



Strasbourg, 18 November 2010

Greco (2010) 20E

48th Plenary Meeting of GRECO
(Strasbourg, 27 September – 1 October 2010)

SUMMARY REPORT

I. Opening of the Meeting

1. The 48th Plenary Meeting was chaired by Mr Drago KOS (President of GRECO, Slovenia) on Monday and by Mr Marin MRČELA (Vice-President of GRECO, Croatia) during the President's absence from Tuesday to Friday.
2. The President opened the meeting by welcoming all representatives, referring in particular to those who had been newly nominated. He warmly greeted the delegation of San Marino which had joined GRECO on 13 August 2010 as its 48th member. GRECO was now composed of all Council of Europe member States as well as the United States of America which was reason for great satisfaction and GRECO's status within the Council of Europe had evolved from that of a partial enlarged agreement to an enlarged agreement.
3. The Head of the delegation of **San Marino** took the floor to express his authorities' pleasure at having joined the group following a period of work aimed at preparing as well as possible its participation in GRECO's procedures. They looked forward to constructive cooperation with their peers and at examining any improvement of national standards that might prove necessary.
4. The list of participants appears in Appendix I to this report.

II. Adoption of the agenda

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

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

6. The **President** informed the Plenary of his participation in the following events:
 - the ceremony held in Vienna on 2-3 September to launch the International Anti-corruption Academy (IACA) based in Laxenburg (Austria) - the opening of the academy was widely considered to be a significant step towards an even more sustained fight against corruption;
 - the Council of Europe Informal Conference of Ministers responsible for Sport (Baku, 22 September) at which, among other things, a resolution on "match fixing" had been adopted. In it, the Ministers referred to GRECO and invited the Council of Europe to elaborate a recommendation to member States on the issue. While preparing his presentation, the President had realised that in a number of GRECO member States "match fixing" would be covered by criminal law provisions on fraud or bribery; moreover, in his view, the level of sanctions foreseen for such offenses was sufficient for them to be considered as an element of organised criminality under the United Nations Convention against transnational organised crime. Nevertheless, "match fixing" could not be fought solely through criminal legislation so a number of other measures needed to be foreseen in order to engage sports organisations and betting operators.
7. The President went on to outline the results of the last Bureau meeting which were detailed in document Greco (2010) 18E revised, drawing particular attention to the Bureau's decisions concerning:
 - ongoing Third Round "non-compliance procedures" within which, in addition to issuing a request for a second situation report to be provided 18 months after the adoption of the first compliance report (Rule 31 revised, paragraph 8.2 of the Rules of Procedure), it might prove appropriate to apply further steps under Rule 32

of GRECO's Rules of Procedure if significant progress was not demonstrated by the States concerned;

- a compilation of video statements by the Bureau members that would be prepared and posted on GRECO's website on the occasion of International Anti-corruption Day (9 December);

- "prevention of corruption in the judiciary", "prevention of corruption in the private sector" or "police ethics" had been identified as possible topics for *tours de table*/exchanges of views to be organised in 2011;

- the decision that a feature article on "sponsoring" would be included in GRECO's Eleventh General Activity Report (2010).

8. The **Executive Secretary** informed the plenary that ratification by the authorities of Belarus of the agreement with the Council of Europe concerning the privileges and immunities of the representatives of members of GRECO and members of evaluation teams was still pending but that eventually Belarus would join and he proceeded on the assumption that the country would undergo evaluation during the course of 2011. Kazakhstan had reiterated its interest in cooperating with GRECO. Article 4, paragraph 4 of GRECO's Statute provided for non-member States of the Council to be invited by the Committee of Ministers to join GRECO even if they were not party to one or more of the conventions under GRECO's purview. The issue would be discussed later in the week by the plenary (cf. paragraph 51 below).
9. The Secretariat had participated in the first session of the Implementation Review Group of the Conference of States Parties to the United Nations Convention against Corruption (UNCAC) held in Vienna on 28 June - 2 July. A decision had been taken at the opening of the meeting to hold it *in camera* and therefore the presence of representatives of international organisations (and NGOs) was not permitted. However, participation would be possible during the second part of the session to be held before the end of the year, when three days would be allocated to discussions on technical assistance in connection with the UNCAC review process.
10. A meeting of the Working Party entrusted with assisting GRECO in the preparation of the Fourth Evaluation Round (WP-Eval IV) would be held on 26-27 October at which a pre-draft of the questionnaire prepared by the Secretariat and considered by the consultant to the working party, Ms Jane LEY (United States of America), would serve as a basis for discussions.
11. It had been felt that it might be a good idea to give colleagues from the technical assistance sector in the Council of Europe an opportunity to report to the plenary once or twice a year on substantial work being carried out within cooperation programmes in the anti-corruption field. There was a strong focus within the Council of Europe on linking up monitoring results to technical assistance.
12. Before handing the floor to delegations, the President informed the plenary of recent developments in **Slovenia**. New legislation, the Integrity and Corruption Prevention Act, had entered into force in June which constituted a major step forward as compared to previous legislation. For the first time, the issue of lobbying had been regulated and the Commission for the Prevention of Corruption had been given new powers. The newly nominated Head and Deputy Head of the Commission would take up office on 1 October and the Commission had been the only public body granted an increased budget for 2011.

