

Strasbourg, 10 January 2014

Greco (2013) 18E

62nd GRECO Plenary Meeting
(Strasbourg, 2 – 6 December 2013)

SUMMARY REPORT

I. Opening of the meeting

1. The 62nd Plenary Meeting was chaired by Marin MRČELA, President of GRECO (Croatia) who opened the meeting by welcoming all participants, referring in particular to newly nominated heads of delegation and representatives. He highlighted the importance of their expert contribution to the in-depth examination by the plenary of draft evaluation and compliance reports - an essential component of GRECO's monitoring procedures. The list of participants appears in Appendix I.

II. Adoption of the Agenda

2. The agenda was adopted as it appears in Appendix II.

III. Information from the President and the Executive Secretary

3. GRECO took note of information provided by the **President** and the **Executive Secretary**, with particular reference to the report of the 66th Meeting of the Bureau (Greco (2013) 16E).

4. In preparation of what might be the first case of a future **high-level mission** organised by GRECO pursuant to Rule 32, paragraph 2(iii) of the Rules of Procedure (non-compliance procedure), the Bureau had agreed that the relevant draft interim compliance report would foresee in its conclusions the organisation of a high-level mission – the matter would thus be submitted for GRECO's approval in the context of the adoption of the report. While it was clear that application of the various measures provided for under Rule 32 did not necessarily have to be successive, the Bureau had felt that a high-level visit could be envisaged once a letter from GRECO's President to the Head of Delegation and a letter from the Secretary General to the minister of foreign affairs of the member State concerned had been sent. The Bureau had agreed that as high-level missions were intended to give added emphasis to the importance of complying with the recommendations issued by GRECO, they should be of a political rather than a technical nature, involve – on the part of the host country – representatives in a position to influence the process of reforms, and – on GRECO's part – Heads of Delegation, particularly from comparable countries where progress in the themes concerned has been achieved. Rule 32 also mentions the participation of the President, the Director General of Human Rights and Rule of Law and the Executive Secretary.

5. The Bureau had decided that **elections to the vacant seat in the Bureau** would only be included on the agenda of a plenary meeting if several delegates declared their interest to stand for election.

6. The formal request from **Kazakhstan** to be invited by the Committee of Ministers to join GRECO had met with no objections from the GRECO member States that are not members of the Council of Europe (Belarus and the United States of America). The decision by the Committee of Ministers to formally invite Kazakhstan to accede to GRECO would therefore come into force on 11 December 2013. Kazakhstan's response to the invitation would need to state the country's commitment to implementing the Twenty Guiding Principles for the fight against Corruption (CM Resolution (97) 24) – one of the prerequisites for membership under GRECO's Statute. Kazakhstan's accession to GRECO could take effect only once an agreement on privileges and immunities of GRECO representatives and evaluation teams had been concluded.

7. **Kyrgyzstan** had enquired about the procedure for becoming a member of GRECO. A presidential Order had tasked the Government and Parliament with carrying out the necessary steps for Kyrgyzstan to become a party to international anti-corruption treaties and to join relevant monitoring structures. To give GRECO an opportunity to form an opinion on Kyrgyzstan possibly becoming a member, the *Prokuratura* who is in charge of anti-corruption policies had been invited to

write to the Secretariat to outline the reasons for their interest in GRECO and to express an interest in being invited to an exchange of views.

8. As a result of an interesting discussion at the last plenary meeting (GRECO 61 - October 2013) on whether under the existing Statute, it would be appropriate for GRECO to possibly monitor implementation of a Recommendation on Protecting Whistleblowers being prepared by the European Committee on Legal Co-operation (CDCJ), some delegations had since approached the Executive Secretary to say that it might be useful to at least think about possibly extending GRECO's remit to allow it to deal with instruments not directly adopted in pursuance of the Committee of Ministers' Programme of Action against Corruption of 1996. The Bureau had therefore briefly discussed the advisability of **extending the "functions" established in Article 2 of GRECO's Statute** and would continue to do so at a forthcoming meeting.

9. Copies had been made available of a document adopted by the Council of the **European Union** entitled "EU priorities for cooperation with the Council of Europe in 2014-2015" – the document referred to the fight against corruption, the work of GRECO and the EU 2011 anti-corruption strategic initiative stating that it would be necessary to continue strengthening cooperation in this field which would promote already existing synergies. The impact assessment being carried out in EU institutions on the possible implications of the EU becoming a member of GRECO in the future was not completed. In the meantime, GRECO might wish to invite a representative of the European Commission to an exchange of views in order to receive an up-date on progress/indications of the realistic outcome of the assessment.

10. The plenary was informed of the state of preparations for the **Conference on Gender Dimensions of Corruption** that would be organised by GRECO under the auspices of the President of the Senate and the Ministry of Justice of the Czech Republic in Prague on 13 December 2013. The objective of the conference was to brainstorm on the information received so far from member States and the other research and initiatives looked into in order to consider possible initiatives that could be taken by GRECO with regard to gender dimensions of corruption. It was also hoped that the work of the conference could be used in cooperation with other bodies of the Council of Europe, such as the Parliamentary Assembly and the Congress of Local and Regional Authorities, to orient future work that might take account of gender dimensions of corruption.

11. It was particularly appreciated that Ms Alena GAJDŮŠKOVÁ, First Deputy President of the Senate, Parliament of the Czech Republic and Ms Marie BENEŠOVÁ, Minister of Justice, Chair of the Government Legislative Council of the Czech Republic would honour the conference by speaking at the official opening session alongside Mr José MENDES BOTA, First Vice-President of the Equality and Non-Discrimination Committee of the Parliamentary Assembly of the Council of Europe, GRECO's President and GRECO's Gender Equality Rapporteur. The delegations of Austria, Azerbaijan, France, Iceland, "the former Yugoslav Republic of Macedonia" and Ukraine were warmly thanked for having proposed speakers. Representatives of the Council of Europe's Group of Experts against Trafficking in Human Beings (GRETA) and Gender Equality Commission (GEC) as well as the former European Health Committee, the United Nations Development Programme (UNDP), the United Nations Office on Drugs and Crime (UNODC), the International Anti-Corruption Academy (IACA) and Transparency International (TI) would also participate. Ms Helena LIŠUCHOVÁ, Head of the Delegation of the Czech Republic in GRECO and GRECO's Gender Equality Rapporteur was thanked for the vital contribution she had made to the work that had led to the organisation of the event. Further information available at: www.coe.int/greco.

