



Strasbourg, 21 June 2019

Greco(2019)9-rev

**83<sup>rd</sup> GRECO Plenary Meeting**  
(Strasbourg, 17-21 June 2019)

**Revised DECISIONS**

At its 83<sup>rd</sup> Plenary Meeting (Strasbourg, 17-21 June 2019), the Group of States against Corruption (GRECO):

**High-level conference: “GRECO: past, present & future” (Monday 17 June – a.m.)**

1. warmly welcomed the holding of this high-level event to mark GRECO’s 20th anniversary in cooperation with the French Presidency of the Committee of Ministers of the Council of Europe;<sup>1</sup> and noted with pleasure the support expressed for GRECO’s work;

**83<sup>rd</sup> Plenary Meeting**

2. took note of the request by the Delegation of Denmark to postpone to a future meeting the examination of the Fifth Round Evaluation Report on Denmark because of general elections held in June; as evaluations are of a technical not a political nature, GRECO decided to uphold the previous decisions by GRECO’s President and Bureau to not accept the request;
3. adopted the agenda of the meeting which was chaired by Marin MRČELA (President of GRECO, Croatia), and by Ernst GNAEGI (Bureau member, Switzerland) when the President had other commitments;

Information

4. took note of information provided by Marin MRČELA, President of GRECO, and Gianluca ESPOSITO, Executive Secretary of GRECO;
5. took note of the list of items discussed and decisions taken by Bureau 87 (Greco(2019)6);
6. noted with regret that the Head of delegation of France, Agnès MAITREPIERRE, is leaving her country’s delegation and her position as GRECO’s Vice-President and wished her every success in her new functions;
7. noted that elections to fill the position of Vice-President will be held at GRECO 84 (2-6 December 2019) and that GRECO representatives are invited to inform the Executive Secretary in writing if they wish to stand for election/or to nominate a candidate, preferably by 1 October 2019, it nevertheless being understood that, in accordance with the Rules of Procedure (Rule 5), candidatures can be submitted up to 48 hours before the elections are held;

Evaluation procedures

*Fifth Round*

8. adopted the Fifth Round Evaluation Reports on:

- **Denmark** (GrecoEval5Rep(2018)8)
- the **Slovak Republic** (GrecoEval5Rep(2018)9)
- **Spain** (GrecoEval5Rep(2018)5)

and set the deadline of 31 December 2020 for the submission of situation reports on measures taken to implement GRECO’s recommendations;

9. invites the authorities of Denmark, the Slovak Republic and Spain to authorise, as soon as possible, the publication of the reports mentioned in decision 8 above;

---

<sup>1</sup> Conference website : <https://www.coe.int/en/web/greco/20th-anniversary-of-greco>

## Compliance procedures

### *Third Round*

10. adopted the 6<sup>th</sup> *Interim* Third Round Compliance Report on:

- **Switzerland** (GrecoRC3(2019)5)

and decided not to continue applying Rule 32 in the case of that member;

11. in accordance with Rule 31 revised, paragraph 8.2 of the Rules of Procedure, requests the Head of delegation of Switzerland to submit additional information regarding action taken to implement certain recommendations by 30 June 2020;

12. adopted the 2<sup>nd</sup> Third Round Compliance Report on:

- **Denmark** (GrecoRC3(2019)6)

and, in accordance with Rule 31 revised, paragraph 9 of the Rules of Procedure, requests the Head of Delegation of Denmark to submit additional information regarding the implementation of certain recommendations by 30 June 2020;

13. adopted the 2<sup>nd</sup> Addendum to the 2<sup>nd</sup> Third Round Compliance Report on:

- the **Russian Federation** (GrecoRC3(2019)4)

and terminated the compliance procedure in respect of this member, in this round;

14. invites the authorities of Switzerland, Denmark and the Russian Federation to authorise, as soon as possible, the publication of the reports mentioned in decisions 10, 12 and 13 above;

### *Fourth Round*

15. adopted the *Interim* Fourth Round Compliance Reports on:

- **Portugal** (GrecoRC4(2019)13)
- **Romania** (GrecoRC4(2019)11)

and concluded, in both cases, that the level of compliance with the recommendations remains “globally unsatisfactory” in the meaning of Rule 31 revised, paragraph 8.3 of the Rules of Procedure;

16. in accordance with Rule 32, paragraph 2 (i) of the Rules of Procedure, requests the Heads of delegation of Portugal and Romania to provide reports on progress in implementing the outstanding recommendations by 30 June 2020 at the latest (in the case of Romania, see also decision 27);

