



Strasbourg, 26 November 2008

Greco (2008) 18E

39th Plenary Meeting of GRECO
(Strasbourg, 6-10 October 2008)

SUMMARY REPORT

I. Opening of the Plenary Meeting

1. The 39th Plenary Meeting of GRECO was chaired by Mr Drago KOS (President, Slovenia). Mr Marin MRČELA (Vice-President, Croatia) took the chair during the afternoon of Tuesday 7 October.
2. The President opened the meeting by welcoming all representatives, referring in particular to those who had been newly nominated. He was very pleased to welcome the representative of the United Nations Office on Drugs and Crime (UNODC), which was participating for the first time since it became an observer in 2006. Ms STROBEL-SHAW was invited by the President to inform the Plenary of developments as regards the future review of implementation of the United Nations Convention against Corruption (see paragraphs 32-42). The list of participants appears in Appendix I to this report.
3. The President reminded the plenary of **Rule 3 of the Rules of Procedure**, according to which GRECO is a body composed of representatives appointed on a permanent basis. Too frequent changes in the composition of national delegations made it difficult to ensure consistency in GRECO's monitoring work as experts nominated as representatives in GRECO were directly involved in the peer review process during the examination and adoption of evaluation and compliance reports. He also stressed that delegations contained in the official List of Representatives were to be composed of a maximum of four persons (two representatives and two substitutes) and that participants in plenary meetings could only be drawn from that list. Exceptions would be accepted only in response to requests from delegations to allow, on an ad hoc basis, the participation in a plenary meeting of a high-level visitor to Strasbourg.

II. Adoption of the agenda

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

III. Information provided by the President, Delegations and the Executive Secretary

5. The **President** congratulated the Vice-President on his appointment to the Supreme Court of Croatia.
6. Since the last Bureau meeting he had participated, accompanied by a member of the Secretariat, in a meeting of the Open-ended Intergovernmental Working Group on Review of the Implementation of the United Nations Convention against Corruption (Vienna, 22-24 September).
7. The President also outlined the main results of the Bureau 45 meeting (cf. Greco (2008) 15E). The Bureau had agreed, *inter alia*, that "sponsoring and corruption", in particular the sponsoring of public bodies by private sector entities to fulfil public tasks and the problems associated with public officials who are invited to events sponsored by corporations, would be a suitable topic for a future *tour de table*. The draft programme for GRECO's 10th Anniversary Conference, appended to the Bureau 45 report, would be further worked on by the Bureau at its next meeting.
8. As regards the current state of publication of reports, the President hoped that the representative of Turkey would be in a position to transmit his authorities' authorisation to publish the Joint First and Second Round Compliance Report on Turkey, adopted at GRECO's 37th Plenary Meeting (April 2008) as soon as possible.

9. Before handing the floor to delegations, the President informed the plenary that copies of an exchange of letters concerning the recent elimination of the Italian Office of the High Commissioner against Corruption were available. The **representative of Italy** reported on the reasons for the decision and on the transfer of the Office's tasks to a new structure. The text of his statement, updated to include developments that took place at a later stage was circulated to all GRECO representatives on 22 October (cf. Greco (2008) 20E)
10. The **representative of the Russian Federation** informed the plenary that a National Anti-corruption Plan had been adopted on 31 July and that anti-corruption legislation was expected to be passed by Parliament in the near future.
11. The **representative of Romania** informed the Plenary that by way of a recent Constitutional Court decision, possibilities for political interference in decisions to instigate criminal investigations against ministers had been reduced. Such decisions were now to be taken by the majority vote of only those members present in the Chamber (Chamber of Deputies or Senate) when a motion is passed.
12. The President provided an up-date on the situation in **Slovenia** since the recent change in government. The winning political party had expressed support for the Commission for the Prevention of Corruption. He also referred to the highly mediatised, ongoing international investigation into a case of alleged bribery in relation to a defence contract involving Finland and Slovenia.
13. The **Executive Secretary** reported on the following developments since GRECO's 38th Plenary Meeting (June 2008) :
 - he had participated in a Latin American Conference on "Commitment and Co-operation in the Fight against Corruption and International Bribery", co-sponsored by the Mexican Government and the OECD (Mexico City, 29-30 September). Mexico had previously observed the work of the Council of Europe's Multidisciplinary Group on Corruption (GMC) and was thus one of the non-member States of the Council of Europe that could become a party to the Council of Europe anti-corruption Conventions. The Mexican Government seemed to have a strong focus on fighting corruption - in part due to a number of studies which show that it is on the increase in Latin America - and was developing a very ambitious plan to establish a Federal and local level anti-corruption programme which would be common to all Mexican States; the representatives of the major worldwide depositories of anti-corruption treaties present (Council of Europe, OAS, OECD, UNODC) were very supportive of the idea of such a plan;
 - the President and he had participated in a meeting of Heads of monitoring mechanisms within the Directorate General of Human Rights and Legal Affairs, organised by the Swedish Chair of the Committee of Ministers to discuss questions of mutual interest and to identify any needs for coordination and harmonisation; a second meeting would be held on Tuesday 7 October; the President added that even though it was clear that synergy should be sought where possible, it was clearly impracticable to envisage combining GRECO's tasks with those of the other monitoring bodies of the Organisation; later in the week, the President reported that the need for monitoring bodies to enjoy a high degree of independence had been recognised and that it had been proposed that a book describing the work of the various Council of Europe monitoring bodies would be published;
 - a member of the Secretariat had participated in the Institute for Educational Planning (IIEP)-UNESCO Summer School session on "Transparency, responsibility and measures for fighting corruption in the education sector" (Paris, 23 September);