13. The representative of "**the former Yugoslav Republic of Macedonia**" informed the plenary of draft legislation amending the Anti-corruption Law that shortened the mandate of the current members of the State Anti-corruption Commission. It was feared that the intention was to elect new members without a specific procedure being in place. Moreover, the commission's budget had been cut. The current situation had opened a lively debate nationally. On the other hand, it was the representative's pleasure to announce that the one outstanding Second Round recommendation had been implemented with the adoption of a law on ethics for public officials. Moreover, GRECO's Third Round Evaluation Report had been translated into the national language and was available on-line. Finally, within the context the country's current chairmanship of the Committee of Ministers of the Council of Europe, the Ministry of Justice would hold a conference entitled "Fight against corruption – integrative feedback of domestic and international activities" (Ohrid, 15-16 October).
14. The representative of **Georgia** announced that an Anti-corruption Action Plan, had been adopted. It was designed to coordinate efforts particularly in the fields of corruption prevention, transparency and e-governance. It took account of recommendations issued by international bodies and had been prepared in collaboration with civil society bodies.
15. The representative of the **Russian Federation** informed the plenary that an analysis had been carried out of the results of the first national Anti-Corruption Action Plan (2008 – 2010). A draft law had been prepared to amend various aspects of the national anti-corruption legislation. A number of Presidential Decrees had been adopted and a Commission for the coordination of the activities of federal and other state bodies for implementing international treaties in the anti-corruption field (under the Presidential Council on countering corruption) had been established.
16. The Vice-President and Head of the delegation of **Croatia** reported on a conference that had been held recently in order to discuss the implications for judges, public prosecutors and Ministry of Justice officials once Croatia became a member of the European Union. It had been a very useful exercise despite the fact that media coverage in response to the event had focused more on the accession process itself. Croatia had to close 2 chapters in the negotiations, one of them Chapter 23 (judiciary and basic human rights), within which 21 benchmarks had been set, and only one and a half of which related to the courts/judges. Six of the benchmarks concerned the fight against corruption. One concerned extending regulations on the financing of political parties to political campaigns. Another, concerned independent monitoring of political financing. A draft law was currently before Parliament establishing two tiers of monitoring, one based in the Ministry of Finance and one in the Revision. Under GRECO standards, monitoring by the Ministry of Finance would not be considered independent and the EU benchmark would help to support the need for two tiers of monitoring provided for in the draft legislation. The other recommendations issued by GRECO with regards to the financing of political parties had been taken into account in the new legislation.
17. The representative of **Luxembourg** highlighted a law that had, already a few months ago, entered into force on special investigative techniques (including observation and infiltration which had been the object of First Round recommendations addressed to Luxembourg by GRECO). The final stages of the adoption process of a law ratifying the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (CETS No. 182) were underway. New legislation on money laundering was also due to be finalised in the coming weeks. The decision to open a Third Round non-compliance

procedure with respect to Luxembourg had given rise to some agitation in the press which had provided an opportunity to inform the press about GRECO's work and to raise awareness, in particular among politicians for the need to move forward with reform in the field of political funding. Progress was being made with the draft law on incriminations which had been recognised by GRECO as being more or less in line with the Criminal Law Convention on Corruption (ETS 173).

18. The representative of **Bosnia and Herzegovina** informed the plenary that the nomination by Parliament of the Head and two Deputy Heads of the Anti-corruption prevention body would take place after the legislative elections to be held in seven days' time. It was hoped that they would be in office by the end of the year.
19. The representative of **Spain** informed the plenary that amendments to the Criminal Code had been adopted in order to bring it into line with GRECO recommendations concerning bribery and the criminalisation of bribery in the private sector.

IV. Joint First and Second Evaluation Rounds

20. The draft Joint First and Second Round Compliance Report on **Monaco** had been prepared, in consultation with Rapporteurs designated on behalf of Luxembourg and Switzerland, on the basis of a Situation Report submitted by the authorities of Monaco. The Rapporteurs communicated their observations on the draft report to the plenary.
21. The compliance report was adopted (Greco RC-I/II (2010) 3E) and Monaco was invited to authorise its publication as soon as possible¹. The deadline fixed for the submission of additional information regarding the implementation of outstanding recommendations was 30 April 2012.
22. GRECO also examined the draft Addendum to the Joint First and Second Round Compliance Report on **Azerbaijan**. It was based on information provided by the authorities of the country as required by the conclusions of GRECO's Joint First and Second Round Compliance Report. Following its reading, GRECO adopted the Addendum (Greco RC-I/II (2008) 4E Addendum) and concluded the Joint First and Second Round compliance procedure in respect of Azerbaijan. The authorities were invited to authorise the publication of the Addendum as soon as possible.
23. Finally, as regards Joint First and Second Round procedures, GRECO noted that the Heads of delegation of its most recent members, Liechtenstein and San Marino, would soon be contacted by the Secretariat, proposing dates for the Joint First and Second Round evaluation visits to be scheduled to their countries in 2011.

