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(Revised in Eng only)

72nd GRECO Plenary Meeting
(Strasbourg, 27 June – 1 July 2016)

SUMMARY REPORT

I. Opening of the meeting

1. The 72nd Plenary Meeting, held in Strasbourg on 27 June – 1 July 2016 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.
2. Deepest sympathy was expressed for the people and authorities of Turkey following the deadly terrorist attack on Istanbul airport on 28 June.
3. The list of participants appears in Appendix I.

II. Adoption of the Agenda

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

III. Information Items

Director of Information Society and Action against Crime, Council of Europe

5. Jan KLEIJSEN referred first to the decision by the Executive Secretary of GRECO, Wolfgang RAU, to retire in the summer. All representatives in GRECO had been informed and there would be an opportunity to say farewell in person, and for the Director to formally thank him for his excellent work as GRECO's Executive Secretary for 12 years at the 73rd Plenary Meeting (17-21 October 2016). It was expected that the processes for recruiting GRECO's new Executive Secretary and for filling a new Deputy Executive Secretary post would be completed before the summer holidays.

6. The Director congratulated the working party responsible for the preparation of the Fifth Evaluation Round (WP-Eval V) for the proposals it has worked on and submitted to the present meeting. He looked forward to the launch of the new round on the theme of corruption prevention in central governments and law enforcement agencies.

7. He had participated with GRECO's President, the Head of the delegation of the United Kingdom and the Deputy to the Executive Secretary in the high-level mission that took place in Copenhagen (25 May) in the context of the Third Round non-compliance procedure in respect of Denmark. Two meetings had been held, first with the Ministry of Justice where the Council of Europe/GRECO delegation met with the Minister of Justice, Søren PIND and staff of the Ministries of Justice and of Social Affairs and the Interior, and second in the parliament (*Folketing*) where talks were held with representatives of all political parties with a seat. The talks had been very productive and were proof of how successful the holding of such a mission as part of GRECO's procedures for ensuring follow-up can be.

President

8. The President shared the view of the Director of Information Society and Action against Crime as to the constructive nature of the talks held during the high-level mission to Copenhagen (25 May) which was motivational in intention and had rapidly led to commitments being made to progress during the mandate of the current government. This first experience of applying that stage in GRECO's graduated approach to non-compliance had proved to be highly successful.

9. The President had participated in an exchange of views with the Standing Committee of the Parliamentary Assembly of the Council of Europe (Tallinn, 27 June) presenting an overview of GRECO's role and addressing topical anti-corruption matters which had triggered a lively debate on issues including the Panama Papers, offshore havens, the importance of education in building up a culture of

trust, integrity measures in parliament, cooperation with other international organisations and corruption at local level.

10. He had presented GRECO's General Activity Report (2015) to the Committee of Ministers (1258th meeting of the Ministers' Deputies, 1 June 2016). GRECO's work was extensively praised during his exchange of views with the Ministers' Deputies. A lot of interest was shown in the messages he had delivered, including – in the presence of the representative of the European Union Delegation to the Council of Europe – on the question of EU participation in GRECO. The President's statement is attached (Appendix III).

11. The President referred to the information shared and discussions held at the most recent meeting of the Bureau – report of the **75th Meeting of the Bureau** (Greco(2016)5) - and the Plenary took particular note of the Bureau's view that the order of the Fourth Round could be followed (United Kingdom, Poland, Finland, Estonia and Latvia for the first visits).

Vice-President

12. The Vice-President had represented GRECO at the International Anti-Corruption Practitioner Conference (*Rencontres internationales des autorités anti-corruption*; Paris, 14-16 June) on ***strengthening international cooperation in law enforcement*** organised by France in cooperation with the United Kingdom, the OECD and the World Bank, moderating a panel composed of experts from EUROPOL, UNODC, OECD and the Norwegian National Authority for Investigation and Prosecution of Economic and Environmental Crime (ØKOKRIM) on ***multilateral collective action: international treaties and other initiatives*** (see also information provided by the Delegation of France under Item 4, paragraphs 62-63).

Deputy to the Executive Secretary

13. GRECO Representatives had received the following documents for information:

- ***Final Communiqué of the Anti-corruption Summit*** held in London on 12 May 2016 (see also the information provided by the Head of the United Kingdom Delegation under Item 4, paragraphs 83-89)
- third ***Report by the Secretary General of the Council of Europe on the State of Democracy, Human Rights and the Rules of Law*** which deals among other issues with the independence, impartiality and efficiency of the judiciary and refers to GRECO's related Fourth Round work, the findings of which will be taken into account in follow-up given to the report
- Council of Europe ***2016-2021 Plan of Action on strengthening judicial independence and impartiality***, adopted by the Committee of Ministers and launched by the High-level conference of Ministers of Justice and representatives of the Judiciary held in Sofia on 21-22 April 2016, which also takes account of Fourth Round findings (see also the information provided by the Head of the Delegation of Bulgaria under Item 4, paragraphs 59-60)
- outline of a report being prepared by the Committee on Political Affairs and Democracy of the Parliamentary Assembly of the Council of Europe entitled ***Corruption as governance regime: a barrier to institutional efficiency and progress***
- research published by the Centre for European Policy Studies (CEPS): ***An EU mechanism on Democracy, the Rule of Law and Fundamental Rights*** which makes extensive reference to GRECO
- the answer given by the European Commission to ***written question no. E-015950-15*** from an MEP on whether a work programme has been established aimed at the EU joining GRECO in the short term. Commissioner Dimitris AVRAMOPOULOS restates the Commission's commitment to EU participation in GRECO though a specific date cannot be indicated at this

stage, and that discussions are ongoing between the Council of the European Union and the Commission on the details for such participation.

14. Christophe SPECKBACHER, GRECO Secretariat, would contribute to an experience and best-practice sharing workshop on *political immunities and corruption* organised by the European Commission (Vienna, 15-16 June 2016). Several members of the Secretariat would participate in an inter-secretariat (GRECO, OAS-MESICIC, OECD, UNODC) peer learning workshop on *enhancing synergies and sharing good practices in the conduct of international anti-corruption reviews* (Paris, 22-23 September 2016).

15. Bureau 76 (20 May 2016) had noted the interest shown in GRECO's work by the *European Ombudsman*, Emily O'REILLY and agreed that she should be invited to an exchange of views at a forthcoming plenary meeting. Invitations to exchanges of views during future plenary meetings should also be sent to Magnus OHMAN from the *International Foundation for Electoral Systems (IFES)* who had contributed an article to the 2015 edition of GRECO's General Activity Report, and to experts from the *Council of Europe's Pan-European Platform on Ethics, Transparency and Integrity in Education (ETINED)*.

16. Bureau 76 had agreed that requests from Council of Europe staff involved in anti-corruption technical co-operation programmes to observe GRECO evaluation visits could – with the agreement of the country concerned - exceptionally be granted on condition that they do not intervene at any stage and strictly adhere to GRECO's confidentiality rules.

