

Strasbourg, 29 October 2020

Greco(2020)12

86th GRECO Plenary Meeting
(Strasbourg | KUDO (online), 26-29 October 2020)

DECISIONS

At its 86th Plenary Meeting (Strasbourg | KUDO (online), 26-29 October 2020) which was chaired by Marin MRČELA (President of GRECO, Croatia), the Group of States against Corruption (GRECO):

1. adopted the agenda of the meeting;

Information

2. took note of the list of items discussed and decisions taken by the Bureau since the last Plenary Meeting (Bureau 92: Greco(2020)11);
3. took note of information provided by the President of GRECO:
 - his participation in the *Working Group on Compliance Guidelines* organised by the Institute for Compliance, Criminal Compliance & Anti-Money Laundering (ICCrA) (Zagreb, 2 October 2020) and in the Regional Anti-Corruption Initiative (RAI) *School for Junior Anti-Corruption Practitioners from South-East Europe* webinar (online, 5 October 2020);
 - his letter to the authorities of Spain concerning a legislative proposal to amend the existing system of selection of the members of the General Council of the Judiciary, published on 21 October 2020 (see also decision 28 below);
 - the adoption by GRECO's Statutory Committee of the Budget for the 2nd year of the Biennium 2020/2021;
4. took note of information provided by the Executive Secretary of GRECO:
 - his participation in the in the High-Level Conference: *Strengthening integrity and fighting Corruption: Latest achievements in Albania* (online, 13 October 2020) and in the OSCE Parliamentary Web Dialogue: *Parliamentarians & Journalists: Partners Against Corruption* (online, 14 October 2020);
 - GRECO's participation in the *International Anti-Corruption Conference* (IACC) organised by Transparency International and the government of the Republic of Korea (online, 1-4 December 2020) during which a GRECO panel *Towards transparent politics: corruption prevention in parliaments and central governments* will be chaired by GRECO's President;

Evaluation procedures

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

5. adopted the Fifth Round Evaluation Report on:

- **Albania** (GrecoEval5Rep(2019)5)
- **Germany** (GrecoEval5Rep(2019)6)
- **Norway** (GrecoEval5Rep(2019)4)

and set the deadline of 30 April 2022 for the submission of situation reports on measures taken to implement GRECO's recommendations;

6. noted with satisfaction that the authorities of Albania authorise the publication of the report mentioned in decision 5 above;
7. invites the authorities of Germany and Norway to authorise, as soon as possible, the publication of the reports mentioned in decision 5 above;

Compliance procedures

Third Round – Incriminations; Transparency of party funding

8. adopted the 2nd Addendum to the 2nd Third Round Compliance Report on:
 - **Turkey** (GrecoRC3(2020)5)and terminated the compliance procedure in respect of this member in this round;
9. adopted the 2nd Third Round Compliance Report on:
 - **San Marino** (GrecoRC3(2020)4)and terminated the compliance procedure in respect of this member in this round;
10. invites the authorities of Turkey and San Marino to authorise, as soon as possible, the publication of the reports mentioned in decisions 8 and 9 above;

Fourth Round – Corruption prevention in respect of members of parliament, judges and prosecutors

11. adopted the 2nd *Interim* Fourth Round Compliance Report on:
 - **Luxembourg** (GrecoRC4(2020)13)
 - **Turkey** (GrecoRC4(2020)18)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;
12. pursuant to Rule 32, paragraph 2 (i), requests the Heads of delegation of Luxembourg and Turkey to provide reports on progress in implementing the outstanding recommendations by 31 October 2021 at the latest;
13. pursuant to Rule 32, paragraph 2 (ii) b), invites the President of the Statutory Committee to send letters to the Permanent Representatives to the Council of Europe of Luxembourg and Turkey on the level of non-compliance with GRECO’s recommendations;
14. adopted the 2nd Addendum to the 2nd Fourth Round Compliance Report on:
 - the **Slovak Republic** (GrecoRC4(2020)14)and terminated the compliance procedure in respect of this member in this round;
15. adopted the Addendum to the 2nd Fourth Round Compliance Report on:
 - **Azerbaijan** (GrecoRC4(2020)16)
 - **Latvia** (GrecoRC4(2020)15)and in both cases terminated the compliance procedure in respect of these members in this round;

16. adopted the 2nd Fourth Round Compliance Report on:

- **Cyprus** (GrecoRC4(2020)17)

and, pursuant to Rule 31 revised, paragraph 9 of the Rules of Procedure, requests the Head of delegation of Cyprus to submit additional information regarding the implementation of certain recommendations by 31 October 2021;

17. adopted the 2nd Fourth Round Compliance Report on:

- **Serbia** (GrecoRC4(2020)12)

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;

18. pursuant to Rule 32, paragraph 2 (i), requests the Head of delegation of Serbia to provide a report on progress in implementing the outstanding recommendations by 31 October 2021;

19. noted with satisfaction that the authorities of Luxembourg authorise the publication of the report mentioned in decision 11 above;

20. invites the authorities of Azerbaijan, Cyprus, Latvia, Serbia, the Slovak Republic and Turkey to authorise, as soon as possible, the publication of the reports mentioned in decisions 11, 14, 15, 16 and 17 above;

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

21. adopted, in the framework of Rule 31 revised bis of the Rules of Procedure the first in the series of Fifth Round Compliance Reports:

- **Finland** (GrecoRC5(2020)2)
- **Iceland** (GrecoRC5(2020)5)
- **Latvia** (GrecoRC5(2020)3)
- **Luxembourg** (GrecoRC5(2020)6)
- **Slovenia** (GrecoRC5(2020)1)

and notes in the five cases that further progress is necessary to demonstrate an acceptable level of compliance within the next 18 months, and set the deadline of 30 April 2022 for the submission by the respective Heads of delegation of a situation report on additional measures taken to implement the recommendations;

22. postponed the examination of the draft Fifth Round Compliance Report on the **United Kingdom** (GrecoRC5(2020)4) to its 87th Plenary Meeting owing to the late submission of additional relevant information by the authorities;

23. noted with satisfaction that the authorities of Iceland and Luxembourg authorise the publication of the reports mentioned in decision 21 above;

24. invites the authorities of Finland, Latvia and Slovenia to authorise, as soon as possible, the publication of the reports mentioned in decision 21 above;

Rule 34 – Ad hoc procedure

25. adopted the Follow-up Report to the Ad hoc Report (Greco-AdHocRep(2020)1) on **Greece** and invites the Head of delegation of Greece to submit, by 31 October 2021, a report on the measures taken to implement the recommendations addressed to Greece in this procedure;
26. invites the authorities of Greece to authorise, as soon as possible, the publication of the report mentioned in decision 25 above;

Programme of Activities 2021

27. noted that the Bureau had agreed that due to uncertainties for the planning that stem from the COVID-19 pandemic, the draft Programme of Activities 2021 will be submitted for adoption by GRECO by written procedure later in the current year;

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

28. took note of the information provided by the Delegations of Slovenia on an on-going parliamentary inquiry regarding judicial proceedings against a politician, and of Spain on a legislative proposal to amend the existing system for the selection of the members of the General Council of the Judiciary (this information will be taken into account in the ongoing compliance procedure on Spain);

Publication of Reports¹

29. called on the authorities of the member states concerned (Austria,² Belarus,³ Bosnia and Herzegovina,⁴ Greece,⁵ Hungary,⁶ Ireland⁷ and Liechtenstein⁸) to authorise without further delay the publication of the reports adopted previously by GRECO, noting that the first report on Belarus dates from 2012 and Belarus is the only member state that has not authorised publication;

Information from observer organisations and Council of Europe bodies – item postponed

30. noted that the interventions by the European Union and OECD were postponed to its 87th Plenary Meeting;

Any other business

31. took note that only the Fourth and Fifth round compliance reports that are published before 22 December 2020 (authorisation to publish to be given by the member states by 15 December 2020) will be taken into account in the statistics on compliance levels that will be published in **GRECO's General Activity Report for 2020** – the draft report itself will be on the agenda of the March 2021 plenary meeting;

¹ *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.

² Fourth Round Interim Compliance Report.

³ All reports from the Joint First and Second Rounds, Third Round and Fourth Round.

⁴ Addendum to the 2nd Third Round Compliance Report and 2nd Fourth Round Compliance Report.

⁵ 2nd Fourth Round Compliance Report.

⁶ Fourth Round 2nd Interim Compliance Report.

⁷ Fourth Round 2nd Interim Compliance Report.

⁸ 2nd Third Round Compliance Report and 4th Round Evaluation Report.

32. noted that the President **insists on the need for members to supply all information relevant to compliance procedures** - including their comments on draft compliance or interim compliance reports - **to the secretariat within the deadlines set** as the last minute presentation of new information makes a sound assessment of its merits very complicated for the rapporteurs and secretariat and can lead to a significant waste of plenary time;

Forthcoming meetings

33. took note of the following dates:

- 93rd Bureau Meeting (online, 10 December 2020)
- 87th Plenary Meeting (22-26 March 2021)
- 88th and 89th Plenary Meetings – dates will be fixed depending on the schedule of evaluation visits in 2021.