V. Second Evaluation Round

24. GRECO examined the draft Addenda to the Second Round Compliance Reports on **Moldova** and **Portugal**. They were based on information provided by the authorities concerned as required by the conclusions of GRECO's Second Round Compliance Reports. Following a reading, GRECO adopted the Addendum on Moldova (Greco RC-II (2008) 8E Addendum) and the Addendum on Portugal (Greco RC-II (2008) 2E Addendum) and concluded the Second Round compliance procedures in respect of both countries.

¹ The Joint First and Second Round Compliance Report on Monaco was made public on 13 October 2010.

25. GRECO noted with satisfaction that the authorities concerned authorised the publication of the above Addenda.

VI. Third Evaluation Round

26. An in-depth reading of the draft Third Round Evaluation Reports scheduled for adoption² was carried out by the plenary with the participation of the Evaluation Teams which had previously carried out on-site visits to the countries concerned.
27. Following a second reading of drafts that had been revised in the light of the discussions held during the first reading, GRECO adopted the Third Round Evaluation Reports on **Azerbaijan** (Greco Eval III Rep (2010) 2E – Themes I and II), **Bulgaria**³ (Greco Eval III Rep (2009) 7E – Themes I and II) and **Serbia** (Greco Eval III Rep (2010) 3E – Themes I and II).
28. The authorities of the three countries were invited to authorise publication of their respective reports as soon as possible⁴ and the deadline fixed for submission of Situation Reports on implementation of the recommendations addressed to them was 30 April 2012.
29. The plenary also examined the draft Third Round Compliance Report on **Latvia** which had been prepared, in consultation with Rapporteurs designated on behalf of Denmark and the Czech Republic, on the basis of a Situation Report submitted by the authorities of Latvia. The Rapporteurs communicated their observations on the draft compliance report to the plenary.
30. The compliance report was adopted (Greco RC-III (2010) 6E) and the authorisation from Latvia to publish it was noted with satisfaction. The deadline fixed for the submission of additional information regarding the further implementation of recommendations was fixed at 30 April 2012.
31. The composition of the Teams that would be in charge of the Third Round Evaluation of Austria, Italy, Monaco, the Russian Federation, Switzerland and Ukraine - as contained in document Greco Eval III (2007) 1bil of 14 September 2010 - was approved.
32. Furthermore, as regards Third Round procedures, GRECO approved the list of rapporteur countries for forthcoming compliance procedures (Greco Eval III (2010) 11E). Thus, Poland and Finland would designate rapporteurs for Sweden; Albania and Belgium for France; Iceland and Romania for Norway; Italy and Estonia for Spain; Armenia and Slovenia for Albania and Andorra and Luxembourg for Belgium.
33. Finally, GRECO noted that the Secretariat would soon contact the members to which a Third Round evaluation visit would be scheduled in 2011, proposing deadlines for the submission of replies to the questionnaires and dates for on-site visits. The countries concerned were the United States of America, Ukraine, Switzerland, Austria, the Russian Federation, Monaco and Italy (Second Round chronology). The schedule of proposed dates for visits, including those to be carried out within the framework of the Joint First and Second Rounds (cf. para.

² Reading of Theme II "Party Funding", paras. 98 et seq. only of the report on Bulgaria (a first reading of Theme I and of Theme II, paras. 1 – 97 had been carried out at GRECO 47)

³ Second reading of Theme II only and adoption of the report on Bulgaria as a whole (both readings of Theme I had been carried out at GRECO 47).

⁴ The Third Round Evaluation Reports on Bulgaria and Azerbaijan were made public on 10 November and 18 November 2010 respectively.

25 above) had been designed to ensure an even distribution of evaluation reports for adoption between four plenary meetings per year and to make the best possible use of resources in 2011 during what would be a transition period from the Third to the Fourth Evaluation Round.