17. No issues were raised by the Plenary with respect to the above items.

Executive Secretary of the Enlarged Partial Agreement on Sport (EPAS)

18. Stanislas FROSSARD informed the plenary that the focus of the *Council of Europe Conference of Ministers responsible for Sport* to be held in Budapest on 29 November 2016 will be *good governance in sport*, an obvious theme given recent high-profile cases and earlier EPAS work in that field (cf. Recommendation of the Committee of Ministers to member states on the principles of good governance in sport Rec(2005)8). Since, public authorities and sports organisations have developed a number of sets of principles and recommendations and academic research has identified a number of indicators. However, implementation is only in the early stages. Recent criminal investigations – some of them trans-border cases – demonstrate the willingness of countries to act and better cooperation between the sports movement and national authorities might result. There is now broader agreement that the autonomy of the sports movement does not preclude constructive good governance initiatives in cooperation with public authorities. The Council of Europe, with its long standing relations with the sports movement and its networks of specialists in sport, law enforcement and anti-corruption is well placed to further that aim.

19. A Task Force on good governance in sport composed of EPAS experts has held 3 meetings – at which input was received from the Parliamentary Assembly of the Council of Europe, the Steering Committee on Democratic Governance and GRECO – and identified the main challenges:

- the need to develop references and tools that are common to the public authorities and the sports movement
- good governance in national sports organisations needs to be further promoted as experience at that level can shape the culture in the international sports movement
- the need to identify which measures should be taken by national government authorities.

20. The conference of ministers is likely to examine how to best promote good governance at national level – to that end a handbook of best practices will be prepared, the use of indicators

established by independent researchers will be promoted and sports organisations will be asked to comply with them and to be transparent about their performance against them. The ministers are also likely to discuss proposing that a draft Committee of Ministers recommendation to member states be prepared to promote:

- mutual trust and information exchange between the sports movement, law enforcement and other relevant public authorities - it might be suggested that the national platforms that are being set up for the purposes of match fixing be used for this purpose
- making the award of public grants conditional on compliance with good governance criteria
- monitoring by member states of implementation by sports organisations of good governance principles
- considering the leaders of some sports organisations as politically exposed persons for the purposes of anti-money laundering measures.

21. The ministers may also choose to outline a framework for cooperation around a common set of standards, referring in particular to the Universal Principles of Good Governance adopted by the International Olympic Committee (IOC) and the Key Governance Principles and Basic Indicators developed by the Association of Summer Olympic International Federations (ASOIF), as well as indicators developed by respected academic researchers. To allow both government authorities and sports organisations to discuss and review research and indicators, cases and the implementation of good governance principles, produce a trend analysis and identify improvements that could be made to reference standards, annual joint governments/sports organisations cooperation meetings might be proposed – possibly using the format of joint meetings of the EPAS Governing Board and the Consultative Committee of EPAS in which 30 key international sports organisations are represented (applications by sports organisations to participate are renewed every three years). Such meetings could offer advisory visits to both national authorities and sports organisations and lead to the development of some form of joint government/sports movement monitoring of compliance.

22. Mention was also made of a proposal outlined at the Anti-corruption Summit organised by the United Kingdom in May 2016 for an international sports integrity partnership reaching beyond the European continent. The IOC has agreed to further discuss the idea at a meeting of the International Forum for Sports Integrity to be held in 2017. It is possible that the Conference of Council of Europe ministers responsible for Sport will wish to express some expectations as to which sports organisations should take part in such an initiative, arrangements for public authority participation (eg, regional forum), the frequency of meetings, the format of monitoring, providing for the review and up-dating of standards and benchmarks. Thought is being given to how the EPAS joint meeting on good governance might play a key role in the initiative.

23. Even though ratification of the Council of Europe Convention on the manipulation of sports competitions (CETS no. 215 – signed by 25 states, ratified by 2) has been delayed predominantly due to processes that require a unanimous decision by the Council of the European Union (currently blocked by one EU member state) for the EU to become a party to the convention, a number of countries are actively engaged in the pre-ratification implementation of the provisions of the convention. A grant from the European Commission has made it possible to run support activities and there is genuine enthusiasm and action towards implementation of the standards of the convention in many states.

24. Note was taken that GRECO will be invited to be represented at the Budapest ministerial conference and to be associated with any joint governments/sports organisations cooperation meetings. The President confirmed that GRECO would provide any input related to its remit that might be relevant to EPAS' work.

IV. Examination and adoption procedures

Evaluation procedures

25. The delegations of all GRECO member states that make up the Plenary review the draft evaluation reports in a first reading that involves the participation of a delegation from the country concerned and the Evaluation Team that carried out the on-site evaluation visit and contributed to the drawing up of the draft report. A second reading of revisions made in light of the first is carried out before the formal adoption of the texts.

Compliance procedures

26. In its compliance reports and *interim* compliance reports, GRECO pronounces itself on the level of compliance of member states with its recommendations. A Situation Report submitted by the authorities of a member provides the basis for the assessments made. Rapporteurs designated by two members are associated with the preparation of each draft compliance or *interim* compliance report tabled.

V. Fourth Evaluation Round

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

Evaluation procedure

27. GRECO adopted Fourth Round Evaluation Reports – including formal recommendations – on **Cyprus** (GrecoEval4Rep(2016)7 – published on 27 July 2016), the **Czech Republic** (GrecoEval4Rep(2016)4 – publication pending) and the **Republic of Moldova** (GrecoEval4Rep(2016)6 – published on 5 July 2016). The deadline of 31 January 2018 was set for the submission of Situation Reports on the measures taken to implement the recommendations in the three cases.

Compliance procedure

28. The Fourth Round Compliance Report on “**the former Yugoslav Republic of Macedonia**” (GrecoRC4(2016)8 – publication pending) was adopted and the deadline of 31 January 2018 was set for the submission of a Situation Report on further measures taken to implement GRECO’s recommendations.

Rule 32 procedure – non-compliance

29. In the Fourth Round Compliance Report on **Spain** (GrecoRC4(2016)1 – publication pending) GRECO concluded that the level of compliance with its recommendations was “globally unsatisfactory” in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure. Rule 32 is therefore applied and, pursuant to paragraph 2(i) of that rule, the authorities have been asked to provide a report on progress in implementing the recommendations by 31 July 2017 at the latest.

VI. Third Evaluation Round

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

Rule 32 procedure – non-compliance

30. In its 3rd *Interim* Third Round Compliance Report on **Bosnia and Herzegovina** (GrecoRC3(2016)7 – publication pending) GRECO concluded that the level of compliance with its recommendations remains “globally unsatisfactory” in the meaning of Rule 31, paragraph 8.3. The Plenary noted that several requests to the authorities of Bosnia and Herzegovina to submit a Situation Report for this procedure

had remained unanswered and that, pursuant to the decision taken by GRECO's Bureau at its 76th meeting (Vienna, 20 May 2016), the draft 3rd Interim Compliance Report submitted for examination and adoption at the present meeting was prepared without reference to information submitted by the authorities.

