



Strasbourg, 25 March 2022

Greco(2022)3

90th GRECO Plenary Meeting
Strasbourg | KUDO (online), 21-25 March 2022

DECISIONS

At its 90th Plenary Meeting (Strasbourg | KUDO (online), 21-25 March 2022) which was chaired by Marin MRČELA (President of GRECO, Croatia), and by Monika OLSSON (Vice-President of GRECO, Sweden) for the examination of the draft 2nd Addendum to the 2nd Fourth Round Compliance Report on Croatia, the Group of States against Corruption (GRECO):

1. noted the President's welcome message to newly nominated Heads of delegation and Representatives, thanking them for the contribution they make to the collective work in GRECO where their input and coordination at national level facilitate the concrete results of GRECO's monitoring, and for their expertise which is important in the mutual evaluation process during the examination of reports addressed to other member States;
2. adopted the agenda of the meeting;

Information

3. took note of the items discussed and decisions taken by the Bureau at its last meeting (Bureau 98: Greco(2022)2);
4. took note of information provided as follows:

The President of GRECO

- he extended heartfelt thoughts and good wishes to GRECO's friends and partners in Ukraine;
- the Minister of Foreign Affairs of Kazakhstan had notified the Secretary General of the Council of Europe on 24 February 2022 of the government's interest in acceding to the Criminal Law Convention on Corruption (ETS no. 173);
- since the Committee of Ministers had invited Morocco to accede to the Criminal and Civil Law Conventions on Corruption (ETS Nos. 173 and 174) in October 2021, there had been no new developments in the process;
- his video [statement](#) at the 9th Session of the Conference of the States Parties to the United Nations Convention against Corruption (COSP 9, 13-17 December 2021) and the side [event](#) co-organised by GRECO on whistle-blower protection – a most topical issue for all regions of the world;
- on the occasion of International Anti-Corruption Day (9 December 2021), his [statement](#) reiterating - at the height of concerns about Omicron - that Covid-19 related corruption risks continued to be high, and responses should remain lawful; and his participation in a conference organised by the State Commission for the Prevention of Corruption in North Macedonia;
- following up the exchange of views between GRECO and the Deputy Secretary General of FIFA at the 88th Plenary Meeting (September 2021), he had visited FIFA Headquarters on 10 March, accompanied by the Executive Secretary. They had learned about FIFA's quite extensive ongoing and planned reforms to tackle corruption and integrate integrity and corruption prevention throughout its work as a sport governing body. From GRECO's side its expertise and added value in the domains of transparency, oversight, and accountability had been underlined, and the importance of mainstreaming and implementing those concepts as part of the FIFA reform plans. If GRECO was approached with a request for expert input on new proposals, that would be put to the Bureau for decision;
- his video [message](#) to the General Assembly of FEDE (Federation for Education in Europe) – Dubrovnik, 23 March 2022;

Jan KLEIJSEN, Director, Information Society - Action against Crime Directorate:

- the Director relayed the profound sadness felt throughout the Council of Europe as a result of the horrific aggression against Ukraine by the Russian Federation; he referred to the decision of the Committee of Ministers to cease the Russian Federation's membership of the Council of Europe, effective as of 16 March, and underlined how the situation confirmed the essential nature of the Organisation's goals and values;
- implementation of the new four-year Council of Europe programme and budget (2022-2025) had commenced and the fight against corruption, implementation of GRECO's recommendations, and the synergies that GRECO pursues feature in the Secretary General's related four-year Strategic Framework;
- the Council of Europe had been granted observer status in the Financial Action Task Force (FATF), the global framework within which MONEYVAL works, a development with potential also when it comes to promoting the work and priorities of GRECO;

The Executive Secretary:

