

Strasbourg, 9 June 2023

Greco(2023)9

94th GRECO Plenary Meeting
Strasbourg, 5-9 June 2023

DECISIONS

At its 94th Plenary Meeting (Strasbourg, 5-9 June 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 102nd meeting (Greco(2023)8);
4. took note of information provided as follows:

The President of GRECO

- the President had given an interview to the television station UkraineNews in connection with the publication of GRECO's 1st *Interim* Fourth Round Compliance Report on Ukraine;
- he had contributed a guest editorial for the upcoming thematic issue of EUCRIM on corruption, and an article for the annual ICC Integrity Book published by the International Chamber of Commerce;
- his meeting with the High Judicial and Prosecutorial Council of Bosnia and Herzegovina concerning confidential counselling for judges and prosecutors;
- he would present GRECO's 2022 General Activity Report at his annual exchange of views with the Committee of Ministers on 14 June (1469th meeting of the Ministers' Deputies) and at a media launch in Brussels on 15 June;
- convinced that anti-corruption awareness should be developed from an early age, an application would be made jointly by GRECO and the Federation for European Education (FEDE) to present at one of the "labs" at the Council of Europe's 2023 World Forum for Democracy (6-8 November 2023) the innovative educational module developed by GRECO and FEDE;
- the President thanked the delegations of Latvia, Monaco, Norway and the United States of America for the voluntary in-kind contributions made by covering costs related to their participation in 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 32 below);
- as reported at the 93rd Plenary Meeting, the Russian Federation would cease to be a member of GRECO on 1 July 2023;

António Delicado, member of GRECO's Bureau and Head of Delegation of Portugal

- he had spoken at the colloquium *The fight against corruption in Europe: challenges and perspectives* organised by the Chair of Law and Business Ethics of CY Cergy Paris University

(Paris, 25 May 2023) which focused on the interaction between the public and private sectors; he had presented GRECO's work in the Fourth and Fifth Rounds;

The Executive Secretary

- at the 4th Summit of Heads of State and Government of the Council of Europe (Reykjavik, 16-17 May) member States had adopted the [Reykjavik Declaration](#) and decided to establish a Register of damage caused by the Russian Federation's aggression against Ukraine intended as the first component of a future international comprehensive compensation mechanism;
- in the Reykjavik Principles for Democracy contained in the Reykjavik Declaration member States warn against democratic backsliding and commit, inter alia, to pursuing a relentless fight against corruption, including through prevention, and by holding accountable those exercising public power, and to continuing to fight organised crime; member States also recommitted to the system established by the European Convention on Human Rights, and agreed to develop tools to tackle emerging challenges in the area of digital technologies, and the environment;
- the annual report of the Secretary General of the Council of Europe on the [State of democracy, human rights and the rule of law](#) includes substantial information on the work and main findings of GRECO (chapter 5 *Integrity of Institutions*) as well as work in other sectors of the Organisation such as Moneyval and the Conference of the Parties to the Council of Europe Convention on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism (Warsaw convention, CETS No. 198), work on whistle-blower protection and integrity in education and sport;
- the Executive Secretary had spoken on the Criminal and Civil law conventions against corruption (ETS Nos. 173 and 174) and the procedure for joining GRECO at the launch of a new cooperation framework ([South Programme V](#)) between the Council of Europe and the Southern Mediterranean region (Lisbon, 13-14 March);
- she had given a presentation on corruption and gender at a *Roundtable organised by the Organization of American States* (online, 14 March);
- she had spoken at a hearing of the European Parliament's *Special committee on foreign interference in all democratic processes in the EU, including disinformation and the strengthening of integrity, transparency and accountability in the European Parliament* (Strasbourg, 30 May)
- she had also addressed a public event organised by the European Parliament Greens/EFA Group on the situation 6 months on from the so-called "Qatar-gate" scandal (Strasbourg, 6 June);

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:

- **Cyprus** (GrecoEval5Rep(2022)6)
- the **Czech Republic** (GrecoEval5Rep(2022)7)
- **Romania** (GrecoEval5Rep(2022)4)

and set the deadline of 31 December 2024 for the submission of situation reports on measures taken to implement GRECO's recommendations;

6. invited the authorities of Cyprus, the Czech Republic and Romania to authorise, as soon as possible, the publication of the report mentioned in decision 5 above;
7. noted that the 5th Round evaluation visits to Italy, the Republic of Moldova and the United States of America had taken place and that visits to Andorra, Armenia, Georgia, Monaco and Switzerland had been scheduled to take place before the end of the year;

Compliance procedures

8. noted the President's call on all Heads of delegation to strictly respect the submission deadlines fixed by GRECO in each adopted report; this was essential to ensure the proper conduct of the compliance procedures;

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

9. adopted the 4th *Interim* Fourth Round Compliance Report on:

- **Türkiye** (GrecoRC4(2023)12)

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;

10. pursuant to Rule 32, paragraph 2 (i), asked the Head of delegation to submit additional information on action taken to implement the outstanding recommendations by 30 June 2024;
11. pursuant to Rule 32, paragraph 2 (iii), requested the authorities of Türkiye to receive a high-level mission to discuss on the spot with all stakeholders concerned ways to expedite the legislative and policy changes highlighted by the report mentioned in decision 9 above;

12. adopted the 2nd Fourth Round Compliance report on:

- **Andorra** (GrecoRC4(2023)10)

