



Strasbourg, 2 December 2022

Greco(2022)9

92nd GRECO Plenary Meeting
Strasbourg | KUDO (online), 28 November – 2 December 2022

DECISIONS

At its 92nd Plenary Meeting (Strasbourg | KUDO (online), 28 November – 2 December 2022) 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 100th anniversary meeting (Bureau 100: Greco(2022)8), in particular the new wording for the French version of the title of Rule 32 revised of GRECO's Rules of Procedure to align it with the original English text: « *Article 32 révisé – Mesures à prendre envers les membres du GRECO qui ne se conforment pas suffisamment aux recommandations contenues dans le rapport d'évaluation mutuelle* » ;
4. took note of information provided as follows:

The President of GRECO

- his participation, as an expert for the Technical Assistance and Information Exchange instrument of the European Commission (TAIEX) in a TAIEX activity in Sarajevo on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina;
- pursuant to a request by Morocco, the Committee of Ministers had invited the country to accede to the Criminal and Civil Law Conventions on Corruption (ETS Nos. 173 and 174) on 20 October 2021 – the invitation was valid for five years;
- pursuant to a request by Kazakhstan, the Committee of Ministers had invited the country to accede to the Criminal Law Convention on Corruption (ETS No. 173) on 30 June 2022 – the invitation was valid for five years;
- Delegations were invited to take steps to help ensure that reports adopted by GRECO are published within a reasonable timeframe (cf. item 31 below);
- Patrick MOULETTE, Head of the Anti-Corruption Division in the OECD Directorate for Financial and Enterprise Affairs was participating for the last time before his retirement, the President thanked him for many years of excellent cooperation, notably in the framework of his leading role in the work of the OECD Working Group on Bribery in International Business;
- Jan KLEIJSEN, Director, Information Society – Action against Crime was also participating for the last time before his retirement, the President thanked him for his always strong and helpful support for the work of GRECO;

The Vice-President of GRECO

- her participation as a guest speaker in the conference "Revolving doors and cooling-off periods" organised by the Commission for Conflict of Interest of Croatia and, on the same occasion, the 2nd meeting of the European Network for Public Ethics (Zagreb, 9 November);

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

- in his opening remarks, the Director underlined the current and continued relevance and topicality of the fight against corruption and the links to the core objectives of the Council of Europe, thanked the GRECO member States and their delegates for their commitment and engagement, and noted

GRECO's mutually beneficial relations with the other international anti-corruption monitoring bodies, as well as the complementarity of GRECO's work with that of the Parliamentary Assembly of the Council of Europe, the Venice Commission, MONEYVAL, the COP 198 and the CCJE;

- the Director also referred to the 4th Summit of Council of Europe Heads of State and Governments which will take place in May 2023 in Reykjavik;

The Executive Secretary:

- her participation in the annual conference organised by the European Partners Against Corruption and the European Contact Point Network against Corruption (EPAC/EACN) where she spoke about GRECO's work and findings in the Fifth Round (Chisinau, 23-24 November 2022);
- the Secretary General of the Council of Europe would intervene at the International Anti-Corruption Conference "Uprooting Corruption, Defending Democratic Values" organised by Transparency International (Washington DC, 6 December 2022);

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:

- **Austria** (GrecoEval5Rep(2022)1)
- **Bosnia and Herzegovina** (GrecoEval5Rep(2022)8)
- **Bulgaria** (GrecoEval5Rep(2022)9)

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

6. invited the authorities of Austria, Bosnia and Herzegovina and Bulgaria to authorise, as soon as possible, the publication of the reports mentioned in decision 5 above;
7. approved the composition of the teams responsible for the Fifth Round evaluations of Andorra, Armenia, Georgia, Italy, Liechtenstein, the Republic of Moldova, Monaco, Switzerland and the United States of America (GrecoEval5(2022)1-rev);
8. noted that eight of the nine Fifth Round visits scheduled in 2022 had already taken place (Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, the Czech Republic, Portugal, Romania and Türkiye) and that the visit to Cyprus would take place on 12-16 December;

Compliance procedures

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

9. adopted the 3rd *Interim* Fourth Round Compliance Report on:

- **Romania** (GrecoRC4(2022)13)

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

10. pursuant to Rule 31 revised, paragraph 8.2, asked the Head of delegation of Romania to submit additional information on action taken to implement certain recommendations by 31 December 2023;

11. adopted the Addenda to the 2nd Fourth Round Compliance reports on:

- **Spain** (GrecoRC4(2022)16)
- **Switzerland** (GrecoRC4(2022)23)

and pursuant to Rule 31 revised, paragraph 9, asked the respective Heads of delegation to submit additional information on the implementation of certain recommendations by 31 December 2023;

12. Adopted the 2nd Addendum to the 2nd Fourth Round Compliance Report on

- **Malta** (GrecoRC4(2022)22)

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

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

14. invited the authorities of Romania, Switzerland and Malta to authorise, as soon as possible, the publication of the reports mentioned in decisions 9, 11 and 12 above;