31. In its 3rd *Interim* Third Round Compliance Reports on **Switzerland** (GrecoRC3(2016)8 – published on 25 August 2016) GRECO concluded that the level of compliance with its recommendations remains “globally unsatisfactory” in the meaning of Rule 31, paragraph 8.3.

32. The application of Rule 32 is maintained in respect of **Bosnia and Herzegovina** and **Switzerland** and pursuant to paragraph 2(i) of that rule, the authorities are asked to provide a report on progress in implementing pending recommendations by 30 April 2017. Moreover, in accordance with paragraph 2 (ii) c) of Rule 32, GRECO has invited the Secretary General of the Council of Europe to send letters to the Ministers for Foreign Affairs of both member states drawing attention to the need to take firm action to achieve tangible progress as soon as possible.

33. The Plenary took note of the information provided concerning the high-level mission to Copenhagen (25 May 2016) carried out as part of the ongoing Third Round non-compliance procedure in respect of **Denmark**. The fact that frank and constructive discussions were held with the Minister of Justice Søren PIND and other officials of the government, and separately with representatives of political parties with seats in parliament (*Folketing*) was welcomed by GRECO, as was the Minister's commitment to take immediate concrete action in response to pending Third Round GRECO recommendations (Theme II), and the information that, to that end, inter-party discussions involving all political parties represented in the Danish Parliament were about to start.

VII. Joint First and Second Evaluation Rounds

Combined content of the first two evaluation rounds

Compliance procedure

34. With the adoption of the Addendum to the Joint First and Second Round Compliance Report on **San Marino** (GrecoRC1/2(2016)3 – published on 20 July 2016) GRECO terminated the Joint First and Second Round compliance procedure in respect of that member.

Rule 32 procedure – non-compliance

35. GRECO concluded in its 2nd *Interim* Joint First and Second Round Compliance Report on **Belarus** (GrecoRC1/2(2016)1 – publication pending) that the level of compliance with the recommendations remains “globally unsatisfactory” in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure. Therefore, the application of Rule 32 is maintained and, pursuant to Rule 32, paragraph 2 (i) of the Rules of Procedure, the authorities are asked to provide a report on the action taken to implement the pending recommendations by 30 April 2017. Moreover, in accordance with paragraph 2 (ii) c) of Rule 32, GRECO has invited the Secretary General of the Council of Europe to send a letter to the Minister for Foreign Affairs of Belarus highlighting the need to take firm action to achieve tangible progress as soon as possible.

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

36. The authorities of the members concerned are invited to authorise the publication of the reports adopted at the present meeting as soon as possible and, in that context, to adhere to the agreed action

to be taken when publishing a report (GRECO 58, decision 26), in particular setting the publication date in consultation with the Secretariat.¹

37. Moreover, the President called on the authorities below to authorise, with no further delay, the publication of the reports indicated, placing a particular stress on the case of Belarus (see also section IX below) where authorisation to publish the three reports on the country had still not been received:

- Belarus: Joint First and Second Round Evaluation Report (adopted June 2012), Compliance Report (adopted June 2014) and *Interim* Compliance Report (adopted June 2015)
- San Marino²: Third Round Evaluation Report (adopted March 2016)
- Austria; Belgium: 2nd Third Round Compliance Reports (adopted March 2016)

IX. Publication of a Summary of the Joint First and Second Round Interim Compliance Report on Belarus

38. Referring to its previous decisions (GRECO 62, December 2013 and GRECO 67, March 2015) to exceptionally publish summaries of previous reports addressed to Belarus in 2012 and 2014 in an effort to pave the way for publication of the full reports, the Plenary adopted, pursuant to Rule 34, paragraph 2 of the Rules of Procedure, a Summary of the Joint First and Second Round *Interim* Compliance Report on Belarus (adopted June 2015) and decided that the summary will be made public on 1 September 2016 if the authorities do not authorise publication of the entire report by that date.

X. Preparation of the Fifth Evaluation Round

Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies

Exchange of views – corruption prevention and the promotion of integrity in central governments

39. Claire DAAMS, Head of Legal and Case Consultancy, Basel Institute of Governance, shared some thoughts with the plenary regarding the focus and scope of evaluations with respect to high-ranking officials in the Fifth Round. Criteria of minimum rank/salary might help to identify high-ranking officials that could be evaluated or branches of government/ministries that might be subject to enhanced risks of corruption (eg those engaged in public procurement, issuing licenses or concessions, responsible for health care – both treatment and authorisation of medication, trade and investment, construction and areas where large subsidies are provided to third parties) might be considered. Consideration could also be given to how one deals with defence as well as state owned enterprises which are often headed by high-ranking officials.

40. If selection is through election rather than appointment/nomination, one might look at the influence political parties might have in the process and whether high-ranking officials belonging to a political party are truly independent in exercising their tasks – a balance needs to be struck between the potential influence of political parties and the right of political association. One would want to know whether there are clear and transparent criteria and procedures for applications, appointment, promotion and demotion – a lack of such criteria may lead to undue influence on individual officials, their units or even entire government departments. One could also include to what extent high-

¹ 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.

² The report was made public on 12 July 2016.

ranking officials are subject to security clearance in relation to confidential information (such as tender specifications). The type of employment contract (unlimited, limited in time or related to the term in office of, for example, a minister) as well as the adequacy of salaries and remuneration for costs incurred can also be useful indicators of the level of incentive for corrupt behaviour.

41. Though independence in exercising power while in office is important to avoid undue influence, it is equally important to know whether appropriate reporting and accounting requirements in relation to decision taking are in place, as well as whether there are any supervising authorities in place and what their role is, and what the consequences of violating the rules are.

42. Prevention activities need to include the applicable ethical principles and rules of conduct within central government, awareness raising activities – for example on-line learning tools complemented by tailor-made training activities (often present in private business but less prevalent in many governments) – and clear communication of the consequences of violating the rules. Some governments have set up dedicated platforms or interdepartmental working groups that meet on a regular basis to deal specifically with addressing existing and emerging topics of corruption. Thematic workshops are useful for keeping officials updated on new developments and risk areas.

43. Specific elements of the Fourth Round that could be drawn on include:

- conflict of interest and enforcement of related rules
- prohibition or restriction of certain activities (to what extent they should be declared or subject to approval)
- declaration of assets, income, liabilities and interests – while remaining prudent as to the practical importance and effective use of such declarations (the effectiveness of declaration obligations can be diminished by a number of factors, eg reliability of information provided, insufficient verification, lack of capacity to draw conclusions).

44. A clear tone should come from the top (in each ministry) and governments should have, communicate and enforce clear and known anti-corruption policies and rules. Establishing a culture of trust and encouraging, and creating adequate possibilities for the filing of reasonable and *bona fide* suspicions of corrupt behaviour, while providing protection to whistleblowers, is a condition *sine qua non* for meaningful implementation and enforcement.