VII. Fourth Evaluation Round

34. GRECO held an **exchange of views on Corruption Prevention in Parliamentary Assemblies** with Mr Ghassan E. MOUKHEIBER who had been a member of parliament in Lebanon since 2002 and was the chair of the Taskforce on Parliamentary Ethics and Conduct of the Global Organization of Parliamentarians against Corruption (GOPAC). Under the chairmanship of Mr Moukheiber, the Taskforce had developed a Handbook on Parliamentary Ethics and Conduct, in collaboration with the Westminster Foundation for Democracy (WFD), that had been published earlier in the year.
35. Mr Moukheiber guided the plenary through the Handbook ([link to the Handbook](#))⁵, while providing information on the various characteristics of parliamentary systems, the nature of the role of parliamentarians and their position vis-à-vis their electorate, the executive, party and parliamentary structures, interest groups and the public in general that had to be borne in mind, such as:
- the multiplicity of – sometimes conflicting - interests that parliamentarians were expected to represent in the course of their duties (representing their voters, representing the public interest, holding the executive to account and voting laws);
 - controls imposed by the executive on parliamentarians (e.g. through low salaries)
 - the relatively short period of time during which a number of MPs would hold parliamentary office
 - the varying degrees of democracy of the political systems within which parliaments functioned.
36. These characteristics might make parliamentarians vulnerable to corruption and undue influence but they were realities of political life. Hence the importance of any system of ethics and conduct being developed with and by parliamentarians themselves.
37. The essential elements to be covered in a system of ethics and conduct for parliamentarians could be resumed as being i) understanding and addressing conflicts of interest; ii) introducing rules for transparency and disclosure and iii) developing rules for restricting outside interests. The Handbook contained a detailed analysis of the considerations to be borne in mind as well as input on determining the purpose and establishing the principles of an ethics and conduct regime, models for mechanisms for regulation and enforcement and developing a culture favourable to effective implementation, often illustrated through examples drawn from parliamentary systems around the world.
38. Elements that had not been included in the Handbook were rules applicable to the criminalisation of corruption as they were covered by legislation applicable to all citizens; rules relating to the personal demeanour of parliamentarians and relationships between political groups which would be covered by parliamentary rules of order, and, lobbying which would be dealt with in regulations specific to that profession. Moreover, with regard to the latter, Mr Moukheiber stressed that

⁵ Handbook written and edited by Greg Power on behalf of the Global Task Force on parliamentary ethics and conduct, the Westminster Foundation for Democracy and GOPAC.

the essence of the role of a parliamentarian was to be the arbitrator of competing interests. It was essential that systems of ethics and conduct provided for shielding parliamentarians from undue influence - as was advocated in the Handbook – rather than seeking to regulate on relations with lobbyists or even to prohibit such relations as was the case in some countries. Lobbying was part of political life. It was also important to bear in mind that not only lobbyists and other interest groups, but also governments (which would not be covered by regulations applicable to lobbyists), exerted pressure on and sought to influence parliamentarians.

39. To close, Mr Moukheiber welcomed GRECO's initiative to include the prevention of corruption in parliamentary assemblies in the scope of its Fourth Evaluation Round. He referred also to Article 8 of the United Nations Convention against Corruption, to networks such as GOPAC as well as national initiatives within parliaments around the world which incited others to reflect on the development of systems of ethics and conduct. The key to the effectiveness of such systems was ensuring ownership by parliamentarians themselves and they must incite positive action by them.
40. Later in the week, following a question from the floor regarding the potentially very broad scope of the part of the theme of GRECO's Fourth Evaluation Round concerning "corruption prevention in ... the judiciary and among other actors of the pre-judicial and judicial process", the Executive Secretary reminded the plenary that the working party (**WP-Eval IV**) GRECO had established would meet on 26-27 October to examine, among other things, the scope of the theme. The intention was that it would hold a last meeting early in 2011 in order to prepare reasoned proposals to be submitted to GRECO for a final decision in March of the same year.
41. GRECO agreed that cooperation with GOPAC, in particular in the context of GRECO's Fourth Evaluation Round, should be intensified, notably by inviting Mr MOUKHEIBER to assist WP-Eval IV by sharing his opinion and expertise.

VIII. Recommendations of the Parliamentary Assembly of the Council of Europe

42. At their 1085th meeting (26 May 2010), the Ministers' Deputies of the Council of Europe decided to communicate two recommendations of the Parliamentary Assembly of the Council of Europe to GRECO for information and possible comments. Both texts drew significant inspiration from GRECO's work.
43. GRECO adopted comments on Recommendation 1916 (2010) on "**The protection of whistle-blowers**" (Greco (2010) 16E Final) in which it referred to the Programme of Action against Corruption adopted in 1996 by the Committee of Ministers, the Civil Law Convention on Corruption (ETS 174), legal, institutional and practical measures adopted by its members in response to recommendations addressed to them within GRECO's Second Evaluation Round and a special substantive section on whistle-blower protection published in GRECO's Seventh General Activity Report (2006). GRECO found the Parliamentary Assembly's initiative timely as more could clearly be done in terms of whistle-blowing policies in general.
44. In the comments (Greco (2010) 17E Final) it adopted on Recommendation 1908 (2010) on "Lobbying in a democratic society (**European Code of conduct on lobbying**)", GRECO stated that the drawing up of a European Code of conduct on lobbying would be beneficial for the fight against corruption and, in particular, the establishment of a precise definition of lobbying to assist countries in dealing with

the issue of trading in influence and in better preventing conflicts of interest. In this regard, GRECO pointed to the Programme of action against Corruption adopted in 1996 by the Committee of Ministers, according to which the establishment and implementation of rules drawing the line between lobbying and corrupting should be encouraged. To conclude, GRECO stated its readiness to monitor the implementation of any provisions relevant to the fight against corruption should a legal instrument be adopted in pursuance of the Parliamentary Assembly's recommendation.