- copies were available of a viewpoint entitled "Corruption distorts the system of justice and damages poor people in particular", published by the Council of Europe's Commissioner for Human Rights, Mr Thomas HAMMARBERG, in which he comments on the situation in a number of GRECO member States and refers to the work of the Group and to the role of parliamentarians in the fight against corruption; the Executive Secretary reminded the Plenary of the Bureau's intention to invite the Commissioner for Human Rights to an exchange of views at a forthcoming Plenary Meeting as clear links existed between corruption and human rights;

- a tender had been launched by the European Commission for the development of monitoring instruments for judicial and law enforcement institutions in Albania, Bosnia and Herzegovina, Croatia, "the former Yugoslav Republic of Macedonia", Montenegro, Serbia and Kosovo under international administration; the President expressed some concern at this stage as to what could be the added benefit of such a mechanism; the Executive Secretary informed the plenary that the Council of Europe (represented by the Directorate of Cooperation, Technical Cooperation Department) was a bidder and, if successful, the risk of duplication of effort could be reduced;

- the Bureau had agreed to the proposal of the Council of Europe's Press Department that when it was known in advance that a GRECO report would be published on its website the report could be made available to journalists, a few days ahead of publication, under a "publication embargo";

- the Secretariat had received from members a good number of translations into national languages of reports adopted and they had been included on GRECO's website; members which had not yet responded to the invitation to provide translations were encouraged to do so as such texts were an important asset, enhancing the dissemination of information;

- GRECO was asked to take note of the list of proposed dates for Plenary Meetings in 2009 to which the Bureau had had no objection (cf. Appendix III).

IV. Third Evaluation Round

14. In line with standing practice, an in-depth reading of the draft Third Round Evaluation Report on **Latvia** took place with the participation of the Evaluation Team which had carried out an on-site visit to the country. Before adoption, the report underwent a second reading of a draft which had been revised in the light of the discussions held during the first reading.

15. GRECO adopted the Third Round Evaluation Report on Latvia (Greco Eval III Rep (2008) 1E – Themes I and II) and noted with satisfaction the authorisation given by the country to publish the report. The deadline fixed for submission of a Situation Report on implementation of the recommendations contained in the report was 30 April 2010.

16. Following discussions held on the approach to be taken with regard to the issue of "effective regret" in the context of the Third Evaluation Round, GRECO asked its Bureau to discuss at its next meeting the possibility of holding a *tour de table* on the question at a forthcoming Plenary Meeting.

17. The plenary noted that Third Round evaluation visits to Lithuania (dates already fixed: 26-30 January), "the former Yugoslav Republic of Macedonia", Bulgaria, Germany, Malta, Romania, Cyprus, Ireland, Croatia, Greece, Turkey and Hungary (selection based on Second Evaluation Round chronology – cf. Bureau 45 Report:

Greco (2008) 15E) would be scheduled in 2009. The Secretariat would contact the members concerned individually with regard to deadlines for submission of replies to the questionnaires and dates for the visits.

V. Joint First and Second Evaluation Rounds

18. An in-depth reading of the draft Joint First and Second Round Evaluation Report on **Monaco** took place with the participation of the Evaluation Team which had carried out an on-site visit to the country. Before adoption, the report underwent a second reading of the draft which had been revised in the light of the discussions held during the first reading.
19. GRECO adopted the Joint First and Second Round Evaluation Report on Monaco (Greco Eval I-II Rep (2008) 1E) and invited Monaco to authorise publication of the report as soon as possible. The deadline fixed for submission of a Situation Report on implementation of the recommendations contained in the report was 30 April 2010.

VI. Compliance Procedure - First Evaluation Round

20. The draft Addendum to the First Round Compliance Report on the **United States of America** 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 the United States of America (Greco RC-I (2006) 1E Addendum) and thus terminated the first round compliance procedure in respect of that country. GRECO noted with satisfaction that the United States of America authorised publication of the Addendum.