45. In response to questions on defining, for the purposes of GRECO's Fifth Evaluation Round, which profiles should be subject to evaluation, Claire DAAMS responded that it would depend on whether all ministries are to be included irrespective of whether they are exposed to an enhanced risk of corruption. At least ministers and those working in the direct environment of ministers who prepare ministerial decisions and have the power to take decisions themselves should in her opinion be included.

Working party (WP-Eval V)

46. The Plenary examined the following documents submitted by the working party responsible for the preparation of the Fifth Evaluation Round:

- Report of the 1st meeting (GrecoWP5(2016)3)
- Draft questionnaire for the Fifth Evaluation Round (GrecoWP5(2016)2-rev)
- Provisional list of reference texts for the Fifth Evaluation Round (GrecoWP5(2016)1-rev2).

Discussions focused predominantly on whether or not heads of state should be included in the scope of Fifth Round evaluations, and when no consensus was reached within the Plenary to omit them, some consideration was given to the characteristics that could be borne in mind when defining whether the

head of state of a given member state has significant executive functions. The proposals made were noted by the President (chair of WP-Eval V) and, as agreed, would be summarised by the Secretariat (Greco(2016)13 of 19 July) and communicated to the working party. Delegations were invited to submit any additional proposals they wish to make in advance of the second meeting of the working party (Strasbourg, 28-29 September 2016) to the Secretariat by 1 September 2016 at the latest.

XI. Exchange of Views – Advisory Committee on the Conduct of Members, European Parliament

47. Mady DELVAUX, Member and former Chair of the Advisory Committee on the Conduct of Members of the European Parliament, accompanied by Maria GANDOLFO, Head of the Members' Administration Unit outlined the principle features of the Code of Conduct for Members of the European Parliament with respect to financial interests and conflicts of interest (<http://www.europarl.europa.eu/meps/en/about-meps.html>). In the wake of the "cash for amendments" scandal revealed in 2011, the code was prepared by a working party conscious of the imperative need to improve transparency. The text was adopted by 99% of Members of the European Parliament (MEPs) voting and entered into force in January 2012. It has inspired similar initiatives in a number of European countries. Complementary Implementing Measures entered into force in July 2013.

48. The code defines the principles that are to guide conduct: disinterest, integrity, openness, diligence, honesty, accountability and respect for the parliament's reputation. Conflict of interest is also defined and guidance is provided on how to manage such situations, with the focus being on transparency. MEPs are expected to submit very detailed declarations of financial interests (any changes are to be declared within 30 days), and cannot be elected as office holders in the parliament or its bodies, be appointed as a rapporteur or participate in an official delegation without doing so. The Administration collects and publishes the declarations on the individual page of each MEP on the web site of the European Parliament (EP), and can carry out, on behalf of the President, a general plausibility check of the information declared where there is reason to think that it is needed – 183 such verifications were carried out in the 7th EP term and so far 59 in the current 8th term.

49. Transparency (declarations on the individual page of each MEP on the web site of the EP) is also required with respect to journeys and living expenses paid for or reimbursed by third parties. The code also sets out detailed obligations with respect to gifts or similar benefits.

50. The Advisory Committee on the Conduct of Members is composed of 5 members appointed by the President from amongst the members of the bureaux and the coordinators of the Committee on Constitutional Affairs and the Committee on Legal Affairs – each of the five main political groups is thus represented. Reserve members from the political groups not represented in the advisory committee are also appointed and will serve as a sixth member in cases involving an MEP from a political group not represented in the advisory committee. The Chair is held for 6 months by each of the five members. The advisory committee provides individual, confidential guidance to any MEP who requests it and, at the President's request, assesses any alleged breaches of the code and advises the President on the measures that might be taken – the task of drafting the relevant recommendation is given to a rapporteur from a different political group to the one the member concerned belongs to.

51. When it is established that there has been a breach of the code, having first heard the MEP concerned, the President will adopt, announce to the plenary and publish a reasoned decision laying down a penalty (reprimand, loss of the daily allowance for 2-10 days, temporary suspension from parliamentary activities for 2-10 days, suspension or loss of offices held).

52. The primary aim of the Advisory Committee on the Conduct of Members is prevention, and with that aim in mind it compiles (anonymised) details of cases it has provided guidance on in a User Guide distributed to all MEPs.

53. Further initiatives are under discussion in the Constitutional Affairs Committee, first in the context of an initiative report on transparency in the EU institutions to look into the register of lobbyists and public access to documents. Second, a working party is reflecting on a possible reform of the Rules of Procedure of the European Parliament of which the Code of Conduct for Members is a part. A number of ideas are being discussed, including possibly including external specialised experts in the composition of the Advisory Committee on the Conduct of Members, giving the committee a mandate to act on its own initiative – not only at the request of the President of the Parliament, and that the committee’s decisions would be legally binding so its role would not be solely advisory. The question of putting in place a no gifts policy is also being discussed, though in order to respect the customs of all member states it may be felt that transparency in that area – as already provided for in the code – is a more appropriate approach. It is possible that the range of income bands currently set for the purposes of declaration will be further differentiated. The declaration of financial and other interests also predominantly serves the interests of transparency and building trust – the aim being to identify potential sources of influence on an MEP. One recognised weak point of the declaration system, however, is that MEPs who are lawyers cannot be obliged to reveal the identity of their clients, identifying a risk of influence by corporate clients in that context is therefore not possible.

XII. Item 4 - Topical anti-corruption developments/events in member States

54. Under Item 4 of the Plenary’s agendas, delegations are invited to share information outside the statutory evaluation and compliance reporting cycles. The information reported by delegations is summarised below.

Azerbaijan

55. An Act that entered into force on 25 May 2016 introduced to the Penal Code the criminalisation of active and passive bribery of foreign jurors and arbitrators, to bring it into line with the Additional Protocol to the Criminal Law Convention on Corruption (ETS 191). The rules governing the receipt and publication of the annual financial reports of political parties have been amended by the Central Election Commission – financial reports are now to be uploaded in the commission’s database and published on its Internet page within one working day.

56. The Anti-Corruption Network (ANC) Istanbul Action Plan has carried out a fourth round evaluation mission to Baku (three pillars: 1) anticorruption policy and institutions, 2) criminalisation of corruption, 3) transparency of public sector). Pillar 3) deals with prevention in the civil service – including recruitment and promotion, public procurement, certain issues related to the judiciary, conflict of interest, asset declaration and simplification of administrative procedures. The ACN has also undertaken a parallel sectoral evaluation with a view to developing anti-corruption measures specific to the education sector.

57. The State Agency for Public Services and Social Innovations has introduced a set of comparative institutional indices aimed at measuring the transparency, efficiency and quality of public service delivery in all public institutions which has potential as a corruption prevention tool.