IV. Fourth Evaluation Round

Prevention of corruption in respect of members of parliament, judges and prosecutors

Evaluation procedures

12. The procedure for the detailed examination by the plenary of draft evaluation reports consists in paragraphs previously flagged by the Evaluation Team, the authorities or the Secretariat being read in full by the President and discussed with the participation of the Evaluation Team that carried out the on-site visit and contributed to the drawing up of the draft report. Delegations may also take the floor to open a discussion on any other section. Executive Summaries are dealt with once the body of the text has been looked at. A second reading of revisions made in light of the first is carried out by the plenary before formal adoption of the text.

13. GRECO adopted Fourth Round Evaluation Reports – including formal recommendations - on **France** (Greco Eval IV Rep (2013) 3E), **Spain** (Greco Eval IV Rep (2013) 5E) and “**the former Yugoslav Republic of Macedonia**” (Greco Eval IV Rep (2013) 4E). The deadline of 30 June 2015 was set for the submission of Situation Reports on measures taken to implement the recommendations in the three cases.

14. The authorities of France, Spain¹ and “the former Yugoslav Republic of Macedonia” were invited by GRECO to release the above evaluation reports for publication as soon as possible.

15. The composition of the teams that would be in charge of the Fourth Round evaluations of Armenia, Greece, Hungary, Montenegro, Portugal and Serbia (document Greco Eval IV (2013) 12 Revised).

V. Third Evaluation Round

Theme I “Incriminations” / Theme II “Transparency of party funding”

16. In a set of compliance and *interim* compliance reports examined by the plenary, GRECO pronounced itself on the level of compliance with GRECO recommendations reached by member States. Situation Reports submitted by the authorities of each member State provide the basis for the assessments made. Rapporteurs designated by other member States are associated with the preparation of the draft compliance reports tabled.

Compliance procedures

17. The Third Round Compliance Report on **Ukraine** (Greco RC-III (2013) 14E) was adopted. The deadline for submission of a Situation Report on further implementation of recommendations was fixed at 30 June 2015. The authorities were invited to release the report for publication as soon as possible.

18. GRECO adopted Second Third Round Compliance Reports on **Croatia** (Greco RC-III (2013) 28E) and **Ireland** (Greco RC-III (2013) 10E) and terminated the procedure in both cases. Particular mention was made by GRECO of the remarkable efforts undertaken by Croatia to thoroughly amend – in only two years – the national legislation and institutional arrangements regarding the transparency of political funding. The reports were released for publication by the authorities of Croatia and Ireland on 6 and 18 December 2013 respectively.

¹ The Fourth Round Evaluation Report on Spain will be made public on 15 January 2014.

Rule 32 procedures – non-compliance

19. The Second Third Round Compliance Report on **Malta** (Greco RC-III (2013) 22E) adopted by GRECO concluded that the level of compliance with recommendations was “globally unsatisfactory” in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure. Rule 32 was therefore applied and pursuant to paragraph 2(i) of that rule the authorities of Malta were requested to provide a report on progress in implementing the pending recommendations by 30 June 2014.

20. The authorities of Malta were invited to release the above compliance report for publication as soon as possible.

21. In *Interim* Third Round Compliance Reports on **the Czech Republic** (Greco (RC-III (2013) 23E), **France** (Greco RC-III (2013) 25E) and **Sweden** (Greco RC-III (2013) 24E) GRECO concluded that the level of compliance with its recommendations was still “globally unsatisfactory” in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure. The application of Rule 32 was therefore maintained and, pursuant to paragraph 2(i) of that rule, the three member States were requested to provide a report on progress in implementing the pending recommendations by 30 September 2014.

22. Moreover, with reference to paragraph 2 (ii) a) of Rule 32, GRECO decided that, in the cases of the Czech Republic and France a letter would be sent by the President to the Head of the respective delegations in GRECO – with a copy to the President of GRECO’s Statutory Committee – underlining the need to take determined action with a view to achieving tangible progress as soon as possible.

23. Sweden released the above *interim* compliance report for publication on 6 December 2013 and the Czech Republic and France were invited to do likewise as soon as possible.

VI. Joint First and Second Evaluation Rounds

Combined content of the first two evaluation rounds

Adoption of a summary of an evaluation report pursuant to Rule 34, paragraph 2 of the Rules of Procedure

24. The Joint First and Second Round Compliance Report on **Belarus** (Greco Eval I/II Rep (2011) 3E) was adopted by GRECO at its 56th Plenary Meeting (June 2012) and the authorities of Belarus had not yet authorised its publication. This was a departure from the long-standing practice within GRECO whereby its member States lift the confidentiality of such reports shortly after their adoption to ensure overall transparency of the GRECO process and to facilitate the implementation of recommendations at domestic level by raising awareness of GRECO’s findings across society. Bearing this in mind, the Bureau (66th meeting, November 2013) had instructed the Secretariat to prepare a draft summary of the evaluation report for consideration at the present meeting.

25. The representative of Belarus argued that his authorities felt that achieving compliance with GRECO’s recommendations was more important than observance of the unwritten custom of early publication of evaluation reports. He also stressed how interesting and useful GRECO’s recommendations had been and how exchanging information and experience with their partners in the Group had helped them to better focus their efforts to improve their legislation and practice. Work was still underway to implement GRECO’s recommendations and the authorities of Belarus would prefer to maintain the confidentiality of the evaluation report until GRECO had had an opportunity to analyse those efforts in its first compliance report on the country.