VII. Compliance Procedure - Joint First and Second Evaluation Rounds

21. The draft Joint First and Second Round Compliance Report on **Azerbaijan** had been prepared, on the basis of a Situation Report submitted by the authorities of the country, in consultation with Rapporteurs designated on behalf of the Netherlands and Turkey. The Rapporteurs communicated their observations on the draft compliance report to the plenary and a detailed reading of it followed.
22. GRECO adopted the Joint First and Second Round Compliance Report on Azerbaijan (Greco RC-I/II (2008) 4E) and invited the authorities of the country to authorise its publication as soon as possible. The deadline fixed for the submission of additional information regarding the implementation of recommendations was 30 April 2010.

VIII. Compliance Procedure – Second Evaluation Round

23. The draft Second Round Compliance Report on **Portugal** had been prepared - in consultation with Rapporteurs designated on behalf of Albania and Luxembourg - on the basis of a Situation Report submitted by the authorities of Portugal and taking account of additional information provided in writing following the suspension of the reading of the draft compliance report during GRECO's 38th Plenary Meeting (cf. GRECO 38 decision 14 - Greco(2008)12E). The Rapporteurs communicated their observations on the draft compliance report to the plenary and a detailed reading of it followed.
24. GRECO adopted the Second Round Compliance Report on Portugal (Greco RC-II (2008) 2E) and invited the authorities to authorise its publication as soon as possible. The deadline fixed for the submission of additional information regarding the implementation of recommendations was 30 April 2010.

25. GRECO carried out a detailed reading of the draft Addendum to the Second Round Compliance Report on **Poland**. The draft Addendum was based on information provided by the authorities of the country as required by the conclusions of GRECO's Second Round Compliance Report. GRECO adopted the Addendum to the Second Round Compliance Report on Poland (Greco RC-II (2006) 5E Addendum), and thus terminated the second round compliance procedure in respect of that country. The authorities of Poland were invited to authorise publication of the Addendum, as soon as possible.

IX. Exchanges of Views

26. Ms Huguette LABELLE, Chair of the Board of Directors of **Transparency International** (TI), participated in an exchange of views with GRECO. She opened by saying that she often referred to GRECO as being a very good standard for monitoring. Transparency International was established 15 years ago, its headquarters were in Germany and it had Chapters – each with their own legal personality - in close to 100 countries around the world, forming a sort of confederation. Accreditation of the Chapters was carried out every three years.
27. Ms Labelle outlined the four principle areas of activity of the organisation. First, keeping the issue of corruption high on national and international agendas. TI's Corruption Perception Index (CPI), Global Corruption Barometer, Bribe Payers Index and annual reports focusing on a major issue were the principle tools used to achieve this aim. Second, building commitment by governments around the world by making representations to depositories of international anti-corruption treaties, promoting the need for independent and strong monitoring.
28. Thirdly, TI acted as a solution provider, developing through its Chapters tools and mechanisms to enhance primarily public and business sector integrity, such as the national integrity system used by the governance pillars of a country to assess themselves in order to diagnose areas of weakness. In the private sector, TI brought leaders in specific areas of the economy together to work with them in developing prototype codes of conduct, incentives and disincentives aimed at a move towards zero tolerance of corruption. Finally, TI Chapters worked with Ministries for Education and other specialists to develop meaningful curricula aimed at strengthening the moral compass of young people in primary through to higher education.
29. TI was supportive of the Council of Europe's work aimed at developing a Convention on Access to Official Documents. Ms Labelle also spoke of other concerns such as the protection of whistleblowers, the vulnerable position of advocates of integrity and of those fighting corruption around the world as well as the need for ensuring a strong, corruption-free judiciary in all countries of the world. Finally, she called on countries with experience of GRECO's monitoring work to support strong, independent monitoring of the United Nations Convention against Corruption, and to assist those countries which had not been exposed to such monitoring to better understand that it is in their best interests over time.
30. In the ensuing debate, the issue of identifying and highlighting the human face of corruption was discussed. TI was mounting a campaign to draw attention to the concrete, far reaching effects corruption has on people's lives. The diverse effects and use made of the CPI were also discussed. As the Index reflected perception as opposed to real levels of corruption (which so far remained unmeasurable) it could be misinterpreted. For example highly publicised, major anti-corruption cases and visible anti-corruption efforts could increase the public's awareness of corruption and therefore influence its perception of levels of corruption in a country, whereas those very actions that raise public perception could lead to a