13. and pursuant to Rule 31 revised, paragraph 9 of the Rules of Procedure, asked the Head of delegation to submit additional information on the implementation of certain recommendations by 30 June 2024 at the latest;

14. adopted the 2nd Fourth Round Compliance report on:

- **Austria** (GrecoRC4(2023)11)

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;

15. pursuant to Rule 32, paragraph 2 (i) asked the Head of delegation to provide a report on progress in implementing the outstanding recommendations by 30 June 2024 at the latest;

16. noted with satisfaction that the authorities of Andorra authorise the publication of the report mentioned in decision 12 above;
17. invited the authorities of Turkey and Austria to authorise, as soon as possible, the publication of the reports mentioned in decisions 9 and 14 above;

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

18. adopted the 2nd Fifth Round Compliance Report on:

- **Estonia** (GrecoRC5(2023)3)

and closed the Fifth Round compliance procedure in respect of this member;

19. adopted the 2nd Fifth Round Compliance Reports on:

- the **Netherlands** (GrecoRC5(2023)4)
- **North Macedonia** (GrecoRC5(2023)1)
- **Poland** (GrecoRC5(2023)2)
- **Sweden** (GrecoRC5(2023)6)
- the **United Kingdom** (GrecoRC5(2023)5)

and within the meaning of Rule 31 revised bis, paragraph 10, concluded that these members were **not in sufficient compliance** with the Fifth Round recommendations;

20. pursuant to Rule 32 revised, paragraph 2 (i) asked the respective Heads of delegation to provide a report on progress in implementing the outstanding recommendations by 30 June 2024 at the latest;
21. noted with satisfaction that the authorities of Estonia authorise the publication of the report mentioned in decision 18 above;
22. invited the authorities of the Netherlands, North Macedonia, Poland, Sweden and the United Kingdom to authorise, as soon as possible, the publication of the reports mentioned in decision 19 above;

Exchange of views – President of the European Court of Human Rights

23. held an exchange of views with Síofra O’Leary, President of the European Court of Human Rights, accompanied by Georgios Serghides and Peeter Roosma, Judges of the Court, and thanked her for giving GRECO the opportunity for a direct exchange;
 - the Court’s case-law had served as a reference for GRECO and had been cited in a number of recommendations addressed to member states; GRECO’s reports and the Criminal Law Convention on Corruption (ETS 173) had featured in a number of landmark judgments delivered by the Court;¹ GRECO’s Secretariat takes active part in a cooperation project set up between the Court’s Registry and the Council of Europe monitoring bodies for the exchange of information and mutual awareness raising;

¹ For example: Grzęda v. Poland, Advance Pharma sp. z o.o v. Poland, Sevdari v. Albania, Catană v. the Republic of Moldova.

6th Evaluation Round

24. decided on the theme for GRECO's 6th Evaluation Round: ***Preventing corruption and promoting integrity at the sub-national level;***
25. took note of the Compilation of contributions from delegations on possible approaches to the preparation and implementation of the new evaluation round (Greco-Inf(2023)1-rev3) received since the 93rd Plenary Meeting;
26. took note of the updated Reflection Paper prepared by the Secretariat (Greco(2023)7-rev);
27. revised the Draft Terms of Reference of the Working Party WP-Eval VI adding references to scope, methodology, modalities, terminology, sequencing and GRECO's Rules of Procedure (Greco(2023)6-rev 2) and considered them adopted, subject to final approval by the Bureau;
28. noted that the Heads of delegation of member states are invited to inform the Executive Secretary by 30 June 2023 at the latest if they wish to designate a representative as a member of the Working Party; the Working Party would meet for the first time between the 94th and 95th Plenary Meetings;

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

29. took note of information provided by the delegations of Azerbaijan, Montenegro, Portugal and the United States of America;

Information from observer organisations and Council of Europe bodies

30. took note of information provided by the representative of the Parliamentary Assembly of the Council of Europe (PACE) on events and hearings planned by the Assembly relevant to the work of GRECO and at which representatives of the GRECO Secretariat would give presentations, as well as a future seminar on the implementation of the Reykjavik Principles for Democracy where GRECO's participation would also be welcome;
31. took note of information provided by the delegation of the EU on the new Anti-corruption package adopted on 3 May 2023, comprising a joint communication from the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy and a proposal for a new directive on combating corruption;
 - the joint communication referred to GRECO as a highly valuable source of expertise and a driver of reform, and to the European Commission stepping up its engagement with GRECO by establishing a more regular and formal dialogue, including by inviting GRECO to have a standing involvement in the foreseen EU Network against corruption;

Publication of Reports²

32. called on the authorities of the member States concerned to authorise without further delay the publication of reports previously adopted by GRECO;³

² *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.

³ **Adopted in September 2021:** 2nd *Interim* Fourth Round Compliance Report on the Czech Republic; **adopted in March 2023:** Fifth Round Evaluation Reports on Azerbaijan and Portugal, 3rd *Interim* Fourth Round Compliance Report on Denmark, 2nd *Interim* Fourth Round Compliance Report on Poland (including Rule 34 follow-up); 2nd Fourth Round Compliance Report on the Czech Republic.

Any other business

33. welcomed the invitation from the World Bank to join the Global Partnership (AC4D) on anticorruption and integrity as a global partner and agreed to accept this invitation;

Future meetings

34. took note of the following dates:

- 103rd Bureau Meeting: Athens, 18 October 2023
- 95th Plenary Meeting: 27 November-1 December 2023 – **in person only**.