26. Despite those, and other arguments put by the authorities of Belarus, GRECO's overriding concern was to maintain the good practice adhered to since its beginnings. It adopted a Summary of the Joint First and Second Round Evaluation Report on Belarus (Greco Eval I/II (2013) 1E) deciding at the same time that it would be made public on 3 February 2014 if the authorities of Belarus did not authorise the publication of the entire report by that date.

VII. Publication, translation and availability of adopted reports (www.coe.int/greco)

27. Following previous decisions aimed at greater visibility of GRECO's work, members were reminded of the action to be taken when publishing an adopted report.²

VIII. Topical anti-corruption developments/events in member States

28. A regional anti-corruption Conference for South Eastern European countries to commemorate the 10th Anniversary of the adoption and opening for signature of the United Nations Convention against Corruption would be held by the UNODC in partnership with the Ministry of Security of **Bosnia and Herzegovina** in Sarajevo to mark International Anti-Corruption Day on 9 December 2013. The participation, as a speaker, of Ms Vita HABJAN BARBORIČ (Head of Delegation – Slovenia), representing GRECO was highly appreciated.

29. A new Code of Ethics for Public Officials, based on the Public Service Law was published in **Cyprus** in June 2013. It lays out obligations for public officials as regards transparency, the avoidance of acts which might jeopardise honesty and integrity, the prohibition of any form of corruption as well as obligations as regards the reporting of bribery and other acts of corruption.

30. In **Luxembourg**, recent jurisprudence had clearly confirmed that in order to establish an offence of trading in influence or corruption neither the previous nor the current legislation required proof that an agreement ("pacte de corruption") between the bribe-giver and the bribe-taker had been established."

31. In **Moldova**, pursuant to the 2011 Strategy and Action Plan for Reform of the Justice Sector a policy of zero tolerance towards corruption within that sector is being developed. As a result, and foreseeing other measures that target the public sector, the Ministry of Justice with the National Anti-Corruption Centre had, in 2012-2013 submitted a range of draft legislation to parliament. Elements of those pieces of draft legislation that have passed a first reading in parliament include:

- an obligation on judges not to communicate (including to government members and parliamentarians) any details of an on-going case; they shall inform the Superior Council of Magistracy (CSM) about any attempt of a third person to obtain such information;
- new Criminal Code provisions on extended confiscation measures for corruption and related offences
- increased fines for private and public sector corruption offences and trading in influence and for other offences committed by public officials and legal persons
- criminalisation of illicit enrichment
- integrity testing of all public officials

² GRECO asks its members to:

- agree a same-day publication date with the Secretariat
- clearly mark both the date of adoption and date of publication on the cover page
- make the national language version available and easily accessible on a domestic website
- notify the Secretariat of the location of the report by communicating the internet link to it
- include a link on the domestic website to the official language versions on GRECO's website.

- definitions of the actions and behaviour of judges that would lead to disciplinary sanctions as well as the procedures for dealing with disciplinary cases, including the mandate of the Disciplinary College of Judges.

Furthermore, a multidisciplinary working party had presented for public consultation a concept for reform of the public prosecution service aimed at reinforcing procedural independence and giving increased powers to its administration bodies. The specialisation of prosecutors as well as career guarantees and integrity enhancing measures were also foreseen.

32. New legislation on financial and economic crime was expected to enter into force in **the Netherlands** at the beginning of 2014. Elements of particular relevance to GRECO's work were the raising of penalties for money laundering and corruption, the broadening of incriminations for the misuse of public funds and the linking of the maximum fines that can be imposed on companies to their annual turnover.

33. **Romania** was holding the Chairmanship in Office of the South-East European Cooperation Process (SEEC) until first half of 2014 and in that context the Ministries of Justice and of the Interior would also promote among priorities the issue of integrity. A Justice and home affairs ministerial conference would be held in Bucharest in mid-March and a Regional conference on fighting high-level corruption and asset recovery, organised together with experts from Germany and the United Kingdom, would be held on 7-9 April 2014 in Bucharest.

34. A GRECO-style peer review model (including on-site visits to the major national ministries and independent agencies) was being used under the national Anti-Corruption Strategy, focusing on the implementation of integrity standards. In 2013, 30 missions of that type had been conducted to, for example, the Ministries of the Interior and of Public Finance, the Public Procurement Agency and the Public Prosecutor's Office. The results of monitoring carried out since 2012 were becoming available. The reports - primarily intended for national institutions - could allow comparisons to be made that might be of interest to other representatives in GRECO. It was therefore proposed that a presentation of the process and findings might be made to the Plenary at some stage.

35. A new directorate within the Presidential administration of the **Russian Federation** had been set up by a Presidential Decree of 3 December 2013 to pick up on corruption prevention issues, including among others those analysed within the framework of GRECO's Fourth Evaluation Round such as conflicts of interest and codes of conduct. It would be headed by a former member of the country's delegation in GRECO.

36. In **Serbia**, the Anti-Corruption Agency had prepared its first annual report on political party financing that would be presented to Parliament to mark International Anti-Corruption Day.

37. In the **Slovak Republic** draft legislation establishing criminal liability of legal persons, prepared by the Commission for Criminal Law established by the Ministry of Justice, was due to undergo a first reading in Parliament in January 2014.

38. The Chief Commissioner of the Commission for the Prevention of Corruption (CPC) of **Slovenia** and his two Deputies (hereinafter the "Commissioners") had sent a letter of resignation to the President of Slovenia on 29 November 2013. The decision was made public on the same day. On the preceding Wednesday, they had met with the President to inform him of the reasons behind their decision. As the law does not foresee the possibility of appointing acting Commissioners, all three would assume their responsibilities until the end of their mandate on 1 March 2014, unless the President decides to appoint new Commissioners before that date.