45. The issue of avoiding duplication of effort – here, as regards work within the OECD on the topic of whistle-blower protection – was discussed within the plenary. There was acknowledgement of the fact that there was a common core of topics that would inevitably be examined by various structures dealing with corruption which therefore could not preclude GRECO from examining such matters when they formed part of the Council of Europe's anti-corruption instruments. Work carried out in the OECD was a good source of information, it was however to be borne in mind that many countries present in GRECO were not members of the OECD.
46. The Secretariat was instructed to transmit GRECO's comments on both recommendations to the Secretariat of the Committee of Ministers.

IX. GRECO and the European Union

47. The President informed the plenary that, significant steps towards establishing much closer cooperation between GRECO and the European Commission had been made. The Commission had shown that they would be willing to consider some form of participation in GRECO (the modalities of which would need to be examined carefully) and to abandon the idea of establishing another monitoring mechanism producing country evaluation reports. He handed the floor to the Executive Secretary who with Mr Christos GIAKOUMOPOULOS, Director of Monitoring, Directorate General of Human Rights and Legal Affairs of the Council of Europe, had conducted, to the great satisfaction of the Bureau, recent discussions with representatives of the European Commission (Brussels, 26 August).
48. The Executive Secretary informed the plenary that during discussions with colleagues from the European Commission, it had appeared that the European Commission did not envisage setting up a separate monitoring body on the model of GRECO. They had a firm intention to produce every two years a cross-cutting summary report of the situation of corruption and the fight against corruption across Europe. The preparation of country-specific reports was not planned, but, the summary report would probably contain some summary country files setting out the situation and main elements of anti-corruption policies in member States. The European Commission would like GRECO to make a substantive contribution to the report – the format would need to be discussed further, but they had in mind possibly a summary of the principle outcome of GRECO's various evaluation rounds.
49. The European Commission had to report back to the European Council on possible modalities for the European Union to accede to GRECO in Spring 2011. It had been indicated that the European Commission did not see any major legal obstacles to accession. The modalities of accession would have to be regulated in a specific agreement (as referred to in both GRECO's Statute and Rules of Procedure that made specific reference to accession of the European Union to GRECO). Such an agreement would need to deal with, e.g., the purpose of accession; arrangements for cooperation, including representation during GRECO

plenary meetings and during evaluation visits to EU member States and possibly to other States that might wish such representation. It would also need to provide for exploring jointly - once the EU was a member - the practicalities of a possible evaluation of EU institutions by GRECO. The question of a financial contribution by the EU to GRECO would also need to be included. The aim was to put cooperation between the two institutions on a good solid legal basis as soon as possible and to avoid any particular issue from hampering accession, when complex issues could be discussed and resolved within the context of membership of the EU in GRECO.

50. GRECO welcomed the information provided by the Executive Secretary and the progress achieved regarding the possible format of cooperation between GRECO and the European Union, notably accession to GRECO, and asked the Secretariat to pursue these matters further with the relevant services of the European Union.

X. Possible cooperation with Kazakhstan

51. GRECO heard information provided by the Executive Secretary regarding Kazakhstan's reiteration of its interest in becoming a GRECO member. Kazakhstan currently chaired the OSCE and its membership of the Council of Europe's Venice Commission was planned. By way of providing an example of assessments carried out within the European Union, the Executive Secretary referred to a report on partnership and cooperation agreements with the five Central Asian States which indicated that Kazakhstan had taken the lead in terms of political, economic and social reforms and that it was considered as a role model for other countries in the region. It was recalled that the President had, at the beginning of the meeting, voiced his belief that membership in GRECO was the best way to influence advances in the anti-corruption field in any State. Bearing in mind Article 4, paragraph 4 of GRECO's Statute, the plenary held an informal exchange of views concerning prospects for cooperation between GRECO and Kazakhstan, including its possible accession to GRECO and agreed to further discuss the matter at a later stage.

XI. Miscellaneous

52. The plenary was informed by the Executive Secretary of a letter from EU Commissioner for Home Affairs, Cecilia MALMSTRÖM to the Secretary General of the Council of Europe regarding cooperation between the European Union and the Council of Europe, in which she stated how pleased she was that the Foreign Ministers of the Council of Europe member States had expressed their clear support for the further development of the dialogue and cooperation between the European Union and the Council of Europe, following the objectives of the 2007 Memorandum of Understanding. He quoted the following passages, that pointed to the current momentum in the development of reinforced cooperation between GRECO and the European Union that he had reported on earlier in the week: "I would like to express our willingness to continue our excellent cooperation as we work together to implement the Stockholm Programme and its Action Plan in areas of joint interest. The Commission is currently assessing the modalities of EU accession to GRECO. This work is carried out with a view to developing a comprehensive EU anti-corruption policy, as foreseen in the Stockholm Programme."
53. Following related information provided by the Executive Secretary at the opening of the meeting (cf. paragraph 11 above), GRECO noted that an item would be included on the agenda of Plenary Meetings at regular intervals to enable Council of Europe Secretariat members from the Directorate of Cooperation to report on activities planned, or being carried out, in the anti-corruption field.

54. Following a request from the floor, GRECO asked the Bureau to consider including an item on the agenda of GRECO 49 under which the Austrian Delegation could provide the plenary with up-dated information on the International Anti-Corruption Academy (IACA).