17. pursuant to Rule 32, paragraph 2 (ii) a) of the Rules of Procedure, invites its President to send letters – with a copy to the President of the Statutory Committee – to the Heads of Delegation of Portugal and Romania on the need to take determined action with a view to achieving tangible progress as soon as possible;

18. adopted the 2<sup>nd</sup> *Interim* Fourth Round Compliance Report on:

- **Belgium** (GrecoRC4(2019)15)
- **Spain** (GrecoRC4(2019)12)

and decided not to continue applying Rule 32 in the case of both members;

19. in accordance with Rule 31 revised, paragraph 8.2 of the Rules of Procedure, requests the Heads of delegation of Belgium and Spain to submit additional information regarding action taken to implement certain recommendations by 30 June 2020;

20. adopted the 2<sup>nd</sup> Fourth Round Compliance Report on:

- **Germany** (GrecoRC4(2019)17)

and concluded that the level of compliance with the recommendations is “**globally unsatisfactory**” in the meaning of Rule 31 revised, paragraph 8.3 of the Rules of Procedure;

21. pursuant to Rule 32, paragraph 2 (i), requests the Head of delegation of Germany to provide a report on progress in implementing the outstanding recommendations by 30 June 2020;

22. adopted the 2<sup>nd</sup> Fourth Round Compliance Reports on:

- **Lithuania** (GrecoRC4(2019)18)
- **Malta** (GrecoRC4(2019)14)

and, in accordance with Rule 31 revised, paragraph 9 of the Rules of Procedure, requests the Heads of Delegation of Lithuania and Malta to submit additional information regarding the implementation of certain recommendations by 30 June 2020;

23. Adopted the Addendum to the 2<sup>nd</sup> Fourth Round Compliance Report on:

- **Iceland** (GrecoRC4(2019)16)

and, in accordance with Rule 31 revised, paragraph 9 of the Rules of Procedure, requests the Head of delegation of Iceland to submit additional information regarding the implementation of certain recommendations by 30 June 2020;

24. noted with satisfaction that the authorities of Iceland authorise the publication of the report mentioned in decision 23 above;

25. invites the authorities of Portugal, Romania, Belgium, Spain, Germany, Lithuania and Malta to authorise, as soon as possible, the publication of the reports mentioned in decisions 15, 18, 20 et 22 above;

### *Fifth Round*

26. approved the list of rapporteur countries for the Fifth Round compliance procedures in respect of the following countries: Finland, Iceland, Latvia, Luxembourg, Slovenia and the United Kingdom (GrecoEval5(2019)1)

#### Rule 34 – Ad hoc procedure

27. adopted the Follow-up Report (Greco-AdHocRep(2019)1) to the Ad hoc Report (Rule 34) on **Romania** and invites the Head of Delegation of Romania to submit, by 30 June 2020, additional information on the implementation of those ad hoc recommendations under the ongoing Fourth Round compliance procedure;
28. invites the authorities of Romania to authorise, as soon as possible, the publication of the report mentioned in decision 27 above;
29. pursuant to Rule 34, decided to initiate an ad hoc procedure in respect of **Greece** (Greco(2019)9-rev) and to request the Head of Delegation to submit, by 30 September 2019,<sup>2</sup> detailed official information concerning the recently amended Article 236 of the Criminal Code and its impact on the effectiveness of the fight against corruption, to be examined at GRECO 84 (2-6 December 2019);
30. at the request of the Head of delegation of **Slovenia** and on the basis of information and documents provided by her, decided, pursuant to Rule 34, to request the Head of Delegation to submit, by 30 June 2019, any additional information concerning the separation of powers between the legislature and the judiciary in Slovenia;
31. instructed the Secretariat to nominate rapporteurs for the above procedures in respect of Greece and Slovenia once the additional official information is received;

#### Evaluation of the Council of Europe support in the fight against corruption – follow-up to be given to the recommendations of the Directorate of Internal Oversight (DIO)

32. welcomed the result of the discussion by Bureau 87 on follow-up (action plan: Greco(2019)8);
33. discussed further follow-up to be included in the action plan, instructed the Secretariat to revise the action plan accordingly and to inform the Directorate of Internal Oversight of the result of the consultation of the Bureau and the Plenary;

#### Request for observer status in GRECO – European Union

34. considered the request by the European Union for observer status in GRECO (Greco(2019)7) prepared under the Romanian Presidency of the Council of the European Union and signed by European Commission First Vice-President Frans TIMMERMANS and Commissioner Dimitris AVRAMOPOULOS;
35. noted that all GRECO member States except Turkey<sup>3</sup> agreed to grant observer status in GRECO to the European Union, and therefore decided to refer the European Union's request to the Committee of Ministers for decision;

---

<sup>2</sup> Should this legislation not enter into force, the application of the Rule 34 procedure will be reviewed.