39. A report stating the major obstacles the CPS had encountered in its work and proposals for anti-corruption measures to be taken had been published on 3 December, it would be followed by other similar reports. It had been hoped that support would be gained both for systemic changes in the fight against corruption as well as for an end to the too frequent criticism of the CPC that had sometimes been used to attempt to undermine its work for political reasons. There had, however, been indications that such support had not been secured from all parties in parliament. Furthermore, there was some concern that the resignation of the Commissioners might be exploited politically to put in question the existence of the CPC.

40. The Head of Delegation of Slovenia read the following extracts from an English translation of the letter of resignation:

“Our resignation is not a resignation out of despair or powerlessness, it is also not a result of pressures, intimidations and personal attacks as we proved in the past that we can handle those. It is the opposite: we are resigning in protest and in an effort to make a final wake-up call to those in power to take the problems of structural corruption seriously.

Out of protest: because we do not accept or agree with a complete politization and populist attitude towards the fight against corruption; because we are aware of the urgency that a concrete improvement of the anti-corruption legislation is made which proved to be politically impossible to achieve due to the blocking of the 'silent alliance' in the Parliament of the RS, a pact overcoming the division to the governmental coalition and opposition; because our calls or attempts for a systemic, immediate and joint approach to clarification of some key corruption issues that evidently burden our society (Thermo power plant (TEŠ 6), banking system, systemic corruption in the health system, financial disclosures of office holders etc.), remain unaddressed; because we cannot accept that different office holders, mayors and influential politicians remain on their functions despite being subject to investigations related to corruption, tax evasions, money laundering etc.; because we cannot accept that a significant part of the media does not only act as a watch-dog, but lets itself be abused for political or lobbying interests; because we do not wish to have our work reduced to pushing around stacks of paper or the work to become its own purpose due to the existence of an evident political and legislative blocking of our operation.

We are resigning out of responsibility, as we consider that resignation is also one of our obligations. Persisting in circumstances where due to institutional limitations it is impossible to generate developments for resolving one of the most severe issues the Slovene society is faced with, is irresponsible. By doing so we (would) provide citizens with a false perception that we are the ones who can change something for the better, without any engagement from those we are actually responsible for making these changes happen. Similarly to other law enforcement institutions and judiciary, we can still generate some important achievements; however we are not in a position to do what it takes. The latter does not refer to investigation of individual cases; rather it applies to the amendment of the system, which should not be gradual, but firm and in all the right places. True shifts at the systemic level can only be made by politics – of legislative and executive branch of power. It is high time that politics finally takes on this obligation and start understanding the meaning of the word accountability.

In giving our resignation we promise that in the following weeks before the expiration of our mandate we will do our utmost to finalize certain open cases and put in the public debate some additional concrete suggestions of changes of institutional and legal framework of CPC's operation, grounded on our experience in managing this institution.”

41. GRECO voiced an opinion on this situation in the Decisions adopted at the present meeting (Decision 30, document GRECO (2013) 17E). See also paragraph 50 below.

42. As part of the plan for democratic regeneration being implemented in **Spain** a draft law, the Transparency Act, was under debate in Parliament. This government initiative aimed to lay down principles as regards transparency, applicable to all public administration bodies. It was foreseen that a Council for Good Governance would be responsible for supervising respect of the law that was composed of three main pillars:

- active disclosure: providing direct access by the public to a series of the various key texts applicable in all public authorities (instructions, regulations, rules, etc.)
- public information access: to complement the access afforded under article 105 (b) of the Constitution and article 37 of Law 30/1992 by providing a broader interpretation of access to information rights
- good governance: a set of principles and the applicable sanctions in case of breaches.

When writing this report the Secretariat was informed that the Transparency Law (Law 19/2013) had entered into force (publication in the official gazette of 10 December 2013).

43. The plenary was informed of three initiatives in the **United Kingdom**. First the publication in October 2013 of the second Open Government Partnership national action plan 2013-2014 which includes a number of commitments with respect to transparency. Second, it had been agreed that for the first time all anti-corruption efforts would be brought together under one cross-government anti-corruption plan with input from business and civil society in order to ensure greater coordination and coherence in tackling corruption both domestically and internationally. Third, the National Crime Agency which is tasked with tackling the full range of crime threats, including fraud, bribery and corruption had been created in October 2013.

IX. Programme of Activities 2014

44. GRECO adopted its Programme of Activities for 2014 (Greco 2013) 15E Final). The planning parameters that had been borne in mind by Bureau 66 when it approved the draft programme were briefly explained. GRECO acknowledged that planning had become more challenging than in the past, principally due to the incidence of non-compliance procedures – which cannot be foreseen in advance and are dealt with as a priority - within the Third Round which meant that a significant number of interim compliance reports needed to be added to the programme. As a consequence, a number of compliance reports would need to be dealt with later than the statutory deadlines and the number of visits reduced in order to keep the workload manageable. The Bureau had also borne in mind the likely need to carry out a number of high-level missions that would place an additional burden on resources. It was also necessary to remember that planning in the second half of 2014 had to be managed with care as it would have an impact on the work programme for 2015. The basic structure which organised the work around 4 plenary meetings a year had been maintained.

X. Presentation: Integrity Bureau (BI-OM), Public Prosecution Service (PPS), the Netherlands

45. Ms Kitty NOOY, Chief District Prosecutor and National Integrity Programme Manager and Heleen SMIT, Policy Advisor and Integrity Coordinator presented to GRECO the new BI-OM integrity policy. The motives behind its design were an awareness that not all standards were being complied with in the PPS, the fact that the Board of Prosecutors General considers integrity as an essential hallmark of quality, that integrity must be visible and recognisable (within the PPS and externally) and that permanent discussion of integrity issues is needed in order to raise awareness.

