis of the results of the current exchange of views.

22. Having outlined the results of the statistical analysis carried out, the Secretariat commented on some of the other findings of the study, e.g. that some recommendations seem to not be specific enough; recommendations that involved the preparation of new legislation were sometimes difficult to implement within the initial 18-month deadline (however, it was not to be forgotten that the compliance procedure was composed of two stages, each allowing 18 months for implementation); the highest level of non-compliance was found within the theme "Public Administration. In its study the Secretariat had examined how the introduction of a system which would better reflect the various levels of implementation covered by "partly implemented" could lead to more balanced conclusions. The analysis listed a number of possible measures – beyond those already decided by Bureau 37 (cf. Greco (2006) 26E) - which could be considered to further strengthen the compliance procedure.
23. In the ensuing exchange of views delegations raised a number of points which could usefully be discussed further:
- placing the emphasis on qualitative versus quantitative analysis
  - ensuring consistency and equal treatment among members
  - need for objective criteria for applying non-compliance procedure
  - the introduction of a ratings system for assessing different levels of implementation; a number of delegations expressed concern at the designing of such a system
  - formulation of recommendations (relevance, precision, country-specific)
  - selection and role of evaluators
  - role of Heads of Delegation – ensuring the transmission of recommendations to the appropriate authorities was proposed as a topic which could usefully be discussed in the future
  - qualitative analysis of implementation of recommendations to identify good practices
24. The President thanked participants for the very open debate which would provide the Bureau with further elements for consideration at its next meeting.

#### **X. Third Evaluation Round**

25. GRECO approved the composition of the Evaluation Teams in charge of the third round evaluation of Estonia, Iceland, Latvia, Luxembourg and the Netherlands as contained in document Greco Eval III (2007) 1bil of 25 May 2007.

#### **XI. Tour de Table**

26. GRECO held a *tour de table* on "recent developments in anti-corruption institutions and strategies – including measures taken to raise awareness in this area". Numerous examples were provided by delegations, including on measures taken within the context of ongoing compliance procedures. Delegations will be provided with a separate written record of the principal developments reported (Greco (2007) 12E).
27. GRECO decided to devote the *tour de table* scheduled to take place at GRECO 34 to the issue of rules and guidelines for situations where public officials move from the public to the private sector ("pantouflage"). It would be the first to be organised following the Bureau 37 decision to strengthen the compliance procedure by, *inter alia*, organising "a tour de table (on a voluntary basis) on the stage of implementation of recommendations every 6 months" (cf. Greco (2006) 26E).

## **XII. Budgetary proposals for 2008**

28. The Executive Secretary informed GRECO that the draft Budgetary Proposals for 2008 submitted to the current plenary meeting had been prepared by the Secretariat and approved by the Secretary General in accordance with the Organisation's internal procedures. As in previous years, the proposals included 2% efficiency savings as required by the Secretary General.
29. The total budget for 2008 represented an increase of no more than 2.5% compared to 2007 due to the accession of a new member this year. Provisional calculations showed that the contributions of individual member States would however not increase. In 2008 resources would be concentrated on financing the carrying out of third round evaluation visits and plenary meetings which would be called upon to examine a noticeably increased number of evaluation reports as compared to 2007.
30. GRECO approved the Budgetary Proposals for 2008 (Greco (2007) 8E) and instructed the Executive Secretary to transmit them to the Secretary General for consideration by the Budget Committee, prior to their transmission to GRECO's Statutory Committee for adoption.

## **XIII. Elections**

31. On 15 May 2007, Ms Laura STEFAN, Head of the Romanian delegation to GRECO and Bureau member, informed GRECO that she had resigned from her position in the Romanian Ministry of Justice and that, as a consequence, she would no longer serve as Head of the Romanian delegation and as a member of the Bureau. Elections to the seat in the bureau left vacant owing to the departure of Ms STEFAN were conducted by secret ballot. Matthias KORTE (Germany) was elected member of the Bureau by a majority of the votes cast.
32. A reserve list of non-elected candidates who would be called to fill any seats which might become vacant in the Bureau before the end of the Third Evaluation Round was constituted as follows (in decreasing order of votes) :
  - Richard ROGERS (United States of America)
  - Michel BARRAU (France)
  - Veronika MILINCHUK (Russian Federation).

