

Strasbourg, 24 March 2023

Greco(2023)5

**93<sup>rd</sup> GRECO Plenary Meeting**  
Strasbourg, 20-24 March 2023

**DECISIONS**

At its 93<sup>rd</sup> Plenary Meeting (Strasbourg, 20-24 March 2023) which was chaired by Marin MRČELA (President of GRECO, 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 their contribution to GRECO's work where their input and coordination at national level facilitate the results achieved by 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 101<sup>st</sup> meeting (Greco(2023)3);
4. took note of information provided as follows:

#### **The President of GRECO**

- the President's [statement](#) issued in connection with International Anti-corruption Day (9 December 2022) calling for transparency and appropriate consultation in legislative processes;
- the interview he had given to POLITICO for their weekly newsletter "EU Influence" (19 January 2023);
- on 28 February 2023, the President of the Russian Federation had signed a Federal Law entitled "Criminal Law Convention on Corruption" denouncing the Council of Europe convention (ETS 173) signed by the Russian Federation in Strasbourg on 27 January 1999. The Russian Federation became a member of GRECO by ratifying the convention in 2006 and their participation had been limited by [decision of the Committee of Ministers of the Council of Europe on 23 March 2022](#). In accordance with Article 41 of the Convention, the Russian Federation would cease to be a member of GRECO on 1 July 2023 - the first day of the month following the expiry of a period of three months after the receipt on 20 March of the notification by the Secretary General of the Council of Europe;
- work within the European Union (EU) on a new anti-corruption package was followed with interest: it was important that the action of the EU and the Council of Europe (notably, GRECO) was fully complementary in this shared core area; the EU observer delegation had been invited to provide the first of a series of regular up-dates on anti-corruption developments at the present meeting;
- Delegations were invited to take steps to help ensure that reports adopted by GRECO are published within a reasonable timeframe (cf. item 37 below);
- Deputy Executive Secretary Björn JANSON would leave GRECO's Secretariat following his appointment by the Secretary General of the Council of Europe to be the Organisation's full-time Ethics Officer as of 1 May 2023: on behalf of GRECO, the President thanked Björn for his outstanding contribution to the work of GRECO over more than two decades, and for his unfailing professionalism, commitment and always reliable expertise;

### **The Executive Secretary**

- the 4<sup>th</sup> Summit of Heads of State and Government of the Council of Europe, which would be held in Reykjavik on 16-17 May 2023, would define the priorities and path forward for the Council of Europe for the years to come; preparatory work by the Committee of Ministers of the Council of Europe on the draft Declaration for the Summit was focusing inter alia on the themes of Unity around shared values, and Accountability for Ukraine;
- preparations for a new four-year Programme and Budget 2024-2027 were also underway;

### **The Deputy Executive Secretary**

- the participation of GRECO's Vice-President in the 10th Annual Meeting of the Secretary General with the Heads of the Monitoring and Advisory Bodies of the Council of Europe (Strasbourg, 17 January 2023): the Vice-President had underlined how GRECO's procedures were well adjusted to the Council of Europe context and that in-house cooperation, including with other monitoring and advisory bodies, as well as the Registry of the European Court of Human Rights, was very constructive; the Vice-President had participated in a working session on relations between the Council of Europe and the EU – she had shared ideas for how to strengthen co-operation with the EU in relation to standard setting and to provide for membership (participation) of the EU in GRECO; the outcome of the annual meeting would feed into the preparation of the 4<sup>th</sup> Summit of Heads of State and Government of the Council of Europe;

### 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 Reports on:

- **Azerbaijan** (GrecoEval5Rep(2022)5)
- **Portugal** (GrecoEval5Rep(2022)3)

and set the deadline of 30 September 2024 for the submission of situation reports on measures taken to implement GRECO's recommendations;

6. invited the authorities of Azerbaijan and Portugal to authorise, as soon as possible, the publication of the reports mentioned in decision 5 above;
7. noted that the 5<sup>th</sup> Round on-site evaluation visit to Cyprus had taken place on 12-16 December, completing the nine visits carried out in 2022, and that nine 5<sup>th</sup> Round on-site visits had been scheduled in 2023 – the United States of America, the Republic of Moldova, Italy, Georgia, Armenia, Switzerland, Liechtenstein, Andorra and Monaco;

### Compliance procedures

8. noted the President's call on all Heads of delegation to strictly respect the deadlines, fixed by GRECO in each adopted report, when preparing and submitting to the Secretariat the situation reports on progress made in implementing GRECO's recommendations; this was essential to ensure the proper conduct of the compliance procedures;

*Joint 1<sup>st</sup> and 2<sup>nd</sup> Rounds*

9. approved the rapporteur countries for the Joint 1<sup>st</sup> and 2<sup>nd</sup> Round compliance procedure in respect of Kazakhstan (GrecoEval1-2(2023)1);

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

10. adopted the 4<sup>th</sup> *Interim* Fourth Round Compliance Report on:

- **Hungary** (GrecoRC4(2023)7)

and decided not to continue applying Rule 32 of the Rules of Procedure in the case of this member;

11. pursuant to Rule 31 revised, paragraph 8.2, asked the Head of delegation to submit additional information on action taken to implement certain recommendations by 31 March 2024;

12. adopted the 3<sup>rd</sup> *Interim* Fourth Round Compliance Report on:

- **Denmark** (GrecoRC4(2023)8)

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;

13. pursuant to Rule 32, paragraph 2 (i) asked the Head of delegation to provide a report on progress in implementing the outstanding recommendations by 31 March 2024 at the latest;

14. 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 Denmark on this member’s non-compliance with the recommendations concerned;

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

- **Armenia** (GrecoRC4(2023)6)

and decided not to continue applying Rule 32 of the Rules of Procedure in the case of this member;