- reduction in levels of corruption. Ms Labelle reminded the plenary that the CPI was to be read in conjunction with the Bribe Payers Index and with other published studies to obtain a broader picture, it was also more useful to focus on the score over a period of time than on the ranking of a given country. TI believed that the benefit gained from maintaining a focus on the issue of corruption outweighed the effect any misinterpretation of the CPI could have. Finally, sources of funding and TIs methodology were discussed – information on both were available on the organisation’s website.
31. The President thanked Ms Labelle for the information she had shared with the Plenary, he hoped that she would be in a position to accept an invitation to address the high-level conference that would be held to celebrate GRECO’s 10th Anniversary on 5 October 2009.
 32. Later in the week, Ms Brigitte STROBEL-SHAW, the representative of **UNODC** presented to the plenary the state of ratification of the United Nations Convention on Corruption (UNCAC), the priorities of the Conference of the States Parties (CoSP) to the convention and the work underway in view of the Third Session of the CoSP which would be held in Doha (Qatar) in November 2009.
 33. To-date the Convention had 140 signatories and 126 parties; 70% of Council of Europe member States had ratified. The priorities fixed by the CoSP were review of implementation of the convention, technical assistance, asset recovery and information gathering.
 34. The recommendations of the UNODC Working Group on Asset Recovery to the CoSP were that technical assistance should be an important component of efforts aimed at implementation of provisions on the return of assets; that UNODC should develop a legal database (laws and judicial decisions) and establish a global network of focal points on asset confiscation and recovery to facilitate the exchange of knowledge and networking. Finally, the role of the CoSP in confidence building and facilitating cooperation between States had been emphasised. UNODC had been working together with a range of supporting initiatives, e.g. the UNODC/World Bank Stolen asset Recovery initiative (StAR); the Basel Institute on Governance - International Centre on Asset Recovery (ICAR); and the OECD – ADB/OECD anti-corruption initiative.
 35. The CoSP had also established the Working Group on Technical Assistance. Recommendations in this area identified the need to streamline provisions of the convention into ongoing and planned development assistance programmes; donors should enhance technical assistance by giving priority to using the UNCAC provisions in formulating general development and other relevant anti-corruption assistance policies and should continue coordination to enhance the effectiveness of technical assistance. In addition, an electronic repository of national anti-corruption measures and laws should be developed. In this area, UNODC had been working closely with the OECD Development Assistance Committee – the Anti-corruption Task Team.
 36. With regard to review of implementation of the UNCAC – the first step would be information gathering. A self-assessment checklist using a horizontal review covering all chapters of the convention had been finalised. The first session of CoSP had decided that it was necessary to establish an appropriate and effective review mechanism which should be transparent, efficient, non-intrusive, inclusive and impartial. No form of ranking should be established and provision should be made for sharing good practices and challenges. Any mechanism should complement existing international and regional review mechanisms, cooperate with them and avoid duplication of effort. The Second session of CoSP established a range of additional principles, i.e. the aim of a review mechanism should be to

assist States parties, a balanced geographical approach should be taken into account, it should be non-adversarial and non-punitive and promote universal adherence to the UNCAC; its work should be based on clear, established guidelines for the compilation, production and dissemination of information, it should identify difficulties and good practices of parties and be of a technical nature and promote collaboration.

37. The forthcoming third session of CoSP would be looking at draft Terms of Reference for a future review mechanism which were being prepared by the Working Group on Implementation Review. A document containing examples of funding arrangements for other review mechanisms (including GRECO) would also be produced.
38. Twenty-nine countries were now participating in the voluntary pilot review programme which used a similar methodology to GRECO as it paired three countries together (two reviewing one country). The pilot review was strictly voluntary, allowing the country under review to choose the format/method of review, it was limited in scope and in duration so as not to interfere with any decisions the CoSP might take during its third session.
39. In response to a further decision by the last CoSP in the field of bribery of officials of public international organisations, a number of initiatives would be implemented, including an internal integrity initiative, launched by UNODC's Executive Director to align financial and integrity rules with the UNCAC in the belief that public international bodies should lead by example and adopt internal standards and policies which are fully in line with the convention.
40. In the ensuing discussion, the President urged all GRECO members that had not already done so, to ratify the UNCAC in particular as previous GRECO evaluation rounds had dealt, in one way or another, with almost all provisions of the convention. He also recalled GRECO's previous messages to the CoSP indicating its willingness to offer its knowledge and experience in the field of peer review.
41. With regard to the future review mechanism complementing existing mechanisms, Ms Strobel-Shaw explained that the view of experts had so far been that it was important to ensure that there was no duplication of effort, i.e. all pertinent available sources of information (GRECO, OECD, UN Organised Crime Convention) should be used when carrying out reviews.
42. The President concluded by congratulating the UNODC on their work and encouraged them in their efforts underlining the fact that GRECO which was itself composed of a broad range of very different countries had had no problem obtaining acceptance of its methods which included the need to complete comprehensive questionnaires and the holding of on-site visits. He expressed the hope that a high UNODC representative would be in a position to address GRECO's Tenth Anniversary Conference to be held on 5 October 2009.

X. *Tour de table* – Civil Law Convention on Corruption (ETS 174)

43. The plenary held a *tour de table* on the Civil Law Convention on Corruption. Representatives were invited to share information on any obstacles to signature or ratification of the convention, provisions which involved particular challenges for domestic legislation, the relation between civil and criminal proceedings and examples of jurisprudence and good practice. Thirty-two of GRECO's members had ratified the convention, nine had signed and five had neither signed nor ratified.