## **XIV. Request for comments**

33. The Ministers' Deputies of the Council of Europe decided, at their 994bis meeting (7 and 9 May 2007) to communicate Recommendation 1792 (2007) of the Parliamentary Assembly of the Council of Europe on Fair trial issues in criminal cases concerning espionage or divulging state secrets to GRECO for possible comments. GRECO adopted comments on the recommendation (Greco (2007) 10E Revised) which refer to relevant provisions of Council of Europe instruments as well as to GRECO's findings in the fields of transparency and accountability of public administration and the protection of whistleblowers. The Secretariat was instructed to transmit the comments to the Secretariat of the Committee of Ministers.

**XV. Adoption of decisions**

34. The decisions of the 33<sup>rd</sup> Plenary Meeting were adopted, as they appear in document Greco (2007) 9E.

**XVI. Dates of forthcoming meetings**

35. The 34<sup>th</sup> Plenary Meeting would be held in Strasbourg during the week of 15-19 October 2007. **Exact dates to be confirmed in due course.** GRECO noted that the 40<sup>th</sup> meeting of the Bureau would take place in Strasbourg on 20-21 September 2007.



## **APPENDIX I**

### **LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS<sup>1</sup>**

#### **ALBANIA / ALBANIE**

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

#### **ANDORRA/ANDORRE**

M. Ivan ALIS SALGUERO (Chef de délégation)  
Avocat, Assesseur du Ministère de l'Intérieur et de la Justice

#### **ARMENIA / ARMENIE**

Mr Ara S. NAZARYAN  
Civil Service Council

#### **AUSTRIA / AUTRICHE**

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

Ms Gerlinde WAMBACHER  
Federal Bureau for Internal Affairs, BIA, Legal Affairs & Controlling, Federal Ministry of the Interior

#### **AZERBAIJAN / AZERBAIDJAN**

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

#### **BELGIUM / BELGIQUE**

Mle Claire HUBERTS (Chef de délégation)  
Conseillère adjointe, Service des questions pénales, générales et intales, DG de la Législation pénale et des Droits de l'Homme, Ministère de la Justice

#### **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)  
Director of International Cooperation and European Integration, Ministry of Justice

#### **CROATIA / CROATIE**

Mr Kršimir SIKAVICA  
Department for the Fight against Economic Crime and Corruption, General Police Directorate  
Division for Criminal Investigation, Ministry of the Interior

#### **CYPRUS / CHYPRE**

Mr Philippos KOMODROMOS  
Legal Officer, Law Office of the Republic, Counsel of the Republic

---

<sup>1</sup> The list of participants in the Third Evaluation Round Training Workshop on Incriminations is available on request.

**CZECH REPUBLIC / REPUBLIQUE TCHEQUE**

Ms Helena LIŠUCHOVÁ (Head of delegation)  
International Department, Section for International Organisations and International Co-operation,  
Ministry of Justice

**DENMARK / DANEMARK**

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

Ms Alessandra GIRALDI  
Deputy Chief Prosecutor, Office of the Director of Public Prosecutions

**ESTONIA / ESTONIE**

Ms Mari-Liis LIIV (Head of delegation)  
Head of Criminal Statistics and Analysis Division, Criminal Policy Department, Ministry of Justice

**FINLAND / FINLANDE**

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

**FRANCE**

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

M. Michel BARRAU  
Chef du Service Central de Prévention de la Corruption, Service Interministériel placé auprès du  
Ministère de la Justice