46. The ambition of the policy is to have a PPS in which employees feel safe and free to discuss dilemmas, in which any integrity issue is dealt with consciously and acting ethically is considered to

be a shared responsibility. Therefore, a balanced approach – where prevention and repression go hand in hand - was needed. As regards prevention, this implies that a safe environment where dilemmas can be discussed is needed. Such an environment can be created when integrity is a standard subject in the PPS training programmes, it is part of personnel policy and internal and external communication, when screening is possible and a code of conduct is kept up-to-date and roles, duties and responsibilities are clear to everyone.

47. At the request of the Board of Prosecutors General, the policy was put in place over a period of 18 months, starting in December 2010. Implementation took a further 18 months. Currently the focus was on safeguarding the policy – an ongoing exercise.

48. The integrity programme in five points:

Establishment of the Integrity Bureau – BI-OM (July 2012)

The BI-OM is a centre of expertise that can be consulted and provide advice nationwide. It provides records of integrity breaches and how they have been dealt with in semi-annual quantitative reports and in an annual accountability report which provides an overview of patterns which can be used for prevention and to develop a more uniform policy across the regions. Tools have also been developed to enhance awareness and encourage debate, for example a DVD of 6 short films presenting realistic potential integrity dilemmas, newsletters, intranet bulletins and face-to-face contact with local management and integrity officers.

Development of the Code of Conduct and several other texts

The Code of Conduct describes the general principles of conduct for employees of the PPS, under five core values: integrity, openness, precision, professionalism and community focus. Further texts of great use in daily practice are the Instruction on the handling of integrity breaches – used at the investigation stage and the Communication guidelines in the event of integrity breaches which advise on internal and external communication about incidents. Open communication is encouraged but privacy concerns are also taken into account. Copies of these texts in English can be requested at: integriteitsbureau@om.nl.

Recruitment of a pool of investigators

The investigators look into possible integrity breaches. Their profile is specific: they have to have an affinity with integrity, self-awareness, be of impeccable character, be able to adopt an independent attitude towards the commissioning authority, be able to resist pressure and to see things from another point of view. They are trained for 5 days and have a review meeting twice a year. Their independence is a great advantage – they are to have no connection with the unit in which an investigation is being carried out so their investigation and report to local management is objective. Once a report has been issued, the local management is responsible for the action to be taken once a breach has been ascertained.

Designation of confidential integrity officers

A Confidential Integrity Officer (CIO) is now in place in all PPS units. They follow a 3-day training programme (theory, practical simulations) and are the first confidential contact for employees who need advice or wish to ask integrity-related questions. Anonymity can be granted if requested. CIOs advise local management and report to them if required. This is not an easy job – to enable CIOs to fulfil their leading role properly it is important to allow them to devote time to it. They are able to visit all employees – to introduce themselves, to discuss the policy and their specific role and to facilitate their building of internal networks. CIOs meet twice a year as a group to discuss their experiences.

Implementation process and awareness raising

The new policy was implemented in 2012, starting with a kick-off meeting gathering the Board of Prosecutors General and the Chief District Prosecutors. The 15 PPS local management teams were visited by the national Programme Manager and the Integrity Coordinator and asked to introduce the new Code of Conduct and DVD to all employees and to include the integrity and professional dilemmas as a standard component in the local introduction programme for new employees and in the PPS training programme for all employees.

49. Possible sanctions/penalties for breaches of integrity rules include verbal warnings, written warnings on the employee's personnel file, reduction in salary for 1 or 2 years, conditional suspension and dismissal.

XI. Miscellaneous

50. With reference to information provided by the Head of Delegation of Slovenia as outlined in paragraphs 38-40 above, GRECO noted with concern the resignation of the three members of the Commission for the Prevention of Corruption of Slovenia. It hoped that, throughout the selection process for the future members of the Commission, it will be ensured that the new commissioners fulfil the highest standards of integrity and independence. The Delegation of Slovenia was asked to keep GRECO informed of further developments regarding this situation.

XII. Adoption of decisions

51. The decisions of the 62nd Plenary Meeting were adopted as they appear in document Greco (2013) 17E.

XIII. Forthcoming meetings

52. The Bureau would hold its 67th meeting in Strasbourg on 21 February 2014. GRECO's 63rd Plenary Meeting would be held in Strasbourg on 24-28 March 2014.

APPENDIX I
LIST OF PARTICIPANTS

ALBANIA / ALBANIE

Ms Helena PAPA (Representative + evaluator - "The former Yugoslav Republic of Macedonia")
Inspector/Coordinator, Department of Internal Administrative Control and Anti-Corruption (DIACA)
Council of Ministers

ANDORRA / ANDORRE

Mrs Clàudia CORNELLA DURANY (Head of delegation)
Head of International Relations, Ministry of Finance, GOVERN D'ANDORRA

ARMENIA / ARMENIE

Mr Karen GEVORGYAN
Deputy Dean of International Relations
Faculty of Law, Yerevan State University

AUSTRIA / AUTRICHE

Mr Christian MANQUET (Head of delegation)
Vice-President of GRECO / Vice-président du GRECO
Head of Department, Directorate for Penal Legislation, Ministry of Justice

AZERBAIJAN / AZERBAIDJAN

Mr Elnur MUSAYEV
Senior Prosecutor, Anticorruption Department, General Prosecutor's Office

BELARUS

Mr Igor SEVRUK
Head of Department, Supervision over the National Investigative Committee, General Prosecutor's office

BELGIUM / BELGIQUE

Apologised / excusée

BOSNIA AND HERZEGOVINA / BOSNIE-HERZEGOVINE

Mr Vjekoslav VUKOVIC (Head of delegation)
Assistant Minister, Sector for Fight against Terrorism, Organised Crime and Drugs Abuse
Ministry of Security

BULGARIA / BULGARIE

Mr Georgi RUPCHEV (Head of delegation)
State Expert, Directorate of International Cooperation and European Affairs, Ministry of Justice