16. pursuant to Rule 31 revised, paragraph 8.2, asked the Head of delegation to submit additional information on action taken to implement certain recommendations by 31 March 2024;

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

- **Bosnia and Herzegovina** (GrecoRC4(2023)9)
- **Republic of Moldova** (GrecoRC4(2023)3)
- **Poland** - including follow-up to the Ad hoc (Rule 34) report (GrecoRC4(2023)4)

and concluded that in the three cases 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;

18. pursuant to Rule 32, paragraph 2 (i) asked the respective Heads of delegation to provide a report on progress in implementing the outstanding recommendations by 31 March 2024 at the latest;
19. pursuant to Rule 32, paragraph 2 (ii) b), invited the President of the Statutory Committee to send a letter to the Permanent Representatives of Bosnia and Herzegovina, the Republic of Moldova and Poland to the Council of Europe on the need for determined action to be taken with a view to achieving tangible progress as soon as possible;
20. adopted the 1<sup>st</sup> *Interim* Fourth Round Compliance Report on:
  - **Ukraine** (GrecoRC4(2023)2)and decided not to continue applying Rule 32 of the Rules of Procedure in the case of this member;
21. pursuant to Rule 31 revised, paragraph 8.2, asked the Head of delegation to submit additional information on action taken to implement certain recommendations by 31 March 2024;
22. commended Ukraine for the significant efforts made to implement GRECO's recommendations despite the extremely difficult circumstances resulting from the Russian Federation's aggression against the country; and thanked the Head of delegation for his strong commitment and for being present in Strasbourg;
23. adopted the 2<sup>nd</sup> Fourth Round Compliance report on:
  - the **Czech Republic** (GrecoRC4(2023)1)and concluded that the level of compliance with the recommendations is again "**globally unsatisfactory**" in the meaning of Rule 31 revised, paragraph 8.3 of the Rules of Procedure;
24. pursuant to Rule 32, paragraph 2 (i) asked the Head of delegation to provide a report on progress in implementing the outstanding recommendations by 31 March 2024 at the latest;
25. pursuant to Rule 32, paragraph 2 (ii) b), invited the President of the Statutory Committee to send a letter to the Permanent Representative of the Czech Republic to the Council of Europe on the need for determined action to be taken with a view to achieving tangible progress as soon as possible;
26. Adopted the 2<sup>nd</sup> Fourth Round Compliance Report on
  - **Monaco** (GrecoRC4(2023)5)and closed the Fourth Round compliance procedure in respect of this member;
27. noted with satisfaction that the authorities of Ukraine authorise the publication of the report mentioned in decision 20 above;
28. invited the authorities of Hungary, Denmark, Armenia, Bosnia and Herzegovina, the Republic of Moldova, Poland, the Czech Republic and Monaco to authorise, as soon as possible, the publication of the reports mentioned in decisions 10, 12, 15, 17, 23 and 26 above;

### Exchange of views – OSCE Office for Democratic Institutions and Human Rights

29. held an exchange of views with the Office for Democratic Institutions and Human Rights (ODIHR) represented by Konstantine VARDZELASHVILI, Head of the Democratization Department, and Yulia NETESOVA, Chief of the Democratic Governance and Gender Unit in the same department;
30. welcomed with interest the information provided on the work of ODIHR and recent trends and developments observed in the OSCE region;

### General Activity Report 2022

31. adopted its General Activity Report 2022 (Greco(2023)1-fin);
32. noted that the report would be presented by GRECO's President to the Committee of Ministers of the Council of Europe at the 1469<sup>th</sup> Meeting of the Ministers' Deputies (Strasbourg, 14 June 2023) and made public shortly afterwards;

### Sixth Evaluation Round – Theme

33. noted the consensus for the theme *Preventing corruption and promoting integrity at the sub-national level*; noted the questions and concerns to be addressed as regards the preparation and implementation of the theme; noted the President's invitation to delegations to send suggested approaches to the aforementioned questions and concerns to the Secretariat by 30 April; asked the Secretariat to compile and distribute these contributions in time for GRECO 94 and to update the reflection paper (Greco(2023)4) in light of the plenary discussion;
34. noted that delegations should be ready, and have a mandate, to take a decision on the theme of the 6<sup>th</sup> Round at GRECO 94 (5-9 June 2023); a Working Party composed of all interested members would then be set up to prepare the modalities and the draft evaluation questionnaire for the new round; the Working Party would report regularly to the plenary for guidance and decisions;

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

35. took note of information provided by the delegations of Armenia, Cyprus, the Czech Republic, Finland, Georgia, Greece, Ireland, Liechtenstein, the Netherlands, Slovenia and the United States of America;

### Information from observer organisations and Council of Europe bodies

36. took note of information provided by the delegation of the EU on the planned adoption of an anti-corruption package comprising a new directive and accompanying communication;

### Publication of Reports<sup>1</sup>

37. called on the authorities of the member States concerned to authorise without further delay the publication of reports previously adopted by GRECO;<sup>2</sup>

<sup>1</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>2</sup> **Adopted in September 2021:** 2<sup>nd</sup> Interim Fourth Round Compliance Report on the Czech Republic; **adopted in June 2022:** Fifth Round Evaluation Report on Hungary; **adopted in December 2022:** Addendum to the Fourth Round Compliance Report on Switzerland, 2<sup>nd</sup> Addendum to the 2<sup>nd</sup> Fourth Round Compliance Report on Malta.

## Future meetings

38. took note of the following dates:

- 102<sup>nd</sup> Bureau Meeting: 17 May 2023
- 94<sup>th</sup> Plenary Meeting: 5-9 June 2023 – **in person only**
- 95<sup>th</sup> Plenary Meeting: 27 November-1 December 2023 – **in person only**.