58. The National Action Plan for 2016-2018 on the Promotion of Open Government adopted by the government includes an extensive set of measures to counter and prevent corruption.

Bulgaria

59. The Secretary General of the Council of Europe, the Prime Minister, the Minister of Justice and the Minister of Foreign Affairs of Bulgaria delivered speeches during the opening session of the High-level Conference of Ministers of Justice and representatives of the Judiciary held in the framework of Bulgaria’s chairmanship of the Committee of Ministers (Sofia, 21-22 April 2016). The Council of Europe’s 2016-2021 Plan of Action on strengthening judicial independence and impartiality approved by the conference is of particular importance. Participants expressed their readiness to make the

necessary efforts to implement the measures it includes and agreed that progress in implementation should be regularly followed. They also encouraged dialogue and interaction between the legislative, executive and judicial powers aimed at enhancing the independence and effectiveness of the judicial process.

60. The Council of Europe – through its different bodies and committees which, with GRECO, include the Venice Commission, the Consultative Council of European Judges (CCJE), the Consultative Council of European Prosecutors (CCPE) and the European Commission for the Efficiency of Justice (CEPEJ) – is expected to use all available resources to support the member States in their implementation of the reforms called for. GRECO’s ongoing monitoring and country specific recommendations in the Fourth Round address a significant number of the measures to be implemented under the plan.

Czech Republic

61. The Chamber of Deputies approved draft legislation aimed at implementing the majority of recommendations pertaining to the transparency of political party funding (including on the establishment of an independent mechanism with the power to impose sanctions for breaches of the law, responsible for monitoring and supervising party funding). The second chamber of parliament (senate) is expected to take a stance on the draft legislation in the coming months.

France

62. An international Anti-Corruption Practitioner Conference on strengthening international cooperation in law enforcement (*Rencontres internationales des autorités anti-corruption destinées à améliorer la coopération judiciaire internationale*) was held under the patronage of the President of the Republic of France in Paris on 14-16 June. High-level participants included the Director General of the World Bank and a special advisor of the Secretary General of the OECD. Some 200 practitioners from 60 countries analysed corruption in general, then specific issues from the standpoint of improving prevention, transparency in public procurement, preventing conflicts of interest and supervision of the declaration of income and assets, as well as the role of whistleblowers.

63. These exchanges were declared by the Minister of Justice of France as having given a strong impetus to the fight against corruption. The minister referred to the major efforts made in France over the last three years, examples being the establishment of the national *Parquet financier* (financial public prosecutor’s office) and the *Haute autorité pour la transparence de la vie publique* (high authority for transparency in public life). He had also referred to the planned replacement of the current *Service centrale de prévention de la corruption* (central office for the prevention of corruption) by French anti-corruption agency if the related law is adopted. It was also reported that at the time of the present plenary meeting, the draft legislation before parliament also foresaw obliging companies to establish comprehensive compliance systems aimed at preventing corruption risks, and the establishment of a new sanction that imposes the implementation of a compliance programme. It is the intention of the government to see this draft legislation adopted quickly.

Georgia

64. Recent reform efforts reported on include:

- a set of draft legislative amendments to complete the reform of the prosecution service and the judiciary is to be examined by parliament;
- the adoption of a new law that constitutes an in-depth reform of the principles and functioning of the civil service
- amendments to the Law on Conflicts of Interest to empower and increase the protection afforded to whistleblowers
- a new system for monitoring asset declarations (following the introduction of electronic declaration) has been set up.

65. Georgia will co-chair for two years the Open Government Partnership Initiative which will offer opportunities to benefit from further encouragement in terms of transparency and accountability in anti-corruption efforts.

Italy

66. Two recent decrees increase transparency both in general and specifically in public procurement and constitute primary tools to promote public supervision and prevent corruption.

67. The Italian Anti-corruption Law (N. 190/2012) already required transparency in the selection process in public procurement: publication on institutional websites of public contracts and transmission to the Italian Anti-corruption Authority (ANAC) of all information concerning the award of public contracts. Legislative Decree N. 33/2013 on transparency introduced the concept of “civic access”. A new Decree N. 97/2016 further simplifies the publication requirements and introduces a so-called “universal” access mechanism giving the public the right to request, free of charge, public administration documents. It was reported that the key innovations of this first “freedom of information act” include:

- removal of “tacit refusal” by the public administration which now has to provide reasons for refusing access
- there is no longer an obligation on the person requesting information to identify “clearly” the subject matter of documents requested
- improved provisions on the fees to cover costs
- non-judicial remedies are provided for
- operational guidelines drawn up by ANAC are provided for.

68. With respect to public procurement, Article 29 of the new Public Contracts Code (decree N. 50/2016) strengthens transparency in the public administration through a simplification of the procedures – such as entrusting ANAC with digitization and the setting up of specialised databases, provisions on conflicts of interest, tender committees, and certification of the awarding entities. Article 29 of the Code is to be read in conjunction with, for example, Article 21 which requires that a programme of acquisitions of goods and services is drawn up, and that a register of commissions is to be kept – which will mean that certain contracting authorities (depending on fixed thresholds) do not designate the persons who will evaluate tenders.

69. The obligation of transparency imposed on contracting authorities covers work plans for public works, services and supplies, procedures leading to the award of public contracts, as well as publication of technical and financial information related to decisions to reject tenders. Publishing information on the composition of tender commissions and the profile of members is a major innovation. Financial Management Reports are also to be published once a contract has been completed. All related administrative acts will also be published on the website of the Ministry of Infrastructure and Transport and entered into the digital platform set up by ANAC.

Latvia

70. At the date of the present plenary meeting, progress reported in implementing Fourth Round recommendations includes the approval by a meeting of the State Secretaries of draft amendments to the Rules of Procedure of the *Saeima* (parliament) prepared by the Corruption Prevention and Combating Bureau (KNAB) which are to be approved by interested institutions and the Cabinet of Ministers before being submitted to the *Saeima* for adoption – the text aims to oblige members of parliament to reveal contacts and exchanges they have with lobbyists in the context of proposals they make to parliament. In addition, the Constitution and the Rules of Procedure of the *Saeima* have been amended to provide for the abolition of MPs’ immunity (entry into force on 14 June 2016).

71. On 2 June 2016, the Agreement on Latvia's accession to the Organisation for Economic Co-operation and Development (OECD) was signed by the Prime Minister of Latvia and the Secretary General of the OECD. The related ratification law was adopted by the *Saeima* on 16 June 2016.

Netherlands

72. The Minister of Finance of the Netherlands, together with the Minister of Economic Affairs and the Minister of Security and Justice will introduce a national public Beneficial Ownership Register for corporate and other legal entities. The authorities expect this initiative to make a valuable contribution to preventing and combating abuse of the financial system for the purposes of money laundering or terrorist financing, and associated predicate offences such as corruption, tax crime and fraud. The need for such a register has been further highlighted recently by the revelation of the Panama Papers.