**GEORGIA / GEORGIE**

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

**GERMANY / ALLEMAGNE**

Mr Matthias KORTE (Head of delegation)  
Head of Division, Ministry of Justice

Mr Malte MERZ  
State Prosecutor, Ministry of Justice

**GREECE / GRECE**

Mr Dimitrios GIZIS  
Assistant Public Prosecutor, Athens Court of First Instance

**HUNGARY / HONGRIE**

Apologised / Excusée

**ICELAND / ISLANDE**

Mr Björn THORVALDSSON  
Acting Prosecutor, Unit for Investigation and Prosecution of Economic Crime, National  
Commissioner of the Police

**IRELAND / IRLANDE**

Ms Therese MOLYNEUX  
Assistant Principal Officer, Criminal Law Reform Division, Department of Justice, Equality and Law Reform

Mr Henry MATTHEWS  
Office of the Director of Public Prosecutions

**LATVIA / LETTONIE**

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

**LITHUANIA / LITUANIE**

Ms Aušra BERNOTIENE (Head of delegation)  
Director, Department of International Law, Ministry of Justice

**LUXEMBOURG**

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

**MALTA / MALTE**

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

**MOLDOVA**

Ms Elena ECHIM  
Head of Directorate of International Legal Co-operation, Department of International Relations and European Integration, Ministry of Justice

**REPUBLIC OF MONTENEGRO / REPUBLIQUE DU MONTENEGRO**

Ms Vesna RATKOVIC (Head of delegation)  
Director of Anti-Corruption Initiative

**NETHERLANDS / PAYS-BAS**

Apologised / Excusés

**NORWAY / NORVEGE**

Mr Dag NENNINGSLAND  
Senior Adviser, Ministry of Justice and Police

Mr Jens-Oscar NERGÅRD  
Senior Adviser, Ministry of Government Administration and Reform

**POLAND / POLOGNE**

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

**PORTUGAL**

Mr Jorge MENEZES FALCÃO (Chef de délégation)  
Conseiller Juridique, Bureau des Relations Internationales, Ministère de la Justice

**ROMANIA / ROUMANIE**

Ms Corina BADEA  
Ministry of Justice, BUCHAREST

**RUSSIAN FEDERATION / FEDERATION DE RUSSIE**

Mr Igor STOROZHENKO  
Parliamentary Assistant to the Chairman of the State Duma's Anti-Corruption Commission

Ms Veronika MILINCHUK  
Deputy Minister of Justice

Mr Leonid KOKOVKIN  
Assistant to the Deputy Minister, Ministry of the Interior

**REPUBLIC OF SERBIA / REPUBLIQUE DE SERBIE**

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

**SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE**

Mr Daniel GABČO (Head of Delegation)  
Head of the Department of Strategic Analysis and International Co-operation, Combating  
Corruption Bureau, Police Force Presidium

**SLOVENIA / SLOVENIE**

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

Ms Sandra A. BLAGOJEVIC  
Consultant, Commission for the Prevention of Corruption

**SPAIN / ESPAGNE**

Mr Rafael VAILLO  
Legal Counsellor, Ministry of Justice

**SWEDEN / SUEDE**

Ms Lena HÄLL ERIKSSON (Head of delegation)  
Director General, Ministry of Justice

**SWITZERLAND / SUISSE**

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

Mme Susanne PÄLMKE  
Ministère public de la Confédération, Département fédéral de justice et police

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

Ms Slagjana TASEVA (Head of delegation)  
Professor of Criminal Law, Director, Police Academy

**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

**UKRAINE**

Mr Ruslan RIABOSHAPKA (Head of delegation)  
Head of the Department of Legal Issues, Law Enforcement Activity and Fight against Crime  
Ministry of Justice

Mr Mykhaylo BUROMENSKIY  
President of the Institute of Humanitarian Research

**UNITED KINGDOM / ROYAUME-UNI**

Mr Tom BARNES  
Criminal Law Policy Unit, Home Office, Sentencing and Offences Unit