44. For a number of countries, domestic law had met all the requirements of the convention prior to ratification. Among the issues that had or would require some attention in order to ensure full implementation of the convention in some countries, provisions for State responsibility (Article 5 of the convention), limitation periods (Article 7) and protection of whistleblowers (Article 9 – protection of employees) were mentioned. As the President pointed out, no insurmountable legal obstacles to ratification had been identified.
45. Among the countries that had not yet ratified the convention, the issues that still needed to be addressed in domestic legislation were principally those mentioned by States which had already ratified the convention (cf. paragraph 44 above). With regard to protection of employees, provisions on unlawful dismissal and specific protective arrangements for whistleblowers were often contained in collective agreements. The President indicated that it may be necessary however to envisage review of labour law as, in their negotiations with social partners, employers may be reluctant to make provision for sufficient protection of whistleblowers.
46. In nearly every case, it was considered too early for States to be able to report on practical examples of implementation of the convention. It was suggested to hold another *tour de table* on the convention in 12 to 18 months' time, focusing on practical examples of the application of civil remedies.

XI. Miscellaneous

47. With regard to its compliance procedures, GRECO asked the Bureau to discuss at its next meeting the policy to be adopted as regards information submitted by a State too late in the procedure for it to be taken into account in the preparation of a draft compliance report before its transmission to the Plenary.

XII. Adoption of decisions

48. The decisions of the 39th Plenary Meeting were adopted, as they appear in document Greco (2008) 17E.

XIII. Forthcoming meetings

49. GRECO noted that the Bureau would hold its 46th meeting in Strasbourg on 7 November 2008. The 40th Plenary Meeting would be held in Strasbourg on 1-5 December 2008. Note was also taken of dates proposed for the Plenary Meetings to be held in 2009 (see Appendix III).

APPENDIX I

LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS

ALBANIA / ALBANIE

Mr Edmond DUNGA

Head of the Office in the Anticorruption Secretariat, Regional Anti-Corruption Initiative (RAI) Secretariat

Ms Helena PAPA

Inspector, Department of Internal Administrative Control and Anti-Corruption, Council of Ministers

ANDORRA/ANDORRE

Mme Maribel LAFOZ JODAR (Chef de délégation)

Membre de l'Unité de prévention et lutte contre la corruption, Ministère de la Présidence et des Finances, Gouvernement d'Andorre

ARMENIA / ARMENIE

Mr Artur OSIKYAN (Head of delegation)

Deputy Chairman of the State Revenue Committee

Mme Nazeli HAMBARZUMYAN

Deputy to the Permanent Representative of Armenia

AUSTRIA / AUTRICHE

Mr Christian MANQUET (Head of delegation)

Head of Unit, Directorate for Penal Legislation, Federal Ministry of Justice

Ms Doris NIEDERSÜSS

Bundeskanzleramt – Verfassungsdienst, Federal Chancellery of Austria - Constitutional Service

AZERBAIJAN / AZERBAIDJAN

Mr Inam KARIMOV (Head of delegation)

Chief Adviser, Dpt of Coordination of Law Enforcement Bodies, Executive Office of the President of the Republic, Secretary of the Commission for Combating Corruption

Mr Kamran ALIYEV

Head of Department, Prosecutor General's Office

BELGIUM / BELGIQUE

Mlle Claire HUBERTS (Chef de délégation)

Attachée, Service des Principes de droit pénal et de procédure pénale, DG de la Législation, des Droits et Libertés fondamentaux, (SPF 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)

State Expert, Directorate of International Cooperation and European Integration, Ministry of Justice

CROATIA / CROATIE

Mr Marin MRČELA (Head of delegation)

Vice-Président du GRECO – Vice-President of GRECO

Judge at the Supreme Court

CYPRUS / CHYPRE

Mr Philippos KOMODROMOS (Head of delegation)

Counsel of the Republic, Law Office of the Republic of Cyprus

CZECH REPUBLIC / REPUBLIQUE TCHEQUE

Ms Helena LIŠUCHOVÁ (Head of delegation)

International Department, Section for International Organisations and International Co-operation
Ministry of Justice

Ms Milada VANĚČKOVÁ

Deputy Director, Territorial Public Administration Dpt., Ministry of the Interior

Mr Jan OUTLÝ

Head of Department of Political Sciences, University of Hradec Kralové

DENMARK / DANEMARK

Mr Flemming DENKER

Deputy Director, Public Prosecutor for Serious Economic Crime

ESTONIA / ESTONIE

Ms Mari-Liis SÕÖT (Head of delegation)

Head of Criminal Statistics and Analysis Division, Criminal Policy Department, Ministry of Justice