73. The register will be strongly linked to the following four (privacy) guarantees:

- online registration of those who access the register
- a fee that does not exceed administrative costs will apply
- information not stipulated by the fourth European Union anti-money laundering directive will only be accessible to the competent authorities and the Financial Intelligence Unit
- requests to consult the register will be assessed on a case-by-case basis and access to all or part of the information will be restricted if it might expose the beneficial owner to a risk of fraud, kidnapping, blackmail, violence or intimidation.

74. The Netherlands has joined the G5 pilot for the automatic exchange of information stemming from beneficial ownership registers.

Serbia

75. A working group set up by the Minister of Justice has finalised the preparation of new draft legislation – the draft Model Law on the Anti-Corruption Agency, and has delivered the results to the Minister. The related public debate will take place during summer 2016.

76. Colleagues from “the former Yugoslav Republic of Macedonia” had visited the Anti-Corruption Agency of Serbia and had been provided with software for the registration of public officials and asset declarations. Colleagues from Montenegro, where an anti-corruption agency modelled on the Serbian agency had just been established, had also visited. Thanks to the Slovenian Ministry of Foreign Affairs and colleagues from the Commission for the Prevention of Corruption (CPC) of Slovenia, a Serbian version of the *Supervisor* web application originally set up by the CPC is planned and it is hoped that it will be operational by end 2016.

77. A twinning contract has been signed with Italy, in the framework of which the Anti-Corruption Agency of Serbia will work with Italian colleagues for the coming 2 years.

Turkey

78. At the date of the present plenary meeting, developments of relevance to GRECO's Third and Fourth Evaluation Rounds include the adoption, on 20 May 2016, by the Turkish Parliament of a law amending the Constitution, the main purpose of which is to lift the immunity of members of parliament – both from the ruling party and the opposition – who were/are the subject of a criminal investigation or proceedings before or during their term in office.

79. Moreover, a circular by the Office of the Prime Minister of 30 April 2016 contains a methodology to increase transparency and enhance the fight against corruption composed of a risk analysis system for sectors that are considered easily corruptible and a roadmap to promote the attainment of the goals set out in the circular. With respect to the specific goals of that directive, the government has pledged to take the following measures to combat corruption:

- amendment of the Law on Elections and Electoral Campaigns, and of the Law on Political Parties aimed at ensuring openness and transparency in financing
- introduction of rules on political ethics
- steps to increase the efficiency of the Law on Asset Declaration and Fight against Bribery and Corruption
- social responsibility projects to raise awareness in society
- introduction of ethical rules applicable to the members of the judiciary.

80. The timeframe for implementing the circular has been announced and in that context the High Council of Judges and Prosecutors has started work on defining the aims of a strategic development plan of the judiciary – of which GRECO’s Fourth Round recommendations will form one of the pillars – which will cover the period July 2016 – 2021.

81. The Regional Court of Justice (court of appeal) was due to enter into service on 20 July 2016. It is estimated that 90 per cent of first instance court decisions will be finalized at the appeal phase, which will reduce the number of cases to be sent to the Court of Cassation. As a consequence, the number of chambers and members of the Court of Cassation and the Council of State could be gradually reduced – related draft legislation is on the parliament’s agenda.

82. It was also reported that an International Symposium on Judicial Ethics (Istanbul, May 2016) had given the target audience - principally judicial professionals from the local courts and members of the higher courts – an opportunity to discuss and broaden awareness of related issues.

United Kingdom

83. On 12 May the Prime Minister had hosted a major Anti-Corruption Summit focused on redoubling global efforts to increase transparency and tackle corruption. The three main points of focus were tackling opaque and secretive practices such as anonymous companies being used to hide the proceeds of corruption (cf. reference made to the beneficial ownership register in the Netherlands), making sure that corruption does not pay by pursuing and punishing the corrupt, and trying to change incentives and attitudes which allow corruption to fester – in particular by harnessing the use of new technology.

84. Forty-two countries participated. A number of international organisations, including the heads of the IMF, OECD and World Bank – as well as a wide cross-section of business and civil society also attended. The format chosen was not that of a traditional summit; the invite list cut across traditional groupings, with some sessions chaired by those such as Transparency International. The design facilitated free-flowing debate rather than set piece speeches and encouraged each country present to be as ambitious as possible in their own commitments.

85. Full details are available on the website of the Summit (<https://www.gov.uk/government/topical-events/anti-corruption-summit-london-2016>). The results include a Global Declaration Against Corruption and Communiqué agreed on by all countries present, but also statements by almost all participating individual countries and international and regional organisations, setting out concrete actions they will undertake themselves. For instance, on exposing corruption: with six countries committed to setting up public registers of beneficial ownership, and six more to similar arrangements. Twenty-nine leading international professional services firms published a Statement of Support setting out commitments including on effective systems, education and training, fostering cultures that refuse to tolerate corruption.

86. On punishing the perpetrators: a new International Anti-Corruption Coordination Centre to help police and prosecutors work together to tackle grand corruption will be set up, hosted by (but separate from) the UK’s National Crime Agency. A Global Forum for Asset Recovery will take place in 2017 and

new asset recovery legislation in 22 countries will help return the proceeds of corruption. There was also commitment to stronger protection for whistleblowers.

87. On driving out corruption: 17 countries committed to institutional and professional partnerships, including 'twinning' of countries' tax inspectors. There was also agreement on matters such as preventing corrupt bidders winning public contracts, and setting up an Innovation Hub bringing together various countries.

88. It was also reported that at the summit the UK had committed to, among other initiatives, a Charter for Sports Governance, an Open Government Action Plan, and a consultation on whether to extend its criminal offences of failure to prevent bribery and tax evasion – which are amongst the tightest in the world – to other economic crimes.

89. To translate the commitments made at the Summit into action, there are plans to work not just through the G7, G20 and other fora, but also a ministerial follow-up meeting during the General Assembly of the United Nations in 2017.

XIII. Miscellaneous

90. The President noted a request from the US delegation that at a future meeting the Bureau reconsider the use by the plenary of a purely numerical standard for concluding, in the framework of a compliance procedure, whether a member state is to be asked to report back or not on the further implementation of recommendations.

XIV. Adoption of decisions

91. The decisions of the 72nd Plenary Meeting were adopted as they appear in document Greco(2016)11.

XV. Forthcoming meetings

92. The Bureau will hold its 77th meeting in Strasbourg on 9 September 2016. Working party WP-Eval V will hold its 2nd meeting in Strasbourg on 28-29 September 2016. GRECO's 73rd Plenary Meeting will be held in Strasbourg on 17-21 October 2016.