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

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

Ms Jane LEY  
Deputy Director, US Office of Government Ethics

**PRESIDENT OF THE STATUTORY COMMITTEE OF GRECO / PRÉSIDENT DU COMITÉ STATUTAIRE DU GRECO****PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE / ASSEMBLEE PARLEMENTAIRE 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

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

Apologised / Excusé

**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

**HEARING WITH / AUDITION AVEC**  
**Mexican Federal Institute of Access to Public Information /**  
**Institut Fédéral pour accès à l'information de la Mexique**  
Wednesday 30 May / mai à 11h30

Mr Alonso LUJAMBIO IRAZABAL  
President, Federal Institute of Access to Public Information (IFAI), Mexico

Mr Jose JARERO  
Director of International Affairs, IFAI, Mexico

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

Mr Wolfgang RAU, Executive Secretary of GRECO, Directorate General of Human Rights and Legal Affairs

Mr Björn JANSON, Deputy to the Executive Secretary, Directorate General of Human Rights and Legal Affairs

Mr Christophe SPECKBACHER, Administrative Officer, Directorate General of Human Rights and Legal Affairs

Ms Laura SANZ-LEVIA, Administrative Officer, Directorate General of Human Rights and Legal Affairs

Ms Tania VAN DIJK, Administrative Officer, Directorate General of Human Rights and Legal Affairs

Ms Elspeth REILLY, Assistant, Directorate General of Human Rights and Legal Affairs

Ms Penelope PREBENSEN, Administrative Assistant (Evaluation rounds), Directorate General of Human Rights and Legal Affairs

Mme Laure HEIM, Assistant (Evaluation rounds), Directorate General of Human Rights and Legal Affairs

Mme Marie-Rose PREVOST, Assistant, (Evaluation rounds), Directorate General of Human Rights and Legal Affairs

Ms Simona GHITA, Webmaster, Directorate General of Human Rights and Legal Affairs

**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 from the President and the Executive Secretary (including on Bureau 39) / *Information du Président et du Secrétaire Exécutif (y compris sur Bureau 39)*
4. **Third Evaluation Round - Training Workshop on Incriminations (Tuesday 09h30 – 18h00, Room 5) / Troisième Cycle d'Évaluation - Atelier de formation sur les Incriminations (mardi 09h30 – 18h00, Salle 5)**
5. Hearing with the Mexican Federal Institute for Access to Public Documents (**Wednesday – 11h30**) / *Audition avec le "Federal Institute for Access to Public Documents" du Mexique (mercredi – 11h30)*
6. Examination and adoption of the Addendum to the First Round Compliance Report on **Portugal** / *Examen et adoption de l'Addendum au Rapport de Conformité du Premier Cycle sur le Portugal*
7. Examination and adoption of the Second Round Compliance Reports on **Belgium – second reading, Bulgaria, Germany, Lithuania, Malta and Sweden** / *Examen et adoption des Rapports de Conformité du Deuxième Cycle sur la Belgique – deuxième lecture, la Bulgarie, l'Allemagne, la Lituanie, Malte et la Suède*
8. Compliance procedure – Partly and non-implemented second round recommendations – results of the Secretariat's analysis: Exchange of views / *Procédure de conformité – Recommandations du deuxième cycle partiellement et non mises en œuvre: résultat de l'analyse effectuée par le Secrétariat : Echange de vues*
9. Tour de table / *Tour de table*
  - Main topic : Recent developments in anti-corruption institutions and strategies (including measures taken to raise public awareness in this area)  
*Thème principal : Développements récents en matière d'institutions et de stratégies anti-corruption (y compris des mesures prises pour sensibiliser le public dans ce domaine)*
  - Subsidiary topic : Actual and potential obstacles to the ratification of the Civil Law Convention on Corruption (ETS 174)  
*Thème subsidiaire : obstacles réels et potentiels à la ratification de la Convention civile sur la corruption (STE 174)*
10. Budgetary Proposals of the Secretary General for 2008 / *Propositions budgétaires du Secrétaire Général pour 2008*
11. Third Evaluation Round - Composition of the Teams in charge of the evaluation of Estonia, Iceland, Latvia, Luxembourg and the Netherlands / *Troisième Cycle d'Évaluation - Composition des Equipes chargées de l'évaluation de l'Islande, de l'Estonie, de la Lettonie, du Luxembourg et des Pays-Bas*