CROATIA / CROATIE

Mr Marin MRČELA (**President of GRECO**)
Justice at the Supreme Court

Mr Dražen JELENIĆ (Head of delegation)
Deputy State Attorney General

Mr Djuro SESSA (evaluator – Spain)
Associate Justice 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)
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Mr Václav MLYNAŘÍK
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DENMARK / DANEMARK

Ms Marie TULLIN (Head of delegation)
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ESTONIA / ESTONIE

Apologised / excusée

FINLAND / FINLANDE

Mr Juha KERÄNEN (Head of delegation)
Ministerial Counsellor, Ministry of Justice, Department of Criminal Policy

Mr Jouko HUHTAMÄKI
Ministerial Adviser, Police department, Ministry of the Interior

FRANCE

M. Paul HIERNARD (Chef de délégation)
Magistrat, Chargé de mission auprès du Directeur des affaires juridiques, Ministère des Affaires étrangères et européennes

M. François BADIE
Chef du Service Central de Prévention de la Corruption (SCPC), Ministère de la Justice et des Libertés

M. Yves Marie DOUBLET (évaluateur – Espagne)
Directeur adjoint, Assemblée Nationale, Service des affaires juridiques, Division contrôle et études juridiques, Division de la Réglementation, du Contrôle et des Marchés

GEORGIA / GEORGIE

Ms Rusudan MIKHELIDZE (Head of delegation)
Director of Analytical Department, Secretariat of the Anti-Corruption Council, Ministry of Justice

GERMANY / ALLEMAGNE

Mr Markus BUSCH
Ministry of Justice, Head of Division, Criminal Law Suppression of Economic Crime, Computer Crime, Corruption-Related Crime and Environmental Crime

Mr Frank RAUE
Deutscher Bundestag – Administration, Deputy Head of Division PM 1, Remuneration of Parliamentarians

GREECE / GRECE

Ms Maria GAVOUNELI (Head of delegation + evaluator – France)
Professor of International Law, Faculty of Law, University of Athens

Mr Demosthenis STIGGAS
Chairman of the Court of First Instance of Serres, Presiding Judge of the District Court of Serres

HUNGARY / HONGRIE

Mr Ákos KARA (Head of delegation)
Head of Department, Ministry of Public Administration and Justice

ICELAND / ISLANDE

Mr Björn THORVALDSSON (Head of delegation + evaluator - "The former Yugoslav Republic of Macedonia")
Public Prosecutor, Special Prosecutors Office

IRELAND / IRLANDE

Mr Andrew MUNRO (Head of delegation)
Principal Officer, Criminal Law Reform Division, Department of Justice and Equality

Mr James HAMILTON (evaluator – Spain)
Retired as Director of Public Prosecutions, President of the international Association of Prosecutors

Mr Eamonn WATERS
Department of the Environment and Local Government

ITALY / ITALIE

Mr Benedetto PROIA
International Relations Officer, Department for Public Administration, Presidency of the Council of Ministers

LATVIA / LETTONIE

Ms Inese TERINKA
Senior Specialist, Division of Corruption Prevention, Corruption Prevention and Combating Bureau

LIECHTENSTEIN

Apologised / excusé

LITHUANIA / LITUANIE

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

LUXEMBOURG

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

M. Philippe POIRIER (évaluateur – France)
Titulaire de la Chaire de recherche en études parlementaires de la Chambre des Députés du Luxembourg, Coordinateur du Programme de recherche sur la Gouvernance européenne à l'Université du Luxembourg, Professeur associé en sciences politiques au Collège des Bernardins & à l'Université de Paris Sorbonne (CELSA)

MALTA / MALTE

Ms Lara LANFRANCO
Senior Lawyer, Criminal Law Unit, Office of the Attorney General

Mr Franco DEBONO
Commissioner of Laws

REPUBLIC OF MOLDOVA / REPUBLIQUE DE MOLDOVA

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

MONACO

M. Olivier WENDEN
Chargé de Mission, Département des Relations Extérieures

MONTENEGRO

Mr Dušan DRAKIC
Senior Advisor, Directorate for Anti-Corruption Initiative

NETHERLANDS / PAYS-BAS

Mr Don O'FLOINN (Head of delegation)
Senior Policy Advisor, Ministry of Security and Justice, Law Enforcement Department

Mr Richard HAGEDOORN
Ministry of the Interior and Kingdom Relations

Mr Hans NELEN (evaluator – Spain)
Professor of Criminology, Criminal Law and Criminology

NORWAY / NORVEGE

Mr Jens-Oscar NERGARD
Senior Adviser, Ministry of Government Administration, Reform and Church Affairs

POLAND / POLOGNE

Ms Alicja KLAMCZYNSKA
Chief specialist, European Criminal Law Division, Criminal Law Department, Ministry of Justice

Ms Anita LEWANDOWSKA (evaluator - "The former Yugoslav Republic of Macedonia")
Judge, Deputy Director, Department of Courts, Ministry of Justice

PORTUGAL

Mr Daniel MARINHO PIRES

Legal Adviser, Directorate General for Justice Policy, International Affairs Department, Ministry of Justice

ROMANIA / ROUMANIE

Mr Cornel-Virgiliu CALINESCU (Head of delegation)

Head of the National Office for Crime Prevention and Cooperation for Asset Recovery, Ministry of Justice

Ms Oana Andrea SCHIMIDT HAINEALA

Prosecutor, President of the Superior Council of Magistracy

Ms Anca JURMA

Chief Prosecutor, International Cooperation Service, National Anticorruption Directorate

RUSSIAN FEDERATION / FEDERATION DE RUSSIE

Mr Aleksandr BUKSMAN (Head of delegation)

First Deputy Prosecutor General, Prosecutor General's Office

Mr Aslan YUSUFOV

Deputy Head of Directorate, Head of Section of supervision over implementation of anti-corruption legislation

Prosecutor General's Office

Mr Konstantin KOSORUKOV

Permanent Representation of the Russian Federation to the Council of Europe

SAN MARINO / SAINT MARIN

Apologised / excusé

SERBIA / SERBIE

Ms Biljana PAVLOVIC (Head of delegation)