<sup>3</sup> The Delegation of Turkey underlined that it supports the European Union participating in GRECO as a member but not as an observer.

## Budgetary situation - update

36. noted that a meeting of GRECO's Statutory Committee is scheduled on 28 June 2019 to consider, if necessary, whether to not apply Article 8, paragraph 6 of GRECO's Statute in respect of the Russian Federation; the relevant provision stipulates that "unless otherwise decided by the Statutory Committee, a member which has failed to pay all or a substantial part of its compulsory contribution to the budget of the enlarged partial agreement for a period of two years, shall no longer take part in the decision-making process";
37. welcomed the additional financial and/or "in-kind" contributions for the 2018/2019 biennium made so far by Armenia, Austria, Bulgaria, Croatia, the Czech Republic, Estonia, Finland, Georgia, Ireland, Italy, Latvia, Liechtenstein, Luxembourg, Monaco, Montenegro, Norway, Poland, Romania, Russian Federation, Serbia, Slovak Republic, Switzerland, Ukraine and the United States, and the more recent announcement of a contribution from Sweden; noted that these contributions are instrumental in enabling GRECO to carry out its programme of activities and that the call for voluntary contributions will be renewed for the 2020/2021 budget;

## Topical anti-corruption developments/events in member States (Item 4)

38. took note of the information provided by the Delegations of Cyprus,<sup>4</sup> Hungary, Italy,<sup>5</sup> Republic of Moldova,<sup>6</sup> Montenegro, Serbia and Sweden;

## Publication of Reports<sup>7</sup>

39. called on the authorities of the member States concerned (Austria,<sup>8</sup> Belarus,<sup>9</sup> Georgia,<sup>10</sup> Hungary,<sup>11</sup> Republic of Moldova<sup>12</sup>) to authorise without further delay the publication of the reports adopted by GRECO at previous plenary meetings, noting that the reports on Belarus date back to the period 2012-2017 and two of the reports on Hungary date back to March and June 2017;

## Information from observer organisations and Council of Europe bodies

40. took note of the information provided by the representative of UNODC, notably in relation to the United Nations General Assembly Special Session on anti-corruption that will be held in 2021;

---

<sup>4</sup> GRECO took note of the information provided by Cyprus in relation to the "Guide to judicial conduct", training, and criteria for the appointment of judges and will take it into account in the context of the ongoing Fourth Round compliance procedure.

<sup>5</sup> Given that the information provided by Italy concerns an evolving situation on a matter covered by the previous evaluation round, GRECO invites the Italian delegation to provide an up-date at GRECO 84 (December 2019).

<sup>6</sup> GRECO invites the Moldovan delegation to provide written information concerning the composition of the Superior Council of Prosecutors and the transparency of the legislative process by 31 July 2019.

<sup>7</sup> *Action to be taken when publishing adopted reports* (decision 26, GRECO 58):

- 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.

<sup>8</sup> Fourth Round Compliance Report.

<sup>9</sup> All reports from the Joint First and Second Rounds; Third Round Evaluation Report; Third Round Compliance Report.

<sup>10</sup> Fourth Round Compliance Report.

<sup>11</sup> 2<sup>nd</sup> Addendum to the 2<sup>nd</sup> Third Round Compliance Report; Fourth Round Compliance Report; Interim Fourth Round Compliance Report.

<sup>12</sup> Fourth Round Compliance Report.

### Miscellaneous

41. welcomed the availability, since 17 June 2019, of the [HUDOC-GRECO](#) Database;

### Forthcoming meetings

42. took note of the following dates:

2019

- 88<sup>th</sup> Bureau meeting (Strasbourg, 18 October 2019)
- 84<sup>th</sup> Plenary Meeting (Strasbourg, 2-6 December 2019)

2020

- 85<sup>th</sup> Plenary Meeting (Strasbourg, 16-20 March 2020)
- 86<sup>th</sup> Plenary Meeting (Strasbourg, 25-29 **May** 2020)
- 87<sup>th</sup> Plenary Meeting (Strasbourg, 26-30 October 2020).