XII. Adoption of decisions

55. The decisions of the 48th Plenary Meeting were adopted, as they appear in document Greco (2010) 19E.

XIII. Forthcoming meetings

56. GRECO noted that the Bureau would hold its 55th meeting in Strasbourg on 27 October 2010 and that the 49th Plenary Meeting would be held in Strasbourg on 29 November to 3 December 2010.

APPENDIX I

LIST OF PARTICIPANTS

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ARMENIA / ARMENIE - Apologised / Excusé

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Mr Rovzat GASIMOV
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MOLDOVA

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

MONACO

Mme Ariane PICCO-MARCOSSIAN (Chef de délégation)
Directeur, Service d'Information et de Contrôle sur les Circuits Financiers (SICCFIN)

M. Robert COLLE
Secrétaire Général du Ministère d'Etat, Palais de Justice

Mme Corinne LAFOREST DE MINOTTY
Inspecteur Général de l'Administration

M. André MUHLBERGER
Directeur de la Sûreté Publique

Mme Marie-Pascale BOISSON
Conseiller Technique au Département des Finances et de l'Economie

M. Thierry PERRIQUET
Conseiller à la Cours d'Appel, Palais de Justice

Mme Antonella SAMPO-COUMA
Administrateur Principal à la Direction des Services Judiciaires

M. Frédéric COTTALORDA
Chef de Division au Service d'Information et de Contrôle sur les Circuits Financiers (SICCFIN)

MONTENEGRO

Mr Dušan DRAKIC
Advisor, Directorate for Anti-Corruption Initiative

NETHERLANDS / PAYS-BAS

Ms Nicole VISSCHER (Head of delegation)
Senior policy advisor, Ministry of Justice

Mr Harry DE WIT
Programme manager, Public administrative integrity, Directorate Public Sector Employment,
Ministry of the Interior and Kingdom Relations

Ms Kimberly TIELEMANS
Policy Advisor, Ministry of Justice

NORWAY / NORVEGE

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

Mr Christian Fredrik HORST (member of Norwegian delegation and evaluator – Serbia)
Deputy Director General, Ministry of Government Administration and Reform

POLAND / POLOGNE - Apologised / Excusée

PORTUGAL

Mr António FOLGADO
Senior Legal Advisor, Directorate General for Justice Policy, Ministry of Justice

Mme Mónica GOMES
Direction Général de la Politique de Justice

Mr Paulo PINTO DE ALBUQUERQUE (evaluator – Bulgaria)
Professor of law, College of Law of Illinois, IL, USA, Faculty of Law of the University of Lisbon

ROMANIA / ROUMANIE

Ms Anca CHELARU (Head of delegation)
Deputy Director, Department for Relations with the Public Ministry, Prevention of Crime and
Corruption, Ministry of Justice and Citizens Freedoms

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mr Aleksandr BUKSMAN (Head of delegation)
First Deputy Prosecutor General, Prosecutor General's Office

Mr Oleg PLOKHOI
Deputy Head of Presidential Department for Civil Service and Human Resources, Administration of
the President

Mr Aslan YUSUFOV
Deputy Head of Directorate, Head of Section of supervision over implementation of anti-corruption legislation, Prosecutor General's Office

Mr Andrei ILYIN
Councillor, Presidential Department for Civil Service and Human Resources

SAN MARINO / SAINT MARIN

M. Eros GASPERONI (Chef de délégation)
Premier Secrétaire, Ministère des affaires étrangères

M. Stefano PALMUCCI
Agent du Ministère de la justice

REPUBLIC OF SERBIA / REPUBLIQUE DE SERBIE

Ms Zorana MARKOVIC (Head of delegation)
Director, Anti-Corruption Agency

Mr Slobodan BOSKOVIC
Assistant Minister, Ministry of Justice

Ms Vesna JEVTIC
Senior Legal Advisor, Unit for party funding, Ministry of Finance

Ms Aleksandra KOSTIC
Senior Public Relations Advisor, Anti corruption Agency

Ms Olgica MILORADOVIC
Deputy Republic Prosecutor, Republic Prosecutor's office, Anti corruption department

Mr Djordje VUKOVIC
Programme Director, CeSID (NGO - Centre for Free Elections and Democracy)

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Mr Ronald KAKAŠ
Director of the Strategic Analysis and International Cooperation Department, Bureau of the Fight Against Corruption, Police Headquarters of the Slovak Republic, Ministry of the Interior

SLOVENIA / SLOVENIE

Mr Drago KOS

President of GRECO / Président du GRECO

Chairman, Commission for the Prevention of Corruption

Ms Vita HABJAN
Assistant Head, Sector for Prevention, Commission for the prevention of corruption

Mr Jurij TOPLAK (evaluator – Serbia)
Assistant Professor, Faculty of Law Maribor, University of Maribor Law School

SPAIN / ESPAGNE

Mr Rafael VAILLO
Technical Counsellor, D.G. for International Cooperation, Ministry of Justice