- the [decision](#) taken by the Committee of Ministers on legal and financial consequences of the cessation of membership of the Russian Federation in the Council of Europe and ending the membership of the Russian Federation in GRECO, except when GRECO exercises its functions under the Criminal Law Convention on Corruption (ETS No. 173) with respect to the Russian Federation;
- the [decision](#) taken by the Committee of Ministers to suspend the rights of representation of Belarus in GRECO, except when GRECO exercises its functions under the Civil Law Convention on Corruption (ETS No. 174), the Criminal Law Convention on Corruption (ETS No. 173) and its Additional Protocol (ETS No. 191) with respect to Belarus;
- the particular situation arising from the status of the two countries as State parties to the aforementioned Conventions and from GRECO's role as the monitoring body of those Conventions;
- her participation in the following events: European Union/Council of Europe Partnership for Good Governance High-level Conference *Integrity and Corruption Prevention in Armenia* (23 February) and High-level Round Table *The new mechanism in the fight against corruption – the electronic system of declaration of assets and conflicts of interests in Albania* (28 February 2022), and *Corruption: Global Solutions for a Global Problem* organised by The Bretton Woods Committee (25 January 2022);
- the election held at the present meeting to fill the position in the Bureau left vacant following the retirement of Mr Ernst GNAEGI (Switzerland);

Vincent FILHOL, Head of Delegation (France), Ministry for Europe and Foreign Affairs:

- the appended statement delivered on behalf of the French presidency of the European Union, representing the 27 European Union member States and supported by Norway;

Titus CORLATEAN, Representative in GRECO of the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe:

- the [Opinion](#) on the Consequences of the Russian Federation's aggression against Ukraine adopted unanimously at an extraordinary plenary session of the Parliamentary Assembly of the Council of Europe on 15 March 2022;

Evaluation procedures

Joint First and Second Evaluation Rounds

5. adopted the Joint First and Second Round Evaluation Report on:
 - **Kazakhstan** (GrecoEval1-2Rep(2021)1)and set the deadline of 30 September 2023 for the submission of a situation report on measures taken to implement GRECO's recommendations;
6. invited the authorities of Kazakhstan to authorise, as soon as possible, the publication of the report mentioned in decision 5 above;

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

7. adopted the Fifth Round Evaluation Report on:
 - **Serbia** (GrecoEval5Rep(2021)1)and set the deadline of 30 September 2023 for the submission of a situation report on measures taken to implement GRECO's recommendations;
8. invited the authorities of Serbia to authorise, as soon as possible, the publication of the report mentioned in decision 7 above;
9. noted that nine Fifth round evaluation visits were scheduled for 2022 – Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Cyprus, Czech Republic, Portugal, Romania and Turkey;

Compliance procedures

Third Round – Incriminations; Transparency of party funding

10. adopted the 2nd Addendum to the 2nd Third Round Compliance Report on:
 - **Bosnia and Herzegovina** (GrecoRC3(2022)1)and closed the compliance procedure in respect of this member in this round;
11. invited the authorities of Bosnia and Herzegovina to authorise, as soon as possible, the publication of the report mentioned in decision 10 above;

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

12. adopted the 3rd *Interim* Fourth Round Compliance Report on:
 - **Luxembourg** (GrecoRC4(2022)4)and decided not to continue applying Rule 32 in the case of this member;
13. pursuant to Rule 31 revised, paragraph 8.2 of the Rules of Procedure asked the Head of delegation of Luxembourg to submit additional information on action taken to implement certain recommendations by 31 March 2023;