Director, Ministry of Justice and Public Administration

Mr Vladan JOKSIMOVIC

Deputy Director of Anti-Corruption Agency

Mr Nenad KONSTANTINOVIC (evaluator - "The former Yugoslav Republic of Macedonia")

MP, Chair of the Administrative Committee, Serbian Parliament

SLOVAK REPUBLIC / REPUBLIQUE SLOVAQUE

Ms Barbora BOWERS (Head of delegation)

International Public Law Division, International Relations Department, Ministry of Justice

SLOVENIA / SLOVENIE

Ms Vita HABJAN BARBORIČ

Chief Project Manager for Corruption Prevention, Commission for the Prevention of Corruption

SPAIN / ESPAGNE

Mr Rafael VAILLO RAMOS

Technical Adviser, D.G. for International Cooperation, Ministry of Justice

Ms Rosa FREIRE PÉREZ (Evaluator – France)

Magistrate, Professor

M Javier GÓMEZ DE AGÜERO

Cabinet du Secrétaire d'État de Justice, Ministère de la justice

M Javier Ballarín IRIBARREN

Secrétaire de la Commission d'Incompatibilités du Sénat

SWEDEN / SUEDE

Mr Andreas KRANTZ

Deputy Director, Division for Constitutional Law, Ministry of Justice

SWITZERLAND / SUISSE

M. Ernst GNAEGI (Chef de délégation)
Chef de l'unité du droit pénal international, Office fédéral de la Justice

M. Olivier GONIN
Conseiller scientifique, Unité du droit pénal international, Office fédéral de la justice

M. Jacques RAYROUD (évaluateur – France)
Procureur fédéral en chef, Ministère public de la Confédération

“THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA” / « L'EX-RÉPUBLIQUE YOUGOSLAVE DE MACÉDOINE »

Ms Aneta ARNAUDOVSKA (Head of delegation)
Judge, Director of the Academy for Judges and Public Prosecutors

Mr Panche DAMESKI
Member of Parliament

Mr Vlado GEORGIEV
State councillor, State Commission for Prevention of Corruption (SCPC)

TURKEY / TURQUIE

Mr Harun MERT (Head of delegation)
Judge, Deputy General Director, General Directorate of International Law and Foreign Relations , Ministry of Justice

Mr Mete DEMIRCI
Chief Inspector, Prime Ministry Inspection Board

Mr Yüksel YILMAZ
Chief Inspector, Deputy Head of Prime Ministry Inspection Board

UKRAINE

Mr Dmytro VORONA (Head of delegation)
Head of State Registration Service

Mr Robert SIVERS
Acting Head of the Anticorruption Legislation and Legislation on Judiciary Department, Ministry of Justice

Mr Andrii KUKHARUK
Supervisor, Anticorruption Policy Development Unit , Anticorruption Legislation and Legislation on Judiciary Department
Ministry of Justice

UNITED KINGDOM / ROYAUME-UNI

Ms Fiona SALEM
Ministry of Justice

UNITED STATES OF AMERICA / ETATS-UNIS D'AMERIQUE

Ms Jane LEY
Senior Anticorruption Advisor, International Narcotics and Law Enforcement Bureau, U.S Department of State

Mr Donald CABELL
Justice Attaché, U.S Embassy

**EUROPEAN COMMITTEE ON CRIME PROBLEMS (CDPC) /
COMITE EUROPEEN POUR LES PROBLEMES CRIMINELS (CDPC)**

Ms Helena LIŠUCHOVÁ (Head of delegation)
Acting Head, International Cooperation Department, Ministry of Justice

**EUROPEAN COMMITTEE ON LEGAL CO-OPERATION (CDCJ) /
COMITE EUROPEEN DE COOPERATION JURIDIQUE (CDCJ)**

Apologised / excusé

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

**COUNCIL OF EUROPE DEVELOPMENT BANK /
BANQUE DE DEVELOPPEMENT DU CONSEIL DE L'EUROPE**
Apologised / excusée

OBSERVERS / OBSERVATEURS

**UNITED NATIONS – UNITED NATIONS OFFICE ON DRUGS AND CRIME (UNODC) /
NATIONS UNIES – OFFICE DES NATIONS UNIES CONTRE LA DROGUE ET LE CRIME (ONUDC)**
Apologised / excusées

**ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD) /
ORGANISATION DE COOPERATION ET DE DEVELOPPEMENT ECONOMIQUES (OCDE)**
Apologised / excuse

**INTERNATIONAL ANTI-CORRUPTION ACADEMY /
L'ACADEMIE INTERNATIONALE DE LUTTE CONTRE LA CORRUPTION (IACA)**
Apologised / excusée

ORGANIZATION OF AMERICAN STATES (OAS) / ORGANISATION DES ETATS AMERICAINS (OEA)
Apologised / excusée

EVALUATION TEAMS / EQUIPES D'EVALUATION

**Fourth Round - Evaluation Report /
Quatrième Cycle - Rapport d'Evaluation**

France

Ms Rosa FREIRE PÉREZ – Spain / Espagne
Ms Maria GAVOUNELI – Greece / Grèce
M. Philippe POIRIER - Luxembourg
M. Jacques RAYROUD – Switzerland / Suisse

Spain / Espagne

M. Yves Marie DOUBLET - France
Mr James HAMILTON – Ireland / Irlande
Mr Hans NELEN – Netherlands / Pays-Bas
Mr Djuro SESSA – Croatia / Croatie

“The former Yugoslav Republic of Macedonia” / « L'ex-République yougoslave de Macédoine »

Mr Nenad KONSTANTINOVIC – Serbia / Serbie
Ms Anita LEWANDOWSKA – Poland / Pologne
Ms Helena PAPA – Albania / Albanie
Mr Björn THORVALDSSON – Iceland / Islande