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RAPPORTEURS

Joint First and Second Rounds – 2nd Interim Compliance Report *Premier et Deuxième Cycles conjoints – 2^e Rapport de Conformité intérimaire*

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Third Round – 3rd Interim Compliance Reports *Troisième Cycle – 3^e Rapports de Conformité intérimaires*

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72nd GRECO PLENARY MEETING72^{ème} REUNION PLENIERE DU GRECO

AGENDA

ORDRE DU JOUR

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 items		Points d'information	
4.	Topical anti-corruption developments/events in member states		Développements/événements anti-corruption d'actualité dans les états membres	
5.	First reading Evaluation Report – Fourth Round Republic of MoldovaMonday Czech RepublicTuesday CyprusWednesday		Première lecture Rapport d'Evaluation – Quatrième Cycle République de Moldovalundi République tchèque mardi Chypre mercredi	
6.	Adoption Addendum to the Compliance Report – Joint First and Second Rounds San Marino		Adoption Addendum au Rapport de Conformité – Premier et Deuxième Cycles conjoints Saint-Marin	
7.	Adoption 2 nd <i>Interim</i> Compliance Report – Joint First and Second Rounds Belarus		Adoption 2 ^e Rapport de Conformité <i>intérimaire</i> – Premier et Deuxième Cycles conjoints Bélarus	
8.	Adoption 3 rd <i>Interim</i> Compliance Report – Third Round Bosnia and Herzegovina Switzerland		Adoption 3 ^e Rapport de Conformité <i>intérimaire</i> – Troisième Cycle Bosnie-Herzégovine Suisse	
9.	Adoption Compliance Report – Fourth Round Spain “The former Yugoslav Republic of Macedonia”		Adoption Rapport de Conformité – Quatrième Cycle Espagne « L'ex-République yougoslave de Macédoine »	
10.	Interim Compliance Report on Belarus – joint First and Second Rounds (adopted by GRECO 68 – June 2015) Publication 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 de Conformité intérimaire sur le Bélarus – Premier et Deuxième Cycles conjoints (adopté par le GRECO 68 – juin 2015) Publication 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	
11.	Fifth Evaluation Round Examination of the documents prepared by the working party (WP-Eval V, 1 st meeting, 6-7 April 2016)		Cinquième Cycle d'Evaluation Examen des documents préparés par le groupe de travail (WP-Eval V, 1 ^{ère} réunion, 6-7 avril 2016)	
12.	Fifth Evaluation Round Exchange of views – preventing corruption and promoting integrity in government • Claire DAAMS, Basel Institute of Governance Thursday, 12 noon		Cinquième Cycle d'Evaluation Echange de vues – prévention de la corruption et promotion de l'intégrité au sein du gouvernement • Claire DAAMS, <i>Basel Institute of Governance</i> jeudi, 12h00	

13.	Exchange of views Chair of the European Parliament's Advisory Committee on the Conduct of Members Thursday, 2.30 pm	Echange de vues Présidence du Comité consultatif sur la conduite des députés du Parlement Européen (<i>à confirmer</i>) jeudi, 14h30
14.	Second reading and adoption Evaluation Report – Fourth Round Republic of Moldova Czech Republic Cyprus Friday	Deuxième lecture et adoption Rapport d'évaluation – Quatrième Cycle République de Moldova République tchèque Chypre vendredi
15.	Miscellaneous	Divers
16.	Adoption of decisions	Adoption des décisions
17.	Dates of next meetings	Dates des prochaines réunions
18.	Close of the meeting Friday, <u>12 noon</u>	Fin de la réunion vendredi, <u>12h00</u>

**Exchange of views between the President of GRECO
and the Committee of Ministers**
(1258th Meeting of the Ministers' Deputies, Strasbourg, 1 June 2016)

STATEMENT

Mr Marin MRČELA, President of GRECO

It gives me, again, great pleasure to present to you today another edition of the annual General Activity Report of the Group of States against Corruption (GRECO). As I have done in the past, I will also share with you a few thoughts about current challenges, not only for GRECO and the Council of Europe but also for the international community.

I strongly believe that the on-going multifaceted crisis in Europe (and in many other parts of the world) with its political and social tensions underscores the continuing relevance of the Council of Europe's work. It also reveals how important our commitment to tackling corruption in all its forms is – not least because for as long as our economies remain sluggish, competition for fewer resources will increase. In that context, there is a higher likelihood that corrupt practices will be resorted to in order to access those resources and a greater potential for further damage to our democratic values, institutions, stability and – above all – social coherence.

As things stand today, there is no evidence that the corruption issue and related concerns, such as large-scale fraud, money laundering, waste of public money, will go away any time soon. The contrary is true. There is pervasive evidence from all over the world that citizens are more and more concerned by what they perceive as a corrupt and reckless political class. This needs to be taken seriously by policy makers at both domestic and international level. I will present some more detailed reflections on these political issues at the end of my intervention.

Madame Chair,

Again I have to report that there has been no change to GRECO's membership of 49 since the accession of Belarus in January 2011.

Let me recall, once again, that in December 2013 your Committee issued a formal invitation to Kazakhstan to join GRECO. Since then, we have heard almost nothing from the country. We are aware that certain formalities need to be completed at domestic level before the country's membership becomes effective. However, it is difficult to understand why this process is taking so long.

Kyrgyzstan is another country in Central Asia that has shown an interest in GRECO. We again held an exchange of views with a delegation from the country in March of the current year which has reinforced our impression that the development of presentable anti-corruption policies, including in relation to the international community, is being given high political priority in Bishkek.

Though potential for broadening our membership will generally be looked on as positive, a case can also be made for exercising at least some caution with respect to political systems with a weak democratic basis. As I have stressed on previous occasions there is a view in GRECO that certain "candidates" for membership could possibly be interested in a public relations exercise rather than seeking to undergo a credible peer evaluation under the GRECO process as soon as possible.

In this connection I feel compelled to mention Belarus which has already undergone two GRECO evaluations (and is subject to a special compliance procedure applied to member states whose overall performance has been found to be "globally unsatisfactory"); the results of the latest evaluation will be examined at our October plenary. Belarus is the only member which systematically refuses to authorise the publication of GRECO's reports; a practice which deviates strongly from that established since our beginnings. We have more than once repeated our request to the authorities to reconsider their stance on this issue. Alas, to no avail. That said, our Rules allow

us to publish a summary of the reports concerned against the will of the country concerned, a facility which we have used several times in respect of Belarus.

I can only hope that possible new members will not follow this unfortunate example.

On a different matter, we very much welcome the adoption of the Action plan on strengthening judicial independence and impartiality adopted by your committee and endorsed by the recent Sofia conference of the ministers of justice. GRECO will closely follow the implementation of the plan as several lines of action are directly related to the thematic scope of our current 4th Evaluation Round.

As you certainly recall, this round is devoted to corruption prevention in respect of members of parliament, judges and prosecutors. In connection with the Action plan, GRECO will continue within its monitoring operations to advise member states on the action needed to reinforce their capacity to promote integrity and fight corruption within the judiciary and the prosecution service, and to assess their performance in implementing that advice.