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

15. adopted, in the framework of Rule 31 revised bis of the Rules of Procedure, the Fifth Round Compliance Reports on:

- **Albania** (GrecoRC5(2022)4)
- **Germany** (GrecoRC5(2022)7)
- **Norway** (GrecoRC5(2022)2)

and noted that further progress was necessary to demonstrate an acceptable level of compliance within the next 18 months, and set the deadline of 30 June 2024 for the submission by the respective Heads of delegation of a situation report on additional measures taken to implement the recommendations;

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

- **Luxembourg** (GrecoRC5(2022)5)
- **Latvia** (GrecoRC5(2022)6)

and closed the Fifth Round compliance procedure in respect of these members;

17. complimented Luxembourg and also Latvia for the significant work accomplished, and for being the first members to attain this level of implementation in the Fifth Round at the stage of the 2nd Compliance Report;

18. adopted, the 2nd Fifth Round Compliance Reports on:

- **Finland** (GrecoRC5(2022)1)
- **Iceland** (GrecoRC5(2022)3)
- **Slovenia** (GrecoRC5(2022)8)

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

19. 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 31 December 2023 at the latest;
20. noted with satisfaction that the authorities of Luxembourg and Iceland authorise the publication of the reports mentioned in decisions 16 and 18 above;
21. invited the authorities of Albania, Germany, Norway, Latvia, Finland and Slovenia to authorise, as soon as possible, the publication of the reports mentioned in decisions 15, 16 and 18 above;
22. approved revisions to the rapporteur countries for the Third Round compliance procedures in respect of Belarus, the Fourth Round compliance procedures in respect of Austria and Denmark and the Fifth Round compliance procedures in respect of Greece (GrecoEval3-4-5(2022)1) for which the Russian Federation had been a rapporteur country;

Exchange of views – World Justice Project and Transparency International

23. held an exchange of views on the theme of corruption perception measuring indices bringing together the World Justice Project (WJP) and Transparency International (TI);
24. welcomed with interest the information provided by Elizabeth ANDERSEN, Executive Director, WJP on the Rule of Law Index and Roberto Martinez B KUKUTSCHKA, Research Expert – Corruption Measurement Tools, TI on the Corruption Perceptions Index; both organisations had played a major role in getting corruption on to the global agenda and into the public consciousness, as well as contributing to the push for anti-corruption reforms that GRECO is engaged in;

Programme of Activities 2023

25. adopted its Programme of Activities for 2023 (Greco(2022)7-fin) which outlines the main objectives and actions for GRECO's core monitoring work, as well as its institutional role and the contacts and synergies that it pursues;
26. noted the need to maintain some degree of flexibility in the planning to respond to scheduling requirements that could not be anticipated at this stage, and that if the examination of compliance reports needed to be postponed to ensure a feasible agenda for plenary meetings, the Secretariat would agree – with the members concerned – appropriate new deadlines for situation reports;

Sixth Evaluation Round – Theme

27. the President outlined the options and ideas that had come up during an initial exchange on possible themes held by the Bureau on 3 November;
28. GRECO held a first open discussion on the possible focus of the Sixth Evaluation Round and decided to hold a further exchange at its March 2023 Plenary Meeting based on a reflection paper drawn up in light of the discussion and which would be forwarded to all delegations by Bureau 101;

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

29. took note of information provided by the delegations of Armenia, Cyprus, the Czech Republic, Latvia, the Republic of Moldova, the Netherlands, Portugal, Romania and the Slovak Republic;

Information from observer organisations and Council of Europe bodies

30. took note of information provided by the delegation of the Parliamentary Assembly of the Council of Europe (PACE) on the focus of PACE's work in preparation for the 4th Summit of Council of Europe Heads of State and Governments (Reykjavik, May 2023) and the delegations of the European Union, the OECD and UNODC on ongoing work and initiatives planned in the area of anti-corruption;

Publication of Reports¹

31. called on the authorities of the member States concerned to authorise without further delay the publication of reports previously adopted by GRECO;²

Any other business

32. noted that for the 2022 General Activity Report (which would be on the agenda of the March 2023 Plenary Meeting), only the compliance reports that were published by **Friday 16 December 2022** would be taken into account in the statistics on compliance levels in the Fourth and Fifth Rounds; the cut-off date for informing the Secretariat of any publications still to take place in 2022 was **Monday 12 December 2022**;

Future meetings

33. took note of the following dates:
- 101st Bureau Meeting: 23 February 2023
 - 93rd Plenary Meeting: 20-24 March 2023 – **in person only**
 - 94th Plenary Meeting: 5-9 June 2023
 - 95th Plenary Meeting: 27 November – 1 December 2023.

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 **Adopted in September 2021:** 2nd Interim Fourth Round Compliance Report on the Czech Republic; **Adopted in December 2021:** Ad hoc (Rule 34) Follow-up Report on Slovenia **Adopted in June 2022:** Fifth Round Evaluation Reports on Hungary and Ireland.