Mr Jaan GINTER

Vice Dean, Faculty of Law, University of Tartu

FINLAND / FINLANDE

Mr Kaarle J. LEHMUS (Head of delegation)

Inspector General of the Police, Ministry of the Interior

FRANCE

M Jean ALEGRE (Chef de délégation)

Chargé de mission auprès du directeur des affaires juridiques, Ministère des Affaires Etrangères et européennes

M. Michel BARRAU

Chef du Service Central de Prévention de la Corruption, Service Interministériel placé auprès du Ministère de la Justice

Mme Solène DUBOIS

Magistrat, Ministère de la Justice, Direction des Affaires Criminelles et des Grâces

M. Jean-Baptiste CARPENTIER

Directeur juridique de l'agence des participations d'état, Ministère des Finances

GEORGIA / GEORGIE

Apologised / Excusée

GERMANY / ALLEMAGNE

Mr Marcus ROGGE

Deputy Head of Division, Economic Crime, Computer Crime, Corruption-related Crime and Environmental Crime, Federal Ministry of Justice

GREECE / GRECE

Apologised / Excusée

HUNGARY / HONGRIE

Mr Ákos KARA (Head of delegation)

Deputy Head of Department, Ministry of Justice

ICELAND / ISLANDE

Mr Helgi Magnús GUNNARSSON

Public Prosecutor, Head of Unit for Investigation and Prosecution of Economic Crime, National Commissioner of the Police

IRELAND / IRLANDE

Apologised / Excusé

ITALY / ITALIE

Mr Fabrizio GANDINI

Magistrate, Magistrate attached to Office I, Directorate General of Penal Law

LATVIA / LETTONIE

Mr Alvis VILKS (Head of delegation)

Acting Director, Corruption Prevention and Combating Bureau

Ms Inese TERINKA

Senior Specialist, Legal Division, Corruption Prevention and Combating Bureau (KNAB)

Ms Ilve KASE,

Deputy Permanent Representative of Latvia to the Council of Europe

LITHUANIA / LITUANIE

Ms Elena KONCEVICIUTE

International Relations Officer, International Cooperation Division, Special Investigation Service

LUXEMBOURG

M. Jean BOUR (Chef de délégation)

Procureur d'Etat, Parquet du Tribunal d'Arrondissement de Diekirch

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

MALTA / MALTE

Mr Christopher MAGRI

Programme Manager (Finance), Financial Management Monitoring Unit (FMMU), Ministry of Finance

MOLDOVA

Mme Cornelia VICLEANSCHI (Chef de délégation)

Procureur, Chef de la Section Générale, Bureau du Procureur Général

Mr Radu COTICI

Acting head of Legislation and Anti-corruption Proofing Directorate, Centre for Combating Economic Crime and Corruption (CCCEC)

MONACO

Mme Ariane PICCO-MARCOSSIAN (Chef de délégation)

Directeur du Service d'Information et de Contrôle sur les Circuits Financier

Chef de Délégation

M. Thierry PERRIQUET

Conseiller à la Cour d'Appel, Palais de Justice, 5 rue Bellando de Castro

M Frédéric COTTALORDA

Chef de Section, Service d'Information et de Contrôle sur les Circuits Financiers (SICCFIN),

Département des Finances et de l'Economie

M Robert COLLE

Secrétaire Général du Ministère d'Etat

Mme Corinne LAFOREST DE MINOTTY

Inspecteur Général de l'Administration

M. Jean-Marc SILVI

Commandant Principal Inspecteur, Adjoint au Chef de la Division de Police Judiciaire à la Direction de la Sûreté Publique

Mlle Laurence CODA

Chargé de Mission au Département de l'Intérieur

Mlle Antonella SAMPO

Administrateur à la Direction des Services Judiciaires

MONTENEGRO

Mr Dusan DRAKIC
Advisor, Directorate for Anti-Corruption Initiative

NETHERLANDS / PAYS-BAS

Mr Bastiaan WINKEL-BOER (Head of delegation)
Policy Advisor, Ministry of Justice

NORWAY / NORVEGE

Mr John ENGSTRØM
Director General, Ministry of Government Administration and Reform

Mr Trygve HEYERDAHL
Senior Adviser, Ministry of Justice and the Police

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

Mr Christian Fredrik HORST
Deputy Director General, Ministry of Government Administration and Reform

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

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

M. Antonio Francisco CLUNY
Procureur Général Adjoint, Cour des Comptes

Ms Mónica CALADO GOMES
Legal Advisor, Bureau for International, European and Co-operation Affairs, Ministry of Justice

M Augusto CALADO DE OLIVEIRA
Coordinateur d'enquêtes de la Police Judiciaire

ROMANIA / ROUMANIE

Ms Oana SCHMIDT HAINEALA (Head of delegation)
Director of the Department for the Relations with the Public Ministry, Prevention of criminality and corruption