14. adopted the 3rd *Interim* Fourth Round Compliance Report on:
- **Turkey** (GrecoRC4(2022)5)
- and concluded 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;
15. pursuant to Rule 32, paragraph 2 (i), asked the Head of delegation of Turkey to provide a report on progress in implementing the outstanding recommendations by 31 March 2023 at the latest;
16. pursuant to Rule 32, paragraph 2 (ii) c), invited the Secretary General of the Council of Europe to send a letter to the Minister of Foreign Affairs of Turkey on this member’s non-compliance with GRECO’s recommendations and the need to take determined action to achieve tangible progress as soon as possible;
17. adopted the 2nd *Interim* Fourth Round Compliance Report on:
- **Serbia** (GrecoRC4(2022)6)
- and decided not to continue applying Rule 32 in the case of this member;
18. pursuant to Rule 31 revised, paragraph 8.2 asked the Head of delegation of Serbia to submit additional information on action taken to implement certain recommendations by 31 March 2023;
19. adopted the 2nd Fourth Round Compliance Report on:
- **Ireland** (GrecoRC4(2022)3)
- and pursuant to Rule 31 revised, paragraph 9 of the Rules of Procedure, asked the Head of delegation of Ireland to submit additional information on the implementation of certain recommendations by 31 March 2023 at the latest;
20. adopted the Addenda to the 2nd Fourth Round Compliance reports on:
- **Cyprus** (GrecoRC4(2022)9)
 - **France** (GrecoRC4(2022)2)
 - **Greece** (GrecoRC4(2022)8)
 - **North Macedonia** (GrecoRC4(2022)7)
- and pursuant to Rule 31 revised, paragraph 9 of the Rules of Procedure, in the four cases, asked the respective Heads of delegation to submit additional information on the implementation of certain recommendations by 31 March 2023;
21. Adopted the 2nd Addendum to the 2nd Fourth Round Compliance report on:
- **Croatia** (GrecoRC4(2022)1)
- and closed the compliance procedure in respect of this member in this round;
22. noted with satisfaction that the authorities of Luxembourg and France authorise the publication of the reports mentioned in decisions 12 and 20 above;
23. invited the authorities of Turkey, Serbia, Ireland, Cyprus, Greece, North Macedonia and Croatia to authorise, as soon as possible, the publication of the reports mentioned in decisions 14, 17, 19, 20 and 21 above;

24. approved the list of rapporteur countries for the Fourth Round compliance procedures in respect of the following countries: Liechtenstein and San Marino (GrecoEval4(2022)12-rev);

General Activity Report 2021

25. adopted its General Activity Report 2021 (Greco(2022)1-fin);
26. noted that it was foreseen that the report would be presented by GRECO's President to the Committee of Ministers at the 1435th meeting of the Ministers' Deputies in Strasbourg on 1 June 2022 and made public at a press launch in Brussels on 2 June 2022;

Election for the Fifth Evaluation Round – one Bureau member

27. elected, by secret ballot, Olivier GONIN (Switzerland) as member of the Bureau;

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

28. took note of the information provided by delegations as follows: **Bulgaria** about developments in the field of judicial reform, including the situation of the General Prosecutor's Office; the **Republic of Moldova** about the recent decision of the Constitutional Court concerning the conditions for civil law confiscations aimed at preventing illicit enrichment through corruption;

Publication of Reports¹

29. called on the authorities of the member States concerned to authorise without further delay the publication of the reports recently adopted by GRECO;^{2 3}

Any other business

30. noted that an election to fill the seat in the Bureau previously held by the Russian Federation would be held at the 91st Plenary Meeting (13-17 June 2022);

Future meetings

31. took note of the following dates:

- 99th Bureau Meeting: 23 May 2022
- 91st Plenary Meeting: 13-17 June 2022
- 92nd Plenary Meeting: 28 November – 2 December 2022

and that a return to fully in-person participation in the GRECO 91 and GRECO 92 Plenary Meetings was planned.

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: 2nd Compliance Reports – Russian Federation and Ukraine; Interim Compliance Report – Bosnia and Herzegovina. 2nd Interim Compliance Reports – Austria and Czech Republic; Fifth Round: Evaluation Report – Lithuania; Compliance Report – Malta. Ad hoc (Rule 34) Follow-up report – Slovenia.

³ Belarus has not authorised the publication of any of the reports adopted and addressed to the authorities of the country since 2012.

APPENDIX

Statement on behalf of the French Presidency of the European Union, representing the 27 European Union member States

We condemn Russia's military aggression against Ukraine, with the culpable complicity of Belarus, in the strongest terms. The Russian attack on Ukraine is an exceptionally grave violation of the territorial integrity, sovereignty and independence of Ukraine and the fundamental principles of the Charter of the United Nations. It jeopardizes international peace and security. We stand with the Ukrainian government and people in their efforts to resist the Russian invasion. We deplore the loss of human life and the suffering caused. We call on Russia to bring an immediate end to hostilities, withdraw its troops from Ukrainian territory in its entirety, and comply with international humanitarian law.