SWEDEN / SUEDE

Mr Olof NYMAN
Legal Adviser, Division for Criminal Law, Ministry of Justice

SWITZERLAND / SUISSE

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)
Professor in Criminal Law, European University

TURKEY / TURQUIE

Mr Mete DEMIRCI
Inspector, Prime Minister's Office

Mr Ahmet ULUTAS
Judge, Ministry of Justice, Adalet Bakanlığı

Mr Ömer Faruk GENCKAYA (evaluator – Azerbaijan)
Professor, Marmara University SBMYO

UKRAINE

Ms Valeria LUTKOVSKA (Head of delegation)
Deputy Minister of Justice, Ministry of Justice

Ms Olena SMIRNOVA (member of Ukrainian delegation and evaluator - Azerbaijan)
Head of Unit responsible for development of anticorruption policy, Ministry of Justice

UNITED KINGDOM / ROYAUME-UNI - Apologised / Excusé

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 / Excusé

REPRESENTATIVE OF THE CDCJ / REPRÉSENTANT DU CDCJ - Apologised / Excusé

REPRESENTATIVE OF THE CDPC / REPRÉSENTANT DU CDPC

Mr Damir VEJO
Deputy Director, Ministry of Security of Bosnia and Herzegovina

OBSERVER UNITED NATIONS – UNODC / OBSERVATEUR NATIONS UNIES – ONUDC - Apologised / Excusé

OBSERVER OECD / OBSERVATEUR OCDE - Apologised / Excusé

GRECO EVALUATION TEAMS / EQUIPES D'ÉVALUATION DU GRECO

**Third Round Evaluation report on Bulgaria /
Rapport d'Évaluation du Troisième Cycle sur la Bulgarie**

Theme II – Party Funding / Financement des partis politiques

M. Stéphane GAUVIN
Adjoint au Chef du Service Juridique de la Responsable du pôle des partis politiques Commission Nationale des Comptes de Campagne et des Financements Politiques (CNCCFP)

Mr Paulo PINTO DE ALBUQUERQUE
Professor of law, College of Law of Illinois, IL, USA, Faculty of Law of the University of Lisbon

Third Round Evaluation report on Azerbaijan
Rapport d'Evaluation du Troisième Cycle sur l'Azerbaïdjan

Theme I – Incriminations

Mr Fabrizio GANDINI
Judge, Tribunal of Rome

Ms Olena SMIRNOVA
Head of Unit responsible for development of anticorruption policy, Ministry of Justice

Theme II - Party Funding / Financement des partis politiques

Mr Ömer Faruk GENCKAYA
Professor, Marmara University SBMYO

Mr Karel KOUBA
Vice-Dean for International Affairs, University of Hradec Králové

Ms Ülle MADISE – **Apologised / Excusée**
Legal adviser to the President, President's Office

Third Round Evaluation report on Serbia /
Rapport d'Evaluation du Troisième Cycle sur la Serbie

Theme I – Incriminations

Mr Silvio BONFIGLI
Head of Justice, European Union Rule of Law Mission in Kosovo, (EULEX KOSOVO)

Mr Rolandas TILINDIS
Chief Prosecutor, International Relations and Legal Assistance Division, Prosecutor General's Office

Theme II - Party Funding / Financement des partis politiques

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

Mr Jurij TOPLAK
Assistant Professor, Faculty of Law Maribor, University of Maribor Law School

M. Yves Marie DOUBLET
Directeur adjoint, Assemblée Nationale, Services des affaires juridiques, Division contrôle et études juridiques – scientific expert

RAPPORTEURS

**Joint First and Second Round Compliance Report / Rapport de Conformité du Premier et
Deuxième Cycles Conjointes**

Monaco

M. Jean BOUR (Luxembourg)
M. Olivier GONIN (Switzerland/Suisse)

Third Round Compliance Report / Rapport de Conformité du Troisième Cycle

Latvia / Lettonie

Mr Flemming DENKER (Denmark/Danemark)
Mr Tomáš HUDEČEK (Czech Republic/République tchèque)

Exchange of views on the prevention of corruption in Parliamentary Assemblies
Echange de vues concernant la prévention de la corruption
dans les Assemblées parlementaires

Mr Ghassan E. MOUKHEIBER, Chair of the Global Task Force on Parliamentary Ethics and Conduct,
Global Organization of Parliamentarians against Corruption

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*

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M. Christophe SPECKBACHER

Ms Laura SANZ-LEVIA

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Ms Sophie MEUDAL-LEENDERS

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Central Office / Bureau Central

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Mme Laure PINCEMAILLE, 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

Mr Grégoire DEVICTOR

Mme Bettina LUDEWIG

Mme Isabelle MARCHINI

APPENDIX II

AGENDA

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 54) / *Informations du Président, des Délégations et du Secrétaire Exécutif (y compris sur le Bureau 54)*
 4. **First reading** of draft Third Round Evaluation Reports on: / **Première lecture** des projets de Rapports d'Evaluation du Troisième Cycle sur :