12. Elections – filling of vacant seat on the Bureau / *Elections – pourvoi du siège vacant au Bureau*
13. Recommendation 1792 (2007) of the Parliamentary Assembly of the Council of Europe on Fair trial issues in criminal cases concerning espionage or divulging state secrets : Preparation of comments / *Recommandation 1792 (2007) de l'Assemblée Parlementaire du Conseil de l'Europe sur l'Equité des procédures judiciaires dans les affaires d'espionnage ou de divulgation de secrets d'Etat : Préparation de commentaires*
14. Miscellaneous / *Divers*
15. Adoption of decisions / *Adoption des décisions*
16. Dates of next meetings / *Dates des prochaines réunions*



### **APPENDIX III**

## **THIRD EVALUATION ROUND – TRAINING WORKSHOP ON INCRIMINATIONS**

Programme

<b>Tuesday 29 May 2007</b>	
<b>9.30</b>	<b>Welcome address</b> and general introduction by Drago KOS, President of GRECO
<b>MORNING SESSION</b>	<b>Monitoring the implementation of international anti-corruption standards in the criminal law sector</b>
<b>09.45</b>	<p>1. General introduction to the Questionnaire and the Criminal law Convention on Corruption (Matthias KORTE, Head of Division, Federal Ministry of Justice; Head of the German delegation with GRECO)</p> <p>2. Monitoring the implementation of international anti-bribery provisions: experience of the OECD (Patrick MOULETTE, Head of the Anti-corruption Division, OECD)</p> <p>3. Specific issues of the Criminal Law Convention on Corruption (Manfred MOEHRENSCHLAGER, former Head of Division, Federal Ministry of Justice; former Head of the German delegation with GRECO)</p> <ul style="list-style-type: none"><li>- subject/object of corruption</li><li>- bribery in the public and the private sector</li><li>- trading in influence</li></ul>
<b>11.15</b>	<i>Break</i>
<b>11.30</b>	<p>4. Jurisdiction and international aspects (Christian MANQUET, Head of Unit, Directorate for Penal Legislation Federal Ministry of Justice; Head of the Austrian delegation with GRECO)</p> <p>5. Defences (Georgi RUPCHEV, Director of International Cooperation and European Integration, Ministry of Justice; Head of the Bulgarian delegation with GRECO)</p>
<b>12.30</b>	Comments and questions from participants, general discussion
<b>13.00</b>	<i>Lunch</i>
<b>AFTERNOON SESSION</b>	<b>Practical aspects of applying criminal legislation in the investigation and prosecution of corruption at the domestic level</b>
<b>14.30</b>	<p>6. Investigation and prosecution of corruption offences, practical aspects concerning in particular:</p> <ul style="list-style-type: none"><li>- requirements and difficulties in respect of gathering evidence (including international co-operation)</li><li>- the use of evidence in court</li><li>- the standard of proof</li><li>- statute of limitation</li><li>- sanctions</li></ul> <p>Presentations by experienced prosecutors:</p> <p>Jean-Pierre ZANOTO, Advocate, Appeal Court in Lyon, France; Nils-Eric SCHULTZ, State Prosecutor, National Anti Corruption Unit, Sweden; Alastair BROWN, Advocate Deputes' Chambers, Crown office, United Kingdom</p>
<b>16.00</b>	<i>Break</i>
<b>16.15</b>	Comments and questions from participants, general discussion
<b>18.00</b>	<b>Concluding remarks</b> by the President of GRECO