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mr Georgy MATYUSHKIN (Head of delegation)
Deputy Minister of Justice

Mr Oleg PLOKHOI
Deputy Head, Human Resources and Government Awards Department, Administration of the President of the Russian Federation

Mr Mikhail GRISHANKOV
First Deputy to the Chairman of the Committee on Security of the State Duma of the Federal Assembly of the Russian Federation

Mr Igor STOROZHENKO
Assistant to Deputy of the State Duma, Federal Assembly DUMA

Mr Andrei ILYIN
Deputy Head of Section, Office of the Representative of the Russian Federation at the European Court of Human Rights, Ministry of Justice

REPUBLIC OF SERBIA / REPUBLIQUE DE SERBIE

Ms Ana MARIČIĆ (Head of delegation)

Legal Advisor, Secretariat for the implementation of the National Judicial Reform Strategy
Ministry of Justice

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Mr Daniel GABČO (Head of delegation)

Deputy Director of the Financial Intelligence Unit, Combating Organised Crime 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

Mr Jurij TOPLAK

Assistant Professor, Faculty of Law Maribor, University of Maribor Law School

SPAIN / ESPAGNE

Mr Rafael VAILLO RAMOS

Legal Counsellor, Ministry of Justice, San Bernardo, 62

SWEDEN / SUEDE

Ms Lena Häll ERIKSSON (Head of delegation)

Director General, Ministry of Justice

SWITZERLAND / SUISSE

M Ernst GNÄGI (Chef de délégation)

Chef de l'unité du droit pénal international, Office fédéral de la Justice

M. Jean-Christophe GEISER

Collaborateur scientifique, Office fédéral de la justice

M Olivier GONIN

Collaborateur scientifique, Unité du droit pénal international, Office fédéral de la justice,

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

Ms Slagjana TASEVA (Head of delegation)

Dean of the Faculty of Law, First Private University "European University in the Republic of Macedonia"

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 Mete DEMIRCI

Inspector, Prime Minister's Office, Basbakanlik Yeni Bina

UKRAINE

Mr Andriy BOGDAN

Deputy Minister of Justice

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 Roderick MACAULEY (Head of delegation)
Head of EU and International Criminal Law, Corruption and Fraud, Criminal Law Policy Unit,
Ministry of Justice

Mr Matthew PYNE
Criminal Law Policy Unit, Ministry of Justice

Mr Alastair BROWN
Advocate Depute, Crown Office

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

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

Apologised / Excusé

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

Apologised / Excusée

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

Ms Brigitte STROBEL-SHAW
Corruption & Economic Crime Section, Treaty and Legal Assistance Branch, United Nations Office
on Drugs and Crime

OBSERVER OECD / OBSERVATEUR OCDE

Apologised / Excusé

GRECO EVALUATION TEAMS / EQUIPES D'EVALUATION DU GRECO

**Third Round Evaluation Report on Latvia /
Rapport d'Evaluation du Troisième Cycle sur la Lettonie**

THEME I – Incriminations

Mr Alastair BROWN (United Kingdom / Royaume-Uni)
Advocate Depute, Crown Office

Mr Jaan GINTER (Estonia / Estonie)
Vice Dean, Faculty of Law, University of Tartu

THEME II – Party Funding / Financement des partis politiques

Mr Jan OUTLY (Czech Republic / République Tchèque)
Head of Department of Political Sciences, University of Hradec Kralové

Mr Christopher MAGRI (Malta / Malte)
Programme Manager (Finance), Financial Management Monitoring Unit (FMMU), Ministry of Finance,

Mr Jurij TOPLAK (Slovenia / Slovénie)
Assistant Professor, Faculty of Law Maribor, University of Maribor Law School

**Joint First and Second Round Evaluation Report on Monaco /
Rapport d'Évaluation des Premier et Deuxième Cycles conjoints sur Monaco**

Mme Maribel LAFOZ JODAR (Andorra / Andorre)
Membre de l'Unité de prévention et lutte contre la corruption, Ministère de la Présidence et des
Finances, Gouvernement d'Andorre

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

M Jean-Baptiste CARPENTIER (France)
Directeur juridique de l'agence des participations d'état, Ministère des Finances

M. Antonio Francisco CLUNY (Portugal)
Procureur Général Adjoint, Cour des Comptes

RAPPORTEURS

**Joint First and Second Round Compliance Report /
Rapports de Conformité des Premier et Deuxième Cycles conjoint**

AZERBAIJAN / AZERBAÏDJAN

Mr Bastiaan WINKEL-BOER (Netherlands / Pays-Bas)
M. Ergin ERGÜL (Turkey / Turquie)