Bulgaria – Theme II / Bulgarie – Thème II, paras. 98 et seqq.	(Monday/lundi)
Azerbaijan – Theme I / Azerbaïdjan – Thème I	(Monday/lundi)
Serbia – Theme II / Serbie – Thème II	(Tuesday morning/mardi matin)
Serbia – Theme I / Serbie – Thème I	(Tuesday afternoon/mardi après-midi)
Azerbaijan – Theme II / Azerbaïdjan – Thème II	(Wednesday/mercredi)
 5. Examination and adoption of the Joint First and Second Round Compliance Report on **Monaco** / *Examen et adoption du Rapport de Conformité des Premier et Deuxième Cycles Conjoints sur **Monaco***
 6. Examination and adoption of the Addendum to the Joint First and Second Round Compliance Report on **Azerbaijan** / *Examen et adoption de l'Addendum au Rapport de Conformité des Premier et Deuxième Cycles Conjoints sur l'**Azerbaïdjan***
 7. Examination and adoption of the Addenda to the Second Round Compliance Reports on **Moldova** and **Portugal** / *Examen et adoption de l'Addenda aux Rapports de Conformité du Deuxième Cycle sur la **Moldova** et le **Portugal***
 8. Examination and adoption of the Third Round Compliance Report on **Latvia** / *Examen et adoption du Rapport de Conformité du Troisième Cycle sur la **Lettonie***
 9. Parliamentary Assembly Recommendations 1908 (2010) on Lobbying in a democratic society (European Code of conduct on lobbying) and 1916 (2010) on the protection of "whistle-blowers" – Adoption of comments approved by Bureau 54 / *Recommandations 1908 (2010) de l'Assemblée Parlementaire sur le lobbying dans une société démocratique (Code européen de bonne conduite en matière de lobbying) et 1916 (2010) sur la protection des « donneurs d'alerte » – Adoption de commentaires approuvés par le Bureau 54*
10. Fourth Evaluation Round: *Exchange of views on Corruption Prevention in Parliamentary Assemblies – keynote speaker: Mr Ghassan E. MOUKHEIBER, Global Organization of Parliamentarians Against Corruption (GOPAC) (**Thursday, 10h30 – 12h30**) / Quatrième Cycle d'Evaluation : *Echange de vues sur la Prévention de la Corruption au sein des assemblées parlementaires – Intervenant principal : M. Ghassan E. MOUKHEIBER, Organisation mondiale des parlementaires contre la corruption (**jeudi, 10h30 – 12h30**)
11. Possible cooperation with Kazakhstan – exchange of views / *Coopération éventuelle avec le Kazakhstan – échange de vues*
 12. Third Evaluation Round – composition of the Teams in charge of the evaluation of Austria, Italy, Monaco, Russian Federation, Switzerland and Ukraine (Bureau 54 proposals) / *Troisième Cycle d'Evaluation – composition des équipes chargées de l'évaluation de l'Autriche, l'Italie, Monaco, la Fédération de Russie, la Suisse et l'Ukraine (propositions du Bureau 54)*

13. Third Round Compliance Procedure regarding Albania, Belgium, France, Norway, Spain and Sweden – Selection of rapporteur countries (Bureau 54 proposals) / *Procédure de conformité du Troisième Cycle à l'égard l'Albanie, la Belgique, la France, la Norvège, l'Espagne et la Suède – Sélection de (pays) rapporteurs (propositions du Bureau 54)*
14. **Second reading** and adoption of the draft Third Round Evaluation Reports on Bulgaria**, Serbia and Azerbaijan (**Friday**) / **Deuxième lecture** et adoption des projets de Rapports d'Evaluation du Troisième Cycle sur la Bulgarie**, la Serbie et l'Azerbaïdjan (**vendredi**)
15. Miscellaneous / *Divers*
16. Adoption of decisions / *Adoption des décisions*
17. Dates of next meetings / *Dates des prochaines réunions*

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- * Heads of delegation are **invited to comment on**:
 - i. specificities of preventing corruption in parliamentary assemblies (i.e. what makes ethics regimes for members of parliament different from those for public officials in general);
 - ii. obstacles to developing ethics regimes for parliamentary assemblies;
 - iii. examples of good practice.

- * Les chefs de délégations sont **invités à communiquer leurs remarques sur** :
 - i. les traits distinctifs de la prévention de la corruption au sein des assemblées parlementaires (plus particulièrement, ce qui différencie les régimes déontologiques pour les parlementaires de ceux applicables aux agents publics en général) ;
 - ii. les obstacles au développement de régimes déontologiques pour les assemblées parlementaires ;
 - iii. des exemples de bonne pratiques.

** Second reading of Theme II "Party Funding" only and adoption of the report on Bulgaria as a whole (both readings of Theme I "Incriminations" were carried out at GRECO 47 – June 2010) / *Deuxième lecture seulement du Thème II "Financement des partis politiques" et adoption du rapport sur la Bulgarie dans son ensemble (les deux lectures du Thème I "Incriminations" ont été effectuées lors de GRECO 47 – juin 2010)*