RAPPORTEURS

**Third Round - Compliance Report /
Troisième Cycle - Rapport de Conformité**

Ukraine

Mr Elnur MUSAYEV - Azerbaijan / Azerbaïdjan
Mr Juha KERÄNEN - Finland / Finlande

**Third Round – Second Compliance Report /
Troisième Cycle – Deuxième Rapport de Conformité**

Croatia / Croatie

Ms Marie TULLIN – Denmark / *Danemark* - (Th. - Incriminations)

Ireland / Irlande

Ms Fiona SALEM – United Kingdom / *Royaume-Uni*

Ms Inese TERINKA – Latvia / *Lettonie*

Malta / Malte

M. Philippos KOMODROMOS – Cyprus / *Chypre*

Ms Barbora BOWERS - Slovak Republic / *République slovaque*

**Third Round - Interim Compliance Report /
Troisième Cycle - Rapport de conformité intérimaire**

Czech Republic / République tchèque

Mr Drazen JELENIĆ – Italy / *Italie*

Mr Akos KARA – Hungary / *Hongrie*

France

Ms Helena PAPA – Albania / *Albanie*

Mr Guido HOSTYN – Belgium / *Belgique* – **Apologised / excusé**

Sweden / Suède

Mr Juha KERÄNEN – Finland / *Finlande*

Ms Alicja KLAMCZYNSKA – Poland / *Pologne*

**EXCHANGE OF VIEWS / ECHANGE DE VUES
Integrity Bureau (BI-OM) of the Prosecution Service of the Netherlands /
Bureau pour l'intégrité (BI-OM) du ministère public des Pays-Bas**

Ms Kitty NOOY, National Programme Manager

Ms Heleen SMIT, Integrity Coordinator

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

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

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

Administrative Officers / Administrateurs

M. Björn JANSON

M. Christophe SPECKBACHER

Ms Laura SANZ-LEVIA

Ms Sophie MEUDAL-LEENDERS

Mr Michael JANSSEN

Ms Liubov SAMOKHINA

Central Office / Bureau Central

Ms Penelope PREBENSEN, Administrative Assistant / *Assistante Administrative*

Mme Laure PINCEMAILLE, Assistant / *Assistante*

Mme Marie-Rose PREVOST, Assistant / *Assistante*

Webmaster

Ms Simona GHITA, Directorate General 1 - Human Rights and Rule of Law / *Direction générale des droits de l'Homme et état de droit*

Mme Marie-Rose PREVOST, GRECO

Interpreters / Interprètes

Mme Sally BAILEY-RAVET

M Nicolas GUITTONNEAU

Mme Isabelle MARCHINI

APPENDIX II
AGENDA

1.	Opening of the meeting 9.30 am	Ouverture de la réunion 09h30
2.	Adoption of the agenda	Adoption de l'ordre du jour
3.	Information from the President and the Executive Secretary	Communication du Président et du Secrétaire Exécutif
4.	Topical anti-corruption developments/events in member States	Développements/événements anti-corruption d'actualité dans les Etats membres
5.	First reading Evaluation Report - Fourth Round SpainMonday “The former Yugoslav Republic of Macedonia”Tuesday FranceWednesday	Première lecture Rapport d'Evaluation - Quatrième Cycle EspagneLundi « L'ex-République yougoslave de Macédoine »Mardi FranceMercredi
6.	Adoption Compliance Report – Third Round Ukraine	Adoption Rapport de Conformité - Troisième Cycle Ukraine
7.	Adoption 2 nd Compliance Report - Third Round Croatia Ireland Malta	Adoption 2 ^e Rapport de Conformité - Troisième Cycle Croatie Irlande Malte
8.	Adoption <i>Interim</i> Compliance Report - Third Round Czech Republic France Sweden	Adoption Rapport de Conformité <i>interimaire</i> - Troisième Cycle République tchèque France Suède
9.	Joint First and Second Round Evaluation Report on Belarus (adopted by GRECO 56 – June 2012) Adoption of a summary of the report, pursuant to Rule 34, paragraph 2 of the Rules of Procedure, pending authorisation by the authorities to publish the whole report	Rapport d'évaluation des Premier et Deuxième Cycles conjoints sur le Belarus (adopté par le GRECO 56 – juin 2012) Adoption d'un résumé du rapport, en vertu de l'Article 34, paragraphe 2 du Règlement intérieur, en attendant l'autorisation des autorités de publier le rapport dans son intégralité
10.	Composition of evaluation teams Fourth Round evaluations – Armenia, Greece, Hungary, Montenegro, Portugal, Serbia (Bureau 66 proposals)	Composition d'équipes d'évaluation Evaluations du Quatrième Cycle – Arménie, Grèce, Hongrie, Monténégro, Portugal, Serbie (propositions du Bureau 66)
11.	Exchange of views Kitty NOOY, National Programme Manager and Heleen SMIT, Integrity Coordinator, Prosecution Service Integrity Bureau (BI-OM), Netherlands Thursday, 2.30 pm	Echange de vues Kitty NOOY, Responsable national de programme et Heleen SMIT, Coordinatrice Intégrité, Bureau pour l'intégrité (BI-OM) du ministère public, Pays-Bas Jeudi, 14h30
12.	Programme of Activities 2014 Adoption (draft approved by Bureau 66)	Programme d'Activités 2014 Adoption (projet approuvé par le Bureau 66)

13.	Second reading and adoption Evaluation Reports - Fourth Round Spain “The former Yugoslav Republic of Macedonia” France	Deuxième lecture et adoption Rapports d'évaluation - Quatrième Cycle Espagne « L'ex-République yougoslave de Macédoine » France
	Friday	Vendredi
14.	Miscellaneous	Divers
15.	Adoption of decisions	Adoption des décisions
16.	Dates of next meetings	Dates des prochaines réunions
17.	Close of the meeting	Fin de la réunion
	<u>1 pm</u>	<u>13h00</u>