**Second Round Compliance Report /
Rapport de Conformité du Deuxième Cycle**

PORTUGAL

M. Edmond DUNGA (Albania / Albanie)
M. Jean-Paul FRISING (Luxembourg)

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

Mr Wolfgang RAU, **Executive Secretary of GRECO / Secrétaire Exécutif du GRECO**

Assistant / Assistante

Ms Elspeth REILLY, Personal Assistant to the Executive Secretary / Assistante Particulière du
Secrétaire Exécutif

Administrative Officers / Administrateurs

Mr Björn JANSON
M. Christophe SPECKBACHER
Ms Laura SANZ-LEVIA
Ms Tania VAN DIJK
Mr Michael JANSSEN

Secretariat - Evaluation rounds / Secrétariat - Cycles d'évaluation

Ms Penelope PREBENSEN, Administrative Assistant / Assistante Administrative
Mme Laure HEIM, Assistant / Assistante
Mme Marie-Rose PREVOST, Assistant / Assistante

Webmaster

Ms Simona GHITA, Directorate General of Human Rights and Legal Affairs / Direction générale des
droits de l'Homme et des affaires juridiques
Mme Marie-Rose PREVOST, GRECO

INTERPRETERS / INTERPRETES

Mme Sally BAILEY
Mme Chloé CHENETIER
Mme Julia TANNER

APPENDIX II

AGENDA / ORDRE DU JOUR

1. Opening of the meeting / *Ouverture de la réunion* - **09h30**
2. Adoption of the agenda / *Adoption de l'ordre du jour*
3. Information from the President, Delegations and the Executive Secretary (including on Bureau 45) / *Information du Président, des Délégations et du Secrétaire Exécutif (y compris sur Bureau 45)*
4. **First reading** of draft Evaluation Reports / **Première lecture** de projets de Rapport d'Evaluation:

Third Evaluation Round / *Troisième Cycle d'Evaluation*
 - **Latvia / Lettonie** (Monday / *lundi*)Joint First and Second Evaluation Rounds / *Premier et Deuxième Cycles d'Evaluation conjoints*
 - **Monaco** (Tuesday / *mardi*)
5. Examination and adoption of the Joint First and Second Round Compliance Report on **Azerbaijan** / *Examen et adoption du Rapport de Conformité des Premier et Deuxième Cycles conjoints sur l'Azerbaïdjan*
6. Examination and adoption of the Second Round Compliance Report on **Portugal** / *Examen et adoption du Rapport de Conformité du Deuxième Cycle sur le Portugal*
7. Examination and adoption of the Addendum to the Second Round Compliance Report on **Poland** / *Examen et adoption de l'Addendum au Rapport de Conformité du Deuxième Cycle sur la Pologne*

8. Exchange of views with Ms Huguette LABELLE, Chair of the Board of Directors, Transparency International (TI) – **Wednesday** 8 October, 09h30 / *Echange de vues avec Mme Huguette LABELLE, Présidente du Conseil d'administration, Transparency International (TI) – mercredi 8 octobre, 09h30*

9. Exchange of views with Ms Brigitte STROBEL-SHAW, United Nations Office on Drugs and Crime (UNODC) – **Thursday** 9 October / *Echange de vues avec Mme Brigitte STROBEL-SHAW, Office des Nations Unies contre la Droque et le Crime (ONUDC) – jeudi 9 octobre*

10. *Tour de table* – the Civil Law Convention on Corruption (ETS 174)* / *Tour de table*
– la Convention civile sur la corruption (STE 174)*
11. **Second reading** and adoption of the draft Third Round Evaluation Report on Latvia and of the Joint First and Second Round Evaluation Report on Monaco (**Friday**) / **Deuxième lecture** et adoption du projet de Rapport d’Evaluation du Troisième Cycle sur la Lettonie et du projet de Rapport d’Evaluation des Premier et Deuxième Cycles conjoints sur Monaco (**vendredi**)
12. Miscellaneous / *Divers*
13. Adoption of decisions / *Adoption des décisions*
14. Dates of next meetings / *Dates des prochaines réunions*

* Heads of delegation are invited to comment on:

- i) obstacles to signature/ratification, if any / provisions of the convention which involved or involve particular challenges for domestic legislation
- ii) the relation between civil and criminal proceedings and
- iii) practical experience (e.g. jurisprudence, examples of good practice).

* *Les Chefs de délégation sont invités à communiquer leurs remarques sur :*

- i) les obstacles à la signature/ratification, s’il y a lieu / les dispositions de la convention qui ont constitué ou constituent un défi particulier à la législation nationale*
- ii) la relation entre les procédures civiles et pénales et*
- iii) l’expérience pratique (par exemple la jurisprudence, exemples de bonnes pratiques)*

APPENDIX III

Dates proposed for Plenary Meetings in 2009

GRECO 41 : 16-20 February 2009

GRECO 42 : 11-15 May 2009

GRECO 43 : 29 June – 3 July

GRECO 44 : 5-9 October (10th Anniversary Conference on 5 October)

GRECO 45 : 30 November – 4 December