By the end of 2015, a total of 34 evaluation reports pertaining to the current 4th round had been adopted. The reports clearly demonstrate that there is a strong need for action and for mobilising the responsible policy-makers to address the shortcomings identified. This is all the more pressing as member states' performance in implementing the recommendations resulting from 4th Round Evaluation Reports is, so far, rather disappointing. To be more precise: during 2015 we provided a total of 9 member states with an assessment of their performance in implementing our recommendations. In four cases their performance had to be categorised as "globally unsatisfactory". This is why I persist in saying that generating more political engagement in the capitals is so important.

In this connection, let me add that in 2015, some 20 3rd round compliance reports were processed. As you will recall, the focus of that round is a) the criminal law of corruption and b) the financing of political parties and election campaigns.

While the track record of member states regarding their anti-corruption legislation remains mostly positive – notably their compliance with the Criminal Law Convention on Corruption and its Additional Protocol – the funding of political life continues to represent an area of concern.

That said, over the last three years, we have been able to terminate the special procedure applied to non-compliant members in altogether eleven cases. This is definitely good news and shows that major advances regarding the funding of political life are possible, even if they sometimes take a lot of time.

Ladies and gentlemen,

I am very pleased to announce that we have managed to set the course for the 5th Evaluation Round which will be launched at the beginning of 2017. The intense Bureau and Plenary discussions leading to the decision in October to devote the next evaluation round to preventing corruption and promoting integrity in central governments and law enforcement agencies clearly demonstrated a high level of engagement by our member states. That new round will extend GRECO's monitoring to two other essential areas of the state.

Interestingly, in the discussions leading to this decision there was also sizeable support in many quarters for dealing with corruption and prevention measures at local level – despite the technical challenges for GRECO as an intergovernmental body that would derive in many cases from the independence of local level administration from central government. The question of the effective enforcement of anti-corruption legislation came close behind that in the preferences voiced in the Plenary. Both certainly warrant close attention in the future. Looking forward, we are clearly not running out of important matters to address.

In this context I would like to mention that, in March of the current year, I made a presentation at the 30th Session of the Congress of Local and Regional Authorities. On that occasion I welcomed the fact that the promotion of ethics and transparency at local and regional level has been designated as a Congress theme for 2016. We in GRECO are fully aware that promoting integrity and preventing corruption at those levels ought to be a core strand of any action taken to deal with the sharpening crisis of confidence that appears to be hitting more and more of our societies.

Please allow me a personal remark. Despite the fact that there are not only success stories to report, I am still impressed by member states' interest in, and engagement with, GRECO which remain at a constantly high level. It is striking that despite the four one-week meetings a year that we hold delegations are rarely absent from around the table, and several delegations send two or even more representatives to each GRECO plenary.

Moreover, we receive a certain number of requests to grant authorisation to additional representatives from member states to attend our plenary meetings in order to familiarise themselves with our procedures. They are often officials who are involved in the implementation of recommendations at domestic level. Last but not least, we see more often permanent representatives of our member states attending those parts of GRECO sessions where a report concerning their country is examined. These are all welcome signs that our work is perceived as relevant.

Regarding the ongoing question of EU accession to GRECO, I could repeat almost word for word what I said last year on this matter.

In March of the current year the Plenary once again expressed its concern about the apparent lack of concrete progress towards accession of the European Union to GRECO since the Commission adopted a Communication on the matter in October 2012. In the absence of information addressed to us directly by the European Commission, GRECO took note of a written question from a group of members of the European Parliament in September 2015 asking the European Commission when it intends to become a full member of GRECO and whether the Commission is prepared to set an ambitious date. In reply, European Commissioner AVRAMOPOULOS reiterated the Commission's commitment to participation in GRECO and stated that discussions between the Commission and the Council of the European Union on the details for such participation were ongoing and that a specific date could not yet be given.

We also took note of the document *EU priorities for cooperation with the Council of Europe in 2016-2017* adopted by the Council of the European Union on 18 January 2016, in which it is again stated that EU participation in GRECO could contribute to more co-ordinated anti-corruption policies in Europe and strengthen the impact of their respective anti-corruption endeavours, that the analysis of the implications of full participation of the EU in GRECO is still ongoing, and also that participation remains the long-term objective.

I really believe that the ball is now firmly in the Union's court. There is little we can do at our end to take matters forward.

So, this thorny "dossier" is in an all too familiar static state for the moment, though I do retain some hope that it will not be abandoned.

Madame Chair,

Coming to the end of my presentation, allow me to share with you a few thoughts on how to respond to some of the challenges mentioned at the beginning of my presentation.

I am fully convinced that there is no better alternative to our mutual evaluation model. When performed in a professional manner monitoring along those lines will always produce results, even if they take a long time to materialise. The peer-pressure that GRECO exercises ultimately prompts a number of members to progress even in problematic areas such as political financing; this is clearly evidenced by the track record referred to earlier.

Capacity building through technical assistance as pursued by the CoE remains crucial. It is most welcome that the relevant technical cooperation programmes take into account GRECO's recommendations, thus contributing to their implementation on the ground and increasing pressure on the countries concerned to take the fight against corruption and the promotion of integrity seriously.

Concerning anti-corruption policies more generally, a successful approach requires strategic, comprehensive and coordinated measures, as well as a high level of transparency in political, administrative and economic life. Corruption must be efficiently prosecuted on the basis of well-designed criminal law, but first and foremost, it requires preventive action.

We have often been led to criticise a lack of due attention to the construction of genuine preventive measures and an underestimation of their importance. While it is true that there should always be a strong focus on prevention, it is also true that preventive efforts are futile if they are not backed up by determined action to counter impunity for corruption and other types of abuse of official position. The interplay between prevention and enforcement is essential; they are complements – not alternatives.

Let me say a few words about the so-called Panama Papers. Their release clearly adds additional credence to the widespread (and probably growing) belief that the political class - and others gravitating around it - are just a rotten lot, entangled in and facilitating fraud and corruption. The facts underlying such perceptions represent a further attack on democracy and the rules under which it operates. This latest blow to important legal and ethical standards, and to citizens' expectations, can only exacerbate the general crisis of confidence we are in; it also provides ammunition to unhealthy political movements and parties. Restoring integrity and fostering confidence in what is often termed the "elite" has thus become a question of survival for our pluralistic and democratic institutions.

It is essential that more is done, both at international and domestic level, to generate the requisite political will to build a durable culture of integrity. Political leaders must be prepared to take up this challenge in a way that benefits society as a whole. Designing glossy strategic plans, setting up a multitude of reflection groups, enacting one piece of legislation after the other will not be enough to achieve lasting success.

Full cooperation between the public and private sectors is also fundamental and, to drive anticorruption policy forward, it is imperative to involve and mobilise all stakeholders, including from civil society. This brings greater legitimacy and ownership to reform and results in positive changes in attitude and, ultimately, propagates a healthy culture of integrity.

Thank you very much for your attention - and for your support.